

THE HOLDING ROOM:  
CARE, CUSTODY, AND CONTROL IN A PRISON SCHOOL

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THE HOLDING ROOM:  
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This dissertation examines education programming in a men's maximum-security prison in rural Central New York. The provision of formal schooling has been a hallmark of prison reform efforts in New York for over a century, imagined to both ameliorate the conditions of confinement and, upon release, restore inmates to full civic participation and social membership. In documenting the everyday work of teaching and learning in one such school, this dissertation demonstrates that, rather than representing a formal break with punitive logics and practices, such reform efforts are instrumentalized and assimilated into the custodial management of the institution. For both staff and inmates, navigating the dissonances and incoherencies that emerge as "care" is integrated into "custody" is a defining feature of institutional life that conditions both the structural possibilities and particular socialities that emerge within reform-oriented programs in prison.

In tracing structures of care (diagnostic and standardized testing) in the school as they intersect with disciplinary structures of custody (solitary confinement), this research demonstrates that inmates' academic achievement is significantly attenuated by institutional conditions. These institutional conditions are both produced by and reflected in the "security mindset," which affects particular forms of sociality in the school. In managing personal and emotional proximities, this "mindset" remakes a "caring" profession in the image of custodial relations of authority and in the interest of control. This "mindset" is instantiated in the documentary practices of the school,

where staff not only track inmates' academic progress, but contribute to the record of punishment.

In considering staff and inmates' deep ambivalences about the lived experience of prison reform, this dissertation provides an ethnographically rich account of a pervasive modern institution that is seldom frequented by social researchers. It suggests that processes of carceral subject-making are neither coherent, nor uncontested, but mediated by extensive self-reflexive and intersubjective critique and negotiation. Given the influence of the prison as a historical formation on anthropological investigations of modern power/knowledge, this dissertation demonstrates that the contemporary prison itself is a key analytical site for understanding the empirical realities, as much as theoretical implications, of the current era of hyperincarceration.

## BIOGRAPHICAL SKETCH

Catherine Koehler holds a B.A. in Anthropology from the University of California - Davis, graduating *summa cum laude* and Phi Beta Kappa in 2004. She is a first generation college student from a family of lifelong learners. While at Cornell, she taught for the Cornell Prison Education Program and conducted ethnographic fieldwork at Auburn Correctional Facility, a men's maximum-security prison in Auburn, NY, from 2010-2011. She lives in California, where she is teaching faculty in the Merritt Writing Program at the University of California - Merced.

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## LIST OF ABBREVIATIONS

ABE	Adult Basic Education
CF	Correctional Facility
CO	Correctional officer
DOCCS	Department of Corrections and Community Supervision
GED	General Equivalency Diploma
OPT	Official Practice Test
SABE	Spanish Assessment of Basic Education
SHU	Special Housing Unit
TABE	Tests of Adult Basic Education

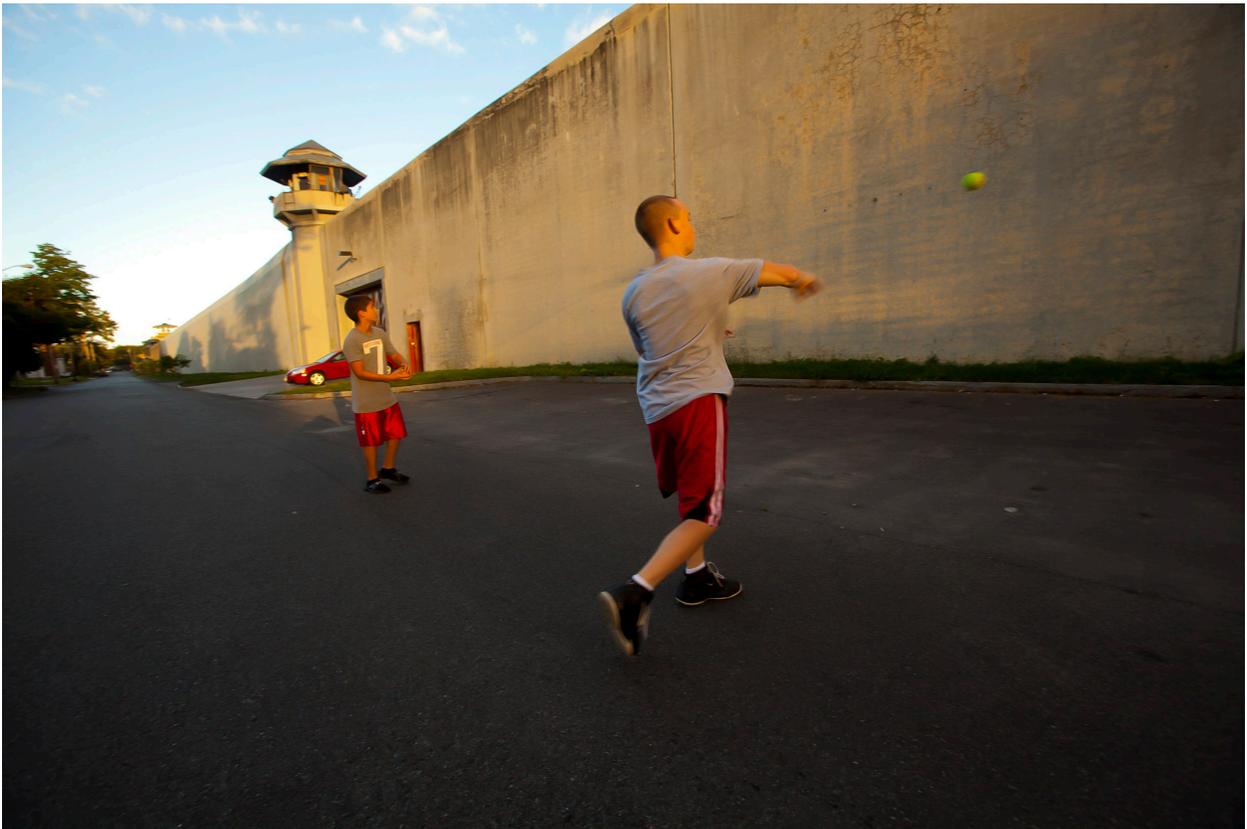


Illustration 1 *“Tossing,” Photographed by David Trotman-Wilkins for The Fall Workshop 2010 at Syracuse University’s Newhouse School.*

*“Billy Simmonds, 12, and his friend Nicholas Murray, 13, wearing #7, toss balls against the wall of Auburn Correctional Facility along Wall Street in Auburn, NY, September 11, 2010.”*

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## Foreward Groundhog Day

It is a crisp October morning in 2011, and Lori and I meet in the green glow of the parking lot behind the Kwik-Fill station. We navigate the railroad tracks and cross State Street, approaching the turreted stone threshold of the prison like we have many mornings before. It is rush hour inside the small reception area, the graveyard shift turning over and a steady stream of correctional officers with sleep still in their eyes arriving for yet “another day in paradise.” The officer in the control room has come to expect me and already has my visitor’s ID out and ready, slipping it through the bank teller’s slot in the Plexiglas. Lori waits patiently while I place my wallet and keys inside one of the 25-cent visitors’ lockers that line the far wall and begin the process that, after so much practice, has made me a TSA agent’s dream: ID, locker key, and wedding ring on the tray, bag open, coat off, boots off. I am waived through the metal detector. On the other side, Officer Thomas “wands” me— the button on my jeans and the wire in my bra triggering a predictable flare-up. I am spared the indignity of removing my bra for inspection in the toilet-cum-broom closet in the corner, though many visitors are not. My right hand is stamped with invisible ink, and I rejoin Lori across the room by the sally port.

As we wait for the gate to slowly clang open and the night shift officers to clear out, I ask Lori how things have been in the few days since I last saw her here. She sighs, “Nothing much changes.” Officer Thomas commiserates, “It’s like *Groundhog Day* around here.” We step into the sally port and I pass my hand under a blacklight for the officer in the control room. Satisfied, he nods, and we turn back toward the lobby as the gate begins its slow clang shut. Officer Thomas leans against the desk on the other side,

his face suddenly deadpan. He continues through the gate, “Get an education so you don’t end up with a job like *this*.” He plucks his blue uniform at the shoulder, “Look at this. They make us all wear the same thing. I’m like a cog in a machine.” This is an unusually earnest display for Officer Thomas, an atypical admission for any officer to make to a civilian, but all I can muster is a lame, “yeah, I hear you,” as the opposite gate begins its slow clang open. What the prison lacks in high-tech accoutrements, it makes up for with old-fashioned common sense—no two gates open at once.

Lori and I exit the sally port and climb the stairs to the second floor of the administration building, past the time clock at the top of the stairs, through an ornate brass-plated door, then another, and emerge in a second processing room. We wait in a long line of officers and staff, and finally arrive at a window. Lori rattles off her number, and an officer silently checks a clipboard and turns to a wall of key rings behind him. Adjacent to the window, a bulletin board in a Plexiglas case highlights the week’s contraband—an assortment of homemade weapons and drugs. Lori collects her keys and a personal alarm that she will wear around her neck all day, and we cross the room to another door, where an officer waits with his keys in the lock. I show him my ID and he unlocks the door and waves us through. We line up in a narrow hallway in front of another gate, and when the door is shut and locked again, the gate is opened by an officer watching us through a narrow, thick window back in the processing room, the glass riddled with chips and cracks from officers tapping it with their batons to get his attention. The active imaginations of many visitors to the prison assume the pock-marked glass is the product of bullets or rioting but, predictably, the circumstances are much more mundane.

On the other side of the gate is a large board checkered with dozens of rings, a round tag hanging from each— left side of the ring red, right side of the ring green—

and Lori locates her tag and flips it from red to green to register that she is officially leaving the administration building for the interior of the prison. A round mirror in the corner gives us a shoplifter's view of the narrow staircase leading down to yet another gate, which opens into yet another room in which we hurry up and wait. Lori makes a point to wave to the officer that controls these gates from a small, darkened booth—when we can see him at all, it is as a set of eyes peering out of a narrow slot in the door. A second gate buzzes open and we emerge outside, in the open-air interior of the prison behind the chapel. As we turn the corner of the chapel and head toward the fence that separates this area from the main yard, the officer that runs the gate back by the south mess hall catches up with us, and I almost do not recognize him out of context. We have smiled and waved every morning for almost a year, but this is the first time I actually see him outside of the booth or hear his voice.

Lori sees him and jokes, “Wow, we’re here before you for once!” as we all make our way into the yard. He seizes the opportunity to chat, making up for lost time:

Yeah, I try to be *just* on time. Some of these guys get here an hour early and sit around, and I’m like, ‘Why don’t you sit around at home and talk to your *wife* for an hour?’ I’ve been here 23 years, and I’m telling you, sometimes I leave here at the end of the day and I feel like a thief. It’s not what everyone makes it out to be. Once you’ve been in here a while, the time gets easier. You know, sometimes my fellow humans make me sick when I hear the kinds of things they say out there. I think about the kind of rumors and untruths I spread around when I was younger and I laugh. It’s all about keeping the lawyers in business. It’s a conspiracy, the whole thing, the police, everything. The real criminals are still on the street and they’re living well. They’re all in Congress. But what do I know? I’m 50.

He hurries ahead of us, and Lori and I exchange a wide-eyed look. When he is out of earshot, she laughs, “We must be exuding truth serum this morning!” I say between Officer Thomas and now this, I have never heard anything like it in here. She agrees, “not from an officer.”

We make it across the yard, empty at this hour in the morning, and into an atrium that connects a staircase leading up to the cellblocks to our left with the south mess hall directly in front of us. We proceed around the officers' booth, where our confessor is just arriving, through another gate and back outside into a wide, dead-end alley formed by the mess hall and the laundry building. The alley T's at an outdoor gym, rusting through the Central New York seasons behind a chain link fence, and we turn right and head toward the school. We approach another high fence, wave to yet another set of officers in their post at the gate, and finally arrive at the education building eight gates, 20 minutes and a quarter-mile later. Georgia is already here, prepping her materials for the day, and I tell her about our walk in this morning. "Yeah, I actually had a guy say 'excuse me' today! Usually they're like, 'civilian dirt...'" trailing off as she crosses the hall to her classroom.

Later that afternoon, when the school day is over and we are preparing to retrace our steps back out of the prison, Lori remarks, "this place is like the Mad Hatter's tea party." She goes on to describe the scene in which the Mad Hatter asks the March Hare if he cares for "Teeeee?" The March Hare lops his teacup in half and, raising it to the Mad Hatter, replies, "Just a half a cup, if you don't mind!" I am reminded of another scene from the tea party, in which Alice is puzzled by the Mad Hatter's unusual watch:

"What a funny watch!" she remarked. "It tells the day of the month, and doesn't tell what o'clock it is!"  
"Why should it?" muttered the Hatter. "Does *your* watch tell you what year it is?"  
"Of course not," Alice replied very readily: "But that's because it stays the same year for such a long time together."  
"Which is just the case with *mine*," said the Hatter. (Carroll 2012: 55)

Any way you slice it, the time adds up the same.

## Introduction “A Hardy Perennial”

*“This isn’t a regular school, where you can just get up and walk out.”*  
Martin, Inmate, Auburn CF

*“You think this is a school? This is a prison.”*  
Paul, Inmate, Auburn CF

Inmates in Scott’s Adult Basic Education (ABE) class are scheduled to take the semiannual Test of Adult Basic Education (TABE) today, a benchmark on the ladder to the General Equivalency Diploma (GED). As the test gets underway, on the narrow strip of grass between Scott’s classroom and the high concrete wall that rings the prison, a lawnmower suddenly roars to life. I watch as an inmate in plastic ear guards and standard issue greens pushes the lawnmower slowly back and forth past the windows, open on this muggy Central New York afternoon, as inmates in the classroom struggle to concentrate between the heat and the noise. Scott notices me watching, and passes me a note: *Spring and Fall test day is guaranteed to be lawn mowing day ☺*. I think of this note six months later, when, as I process into the prison on a November morning, there is a sign posted near the gate: “A.M. Closed—Morning Frisk.” The GED exam is scheduled for this morning, but the school will now be closed so correctional officers can move through the blocks and turnover cells. This reminds Lori of her first days teaching in prison. “Well, security here is the priority. When I first got here that was really hard to deal with,” she remembers, “The first TABE test I gave, they scheduled a fire drill right in the middle of it. It just goes to show you how much they value what we do. But you learn ways to work around it.”

These mundane struggles evidence what Gresham Sykes, in his early sociological study of the prison, would call “a hardy perennial” of conflict surrounding the nature

and purpose of imprisonment in U.S. society (2007:xxvii). “If the policy of the prison sometimes seems to exhibit a certain inconsistency,” he writes, “we might do well to look at the inconsistency of the philosophical setting in which the prison rests” (Sykes 2007:18). As Sykes suggests, the modern prison has never been a unified project, and its earliest institutional formations reflected this. On their tour of the nascent U.S. penitentiary system in 1831, Gustave de Beaumont and Alexis de Tocqueville asked, “What is the principal object of punishment in relation to him who suffers it?” (1970:24). Then, as now, there was little agreement as to the answer, and the politics of the prison have persisted along strikingly resilient ideological lines. They recognized that for some, “In locking up the criminals, nobody thinks of rendering them better, but only of taming their malice; they are put in chains like ferocious beasts; and instead of being corrected, they are rendered brutal” (Beaumont and Tocqueville 1970:13). Still others find “it is further necessary, that the criminal whose life has been spared, be placed in a prison whose discipline renders him better” (Beaumont and Tocqueville 1970:2).

That nearly two centuries after Beaumont and Tocqueville questioned the aims of imprisonment, Scott would sit in Auburn Correctional Facility (CF), the very prison that inspired their journey, and declare it “schizophrenic”—Lori would describe working there as “like being part of an alcoholic family”—only speaks to the ways in which this tension between punishment and rehabilitation continues to inform, if not frustrate, everyday life in the prison for those who must work and live in them. An emerging body of ethnographic work in and of the prison is situated at the seams of these split personalities—“custody” and “care” in the language of corrections—in diverse carceral settings (cf. Abrams and Anderson-Nathe 2012; Rhodes 2000, 2004; Waldram 2012). This dissertation is similarly situated, but is unique in that it takes up this tension as it informs prison education, rather than expressly therapeutic treatment models. In the

prison's school, much like its therapeutic settings, the custodial and caring mandates of the institution coexist uneasily. However, these mandates are not coequal. As Sykes also claims, rendering prisoners brutal or rendering them better share in common "society's desire to segregate the criminal, whatever reasons may lie behind that desire" (2007:18). Prison officials thus "know on which side their bread is buttered" (Sykes 2007:18)—that is, in the successful maintenance of security, no matter the punitive or rehabilitative ideals that might underwrite it. "When all is said and done," Sykes argues, "society is still apt to attach the greatest importance to the prevention of escapes and disorders, regardless of the cost" (2007:39).

Thus, despite official rhetoric as to the institution's effective administration of either punishment or rehabilitation, the reality, in fact, is a kind of "holding action" (Sykes 2007:35), where the goal is to simply maintain security while ideally rendering inmates no worse in the process. As Scott would recall of his first days teaching in the prison, "There's a lot of down time when security is your first priority. When I got down here the Dep told me 'Your first job is security. If you get to the end of the day and no one's escaped and there's no blood on the floor, you did a good job. And if you can teach them something in between, great.'" The result, as this dissertation demonstrates, is a quite literal "holding action" in which inmates languish in school for years and sometimes decades, prompting Howard, an inmate in the school, to describe the real value of his learning to the institution as "just taking up space" (interview, July 18, 2011). That very few inmates achieve their GED is inconsequential when security is the priority—in fact, as both staff and inmates are apt to point out, security is actually bolstered by this "holding action" in that it gives inmates "something to do," functioning as a sort of pressure valve for the boredom and conflict of the yard and the

cellblocks while also isolating groups of inmates in easily monitored and controlled classrooms.

Further, as Goffman argues, this overriding goal of security becomes a “key to meaning—a language of explanation” that can be taken up in diffuse ways by institutional subjects and threatens to transform the “exercise of authority into a witch hunt” (1961:83-84). In prisons, “the phantom of ‘security’” thus justifies all manner of decisions and actions pursued in its name (Goffman 1961:84). I examine how this “phantom” is conjured in the prison school such that the social relations of the classroom come to reflect custodial relations of authority. That a correctional officer can identify “a pencil or a smile” from a staff member as a potential threat to security suggests the degree to which pedagogical practices and forms of sociality in the prison school are indeed haunted by this “phantom.” As Martin, a classmate of Howard, describes it, the cost is that “We got no teacher no more. Now we got two COs” (interview, May 13, 2011). But, as Sykes argues, this is a cost that society willingly if not happily pays in the name of the complete and orderly segregation of criminals—no escapes and no blood on the floor, and where learning is an afterthought.

As Santiago-Irizarry argues of other institutional settings, “What appear as reforming breaches of totality are still mediated through relations of authority that determine the actual institutional experience for both staff and inmates” (2001:59). Paul, an inmate in the Adult Basic Education program at Auburn CF<sup>1</sup>, translates this claim succinctly for his teacher one afternoon: “You think this is a school? This is a prison.” In the ethnography that follows, I focus on the ways in which the institutional mandate to “care,” instantiated in education programming in the prison, is fundamentally

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<sup>1</sup> I use Auburn CF throughout to distinguish the prison from the City of Auburn in which it is located.

<sup>2</sup> That the “stripping and leveling processes” of the prison—shorn hair, uniformity of gaze, the lockstep,

mediated by the custodial orientation of the institution. Centering on structures, social relations, and material practices, I show that the everyday experiences of teaching and learning in prison are necessarily attenuated and reshaped by custody in the interest of control. This raises significant questions about the role of existing “rehabilitative” programming in the maintenance of institutional order, no less the larger im/possibilities of prison reform. Given the current climate of corrections—for example, the increasing focus on “right-sizing” in New York, or “realigning,” in the case of California—suggests that a careful consideration of how existing reform-oriented programs are implemented in practice can shed important light on emergent carceral formations ostensibly centered on rehabilitation and “kinder, gentler” forms of punishment.

### **A Broad View of “Programming” in New York’s Prisons**

*“We can provide all the programs in the world, but the inmate has to want to change. He has to want to change who he is.”*  
David Stallone, Superintendent, Cayuga CF

“They drill it in to your head. Program. Program. Program. Like you a robot” (interview, August 11, 2011). Joel, an inmate in Auburn CF’s Osborne School, draws out the uncomfortable double entendre of “care” in the prison, where, in the vernacular of the institution, “we program them.” This is meant to be taken as “assign them to a program,” but for Joel, the implication is that he is being “programmed” like an unthinking machine. At Auburn CF, as in the rest of New York’s prisons, “program” is a gloss for any formal assignment in the prison that can be loosely described as rehabilitative, and in many ways the heterogeneity of activities drawn together as programming evidence the long and complicated history of penological thinking about how to go about “rendering them better,” in Beaumont and Tocqueville’s sense. Work,

both in the maintenance of the institution (as porters or clerks, for example) and in service of the state (making license plates and office furniture for Corcraft, the market name for the Division of Industries); education, including vocational training and academic accreditation; and therapeutic interventions ranging from alcohol and substance abuse treatment to Aggression Replacement Therapy to Integrated Cognitive Behavior Change Therapy, are all gathered under the auspices of programming.

Former Deputy Superintendent of Program Services at Auburn CF and current Superintendent of nearby Cayuga CF David Stallone explained the goals of programming simply, where “we program him and get him to improve upon his deficiencies” in order to facilitate successful “reentry” into society (lecture, Cornell University, September 7, 2010). These deficiencies range, then, from poor work habits and skills, to low literacy levels and a lack of educational credentials, to addiction, to antisocial behaviors, to cognitive and emotional deficits. Redressing these individual deficiencies will improve the chances that an “offender” won’t “recidivate.” Laurine Jones, the Deputy Superintendent of Program Services at Cayuga CF, sees it as an integrated approach that combines skills training with changing “attitudes”:

We provide education. It’s mandated that if an inmate comes in without a diploma they have to get an education. We have vocational programs that will allow them to be entry-level competitive back in the community. But none of that works if you don’t address their anti-authoritarian attitude, so we also have therapeutic programs. We try to teach them to engage in a way that isn’t a power struggle all day long. (lecture, Cornell University, April 21, 2010)

Programming, she continues, proceeds from the question, “What do we need for that individual? It’s not just a shotgun effect. If they’re a low level offender and we put them in a group with higher level thinking, they’re not learning how to stay out of jail” (lecture, Cornell University, April 21, 2010). This preoccupation with classification and

the fear that prisons are “schools of crime” is as old as the prison itself, but it suffices to say that the official goal of programming is to inculcate in inmates the skills, habits, and attitudes they need to avoid “reoffending,” thus reflecting a utilitarian, rational-actor understanding of crime and policing.

The Great Recession occasioned significant talk about how to go about overhauling U.S. penal policies, and much of this discourse, as local prison administrators articulate above, has centered on what Gottschalk calls the “three R’s”—reentry, recidivism, and justice reinvestment (2014:79). With ostensibly ideologically and politically neutral language that defines successful “reentry” into society after incarceration in terms of reducing an inmate’s likelihood to “re-offend” through skills training that increases employability, “reentry” discourse is consonant with neoliberal emphases on individual qualities and choices at the expense of the structural forces that shape and determine them. Strikingly similar to Clinton-era “workfare” reforms, which centered on redressing the personal characteristics and behaviors of workers rather than labor market conditions, “reentry” models emphasize improving the skills, attitudes, and habits of “offenders,” rather than the social, political, and economic conditions to which they return. The ironies, if not the impossibilities, of this neoliberal model are not lost on inmates. As Howard succinctly puts it, “Even if you get a diploma, you ain’t getting a job with a record” (interview, July 18, 2011).

Nevertheless, successfully completing a program, from the institutional perspective, requires that inmates accept their “deficiencies” as reflections of their decisions and choices. As Dep. Jones, reflecting on whether or not programs “work,” explains, “It really depends on the person. When the person is ready to take responsibility for themselves and the choices they’ve made, the programs work” (lecture, Cornell University, April 21, 2010). One specific inmate figures in her memory

as a model of this success, who she recalls telling her, ““ At some point I just decided I didn’t want this to be my home, so I started listening to the program staff and making positive choices”” (lecture, Cornell University, April 21, 2010). Of course, there is an alternative way to read this success story, as one of the central ironies of life in a “total institution,” for Goffman, is that “By actually receiving what the institution formally claims to offer, the patient can succeed in getting away from what the establishment actually provides” (1961:312). In other words, one sure way out of programming is to be successfully programmed. As Dep. Jones also emphasizes, that the custodial orientation of the prison is understood as foundational to programming—“The initial issue is, ‘is everybody safe?’ Is there safety, security, structure? We have to have structure so they feel safe enough so that they can deal with that (process)” —suggests that being successfully programmed also means wresting away from custody as much as care (lecture, Cornell University, April 21, 2010).

There is an institutional performance to this, as well, and a frequent sense of programming for programs’ sake. Kyle sees programming as emblematic of the prison’s *disinterest* in him and his choices, and his experience seems to suggest the very “shotgun effect” that Dep. Jones identifies as antithetical to correcting inmates’ personal “deficiencies.” Young and relatively new to the prison on a long bid, he explains, “I was in ART (Aggression Replacement Therapy). The only thing we did in there was watch movies. ASAT (Alcohol and Substance Abuse Treatment Program),” he pauses in frustration, “Tell me this. I been here. I don’t do any kind of drugs. My case didn’t involve drugs. But they recommend the program, and come 2033, I don’t have that program, I don’t get parole” (interview, June 1, 2011). Not only does Kyle’s experience evidence the pervasive feeling that programs are in place to fill programs, but also highlights the ways in which his own success at being programmed is, in the long view,

part of a larger performance of rehabilitation for the New York State Board of Parole. The recommendation that Kyle references comes from a Program Committee made up of program supervisors and counselors that meets with each inmate when they first arrive at the facility, both as new commitments and as transfers from other prisons, to determine their “program need.” The following exchange, which I recorded while sitting in on one such intake interview and lasting less than two minutes, further illustrates this “shotgun effect”:

**Program Committee 1** How old are you?  
**Inmate** 22.  
**PC1** Man, you’re young. What do you want to do?  
**Inmate** Mess hall.  
**PC1** What shift do you want?  
**Inmate** A.M. Do I have to do ART (Aggression Replacement Therapy)?  
**PC1** Why, did you catch a ticket or something?  
**Inmate** Curfew, at Willard.  
**Program Committee 2** [Sarcastically] You didn’t have a watch on?  
**Inmate** [Ignoring PC2] I gotta take that (program)?  
**PC1** Any program you can do, take it. Trust me.  
**Inmate** Man, I gotta take that? I took that at Willard. Man, this is some bull. [Stands abruptly to leave]  
**PC2** [Shouting to him as he leaves the room] Get a watch!  
**Program Committee 3** [Also shouting to him] And pull your pants up!

This small admission—“Any program you can do, take it.”—gestures toward the larger rehabilitative performance that inmates are expected to affect, as well as the institution’s own “shotgun” approach to care.

Moreover, that this inmate will now “re-program” after already completing ART—let alone the idea of being retreated for “aggression” after a minor disciplinary infraction like missing a curfew—suggests that a successful performance is difficult to evince, and depends as much on one’s disciplinary record while incarcerated as it does on the nature of one’s crime or the “deficiencies” one presents. As Dep. Jones admits, the linchpin to successful programming is adjusting one’s “anti-authoritarian attitude”

and conceding any struggle for power. At another Program Committee interview, an inmate is told, “the only jobs I have are yard porter day shift and mess hall,” neither very desirable. He replies, “I’ll take yard porter if I can reapply for industry in 90 days.” The Industry Supervisor asks him where he’s from during a lull in the process—“Schenectady”—and after the inmate leaves, he exclaims, “The white prisoners are so polite!” In a later interview that morning, an inmate explains he has already been at Auburn CF twice in the 1990s, and both times he did asbestos work in industry. This same Industry Supervisor considers him before deciding, “I’m going to put you in the plate shop,” a coveted program with a decent paycheck, by prison standards, and a long waitlist. “Counselor Michaels,” he turns to his colleague at the other end of the table, “You see how far manners go?” After the Committee disbands, as we gather our things, he is still thinking about this particular exchange. “See what happens? If you’re nice and accommodating, *you* can get a job in industry!”

The idea that programming is as much a custodial tool as a rehabilitative one is openly acknowledged. As the Superintendent at Auburn CF, Harold Graham, explains it, “It’s better, security-wise, to have the inmate in productive programs than sitting in the yard” (lecture, Cornell University, September 7, 2010). Derek, an officer in the school, agrees, “Oh yeah. We don’t want them in their cells or in the yard all day.” Further, inmates are paid nominally for their participation in programming, starting at around 15 cents an hour or roughly \$4-5 every two weeks (one can see why industry, at about \$55, is a coveted program). Leroy sees this as something other than a paycheck, however, explaining, “They don’t really pay you, they ‘thank you for your cooperation.’ It’s to keep your mouth shut. It keeps the system running” (interview, May 16, 2011). In other words, it is more of a pay-off than a paycheck, an incentive to show up to programming and not cause problems for staff, with the added value of reducing

conflict by providing more destitute inmates with a small commissary stipend to maintain their hygiene. Moreover, that for each disciplinary infraction inmates are charged approximately what they earn each paycheck—\$5—is only further incentive to be “nice and accommodating.”

Still, this institutional emphasis on programming is relatively recent. As Super. Graham, who began his career as a correctional officer and moved up the ranks, explains it:

When I grew up in the system, we did warehousing. No one required the inmates to do what they have to do until about ten years ago, when we started enforcing the rules and making them go to programs. And they’ll do pretty much what you tell them to. The system has changed and it has changed for the better. (lecture, Cornell University, September 7, 2010)

For education programming, this change means that inmates can no longer “sign out” of school, and every inmate under 65 years old without a high school diploma or equivalent is compelled to attend. Several “Procedures for Ensuring Compliance” underwrite this policy (see Appendix A). First, inmates are restricted from higher paying industries jobs without a high school or equivalency diploma. Second, inmates must have “reasonably pursued their academic education need” to secure an Earned Eligibility Program Certificate, which qualifies inmates with indeterminate sentences to be released at the minimum expiration of their sentence for completing programming while incarcerated. Third, refusing to participate in education programming can have “good time”—a reduction in time-served for good behavior—denied or revoked. And finally, for inmates in medium security facilities who have an unfulfilled “academic need” and refuse programming, any request to be transferred closer to home will be denied, and those already close to home will be transferred to facilities farther away.

As Sykes reminds us, “the prison is an authoritarian community and it will remain an authoritarian community no matter how much the fact of the custodians’ power may be eased by a great concern for inmates’ betterment” (2007:133). Thus, where programming asks, “What do we need for that individual?” the “stripping and leveling” processes of institutional life aim to erase any markers of individuality (Goffman 1961:119).<sup>2</sup> Where an inmate must make “positive choices” to improve upon his “deficiencies” and be successfully programmed, he is compelled and coerced into participating and is punished should he refuse. The dissonances that emerge as care is necessarily mediated through custody inform the everyday experiences of the prison for those that must work and live in them. In focusing on the delivery of “care” in one such program—the provision of academic education—this dissertation demonstrates how such dissonances are produced and reflected in the structures, social relations, and material practices of the prison’s school. Rather than understanding these dissonances as simply evidence that the institution fails to live up to its own renewed rhetoric of rehabilitation, however, I take these dissonances as the inevitable features of an institution that was never coherent in the first place.

### **The House That Rockefeller Built**

This elaboration of “programming” must be contextualized within the proliferation of the prison over the last 40 years, both in the U.S. and in New York State. The rapid increase in the volume and rate of incarceration in the United States is well documented, distinct from earlier historical periods as an era of *mass imprisonment*

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<sup>2</sup> That the “stripping and leveling processes” of the prison—shorn hair, uniformity of gaze, the lockstep, prison stripes—were all, in fact, pioneered at Auburn State Prison only further imbricates the historical, ethnographic, and theoretical contexts of this study.

(Garland 2001) or *hyperincarceration* (Wacquant 2010).<sup>3</sup> The most recent data from the U.S. Department of Justice indicate that 6.94 million adults in the U.S.—roughly 3% of the adult population— are currently under some form of correctional supervision. Approximately 3.94 million are on probation and another 851,200 are on parole. The state prison population stands at 1.35 million, with another 217,800 inmates in federal custody and 744,500 held in local jails (Glaze and Hebermann 2013). Relatively stable until the mid-1970s, the combined state and federal prison population has since ballooned by five-fold, and the United States now holds the dubious distinction of maintaining the highest incarceration rate in the world at 716 per 100,000 people, significantly outpacing runners-up Rwanda (492) and Russia (475) (Sentencing Project 2014). With just 5% of the global population, the U.S. now incarcerates 25% of the world’s prisoners (Liptak 2008).

Much of this growth can be attributed to the war on drugs, formally inaugurated by Richard Nixon in a 1971 press conference following his Special Message to Congress on Drug Abuse Prevention and Control, and elaborated by his successors within a broader law and order politics. The increasing criminalization of drug possession and use has translated into a federal prison population of whom nearly half are held on a drug conviction, while the number of drug offenders in state prisons has increased a staggering 1100% since 1980 (Sentencing Project 2014). Harsh mandatory minimum sentencing guidelines for even low-level, nonviolent drug offenders have nearly tripled the average sentence for a federal drug offense, from 22 months in 1986 to 62 months in 2004 (Sentencing Project 2014). Aside from the enduring social costs of such a “war”— which includes more than 200,000 students who have lost access federal student

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<sup>3</sup> While *mass incarceration* is more widely used to describe this increase, Wacquant (2010) suggests *hyperincarceration* better reflects the “triple selectivity” of class, race, and place in disproportionately absorbing this growth.

financial aid eligibility as the result of a prior drug conviction—the total annual expenditure to maintain it tops \$51 billion (Drug Policy Alliance 2014).

In New York State, the war on drugs took shape in the Rockefeller drug laws, announced in 1973 by then Governor Nelson Rockefeller, who just two years before oversaw the state’s response to the rebellion at Attica and was beefing up his tough-on-crime persona in anticipation of a possible Presidential bid. Now widely recognized as the most draconian drug policy in the nation, it served as a blueprint for new mandatory minimum sentencing and three-strikes laws across the country. The new legislation focused on, as then-New York City Mayor John Lindsay described it in a disapproving letter to Rockefeller himself, “addict-sellers, low-level arrests, and soft drugs” (New York State Defenders’ Association n.d.:5) rather than producers and large-scale distributors, and redefined the possession or sale of small quantities of diverse substances as a Class A felony, a category that includes murder, rape, arson, and kidnapping. The most serious charge—a Class A-I drug felony—now carried a mandatory minimum of 15 years to life in prison and lifetime parole supervision for the sale of two ounces or the possession of four ounces of a controlled substance. The proportion of inmates incarcerated for a drug offense in New York rose from 9% in 1980 to 34% by the mid-1990s, largely for nonviolent, low-level drug possession or sales (Human Rights Watch 1997). In 2009, Governor David Patterson described the enduring consequences of the Rockefeller drug laws as “shipping off a generation” (Gray 2009).<sup>4</sup>

What’s more, this lost generation is drawn largely from minoritized groups. While blacks and Latinos make up roughly a quarter of the U.S. population, they

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<sup>4</sup> In 2009, Patterson announced his Rockefeller drug law reforms, widely touted as a “repeal” of the original statutes. While these reforms do allow for some addicts to be sent to treatment instead of prison, the sentencing guidelines remain in place for sellers and dealers, and for those with priors who do not get treatment.

account for over 60% of the prison population. 10% of black males in their 30s are imprisoned on any given day, and 1 in 3 black males will be imprisoned in their lifetime, compared to 1 in 6 Latino men and 1 in 17 white men (Sentencing Project 2014). While all races use and sell drugs at comparable rates, 61% of drug offenders in state prisons are black or Latino (Drug Policy Alliance 2014). The most egregious example of the racialization of drug sentencing policy, the frequently cited 100:1 disparity in crack versus powder cocaine sentencing, has contributed to significant distinctions in time served for blacks and whites committing comparable drug offenses; blacks now serve, on average, comparable prison time for non-violent drug offenses as whites do for violent offenses (American Civil Liberties Union 2014). The racial disparities are so glaring that some scholars have taken to renaming the war on drugs the “New Jim Crow” (Alexander 2012).<sup>5</sup>

In New York, the figures are even more stark. Human Rights Watch (1997) reports that by the late 1990s, when drug convictions peaked in the state, blacks and Latinos made up 85% of those indicted on drug charges and 94% of convicted drug offenders in New York’s state prisons. Of new commitments, 45% of blacks and 59% of Latinos, compared to 16% of whites, were sent to prison for a drug offense. Of those incarcerated for a Class A-I drug felony, 26% were black and 60% were Latino. The majority had no prior felony convictions, and 42% had no prior arrest record. Drug offenses also accounted for 60% of New York’s women prisoners during the same period; of these, 71% of black women and 82% of Latinas were incarcerated for drug crimes, compared to 41% of white women.

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<sup>5</sup> For a convincing critique of the “New Jim Crow” analogy, see Forman Jr. (2012), who argues that it obscures the historical origins of incarceration, overemphasizes the war on drugs, homogenizes the black community, further entrenches the black-white binary, and diminishes the particular harms of the Old Jim Crow.

Moreover, these racial disparities persist, as those incarcerated for drug offenses in the state remain 90% black or Latino (Perry 2008). The effect on minority neighborhoods, particularly in the highly segregated boroughs of New York City, has occasioned the phrase “million-dollar block” to describe streets where the state is spending an estimated \$1 million a year to incarcerate the residents of single census block (Orson 2012). Those neighborhoods, it turns out, have gotten not less but more violent as a result of rising incarceration rates. Fagan demonstrates that even as overall crime rates fall, rising incarceration rates are disproportionately absorbed by the city’s poorest neighborhoods, and describes the effect thusly:

Incarceration begets more incarceration, and incarceration also begets more crime, which in turn invites more aggressive enforcement, which then re-supplies incarceration. These dynamics spiral over time...It is, quite literally, a vicious cycle. The dynamic becomes self-sustaining and reinforcing, and continues even as externalities such as labor market dynamics or population structure undergo significant change, as well as in the face of declining crime rates and receding drug epidemics (2002:1554; see also Clear 2009).

This isn’t exactly a revelation to those who live in such neighborhoods, of course. Malik, who went to prison at 17 years old and spent the next 15 years incarcerated in New York’s prisons—nine of them in continuous solitary confinement—describes lining up with his friends as a young boy in Queens to practice hiding razor blades under their tongues, in preparation for what they understood as an inevitability for kids from the neighborhood: a stint at Riker’s Island. He made it two years back in Queens after his release in 2010 before returning to prison, where he will remain until at least 2019. He will be 40 years old, and will have spent half his life in prison—a quarter, at least, in solitary confinement—when he gets another run at it.

Still, New York’s prison population peaked at 72,649 in 1999, and since, there has been a slow and steady decline in the number incarcerated in the state; by 2013, the total

number of inmates in the state's correctional facilities declined by 26%, to 54,196. This decline is largely attributed to an incremental scaling back of the Rockefeller drug laws, culminating with Governor Patterson's overhaul of the statutes in 2009, allowing for more treatment options for addicts and more flexibility in sentencing.<sup>6</sup> Between 1996 and 2013, those incarcerated for drug offenses in the state declined from 24,000 to 6,700, a 72% reduction. Auburn CF, for its part, also reflects this trend, where few are held on a drug offense, but stands apart in that it still houses fewer drug offenders than the larger DOCCS system. In 2011, during the course of this research, 80% of Auburn CF's 1,724 inmates were convicted of a violent felony, compared to a system-wide average of 63%, while only 7% were held on a drug charge, lower than the DOCCS average of 15%. This contributed to staff's feeling that Auburn CF had become a more "hard-core" prison (Correctional Association of New York 2011:4-5).

### **From Upriver to Upstate**

Naturally, jailing more people requires more jailers, though the parallel growth in correctional work over the past 40 years has been less thoroughly documented and explored. In addition to the 90,300 probation officers and post-release treatment staff enumerated by the Bureau of Labor Statistics, the most recent Census of State and Federal Correctional Facilities estimates that there are 445,055 employees at correctional facilities under state or federal authority in the U.S., while an additional 234,000 staff local and federal jail facilities. For comparative perspective, this situates correctional work squarely between Wal-Mart (1.3 million) and Yum! Brands (523,000), purveyor of KFC, Taco Bell, and Pizza Hut, the two largest private employers in the country.

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<sup>6</sup> There have been modest declines in the total U.S. correctional population since 2009, as well. While the number of inmates held in state prisons has declined, the jail population, however, has grown, offsetting the scale of this shrinkage. Much of this shift is attributable to California's court-ordered prison realignment process.

Correctional work, in this light, might just be some of the last stable union work in the U.S., organized by what have become the most politically powerful unions (Gilmore 2007; Hill 2011; Page 2011).<sup>7</sup> Taken together, this translates to one correctional employee for every 3.4 inmates. In addition to custodial staff, a sizable civilian staff of administrators, clerical workers, educators, healthcare providers and other professionals make up 34% of state and federal correctional employees and 28% of workers in local jails.

This growth in correctional work can be contextualized within the deindustrialization that occurred alongside the proliferation of the prison in the U.S., where new prison construction shores up local, largely rural economies desperate for jobs at the same time that opportunities for “legitimate” employment in the urban core diminish.<sup>8</sup> In this sense, a kind of “carceral Keynesianism” (Davis 1998), where the corrections industry “soaks up surplus labor” as “one of the most successful public-works programs operating today” (Lichtenstein 2011: 12), emerges to fill the economic vacuum produced by deregulation. An iconic, if surreal scene from Michael Moore’s 1989 film *Roger & Me*—where Flint’s white elite pay to stay overnight at the city’s new jail complex (the gala theme: “Jailhouse Rock”), and where unemployed autoworkers-cum-prison guards will perform the work of jailing their former coworkers and neighbors after its “grand opening”—neatly captures this trend in real time. Lancaster argues that punitiveness is thus “the real cultural logic of neoliberalism,” where just as the state retreats from economic regulation, it heightens its regulation of persons,

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<sup>7</sup> Though the specter of prison privatization, which accounts for most of the construction of new correctional facilities since 2000 and which now accounts for nearly 25% of all institutions—one might also recall California Governor Arnold Schwarzenegger’s 2010 proposal to outsource confinement in his state to Mexico—suggests that correctional work, too, might not be immune to neoliberal restructuring. For its part, New York State does not have any private correctional facilities.

<sup>8</sup> Whether the arrival of a prison actually does this is debatable, as emerging research suggests rural counties with prisons are no better off in terms of unemployment rates or per capita income than those without them (see King, Mauer, and Huling 2003).

particularly the disadvantaged, who “instead of resources...get surveillance, discipline, and punishment” (2008:xiii).

New York in many ways exemplifies this trend. Between 1982 and 2000, in order to relieve the prison overcrowding affected by the Rockefeller drug laws, the state more than doubled its number of adult correctional facilities, from 32 to 70. More prisons were built in this 18-year period than in the previous 165 year history of incarceration in the state (King, Mauer, and Huling 2003:4). All of the prisons constructed post-1982 are located in rural upstate counties and one State Senator in particular, Ronald Stafford, managed to site 12 of them in the six counties along the Canadian border that comprise his district; 4 in 10 prisons in the state would be consolidated in the districts of just three Republican State Senators (King, Mauer, and Huling 2003:4-5). The received wisdom was and is that prisons will fill the economic vacuum left by diminished manufacturing and stagnant tourism in the northern and western reaches of the state, though the jury is very much still out on if prison construction has had this stabilizing effect. Until 2010, however, prison-based gerrymandering in New York artificially inflated the representational pull of upstate legislative districts in Albany, where disenfranchised inmates were counted as residents of their county of confinement rather than their home county, making prisons politically valuable if not economically so.

Auburn CF is both a part of, and apart from, this growth. Its 19<sup>th</sup> century origins clearly distinguish it from the rural prison construction boom in New York over the last 30 years.<sup>9</sup> Nonetheless, it persists as part of the upstate prison archipelago that developed around it during this period. Inmates themselves are attuned to this political

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<sup>9</sup> A colleague and I argue elsewhere (Koehler and Ryan 2011) that its construction in the state’s hinterlands in 1816 places it within the context of settler colonialism in New York, where it can be read as part of the larger rhetoric of “firsting and lasting” (O’Brien 2010) that wrote Indians out of modernity and legitimated settler expansion into Iroquois territory in the western reaches of the state during this period.

economy, reminding staff, as Marco did, “If it wasn’t for us, these COs would be farmers. You wouldn’t have a job if it wasn’t for us. You wouldn’t get a paycheck, send your kids to college. You’d be on the farm.” Further, there is a racial geography to this as well. At Auburn, 79% of inmates identify as black or Latino, where 97% of correctional officers at the facility are white (Correctional Association of New York 2011:4). This is typical of upstate prisons, though inmates ranked Auburn CF in the bottom third of correctional facilities surveyed by the Correctional Association of New York for levels of racial harassment (2011:6). This stands in contradistinction to downstate facilities like Riker’s Island, the central jail complex for New York City, where, as Jonah put it, “On Riker’s, I’m used to people, no disrespect, who are like me (black). Then you got state pens, and they try to get you used to their way of life, their lifestyle.” He continues:

We can relate to them. They know the struggle we going through. We come from the same places. They may know your family. We live the same lifestyle, they just on the other side. I’m a Five Percenter. Up here they locking us up, down there they may be one, too. They don’t understand us up here. I’m not a gang member. Since I’ve been a Five Percenter, I’ve gotten my GED, my vocational, no tickets. If I was a Christian, they wouldn’t give me no problems. (interview, June 6, 2011)

Staff at Auburn CF, no small number of whom are related by blood or marriage—as Superintendent Graham points out, “Each correctional facility has it’s own personality. At Auburn, there are third generation officers”—see the racial makeup of staff at Riker’s as threatening to the order of the institution, even if they often express it through ostensibly race-neutral language. As Lori puts it, “I heard it’s *really* bad at Riker’s. Because they’re all related, the staff and the inmates, because they’re all from the city.

So they just sell to the same people as on the street. It just makes it easier.”<sup>10</sup> Jonah pokes fun at this common fear that a racially diverse staff will dissolve the boundaries between “blue” (officers) and “green” (inmates), adding, “In my neighborhood, either way you end up at Riker’s, and Riker’s is still there. They don’t have African Americans up here because they don’t want them to get close to us. When black people get together, you know! I hope you’re not offended” (interview, June 6, 2011).

As the war on drugs is scaled back in the state, however, an increasing emphasis on “right-sizing” its prison system, as Governor Andrew Cuomo’s office calls it, to keep pace with a shrinking inmate population suggests that changes in this economy are underfoot. The political tide might be changing as well, as Cuomo himself made clear in his State of the State address in 2011:

An incarceration program is not an employment program. If people need jobs, let’s get people jobs. Don’t put other people in prison to give some people jobs. Don’t put other people in juvenile justice facilities to give some people jobs. That’s not what this state is all about. And that has to end this session.

Since, his administration has announced the closures of 13 minimum and medium security correctional facilities, most of them upstate. However, while the overall inmate population has seen a 26% decrease since its peak in 1999, the number of correctional officers working in the state’s prisons has declined by only 14%. The total number of correctional workers in the state, including custodial and civilian staff, stands at 29,001, translating to one DOCCS employee for every two inmates (Cuomo and Megna 2014:69). That this downsizing parallels a renewed emphasis on programming—or, as Superintendent Graham put it, “requiring the inmates to do what they have to do”—

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<sup>10</sup> It’s worth noting that prisoners have little difficulty in getting drugs at Auburn CF. The Correctional Association of New York ranks Auburn CF as the third worst prison for drug use of all CA-visited prisons, where 86% of prisoners report drug use as “common” or “very common” versus a system-wide average of 63% (2011: 9).

suggests that an ethnographic examination of one such program stands to speak to the changing politics of incarceration in the state.

### **The Prison and the Ethnographic Imagination in the United States**

As Rhodes notes, that very few anthropologists have conducted ethnographic fieldwork in prison is especially ironic given the extent to which the prison has figured as an “omnipresent subtext” in broader thinking about the relationship between power and knowledge in the discipline (2001:65-66). There are several explanations for this neglect within anthropology. Most obviously, it reflects the traditional organization of knowledge within the human sciences, in which institutions and organizations, and the United States, were the domain of sociologists. Early sociological studies of the prison, in the structural functionalist tradition, focus on the social organization of the prison and the role of beliefs, values, and norms in the maintenance of social order within its walls (cf. Clemmer 1958), identifying prisoners a removed “society of captives” (Sykes 1958) and the prison itself a “total institution” (Goffman 1961). Ironically, no small number of these early sociological studies were inspired by Auburn native and prison reformer Thomas Mott Osborne and his anthropological “technique of the participant observer” (Haynes 1949: 432-434).<sup>11</sup>

Osborne went undercover as a prisoner at Auburn Prison in 1913, and his proto-prison ethnography *Within Prison Walls being a narrative during a week of voluntary confinement at the state prison in Auburn, New York* motivated sociologists to experiment

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<sup>11</sup> Though Sykes explicitly rejects participant observation “either as a guard or as an inmate—as apt to prove defective as a technique for securing data” (1958: 148).

with participant observation (c.f. Hayner and Ash 1939); some would even become “voluntary prisoners” themselves at other institutions (c.f. Riemer 1937). In the same year of Osborne’s confinement, inspired by her friend and her own disillusionment with practicing law, Madeleine Doty and her companion Elizabeth Watson would be clandestinely committed as prisoners at Auburn, which still maintained a women’s wing. Doty chronicled her week as “Maggie Martin, 933” in *Society’s Misfits*, which went unrecognized in sociological circles.<sup>12</sup> So, while anthropologists might not have been pursuing participant observation in the prison, their craft was plied by sociologists and reformers alike. Moreover, Auburn Prison would itself figure prominently in this new approach to understanding institutional life “not from the outside looking in, but from the inside looking out” (Osborne 1914:16).

While reformers entered the prison in the Northeast, and sociological interest in the prison was concentrated at the University of Chicago and thus largely concerned with midwestern prisons, southern prisons received less public and scholarly attention. Distinct institutional formations developed during Reconstruction in the convict leasing system and a vast network of prison farms, where incarceration in the South evoked the plantation more than the modern penitentiary (Blackmon 2009; Lichtenstein 1996; Oshinsky 1997). Still, some anthropologically-oriented work documented these carceral formations as sociologists were experimenting with participant observation in the Midwest. In 1947-1948, folklorist and ethnomusicologist Alan Lomax entered Parchman Farm Penitentiary in Mississippi’s Yazoo Delta, recording field hollers, work chants, and blues. That same year, he recorded oral histories with Big Bill Broonzy, Memphis

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<sup>12</sup> Doty, a prominent pacifist, made headlines a few years later when she married well-known radical Roger Baldwin, who would found the American Civil Liberties Union shortly thereafter. The papers read “Hubby Pays Wife For Doing Housework in Happy Doty-Baldwin 50-50 Marriage,” where Baldwin agreed to pay her 50 cents an hour on the occasion she did more than her fair share of housework (Walker 1999:45-46). Doty would write for the *New York Tribune* and *Good Housekeeping* before getting her Ph.D. in International Relations at the age of 66.

Slim, and Sonny Boy Williamson about levee camps and southern prisons, also documenting their versions of camp songs. He returned to Parchman in 1959 and made more field recordings, this time in stereo. In Texas, Pete and Toshi Seeger embarked on a similar project, recording work songs at Texas prison farms in 1951. They returned in 1966 with folklorist Bruce Jackson to record an ethnographic film of prisoners at Huntsville Prison's Ellis Unit as they worked and sang, largely felling timber.<sup>13</sup> To my knowledge, Lomax and the Seegers stand alone in their focus on the prison as a site of cultural production during this period.

The west also developed its own distinct carceral formations in the 1940s in the internment camps for Japanese Americans and Japanese foreign nationals during World War II. Guerrier (2007), Price (2008), Starn (1986) and Suzuki (1981) document the "internment fieldwork" conducted by two dozen anthropologists at the camps for the War Relocation Authority, perhaps the most expansive body of anthropological work on incarceration to date (cf. Brown 1945; Embree 1944; Leighton 1945; Provinse and Kimball 1946; Redfield 1943; Spicer 1946; Thomas and Nishimoto 1946). Though, as Price notes, it was participant observation, more than any distinctly anthropological theoretical approach, that distinguished their work (2008:167). They would focus their analyses on emerging social formations in the camps, and make recommendations for the improved management of the camps based on those observations. For those anthropologists hired as "community analysts," their explicit charge was to assess the causes of social unrest in the camps and suggest ways to quell it (Price 2008:153). While Rhodes claims that sociologists of the prison during this period were caught in a "reflexive loop" whereby their own beliefs about the nature and purpose of confinement would inform changing approaches to rehabilitation in the prison, and that

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<sup>13</sup> The film is archived online, in its entirety, and can be viewed at <http://www.folkstreams.net/film,122>.

anthropologists have been more self-aware about their work in prisons (2001:72), the history of internment fieldwork suggests this narrative is not so clean-cut. As Price notes, anthropologists were fundamentally “advising agencies functioning as prison wardens” (2009:170).

Few anthropologists conducted fieldwork in the prison in the post-war era. Davidson (1974) is one exception; then a graduate student in anthropology at the University of California- Berkeley, he conducted 20 months of participant observation at San Quentin State Prison in the late 1960s, studying the social organization of the prison as the product of a dominant “machismo” Latino subculture. Despite its problematic depictions of Latino masculinity, the study does critically illustrate the ways in which the prison administration manipulated hostilities between prisoners in order to maintain control of the prison. Davidson was strip-searched and kicked out of San Quentin in 1968, and his expulsion was a harbinger of what would be a wider retrenchment in access to the prison for social researchers of all stripes throughout the 1970s. Sociologists Irwin (1970), Carroll (1974), and Jacobs (1977), for example, document the prison at the precipice of the increasing bureaucratization of prison administration and professionalization of prison work, which produced a more managerial and territorial—if not resentful—institution in response to political and legal interventions in prison management after the prison disturbances of the early 1970s.

Ethnographic studies of the prison in the 1980s focus on correctional work itself. Where earlier social researchers became “voluntary prisoners,” Marquart (1986) became a voluntary correctional officer at a Texas state prison, and Fleisher (1989) did the same at the federal penitentiary in Lompoc, California. Sociologists and anthropologists have always been implicated in prison management—sociologists as advisors to parole

boards, members of classification committees, and voluntary workers in penitentiaries, and anthropologists, at least in the case of internment fieldwork, as agents of the government explicitly charged with identifying and mitigating threats to carceral order—but this was the first time that research was carried out under the auspices of physical violence and coercion. Both Marquart and Fleisher describe their socialization into the role of correctional officer, no less the ethical dangers and moral struggles therein. Other qualitative work on correctional officers from this period does not rely on “going native,” and maintains less focus on the ways in which officers, too, are subject to *prisonization* (Clemmer 1940) as a result (cf. Crouch 1980; Kauffman 1988; Owen 1988; Zimmer 1986).

That journalists have managed to spend significant time inside prisons during the same period in which such institutions purportedly became increasingly impenetrable (cf. Bergner 1998; Conover 2000), no less in some of the more notorious prisons in the country, suggests that some of the neglect lies squarely in the laps of social scientists (Wacquant 2002:387). Wacquant is somewhat flippant about the “short answer” to this neglect—that such methods would never pass muster with an Institutional Review Board, where, like Marquart and Fleisher, Conover himself went “undercover” as a correctional officer. However, Wacquant also suggests that the “lowly scientific status of the object of investigation, which entails intimate contact with a population thrice stigmatized (inmates are law-breakers who are overwhelmingly poor and darker skinned),” along with a repulsion on the part of academics to “spending extensive periods of time inside an institution predicated on the industrial desecration of the self, not to mention the real or imagined threat of physical injury” shares some responsibility for the decline in prison ethnography (2002:387). Waldram, reflecting on his own ethnographic work with incarcerated sex offenders, adds that

anthropologists cannot be abstracted from larger law and order politics and publics, where “prison inmates are not embraceable research participants” and “The widespread, though often latent, assumption that research with prison inmates is tantamount to being an apologist for them is common in many responses to my work, including those of journal editors and manuscript reviewers” (2009:4).

When Rhodes (2001) and Wacquant (2002) published their important reviews of the anthropology of the prison and the state of prison ethnography, the “ethnography of the prison in the United States (was) not only an endangered species but a virtually extinct one” (Wacquant 2002:385). While the situation has not improved much in the intervening decade, there are signs that prisons might be once again opening to social researchers, or at the very least that social researchers might once again be interested in the prison. Still, little of this work is being carried out by anthropologists—Rhodes (2004) and Waldram (2012) are, to my knowledge, the only anthropologists working in U.S. and Canadian prisons, respectively. A few sociologists continue to pursue participant observation in and of prisons, in their own tradition, and recent monographs focus on diverse institutional spaces, from the prison chapel (Dubler 2013) to the prison’s threshold (Comfort 2008), as well as distinct carceral formations, including juvenile “residential facilities” (Abrams and Anderson-Nathe 2013). This dissertation contributes to this emergent ethnographic record of confinement in the United States, and offers a unique perspective in its emphasis on schooling as it informs the institutional experiences of staff and inmates alike.

### **An Accidental Ethnographer**

*Gaining Access to a “Total Institution”*

Following Waquant's (2002) influential consideration of the "curious eclipse" of the prison as a site of ethnographic inquiry precisely as the prison system in the United States developed staggering reach, that prisons are increasingly opaque and impenetrable institutions has become something of a truism for those pursuing qualitative research in prisons. As the prison has proliferated, Waquant claims, social researchers have been locked out, and the "paramount priority of the ethnography of the prison today is to *just do it*" (2002:386, emphasis his). Waquant himself locates this opacity within the broader turn toward "all-carceral model that assigns scarcely any function to imprisonment outside sorting, storage, and neutralization of convicts," and where "the social worker is thus being succeeded by the prison guard" (2002:380). An institutional interest in the social world of the prison lost its footing in the process, as prison work was professionalized into "corrections," which produced a more managerial and territorial—if not resentful—institution in response to political and legal interventions in prison management after the prison disturbances of the early 1970s. Within this context, Rhodes explains, research was seen as more "risky," and identifying and mitigating such risk—to institutions' reputations or operations—became a central concern of this new managerial orientation as well as "the means by which the historical connection between qualitative research and prisons was broken; today ethnography is easily rejected as 'too risky'" (Rhodes 2009:6).

In my own experience, however, I found it fairly simple to "just do it." Admittedly, I came to this project accidentally and in a rather roundabout way. I moved to Auburn because my husband worked there, not to pursue research in its prison. When I found out that my own university was offering college coursework to inmates through the Cornell Prison Education Program (CPEP), I began teaching at Auburn CF and entering the prison regularly. As an afterthought, and in no small part at the

encouragement of many CPEP students, I decided to pursue research on other types of programming in the prison after about a year and a half of teaching inside. Research in the prison required approval from two separate review bodies—Cornell’s Institutional Review Board, and, once approved by the IRB, the Director of Research for the Department of Corrections. My reading was that the best strategy for securing the cooperation of the administration at Auburn CF, no less the approval of DOCS, was to approach the institution *before* asking DOCS for research permissions, and to shape the research design around the institutional spaces the local administration was willing to open up to me. This would demonstrate to Albany that I had the support of the institution, and my sense was that this would be at least as important as human subjects clearance to DOCS, as well as important in ensuring the prison itself accommodated me once I had approval from Albany.

James Schechter, then Executive Director of CPEP, generously included me in one of his regular meetings with program administrators at the prison, where I pitched my project in broad strokes and discussed the organization of programming in the prison. That I was already a known quantity in the prison through my work with CPEP, was flexible on the institutional spaces I might access, and acknowledged the custodial priorities of the institution played no small part in securing their support. That I was interested in the institutional life of the prison itself, and was not seeking access to individual inmate files and records, also helped. I was told that no one had approached them about conducting qualitative research at Auburn CF before, and my larger sense was that they were a little befuddled if not bemused, but mostly disinterested in the research itself and more concerned with the practicalities of how I would get in and out of the facility without being a nuisance to security, ensuring staff were interviewed off

the clock, and making sure that it was clear that I was to “observe” and not “participate” in the daily goings-on in the school.

In the end, I was allowed access to the school building, which houses most of the programming in the prison in any case, but was restricted from industry, housed in an adjacent building, because of security concerns about tools and machinery. In retrospect, I think this was in no small part due to the fact that there are already significant numbers of women in the school building during the day and, to my knowledge, no women in industry. That during the course of our meeting I was asked what my husband thought of me pursuing this research—and that my admittedly calculated answer, “He’s fine with it, but my Dad’s not too thrilled,” got nods of approval from the room—confirms for me that my gender was very much a potential “risk” to mitigate, and I treat this ethnographically within the dissertation as it resurfaced throughout my fieldwork and informed my understanding of how women staff negotiate working while female in a men’s prison. Once the local administration signed off, the Director of Research approved the project quickly and the research was underway.

### *Shape of the Research*

While my initial plan was to divide my time between academic, vocational, and therapeutic programming, I ended up spending most of my time in academic programs, which I found rich and complicated enough. Over the course of 12 months, I spent three days per week from roughly 6:30 a.m. to 4:00 p.m. (including time processing in and out of the prison) in the school. I conducted extended participant observation in four classrooms—one morning and one afternoon class per semester—and two additional classrooms over the summer, along with shorter visits to several other classrooms when

time and circumstances allowed. I took the approach that I would go where I was invited, and stay until I wore out my welcome, and staff and inmates generously accommodated me (though some preliminary tensions I elaborate in the next section). The administration also provided me with an “office” in the school—though, given the nature of the research, I never used it—and provided an empty classroom for me to conduct interviews with inmates independent of prison staff and security.

I conducted 30 hours of unstructured interviews with inmates after a semester in their respective classrooms. I had some specific questions that developed out of my observations, but the interviews were largely conversational and concerned their experiences in programming. I did not ask about their criminal histories, and I do not include information about such herein. Interviews provided a rare opportunity for informal, private conversation, as well as a chance to speak freely about their institutional experiences, and most were willing if not eager to discuss such. Many were explicit about their expectations of me, and honest about their hesitations. Howard, for example, warned me, “I’m not gonna hold back when I answer your questions, so you have to promise me you won’t change anything. A lot of times you give an answer, and they don’t believe you like you the problem” (interview, July 18, 2011). Further, inmates were well aware of the ironies of informed consent for a “captured population” (Waldram 1998). As Kyle asked, “Well it’s (voluntary participation) kind of an oxymoron, isn’t it?” (interview, June 1, 2011).

Existing relationships with students in the college program played no small part in facilitating new relationships with inmates for this research. As I explain the interview process to one class, Martin wants to know, “Will you write this for people in New York City? Will you keep it real, or will you tell what you want to tell? People come in here and make us look stupid.” When I encourage him to ask around about me

if he does not want to take my word for it, he tells me that he already did a “background check” on me and my “resume” checks out. CPEP students attended their own classes in the school while I was there observing education programming, and inmates had an opportunity to observe my interactions with those students on their way to and from classes. When I shake a CPEP student’s hand in the hallway, Dwayne, an inmate in the classroom I am currently observing, teases, “Oh, it’s like that with him, huh? You so happy to see your students. Guys be telling me, ‘Be good to Miss Catherine.’ You plugged in. You know what’s going on.” One morning, Martin tells me he has a “bone to pick” with me. I look at him quizzically, and he asks if I know Prez, a CPEP student. When I confirm that we know each other, Martin laughs and tells me, “He said you’re good people. You be knowing everyone in here!”

I had significant opportunity for informal and private conversation with teachers in the school, processing in and out of the facility, before and after classes, and during lunch, totaling several hours a day. This conversation was rich and instructive, often precisely because of its spontaneity, and thus I generally did not pursue formal interviews with teachers outside of the school. Teachers had their own hesitations about the research, which I describe in the next section. Multiple teachers invited me in to their classrooms on my first day, and I pursued those invitations. When the opportunity presented itself, I attended other program-related activities, including staff trainings, Program Committee meetings, and the GED graduation ceremony. I did not have much personal contact with correctional officers, and they figure in the ethnography insofar as staff and inmates experience the custodial orientation of the prison as it impacts their teaching and learning. While this is a weakness of this study—understanding how officers understand their work in relation to “care” in the prison is important and largely unexamined—I did not think I could maintain my relationships with staff and

inmates in the same way if I spent significant time in the hallway, from which correctional officers surveil the classrooms.

### *Qualitative Methods in Prison*

That the human sciences are themselves entangled in the disciplinary techniques of the prison, where the objectification of human behavior rendered a “knowable man” (Foucault 1979:305), adds no small amount of tension to pursuing anthropological research in prison. The discursive imbrications between the custodial and the anthropological—“informant,” for example—are subtle reminders. The act of observation, foundational to panoptical control, is necessarily implicated in the custodial orientation of the prison, and “participant” observation is attenuated by restrictions on both movement and particular forms of sociality—take, for example, my first day in Scott’s class, where he positioned my desk in the front of the classroom and, on the chalkboard above my head, wrote: *This is the observer. Do not talk to the observer.*

Some argue that this politics of observation necessarily renders the anthropologist complicit in the custodial interests of the prison, and reject prison ethnography on these grounds (c.f. Feldman 1991). I see several issues with this argument. First, as I already described, the professionalization of “corrections” led to the closure of the prison to most qualitative researchers precisely as the prison population ballooned, which highlights the parallel politics of *not* doing prison research. Further, it is reductive in that it both concedes too much to the official rhetoric of the institution and gives too little credit to inmates’ own ability to parse this politics. In my experience, inmates are much more astute than I about the degrees of commensurability between disciplinary techniques and ethnographic methods, and deft

at navigating such. Thinking, for example, that unstructured, informal interviews would seem less coercive, when I describe the nature of the interview to Ty, he replies, “Oh, like an interrogation! ‘Just tell me what I need to know!’” Finally, it assumes that there is not always a politics to knowledge production.

Still, despite such entanglements, ethnographic methods are nonetheless threatening to disciplinary order. As Waldram, reflecting on his work in Canadian prisons, explains, “Security personnel constantly query my methods. They understand ‘research’ to mean what psychologists do with their paper and pencil tests. Hanging out with inmates watching television is for them not research, and therefore an activity of a suspicious nature” (2009:4). I was often queried about my “hypothesis,” and my reluctance to render one only heightened the suspicions of staff. On more than one occasion it was implied or I was asked directly if I was with IG (Office of the Inspector General) or the FBI, and Scott, a teacher in the school, often commented, skeptically, “I’m always wondering what you’re *really* studying.” This is not exceptional to prison research, of course, as accusations of spying are fairly commonplace in anthropological fieldwork, but they perhaps take unique shape in a prison context where suspicions are heightened in the shadow of the panoptical. It was also frequently intimated that I was really there to find a boyfriend, or as one staffmember put it, that I was “shopping for black meat.”

While Waldram is somewhat dismissive of these methodological queries by staff, within the context of this research it raises the issue of increasing anthropological encounters with and attention to experts. Many staff, particularly at the beginning of this research, made clear their own expertise and academic backgrounds, and questioned the research design and my own competency. Lori, for example, called me aside in my first week in the school. After explaining that my research interests were

“gobbledygook,” she took out a piece of paper and began to write her own schedule for the sequence in which I would visit classrooms and which rooms I would visit. When I resist, she replies, “You have to understand, we all have masters degrees, so tell them (staff) you want to know why, and why not, some people value education.” She explains that she knows what “real research” looks like and that “I’m just trying to *help* you. We’re willing to help you. We were all in grad school, we all remember who helped us and what we needed.” When I still resist, she snipes, “People don’t even see you taking notes!” and remarks that I am just “wandering around” and staff aren’t taking me seriously. My unconvincing performance—no hypothesis, no schedule, no obvious data collection—was a clear subject of conversation, as another teacher called back to me over her shoulder on the way out of the prison a few days later, “Start taking some notes!”

Of course, I *had* been taking fieldnotes, and the politics of note-taking itself draws together many of the methodological concerns I outline here. While Lori saw note-taking as a performance of “real” research, at other times I was instructed *not* to write down specific things uttered by prison staff that were seen as threatening to the control of information between the prison and the public, or simply embarrassing. Inmates related to this practice in equally complicated ways. Many were self-conscious about my notes, asking me what I was writing down, pointing out to the class when they noticed me taking notes, and instructing me when *not* to write about them. At other times, inmates instructed me explicitly to write things down, particularly when they wanted to ensure that I was also “studying the teacher” or when they wanted to make clear their desire to “get in (my) book.” Still, despite all of these complications, there was a significant amount of disinterest in this research as well—in fact, perhaps more disinterest than the prison ethnographer might readily admit—and I had minimal

contact with numerous staff and inmates who were more indifferent than resistant to my presence in the school.

### **Chapter Outline**

After a brief account of Auburn Prison as a historical formation and in local context, in Chapter 2, I consider the history of prison education in New York, and its relation to cycles of riot and reform in the state through the twentieth century. Beginning with the abolition of contractual penal servitude and conversion to a state-use system of prison labor in the wake of widespread prison riots and rebellions in late nineteenth century, the first formal schools were introduced in New York's prisons as "mental employment" to solve the problem of idleness and its implications for custodial order. Informed by Progressive era thinking about the role of schooling in the "social adjustment" of inmates, particularly immigrants, these early prison schools were organized as the prison itself suffered a profound crisis of legitimacy. By the late 1920s, as prisons overcrowded in the wake of significant statutory changes that both reflected and informed public panic over "crime waves," another series of riots triggered a second wave of reforms, where an expanding carceral network of "adult reformatories" became the focus of schooling in prison and the state's old-line prisons were reconstituted as repositories for the unreformable, namely "lifers" and "troublesome types." This would remain the case through mid-century. The ethnoracial makeup of the state prison system shifted significantly in the 1960s as New York City jails overcrowded in the midst of another "crime wave," in addition to increasing political agitation and civil unrest, and the city began transferring large numbers of inmates to state prisons, largely located in the rural peripheries of the state and managed by a

overwhelmingly white custodial staff. Again frustrated by idleness and neglect, along with racialized relations of authority, a succession of riots culminated with the infamous takeover at Attica in 1971. Little meaningful reform would emerge from Attica; instead, the state would invest in increasing custodial ranks, along with the accoutrement of security, followed by unprecedented prison construction to accommodate the war on drugs in the decade that followed.

Where existing prison education programs are largely credited by institutional authorities to fundamental shifts in the priorities of DOCCS following Attica—as one Superintendent would claim, “we (staff) shed blood for this”—as Chapter 2 suggests, this narrative of progress, if not sacrifice, is not borne out by the historical record. Further, the everyday life of one such program suggests that education plays a much more ambivalent role in the institution, where the school itself is deeply imbricated with custodial logics and practices. Chapter 3 examines the structures of “care” and “custody” as they together reshape the possibilities for teaching and learning in the prison school. I show that the testing “ladder” in the school, in which scores expire after one year and where inmates are “demoted” if they do not progress fast enough, is more accurately described as a bottleneck, where the majority of inmates churn on the lowest rungs. This bottleneck is calcified by the practice of “disciplinary segregation” (solitary confinement), where inmates are removed from school for long stretches during which time their scores expire. Despite admissions to the effects of this frequent turnover on their own ability to teach and inmates’ ability to learn, staff nonetheless rationalize the bottleneck as evidence of inmates’ “anti-education mentality” and poor work ethic, also seen as the root of their criminality. These racializing discourses of “white virtue” (Hill 2008) are identified and confronted by inmates, who point out the institution’s own failure to “value” their education—no less the political capital to be gained in the

institution's performance of "rehabilitation"— at the same time that many nonetheless engage education programming as a type of *secondary adjustment* (Goffman 1961) in countering their own racialization as much as using education as a means to unsanctioned ends.

Chapter 4 examines social relations in the classroom, and, drawing on Goffman's (1961) elaboration of "people-work" in total institutions, I argue that the personal and emotional distancing demanded by such work turns on the management of gendered and racialized proximities as a means of control. As Goffman argues, and both staff and inmates acknowledge, this "people-work" requires a particular kind of "hardening" and disidentification with inmates. Where labor is significantly feminized, interactions with inmates are understood to contain the implicit threat of sexual coercion or sexual assault. Constructing all inmates as sexual predators provides the discursive means by which this "hardening" is affected between women staff and inmates, where even physical proximity to inmates is considered transgressive and potentially dangerous. This produces a particular spatial politics in the classroom, where staff are compelled to remain behind their desks. Inmates critique this distancing through plantation imagery that highlights racialized relations of authority that further underwrite it. In their own attempts to "soften" the hardened socialities of "care," women staff frequently evoke their identities as mothers and grandmothers as they reimagine their work through a fictive kinship that disallows for the potential for sexual transgression or harm. However, in infantilizing inmates they redouble the mortifications of institutionalization, so often predicated on producing child-like dependencies, and evoke racial discourses of the child-like Other—or, as one staffmember described inmates in her class, "little black boys who are 50 years old." This is not merely "name-

calling,” but constitutive of custodial control predicated on the management of gendered and racialized distance.

The imbrication of care with custody is further instantiated in the documentary practices of the school, which draw together as much as produce the fraught structures and socialities described in Chapters 3 and 4. Where the “carefully collated life” (Foucault 1979:192) is central to modern formations of power/knowledge, that this collation necessarily renders “legible” subjects (Scott 1998), let alone carefully, is questioned by both staff and inmates alike. In inscribing parallel records of “care” (the Inmate Progress Report and the Education Record) and “custody” (the Inmate Counseling Notification and the Inmate Misbehavior Report)—the functions of which range from authorizing pay raises to recording testing history to keeplocking inmates or sending them to “the box”—staff describe the effects as maddening, where to “care” is to “go crazy” and the institution itself is “schizophrenic.” Inmates similarly describe being “broken apart” rather than put back together, the ostensible goal of rehabilitation in prison. In Chapter 5, I examine these documents as they are produced and circulate in the school. I demonstrate that, taken together, they render fractured rather than uniform subjects, underwriting the incoherencies that define everyday life in the institution.

### **A Note on Language**

Language is a thorny issue in prisons, where it tends to index the “hardy perennial” of public and political conflict surrounding incarceration itself. On my first day of formal research in the Osborne School, when I referred to inmates as “people,” one staff member asked me to clarify, explaining that they only ever say “inmate” and referring to inmates as “people” was confusing. Ty explained that the word “inmate” is

dehumanizing, and “that’s why I say I’m a ‘prisoner.’” Increasingly, “offender” surfaces as an alternative to “inmate.” Lori, a staff member in the school, says “there was a time we were supposed to say ‘incarcerated person,’ but now we’re back to ‘inmate.’” When she first began working at this prison, the Superintendent at the time preferred “mutts,” where correctional officers tended toward “knuckleheads” or “asshats.” “Dirtbags,” “children,” “animals,” “retards,” and “niggers” were all uttered during my stay in the school. Of course, there is also “student,” given the focus of this research. Initially, I settled on “student.” However, given the conclusions that I present herein, I decided that “student” was distortive of the ethnographic context, where both staff and inmates were quick to point out that we were first and foremost in a prison, not a school. Further, processes by which inmates are denied or themselves reject the identity of “student” are central to the ethnography itself. Thus, for lack of a better alternative, I use the term “inmate” to index the fact that the discourse of “custody” invariably prevails over that of “care.” When historically appropriate, I use “prisoner” or “convict.”

This same problem holds true for “teachers” as well, who are also never fully afforded such an identity. “Civilians” registers their liminal status in the institution, “non-combatants” of sorts situated between correctional officers and inmates. But, as this ethnography demonstrates, “civilian” also obscures the ways in which they are implicated in the custodial management of the institution. Still, Georgia described feeling like “civilian dirt” in the eyes of some correctional officers, who “despise the whole thing, that I’m even here.” In the end, I settled on “staff” to refer to formally non-custodial employees in the school, and “correctional officers” or “officers” to refer to custodial employees, sometimes referring to them as “custodial staff.” “Guard” is considered pejorative, but in my experience inmates generally use the shorthand “CO”

or “police.” Inmates did develop a long list of nicknames for individual staff and correctional officers, though I will not reveal them here. I received my own nickname, which inmates were embarrassed to admit to me but finally did—“Velma,” as in *Scooby-Doo*—along with “Cathy,” “Caroline,” “Cathleen,” and “Miss Cathy.” In the beginning, a few staff infantilized me—“Cornell girl” or “the young one over there,” though I am sure there are more I was not privy to—but these faded as I settled in, at least openly.

Further, Orwellian “correction-speak,” so to put it, poses its own problems. As Orwell himself describes the application of “euphemism, question-begging, and sheer cloudy vagueness” in the “defense of the indefensible” (2000:136), anthropologists have documented such defenses from the “dispassionate discussion” of nuclear strategists (Cohn 1987) to the “social indifference” of bureaucrats (Herzfeld 1993). Two instances with the most significant implications for this research are the prison as “correctional facility” and solitary confinement as “disciplinary segregation,” though there are certainly many more examples I might elaborate. I chose to refer to “Auburn CF” in order to distinguish the prison from the City of Auburn and from the historical formation of Auburn State Prison, but in the abstract I refer to it as an “institution” or “prison” rather than a “correctional facility” or “facility.” I use the vernacular “keeplock” and “the box” to refer to specific types of solitary confinement, and “disciplinary segregation” when referring to both practices. “Disciplinary segregation” does not typically surface in everyday speech in the prison—rather, it is limited to official forms, rules, and regulations—but the reader should keep in mind that the phrase is, in fact, referring to solitary confinement in the classic sense.

All participants, staff and inmates alike, are pseudonymized, and some persons described herein are composites of multiple participants. I generally refrain from describing the physical appearance of participants, as well as any obvious identifying

details in their personal histories. Throughout, I use first names for the sake of clarity, though inmates never called staff by their first names, nor did staff call inmates by their first names. I did not pseudonymize the institution because of its historical significance, which would render such an effort transparent in any case.

## Chapter 1 Hidden in Plain Sight: Auburn and its Prison

### A Walking Tour of “History’s Hometown”

When I arrived in 2009, Auburn was actively “rebranding” itself. In a region where civic identity has long been defined by the fruits of its labor— the Motor City, the Brew City, the Glass City— Rust Belt marketeers have clamored to reimagine it now that those fruits are increasingly immaterial, should they ripen at all. For a cool \$10.2 million, the Steel City reemerged a glittering “Emerald City.” The Nickel City is now simply “Buffalo. For Real,” a lackluster tagline reflecting its bargain bin price of \$3.2 million. While some fashioned themselves in the fantastic image of the Silicon Valley— the “Emerald City” itself an aspirational play on green technology— many more waxed nostalgic, like Detroit, “America’s Great Comeback City.” For its part, Auburn settled on the equally sentimental if more modest “History’s Hometown,” a pitch proportional to both its size and bucolic sense of itself, never mind that hometowns might occasion lament as much as longing. A billboard went up at the Western edge of town, on the curve in 5 & 20 just before the drive-in theater, and small banners appeared on lamp posts downtown bearing the city’s simple new logo, “Auburn: History’s Hometown,” the “n” in Auburn capped by a stovepipe hat tilted at a jaunty angle.

Making a play for the “heritage tourism” market of its more refined neighbor Seneca Falls, the county tourism office designed a new map to highlight historical points of interest for visitors, floating red stovepipes marking the suggested route (see Illustration 2). You might begin with the Willard Memorial Chapel on the city’s northeast side. Tucked behind an empty shopping center, its deserted parking lot converted into a makeshift basketball court by neighborhood children in the summer



Illustration 2 Map of Auburn. Distributed by the Auburn Historic and Cultural Sights Commission, Cayuga County Office of Tourism.

and a favorite place for teenagers to spin donuts with their cars in the winter snow, Willard is revealing of the city's nineteenth-century splendor. The complete chapel interior was designed by Louis C. Tiffany in 1892, the only of its kind, and features over a dozen opalescent windows, along with Mooresque chandeliers, oak furnishings inlaid with glass mosaic, and a gold leaf stenciled ceiling. Another Tiffany window graces the Westminster Presbyterian Church, a short fifteen-minute walk southeast, adjacent to what's left of downtown.

Take the shortcut between the Westminster and the YMCA and cut across Pomeroy Park, you'll find yourself at the backside of Seymour Library, though this landmark will appear alongside city hall and the post office as an unremarkable black dot on your tour map. Designed by Carrère and Hastings, the architectural firm responsible for the New York Public Library and the Metropolitan Opera House and, closer to home, Cornell University's stately Goldwin Smith and Rockefeller Halls, the library is popular for its free computer and internet access, and sometimes its books. Continue west on Genesee Street and you'll find another, by now mundane, Tiffany window adorning the Case Mansion, where, in his home laboratory out back, the library's benefactor Theodore Case first put sound on film and spawned an industry that would flourish somewhere else. One block south, Woodlawn Avenue parallels the northern edge of Fort Hill cemetery, where Case is buried alongside Auburn's most brand-able historical figures.

In Lot 439, West Lawn, Section C, a simple headstone reads Harriet Tubman Davis. The Moses of Her People retired to Auburn and settled on a piece of land she purchased from then-Senator William Seward in 1859, about a mile and a half south of her gravesite. She died in Auburn in 1913, in a home for the aged that she herself founded on a parcel adjacent to her original property. Seward, who would become

Abraham Lincoln's Secretary of State and facilitate the Alaska Purchase, is buried in a family plot not far from Tubman. His folly would inspire the city to invite then-Vice Presidential hopeful and Alaska Governor Sarah Palin to be the featured speaker at the city's first Founder's Day, a new annual celebration of "History's Hometown."

Seward's home, a station on the Underground Railroad, is just down the hill, across from the steps of City Hall where Palin would praise him as a visionary. Local lore has it that a young Joseph Smith worked as a carpenter on the house before unearthing the golden plates that would become the Book of Mormon, just 40 miles to the west. In a room upstairs, a tiny piece of white linen faintly stained with Seward's blood is displayed in a glass case, his own assassination botched during John Wilkes Booth's attempt on President Lincoln and his cabinet.

But for all the emphasis on beauty and liberty, a darker heritage is all the more obvious by its total omission from this sanctioned cartography. A block up South Street from the Seward House, Swaby's Kangaroo Court invites you to "Come in and have your spirits ELECTRIFIED!" The centerpiece of the tavern's "genuine penitentiary memorabilia," a corner of the bar is transformed into a mock jail cell. Inside, a dummy in prison stripes sits strapped to an electric chair, grimacing in perpetuity. Local legend claims this as *the* first electric chair, though it is known the first was consumed by fire during an Auburn Prison riot in July 1929, on the hottest day of the year. Designed by a Buffalo dentist, and fed by wires fashioned by the Edison Electric Company, the chair claimed 55 prisoners at Auburn before the death chamber was permanently removed to Sing Sing in 1916. The first was William Kemmler, condemned for killing his common-law wife with a hatchet in 1889. Officials removed his body to the prison's burying ground adjacent to Fort Hill, where they dissolved it in quicklime before burying it under cover of night, in accordance with the law and so as to prevent the pilfering of his

remains by the crowd that had gathered outside the prison. Leon Czolgosz who, at the 1901 Pan-Columbian Exposition in Buffalo, calmly walked up to President William McKinley and shot him twice in the belly, would die in the same chair at Auburn.<sup>14</sup> The Edison Studios filmed a reenactment of the Czolgosz execution, feeding public fascination with the assassin, if not with the electric chair.<sup>15</sup> After the 1929 fire, the tiles that lined the floor beneath the chair were distributed to local Boy Scouts.

Further up South Street, across the arterial from an inconspicuous off-track betting lounge and dueling for attention with an alternating cast of teenagers spinning advertisements for Little Caesar's pizza, the prison reformer Thomas Mott Osborne is cast in bronze. A book in his right hand, a coat draped over his outstretched arm, Osborne's platform is a prison ringed with 23 prisoners at various stages of the ideal criminal transformation. Under his right foot, prisoners toil to move a boulder. Next, a crowd of prisoners huddles around a man in a suit, listening and discussing, before a judge points into the distance as a trio of prisoners exits the prison, faces upturned. A free man embraces his pregnant wife under Osborne's left foot. In the final scene, he's encircled by his wife, child, and the family dog, together contemplating a new day dawning. Osborne, an Auburn native, began his career at Auburn Prison, where he

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<sup>14</sup> The chair itself became a material focus of the so-called "War of Currents" for control of electricity distribution in the 1890s. Thomas Edison, in an effort to promote his own direct current as a safer distribution method than George Westinghouse's alternating current, staged the public electrocution of dozens of animals by AC current, even going so far as to promote the defamatory "Westinghoused" as an alternative to "electrocuted." Edison would eventually hire Harold Brown, the Buffalo dentist who vividly described the death of a young boy after touching an exposed AC telegraph wire to the New York Post, to design an AC-powered electric chair and promote it to the New York Legislature, who had recently established electrocution as the official method of execution in New York. He reasoned that no one would want the "electrocutioner's current" to power their home, leaving his DC current the obvious alternative. Westinghouse hired a lawyer to appeal Kemmler's case, claiming that death by electrocution constituted cruel and unusual punishment. With the financial backing of J.P. Morgan, Edison fought the appeal, insisting electrocution by AC current was more efficient and painless than hanging. Ultimately, the Supreme Court would decide that it could not gauge the cruelty of such an unprecedented death, and left it up to New York to decide whether it wanted to experiment with the chair (Craig 1999; Essig 2005; Moran 2007).

<sup>15</sup> While the electrocution is staged, the film opens with a full minute of long, sweeping panoramas of the actual exterior of Auburn State Prison in 1901. The clip is part of the public domain, and can be viewed on YouTube: <https://www.youtube.com/watch?v=i8BjkLSmK5Q>

went undercover for a week as prisoner “Tom Brown” and reported on his experience. He would be warden at Sing-Sing for two short years, followed by another brief stint at the Portsmouth Naval Prison, where he championed prisoner self-government in the form of his Mutual Welfare League. Osborne dropped dead of a heart attack on an Auburn street in 1926, on his walk home from a night at the theater. His final services were in the Auburn Prison chapel, his body then removed to a family plot at Fort Hill where he is buried in a Portsmouth prisoner’s uniform.

### **Austin Reed’s Dark and Gloomy Tour**

Follow Osborne’s gaze a half mile down the Owasco outlet and you’ll approach the prison itself. Roughly a half-mile long and a tenth of a mile wide, ringed by a 40-foot high wall capped with 11 armed guard towers, the prison sits squarely in the center of the city. Its location betrays it as an exception to the rapid rural prison construction that has accompanied deindustrialization in similar communities across the country, where new prisons tend to crop up on the outskirts of town. Bordered by the Owasco to the south, quiet neighborhoods to the west and north, and a Kwik Fill gas station and auto repair shop across from its eastern main gate, the prison is a short five minute walk from Genesee Street, Auburn’s historic central thoroughfare. A 1908 history of Cayuga County claims that the prison was constructed directly on the site of the Cayuga village of Wasco, or “Crossing Place,” where a construction of stone and bark bridged the river outlet around where State Street now crosses. Descriptions of the dwellings suggest typical Iroquois longhouses, the proximity of the outlet to the south and a vast cranberry bog to the north providing ample fish and game. A later history issued by the New York State Department of Corrections appears to confirm the location of the

village, describing human remains as well as pottery and cooking utensils uncovered when construction on the south wall began along the river outlet in 1816 (David 1949:7).

The 1908 account explains that around 1797— just five years after a veteran of the Sullivan Campaign first settled with his daughter and two slaves in the “wild valley” of the Owasco, on a parcel of the Onondaga military land-tract that would become Auburn—the “aborigines procured and soon began to indulge in fire-water,” which quickly resulted in the destruction of the village by their own hands. “Their village became the scene of savage brawls which often called for the interference of whites to prevent bloodshed,” culminating in a fight where “Indians yelling and fighting like demons” commenced setting each other’s longhouses on fire. The narrative ties up quite abruptly and conveniently, as by morning the village had burned to the ground and the Indians “had all fled to the forest from which they never returned” (Snow 1908:7-8). One can read this narrative suspiciously, to be sure— Sullivan’s scorched-earth campaign against the Iroquois had established the wholesale burning of Indian crops and villages as a primary method of colonial expansion in the region, and the burning of Wasco by white settlers would be by no means out of the question.<sup>16</sup>

When construction on the prison began at the site in 1816, Auburn was a frontier outpost, a significant settlement at the western periphery of New York State. While Rochester was still “but a cluster of log cabins on the banks of the Genesee,” and Syracuse “was not even a hamlet” yet, Auburn could boast “two hundred buildings and one thousand souls...a busy hamlet full of activity and ambition” (Snow 1908:24, 26). Despite its civilizing spirit, however, the “Dutchy-looking village” was still renown for

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<sup>16</sup> In fact, the historical account introduces suspicions of its own, though it only suggests that a few Indians might have briefly returned to the site, or that perhaps a village never existed at that site in the first place. It never intimates that settlers had anything to do with the burning of Wasco, other than as peaceful mediators in an intravillage conflict.

its mud, and one of the first acts of the new government after the incorporation of the village in 1815 was to lay permanent sidewalks. But many such markers of civilization would only arrive when the Legislature, looking to erect a prison in the state's hinterlands, settled on Auburn. The Bank of Auburn was chartered in 1817 to accommodate the flood of money that poured into the local economy once construction on the prison was underway, \$20,000 in the first working season alone (Snow 1908:29; David 1949:7). The prison physician, Erastus Tuttle, quickly established a medical school in town. The prison itself demanded both raw materials and finished goods, and provisioning the prison rapidly grew manufacturing in the city. In time, a significant number of successful enterprises would trace their origins to the prison's own workshops, including Stickley Furniture, whose own Gustav Stickley was Director of Manufacturing Operations at Auburn where he supervised prisoners in the fashioning of wooden chairs for sale to the public, and is rumored to have himself constructed the first electric chair.

From 1816-1823, officials at the new prison experimented with the material conditions of confinement, and the architecture of the prison itself was a bricolage of emergent penological thinking. The southern wing, completed by 1818, was constructed on a traditional congregate model, housing 61 cells that would each be shared by two convicts, and 28 larger rooms that would house from eight to twelve convicts each. Construction on the northern wing began in 1819, its design mimicking the developing Pennsylvania system, where 80 prisoners would be isolated in solitary cells upon its completion in 1821. Officials found that while conditions in the southern wing rendered prisoners only more vicious and schooled in crime, conditions in the northern wing drove them to madness. By 1823, they abandoned both and began experimenting with what would become the prevailing model of confinement in the United States, that

“ingenious combination” of the Auburn System, where prisoners would be housed in solitary cells by night, but would reunite and labor in congregate by day.<sup>17</sup> Auburn was quickly renown as the pioneer of the modern penitentiary and would figure heavily in the public imagination in the ensuing decades, quickly becoming the most popular tourist destination in Western New York after Niagara Falls.

Austin Reed (pen name Robert Reed), whose original narrative of his confinement at Auburn was recently discovered at a Rochester estate sale and authenticated as the first known African-American prison memoir, takes his readers on one such tour of Auburn Prison in 1840, where he was first confined at the age of 13:

Let me now take you politely by the hand and lead you through this dark and gloomy old castle—look on the left as you enter the front gate and your eyes will be dazzled with a garden of rich flowers—cast your eyes on the right as you come in and you will see three or four cherry and pear trees that are beginning to fall and decay away—keep straight along until you reach the Hall and cast your eyes up over the door on your left hand side where you will (see) a little board up over the door in large capitol letters wich says clerks office—step in and thrust your hand into your pocket and pull out a quarter and hand it to him and he will present you a ticket wich you must hand to the sergeant and he will provide you with a guard who will conduct you through the prison—the reader will remember that I am conducting the visiter through the prison as it was in the year 1840—the sergeant has now provided you with a guard—he lays his hand on the iron lever and the old iron door swings upon its hinges and lets you out into the north wing—passing along a few steps you pass those dark and gloomy cabins where the prisoner haves to take up his silent and solitary abode at night—leaveing this dark and lonesome wing where everything looks dismale silent and cold—the guard brings you out into the cooper shop where you may see men in striped clothes of shame and disgrace—a toiling and labouring and beareing the heavey burthern of a hot summers day—from the coopers shop he leads you into the tool shop wich stands in a slanting position against the wall with sky light windows fix in the roof that the prisoner may have light enough to do his work—in this shop they make plains chisels and so forth—from this dusty old shop he leads you out into the open air where you have a chance to brush a little of the dust

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<sup>17</sup> Women, however, did not figure into this plan, and remained housed in congregate in the attic of the administration building.

off of your nice silk dresses—crossing the road the guard leads you into the weave shop where you may see some twenty hands to work a weaving carpets—from this noisey old shop you strike out into the open air again and before you have time to take one puff of fresh air you find yourself into the machine shop where the loud clap of the smiths hammer comes sounding heavy in your ears—leaveing this noisey and smoky old work shop—the guard conducts you into the comb shop wich you are glade to get out of as quick as you can on the account of the filthy smell—in this shop they make combs of every description—leaveing this filthy shop you soon find yourself a passing through the cabinet shop where your eyes will be dazzled with furniture of every description and with a puzzled mind wich you would chose to sit into your parlour if you was goin to buy—from the cabinet shop your conductor leads you into the hame shop amidst dust and smoke and you are a lucky gent or a lady if you get out into the open air without haveing your throat choak up with smoke and dust—in this shope they make hames and carry on silver fluteing—from the hame shop the guard leads you into the south wing where everything looks black and dark as mid night and the convict has to take up his solitary abode and snooze out the long and lonesome nights of his time—leaveing these dark and chilly looking cabins the guard leads you into the dining room—where you (see) the tables all sat with seven or eight hundred wooden plates—as you pass on you soon find your self into the kitchen where the guard politely shows you a kittle of soup and a pot of mush a junk of beef and a piece of brown bread—if you are a particular friend of the guards he will take time to search for the Warden and get his permission to conduct you up into the hospital—mind you have got to be his very identical and particular friend or you can't get a peep at the face of you dying youth who is just a wrestling and fighting hard with the enemy of death—reader are you his friend have you hum'd a long yearn in his ears as you have been passing through the shops—have you talk sweet to him and try'd to bring back to his mind the happy days of your boyhood—have you brought to his remembrance some well remembered tale wich you use to sit and spin in your father's log cabin during the long winter nights—does the old guard remember the tale yet—does he reconize you yet—has he forgot the song wich you and him use to be a humming over as you both stroal along together up you shady lane—well then reader as the guard has not forgot them happy hours and those gone by days—he returns to you with a heavy clumsy looking key in his hands and conducts you to the hospital—onward—onward you press you way through a dark and gloomy wing until your feet enters the threshold of the hospital door—how black and dismale everything looks—how still and silent is everything around you—not a word or a lisp is heard through out the room—not a smile hangs on your face as you stand between the liveing and the dead—every thing looks neat and clean—every man that is

able to sit up is hanging back in this chair with his hand under his head and his elbow a leaning on the bed—and seems to be daleing over his hard allotment and the condition wich he is placed in— casting your eyes at the futher end of the room you see a young man pineing away under the awful and dreadful desease of mastabation and ere before you sun sets in the west—he must pay the debt of nature—without a friend in the world to shed a tear at his destination—poor fellow you says to your self as you turn from this dark cavel with a heart of pity and compassion—and as you skip down the stairs and through the wing—your mind is thrown back to you dying boy—with no sister to wipe the cold sweat from his brow nor no mother to smooth the pillow for his drooping head—no father to come and cheer his heart—all looks black loneful and dismale—and with a sicken heart you turn from the dark sceane wich you have just witness—and with a revel of thoughts a swimming into your mind the guard conducts you back to the Hall from whence you first started from and before you know where you are you are bounding and skipping through the Hall out into the open streets where you begin to snuff the fresh air and brush off some of the state prison dirt that still hangs and clings to your clothes wich you got on you as you past through the shops to inspect the work and to gaze at the unhappy harden inmate of a dark and a gloomy prison. (Reed 1859)

A vivid storyteller, Reed appeals to the “poetics of punishment” (Smith 2009)—the prison a liminal world between the dead and the living, a “symbolic milieu that represented both a grave and a womb” in Turner’s classic sense (2008:96)—that no doubt titillated the public imagination when it came to this emergent institution. In some ways, that fascination has not changed much in the 170-odd years since Reed’s confinement, where this “dark and gloomy” tour has evolved into a veritable “dark tourism” industry in which the prison holds a special place (cf. Brown 2009; Wilson 2008). But for Auburnians, the prison is an unremarkable part of the landscape, as David Trotman-Wilkins’ photograph of neighborhood children repurposing its wall suggests (see Illustration 1). Absent from the hometown tour, the prison recedes into the everyday life of the city, where one can live and work in its shadow without giving it a second thought. Georgia, a staffmember in the prison, recalls growing up in Auburn as a girl and hardly noticing it was there.

## Chapter 2 On the “Treadmill”: A Century of Prison Education in New York

An architect’s rendering of the Thomas Mott Osborne School hangs in the school’s central office. The sketch depicts the school as it might have been—clean lines suspended on an empty white plane, a vision with no context (see Illustration 3). Freed from the architect’s imagination, however, the school is nothing if not context. A concrete wall, 40 feet high, flanks the school’s north side. Correctional officers monitor activity on both sides of the wall from the wall post high above the north gate; they sometimes lower a bucket on a rope to their coworkers on the ground, who send up takeout from Curly’s across the street, or a crossword puzzle to pass the time. Neighborhood children play handball against the outer side of the wall, which runs east to west along Wall Street.

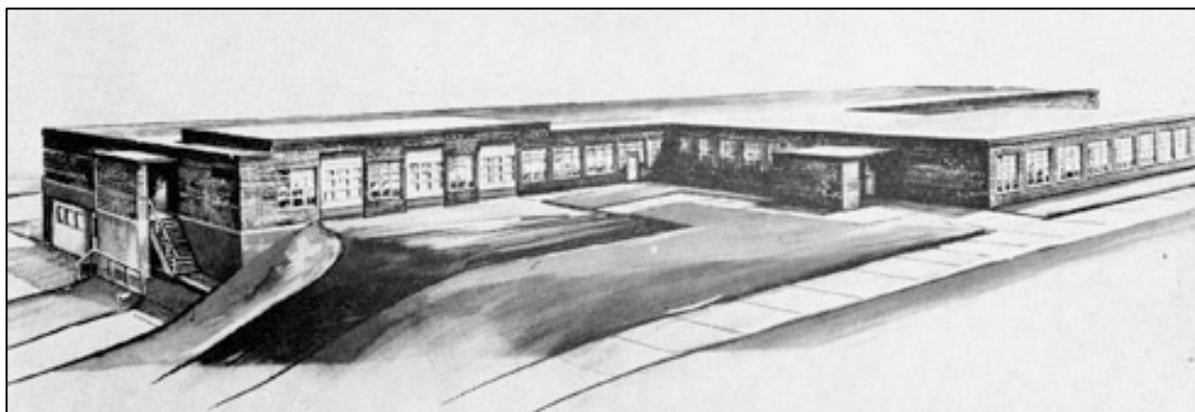


Illustration 3 *The Osborne School, Auburn Correctional Facility.*

At the north gate, a razor wire fence turns at a ninety-degree angle and runs the width of the prison to a parallel wall post at the south wall, bisecting the institution. The back of the mess hall abuts the fence midway, on the opposite side; in the early morning, inmates in white kitchen uniforms step out the back door to dump the trash or to spirit scraps to the feral cats that bathe and sun in the narrow alleyway formed by the fence. On the near side of the fence, a small shed with a hand-painted sign—"Heath's Hotdog Hut"—is closed for business, and no one seems to know who Heath is or when he sold his last hotdog. Correctional officers will sometimes squeeze inside the defunct concession stand to escape the rain or cold.

Along the south wall, an overgrown stretch of dirt is being resuscitated; formerly a therapeutic garden for inmates in the prison's asylum, the old beds are being repurposed as a living lab for inmates studying ecology through the Cornell Prison Education Program. Beyond the garden, an outdoor weight room rusts behind a chain-link fence. A trio of modular units used for the state's Family Reunification Program (reduced to "conjugal visits" by the public and known as "trailers"—both a noun and a verb—in the vernacular of the institution) extends from the garden along the wall to the west. The Owasco River parallels the outer side of the wall before turning north, where it will eventually join the Erie Canal.

Opposite the trailers, an aging, multistory industrial building forms a crooked "L" around the school to its south and west. True to stereotype, Corcraft, the market name of the state's Correctional Industries Program, manufactures every license plate in New York at this prison; a dumpster alongside the building collects the cast-offs from a chute. Inmates here also produce office furniture and cubicle systems, which fill school and university classrooms and nonprofit offices and government buildings across the state. Just west of the dumpster, between the two buildings and near the basement

entrance to the school, is a second shed with its own hand-painted sign—this one for bait and tackle—perhaps another of Heath’s failed business ventures.

The Osborne School itself is nondescript and, apart from such context, might be mistaken for any aging public middle or high school in the country. You enter the building via stairs on the eastern side; pausing on the landing midway up, Lori, a teacher here and my frequent “escort” on many long morning walks through the prison and back to the school, points out the disorienting view from here. Looking east toward the main gate, the buildings flatten in to one another in a strange geometry, a bricolage of architectural styles and materials heaped together and ironed into two dimensions.

If you angle on the steps, you might also glimpse the back of Copper John, the statue of a Revolutionary War soldier that tops the prison’s administration building and has guarded the main gate for almost two centuries. The statue was briefly removed from his post in 1938, where rumor holds he was scheduled to exhibit at the World’s Fair but never left town once, upon closer inspection, officials realized John was anatomically correct. When the statue was again removed for repairs in 2004, the state ordered that he be effectively castrated, and correctional officers responded with t-shirts that read “Save Copper John’s Johnson” (Elliott-Engle 2004).

Inside the school, the floors gleam, continuously mopped and polished by inmates. Each room is windowed, waist-high, down its interior side, where correctional officers, civilian staff, and inmates alike can exchange gazes between the caring space of the classroom and the custodial space of the hallway. The intersection of the central north-south hallway and the larger east-west hallway is the busiest spot in the school, where several hundred inmates a day cross-streams as they make their way to different programming areas. One of two correctional officers’ posts is here, at the top of a set of stairs leading down to the basement level. On one corner, a large, open room is used as

a “holding area” for inmates, opposite a building trades classroom. Inside building trades, several partially constructed rooms stand with their guts exposed, forever unfinished.

The school’s central office is midway down the north-south hallway, across from a small teacher’s lounge. The lounge is sparse, furnished with mismatched chairs and a long table fashioned by inmates in the Corcraft shops and supplemented by an old bench seat ripped from someone’s truck. On the wall above the table is an oil painting of a lake at sunset, easy to miss or ignore despite its size. The landscape is dissonant, what appears to be a mountain lake with a tropical sunset, and I wonder if whoever painted it has never seen either. A second officers’ post is at the northern terminus of this hall, where it meets the smaller east-west wing. Another busy intersection as the inmates’ bathrooms are here, exposed to passers-by and adjacent classes. The classrooms in this corridor are granted a scenic view of the north wall, a hundred feet or so beyond.

The land on which the school stands has functioned over the centuries as a physical as much as ideological annex—an afterthought, really—to the main prison grounds. What began as a utilitarian garden to feed inmates was converted into the New York State Lunatic Asylum for Insane Convicts in 1859. Originally conceived to house convicts driven mad by their imprisonment, its charge was eventually broadened to include those deemed unfit to stand trial or not guilty by reason of insanity, who had previously been institutionalized side by side with civil commitments at the Utica Lunatic Asylum.

In 1892, the asylum at Auburn was relocated to Matteawan, New York and reopened as the Matteawan State Hospital, and the facilities at Auburn were quickly converted into the State Prison for Women in 1893. Auburn had previously housed

women in the attic of the administration building, but had transferred them to Sing Sing in 1838. Sing Sing housed them in the prison chapel, but in the face of extreme overcrowding the state ceased accepting women convicts entirely, and would resort to housing them in county jails instead. The new facility at Auburn would be the first separate prison for women in New York.

The parcel remained the State Prison for Women until 1933, when the women were transferred to the Westfield State Farm, later reorganized as Bedford Hills CF. The grounds were repurposed, with an industrial training program on the first floor and two floors of the southeast wing converted into the prison school. In 1959, the structure would be demolished to make way for construction on the Osborne School, named for Auburn native, prison reformer, and very briefly warden of Sing Sing Thomas Mott Osborne. The Osborne School opened its doors in 1961, and has remained opened since, weathering significant changes in both the scale and nature of confinement in the intervening decades.

This annexation of the school signals a larger ambivalence toward education in the prison, an institution fundamentally oriented toward custodial relations of authority and disciplinary control. In this chapter, I trace this ambivalence through three cycles of riot and reform in New York's state prisons over the course of the 20<sup>th</sup> century. I show that education figured centrally in reformers' attempts to reorient the prison toward logics of benevolent "care," and in each instance, education was instrumentalized within larger custodial modalities. In the ethnography that follows, I examine how this instrumentalization is affected in the everyday life of the school, where the structures, social relations, and material practices of "caring" are deeply imbricated with the interests of security.

## “Helping the Men Help Themselves”: Prison Education in the Progressive Era

*“Today, the prison school in Auburn has become a mighty force in helping the men help themselves. That is the key note of the prison educational system.”*  
Syracuse Herald, January 22, 1910

As McLennan (2008) demonstrates, the U.S. prison system underwent a significant crisis of legitimacy at the turn of the 20<sup>th</sup> century. The system of contractual penal servitude, around which the prison was both ideologically and practically organized since its earliest formations, by the Gilded Age had become increasingly monopolistic, transparently oriented around market logics, and wholly determinative of prison governance and everyday life in the institution. “Both in practice and in the administrative imaginary,” McLennan argues, “the prison became an amoral domain, dominated almost entirely by instrumental rationality” (2008:135). New York, for its part, operated the largest industrial prison system in the country—accounting for one-fifth of the nation’s convict labor—and suffered increasing agitation in the form of both convict strikes and riots and renewed protests from organized labor, who had long opposed the private contract system (McLennan 2008:145, 153). By 1896, New York formally converted to a scaled-back state-use system, where private contractors could no longer operate within prison walls and prison-made goods could no longer be sold on the open market. But where the industrial organization of convict labor had formed both the financial and ideological foundation of the prison, structuring relations of authority and disciplinary practices in the institution, prisoners’ newfound “idleness” threatened disorder of several varieties.

New York thus began reconstructing its prison system very much from the administrative, as much as discursive, ground up, as the newly established New York State Prison Commission instituted a series of changes that would reconstitute both the nature of the convict and his relation to the state. In addition to the state-use system, as

well as improvements in the material conditions of confinement, the Commission introduced the case history, individuating prisoners and documenting both their moral and corporeal deficiencies at the same time that they classified them into three normalizing “grades,” which would form the axis along which labor in the state-use system would be organized (Auburn would be a prison for second graders—those deemed less likely to reform but who are nonetheless cooperative, and assigned semiskilled work) (McLennan 2008:213). New carceral techniques—including the incentive and privilege-based organization of institutional life and the establishment of probation—reconstituted prison discipline and redefined prisoners as wards of a paternal state, where indeterminate sentences meant state-appointed prison officials, rather than the courts, would determine a prisoner’s fitness for release (McLennan 2008:194, 214). This fitness was determined by evidence of reform, where the “desire for freedom” was demonstrated through both obedience and self-discipline (McLennan 2008:214).

Formal prison education programs would be first introduced and expanded within this new disciplinary regime, and are thus intimately linked to transformations in prison labor and the reorganization of institutional order and development of a state-level carceral bureaucracy that followed. Worried about the implications of idleness as the new state-use model took fledgling shape, “mental employment” or the “mental occupations” filled both a practical and discursive void. Education became increasingly central to both the new disciplinary regime and the rhetoric surrounding the nature and purpose of imprisonment. The definition of “state-use” was thus expanded as education was discursively imbricated with work, where “literate, skilled prisoners made better workers, and better workers made better citizens” (McLennan 2008:225). One way in which convicts could now prove their “desire for freedom” was by progressing through

school, where in demonstrating that they might “learn to play the game according to the rules,’ they would be ready upon release to continue playing by the rules” (Rothman 2002:127). “Prison adjustment had become social adjustment,” Rothman argues, “the good inmate, the good citizen” (2002:127-128).

In addition to more robust prison libraries and the integration of letter writing into the new system of incentives and privileges, literacy and education programs were introduced and expanded, and in 1905, the first prison structure solely devoted to academic learning was erected at Sing Sing (McLennan 2008:224). Auburn began its own formal academic education program that same year, on the floor above the basket shop. Supervised by Principal Calvin Derrick and staffed by seven inmate teachers, Auburn quickly went to work promoting the “mental employment” of inmates, arranging an open house of inmates’ scholastic work for local educators and the press in 1906. Reporting the results as “truly remarkable,” the *Auburn Democrat-Argus* described the exhibit:

The work of men who were illiterate when the school began, after an hour a day in school during the past year, as now exhibited in the dated specimens of work, show plainly that the State prison system has long been lacking in reformatory methods. In this short period, with no other teaching than that afforded by seven convict teachers under the supervision of Mr. Derrick, several hundred illiterates have been enabled to learn to read, write, take dictation, compose original compositions, reproduce other work, and to do simple arithmetic. Foreigners have been taught English and the value of simple education as the basis for honest labor has been made evident.

This collation of inmates’ schooling—dated, arranged, and displayed as a timeline for the public—materially evidenced new ways of thinking and talking about imprisonment, and legitimized the “new penology” in the public imagination, by curating the very process of social adjustment that education promised to deliver. Schooling, while initially devised as a utilitarian solution to the problem of idleness in

the wake of the abolition of private, contractual penal servitude in New York's prisons, took on increasing moral significance as an instrument in the transformation of prisoners into "honest" workers and citizen-subjects as the state-use system struggled to get off the ground.<sup>18</sup>

A particular emphasis on foreign-born inmates—and particularly English language instruction—reflected broader assimilationist discourses that elaborated environmental theories of crime and emphasized the role prison education could play in reforming immigrants into citizens. The head teacher at Auburn explained to the *Rome Daily Sentinel* in 1913,

All these classes are the product of neglected childhood. The foreign illiterates are most numerous, over three-fourths of our pupils falling under this head. More than 25 different nationalities are represented in our prison school. We try to teach these men to read and write and speak the English language, and to know something of the customs and law in this country.

A lengthy, if lurid, profile of the Auburn prison school in a 1910 edition of the *Syracuse Herald* describes a plaque in the school's hallway that articulates the larger mission of the new system of education in the state's prisons: "The prison schools are for the illiterate, for those who have had some instruction, but are still deficient in the rudimentary branches, and for foreigners who cannot speak English." Noting that in the lower grades the "pupils are largely foreigners" and the "gradual diminution of the foreign-element and the increase in the native-born as the grades ascend," the profile

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<sup>18</sup> As McLennan also notes, as New York's prisons were drawn together under a central Prison Department during this period, a "great, human centrifuge" formed in which "women, the insane, the young, short-term prisoners, and the ill and infirm were exiled to peripheral 'hospitals,' 'reformatories,' and 'refuges'" (2008:212). Auburn still maintained the State Prison for Women, and also employed women convicts in the instruction of female prisoners. Women were included in this exhibition, but the newspaper would address their academic work in a different register, suggesting only that it was "highly complementary to their natural neatness and carefulness in preparation." "Of particular interest," they further note, "is a set of maps by a little negress from the South, who contributes a set of school maps all done in pen and ink by hand."

goes to significant lengths in relating Italian convicts—“swarthy Sicilians”—in particular:

About the first thing a man is taught when he enters the “baby class” is to write his own name. Some of the foreigners scarcely know theirs, unbelievable as the statement may appear. A big Italian, having been entered in the class under the name “Jim Ross,” was asked if that was really his name. He puzzled over the question for a moment and then said: “I think so. I work by contractor. He no call my name. He call me Jim Ross. I think my name Tony Lazia.”

Later in the profile, the essay of another Italian convict is reprinted in its entirety, in which he recounts a fable in his own inflected English.

While the profile briefly mentions “several negroes with low foreheads and vacant faces,” its focus is on immigrant convicts and, particularly, their language acquisition. Where the Italian convict’s essay evidences his growing mastery of English, a “Negro woman’s letter home” focuses on content rather than form, and is used to illustrate that all her progress could not overcome “the naïve superstition of her race.” Emerging discourses of black criminality during the Progressive period turned on comparisons of the “foreign-born” with blacks, where “Progressive era social scientists were innovating environmental theories of crime and delinquency while using crime statistics to demonstrate the assimilability of the Irish, the Italian, and the Jew by explicit contrast to the Negro” (Muhammad 2010:7). The documentary record is incomplete, so it is not possible to quantitatively trace the ethnoracial contours of schooling at Auburn as it evolved during these decades. However, both the institutional and public discourses of reform made clear that the primary moral function of prison education was the social adjustment of non-English speaking immigrants, and no particular concern was demonstrated for black convicts’ potential for reform or promise for citizenship. A mixed blessing to be sure—at once shielding black convicts from new

disciplinary techniques while also ignoring any potential or will to learn, no less access to a break in the usual drudgery of prison life, if only for an hour a day—how else blacks might perform the requisite “desire for freedom” in the new system was an open question.

Of course, this interest in the immigrant cut both ways, and nativist fears about Bolshevism and paranoia over the threat of anarchism penetrated the prison as well—a local paper claimed half the students at the Auburn prison school were anarchists, raising the specter of the school as a vehicle for agitation and disorder in the prison. Benjamin J. Legere, an organizer for the International Workers of the World, was imprisoned at Auburn on charges of rioting for his involvement in the Little Falls textile strike in 1912. Writing of his incarceration in the *International Socialist Review*, Legere describes his assignment as a convict teacher in Auburn’s school:

When I was placed as a teacher in the prison school, two months after my term began, the propaganda of Socialism began in real earnest in Auburn. This position lifted me out of the narrow ruts of the discipline, giving me such exceptional freedom to talk and spread literature among the prisoners that in six months it not only became necessary to put me back in the broom shop but the Socialists in the prison had become such a thorn in the side of Thomas Mott Osborne, the prison reformer, who was pretending to want a spirit of democracy among the men that he went to the governor of New York for a pardon for me in an effort to get me out of the prison. (1914:338-340)

Legere draws out the cunning promise of education in prison. On the one hand, the prison school could be a reprieve from the disciplinary routine of daily life in the institution, allowing for a freedom of association between prisoners impossible in other institutional spaces. On the other hand, the vision of the Wobblies was not the kind of social adjustment prison authorities had in mind, where the goal was to learn to “play by the rules” through orderly assimilation, and where you could just as easily be sent back to the broom shop. The Progressive vision of a model prison “community” sought

to socialize inmates into normative ideologies and practices of citizenship, and where one of the deepest ironies of the prison school was in expecting convicts to learn to value democratic principles under decidedly authoritarian conditions.

Other convicts, with more mundane aims than Legere, were nonetheless treated to this irony, as well. The head teacher at Auburn, describing the high demand by inmates for books in their native languages, explains the prison's position succinctly:

I am convinced it would be a mistaken kindness to grant such requests. A thorough knowledge of our language is necessary in gaining an accurate comprehension of our laws and customs. Some of the foreigners are in prison because of ignorance our laws, and it may easily be seen how the reading of foreign books detracts from the mastery of English. The average length of time the men remain in prison is short, and every means should be used to promote a thorough knowledge of our language. (New York State Commission of Prisons 1914:41)

While it might help them learn, or at the very least relieve some of the boredom of institutional life, such a "mistaken kindness" would not help immigrants help themselves to rejoin the free world as well-adjusted citizen-subjects. This logic extended beyond foreign language literature to the broader circulation of "vicious" books, where the Auburn prison school Principal took to the pages of the *Auburn Citizen* in 1906 to defend himself against prison guards claiming he unjustly accused them of plying convicts with contraband dime novels. While he disputed that he ever blamed the guards, he nonetheless maintained,

Many of my pupils have never read anything except the most vicious literature, dime novels, etc., and since novels of this kind are great damage to school work it increases the difficulty of the work. One young man frankly told me he would not do any school work in his cell as long as he could get a dime novel to read, and of course he can get plenty of them. This condition of mind greatly increases the difficulty of my work.

At the very least, these instances demonstrate that prisoners approached schooling with their own set of prerogatives and expectations, which did not always conform to the

institution's own vision for how they might go about "helping themselves." Whether, like Legere, their aims were expressly political, or they were attempting to use the institutional resources at their disposal for unsanctioned ends, as in the form of literature in their native tongues, or where school was simply not a priority at all if a good book was at hand, they pursued education (or did not) with their own intention.

Further, the institution's own intention was not always monolithic or coherent, either. Enrollment in the school was frustrated by the new disciplinary regime, where, under the nexus of institutions now integrated within the new Prison Department, "drafting" convicts between prisons became a central mechanism for maintaining institutional order and a standard punitive measure (this is when Clinton would garner its reputation as "Siberia," the threat of transfer an incentive for convicts in other institutions to behave). Further, despite the rhetoric of reform, laboring for the state still trumped learning for it—as Rothman argues, "convenience" far outweighed "conscience" (2002). Explaining attendance figures in the school, Auburn's head teacher would tell the State Commission of Prisons that frequent transfer between prisons and the assignment of convicts to road work crews around the county alone impacted daily attendance in the school by 15-20% (New York State Commission of Prisons 1914:17). But despite the ambivalences of both prisoners and the institution itself, the consequences of schooling were frequently black and white. The *New York Herald*, reporting on a meeting of the newly organized Board of Parole in 1911, describes,

three Italian convicts, who had begun their sentences entirely ignorant of the language and had not progressed so far as to be able to answer the questions of the chairman of the Board without the aid of an interpreter, made not the slightest protest on being informed that they would be retained a little longer until they should be somewhat improved in reading, writing, and speaking English.

Convicts now had to navigate an expanding carceral bureaucracy operating in multiple registers, and mediated by their own ability to demonstrate a “desire for freedom” through their learning. Prisoners had to “help themselves,” whether or not the institution in fact helped them.

### **Schooling in the “Big House”: Riot and Reform Through Mid-Century**

*“In brief, the education of prison and reformatory inmates has lagged further behind standards set by the community outside than any other phase of prison regime. At most, it has been a gesture.”*

—Commission to Investigate Prison Administration and Construction, 1931

In 1927, Leo Evans, a convicted forger who spent much of his life in and out of New York’s state prisons, spoke to the press from the Broome County jail, where he was being held on a parole violation. The headline blared: “Convict Life Too Easy, 20-Year Jail Veteran Insists; Bares Prison Secrets.” Describing the state’s prisons as like a “huge playground, where all the elements of punishment are of a negligible quantity,” the former convict teacher singled out the prison school as a center of depravity, where “The classroom acted as a market place where drugs were distributed, for at that time there was no other means of communication between convicts.” Evans himself was a morphine addict, explaining that his prison experience “did not prevent myself and others from becoming the usual worthless, criminal types which might have been changed under a good stiff punishment with hard work”—not like his work as a convict teacher, a “prison politician’s job, one that tends to make the prison term an easy one.” Whatever Evans’ own feelings about his time in prison, this was a narrative the public was very much eager to hear.

The exposé would print not long after Evans’ himself narrowly escaped a mandatory life sentence under the newly implemented Baumes Laws (luckily for him, the jury would acquit). Eerily evocative of the “tough on crime” statutes that would

characterize the war on drugs some fifty years later, the Baumes Laws were best known for their “fourth strike” provision, which provided for mandatory life imprisonment for a fourth felony conviction, no matter the nature of the crime. The statutes also established longer prison terms for first-time time felons, non-unanimous juries, parole restrictions for crimes involving firearms, a scaling back of “good time” credit, new limitations on bail, and raised mandatory sentencing for certain categories of offenses. Unlike the “sentimentalists” who believed that changing the social milieu inside prisons could prepare prisoners for citizenship, Caleb Baumes and the New York Crime Commission believed fear of harsh punishment was the only true crime deterrent; a public panicked over “crime waves” tended to agree. The result was significant overcrowding in all of New York’s prisons, where “the main thrust of the Crime Commission’s work was to ensure that they did nothing that would coddle inmates, instead putting them to constant and hard labor while in confinement, as a means of demonstrating that crime did not pay” (Spillane 2014:40).

The problem was that there was not much hard labor to be had. After World War I, as labor markets struggled to absorb large numbers of returning servicemen, it was clear that the already tenuous state-use system could not put prisoners to full employment (McLennan 2008:440). Prisoners remained only nominally employed, if at all, and the large majority spent their time languishing “with little more than resentment to fill their days” (Spillane 2014:39). As the Baumes Laws sent more people to prison, and for longer terms, prisons overfilled at the same time that they struggled to account for inmates’ days where there was little or no work. In the process, many Progressive era reform initiatives were evacuated of any moral impulse and instrumentalized in an attempt to pacify growing numbers of prisoners as they idled. As McLennan describes it, “none of (it) was even couched in the language of reform, let

alone the upshot of a new attempt to make good citizens out of bad men: They were simply disciplinary techniques designed to secure the peace of the prison” (2008:442-443). This pacification was not very successful, and twice in 1929, on the hottest and coldest days of the year, inmates at Auburn rioted.

The December riot proved a catalyst, and Governor Franklin Roosevelt—who had been disinterested at best and disingenuous at worst when it came to the issues facing the state’s prisons, but was now facing a mutiny just as he eyed a Presidential bid—announced “New York State can no longer tolerate prisons like Dannemora and Auburn,” and organized the Lewisohn Commission to chart a new course for the state’s prisons (Spillane 2014:46). In addition to rolling back many of the Baumes statutes, the Commission quickly led to the construction of a new medium security prison at Wallkill (a second would be stalled), and extended the system of road camps. Most significantly, they initiated experiments in education programming, focusing on young male prisoners at the Elmira Reformatory. Just a year before the Auburn riots, prison reformer and, later, Corrections Commissioner Austin MacCormick described Elmira as an “‘educational treadmill’ designed to do nothing more than keep inmates busy” (Spillane 2014:40).<sup>19</sup> Now, it would be a laboratory for developing meaningful educational opportunities in prison. In 1935, the Department of Corrections established the Division of Education and hired its first director of education, along with two assistant directors the following year, and initiated a second large-scale experiment in education programming at Wallkill (Spillane 2014:50).

These new education programs would be centered in the state’s emerging network of adult reformatories—Wallkill, Woodbourne, and Coxsackie all opened

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<sup>19</sup> See also Pisciotta (1996) on the system of “benevolent repression” that evolved at Elmira and characterized the larger “adult reformatory” movement.

between 1933-1935—and focused on young men from 16 to 21-years-old and first-time offenders.<sup>20</sup> The maximum-security prisons, the Division of Education quickly found, were still entrenched in a “confederacy of autonomy” and Albany had very little success in getting significant educational programs off the ground in these institutions, Auburn included (Spillane 2014:50). Closed after the riots, the *Buffalo Courier Express* notes that Auburn reopened its school in 1930, enrolling just 60 inmates. Prison authorities assured the public that any “trouble makers” were not the kind of men who were “attending prison classes or who have become the leading type of prisoner.” Still, they were sure to administer a “psychological test to determine his mentality” before allowing a prisoner to enroll in school, evoking the therapeutic treatment model that would dominate this new era of reform. A year later, the Lewisohn Commission documented 90 inmates enrolled in education programs at Auburn, 6% of its inmate population, and just one dedicated prison teacher to supplement the inmate teachers who still provided the bulk of instruction (New York State Commission on Prison Administration and Construction 1931:49-50).

While the rhetoric of reform still evoked social adjustment as the organizing impetus of prison education, and reformers still recommended special attention be paid to foreign-born inmates, new classificatory techniques shifted the focus of reformers toward emerging psychiatric and intelligence testing (New York State Commission on Prison Administration and Construction 1931:52). Sorting inmates into the psychiatric categories elaborated by the American Prison Association—normal, feeble minded, neuropathic, psychotic, and potentially psychotic—informed how prisoners would be

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<sup>20</sup> The first, if short-lived, training school for prison guards would also open inside Wallkill in 1936. The Central Guard School was imagined as a way to orient new guards into the goals and aims of reform, ideally affecting a cultural shift of the custodial ranks within the prisons themselves. It closed during World War II, and a comparable program would not open until 1965 at Matteawan State Hospital. The school was moved to Albany in 1973, where it continues as the Correctional Services Training Academy.

dispersed in the emerging archipelago of adult reformatories and state hospitals, and thus how their “treatment” would be pursued. For the old-line institutions like Auburn, inmates were split into the “temporarily restricted” and “prolonged restriction.” The temporarily restricted were young, occasional offenders with short sentences or who had already served at least half of a longer sentence (excepting psychopaths and the infirm), and for whom the maximum-security prison was considered a stop on the way to one of the new “colonies.” For these inmates, academic and vocational education was the cure. For the “prolonged” group—lifers, “troublesome types,” and those guilty of inciting riots or committing murder or other “vicious assaults” (again, excepting psychopaths, even and especially the “troublesome” ones)—they would remain in the old-line fortress prisons, where solitary confinement and industrial work would restrict them and keep them busy (New York State Commission on Prison Administration and Construction 1931: Addendum II).

By the end of the 1930s, where the adult reformatories enrolled the vast majority of inmates in educational programs—at Elmira, 89%—Auburn enrolled just 31% of its prisoners (Spillane 2014:51). A marked increase since it reopened in 1930, to be sure, staff at the Department of Education nonetheless complained that they were given little say in the assignment of prisoners to classes, turnover was high, and local prison officials ignored their budget requests (Spillane 2014:50). By 1942, Auburn would be characterized as an

old-line, repressive, unprogressive institution, with a minimal treatment program and a minimum in the way of professional staff...The warden, an ex-police chief, was almost completely unapproachable by the prisoners and discipline was very strict. The men were kept under constant surveillance and a comparatively large percentage of their week was spent locked in cells. (Spillane 2014:50)

Not much would change over the ensuing two decades. In 1957, the local *Citizen-Advertiser* reported on inspectors from the New York State Commission of Corrections as they toured Auburn, where the prison school had since moved from a floor above the industrial shops to a wing of the old asylum-cum-women's prison. The inspectors found the 100-year-old structure "in such a state of disrepair that it presents accident and fire hazards which require extraordinary precautions at all times." Their hand forced, the Commission appropriated funds for a new school building, which would break ground on the site of the old asylum two years later. The year construction began, Auburn still maintained just six "rehabilitative" employees—including both the Protestant and Catholic chaplains—but 294 guards (McEleney 1985:151).

In 1955, the public was not invited into the decaying prison school, as they had been by Auburn's first principal 50 years before. Instead, the *Evening Recorder* reported that inmates from Auburn's prison school sent their own display outside the walls and to the crowds in the exhibition hall at the New York State Fair. Ironically situated just across from the State Police booth, the inmates' exhibit did not highlight their learning, compositions and letters carefully arranged as they had been in 1906, their progress evidence of their promise for reform and eventual return to society. Instead, inmates treated the public to a handcrafted model of Attica. Their vision, no less the vision of prison authorities, now extended no further than the prison itself, their choice of institution an eerie premonition of a third cycle of riot and reform that would once again reconstitute prison education in the state in the 20<sup>th</sup> century.

## The More Things Change: Learning in the Warehouse

*“The Department is no longer engaged in rehabilitative and programming efforts; but is rather forced to warehouse people and concentrate on finding the next cell.”*  
—NYS Corrections Commissioner Thomas Coughlin

In his memoir of the infamous 1971 rebellion at Attica, Commissioner of Correctional Services Russell G. Oswald recalls a speech he gave to correctional workers in 1954, well before the tragedy upstate:

I have long advocated the disintegration of our present prison system, in which bigness, security, and the destruction of human values through fear, force, and violence were the altars on which we have worshipped too long. But compounding the difficulty is the struggle that too often exists between the custodial and the treatment staff. Each wants to dominate the other. In the end, no one wins. The custodial group in the maximum-security institutions says that treatment is best done under lock and key. The social workers and classification committees see much of their work made ineffective by the custodial group’s indifference. Who prevails? Normally, it is the security group. (1972:152)

This tension surfaced in the frustrations of Auburn’s educational staff through two significant waves of riot and reform over the preceding half-century, where in each instance the larger custodial interests of the institution did, unsurprisingly, thwart their efforts. This was no more evident than in the material decay of the old asylum where Auburn’s school was housed, no less its abysmal staffing levels, both of which point to public and political disinterest that significantly stacked the deck in favor of security. Oswald’s call for custodial staff to remedy this tension themselves in imagining their work as their “brother’s brother” rather than simply their “brother’s keeper” (Oswald 1972:152), however, underestimated how disinclined custodial staff would be to cultivating this brotherhood, particularly as the ethnoracial makeup of New York’s prisons shifted significantly over the 1960s.

Oswald was not Governor Nelson Rockefeller’s first choice for Commissioner when he assumed office in 1959. In fact, he reappointed Paul McGinnis, who had served

as Commissioner under the previous administration. Unlike Oswald—a lawyer and social worker, and current Chairman of the New York State Board of Parole—McGinnis was a former state trooper considered by the correctional establishment as “one of their own” and who could be expected to continue appeasing custodial interests over the reform-minded in New York’s prisons (McEleney 1985:22). McEleney notes that through the first half of the 1960s, nothing much changed—McGinnis prided himself on not asking for much, keeping rehabilitative program budgets low and custodial personnel happy (1985:30-31). Further, the legislature had no interest in pursuing prisoner rights, and most bills never made it out of committee; as the warden at Wallkill would explain, “there are no votes in prison” (McEleney 1985:32). Reform groups were notably silent on the budgetary and legislative issues that surfaced (or did not), and the conditions of confinement in New York’s old-line prisons remained unchanged—that is, prisoners largely idled.

At the same time, two significant trends converged to reshape the demographic character of New York’s state prisons over the latter half of the 1960s. First, the state’s correctional population was declining, threatening real job losses and potential facility closures. Second, New York City’s jails were overcrowding in the midst of increasing violent crime rates, as well as growing political agitation by civil rights, anti-war, and New Left activists. This overcrowding was exacerbated by Governor Rockefeller’s Anti-Crime Program, which grew the police force and resulted in more arrests and the build-up of the city’s jail population. The result, much to McGinnis’ chagrin, was the emergency transfer of significant numbers of inmates—largely younger black and Puerto Rican men—from city jails to state prisons. While McGinnis badly needed the numbers, his larger concern was control, and an influx of “troublemakers” and “radicals” from the city, he feared, would threaten the custodial order of his institutions

(McEleney 1985:56). By 1970, nearly 1/3 of all state prison inmates were transfers from the New York City jail system (McEleney 1985:152), and blacks and Latinos would together comprise 2/3 of inmates in the state's prisons (Díaz-Cotto 1996:420). By contrast, three of Auburn's 327 guards were black or Spanish-speaking in 1970 (Badillo and Haynes 1972:10).

In 1968, McGinnis told legislators, "In all of our prisons, the education program is very light, but we are trying to strengthen them," citing a difficulty in recruiting teachers as positions went unfilled, though he had made no clear effort to secure more robust funding for reform-oriented programs, nor had legislators appropriated any (McEleney 1985:64). By 1970, staffing levels remained low—while the total number of rehabilitative staff across the state's prisons rose from 61 in 1959 to 159 in 1970, custodial positions increased from 1,791 to 2,010 during the same period (McEleney 1985:153). Jomo Davis, the Black Panther Party's Minister of Defense at Auburn, characterizes Auburn at that time as "Rockefeller's pet prison, where you could come out of prison with paperwork for, where you could be a dental technician and all that stuff, so it's a pet prison we call it, to pacify us" (Dopfel and Johnson n.d.). As prisoners grew increasingly frustrated with such hollow gestures toward meaningful educational opportunities (among many other grievances), tensions again reached a boiling point at Auburn in November 1970, when prison authorities denied inmates a Black Solidarity Day celebration. Inmates overtook the prison and held a rally, returning to their cells on the guarantee there would be no reprisals (Useem and Kimball 1989:26).

There were reprisals, however, and in addition to locking down the prison for three months—during which time prisoners were beaten and gassed in their cells—McGinnis transferred the "ringleaders" to Attica (Díaz-Cotto 1996:26). The rebellion that followed at Attica is thoroughly documented (cf. Badillo and Haynes 1972; Clark 1973;

New York State Special Commission on Attica 1972; Wicker 2011), and I will not recount it here save to emphasize that included high on inmates' list of demands was a call to "institute true rehabilitative programs" and to "modernize the inmate education system." In the McKay Commission's report detailing the conditions leading up to the rebellion, one teacher in the prison school at Attica explained, "We were laboring under so many frustrations that there was no way it could be termed adequate" (1972:42). Widely acknowledged as a "dumping ground" in that more and more inmates could be assigned to a classroom without jeopardizing security, the educational programs enrolled just 12% of the institutional population but crowded classrooms with 30-35 inmates (New York State Special Commission on Attica 1972:40-41). Inmates were compelled to attend if they scored low enough on a placement exam, and were paid the lowest wages in the prison—25 cents a day—further frustrating those already forced to go to school, particularly older men, with a wage the Commission notes was "degrading" (New York State Special Commission on Attica 1972:41, 51).<sup>21,22</sup>

Academic personnel accounted for just 1.5% of Attica's personal services budget at the time of the rebellion, totaling \$84,432.21 a year for an education supervisor and five teachers. By comparison, the custodial budget for the same fiscal year was \$4,287,857.45 (New York State Special Commission on Attica 1972:488). In the ten months between the Auburn and Attica rebellions, the Department of Correction and the Division of Parole were joined as the Department of Correctional Services, and Rockefeller appointed Oswald as the new DOCS Commissioner in January 1971.

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<sup>21</sup> Still, there is evidence in the Commission's report that inmates pursued education for their own unsanctioned ends, just as they had in the school's earlier formations. The report notes that some inmates deliberately scored low on the placement exam to get an "easy" assignment, while others did it simply to impress the parole board (New York State Special Commission on Attica 1972: 41).

<sup>22</sup> 40 years later, the academic wage at the time of this research started at roughly 47 cents a day (.158 an hour per daily 3 hour module). The "degrading" 25-cent wage inmates received for an academic assignment in 1971 is equivalent to \$1.39 in 2011, when adjusted for inflation, nearly threefold what inmates are currently paid.

McGinnis' ousting was understood by the correctional bureaucracy to be a signal that custodial interests would be sacrificed to a reform agenda under the reorganized department, but Oswald's efforts at reform in the months leading up to the rebellion generally went nowhere. In April of that year, a comprehensive study of the Correctional budget revealed, to no one's surprise, that "the state correctional institutions have for too long been controlled by an antiquated policy of isolation and confinement to the virtual neglect of rehabilitation," and Oswald resorted to pursuing federal funds in an effort to implement his reform agenda (McEleney 1985:90). After Attica, despite Rockefeller's professed commitment to reform, nothing was added to his budget proposal in 1972-73 to fund reform efforts (McEleney 1985:101). In fact, the budget for education programs and other rehabilitative and recreation programs was cut by \$1.2 million (McEleney 1985:102).

At the same time, within a few months of the rebellion 339 new positions for corrections officers were authorized, along with new gas masks and riot helmets and advanced metal detectors for all the state's prisons. Inmates got a grievance committee, more showers, new clothing, and an improved ration of toilet paper—in other words, little in the way of material investment (McEleney 1985:103-104). Education programs for illiterate inmates were cancelled due to funding constraints. In the decade following the Attica rebellion, as the state's prison population ballooned, large expenditures for capital construction projects resulted in eight new maximum security prisons, 21 new medium security facilities, and 16 new minimum security facilities (McEleney 1985:137). By 1982, the Correctional Association of New York, reporting on conditions at Attica, noted that "whereas five years ago, a prisoner in an academic program would attend school for five hours per day, today (1982) a prisoner in an 'academic education' program generally spends only one 45-60 minute period during the day in class"

(McEleney 1985:138). “Idle” prisoners remained a significant problem, where 25% of the inmates at Attica were locked in their cells for 22 hours a day for want of work or meaningful programs (McEleney 1985:138). The administration had even revived the rule of silence and marching orders in the style of the Auburn System of the 1820s (McEleney 1985:139).

Despite this larger and near total neglect of prison education programs by the correctional bureaucracy and state government in the aftermath of the Auburn and Attica rebellions, there is evidence that at least one person at Auburn was taking both inmates’ frustrations with racialized relations of authority and lack of meaningful educational opportunities in the prison seriously, and addressing them jointly with the resources he had. Collins Hinton, the only black teacher at the Osborne School, wasted no time after the Auburn rebellion in organizing several initiatives within the school to speak to inmates’ concerns about the lack of institutional recognition of black interests (recall that the Auburn rebellion itself was in response to the administration’s refusal to support a Black Solidarity Day) and relate such to their learning. By February 1971, just three months after the rebellion at Auburn, the *Citizen-Advertiser* reported that Hinton organized a joint faculty-student Committee on Black Studies in the prison school, which included a black culture program taught by Hinton, replete with Swahili lessons delivered by Alonzo Cook, an inmate in the course. Writing in observance of Negro History Week, the local *Citizen-Advertiser* published an essay by another inmate in Hinton’s black studies class, who asked readers, “How well informed are you? You could let this week be the start of a yearly inquiry into those portions of history which were left out of your education.” In 1973, Hinton formed an official chapter of the National Association for the Advancement of Colored People in the prison in an effort

to “bridge the gap between those who are in the facility and those outside,” quickly registering 104 dues-paying members.

Of course, the prison authorities, too, had an interest in promoting their own image as reform-oriented after the rebellions, and Hinton’s efforts were no doubt a particular asset in this sense as DOCS came under increasing criticism for its near complete lack of black and Latino staff. These cultural initiatives taken up at Auburn were in a specific register, as well, perhaps more palatable to prison authorities who saw self-organized inmate education initiatives as too political and threatening to security, evoking Legere’s failed attempt at radical socialism in the prison school some 70 years prior. As Frank Lott described these kinds of efforts at Attica before the rebellion,

If there was more than four of you at a table, they would try to halt you up and maybe they’d want to lock you up, because they thought that maybe you was getting educated. Cause they knew it wasn’t nothing to try to get over the wall. I’ve said it myself. Jesus Christ! If the guys are trying to set up a program of education, which the institutions themselves fail to do, they should be glad. You know, it’s better than trying to think about getting over the wall. (Attica Defense Committee)

Quickly after the Attica rebellion, Auburn continued to pursue its reputation as a “pet prison,” taking advantage of the new school building and promoting itself as the first maximum-security prison in the state to be accredited by the State Board of Regents to issue its own diplomas and describing the school as a “major focus of the prison’s rehabilitation program since 1961.” But as Juan Cruz—September 1974 “Artist of the Month” in the *Citizen Advertiser* and an Auburn inmate of 14 years—told reporters when they asked about any changes in the few years since the rebellions, “A lot of talk, that’s all that’s happened. We did get new uniforms, though.”

## **Conclusion**

Rhodes notes that prisons are “pervaded by past efforts and failures, often taking up where some long-forgotten plan left off” and forming an echo chamber, of sorts, in which history “haunts” the present through ghostly evocations of earlier carceral formations (2004:15). This is certainly the case in the prison school, where, as this dissertation will demonstrate, echoes of each of these historical moments necessarily informs education as it is now practiced at Auburn CF. While the history presented here is by no means comprehensive, it does point toward certain assumptions by social scientists and activists alike about the nature of incarceration over the past 40 years of carceral proliferation. That this period of rapid prison expansion in the U.S. represents a turn away from the rehabilitative ideal and toward a “warehousing” model is largely accepted as a truism. But a closer look reveals the prison has always been a warehouse, its conditions invariably overcrowded and deplorable and any efforts toward reform, as the Lewisohn Commission put it in 1931, mere “gestures.” Cycles of riot and reform, in which education figures centrally, serve to reconstitute custodial relations of authority under cover of a “lot of talk,” as Juan Cruz describes it, and where the correctional bureaucracy has not once put its money where its mouth is. In the ethnography that follows, I take a closer look at how the structures, social relations, and material practices that attend to education in prison together, and continually, reconstitute such programs in the image of custody and in the service of control. The result is not unlike what Austin MacCormick described in the 1920s—an “educational treadmill” that paces with the status quo.

### Chapter 3 Bottleneck: The Warp and Woof of Education in Prison

*“For such an unnatural environment anyway, the testing makes it even more unnatural. And then when testing’s over you can go back to your regular state of unnatural.”*  
Lori, Staff, Auburn CF

There is a new inmate in Scott’s class today, and he sits at a desk pulled right up to Scott’s, nose to nose. As class gets underway, I hear him ask, “How long does it take to get your high school diploma?” Scott answers, curtly, “It’s up to you.” “That’s not what they told me downstairs,” he responds, trailing off. About a half hour later, he is still not satisfied, and again tries explaining to Scott, “I’ve been in the military six years. Iraq and Afghanistan. To be in the military, you need a high school diploma. Why am I here?” Scott is unmoved. “That’s the rule,” he continues, “Your test scores on the placement exam you take when you get here. That’s your fault for putting any old thing on the exam.” The inmate goes quiet, and a few minutes later, when Scott begins testing him with flash cards of simple multiplication, he again confronts Scott: “I don’t understand why they put me in here.” “Your scores at reception,” Scott repeats, still disinterested. “I didn’t take a test at reception,” he persists, “I refused. I got keeplocked for it.” Scott does not respond. A few days pass, and the inmate again asks Scott how long it takes to progress from Adult Basic Education, where he is now, to the GED. “It depends,” Scott replies, “It depends on how focused you are and how hard you work. If you work hard, it’s entirely possible to go boom-boom-boom.”

While, in theory, inmates can achieve their GED at Auburn CF as efficiently as Scott describes, in practice, this process is significantly determined and distorted. The structures of care (diagnostic and standardized testing) and custody (solitary confinement) in the prison together produce conditions in which inmates can languish

for years of even decades in the same classes, in a repeating cycle of promotion and demotion, without ever achieving their GED. The school is organized around the testing “ladder” where, ideally, inmates smoothly advance through a series of exams that culminate with passing the GED (see Figure 1 below). In practice, however, this ladder is distorted into a bottleneck by the decision of DOCCS to expire test scores, concentrating the bulk of inmates on the lowest rungs, retaking the same exams, and where relatively few ever sit for the GED. This bottleneck is calcified by the excessive use of “disciplinary segregation,” or solitary confinement, where inmates are removed from school for long stretches during which their scores expire, further reshaping and constricting the ladder.

Despite admissions that these structural conditions limit inmates’ educational opportunities and warp educational outcomes, the bottleneck is nonetheless rationalized and sustained through a similarly restrictive narrative of cultural “values,” where inmates are said to come from families and neighborhoods that don’t value education and where the only necessary evidence of such is their status as inmates in the first place. This engages established ethnoracial discourses of educational achievement, where disparities in student performance are explained away as the product of cultural inadequacies rather than historical or political forces, no less the effects of these discourses themselves. It weds such with folk theories of criminality, which recast the bottleneck as a symptom of criminal attitudes and behaviors and where the failure to promote is seen as further evidence that inmates belong in prison in the first place. Inmates, then, are stuck in a parallel discursive bottleneck in which being in prison is seen as evidence enough that they don’t value education, failing to value education is understood to effect their stagnation in the school, and this stagnation is

interpreted as further evidence that they belong in prison in the first place. Ironically, then, making it through the bottleneck only seems to prove the rule.

Inmates critique this narrative in various ways, calling into question the institution's own values and its lack of commitment to their education. In this sense, some see education as a political act precisely because the institution seems to value their learning so little, highlighting how literacy can help to guard against the custodial interests of the prison. Still others identify self-actualization and fulfillment of their roles as fathers as reasons to learn. But in edging so closely to the institution's own rhetoric about why education should be valued—namely, out of “obligation to be of a given character and to dwell in a given world” (Goffman 1961:188)—inmates might also be resisting this very rhetoric through a “special kind of absenteeism,” where distinctions between the *primary adjustment* of being successfully programmed and the *secondary adjustment* of pursuing programming for unauthorized ends of one's own are not always so clear (Goffman 1961:188-189).

### **“It Becomes Like Another Sentence”: Testing in the Bottleneck**

**Oscar:** *They (the tests) don't care about me. They don't care about Oscar.*

**Lori:** *The testing is a large, crude tool, that's true.*

*“The TABE, man, I taken that so many times. I always pass that.”*

—Caleb, Inmate, Auburn CF

The prison's academic programs are organized into two three-hour blocks: an “a.m. module” and a “p.m. module.” Within each module, inmates enroll in Adult Basic Education (ABE), pre-General Equivalency Diploma (GED), or GED classes. Initial placement is determined by performance on an entrance exam administered when processing into the prison system or, if “drafted” to Auburn from another institution,

from the Education Record that (ideally) follows. Classes are structured around frequent diagnostic testing using traditional academic assessment tools, and the placement exam locates inmates on a testing ladder as illustrated by Lori, an ABE teacher in the school, in Figure 1. In an ideal scenario, an inmate will enroll in ABE and progress through three separate Tests of Adult Basic Education (TABE)—Easy (E), Medium (M), and Difficult (D). Scoring at the 6<sup>th</sup> grade level on an M test will advance him to pre-GED, and scoring at the 6<sup>th</sup> grade level on a D test will allow him to stay there. 9<sup>th</sup> grade scores on a D test will promote him to a GED class, where he is administered an Official Practice Test (OPT) on which he scores a minimum of 410 in five subject areas and maintains an overall score of at least 2300 to qualify for the GED exam. To pass the GED exam, he scores a minimum of 410 in each subject area and maintains an overall score of at least 2250.

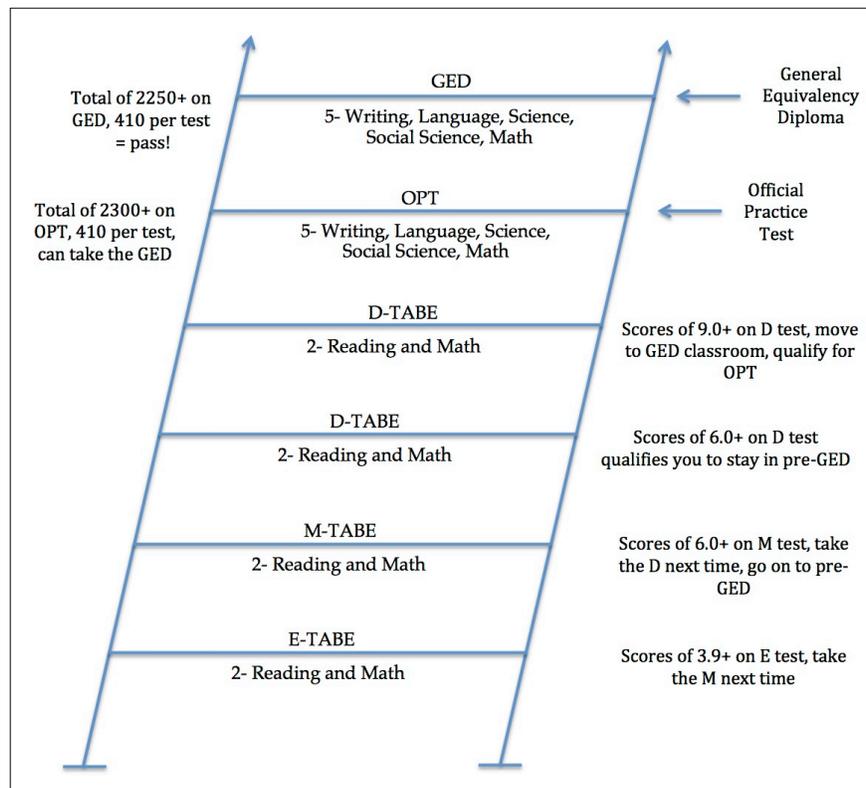


Figure 1 Testing Ladder

Of 1,724 inmates at Auburn CF, 42% do not have a GED or high school diploma, though the academic capacity of the school is lower, with room for 370 students. The program operates at roughly 82% of capacity, with 308 inmates actively enrolled and another 177 inmates on a waitlist. The bulk of this enrollment is in ABE (160) and pre-GED (150) classes, with only 40 spaces allotted for GED instruction (Correctional Association of New York 2011:19).<sup>23</sup> This testing ladder, then, more closely resembles a bottleneck, where the large majority of inmates are cycling through TABE testing and very few matriculate into GED classes. This bottleneck is, in part, produced by the decision by DOCCS to expire test scores after one calendar year, where inmates in pre-GED who don't achieve or improve D-TABE scores quickly enough are removed back down the ladder to ABE, and ABE students taking the M-TABE might be required to requalify with the E-TABE. Inmates in GED classes are permitted to take the OPT three times in order to qualify for the GED exam, where there are roughly three testing cycles per year, before they are demoted back down the ladder to pre-GED. This one-year life cycle, then, puts substantial downward pressure on inmates who do not climb the ladder quickly enough and bloats the bottom rungs.

Notably absent from the "ladder" is any rung for the SABE, or Spanish Assessment of Basic Education. In fact, it was not until a few months into my fieldwork that I realized the facility even offered this test, or that inmates could take the OPT and GED in Spanish, constituting an invisible "shadow ladder" of assessment. There is one English as a Second Language (ESL) class in the school, with a capacity for 20 inmates, an enrollment of 17, and 25 more on the waitlist, where the facility identifies 11 inmates as Spanish-speakers with limited or no English proficiency (Correctional Association of

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<sup>23</sup> The Correctional Association of New York visited Auburn CF as part of their Prison Visiting Project on June 15-16, 2011. I take these figures as representative of the school during the course of this research, conducted from January-December 2011.

New York 2011:4, 19). DOCCS policy indicates that any Spanish-speaking inmate deemed Limited English Proficient (LEP), even if he already has a high school or equivalency diploma in his primary language, still has an “academic need” and is required to enroll in academic programming, progressing through the tests in English. For those who do not, the “academic need” is to achieve the Spanish GED, though the policy is unclear on if achieving the Spanish GED then reconstitutes their “academic need,” simply moving them from the Spanish “ladder” to the English “ladder.” Further, Lori notes that Spanish-speaking students can get trapped cycling *between* ladders, where “They get caught in a loop, bouncing back and forth between the TABE and the SABE. The system traps them.” To qualify for the TABE, then, one must pass the SABE; should TABE scores expire, one must requalify with the SABE.

For their part, inmates experience this backslide as both an inevitable byproduct of the testing structure and, understandably, demoralizing. Martin, who came to prison illiterate and passed the GED exam after over ten years up and down the ladder, explains, “You know, it’s hard for us. Guys are trying to stay alive out there. It’s a huge hurdle to pass the TABE. Then you asking us to go back? Why a year? Once you go down, we’re like ‘fuck it.’” He continues, “At least give us an explanation. Do they do this on the street? The rules...why on the street they don’t have to take it over and over? If I’m in high school, why send you back to the 5<sup>th</sup> grade? We, the prisoners, are trying to find out if the education in here is the same as on the street” (interview, May 13, 2011). His classmate Kyle passed the OPT in juvenile hall at 15 years old. He was too young to take the GED and went back to high school, but dropped out his senior year and went to state prison not long after, where he cycled up and down the ladder before passing the GED on his second try. He echoes Martin’s frustrations:

That's why a lot of people are still in school. It makes no sense. That's the thing that keeps people in school. And then they just give up, "What the hell am I even trying for? I got nothing to work for." It's like appeals and shit like that. They keep knocking us down. What are we even trying for? (interview, June 1, 2011)

Another classmate, Howard, is good at math but always struggled with reading and writing. He started in ABE in 2005, and bounced between rungs in three other prisons before arriving at Auburn CF, where he is currently trying for his GED. As he explains it, "It kills your spirit. I got two tries to pass the GED. Then I got to go back to OPT. I got three tries then I got to go back and take the TABE. Then I got three tries and I get sent back to ABE. They don't let you hold on to your accomplishment" (interview, July 18, 2011).

It does not help that inmates' initial placement on the ladder is determined by an exam proctored at intake, when many inmates express being at their most disoriented and disaffected. "You take a placement test when you come in here. But you just want to get out the room. So your skill level may be up here," Martin explains, gesturing with his hand above his head, "but you end up in ABE" (interview, May 13, 2011). Ty elaborates, "When I first got here I was just playing around. She (the teacher) asked why I didn't take the test, I'm smart." He mimes mindlessly filling in the answers, "I told her, 'I don't want to be here.' And she said, 'Well, pass the GED and get out.' I said, 'No, you don't understand, I don't want to be here'" (interview, July 11, 2011). Refusing the intake test is not uncommon, particularly for those with long sentences who see little point to enrolling in school, or, at the very least, do not see the rush. This contributes to the bloat at the bottom of the testing ladder and staff, then, have to negotiate classrooms with widely divergent skill levels. Lori, who teaches ABE, notices that she has several inmates who seem sharper than their test scores indicate. She does not want to give them the required "E" test, because even if they score a 12.9—at the

12<sup>th</sup> grade level—they will still be stuck in ABE. “It becomes like another ‘sentence,’” she explains.

Lori’s situation does, however, reveal some flexibility in the ladder and demonstrates that the testing cycle is not as rigid and determined as it might be. The possibility of her students receiving this “sentence” weighs on her, and she approaches her supervisor about her concerns. He agrees to let her administer the “M” test to the inmates she identified, where if their scores are high enough they can promote out of ABE. He asks her to note her rationale in each inmate’s “Education Record,” and she later tells me, “Now there’s a great use for those! Of course, no one looks at them, but if they did...” Ashley teaches GED classes in the school, but nonetheless has inmates taking every test on the ladder. She tells me that she will keep inmates in her room whose scores have expired, instead of removing them to the appropriate class, if they prove to her that they are hard workers and want to stay in her class. While this does not prevent inmates from having to repeat the testing cycle, it does afford them some stability and allows them to avoid the frustration and embarrassment of demotion.

Of course, this flexibility cuts both ways, and staff are able to determine, to no small degree, how much give there is in the bottleneck for individual inmates. Like Ashley, they can shape inmates’ progress and experience in the bottleneck through their own subjective assessments of inmates’ sincerity and attitude toward learning, which I explore further below, and where inmates feel forced to, as Dwayne put it, “Bo Jangles” in order to curry favor with a teacher. Moreover, there is always the suspicion that test scores falsely inflate an inmate’s capabilities, and significant suspicion among staff that their own assessment tools do not tell them much at all. Lori, for example, talking to her Inmate Program Aid about a new arrival in the class, thinks his scores misrepresent his skills and speculates, “Some teacher at some other facility wrote the scores of someone

with a similar last name on his folder. I want to get rid of it, but of course you can't destroy records. Maybe I'll attach a new one."

### Dwayne

Dwayne is young, barely out of his teens and relatively new to the prison with a long bid ahead of him. Most of the other inmates seem to think of him like a kid brother, both overprotective and constantly egging him on in class. His cornrows are unkempt, and they offer to help him get them redone at the same time that they tease him relentlessly about them. He is clearly struggling to adjust to prison life; when I mention one morning that I did not sleep well the night before, he gazes past me and says, "I just be daydreaming, not even asleep. About the things I want to do. Controlling the dream." He is getting anxious for the GED test coming up in about a month, and one morning in mid-March he brings his folder over to show me his OPT and GED scores. On the OPT, he passed each subject area but missed the overall score by 10 points. He took the test at Upstate CF where, as he describes it, "they gave me a pardon" and let him move on to the GED test anyway. He took the GED test and again made each individual score, but missed the overall score by 100 points. He is nervous about the prospect of taking it again, explaining, "This is how they jam you up in here. I just want to get my GED and get on with my life. I've been in these classes since I got here. Guys end up in these classes ten years."

Ashley, his teacher, keeps reassuring him that "if you just work hard between now and the test, you will pass." While Dwayne is insistent that he *will* pass, he frequently mentions that he thinks there is a conspiracy to keep him from graduating, and it seems to me he is laying the groundwork to save face if it comes to that. She suggests he take the TABE again instead, to keep his scores current, and he is

incredulous. "I am *not* taking that test again," he argues, "They'll demote me." Ashley responds, "Dwayne, I do not make the rules." Frustrated, he asks her, "What rules are you talking about? School rules? Class rules? Test rules?" "Test rules," she replies flatly. I sigh, though I do not realize it until Kyle asks me why. "I feel for Dwayne," I respond, and Kyle replies, "But sometimes you dig your own grave. We tell him to keep his mouth shut. You get sent to the box for nine months and your scores expire, there's nothing you can do about it." Ashley lets it drop, but Dwayne is still smarting at his desk, "I want to get out of here and go to college." Later, from across the classroom, he wags his finger from his chest toward me, "Me and you, Miss. Cathy, we don't need this."

As the test date draws closer, Dwayne is increasingly preoccupied with it. He retrieves his most recent "Inmate Progress Report" from a cabinet and brings it to Ashley. She does not look at it, and tells him that he is not allowed to access the cabinet. "I'm just trying to show you not to underestimate me. I'm a good student," seeming to plead his case to stay in her class before he even takes the exam, let alone fails it. Later, he asks if he can take some books back to his cell to study, and when she says no, he protests, "Man, you want me to fail!" A few days later, Dwayne is sullen and Ashley passes me a note that reads, "Dwayne found out yesterday he's got 50 to life." When I look up at her, she shrugs and says, "So, you know, what do you do?" I'm not sure where she heard this, or under what circumstances he found out his sentence. The test comes and goes, and before the scores come back Dwayne is sent to the box. Kyle explains, "He said he just couldn't take it anymore." Ashley asks, "He just didn't want to be around people? He needed some alone time? You can never be by yourself in here." Kyle responds, sarcastically, "Yeah, it's like a little vacation."

## Jack-in-the-Box: Solitary Confinement and the Bottleneck

*“He gets them with the fishing rod. Boom. The ticket. Get out of here.”*  
—Darius, Inmate, Auburn CF

TABE scores just came in, and Scott, an ABE teacher in the school, passes me a note: *The big guy promoted. But doesn't know subtraction with regrouping nor division. Probably Had answers to the test?* This does not go unnoticed, and Joel doesn't miss a beat. “He sent her a kite!” shaking his head, “Trying to be slick...” After the students leave, Scott elaborates, “They pass the test and go into GED when they shouldn't be there, and then they can either be stupid or be bad, so they choose bad. I'm just trying to give you some context so you can understand some of the behaviors in here.” For Dwayne, of course, this didn't seem like much of a choice, and he struggled to chart another course for himself—GED graduate and aspiring college student. The conspiracy that Dwayne and others often emphasized—rumors of score manipulation by teachers, for example, abound—highlights the fundamental irrationality of this “choice” for students, who are seeking explanations as to why being “stupid” or being “bad,” and not being graduates, are so often presented as their only options. As Dwayne's situation unfortunately illustrates, the structures of care and custody in the prison do very well conspire to “jam you up.”

The “choice” to be bad typically results in “disciplinary segregation,” more popularly known as solitary confinement, which takes two forms at Auburn CF. Inmates can be “keeplocked,” where they remain in the general population but are confined to their cell for 23 hours a day, or removed to the Special Housing Unit (SHU)—the “box”—where they are doubly isolated, are confined for longer periods of months or years, and can be further punished with “deprivation orders” that include

shackles and a disciplinary diet known as “the loaf.” Writing for *The Nation*, Jean Casella and James Ridgeway of the group Solitary Watch explain:

A common misconception is that solitary confinement is a punishment of last resort, reserved for inmates who present a threat of violence or escape. The reality—especially in New York, which has the highest rate of “disciplinary segregation” in the country—is that it’s very much a punishment of first resort, doled out for minor rule violations as well as major offenses. (2012)

What it means to be “bad,” then, can range widely, from simply having an attitude or being defiant to refusing a “direct order” (the seriousness of which also varies) to threats or acts of violence, and keeplock or the SHU are frequent consequences. In either case, it starts with an Inmate Misbehavior Report or “ticket,” where 61% of Auburn’s inmates reported having received a ticket at the facility, slightly higher than the system-wide average of 55%. 28% of the general population report having been confined to Auburn CF’s SHU, ranking it worse than 2/3 of the state’s other correctional facilities for the proportion of inmates having done time in the box. That time was also longer at Auburn CF, where those in the box reported a median sentence of nine months compared to a system-wide average of 4-5 months (Correctional Association of New York 2011).

The school, it turns out, is a great place to get a ticket. Ty, a GED student, explains that it is “designed for you to catch tickets, not to learn,” and other inmates agree that being in school intensifies surveillance and the potential for disciplinary infractions. Joel, an ABE student, adds, “there is more police contact in the programs than anywhere else.” Kyle elaborates, “If the police don’t see you a lot, they leave you alone. Out of sight, out of mind. Well, everywhere you go there’s police in here (the school). On the block, you only see him when he does the count or when he does the list.” But the consequences for *not* going to school are no different—as Martin puts it, to

refuse means “you write me up, you write me up, you write me up, you write me up. Nobody in the population want to go to school. The only reason we come is a Misbehavior Report.” Students feel caught in a catch-22, where in either case the school exposes them further to the custodial interests of the prison. While Chapter 5 examines the practice of writing tickets in the school—teachers are afforded this power, as well—here, I emphasize the ways in which the larger bureaucratic management of rehabilitation in the school, where expiring scores reshape the testing ladder into a bottleneck, intersects with the larger custodial orientation of the prison, where disciplinary segregation further constricts and calcifies the bottleneck and affects conditions in which inmates can languish in school, largely taking TABE testing, for years or even decades.

Leroy has bounced around from prison to prison, and box to box, since 2006, when he first enrolled in ABE at Greenhaven CF. When I congratulate him on having just earned his GED, and comment that it must have been a long road for him, he attributes his success to wanting it bad enough, insisting that “you’ve got to climb the ladder. Everybody got they choice, know what I’m saying?” Still, he struggles to balance this sense of agency and accomplishment with the disciplinary structures that affect the bottleneck. He continues,

It’s up to you to study to keep your scores up, but then again you might get locked up. Facilities differ on if they let you take the test in the box. I’m here. The test coming up in a week. Something happens. I go to the box. Boom, now I can’t take the test. And I got to start all over again? They excuse is that they don’t got no space. They could use the visit room. What they excuse? I don’t know. That’s why a lot of dudes in here 10, 15 years, because of that cycle. (interview, May 16, 2011)

Time in the box at Auburn CF, where inmates are not permitted to take the GED test while segregated—though they are at other DOCCS facilities in the state—exacerbates

the existing pressure in the bottleneck produced by expiring test scores. When the average time in the box is nine months, and test scores expire after three testing cycles or one year, demotion is practically inevitable. Caleb's story is similar to Leroy's, having moved between four facilities and the box since first enrolling in ABE at Clinton CF in 2005. Explaining the stagnation in the school, he thinks "a lot of it have to do with the box, with SHU. And there, you ain't thinking about school. And when they do come they there for like five minutes. A lot of guys in and out of the box, I think that's what do it" (interview, July 13, 2011). In addition to lapsing test scores, then, the pressures of solitary confinement and limited instructional contact means keeping skills up in anticipation of a return to the general population is a struggle, at best.

Staff share in these frustrations. Scott volunteers to do rounds in the box—the institution does not support a permanent, designated SHU instructor—administering a cell-study program to 13 inmates, in addition to his regular teaching duties. In his classroom one afternoon, he picks up a folder fat with paper and laments,

This is what you have to deal with in corrections. These are all papers I spent time grading for guys on the SHU, and by the time I get there to hand them back, they're gone. It's like one guy I've had in here three separate times since January, and twice he was gone in a week. But then someone like Cooper has been in my class four years, so...(he raises his eyebrows and shrugs). You have to adapt and be willing to work in a corrections environment.

His colleagues feel similarly constrained. As she reviews her most current roster, Ashley explains that the "problem with corrections is the movement. I don't get them long enough." Donna, a pre-GED instructor in the school, airs a similar complaint in the lunchroom one afternoon, "Come on, most of these guys are not going on to get their GEDs. My turnover is too high." This movement warps time in the bottleneck, and what, for inmates, amounts to frustrating stagnation and nothing *but* time—as Joel put it, "Can't keep looking at the clock. It ain't gonna move,"—for staff amounts to hardly

time enough. In the “corrections environment,” in Scott’s words, 10-15 years in the school is the blink of an eye in the classroom. When a hallmark of that environment is that ostensibly exceptional custodial practices are actually quite commonplace, as is the case with disciplinary segregation in New York’s prisons generally and Auburn CF in particular, any pretense to rehabilitate is quickly overwhelmed, and is evidenced in the distorted shape and temporality of testing in the school for students and teachers alike.

This is self-evident for many inmates, for whom the prospect of school is thus understood as a second sentence of sorts, where the custodial interests of the prison only bear down more acutely and a deeper weariness sets in. Ty explains, “You get to jail, and you like ‘If I wanted to go to school, I’d a go on the streets.’ They sent me here to do time, a lot of time, not go to school” (interview, July 11, 2011). That school is compulsory for those under 65 years old and without a GED or high school diploma only affixes the feeling that school is a “dead program,” as Martin describes it:

I’m not saying it (education) doesn’t benefit us, but why make it mandatory? The judge sentenced us to do time, not to go to school. That’s what we say behind the wall. Guess what the most hated program in the penitentiary? The school. There’s no move to make in school. It’s the only dead program. If this program wasn’t mandatory, no one would go. It’s the most hated program.  
(interview, May 13, 2011)

With years of little to no progress, where there’s “no move to make” except in circles, it is difficult to experience school as anything other than another expression of the system’s irrationality, at best, or a punitive measure, at worst. Ironically, however, the very custodial practices that contribute to inmates’ stagnation in the school and “deaden” the program are the only means of opting out. Martin’s teacher frequently teases him, calling him a “jack-in-the-box,” and Martin explains, “I’ve been trying to get a GED. You know how many times I go to the box?” He clarifies, “ABE has a stigma. People will get locked up so they don’t have to go. COs will make an emphasis, use it to

degrade people—‘Hey, this guy’s dumb.’ If you don’t have a gentle teacher in ABE that understands the stigma, push me to make me want to come. Instead of ‘It’s simple, a five-year-old can read it, a four-year-old can read it’” (interview, May 13, 2011).

On the day of the TABE, one of Lori’s students is keeplocked and cannot take the exam. She mentions that this is the second exam in a row that this particular inmate has missed for being keeplocked, and when I ask her if this means she thinks it is on purpose, she says, “Oh yeah, and it makes sense in their logic. It’s like, ‘ok they’re going to measure, assess, and find me lacking *again*.’ And then their only option is to opt out completely. That’s the only way to resist.” She continues, “These tests are more than just tests to them. They represent all of the injustices, all of the hardship.” Darius, an Inmate Program Aid in the school, puts it simply, “Guys will go to the box. You can avoid a ticket if you know the test is coming up. We know this system” (interview, May 16, 2011). Leroy credits part of his success to this knowledge, where “One of the things I learned in here was how to read people. I asked my teacher why she didn’t write me up. She said, ‘you know you limits.’ They need to know the limits of they teachers. So you won’t get into trouble, won’t get locked up, to stop the progress you trying to make” (interview, May 16, 2011). Still, this resistance is fleeting. In Scott’s class, I overhear an inmate explain, “DOCCS been not letting people go (on parole) if they didn’t complete the programming here. That ain’t new.” Joel later clarifies, “21-30 day tickets, you lose your program. You lose your program, you don’t go home. One ‘I don’t feel like talking to you today’ ticket and you don’t go home for two more years” (interview, August 1, 2011).

## Distraction

Lori's class is in the school's computer lab today. "Like a lot of things here, they have an idea but the implementation is off," she explains, "It's this 'they don't deserve it' kind of mentality. So we end up with computers that anyone that's been on the street in at least five years can't use because they're so antiquated, and it's certainly not going to help them when they get out." She points her hands away from her eyes and into a 'v,' honing in on her point, "I just try to pick one little thing and deepen it until it's useful. I like winning." The inmates are quietly working when a new inmate arrives late, clearly agitated, and tells Lori that he wants to talk to the school's Principal. He begins walking toward me and shouts, "Excuse me, I have a question!" Lori steps between us and tells him not to talk to me, pointing at the door. He replies, "I wasn't talking to you, I was talking to her," and pushes past her. Before I can reply she again steps between us, and walks toward him, again pointing at the door, and they both retreat into the hall. One of the inmates turns around from his computer and laughs, "Man, she like your Mom, right!" Frank, the Inmate Program Aid, comes over to tell me the man will likely be keeplocked for a week for this, but just as he tells me this Lori returns from the hall with the inmate, who sits down at a computer.

A few minutes pass, and he gets up from his computer and again begins to approach me, "I got a question for you..." But before he can finish Lori cuts him off and they begin talking over each other. Lori sternly tells him, "This is a direct order to return to your seat." "A direct order? You think you intimidate me?" he asks her, nonetheless retreating to his seat. The class is quiet, and no one has so much as looked up from their computers. A few more minutes pass and he is up from his seat again and confronts Lori, "When we get back to the class you're going to go and get the Principal, right?" She replies, "That's not how it works. We don't do what you tell us to do." He

begins to walk toward me a third time, and says he has something to discuss with me. Lori goes to the hallway and waves for a correctional officer, and I tell him, "I don't work here. I don't have any power to..." and he cuts me off, "You don't have any power? But you a professional. You an observer, right?" The rest of the class keeps focused on their computer work. He continues, "I have evidence that there are medical experiments going on in here, and murders being covered up." Lori returns and again steps between us and begins backing him in to the hall. He shouts over her head, "What's your name?" I feel uncomfortable not answering him, but Lori looks at me over her shoulder and says, "Don't *talk* to him!"

Lori looks on as a correctional officer pats the man down out in the hallway before taking him away, and Frank tells me, "That whole thing was deliberate. He just wanted out of this class." Another student laughs, "Man, she like your bodyguard, huh? We don't all come with ulterior motives. She need to calm down a bit. We don't bite." After the lab, as we are returning to the classroom, a student nicknamed Coconut teases me, "It's all your fault!" Lori finds me as the class moves down the hallway, and I explain that it did not feel right ignoring the man, as she seemed to want me to do, and she responds, "No, you just have to say, 'Do not talk to me.'" Back in classroom, after things have calmed down some, she administers a spelling test. The first word is "distraction." Without missing a beat, an inmate quips, "We had a *distraction* this morning," and the whole class laughs.

## “I Would Pass This Test in a Month, With Handcuffs On”: Assessing Moralities

*“When are you going to need this in the ‘hood? All they care about is how big their dicks are.”*  
—Georgia, Staff, Auburn CF

Near the end of my fieldwork at Auburn CF, as I walk through the prison’s main gate to process in to the facility, a correctional officer I have never seen before elbows another and points toward me with his chin, lowering his voice, “There’s crazy.” They exchange a glance. I look behind me, and when no one else is there, I realize that I, as it happens, am “crazy.” I mention it to Lori later and she laughs, “Well to him you probably *are* crazy. There is no space in his mind there to think that someone might be interested in studying student attitudes towards education.” It surprises me that, still, this is what she thinks I am here studying. Nearly a year earlier, she pulled me aside and told me that my interests in the institution were “gobbledygook” and insisted, “You have to understand, we all have Masters degrees. So, tell them (teachers) you want to know why, and why not, some people value education.” While it didn’t seem to matter that this was not, in fact, what I wanted to know, the conflict itself was nonetheless instructive. This focus on inmates’ “attitudes” and “values” is not unique to the prison context, of course. The material life of the school broadcasts these larger meritocratic discourses, where classrooms are papered with motivational posters that further emphasize that inmates’ moral qualities determine their achievements: “For Success, ATTITUDE is as important as ABILITY”; “Teachers open the door, but you must enter by yourself”; “The big secret in life is that there is no big secret in life. Whatever your goal, you can get there if you’re willing to work.”

In the prison school, some staff identify inmates’ attitudes toward education as an explanation for the bottleneck itself. In the staff lunchroom one afternoon, Dale, an

ABE teacher, comments that many of the inmates he just absorbed from a retiring colleague's class had formerly been his own pre-GED students, and had since demoted back to ABE. When I ask him why scores expire, affecting this reversal, he explains, "The idea was that it would motivate them. But that plan doesn't seem to have worked." Not long after, an inmate approaches Ashley at her desk and asks why there are so few students in GED classes. She explains to him, "this is not a very bright facility," and adds, "I would pass this test in a month, with handcuffs on. You've got to take responsibility." This idea that the bottleneck is a reflection of students' lack of interest in learning, rather than a source of disaffection itself, is pervasive, and years spent churning in the bottleneck are seen as evidence of students' own unwillingness to succeed rather than their perseverance in the face of such structural constraints. That only 11% of the school's students are in a GED classroom, and that even those students are there tentatively, is legitimized in the process. But this is an *ex post facto* and self-perpetuating logic that not only absolves the institution from accountability for inmates' lack of progress, but also obscures the ways in which the conditions of confinement, most significantly solitary confinement, impede that very progress and constrain both staff and inmates alike.

That inmates' bad attitudes and lack of values are emphasized over structural and material constraints evoke well-documented ethnoracial discourses of academic achievement, where inequalities in both educational opportunities and outcomes are rationalized as cultural failures, symptomatic of families and neighborhoods that don't make education a priority, rather than an expression of the lack of political will to ensure all students are provided an equally valuable education (cf. Ochoa 2013; Valdés 1996). Such is an example of what Hill (2008:21-22) describes as the everyday discourses of "white virtue," where these inequalities are seen as evidence of racial moralities

rather than historical or political formations. “The teachers do this, too. I hate this,” Martin explains, shaking his head, “Tell us the environment we come from we don’t value school. White guys value their education from an early age” (interview, May 13, 2011). In one of the more overt illustrations of Martin’s point, during a significant conflict in Scott’s classroom which I detail in the next chapter, Scott instructs his class to “Look around the room. This is the most white people (two) I’ve ever had in my room.” He continues,

My point is, in black and Latino neighborhoods there is an anti-education mentality, especially with the gangs. Blacks came as slaves. Hispanics came here by choice. What happened in the Jewish community is they have a strong orientation to value education. The Italians, the Irish, they all pulled themselves out of the ghetto by valuing education.

Swill, a veteran of the disturbances at Attica, which demanded the state take inmates’ education seriously and played no small part in bringing increased educational programming to New York’s prisons in the first place—and who must be experiencing Scott’s moralizing as uncanny at best—turns to me and says, “Write this down, and tell the truth. Keep it real, now.”

This “anti-education mentality” is further evidenced, it is assumed, in inmates’ work ethic, or lack thereof. Frank, an Inmate Program Aid in Lori’s class, explains how “it’s neat to see some of them work hard and achieve something. Some of them couldn’t even read. I find the guys with a farm background really work hard.” I ask, “Farm background?” and he clarifies, “Yeah, guys who work on farms. Especially Latinos, the guys from Central America. Some of these other guys just don’t want to work. They’ll be in here for years. And some of them are smart, they just don’t pass for whatever reason. They don’t want to.” The implication, given that there are only two white inmates in the class apart from the two of us, is that the bottleneck is an expression of

U.S. Latinos' or black inmates' laziness. Joe, a regular summer substitute in the school, explains inmates' lack of progress in similar terms, "These guys are so *lazy*. It's like, come on. You've been in ABE four years, pre-GED two years, GED three years. And that's on top of the years you spent in school on the street. It's like, if you'd just work for two hours a day, and not be so lazy, you'd be gone by now." Lack of progress is interpreted as a signal that inmates simply aren't willing to work, and is seen further evidence that they will be unemployable and prone to recidivism when released.

Ashley, discussing a former student with John, a vocational instructor from down the hall, explains, "My problem with him was that he never wanted to work." John responds, "Well, he's like any other 6'4" black man who's incarcerated." As this response suggests, these logics come full-circle in prison, where such perceived cultural failures further justify the bottleneck as an expression of inmates' criminal nature. Churning in the bottleneck is seen as evidence of the "dysfunctional behavior," as Scott frequently calls it, which led to incarceration in the first place. Ashley distills this folk theory for an inmate, telling him, "If you were a nerd, you wouldn't be in prison," while the inmate's quick retort—"I heard of plenty of nerds done shot up their school"—goes unnoticed. This swift, clever takedown of the "white virtue" narrative points toward the discursive bind that inmates must attempt to learn in spite of. In this formulation, the only thing holding inmates back is the inmates themselves, and the bottleneck is seen as evidence of inmates' moral failures rather than the institution's own.

## “Ten Raheem Johnsons”: Re-Valuing Prison Education

*I don't believe in the DOCCS system. I only believe in education.*  
—Leroy, Inmate, Auburn CF

**Ashley:** *I value education. What do you value?*  
**Ty:** *Same thing.*

While inmates' commitment to education is constantly called into question, many question whether the prison itself values their learning. Lori notes that the prison school is the “invisible wreckage of the public school system,” where “it's a shame we have to run a shadow school because the public schools let them down.” She continues, “What I tell them is, ‘I'm sorry that someone failed you.’ Because really what we're dealing with are all of the students that the public school system didn't want to deal with, because they were a ‘problem’ or whatever. They end up in our classes here” (interview, September 29, 2011). Howard, who was illiterate when he enrolled in ABE at Clinton CF in 2003, tells an emblematic story:

I couldn't read, I couldn't write, none of that. I went to high school on the street, but I didn't know nothing in high school. I left my country in 5<sup>th</sup> grade and I got here and put in 9<sup>th</sup> grade. When I came here (the U.S.), I wanted to go to school. I was talented, I run track and play soccer. A lot of people wanted me to get a scholarship. They found out in the class my skills, and they sent me to Special Ed. I got kicked out in 1996. (interview, July 18, 2011)

Martin puts it succinctly: “We're all from the city. City schools are nothing. Then we come in here” (interview, May 13, 2011).

That such “city schools” themselves are often described as prisons only adds a thicker patina of irony to the prison's own school, where inmates wonder why, if there is little value placed on their learning on the outside, there should be any expectation that their education will be valued once incarcerated. As Kyle puts it, “People don't value school anymore. I don't think school is important (to them). They're closing

schools on the outside, in here is next” (interview, June 1, 2011) The material conditions of the prison school only reinforce this feeling and, as Martin describes it, entrench the idea that the bottleneck is a political “scheme”:

The books we have. This is another scheme we have about them. Nothing in the book is on the test. Is it a scheme? We ask that. If you want us to go to school, we want to know why the books are so old. The books are from 1980. Why are we not being issued new books? It (the program) looks good, but where are the tools? (interview, May 13, 2011)

Howard is even more direct about the political value, rather than the educational value, placed on schooling in prison, where it always points back to Albany:

The real purpose is to say, “yes, they pushing for rehabilitation.” Other than that, they don’t care. They say it’s so you can be a better person, live a better life when you get out. But then why they taking the programs? They took our sports programs, our college programs....I’m just taking up space. It’s a catch-22 with everything in here. (interview, July 18, 2011)

Paul, who recently demoted from pre-GED back to ABE, sums up the politics of prison education succinctly, “They give you a little academic so they can take all the credit.” He mimics a nasally, square voice, ““We got ten Raheem Johnsons graduate at Auburn!”” (interview, July 18, 2011). That the value of their education is as a number, a body in a seat simply “taking up space” in order to keep programs running for programming’s own sake, is only confirmed for inmates by the bottleneck itself—“a little academic,” as Paul puts it, where “ten Raheem Johnsons” are enough and the rest are left just doing time in school. Further, many emphasize that the bottleneck benefits the business of prison as much as it might reflect such political posturing. “It has to do with money. They get paid for us to be here,” Howard argues:

It’s designed so they can keep a steady flow of students. It looks like a conspiracy. If you achieve the test, you should get to keep that score. We’re not in school to make you look good. Guys get demoralized when they get sent back. It’s the Department of

*Corrections, why you not correcting?* (interview, July 18, 2011, emphasis his)

In his estimation, then, the bottleneck keeps inmates churning in the school to the effect of a healthy programming budget as much as keeping up the political appearance that rehabilitation matters. In any case, inmates get very little sense that any premium is placed on their achieving the GED and, rather, see the bottleneck as evidence of the institution's disregard for their education.

Some approach education as a political act precisely because the institution seems to value it so little. "The cycle can be broken if we just focus," Howard explains, "If we all just work together as inmates." He continues, "It's hard out there, Cat. They need people to fill these classes, and that depends on us. We get in and get out, they won't have students. We need strategies to be corrected, but not in a disciplinary way. We need to uplift ourselves" (interview, July 18, 2011). Leroy also sees the political value of education, and explains that literacy protects against the custodial interests of the prison at the same time that it provides the tools to confront such:

Police could use words, and you wouldn't understand if you don't go (to school). Staff would abuse they authority more, because they think we illiterate. You know, it get taken from us when we're young. Even when we get a ticket. We can't read, we don't even know what's going on. It would be crazy, man. Period. We'd have a lack of understanding of a lot of things without the school system. We need the school system. We couldn't even write letters to our family, reach out to judges, work on our case, answer back to the court system. Without education there'd be destruction, ya heard? (interview, May 16, 2011)

Darius, too, recognizes the larger politics of education in prison, and it inspires him to learn just to spite a system that doesn't demonstrate it values his education much. "The bigger picture is, you got some asshole up there who doesn't give a *shit* about you," he insists, hitting one fist into his other palm, "You gotta go hard" (interview, May 16, 2011).

Despite this, many inmates express diverse personal values that inform their persistence within the bottleneck. Darius sees education as a vehicle for self-actualization. Now an Inmate Program Aid in one of the prison's ABE classrooms, he earned his GED in the box at Riker's Island and recently enrolled in the Cornell Prison Education Program at Auburn, where he is working toward his Associate's Degree. He explains, "I've seen mad people overcome the struggle. It's maturity and experience. Read certain books, learn about my history, talk to other people. 'Wow, I never thought about it like that.'" He continues:

Education is, like, my mattress. I don't want to sleep on the bedspring. It doesn't do anything but help. It doesn't hurt. Some people act like it's a curse. Once you have an education, it can't be taken away from you. A lot of people are afraid of opening up, especially in prison. A lot of guys fear (pauses)...being able to express yourself and not give a fuck what anybody else thinks is a beautiful thing, if you're willing to take criticism and hear other people out. You can read a book and be like, "Yo, this is bullshit!" (interview, May 16, 2011)

In his work as an IPA, he tries to help students realize their own potential, relating his experience, as much as theirs, to Plato's "Allegory of the Cave":

It comes from experience. If we're so accustomed to the darkness...we're stuck in our ways. It comes from maturity and experience. They're in this classroom, and they have yet to see the big picture or experience that process. There comes a point in everyone's life where they got to pull themselves out of the darkness. How bad you really want this? This college thing, it changed my life. (interview, May 16, 2011)

Despite his skepticism that the prison values his education, Joel nonetheless argues that because the GED is issued by the New York State Department of Education, and doesn't acquire the stigma of DOCCS, it's "the best thing they got here, because it's one step, one accomplishment for you to get your life together" (interview, August 1, 2011).

Leroy agrees that despite the bottleneck, "Now they here in the system, and they give

you the opportunity. What you get out of it is what you get out of it. That's the most important" (interview, May 16, 2011).

Still other students are inspired to learn in order to fulfill their roles as fathers and to deepen their connection with their families. Leroy explains that many times he finds himself learning the same material as his children, and it gives them something to talk about at the same time that it inspires him to work harder. "The kids coming up, you can communicate with them. You doing the same work at times. I just want to make my life better," he adds, "Not for me, but for the kids" (interview, May 16, 2011). Caleb's young daughter is good at math, and he shares his own work with her on the phone and during their visits. He laughs, "That shit's easy for her! I got to get my shit together!" When he graduates, he expects, "My mom will *fall out!*" Ty describes the moment he decided to commit himself to achieving his GED, crediting "How it feel when you can't answer a question your child have. I encourage him to stay in school. I don't want him to end up in here. I didn't have answers for my child, and I'm a grown man." His son taught him a math problem during one of their visits, and he promptly took it back to the block to show it off, asking himself, "My child is taking this extremely seriously, why can't I take this seriously, too?" (interview, July 11, 2011)

Still, as Goffman argues, *secondary adjustments* are common of total institutions, in which inmates "default not from prescribed activity but from prescribed being," and perseverance in the school can be read another way (1961:188). In other words, pursuing a GED might not suggest an acceptance of the institution's own moralizing about the benefits of education for one's character but, rather, a departure from or resistance to the racializing discourses that underwrite this moralizing. By participating in education programming, a prescribed activity, inmates might actually get around "assumptions as to what he should do and get and hence what he should be" (Goffman

1961:189). Time spent in education programs can be a means to unsanctioned ends. For example, Martin tells me that he prefers going to class more than staying in his cell simply because in the classroom “you get open space,” smoothing and fanning his hands out over his desk. Others are disappointed to be in Scott’s class because, surrounded by men all day, they saw school as a way to talk to a woman for a few hours. Further, “good time” credit and parole decisions are informed by the appearance of a good faith effort to be “programmed.” Thus in the convincing performance of a *primary adjustment*, where an inmate is “transformed into a co-operator,” an inmate can effectively pursue his own ends, distinct from the institution’s own sense of who he is and who he ought to be (Goffman 1961:189).

### **Conclusion**

As Foucault suggests, the examination is “at the heart of the procedures of discipline,” a technique that combines both hierarchical observation and normalizing judgment in modern formations of power/knowledge (1977:184). Further, failure is central to such techniques, where *not* measuring up only exposes one to further corrective interventions. As inmates churn up and down the testing “ladder”—a metaphor itself evocative of such a hierarchy, with its own normalizing rungs of achievement—they find themselves in a situation in which they will likely never be “corrected,” thus indefinitely suspended in the bottleneck and perpetually subject to such discipline. Even when inmates are successful, it is almost always tentative, and most find they cannot, as Howard puts it, “hold on to their achievement” long enough to ascend the ladder for good. This is taken as only further evidence that inmates fail to measure up in other ways, where racializing discourses of deviant cultural “values” and poor work ethic subject them to normalizing moralities as well. Inmates confront

these discourses by calling into question the institution's own commitment to their learning, and in this sense understand education as a political act. Others express an ambition to learn for their own self-actualization and to fulfill their roles as fathers. Still, this might be read as another way of confronting their own racialization, wherein the appearance of being successfully "programmed" allows for the pursuit of heterogeneous, and unsanctioned, ends.

## Chapter 4

### Controlling Proximities: Social Relations in the Prison Classroom

*"You can't be nice. I've learned that. This is an environment you can't be nice in."*  
—Ashley, Staff, Auburn CF

**Lori** (laughing): *You remember how nice we were when we first started?*  
**Georgia** (sarcastically): *Yeah, before we got a little taste of power? Although it's not as exciting as getting to control when a man pees.*

Before the school day starts, Lori and Ashley are reflecting on their first days teaching in prison in the quiet of Ashley's classroom. As new teachers, they were both "trained" by the same correctional officer, who introduced them to the tricks of the trade of teaching in prison. Both agree that this on-the-job training is why they've lasted in corrections this long. Lori explains that she "wouldn't have that security mindset" if he hadn't made the extra effort to cultivate it in her. Ashley agrees, "He was tough, but I don't think I'd be here if it wasn't for him. I wouldn't have lasted." When I ask why, she elaborates,

My nature doesn't work in a place like this. I don't maintain boundaries in my regular life. I'll let someone walk all over me. I'd feel bad for them. But he taught me how important boundaries are. He told me, "Don't accept letters. Don't accept cards. Don't even accept compliments. They're all dirtbags."

She qualifies that they are not all bad, and that she believes there is maybe one inmate in her classroom that will go out into the real world and do ok. "But I didn't take this job to reform anybody," she explains, "It's just a job." She partitions the space in front of her with her hands, "There's officers, there's civilians, there's inmates. Now I don't have boundaries when I *leave!*" She stiffens, sitting erect in her chair, "It's like this in here." She pretends to melt, sinking low and dangling her arms loosely at her sides, head tilted and feet splayed out in front of her, "And like this when I go home."

Ashley's struggle with personal boundaries evokes what for Goffman is a unique problem of "people-work" for staff in total institutions, in that "however distant the staff tries to stay from these (human) materials, such materials can become objects of fellow feeling and even affection" (1961:81). Such personal attachments put staff in a position to be sympathetic to inmates' suffering and thus averse to inmates' deprivation or ill-treatment at their own hands, while also threatening the emotional distance with inmates maintained by other staff members (Goffman 1961:82). Staff reconcile this, Goffman continues, by developing folk theories of human nature, whereby emphasizing essential moral differences between staff and inmates establishes and maintains the particular detachment from inmates necessary to perform their work (1961:87). That prisoners should be seen as "dirtbags" by Ashley's mentor, then, is "not merely name-calling; it is at the center of a basic means of social control" (Goffman 1961:84). Any utterance or action by an inmate, no matter how sensible or reasonable, is filtered through this folk theory, where such only further evidences an inmate's "dirtbag" nature. As Goffman wryly describes it, "The staff problem here is to find a crime that will fit the punishment" (1961:85). Maintaining personal and emotional distance thus becomes a primary means of institutional coercion.

As Britton (2003) demonstrates, these everyday ideas about the essential moral differences between staff and inmates are deeply shaped by gendered and racialized relations of authority. It follows, then, that in the prison classroom, managing personal and emotional distance necessarily means managing gendered and racialized proximities. Social relations between civilian staff and inmates are shaped by these processes, both informing pedagogical practice and underwriting custodial control in the prison. First, I detail the ways in which inmates identify and explain the "hardening" of their teachers, where, as one inmate describes it, "It brings the school

atmosphere out and puts the correctional atmosphere in” and where, as his classmate puts it, students “got no teacher no more. Now we got two COs.” For inmates, as teachers are socialized into the “security mindset,” the social relations that shape their learning are integrated into the custodial management of the prison. Everyday struggles over the degree of accommodation to the “security mindset” evidenced by teachers—how thoroughly a teacher’s personality reflects that of a “CO” or “police” and how much the classroom feels like a “precinct”—are thus struggles over the possibilities of learning where custody is “the ultimate authority” in the prison.

The principal means by which this “hardening” is affected is in the essentializing of all inmates as sexual predators, where the failure to maintain appropriate personal and emotional distance carries with it the gendered and racialized threat of sexual transgression or sexual violence. That Sykes, in his early sociological study of maximum security confinement, describes public debates about the prison as carrying “all the emotional overtones of a woman’s maidenhead” is perhaps more prescient than he ever could have imagined (2007:18). As one teacher describes it, the prison is the “wild, wild west” of gender relations, and the frontier mentality that emerges where women are few and men are plenty subjects women staff to hysterical fears and heightened forms of surveillance in the interest of custody. As one correctional officer put it, gestures as seemingly innocent as “a pencil or a smile” from a teacher are all it takes to be manipulated into a forbidden relationship with or precipitate a sexual assault by someone of a “criminal nature.” That all women teachers in the school are white, and the majority of inmates are black and Latino men, further evokes the stigma of miscegenation and racialized fears in the “myth of the black rapist” (Davis 1981) and violent and sexualized *machismo* stereotypes.

The personal and emotional distance produced through the sexual predator shapes social relations and pedagogical practices in the classroom in distinct ways. Teachers are expected to persuasively evidence the “hardening” demanded by the “security mindset,” where a classroom in which social relations appear relaxed or discipline appears lax draws custodial attention and interventions from the hallway. To avoid these interventions—for minor formal rule infractions like eating or drinking in class, or other unspoken rules about tipping back in one’s chair, for example—inmates themselves sometimes ask teachers to stage performances of the “security mindset” and teachers will ask students to “pretend” to learn. Even physical proximity to inmates is interpreted as yet another sign that the “security mindset” is slipping, and is similarly regulated by correctional officers. This, combined with the fact that students largely engage in “individual work” due to the structural conditions that shape their learning as described in the last chapter, means that many teachers remain at their desks for much of the class period. A spatial politics thus emerges around the teacher’s desk, which for inmates comes to signal the personal and emotional distance that underwrites custodial relations of authority. In engaging the metaphor of the plantation—positioning the desk as the “plantation,” those that approach teacher for help as a “house slaves” and those that don’t as “field slaves”—inmates critique the ways in which the social relations and pedagogical practices of the classroom are situated within the larger apparatus of institutional control.

One way in which teachers attempt to “soften” the “security mindset” and subvert the image of the sexual predator that enforces it is by invoking their identities as mothers and grandmothers. In rewriting their labor as maternal and imagining students as “lost boys,” they desexualize the classroom through new relations of authority that are distinct from the custodial. But in assuming this fictive kinship,

teachers exacerbate conditions of confinement predicated on rituals of mortification that are similarly infantilizing (Goffman 1961). Further, they actively draw on racializing discourses of the “child-like Other”—or, where one teacher did not mince words, “240 pound niggers with the mentality of children”—stubbornly ineducable or incapable of learning. While teachers might thus wrest themselves from gendered forms of surveillance, they do so by infantilizing inmates and thus contributing both to the mortification implicit to institutional life as well as processes of racialization, both central to custodial relations of authority. Inmates actively resist this by insisting on adult forms of sociality in which they are capable of reasoning and decision-making, and seek to engage as autonomous coequals with their teachers. Teachers, however, define “adult” differently—namely, as willfully submitting to their authority. In other words, inmates can only prove they are not children by unquestioningly obeying their teachers as a child might, participating in their own infantilization and thus racialization.

### **Hard Time: Establishing the Security Mindset**

*“When you work in prison, it hardens you. It hardens you. You lose your compassion. You trying to alter me.”*  
—Ty, Inmate, Auburn CF

*“This place hardens you.”*  
—Ashley, Staff, Auburn CF

When I ask Joel about the “security mindset,” he tells me, “That’s why I really wanted to talk to you.” He is currently in Scott’s ABE class, having demoted from Victoria’s pre-GED classroom just next door. “I asked him once, ‘This how they train ya’ll?’ They seem somewhat alike. They alike. Like drill sergeants. Ain’t no conflict in there though (Victoria’s class), cause she’ll write you right up. He’s just gonna annoy you.” He describes Scott as “robotic” and adds, “He’s gone. She’s...” he gathers his

thoughts, “If you let it get to you, they call it ‘institutionalized.’ But they (staff) think they not. Coming in here every day, something’s gotta stick to you.” He mentions that his own stepfather is a correctional officer, and says, “Even with the COs. If I was coming in here every day, I’d hope I’d feel the difference. Don’t let it rub off on you, Cathy. If it’s getting to you, quit” (interview, August 1, 2011). Other prisoners echoed this warning to me. Like Joel, Ty counseled, “Don’t ever get a job here. It will change you.” While he qualifies that all staff are not subject to this transformation—he remembers one teacher at Greenhaven CF, in particular, who he thought had successfully staunched this process—he explains further, “It isn’t the inmates. It’s the prison. This place will toughen you like nails. This place will change you. Just be an anthropologist” (interview, July 11, 2011).

Joel’s claim that teachers might themselves be “institutionalized” evokes a long line of sociological inquiry into *prisonization*, or “the taking on in greater or less degree of the folkways, mores, customs, and general culture of the penitentiary,” where the very material conditions and relations of authority designed to reconstitute prisoners as new citizen-subjects potentially double back, instead drawing them further into the institution’s own logics (Clemmer 1958:299). Other sociological work on *secondary prisonization* examines the “repurcussive effects” of incarceration on prisoners’ intimates as they move in and out of the institution (Comfort 2003, 2007). While scholarship on the working lives of correctional officers does not interpret their experiences explicitly through the frame of *prisonization*, it does examine their socialization into the norms and practices of custody (Conover 2000; Fleisher 1989). As Lori and Ashley’s experiences suggest, civilian staff are also subject to this socialization, and many teachers struggle with it. Jill, for example, asks me one afternoon in the teacher’s lounge, “What, we can’t treat them human? I had a friend who was in security. I asked him advice and he said,

'Tell them nothing. Not even sports.'" Others do worry that they might indeed become "institutionalized" as Joel suggests, permanently altered by their work. On another occasion, for example, Ashley tells me, "This place has turned me into a monster. It's hard to turn off when I get home." Michael, a vocational instructor, casually tells me in the school's central office one afternoon, in a warning similar to those I received from inmates, "You have to be careful. This place will bring out the hate in you."

Much as Lori, Ashley, and Jill describe their own experiences, inmates also identify correctional officers as primary agents of this socialization, and complaints that teachers are like "robots," "brainwashed," or otherwise "turned" toward the custodial interests of the prison are common. Kyle allows that "The presence of security gives the teacher more assurance that she can teach freely, keep her mind off being scared, sidetracked. That's the good thing about it." Still, he qualifies, "It's also used as a negative tool. They know they're watching and use them as a tool to lock us up or get us to do things we don't want done" (interview, June 6, 2011). Martin is also sympathetic to the pressures of teaching in prison, even going so far as to say teachers are "boxed in" by COs much like prisoners themselves:

The teachers really want to teach us the right way, but COs try to push that on the teachers. If she's not a good, strong teacher, I see it over the years in jail. They turn a lot of good teachers. Turn them into COs. 'If you don't put a book in front of you, I'm writing you up.' They have a job, you have a job. Let the teachers do their job. She's not getting pressure from the Principal, she's getting pressure from the COs. They're boxing the teacher in, putting pressure on them like they're putting on us. Then we get mad at the teacher. He's not a teacher. She should stand up for her teacher's rights. 'As long as I'm following the rules, let me run the classroom.' They let them intimidate them. (interview, May 13, 2011).

Kyle agrees with Martin that teachers should push back against custodial interference in their classrooms and reclaim their "teacher's rights." Reflecting on an instance when a correctional officer came into his classroom and sat at his teacher's desk, he insists,

“She should have corrected it. But they scared of them, too, because they (COs) have the ultimate authority. But *she* needs to correct that, because we can’t. We’ll end up in the box” (interview, June 6, 2011, emphasis his).

To “turn” a teacher, then, means to scare or intimidate them out of any sense of identification with inmates and to evidence such through disaffected, “hard” social relations in the classroom. “They don’t want you siding with us. They brainwash you to make them feel the same way. You don’t side with the inmates. You against the inmates,” Kyle explains, “Yeah, so we put ourselves in here, but you shouldn’t be against us. The lines are drawn. Without these lines, there’d be chaos. Care, custody, control. They don’t want them to help us” (interview, June 6, 2011). Ty agrees, adding, “The education staff are scared of security. They’re afraid of what they say to the front (administration). ‘You’re too nice. You’re too respectful.’ ‘What, do you want me to call him an animal?’ And prisoners, we got to put a façade on too. You can’t win at all” (interview, July 11, 2011). This lose-lose situation transforms the classroom from what is ideally a learning environment to one that replicates custodial relations of authority predicated upon personal and emotional distance. “They (teachers) have to find an art form. Not be like a CO. They take on the personality of a CO. It’s not good for us. We got no teacher no more, now we got two COs. This is one of the things we talk about out there,” Martin explains, gesturing toward the yard (interview, May 13, 2011).

A willingness to engage custodial instruments of control like disciplinary segregation can mark a teacher as “turned.” While I explore the practice of writing tickets further in the next chapter, here it suffices to say that the ticket signals how thoroughly a teacher has integrated the “security mindset.” Ty describes the ways in which the ticket thus transforms social relations in the classroom, from caring and relaxed to punitive and suspicious:

Security don't care about us, and they teach civilians not to care about us. She joke with us, whatever, don't fraternize with us. They want the staff to talk to us the way they do. (My teacher) told me she wants to leave because this place is changing her. And it did change her. And she said it's not us, it's security. They force you to write a ticket. Staff...(pauses). If you can't deal with me on an adult level, come on. And staff will ask *me*, "what do I do?" I say talk to the guy, don't get security involved. But they'll just write him up, and then the guy don't trust you anymore. (interview, July 11, 2011)

Kyle also emphasizes the need for "adult" forms of sociality between teachers and students that are distinct from custodial relations of authority, which by definition deny prisoners any "adult executive competency" (Goffman 1961:43):

The civilian needs to understand they're not correctional officers. Don't write tickets. Be an adult and work things out. It brings the school atmosphere out and puts the correctional atmosphere in. You got COs worrying about what's going on in the classroom. They shouldn't have *anything* to do with this. (interview, June 6, 2011)

The ticket, then, establishes a "correctional atmosphere" in the classroom, the learning environment now shaped by "two COs," as Martin put it, as care is further mediated through custodial relations of authority predicated on *not* caring.

Everyday, minor conflicts in the classroom highlight how the tensions produced through this mediation are acknowledged and negotiated by staff and inmates, where accusations that teachers are "COs" or "police" and the classroom is a "precinct" are not uncommon. In Ashley's class, Martin, a leader in the prison's Caribbean inmate organization, asks me if I can find out the address of the Africana Center at Cornell for him. Ashley immediately intervenes. "What, you the police now?" he asks her. She replies, "No, you know first it's this, then it's something else." Lori was similarly questioned by a new inmate in her class. When she asks him to be quiet, he counters, "Were you ever a CO?" A few minutes later, she asks him to "put something in front of him at least." Again, he asks her, "What are you, a CO?" A few more minutes pass and

he asks her for the third time, “You ever a cop?” An inmate signals through the Plexiglas to another inmate passing by in the hallway, and Trisha clears her throat theatrically and shakes her head. He laughs and replies, “Man, it’s like the precinct in here!” Ashley, in response to a student who is not following directions, tells him, “I’m not the police that arrested you. I’m not the judge that sentenced you. I’m not a lawyer. I’m not a CO.” “Yeah, but you look like them (white),” he replies. She turns to me and exclaims, “Ohhhhh!”

As care is mediated through custody, civilian staff and inmates alike struggle with the “people-work” of teaching and learning in prison, which “hardens” social relations in the classroom along custodial lines of authority predicated upon personal and emotional distance. Teachers themselves worry about being “institutionalized” by the logics and practices of custody, as Joel put it, where dehumanizing inmates threatens to turn teachers into “monsters” or “bring out the hate” in them. Inmates recognize and acknowledge the ways in which teachers are thus “boxed in” by custody, which, if left unchecked, transforms the classroom from a learning environment into just another instrument of institutional coercion. This is affirmed for inmates in teachers’ appeals to punitive measures like disciplinary segregation to settle classroom conflicts, and inmates levy accusations that teachers are acting like “COs” or “police” frequently in an attempt to call out and critique the “hardening” of their classrooms. As Goffman argues, this “hardening” is rationalized and maintained by appealing to essential moral differences between staff and inmates. In the case of the prison school, where the work of caring is feminized, this is affected through the idea that all inmates are sexual predators, to which I now turn.

## The Princess and the Predator: Gendered Proximities and Sexual Surveillance

*"This is the wild, wild west."*

—Lori, Staff, Auburn CF, on being a woman in the prison

*"They all think you're here shopping for black meat."*

—Georgia, GED teacher, to me)

*Ashley is circulating around the classroom, dispensing colorful penciltop erasers from a plastic Icebreakers gum container she repurposed for the job. A correctional officer opens the classroom door and calls her out into the hallway. When she returns, she explains that he asked if she was handing out gum to the inmates. She rolls her eyes, "I'm used to it by now." She recalls one of her first days on the job, when she complimented an older man on his haircut and was chastised by her supervisor for it because it would "lead him on." She still protests, "But he was an old man!" Now, she says, "You'll come in looking sharp but I'll tell you your shirt doesn't match your shoes."*

—Fieldnote, September 9, 2011

A flier in the school office announces an upcoming "RECAB" (Recognizing, Evaluating, and Controlling Aggressive Behavior) staff training, and I ask Lori about it. "I forgot what it stands for, but it's one of those intense ones about establishing the right *mindset* and watching for dangerous inmates, dangerous behaviors," she laughs, recalling the videos they frequently watch as part of these trainings. "'Don't go into the closet with Mr. Johnson.' It's always 'Mr. Johnson.'" About a month later, the school is closed for the morning so teachers can attend the training, and we sit in one of the empty classrooms as two correctional officers read through a series of transparencies on an overhead projector. Today's focus is the Prison Rape Elimination Act, passed by Congress in 2003 and intended to protect inmates from sexual assault. After reviewing the "myths" surrounding sexual assault in prison—"staff are clear about boundaries; raising awareness will cause problems; new staff are the problem; misconduct is a male staff/female inmate issue; staff will report when there's a problem"—the officer addresses another "myth," as he sees it. While the law is clear that inmates cannot consent to sex with prison staff, the officer counters this with the common sense of the

institution, “Of course they’re (inmates) going to participate, but who gets stuck holding the bag when things go wrong?”

He further cautions us to be aware of the “Warning Signs” of a budding relationship between a staff member and an inmate:

- Horseplay/overfamiliarity with an inmate
- Granting special privileges
- Overconcern about an inmate
- Personal conversation
- Touching inmates for purposes other than outlined in the directives
- Bringing in contraband
- Sharing personal items
- Rearranging one’s schedule to work in a particular area/time

While many of these “warning signs” are notably flexible—When does one cross the line from concern to overconcern? Familiarity to overfamiliarity? At what point does a conversation go from impersonal to personal?—staff are nevertheless warned to guard against such transgressions lest they “get stuck holding the bag.” In the final slide of the presentation, the officers review ways to “Protect Yourself”:

- Maintain personal boundaries
- Follow department protocol
- Never discuss personal problems
- Report misconduct
- Be wary of manipulation
- Never discuss your personal life with or around inmates.

The ironic need to “protect yourself” from sexually assaulting an inmate is necessitated by folk theories about the universal criminal pathology of a generic, imagined inmate. “I can’t stress this enough,” the officer continues, “how a person of a criminal nature can manipulate people, draw people into their shell.” The public is currently fascinated by Casey Anthony, and he describes the live television coverage of the trial, particularly an instance where she mouths “I love you” to her mother as she’s called to the witness stand. “The mind is clicking up here to put the pieces together,” he taps his temple, “It

has to start somewhere. A pencil or a smile. You've got to be careful around criminals. They use the element of time to their advantage."

Establishing the right "mindset" thus means navigating the interpersonal ambiguities that emerge when care is mediated through custody, where the boundaries between concern and overconcern, familiar and overfamiliar, impersonal and personal, are at once indistinct and foundational to custodial order and control. This requires that such boundaries be continuously clarified and performed, both in the informal and formal "training" described thus far and through the everyday practices of teaching and learning in the classroom, variably surveilled by custodial personnel. Further, as the training above intimates, a subtext of this boundary-work is that women are the potential victims of sexual manipulation or sexual assault by inmates, and where the very fact of being a woman in a men's prison makes one a continuing threat to custody.

I was no exception. The morning after the RECAB training, I put my bag on the counter in the prison's lobby and begin removing my jewelry, coat, and boots. A Lieutenant is sitting in a chair behind the officer processing me, looking on silently. The officer asks the Lieutenant, glancing back over his shoulder, "You remember the lady that used to come in here from Booker T. Washington (a local community center)?" He doesn't wait for an answer. "She comes in here on Memorial Day," he continues, still riffling through my bag, "So I'm like, 'What are you doing here?' She got with one of the inmates. She's here to visit him." Finally, he gets to his point, looking up at me and asking, "Now, you're not going to do that, are you?"

Early in my fieldwork, Scott, one of the few male teachers in the school, began my own education in the art of the "security mindset." I had been observing his class for several weeks and was friendly with his Inmate Program Aid, Darius, also a student in the Cornell Prison Education Program. As class ends, Darius and I exchange

pleasantries. He tells me about his current classes, and I tell him about my own. There was a lockdown recently, and we discuss the events leading up to it. I do not notice Scott paying us any mind, but as soon as the classroom empties he explains to me why such a simple exchange is actually loaded with the potential for sexual violence: “You know something you learn in here after 20 years? You have to watch out for the *good* inmates the most. Like the one you were just talking to. They’re the ones who will rape you. Murder you. Extort you. *Good* inmates got three people fired at Elmira” (emphasis his). When I ask him to explain, he claims that a woman from the night school slept with an IPA; using materials spirited from the classroom, the prisoner fashioned a dummy and fooled guards on the bed check count, and they absconded together.<sup>24</sup> “The *good* inmates are the ones who will get you in trouble,” he continues with a hypothetical story, “An inmate asks you for a smoke, you give him one and then say ‘keep the whole pack.’ He keeps it as evidence, and when he’s got enough on you he’ll extort you” (emphasis his).

A couple of weeks later I am sitting on an old truck benchseat that has been repurposed for the teacher’s lounge, jotting down some fieldnotes when Scott comes looking for me. “I had an interesting moment in class yesterday. I wish I had a tape recorder, because it was about you.” My interest clearly piqued, he explains that a new student in the class asked him, “That woman still here?” When I do not seem to grasp the takeaway from what seems to me like an innocent question, he clarifies that there was something in the “tonality” of it that implied “I got her.” My expression must have betrayed my confusion that this man’s simple question could somehow convey ownership over me, an implicit threat both to me and all those in earshot. He

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<sup>24</sup> The only escape attempt at Elmira that I could verify was in 2003, when two prisoners absconded using tools and other materials they received from a male vocational instructor, which they then used to fashion a dummy and bore a hole through the ceiling of the cell.

continues, “All these years in here and I still can’t explain it,” adding, “there’s only three men down here in the school.” He implores me to remember the “security mindset,” and cautions me that he once had an Inmate Program Aid for six years, but it was all just a “set up” so he could be around women—they exposed this plot because another teacher said the inmate “creeped her out” and he was “trying hard to get in her class”—“but you can’t get them to dedicate three months to passing the GED.”

On another occasion, Scott tells me that when I was leaving the facility the day before he was following about 100 feet behind me. The officer running one of the gates asked him, “Who’s that girl with the bag over her shoulder?” Scott tells him, and he says, “Ok, I just like to keep track of the women in here so I can protect them.” “So, you know, this is the kind of stuff that gets said in such a masculine environment. It’s very paternalistic. Interestingly enough, the only person I know of that’s gotten raped in here was a male,” he explains. He mentions two women who were physically assaulted, including a more recent physical assault of a female correctional officer who worked in the shipping area with a “trusted” inmate.<sup>25</sup> “This is what I mean about it’s always the good inmates you need to watch out for,” he clarifies, “He had clearance to be in that shipping room. The bad ones you’re already paying attention to.” He recalls a former coworker, now retired, who called him over and asked him to talk to two inmates who she felt were staring at her. “I’m the kind of guy who will get involved, break up a fight. So I tell her, ‘just go in there and say something to them.’ It’s like, she didn’t even

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<sup>25</sup> Assaults on prison staff are relatively rare. Further, for DOCCS an “assault” is distinct from the legal definition, in that it does not require any physical injury to be classified as such. By this definition, DOCCS documents 563 system-wide inmate-on-staff assaults in 2011, the year in which this research took place. 96% of those assaults resulted in no physical injury (for example, being hit with a Styrofoam cup is considered an assault with no injury); 3% were classified as “minor,” meaning they required no treatment or minimal treatment (for example, scratches or bruises); .5% were “moderate,” requiring the attention of the prison physician or an outside clinician; and none were “serious” or life-threatening (DOCCS Fact Sheet). This translates to a 1.9% chance of a non-injury assault; a .06% chance of a minor assault; a .01% chance of a moderate assault for all correctional staff; and, of course, a 0% chance of serious or life-threatening assault.

understand she had the power," he continues, "So she did it and came back amazed like 'it worked!' So sometimes women do it to themselves, too."

Ashley was often concerned that I did not wear a personal alarm, a small black box with a bright red button hung from a lanyard; introduced in 2007, teachers are required to keep these alarms on their person at all times, which silently signal security personnel who can then track their location and movement from a central console. When I discuss interviews with her students, which I have arranged to conduct individually and privately in an adjacent classroom, she again insists that I ask for a personal alarm. In front of the inmates, she explains, "You have to be careful. Seriously. It's happened before. Barbara got punched in the face and he was charged with attempted rape."<sup>26</sup> Leroy interjects, "Black people don't do that." She is nonplussed, "This is a one on one. You've got to be careful with a one on one. In here (the classroom), the other inmates would stop it." I reassure her that I appreciate her concern, but I am not worried about the interviews. A half hour later, Caleb is still bothered by her insinuation. "Now she's trying to make Cathy afraid of us, talking about rape," he laughs to himself and shakes his head in disbelief, "Yo Ms. A, you corrupt people's minds, man. Trying to brainwash Cathy."

As these formal and informal "training" sessions indicate, gendered proximities and the implicit threat of sexual transgression or sexual assault that positions all inmates as sexual predators establishes essential moral distinctions that underwrite the personal and emotional distancing demanded by "people-work" in the prison school. Further, inmates are not ignorant to this process and exploit it themselves. For example, after Ashley writes a ticket and has an inmate removed from her class and kept locked—she explains to me that she did it because he "wasn't working," though it

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<sup>26</sup> This is the assault on a female correctional officer that Scott referenced.

is worth noting that the day before they argued about his affiliation as a Five Percenter—she announces to the class, “You will all be happy to know that he grieved me. I’ll be mad about it for a week, then I’ll get over it. Here, you all can put this in your grievance: I can’t wait until this class is over.” Caleb responds, “Man, what you are talking about? You can’t get mad. *You* kicked *him* out” (emphasis his). After class, Ashley, Victoria, and I talk about the grievance filed against her, in which the inmate claims she “shows off her titties,” allows inmates to sit on her desk, and has inappropriate “intimate” conversations with inmates. Victoria points out that when it comes to these kinds of charges, “It’s only the women. The men share all kinds of information over in voc (vocational).” She notes that the women are the only ones who get written up for cussing in class, too, and insists, “This is totally fabricated. You don’t have to respond to each question. ‘Sexual harassment’ is what he’s doing with these charges.”

Thus, while the figure of the sexual predator establishes the personal and emotional distance that mediates social relations in the classroom through custodial relations of authority—where Ashley demonstrated the “security mindset” by writing a ticket in the first place—the inmate reversed this very logic against her. In this sense, in appealing to the institution’s own preoccupation with gendered proximities, he both redoubles fears about the sexual predator at the same time that he uses these fears against the very custodial interests that conjure them in the first place. The complex struggles over authority that the sexual predator reveals—tensions between “caring” and “custodial” mandates; how these tensions are organized along gendered lines; how such impacts social relations between staff and inmates; and where the personal and emotional distance upon which these relations are predicated can be turned against itself—raises several questions. How does one go about the work of teaching when it is

a slippery slope from “a pencil or a smile” to sexual manipulation or sexual assault? How does one attempt to learn as a sexual predator and continuing threat to one’s teacher, who is trained to never trust you, at best, and to fear you, at worst? How does the learning environment itself reflect these struggles?

### **Too Close for Comfort: Spacial Politics in the Prison Classroom**

**Ashley (to me):** *If I got 20 guys in here, I’ll just sit here.*

**Stevens:** *Yeah, you proud of that, huh?*

*“He get paid all that money to sit here.”*

—Marvin, Inmate, Auburn CF

Tensions in Ashley’s class have been building. It starts with Pidge and a juicebox. Pidge is the class clown, and one gets the sense that for all his jesting he is quite an astute observer, his intellect as sharp as his wit. “Anyone else would have kicked him out by now,” Ashley, who finds his antics almost charming, explains, “But I want him to get his GED. If he doesn’t, it won’t be because he’s not capable.” This morning, he’s got Kim Kardashian on the brain, and when he tells me she is from Romania, not one to be bested on celebrity gossip, I counter that she is actually Armenian. “Yo, Cathy!” he points at my coffee cup and cocks his head, “You drunk off that coffee!” Ashley interjects, “Pidge, inappropriate and lacking self-control.” He waves her off and returns to his seat, and she reflects on her handling of the interaction, “You know what one of my p.m. guys said to me? ‘This is ‘sposed to be school, not therapy. This is therapeutic.’” A few minutes later, Pidge begins drinking from a juicebox he absconded with from the mess hall that morning just as a correctional officer I do not recognize walks past in the hallway. The CO raps the Plexiglas with his knuckle and calls him out of the class and into the hallway. Item 4 of the Osborne School Procedures (see

Appendix B), which every student signs when assigned to a classroom, outlines “The ‘NOTHING IN’ Procedure,” stipulating:

Certain items are not allowed in the school. Do not bring anything into the school that has not been authorized by your teacher. Forbidden items include but are not limited to: candy, food, beverages, cards, letters, pictures, magazines, personal books, legal papers, net bags, and all personal items (113.22, 113.23). Students will be frisked (115.10).

I can’t hear their exchange from inside the classroom, but Pidge is against the wall, chin up and every so often turning his head from one side to the other, avoiding looking at the officer in the face. He seems less intimidated than just impatient. The officer lets Pidge return to the classroom without being frisked or writing him a ticket, and when the door closes behind him Pidge announces to the class, “He wants to make Lieutenant! Give him a Purple Heart, he stopped me from drinking juice!” About a half hour later, another officer raps on the window and points at a student who is tipping his chair back on two legs, then points toward the ground.

This day is still on students’ minds the following week, when Dwayne tilts his own chair back on two legs, balancing with his feet on the brace of the table, and says, “CO could just see me and come in here, and I’m out!” Correctional officers do monitor classrooms for this kind of minutiae, as in another instance that week when, upon dismissing the class, I hear a correctional officer tell an inmate, “Sleep again and I’ll write you up.” Dwayne has his own theory about why the officers seem suddenly more intent on enforcing the rules in Ashley’s classroom. It is early in my fieldwork, and he warns me to watch out for the officers watching me. “I notice everything,” he explains, “You’re drawing too much attention.” He notices a correctional officer walk by in the hallway again and tells me, “They’re watching us. They don’t want you getting all buddy-buddy with us.” Dwayne and Martin implore Ashley to pull an inmate out into

the hallway and pretend to yell at them in view of the correctional officers, to show the officers “you’re handling your class” and back them off a little.

Teachers are themselves self-conscious about drawing too much attention from the hallway. After returning to the classroom from the computer lab, Lori announces, “Gentlemen, either work or pretend. You know the rules.” Down the hall, one of two officers’ desks in the school is stationed right outside of Scott’s classroom door. Inside the classroom, Cooper lays his head on his desk. “Get your head up,” Scott commands, “You’re in this class you’re going to work.” “I’m not working today,” Cooper responds, sitting back calmly in his chair. Scott replies, “Put a book in front of you and pretend then.” A successful performance of learning staves off interventions from the hallway, where learning itself is not so important as the appearance of order and control in the classroom. This performance extends to social relations as well, where interactions between staff and inmates are expected to similarly reflect custodial rather than pedagogical priorities. For example, one morning in Ashley’s class, Leroy crouches next to her desk for about five minutes as they quietly discuss something I cannot hear. I watch as a correctional officer walks by in the hallway and pauses directly behind Ashley, whose back is to the Plexiglas. Without moving or otherwise letting on that she has noticed, she tells Leroy to back away from her desk.

That even physical proximity to inmates signals a lax “security mindset” significantly determines how staff go about the practice of teaching. Ashley herself relates how the “security mindset” requires the “hardening” of both personal and physical boundaries with inmates. One morning, as she prepares her materials for the day, she begins reflecting on her first days as a prison teacher some seven years prior. As she has related to me many times now, she struggled to adapt, and one incident still nags at her so many years later. After an older prisoner spirited an apple from the mess

hall and quietly placed it on her desk that first week of class, she describes being wracked with guilt after realizing she must return his simple gift. She recreates the scene for me, placing her stapler in the middle of her desk and gazing at it, leaning back in her chair and tapping her fingers together slowly in quiet and nervous contemplation. She stared down that apple for a full two hours before finally working up the courage to return it to the man when he left for the cellblocks at the end of the school day.

Now, Ashley says, she wouldn't think twice before refusing it. She recalls a Sergeant stationed in the school building during those early days, who made a habit of pulling her out of class and into the hallway when he suspected she was working too closely with students. In a hushed voice, he would warn her, "That guy stabbed his girlfriend seven times, and then burned the house down and the five other people in it. You go on and teach him math." Or, "That guy beat a four year old to death for pissing in his truck. Go ahead and teach him to read." "I'd be like 'what'd you tell me that for! Now I can't even look at them!'" She used to be able to access the information an inmate provided at his intake interview on a computer in the school office to find out the details of his crimes, but she is relieved that database is no longer available to tempt her. That working "too closely" with students is problematic for custody is a common refrain. On more than one occasion, Scott points out disapprovingly that Georgia regularly sits next to inmates to help them with their work, and Georgia herself is frustrated after class one afternoon because a correctional officer chastised her for sitting at a table in between two inmates. In Ashley's class, I sit at a large desk on the opposite wall from her own, and inmates begin to regularly sit at the table with me. After Martin sits with me for two days, I come in one morning to find that my desk has been moved across the room and now abuts Ashley's desk.

That physical proximity to inmates is considered threatening to custodial relations of authority limits the ways in which teachers can move about the classroom and engage with their students. At the same time, standard pedagogical practice in the school is for students to engage in “individual work,” progressing through workbooks and practice tests at their own pace—a practice in no small part necessitated by the structural conditions described in the last chapter—and where teachers must work one-on-one with students and spend less time providing general instruction. The result is that many teachers spend most of their time sitting behind their desks; Ashley and Scott, for example, both rarely move from their desks, and each place an empty student desk proximate to their own at which students circulate in and out for help throughout the class period. Because of this, both students and teachers often do not feel like they are in a “real” school. One of Scott’s students sees another teacher across the hall doing math problems on an overhead projector. “See that?” he asks me, pointing across the hall, “*That’s* a classroom. She up there teaching” (emphasis his). Caleb, reflecting on Ashley’s practice of staying at her desk and waiting for students to come to her for help, asks me, “Cathy, you see what she’s doing here? Easy money. How you a teacher and you ain’t teach? Easiest job in the state. You should do this and just do anthropology on the side, know what I’m saying? Get that money.” Victoria, a pre-GED teacher in the school, has finally gotten permission to take her students to the prison library after years of trying. She designed a lesson plan in which each student will check out a book on an historical figure and compose a timeline of that figure’s life. She tells me, “I actually feel like a *real* teacher for once!” (emphasis hers).

A spatial politics thus emerges around teachers’ desks; as the perceived dangers of physical proximity, coupled with the pedagogical practice of “individual work,” restricts teachers to their desks, students come to view such as a symbol of teachers’

own degree of implication in the custodial interests of the prison. As Darius explains it simply, "In the classroom, he got his desk. It separates him from us." In response, inmates invoke the metaphor of the plantation to critique the custodial relations of authority that the desk thus comes to signify, as well as the racialized nature of that authority. One afternoon, Scott wheels over in his chair and silently passes me a note: *Something to watch is how inmates work out who sits where (if allowed the choice as in my class) and how disputes are worked out.* But the spatial politics of the classroom aren't limited to struggles between prisoners over personal space and, by extension, attempts at a sliver of autonomy and a little breathing room in an institution defined by its lack.

The same day that Scott passes me this note, Cooper positions himself in the back corner of the classroom, as far away from Scott as he can get. For several days he has had an edge to him; he is withdrawn and spending most of the class with his arms crossed over his chest, staring out into the hallway, not so much mindlessly, but defiantly. Joel, who is seated near Scott, tries to coax him back, "Come on up here, man. Learn something. Everybody's working hard and learning today." Cooper looks at him skeptically, arms still crossed, "Oh, I'm losing you, too? You going up to the house?" Joel laughs, "Yeah, I'm going up to the house." Cooper doesn't budge, "Nah, I'll stay right here in the field. I like the fresh air." A few minutes later, Joel stands up and walks to an empty desk in the back of the class. Darius teases him, "Oh, you getting out the house?" No sooner than he says this Scott looks up and calls out, "Mr. Joel, get back up here!" The whole class starts laughing, and Cooper feels vindicated, "See, once you in the house you can't get out." A short while later, another student moves from a desk near Scott's to one farther away, and Scott also demands that he come back. Cooper repeats himself, "See, once you in the house you can't get out," this time adding, "He'll cut your foot off."

Darius, Scott's Inmate Program Aide, is often accused of being a "house slave" in that he has to frequently act as a go-between between Scott and the other inmates in the class. He describes some of the mundane exercises of control in the classroom—"I'm gonna sharpen your pencil for you. Put your folder away when I tell you to." "He doesn't understand the predicament of some of these guys. They may have been kicked out of school, but they ain't dumb," Darius explains, "Sometimes, I can't really be a mediator. I wear green, too. Sometimes dudes call me a 'house nigger'" (interview, May 16, 2011). But despite these critiques, he sees a more subtle kind of subversion in his work as an IPA. He explains, "You may not like your boss, but you got to feed your family. He respects me because he knows I won't let him disrespect me. Some guys he won't write up. 'Let me leave this guy alone. He ain't a little kid.' I want to tell them, 'You got to be smoother than that' to some of these guys." He continues, "He doesn't need to know the shit I think about him. That's how we lose the battle. Sit back and watch and hold it in your brain" (interview, May 16, 2011).

Thus social distance produced and enforced through the sexual predator shapes pedagogical practices in distinct ways, where staff working "too closely" with students threatens to collapse personal and emotional proximities into dangerous physical proximities. While inmates engage the metaphor of the plantation in critiquing the custodial relations of authority reflected in this spatial politics, women staff attempt to "soften" rather than fundamentally critique this distance. In rewriting their labor as maternal and positioning inmates as children, they desexualize social relations between staff and inmates. But in so doing, they exacerbate the infantilization already central to the conditions of confinement and contribute to the racialization of inmates as "child-like Others," both fundamental to custodial control. Appeals from inmates for adult

forms of sociality with their teachers are unheeded, where “adult,” ironically, comes to mean participating in one’s own infantilization and racialization.

### Making Children of Men: Infantilization and Custodial Control

**Howard:** *You tell people we’re animals?*

**Ashley:** *No, I tell them you’re babies.*

*“A bunch of big, bad, rough criminals are a bunch of big, bad, rough babies. Nobody believes me.”*

Ashley, Staff, Auburn CF

Lori is straightening up her room before the school day starts, and we begin discussing some of her students. “I’m going to write a book called *I Meet a Lot of Nice Guys in Prison*. I refuse to adopt the attitude out there in the hallway,” she adds, “Some of these guys are so sweet, you can tell they love their mothers.” A few weeks later, Lori, Georgia, Jill, and I are leaving the school building together, when Lori and Georgia begin swapping stories about their students. Lori complains, “They’re like children! Big children!” Georgia agrees, adding wryly, “Yeah, but I’d rather be ‘Grandma’ than ‘bitch!’” Jill joins in, noting that a few of her students call her “Mama J.” Invoking their identities as mothers and grandmothers is common for women in the school, and performs significant discursive work. In recasting their relationships with students as maternal, teachers undermine the gendered subtext of the “security mindset,” in which they are positioned as potential victims of sexual manipulation or sexual assault, thus mediating care through new relations of authority that are distinct from the custodial: “grandma” rather than “bitch.” In so doing, they seek to reclaim some measure of autonomy in their classrooms and attempt to forge social relations with students that are not predicated on the dangers of proximity and the maintenance of personal and

emotional distance, but on desexualized caretaking roles that allow for proximity in ways that are nonetheless based on racialized hierarchies of control.

In infantilizing inmates in this way, teachers reimagine their work in the classroom, which becomes less about teaching inmates math and literacy skills and more about providing maternal care presumed universally absent from inmates' childhoods. Racializing discourses of fractured and pathological families are invoked both to explain the perceived cultural deficiencies of inmates and to position teachers as bestowers of proper habits and moralities. For example, Lori and Ashley are discussing the difficulties of teaching inmates how to speak "correctly." Ashley comments that she is amazed that her four-year-old son has a more "sophisticated vocabulary" than most of the men in her classroom. "They used to say, 'This is how we talk,'" she explains, "But I hear less of that now." Lori recalls a study she recently read that claimed some children hear so many millions more words than other children, explaining, "The adults in their lives didn't give them what they needed." Ashley replies that she spends all her time in class correcting them like she does her son, "I don't know if it's the teacher in me, the mother in me, or both!" She carries this out in the classroom, where she confronts Caleb about his speech. "This isn't about white people versus Ebonics," she claims, "You parents didn't teach you to speak properly as a child. I have to correct you like I correct my four-year-old son. Then you end up speaking in Ebonics." The class argues with her about their own ability to code-switch, and Caleb enunciates, "When I am talking to a lawyer or a judge, I can speak properly."

Ashley is also very concerned about inmates' use of "inappropriate" language in the classroom. Martin, who is older than Ashley, curses in class and she threatens to wash his mouth out with soap, turning to me and shaking her head, "He's younger than my son." On another morning, Caleb and Martin are talking and the word

“motherfucker” rises above the din of the classroom. “Language!” Ashley scolds. Caleb is irritated, “I’m a grown ass man!” “If you’re a grown man you should know when to use that language and when not to,” she insists, “not like a juvenile.” A few days later she again scolds Caleb for cursing. “Leave me alone, man,” he responds, “I’m a grown man. Leave me alone.” She does not relent, “Then stop swearing.” He repeats himself, “Leave me alone, man. Leave me alone.” Ashley later explains why she focuses so much on swearing in her room, which she relates to broader cultures of poverty:

You have to forget where you are, or you just can’t teach here. It’s odd. Sometimes I wish I didn’t know about this place. All I can care about is how they behave in here. Like, not cussing is a huge deal for them. If you look at it, how do you expect them to change? No job, no W2, no bank account. They’re doomed from birth. It’s poor, it’s not even color. There’s very little hope, that’s the saddest part. They’re not employable people. What are you going to do, cuss at your boss? It’s easy to give up in this environment as a teacher, because they’re emotional vampires.

This mutually exclusive reasoning—“it’s poor, it’s not even color”—was shared by many of her coworkers, where even the most racialized language was explained as really being about class. When I hear a white correctional officer use the word “nigger” as he shouts up to another officer in the guard tower above, Victoria explains that her husband, who is a retired correctional officer, uses the word, “but it’s not about color. He says ‘there’s white niggers and black niggers.’ He’s not racist. He picked it up in here. I don’t want to say ‘poor people.’ It’s more like ‘trashy.’ It’s not color.”

When I ask Lori if it bothers her when inmates refer to teachers as “COs” or “police,” she replies:

No, but mostly because I’m grandma. They had a grandma—mom was on drugs, dad was in prison, and grandma took them to church. So I get to see another side of them. I can ask them to do little things. It’s by accident, you know, so I get to interact with their masculinity in another way. I know some of them did awful things, but really they’re lost boys. Their potential got blighted early on. (interview, September 29, 2011)

She often speaks of parenting as a cause of criminality, claiming that inmates did not have parents present enough to teach them to value reading and avoid violence. She explains, “These guys were children who were spoiled *and* neglected. Not spoiled as in daddy bought them a yacht, but spoiled as in they were allowed to do whatever they wanted to do” (interview, September 29, 2011). While any specific knowledge of inmates’ personal lives or lived experience in inmates’ neighborhoods would surely debunk such theories—and wide-ranging scholarship documents complex kin relations and networks in similarly racialized communities (cf. Edin and Nelson 2013; Stack 1997), as well as concerted struggles to maintain romantic partnerships and family ties fractured by imprisonment (cf. Braman 2007; Comfort 2008)—this reasoning is nonetheless pervasive.

As Joel and Kyle intimated earlier in this chapter, this presumption of fictive kinship by teachers sits in uncomfortable contrast to inmates’ own desires for “adult” forms of sociality in the classroom. As Goffman argues, central to institutional processes of mortification is the stripping of “‘adult’ self-determination, autonomy, and freedom of action” such that it “can produce in the inmate the terror of feeling radically demoted in the age-grading system” (1961:43). As Darius describes it, “In every classroom you gonna hear it. No one wants to be treated like little kids. Not even little kids want to be treated like little kids” (interview, May 16, 2011). Yet the ways in which this infantilization is rooted in conditions of confinement that produce particular kinds of dependencies—where restrictions on dress, diet, movement, speech, waking, and sleeping all work to invoke this “terror”—goes unacknowledged, and any struggle to assert some semblance of autonomy doubles back as only further evidence that inmates are incapable of adult reasoning and decision-making. Take, for example, the following

exchange between Scott and Cooper, which transpired after Scott gave Cooper a “direct order” to work:<sup>27</sup>

**Cooper:** I’ve got four kids and a grandkid. I’m 43 years old. Talk to me like I’m a man, not a child. Threatening me, ‘This is a direct order.’ I don’t work 24 hours a day. And I don’t work for you. I take a break with my thoughts. You don’t tell me when I can take a break.

**Scott:** You’ve got to man up. You said you wanted me to treat you like a man.

**Cooper:** I got life, man. You can’t save us all.

**Scott:** Little kids are expected to work six hours a day.

**Cooper:** That’s what I’m *saying*. We’re not little kids.

**Scott:** When you come in here complaining, saying you can’t do your work, you are.

In Cooper’s attempts to make his own choices about the pace of his work, he is rendered further incapable of making “adult” choices where these choices betray a “direct order.” To be an “adult,” then, is to submit to custodial relations of authority. Victoria explains her decision to write a ticket using comparable reasoning: “It was him getting mouthy with me that got him locked up. He told me to stop talking to him like he’s a kid. I said, ‘If you act like a kid, I’m going to treat you like a kid.’” Conversely, as Joel and Kyle suggest of teachers who claim this authority and write tickets instead of “dealing with us on an adult level” or “being an adult and working things out,” to be an “adult” means encountering one another as autonomous equals. Another small exchange in Scott’s class highlights these conflicting definitions of what it means to be an “adult”:

**Scott:** *(Pointing at a homemade banner on the wall that reads “Is it reasonable to assume that adults know how to conduct themselves in school? If so, is the teacher being disrespectful to expect that an adult man do what he is supposed to do?”)*  
Why do you think I talk to you like that? I expect you to act like a man.

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<sup>27</sup> A ‘direct order’ escalates instructions from the teacher to a custodial concern; to defy a ‘direct order’ is an automatic ticket.

**Marvin:** You supposed to be a man, too. You supposed to reason with someone, learn where they're coming from.

When being an "adult" means submitting to custodial relations of authority rather than engaging in coequal exchanges, and those relations are ordered along racial lines, struggles over infantilization necessarily become struggles over racialization. Utterances by staff evoke deeply ingrained racial thinking in U.S. society around the "child-like Other," which positions such "Others" as perpetual children, ineducable and incapable of learning. Ashley, for example, is upset one morning as she explains that her own son is working his way through college while the state provides "free" elementary and secondary education for inmates. Gesturing toward the empty desks in her classroom, she raises her voice, "So you're telling me my son is out there working his butt off, but the state can pay for this little black boy who is 50 years old to get his GED when he committed murder when he was 8 and is in here for the third time?" Brian, a correctional officer in the school, is also in the room and tries to talk her down. "Yeah," he answers skeptically, "But you can't think about it like that." That inmates are 50 year old "little black boys" who were capable of committing adult crimes when they were *actually* children quite succinctly highlights the ways in which ideas about criminality draw together infantilizing racial discourses with comparable, if inverted, discourses that construct "delinquent" black and Latino children as adults (cf. Chavez-Garcia 2012; Tilton 2010). Several times, Scott explains to me that his coworkers think, "They're cute when they're little black kids, but now they're 240 pound niggers with the mentality of children."

One specific, extended conflict from Scott's classroom is particularly instructive as to the complex interplay of infantilization, racialization, and custodial relations of authority that together shape learning in the prison. It begins in the teacher's lounge

when Scott warns me to brace myself for an “interesting” class today in his p.m. module. The school’s faculty recently decided to supplement standard TABE testing with an additional essay exam, and today will be their first practice essay. Scott intimates that it will address slavery, and mentions that the last time he tried to talk to inmates about slavery he got a talking to from Albany. It would be disrespectful of him to think these guys could not handle a conversation like that, he explains, and the other teachers in the lounge tell him he is brave. When we return to his classroom after lunch, the essay prompts, of his own design, are already chalked on the board:

1. Speaking from the point of view of a plantation slave owner, write and explain two or three reasons why it should be a hanging offense to teach a slave to read.
2. Speaking from the point of view of an abolitionist or slave, write and explain two or three reasons why it is important for slaves to learn to read.

As the inmates begin to trickle into the room and read the board, they are immediately upset. Cooper says, “Nobody do it. Uprising.” Scott says from across the room, “Mr. Cooper. Stop talking. Do your work.”

A new inmate in the class gets up from his desk near Scott’s and moves to the back of the room. “Come up here,” Scott demands, pointing at a desk near his own. He ignores him. “Don’t ignore me. Come up here.” He still ignores him, his gaze dismissively focusing anywhere in the room but on Scott. Scott repeats himself several more times to no avail, before standing up and walking over to the inmate. He braces the inmate’s desk with both hands, leans down and, their faces just inches apart, sternly instructs him, “I said come up here. That was a direct order.” Someone yells, “You know you can’t be in his face, right?” Scott does not move, but replies, “I will talk to you at 2:30,” the end of the class period. “He’s a grown man, you can’t talk to him like that!” The inmate, who still has not responded to anything Scott said, stands up and

walks out of the room. I see him talking to a correctional officer in the hallway and pointing toward the room, but he returns and again sits down at the desk at the back of the class. Again, Scott demands, "Come up here." The inmate finally responds, flatly, "Fuck you." "You're out!" Scott says, pointing at the door. Scott stands up and opens the door, and the inmate calls him a "faggot" under his breath as he walks past him and out into the hallway, Scott following behind and telling the correctional officer posted just outside, "Write him up. Threat."

Scott returns to the classroom and the students are upset and agitated. Joel shakes his head, "Man, if I ran into him on the street." He clarifies that he does not mean that personally about Scott, but if someone ever disrespected him that way on the street it would not end well. Cooper says, under his breath, "Somebody gonna kill you, man." Someone asks Scott, "You gonna tell the truth at his hearing? That you got in his face?" Scott is nonplussed and does not respond to any of this. Cooper says, "Got the wrong thing on the board. That's what started everything." Over at what Scott calls the "troublemaker's table," a long desk that seats several students and has been claimed by a few older men in the class, I hear Marvin say "That's some racist shit" and challenge another student to go up to the board and erase the prompts. Joel turns to me and asks, "You gonna put this in your book, right?" Scott attempts to transition to the multiplication test that he administers every Monday, and scolds Marvin, "Mr. Marvin, put your name on your paper." Marvin replies, "You know better than to get in my face. I'll clothesline you." The class laughs, and Joel shakes his head, "Man, with this plantation shit on the board." He looks at me and holds up his pointer finger and his thumb about five inches apart, "Cathy's book gonna be this big, all the shit that goes on in this class."

After they complete the multiplication test, Scott finally addresses the elephant in the room. "There are a couple of reasons for the essays on the board," he explains. "First, to get used to doing essays that are difficult. Whether you like any of them or not, you have to answer them or you fail the test. You have to answer, but you don't have to tell the truth. You are writing to a little old lady with blue hair. She won't understand slang. She's a white woman. You have to express it in a way she understands." He then opens the discussion to questions. Swill, a revered older inmate and a veteran of the Attica disturbances, asks him calmly, "Of all the essays, why that one?" Scott responds, "The reason I chose these two questions. This topic was chosen because I want you to think about states in this country that passed laws like this." Swill tries to converse with him, interjecting, "Because they're afraid, once you learn you think for yourself..." but Scott continues talking over him. "I want you to consider why there was so much fear. Teaching a slave was considered a capital offense, same as murder. Also, consider it for your lives, and why it's important to learn." Joel responds, "The class is going to rebel," to which Scott replies, "There's nothing to rebel against." Cooper, from the back of the class, insists, "I'm not doing this. This is racist."

Joel raises his hand, and tries to explain to Scott why the prompts are upsetting. "The essay you put up there is so offensive. I'm black. I'm not answering that," but Scott interrupts him. Someone says, "See, that's a master's mind right there." "I developed this because of things in this class..." The troublemaker's table is talking, and Scott abandons his thought to tell them forcefully, "Guys! Raise your hands!" Again, someone says, "That's a master's mind right there." Paul raises his hand, "You're a white man. I'm looking at you 'Is Mr. Scott racist? Does he look at us as slaves?'" Joel adds, "The way you teach, the way you talk to us," and someone across the class agrees, "Like the way you got in that man's face." Paul continues, "You're

white. You're a civilian. We're black. We're in prison. You can't give us a topic like that." "I respect you enough to feel like you can have a discussion like this," Scott responds, "I've talked to you about the struggle to learn to read, for integrated schools. I've screamed at you about it when you resist me in here. I want you to think about the importance of an education if it was that important to keep a person with a certain color skin from learning. And you tell me 'I'm not gonna.' Who does that favor? Is that what MLK fought for? Malcolm X?"

Joel tries to acknowledge Scott's intentions, "What you're doing, you mean well but..." Swill interjects, "People don't want to keep being reminded." "We need to pay attention," Scott replies. Swill counters, "We know. We lived it." Scott is persistent, "No, you don't know. Most of my classes are ignorant." At this point the class has lost any patience they might have had with Scott, and everyone is shouting over one another. Paul breaks through the noise, "We don't want to be reminded because we're in prison. The ways these officers deal with us is like slaves, like cattle. The only thing we think about is all the time we've been in prison. Bend over, spread your cheeks, take off your shirt. They fought for us, but we got our own struggle. People here got a mentality like 'we slaves, we their crop.'" Scott is dismissive, "So if you want to write on this topic I will grade it. The second thing, look around the room. This is the most white people I've ever had in my room. My point is, in black and Latino neighborhoods there is an anti-education mentality. Especially with the gangs. Blacks came as slaves. Hispanics came here by choice. What happened in the Jewish community is they have a strong orientation to value education. The Italians, the Irish, they all pulled themselves out of the ghetto by valuing education." Swill turns to me, "Write this down, and tell the truth. Keep it real, now."

Cesar, who has been quietly observing, asks, "Why we gotta do this? No one wants to do it." Scott responds, "A lot of times you'll have to do things you don't want to do." The class begins talking feverishly: "Lock his ass up for putting something like that on the board"; "I'm about to write an essay on why the slaveowners should be hung"; "I don't respect that topic. I'm not writing about that at all"; "Come on proud black people! Make your ancestors proud!"; "You telling me to be a slaveowner. That's like asking me to be a police (gestures to the hall). It's not that I don't want to do it, I just don't want to write *that*"; "Only reason I'm in here any more is to get in Cathy's book." Some students begin working on the essay, and others are still talking. "Guys, you need to do this essay on your own," Scott tells them. "We're doing it together." Scott replies sternly, "No. On your own. You guys are like little kids. You need the teacher standing over you." He again tries to rationalize the prompts, "There were only certain places in America black people could go," and a student replies, "Yeah, and jail was one of them."

As the class period winds down, Scott asks them to tie up their essays and offers some parting reflections: "Two things: Some of you need to watch out for what you're advocating. You could have been written up for organizing a work stoppage. A work stoppage is a serious offense. Another thing is a relationship of power being descendants of slaves. The refusal of several of you to do these essay questions gives power to those you don't like. You empower racism. If you address it, talk about it, you empower yourself. Stop empowering racism." Paul responds, "You think this is a school? This is a prison." Scott disagrees, "I am a teacher. I expect everyone in here to be a grown man." "You gonna get in a grown man's face?" Cooper asks. Joel adds, "We were grown men when we got here." Scott counters, "You know why I did that? He ignored me." Joel isn't convinced, "Be considerate, man. You can't justify what you did."

If that was a little kid, you'd a done that to him, too?" Scott is unmoved, "I would have taken his face in my hands." Paul begins singing the verse of a popular Kanye West song: *No one man should have all that power*. Joel again tries leveling with him, "You a good teacher. But you been here long enough to know how to act with people. Even though you teaching at a kid's level, we grown men." Scott still does not seem to recognize their point, "I'm not going to disrespect you like 'this is a dirtbag.' This is a grown man."

After the students leave, Scott reflects on what transpired, "They're so raw (about race), but there is so little critical thinking about it. It's like, anytime I ask them to open their minds and think critically they call me a racist." He takes out a piece of paper, "I need to write this prompt down because I'll probably get a grievance for this." He continues as he writes, "Their understanding of control is like a 4 year old. They don't understand that in resisting, they're giving me control over them. I told my a.m. class, 'I want to take you by the hand to the school down the street to a class of 6 year olds. Even if they don't know how to spell, they will sit and do a writing assignment. You're embarrassing yourselves.'" He asks if I want to look at any of the essays they handed in, and as I flip through the thin stack I come to Cesar's. In clever protest, he has copied down, word for word, all of Scott's 'motivational' posters—computer printouts of Scott's own design, taped together in long banners that encircle the room—to form his essay:

*If your teacher is more committed to your education than you are, what does that say about you?*

*Concerned parents pay \$30-50 an hour to have their child tutored. Is it wise for you to refuse tutoring by your teacher?*

*Is it reasonable to assume that adults know how to conduct themselves in school? If so, is the teacher being disrespectful that an adult man do what he is supposed to do?*

*If you don't think education is important, why pay top dollar for a licensed lawyer?*

*He told me he didn't need this class. He said he didn't need an education. Then I heard him laugh at a man that couldn't read as well as he could.*

*Life is short.*

*Only a fool wastes any of the short life he has.*

*In America, before the Civil War, teaching a slave to read was a crime punishable by death in some states. Today in Afghanistan girls attend school at risk of being killed, or having acid thrown in their face. I do not want to hear that you are tired, have a lot on your mind, or 'don't need an education.' Little girls risk their lives to get an education. It's that valuable. Man-up and get yours!*

Two days later, Scott finds me in Ashley's classroom before the school day starts to give me an "update" on his follow-up to the essay. He says he congratulated his morning class on the job they did, and recollected their essays to read to the afternoon class, who he wanted to "slap the stupid" out of. He read them to his afternoon class, but did not tell them they were the morning class' essays so that they would feel isolated, like they were the only ones who did not do the essay. He did not allow for any commentary, or for them to "get off track," only permitting them to discuss whether or not the essay squarely responded to the prompt.

There are a significant number of interpretations or conclusions one might draw out of this extended conflict. Here, I recount the event in its entirety for two main reasons. First, it was important to the inmates that I do so. Second, this conflict thoroughly illustrates Goffman's understanding of control in total institutions, while also demonstrating the ways in which this control is fundamentally racialized. While insisting that he is treating them like "grown men," Scott nonetheless repeatedly labels inmates "ignorant" and like "little children." In the context of the prison classroom, grown men should do what they are told, like children, while at the same time any

resistance is understood as only further evidence that inmates are, in fact, the children staff say they are. He tells them he “respects them enough to feel like they can have a discussion like this,” but “discussion” means following directions and not challenging his authority, and any attempts at real discussion are only further proof that they cannot handle it. When this authority is fundamentally racialized, as the essay prompts and ensuing conflict lay bare, inmates are no longer just children but “240 pound niggers with the mentality of children” who are fundamentally ineducable, or at least unwilling to learn. As Cesar’s essay highlights, the script was written well before this day.

### **Conclusion**

If, as Goffman suggests, “The staff problem here is finding a crime that will fit the punishment” (1961:85), then inmates in the Osborne School have been found guilty on multiple counts. Not only are they seen as general dirtbags, but they are also understood as both calculating sexual predators and still somehow simple as children. In any case, they are never just students. Of course staff are never just teachers, either. As much as the structures of care (testing) and custody (disciplinary segregation) together calcify the ladder of opportunity for inmates into a bottleneck that keeps them churning on the lowest rungs, the hardened social relations that emerge as care is mediated through custody also limit inmates’ opportunities to learn, as much as staff’s opportunities to teach. The personal and emotional distancing required of the “security mindset” produces a context in which Darius can ask, “Who’s gonna notice?” if inmates want to learn, though it is hard to imagine the benefits of learning outweigh further criminalization, infantilization, and racialization that attaches to the process, particularly where institutional structures conspire to prevent you from achieving your

GED anyway. For those few that do, as Howard reminds us, “even if you get a diploma, you ain’t getting a job with a record.” But this kind of pessimism, no matter how rational, as Goffman argues, is only taken as further proof that inmates are what they are made out to be.

## Chapter 5

### The Uncarefully Collated Life: Documenting Care and Custody

The “state” is coming to the Osborne School tomorrow, and staff are in a hurry to get their paperwork in order for the visit. “It’s like being part of an alcoholic family,” Lori explains, describing the unpredictability and incoherency of their approach to the material record of “care” in the school. “You never know, each person is looking for something different,” she continues, “So you never know what you’re dealing with.” They are primarily interested in examining each inmate’s individual work folder and Education Record, a diagnostic folder that documents testing history and skills assessments. Georgia tells Lori, “I’m gonna to put together two fake folders to give them—John Smith and Juan Rodriguez.” “And Clarence Brown. Don’t forget Clarence Brown,” Lori laughs, explaining, “We searched that name once and there were like nine of them in the system.” There is one inmate in Lori’s class who has made little progress and has been asking her for a waiver out of school, which must be initiated by a teacher or Education Supervisor and excuses an inmate from academic programming for one year, though this option is very rarely invoked. “He’s been in here six years and he can’t read,” she continues, “And the state is coming, and they want to see progress, and I can understand that. But I’m thinking, where else would this guy go? What else would he do?” She shrugs, “I don’t know.”

Paperwork constitutes no small part of the work of teaching in prison, where the institutional mandates of “care” and “custody” are materialized in parallel sets of documentary records—the Inmate Progress Report (Appendix C) and Education Record (Appendix D), and the Inmate Counseling Notification (Appendix E) and Inmate Misbehavior Report. As Foucault argues, such “documentary techniques” produce a

disciplinary individuality, where one might be “described, judged, measured, compared with others, in his very individuality,” and thus subject to be “trained or corrected, classified, normalized, excluded, etc” in turn (1979:191). “Turning real lives into writing,” or the “carefully collated life” (Foucault 1979:192), is thus central to modern formations of power/knowledge. That this “documentary accumulation” (Foucault 1979: 189) necessarily renders “legible” subjects (Scott 1998), however, has been increasingly questioned by ethnographers of bureaucracy and statecraft (cf. Das 2004; Herzfeld 2005; Mathews 2011), and here we see how such accumulation around inmates is often as unpredictable and incoherent as Lori describes it, and where, it turns out, life is not always so carefully collated.

These material instantiations of the caring and custodial mandates of the institution reveal larger ambivalences concerning the nature and purpose of imprisonment that structure everyday life in the prison. The evasions, mistakes, collusions, and erasures they evidence together demonstrate the ways in which both staff and inmates are rendered fractured, rather than uniform, subjects through these documentary techniques and because of these ambivalences. Staff, in describing their work as maddening—the institution “schizophrenic,” where to care is to “go crazy”—mirror inmates’ own insistence that the prison is designed to “break you apart.” In examining the practice of documentation, I show how staff and inmates attempt to navigate the split personalities of staff-teacher and inmate-student. In the end, this chapter illustrates the ways in which the prison school, ostensibly designed to render inmates whole citizen-subjects, in fact renders them materially dysfunctional in the interest of institutional control.

## Documenting “Care”

*The Inmate Progress Report (Form 3250)*

*“Pidge, what are you lacking? It starts with an ‘S.’ Self-control. I cannot control you. You have to control yourself.”*  
—Ashley, Staff, Auburn CF

Martin just received his most recent Inmate Progress Report and tells Ashley, “You can’t be doing stuff like that, Ms. Ashley.” The day before, a correctional officer threw his mail at him through the gate, and when the officer came back down the tier, Martin said something to him about it. The same officer delivered his Inmate Progress Report later in the day, and noticed that Ashley checked “Average” for “Attitude Toward Authority Figures.” Martin recalls the officer telling him, “‘I see you have this problem with everyone.’ You can’t be doing this to me, Ms. Ashley.” As Martin’s experience intimates, while the Inmate Progress Report forms part of the record of “care” that documents an inmate’s progress in school, the bulk of the Progress Report is concerned with inmates’ attitudes and behaviors, rather than a square assessment of their knowledge or skills (see Appendix C). Staff rank inmates from “Poor” to “Excellent” in eleven areas: Attendance/Punctuality; Interest in Program Assignment; Effort and Initiative; Attitude Toward Peers; Attitude Toward Authority Figures; Follows Rules and Safety Practices; Ability to Follow Directions; Quality of Work; Displays Self Control; Dependability; and Aptitude/Employability. Additional sections for qualitative comments on accomplishments, any titles or special skills acquired, and general comments follow.

These categories both evidence and materially produce the infantilizing socialities of the prison classroom described in the last chapter, where the Inmate Progress Report measures social and emotional development assumed universally stunted in inmates. Staff, then, index signs of immaturity in their assessments of

inmates' "progress," which is further understood as evidence of their propensity for criminality. Thus in preparing inmates for "reentry," staff are measuring the extent to which an inmate can be expected to "act right without a cop in the hall," as Scott puts it, rather than their educational progress or intellectual achievements, and where "acting right" means displaying signs of maturity like an "adult." However, as I also demonstrated in Chapter 4, for staff, to be an "adult" means submitting to custodial relations of authority as a child might—doing what one's told. In this sense, that the Inmate Progress Report so blatantly resembles a primary school report card should come as no surprise. That Martin's Progress Report so seamlessly translated between the "caring" space of the classroom to the "custodial" space of the cell blocks points to the ways in which such mortifications draw together these mandates in the interest of control.

There is a deep-seated irony in these assessments, of course, in that inmates are expected to evidence their maturity through behavioral "choices," and yet schooling is compulsory. Inmates are evaluated on "Attendance/Punctuality," where they exercise limited control over if and when they are released from their cells and their day is largely regimented for them. As I detailed in Chapter 3, often the only way to exercise any choice in whether or not one goes to school is in engaging the techniques of custody—disciplinary segregation. One is expected to display "Interest in Program Assignment" where, per DOCCS policy, program assignments in the school are mandated. If an inmate then fails to convincingly feign interest, he risks disciplinary sanctions. Still, the only way to actively express disinterest in a program is through these same sanctions—again, disciplinary segregation. One is expected to express a positive "Attitude and Initiative," despite potentially years spent in the bottleneck, but

where a bad “attitude” or lack of “initiative” only restricts the bottleneck further—as always, through disciplinary segregation.

The most fundamental incoherence, however, is that while all of these “choices” about how to feel and how to act are oriented toward the social and emotional adjustment of inmates with the expressed goal of successful “reentry” into society, the simulation of society in the prison, no less the prison classroom, in which these “choices” are made is decidedly authoritarian. Successful programming hinges on relieving inmates of their “anti-authoritarian attitudes,” as one Deputy of Program Services put it, through explicitly authoritarian means of discipline and control. This is further evidenced in the qualitative portions of the form, which, when not left blank, tend to focus on how “cooperative” an inmate is and whether or not he is a “good worker”:

*Generally works well each day. Has learned to accept instruction and assignments.*

*Continues to improve both academically and with cooperation which results in better academic progress.*

*Surly, uncooperative, little work done. Other times quiet but not enough work done to make good progress.*

*Inmate [name] is a good worker, but needs to focus on working every day.*

*Inmate [name] is a good worker. He completes assignments on a daily basis.*

To what extent inmates accommodate the expectation that they “cooperate” as “good workers” gets at the central function of this record of “care,” and the means by which their “anti-authoritarian attitude” is indexed—the Progress Report is the instrument through which inmates receive a “pay increase” or a “pay decrease” for their “work” in school. This wage, then, folds the logic of “care”—in which inmates are defiant children who need to be incentivized to behave—into the logic of “custody”—where inmates are

subject to disciplinary coercion through deprivation. "Cooperation," then, works in multiple registers.

Inmates' pay ranges from roughly 15 to 17 cents an hour, or \$4-5 every two weeks for a three hour module. They qualify for a modest raise after 90 days, at the discretion of the teacher, but if they make it nine months in the school this raise is automatic. Teachers' daily attendance sheets are referred to as "payroll." Lori, settling in to fill out her payroll one afternoon, says, "Ahhh, now I get to my *real* job," and describes her struggles taking up this practice as a new teacher. "I'm filling out my payroll sheets, you know, the 15 cents an hour they get for being here. And I know what I *want* to do, but you don't do that here," she laughs, "So I ask Will (another teacher), 'I've got a guy who's not really working. What do I do? Do I dock his pay?' And Will says, 'No, you only dock his pay when he's mean to you.'" Georgia does dock inmates' pay if they do not work in her class, however, describing it as "my little way of fighting back." This disciplinary function carries over to pay raises and pay decreases as well, where, as Kyle explains it:

It's based on the student's disciplinary record in the classroom. If the student doesn't challenge the teacher, if the student stays in the inmate's place. Otherwise, they'll call you a "problem child." They don't want you to protest anything, whether it's right or wrong. If you're a "good" inmate, you get a raise. If you protest, they'll write you a ticket and get you out of there. (interview, June 6, 2011)

In a mundane illustration of Kyle's point, Paul receives his most recent Inmate Progress Report from Scott. "Ability to Follow Directions. Just 'average'?" he asks him, laughing. Scott starts laughing, too, "Sometimes you flip on me." "You got people who flip on you every day!" Paul counters, "I only flipped on you, like, three times." Scott says, "Well, you got your raise, right?"

Further to Kyle's point, where the ability to dock an inmate's pay and determine his wage is a clear disciplinary tool used to coerce "cooperation" out of "good workers," the "ticket" (Inmate Misbehavior Report) makes this even more transparent. Darius explains, "That's how they maintain order and control. If you don't got no money coming from the outside, you're not going to catch no ticket. You're going to behave yourself. That's all about power and control. You don't catch tickets in industry. Even in vocational" (interview, May 16, 2011). Not only does a ticket remove an inmate from the payroll, but inmates are charged a \$5 "surcharge" for every infraction—precisely what they receive each paycheck—clearly tying their wage to the threat of disciplinary segregation. Leroy laughs when I ask why he is paid:

Well, they don't really pay you. They thank you for your cooperation. It's to keep your mouth shut. It keeps the system running. And, you know, a lot of people don't have family. To keep your hygiene up...the pay is so small, but it will get you your hygiene stuff. (interview, May 16, 2011)

For those inmates with little or no support from friends or family on the outside, that small paycheck can be the difference between a hard bid and a *very* hard bid, making it a particularly effective disciplinary tool. But as Leroy intimates, this produces a profound ambivalence for inmates. "It's the only way to make money in here legitimately. You get \$5 every two weeks. But look at the guys in here on the waiting list," Howard explains, "they get no money. We got mess at 5:00 pm and again at 8:00 am. You've got no money, you've got nothing to eat the whole time. Since I've been here (six months) they've given out toothbrush and toothpaste once. You get one t.p. per week" (interview, July 18, 2011). Joel, too, recognizes the particularly coercive dimensions of this incentive to "cooperate" for more destitute inmates, "Let's see, you give me .15 an hour. I get \$4 every two weeks. Why I'm going to go down there and expose myself to a \$5 ticket? That's a bad investment!" He continues, "When I'm by

commissary I hear people complaining they raising the prices but *they* not getting no raise. 15 years in jail, and they family haven't sent them money in seven years" (interview, August 1, 2011).

While Martin acknowledges how important this small paycheck is for many inmates, he also highlights the uncomfortable implications of being paid for something he is compelled to do. "They thing is always going to be education," he explains, "But say you don't want it. I'm not saying that's good, but it's your right not to want it. Then they have the nerve to pay you?" (interview, May 13, 2011). In addition to entrenching a class system in which school is one of the lowest paid assignments in the prison, and where inmates with little support outside of the institution are most subject to the coercive elements of the Inmate Progress Report, the very fact of being paid a degrading wage for work one is compelled to perform understandably evokes the specter of slavery. In Trisha's class, the issue of raises comes up. "They slavin' us," one inmate says. Another responds, "This is a non-union class. You can't negotiate for a raise in here." "They just prepping us to go work at McDonald's on the street. But at least you get more than a seven-cent raise there!" Pidge and Leroy are discussing their most recent paycheck; they were paid less than they expected, and they ask Ashley if she docked their pay. Pidge says, "This is slavery. I'm working for free!" "You're a retard," Ashley responds, "I think you're a retard."

If the wage folds care into custody—where being an "adult" means submitting to custodial relations of authority, and submitting to custodial relations of authority produces "good workers"—for Lori, this usually means abandoning what she "wants to do" when it comes to her payroll, and adjusting inmates' wages to reflect their "cooperation." For Georgia, it means "fighting back" when they don't "cooperate." Learning, in either case, is incidental. In Scott's class, for example, Swill is studying a

math workbook while Scott is administering the weekly spelling test. Scott begins to argue with him, ordering him to put away the workbook and complete his spelling. "I only have two hands," Swill tells him, "I'm not on your schedule." Scott replies, "This is your job. When your boss says that's what you're doing, that's what you're doing. Otherwise you lose your job." Darius looks at me, raising his eyebrows, "Did he just say 'boss?'" Marvin, over at the "troublemaker's table," sits back and mumbles, "I'm my own boss." During another spelling test, Scott is frustrated that people are talking over him. "When you're at a job, and the boss wants you to do something, the boss doesn't want to talk to you like you're a four-year-old," he continues, "All the stuff I'm doing here has a purpose. It's skills for life. If you're not getting a hundred, man-up and do it."

The week after this spelling test, a correctional officer comes into the classroom and orders everyone to stand up. It is clear that his count of the class does not match Scott's, but what having everyone stand up will accomplish is unclear. Someone in the class asks the CO, "Do *you* have your GED, man?" After the CO finishes his recount and leaves the room, Cesar realizes why their numbers did not match up. "I was going to say, he messed up the count because he counted *you!*" he says to me from across the room, and the class laughs. "I'm glad you were here to witness that," Joel tells me, "I want to read it, too. You writing a book? I want to read it. Put your picture on it." A few minutes go by, and Joel asks me, "You remember last week, when he said he was the boss and we work for him?" I nod my head. He lets the question sit for a minute, turning it over in his mind, before explaining to me that he watches COs struggle to write tickets, and that they themselves have a hard time spelling. He shakes his head in disbelief, "But they get paid to come in here and boss people around."

### *The Education Record*

If the “carefully collated life” (Foucault 1979:192) is central to modern forms of power/knowledge, the Education Record demonstrates the ways in which the incoherently collated life is equally constitutive of carceral subjects. The only form that is not produced in triplicate or quadruplicate, the Education Record is also the single document in the school that records inmates’ testing history and indexes their academic skills and progress. Peach cardstock stapled together to form a four page booklet, the front of the folder is divided into four sections—a list of facilities, indicating program, date entered, date left and reasons/comments; TABE testing history; OPT testing history; and GED testing history. Several subtle admissions as to the structural conditions that form the bottleneck are revealed in this cover page. That it begins by notating when and why an inmate was removed from programming, that there is twice as much space in which to record TABE testing than there is to record OPT or GED scores, that there is no section in which to record Spanish-language testing—all reveal the ways in which the testing “ladder” is reshaped by custodial context in which the school is situated. Further, this testing history is not tracked electronically, and the Education Record itself is the only material evidence of an inmate’s progress in school.

Ideally, the Education Record physically follows an inmate’s movement from prison to prison, but as Lori notes, “sometimes by the time they’ve shown up you’ve already given up and made them a new one, so then they have two.” John, one of the supervisors in the school, tells me about a recent phone call he got from a teacher at a medium security prison requesting that an inmate in her class being drafted to Auburn be placed in a GED classroom. Clearly not trusting this inmate’s Education Record would follow him, and worrying he would slide back down into the bottleneck, she told John she has been making these phone calls for fifteen years. “Well, you’ve been doing

it wrong for fifteen years!" he complains, but says he told her he would "look into it." After class one afternoon, I ask Lori about the frequent cycling of inmates in and out of classrooms. "Well, the other systems in here, and for good reason, don't care about us," she continues, "That's why these folders (Education Records) really are *important*. But a lot of people don't fill them out, and then a guy moves and nothing goes with him." Sue, a vocational instructor and former academic teacher in the school, explains, "It's like you'd spend all this time on it (the Education Record), and then the guy'd be gone." She shrugs, "I mean, I understand the need for it, but..."

In addition to the circulation of inmates between institutions, and the likelihood that the Education Record will not follow them quickly enough or at all, it also cannot be trusted to tell you who an inmate is or if his scores reflect his ability. Lori, thumbing through her folders before class, pauses at one. "This poor guy," she tells me, "At some point someone lumped together his middle name and his last name. What arrogance to go change someone's name and tell them, 'No, we're not going to fix it.'" On another morning this subject comes up again—inmates who have their names inaccurately combined, or first and last names switched—and Lori explains, "They ought to be able to get *that* right, but corrections doesn't like to admit when they do something wrong." When I respond that one would think the first thing DOCCS would want to know is who they are locking up, Lori replies, "No, it's all 'convict.' Get the conviction, get the conviction, get the conviction. When I first got here, there were five types of inmates." She finds a piece of paper and writes them down so the inmates sitting near us do not hear her: *thugs, punks, kids, bugs, exceptions*. In this taxonomy, an inmate's name is irrelevant. Further, the testing history itself is considered equally unreliable. Again, Lori explains, "You never know whether to trust them or not. Maybe they had a bad day."

But the paperwork is built around these scores and they follow them around. I'll try and put a note in that says 'work exceeds scores' or something like that."

In either case—whether the Education Record does not catch up with an inmate in time, or whether it does “follow them around” with false identities and scores that are not representative of their abilities—the irony of having yet another “record” to live down is not lost on inmates. Pidge frequently tells me, “I don’t want you looking at my papers.” Still others, like Dwayne, attempt to show me their “papers” in order to evidence that they are “good” students. However, inmates are not formally allowed access to their own Education Record, and teachers are expected to secure them in a restricted file cabinet. This adds to the mystery of testing in the school, where so many languish; conspiracy theories abound, both about score manipulation by individual teachers with a grudge and by the larger institution looking to manipulate attendance figures in the school. Like many conspiracy theories, there is enough of a grain of truth in them to make them believable. For example, Kyle tells me that the scores of a friend of his dropped from an 800 to a 400. Eventually they figured out his lower score was a “typo” and fixed it. “I don’t think it was intentional,” he explains, “but still, they don’t investigate.” Lori explains that when she worked at a nearby medium security prison, back when inmates could technically opt to “sign out” of school in the 9<sup>th</sup> grade, “They could put in for it but it would never go through. They needed the numbers.” One morning, Ashley steps out of the classroom and Martin seizes the opportunity to look for his folder in the file cabinet. Georgia sees him from the hallway and pops her head in the classroom, “Are you supposed to be in there?” Ashley is just returned, and asks him, “What are you looking for?” “This man spent 20 minutes looking for his folder,” Georgia tells her. Ty turns to me, “Why she coming in here picking on people? This ain’t her class. She coming in here acting like she’s his mom or something.”

For staff, the Education Record takes on an equally mysterious quality in anticipation of periodic audits from the “state” to examine inmates’ work and the Education Record documenting their progress. As Lori suggests in the vignette that opened this chapter, like an “alcoholic family,” the unpredictable and incoherent approach to what, exactly, they are looking for means that teachers are often trying to intuit or divine auditors’ expectations. Adding to the anxiety, this year’s audit was scheduled, cancelled, and rescheduled with little warning. Lori herself is frustrated that they just “make up the rules as they go,” and it strikes me that all of these frustrations are shared by inmates, where prison rules are enforced subjectively and arbitrarily. I tell Lori that when I process into the prison every morning, where the correctional officer assigned to that desk changes frequently, “every time feels like the first time.” Feeling particularly chippy the day before the “state’s” visit, when I begin to move my desk away from her file cabinet, she tells me, “Don’t worry, you’re fine. I’m just putting this *important* document in a *secure* location” (emphasis hers). Like the mock folders for “John Smith,” “Juan Rodriguez,” and “Clarence Brown,” the Education Record reveals the larger performance of “care” within the institution, where the performers are not entirely convinced of their roles, or that there is even an audience in the first place. That “no one ever looks at them,” as Lori told me, outside of these periodical audits produces a cynical cast.

If, as Goffman suggests, every social performance holds the potential for a “dark secret,” one which the cast “knows and conceals and which are incompatible with the image of self that the team attempts to maintain before its audience” (1959:141), there is no darker secret in the prison school than that which Georgia revealed on the afternoon before the “state’s” visit. After the p.m. module is dismissed, I wander into her classroom. She is sorting through her folders, and gives me a blank one to keep. When I

ask her how she is feeling about her paperwork being in order, she stops sorting and looks up at me. She describes being a new teacher and seeing a large garbage bag full of shredded Education Records in the school office, realizing that no one keeps them once an inmate graduates. “Now,” she tells me, “I don’t even bother to put their passing GED scores in them.”

### Documenting “Custody”

*The Inmate Counseling Notification (Form 3407)*

The Inmate Counseling Notification draws on therapeutic practice in name only. A plain white form in quadruplicate—Original-Inmate; Canary-Guidance File; Pink-Program Office; Goldenrod-Work Location Files—it has two sections (see Appendix E). Scott keeps one preemptively filled out in his desk, the Inmate Name left blank:

You have been counseled for poor program / work performance for the following reasons:  
Disturbing the order by talking during testing and loud talking during work time. Harassing statements to the teacher. Attempting to interfere with the teacher.

You have been advised that the following steps should be taken by you to correct this situation:  
Do not disturb the order. Do not interfere with or harass staff.

He explains, “The parole board takes these into consideration, how well they behaved in programming. But the board changes sometimes and sometimes they don’t even look at it. How do they expect them to act on the streets if they can’t behave in class?” Above the signature lines, the form confirms in bold font:

**Removal from assignment could have negative consequences for transfer, Family Reunion Program, Earned Eligibility, Merit Time Release, Work Release, Parole, or Good Time. Removal from a mandatory education assignment requires completion of a “Request for Waiver” (Directive #4804, Appendix A)**

The Inmate Counseling Notification (“counseling”) is an intermediary step between a “verbal warning” and an Inmate Misbehavior Report (“ticket”). Two “counselings” reassign an inmate to another class, where the “ticket” removes an inmate from school and sends him to solitary confinement (“keeplock” or “the box”). A small admission on the form—“Removal from a mandatory education assignment requires completion of a ‘Request for Waiver’”—suggests the ways in which “counseling” is also engaged in vain by inmates in their attempts to be formally removed from school through means other than solitary confinement. This “Request for Waiver”—the only formally sanctioned means of being removed from school other than aging out, falling ill, or graduating—is rarely granted.

Lori mentions a new inmate in her class the day before who did not want to write the essay she assigned. She thought he had other things on his mind, and that it would not have been productive to get aggressive with him. “I purposely didn’t give him a ‘direct order’ so I wouldn’t have to write him a ticket. If I want a guy out of my class, I’ll write two counselings—carefully worded ones—instead,” she explains, “Then it doesn’t cost him \$5, and he doesn’t go to the box, and the endpoint for me is the same. Plus, tickets are a lot of paperwork.” I mention that I have heard inmates in other classes frequently say, “I got a lot on my mind. I don’t want to work right now,” and that this would usually escalate as the teacher began giving direct orders. “They just want some acknowledgement. And where would it get us?” she asks, “Really, there are no consequences if he doesn’t write the essay. It’s something that *this* facility does, and it’s good, but it doesn’t get written down anywhere. When I first started, I used to fret about what to do. Now it’s just...” She trails off, and gestures with her hand straight away from her forehead.

That counselings have to be “carefully worded” speaks to the slippery slope between the Inmate Counseling Notification and the Inmate Misbehavior Report, but where the consequences are dramatically different—simply changing classrooms or solitary confinement—and suggests why Scott had a form prepared in advance. In another instance, Lori explains that she wrote an inmate a counseling for being “disruptive” in class when he refused to work on the Hamlet unit she had prepared. An Education Supervisor came to her class to tell her that given the wording on the form, it should have been written up as a ticket. Again, she tells me that she prefers to write two counselings to have an inmate removed from her class instead of writing a ticket, this time adding that if she writes a ticket she “wants it to stick” or they will just laugh at her on the blocks, and because a 30-day keeplock is too harsh given the nature of the dispute. At the medium-security facility that she worked at before coming to Auburn, she explains, they emphasized “talking it through” rather than engaging these custodial practices, but she thinks you need a “happy medium.” The counseling, for Lori, provides an alternative means of disciplining inmates that does not require the kind of adult engagement implicit in “talking it through,” but does not entirely acquiesce to the logics of custody, either.

Still, that the Inmate Counseling Notification implicitly knits together behavior in the classroom with the threat to revoke all manner of rehabilitation-oriented programs—from the ability to transfer to a prison closer to home, to different types of early or contingent release programs, to the ability to see one’s family while incarcerated—suggests that this is not such a “happy medium” for inmates, where their ability to “behave” in class is presumed to predict successful “reentry” and their ability to “act (right) on the streets.” Further, the threat of being “counseled out” is wielded by teachers to coerce “cooperation” out of inmates, where the frequent transfer in and out

of classrooms contributes to their languishing in school. For example, Ashley tells an inmate as he walks in the door, “*You gave me attitude last week. And you usually never give me any problems. Or is that all fake? I’ll write you a ticket and counsel you out.*” This small slip, conflating disciplinary segregation with the practice of “counseling,” reveals the degree to which these practices are necessarily imbricated in the interest of control. Further, the idea that he might be “faking” his good behavior suggests the difficulty for inmates in ever evincing a persuasive performance. Dwayne understood the implications. Ashley, irritated by his neediness one morning, threatens to “counsel him out.” He asks her, “What, you want me to Bo Jangles?”

As Lori pointed out, “tickets are a lot of paperwork,” and staff must work out their own sense of when and why it is worth it to them to escalate a situation from a counseling to a ticket, usually by issuing a “direct order” over a minor, non-violent rule infraction. This ambiguity allows considerable room for manipulation; teachers are afforded wide discretion in issuing tickets, and inmates’ may even solicit tickets as a means to extricate themselves from mandated schooling, where the only sanctioned means of removal are largely closed to them.

*The Inmate Misbehavior Report (Form 2171A)*

*“They should have an ‘asshole’ ticket and a ‘dummy’ ticket.”*  
—Ashley, Staff, Auburn CF

Scott ends every Monday spelling test with a sentence on the board that inmates must copy and correct. Today’s sentence: *The mein girl keepdid her seekrit to mete my friend.* Swill flashes Scott a ‘you have got to be kidding me’ look, and Scott snaps, “Don’t look at me like that.” After the test, Scott lectures, “A little note about test-taking...” Just as he says this, Joel takes a loud, crisp bite out of an apple he smuggled out of the mess hall, and muffled laughter spreads across the room. “These are normal test procedures,”

Scott continues, "Adults are expected to be able to follow directions, so when you tell me you're not a child, come on. I'm trying to prepare you for a job. It's easy to go to prison. You've got to change the behaviors that got you here." Seeing an opportunity to make his point, he turns to Joel, "Mr. Joel, throw out your apple." Joel reluctantly obliges, limply tossing the half-eaten fruit into the plastic waste bin by the door. Seemingly satisfied, Scott takes a seat behind his desk and returns to grading papers, while the inmates return to their folder work. A few minutes pass, when Scott abruptly stands and moves quickly to the door, "Mr. Joel, step outside." Then, to the officer in the hall, he says, "Officer, frisk him for food." Scott, it seems, thinks Joel continued to eat in class.

Joel is ordered into the hallway and made to brace the wall and spread his legs in standard stop and frisk posture, in full view of the increasingly agitated class watching and straining to hear through the Plexiglas. When the officer finds no food, Scott reluctantly tells the officer, "send him back." The officer misinterprets Scott's request, thinking he means back to his cell rather than back to class, and proceeds to initiate an Inmate Misbehavior Report or "ticket," a disciplinary infraction that will "keeplock" Joel in his cell for 23 hours a day for what will turn out to be five days. When the officer calls Scott back into the hallway to determine what, exactly, he would like the ticket to say, Scott realizes the mistake but does nothing to correct it, and lets the officer complete the ticket and escort Joel out of the school building and back to the cellblocks, where he will spend the following days locked down. When Scott returns to the class, the students are unrelenting, "You lock him up over an *apple*?" Scott, however, does not betray the officer's mistake, or his own. "I lock him up? He locked himself up. This is *exactly* what I was talking to you about. You don't want to be treated like children? He received a direct order and he disregarded it. This is exactly what I was talking about."

After the classroom empties, Scott does not seem troubled by the incident so much as exhausted by it. "This place is schizophrenic," he tells me, "It doesn't know what it wants." This kind of weariness over the ways in which care is necessarily mediated through custody signals a larger struggle for staff, who must daily perform a sort of personal moral calculus as to how to go about balancing the institution's multiple personalities in their classrooms given their own use of these custodial instruments of control. Some prefer to counsel inmates out of their class rather than write them a ticket that will result in disciplinary segregation, and are able to largely avoid the kinds of conflict evidenced in Scott's classroom that day. Others similarly work out their own code around tickets, which I explore further here. As I intimated in Chapter 3, this moral calculus is only complicated by inmates' own tactic of appealing to disciplinary segregation, which not only draws out their co-construction of teachers' custodial roles, but raises the issue of the attenuated nature of resistance in a total institution.

Disciplinary segregation in New York's prisons is both widespread and, as a result, mundane, where minor infractions as well as major violations can both result in keeplock or box time. The New York Civil Liberties Union, in a substantial report on New York's use of disciplinary segregation published shortly after this research concluded, indicates that:

DOCCS regulations counsel against submitting misbehavior reports for "minor infractions, or other violations of rules and policies governing inmate misbehavior, that do not involve danger to life, health, security or property." Rather, DOCCS instructs staff to respond to such misbehavior "by counseling, warning, and/or reprimanding the inmate." (2012a:18)

But as Joel's situation clearly indicates, and the NYCLU report details on a systemic scale, in reality, disciplinary segregation *is* frequently invoked for precisely these kinds

of minor infractions. Staff have wide discretion as to when and why to issue a ticket, and the process for adjudicating those tickets is just as subjective. While disciplinary segregation is officially sanctioned as an extreme measure to deal with “the worst of the worst,” in practice, it is used much more casually. In a public response to the NYCLU’s report, DOCCS Commissioner Brian Fischer reiterates that disciplinary segregation is reserved only for inmates “who violate the Department’s Code of Conduct and who threaten the safety and security of our facilities.” But, as Goffman suggests, this “phantom of ‘security’” itself functions to rationalize the ways in which the official aims of the institution are diffusely pursued, where there is “no natural check on the license of easy interpretation” (1961:84).

This “easy interpretation” of DOCCS policies on disciplinary segregation resulted in 5,520 Inmate Misbehavior Reports at Auburn CF in 2011, second only to Clinton CF. Of these, 1,562 resulted in keeplock and 675 in box time, the largest number of keeplocks and the second-largest number of SHU sentences in a state that maintains the highest rate of disciplinary segregation in the country (NYCLU 2012b, 2012c, 2012d). Table 1 elaborates the ten most frequent charges cited on Inmate Misbehavior Reports at Auburn CF for 2011, the year this research was conducted; the NYCLU notes that DOCCS was unable or unwilling to produce data relating type of charge to sentence imposed, so abstracting how, precisely, these infractions were adjudicated is not possible (2012a:20). Assuming DOCCS is simply unable to provide this data, and is not evading a Freedom of Information Laws request, at the very least it suggests that they fail to examine how their official rhetoric tracks with the actual practice of disciplinary segregation. The most frequently invoked rule violation—106.10, “An inmate shall obey all orders of department personnel promptly and without argument”—results from a staff member issuing a “direct order” and an inmate disobeying it. Direct orders can

vary widely, and typically concern non-violent misbehavior. A sign in the school hallway, for example, shows a diagram of an inmate from behind with arrows pointing to “waist,” “hips,” and “arse,” and reads: *Direct order: Pants must be around your waist. If your pants are around your arse, you need to pull them up.*

Table 1 *Ten Most Frequent Charges on Inmate Misbehavior Reports at Auburn Correctional Facility, 2011*

Charge	Description of Charge	Number of Charges
106.10	An inmate shall obey all orders of department personnel promptly and without argument.	1,101
104.13	An inmate shall not engage in conduct which disturbs the order of any part of the facility. This includes, but is not limited to, loud talking in a mess hall, program area, or corridor, talking after the designated facility quiet time, playing a radio, television or tape player without a headphone or through a headphone in a loud or improper manner, or playing a musical instrument in a loud or improper manner.	498
104.11	An inmate shall not engage in any violent conduct or conduct involving the threat of violence either individually or in a group.	360
100.13	An inmate shall not engage in fighting.	356
107.10	An inmate shall not physically or verbally interfere with an employee at any time.	282
109.10	An inmate shall not be out of place in any area of the facility.	273
113.24	An inmate shall not use or be under the influence of any narcotics or controlled substances unless prescribed by a health service provider and then only in the amount prescribed.	270
107.11	An inmate shall not harass an employee or any other person verbally or in writing. Prohibited conduct includes, but is not limited to, using insolent, abusive, or obscene language or gestures, or writing or otherwise communicating messages of a personal nature to an employee or any other person including a person subject of an order of protection with the inmate or who is on the inmate's negative correspondence list.	211
109.12	An inmate shall follow all facility regulations and staff directions relating to movement within the facility. This includes, but is not limited to, seating, lock-in, lock-out, call slip procedures, and all activities of a similar nature.	171
114.10	An inmate shall not smuggle or attempt to smuggle or solicit others to smuggle any item in or out of the facility or from one area to another.	164

Sources: New York Civil Liberties Union, Records Produced Under the Freedom of Information Law, "Disciplinary Incidents By Charge and Facility 2007-2011"; State of New York Department of Correctional Services Standards of Inmate Behavior All Institutions (Inmate Rules, Penalties, and Outline of Procedures), Revised February 2006.

An example from Ashley's class further illustrates how this rule is invoked in practice. Ben is sitting near the wall of windows, each pane hinged at the top and opening outward. He has the window above his desk pushed open, but Ashley is chilled. After a couple of minutes of back and forth about it, she gives him a direct order to close the window. When he does not comply, Ashley tells the correctional officer posted in the hall to write him up, and Ben is removed to his cell. While they are in the hallway, Pidge explains that there are no windows in the cells, and he was just looking for some fresh air. "That was a direct order," he continues, "You're not gonna beat that ticket." Ashley returns to the class and things settle down, but after about ten minutes she laughs, "You guys are going to kill me. It's warm in here now." The following Monday, however, Ben is back in Ashley's class and she tells him, "You're here because I forgot. Not because I let you off." She did not complete the paperwork before leaving for the weekend, so Ben is back in the general population. "How long did they have you keeplocked?" she asks him. Ben replies, "You know. You wrote me up." Ashley responds, "I don't know. I go home." Dwayne hears her and shakes his head, "That's rude, Miss." "24 hours or it's a violation of my due process," Ben finally replies. Dwayne tells Ashley, "You wouldn't a forgot if it was me. You'd a locked my black ass up!"

While I was initially prone to think that Ashley's "forgetting" to complete the paperwork for Ben's ticket was her way out of having to keeplock him after issuing him a direct order, a few weeks later she again wrote him up, along with Wendell, and he was again removed from her class and keeplocked. "You will not call employees of the Department of Corrections names in my classroom," she explains the next day. After class ends, Ashley elaborates the circumstances behind this ticket to Donna and me, this time emphasizing that the Sergeant on duty told her she had to write the ticket. Donna

replies, “Oh hell no! You can’t tell me when to write a ticket. I wouldn’t write one just for that.” Ashley explains that she did not really want to write the ticket, because they will both miss the upcoming OPT while keeplocked. “I always tell them, I’m here to help you, not to hurt you. Leave corrections behind when you enter this room. You’re a student in here,” she explains, turning to me, “I didn’t like the way they were acting with *you*, either, though. I didn’t tell on a third guy because he’s a good worker, and he might actually *pass* the OPT.” Of course, Ben and Wendell are not just students, and Ashley could not leave corrections behind herself as she invoked disciplinary segregation to handle these kinds of minor, non-violent rule violations in the classroom.

Lori also struggles with identifying inmates as “students,” and highlights the ways in which the ticket inscribes carceral identities as much as it enacts custodial relations of authority. Lori and Georgia are discussing changes in correctional discourse, where “offender” is now the preferred term. Lori explains that she likes to be able to call them “students,” but when you write a ticket the officers will make you rewrite it if you do not use “inmate.” Georgia replies that it is just one more way to degrade them, “Can’t say Mr. Smith, or Smith. It has to be *Inmate* Smith.” “They say, ‘if you want this ticket to stick, you better say inmate,’” Lori continues, “And by that point I’m so irritated with the guy [inmate] that I just do it.” While staff and inmates might both like to “leave corrections behind,” the ticket ensures that they can never be just teachers or simply students.

Inmates themselves, however, are mandated to be “students,” and there are any number of reasons inmates might insist, as Martin did, that the “judge sentenced us to do time, not to go to school.” Aging out of the mandate at 65-years-old, a documented medical or psychological condition, or obtaining a “Request for Waiver” for lack of progress from a teacher or supervisor are the only sanctioned means of removal from

school. Inmates are then left with two options. They can graduate—as Martin puts it, “There’s good teachers, don’t get me wrong. But both sides are vying for something when they come to school. A lot just want to get the GED to get out of here”—or they can get a ticket. In Scott’s class, I overhear an inmate say, “Only way out of this class is a 30 day keeplock. Then they’ll transfer you [to another class].” Anything shorter, and an inmate is returned to his old classroom. And yet, with longer keeplocks, teachers still exercise some discretion as to the consequences. Jill explains that an inmate she keeplocked is due to come back to the school, and the “officer called and asked if I wanted him back.” She decided to give him a “second chance.”

Per DOCCS’ own directive (see Appendix A), an inmate can only be excepted from mandated educational programming if “an offender’s documented behavior while in the Academic Education Program is such that continued enrollment jeopardizes the safety or security of the program area” and, further, “appropriate disciplinary steps should be taken.” In other words, he should be sent to the box. Where keeplock provides temporary relief, an infraction serious enough to be sent to the box is the only way to be given a disciplinary release from the educational mandate. From Trisha’s classroom, I watch as Georgia steps out of her classroom across the hall and yells, “Officer! This guy just said he’s going to knock my block off!” At lunchtime, I ask Georgia what transpired. She explains that she asked him to tone down his language. “I don’t do it for the COs, why would I do it for you?” he asked her, “Then he told me I better back off or he’s going to knock my block off.” This was his first day in her class, and now she expects he will spend at least three months in the box. Lori asks if Georgia thinks he just wanted out of her class, and Georgia says that the officers saw him being escorted to the Special Housing Unit and laughed because he had just gotten out of the box a few days before. When I ask if he could have just gotten himself keeplocked

instead, if what he really wanted was to transfer out of her class, she replies, "You don't get keeplocked for threatening to knock somebody's block off." The consensus was he wanted out of school entirely.

Inmates' co-construction of teachers' custodial roles was not limited, however, to strategies for getting around the schooling mandate. One Monday morning, Martin tells Ashley that he lost money on a Heat-Celtics game, saying, "They gonna kill me, man." For the rest of the class period, he is short and snide with her, and on Wednesday when I see Ashley again she tells me, "You missed Martin yesterday. He's still being nasty, 'This isn't your class, this is my class.'" Sensing that Martin was trying to provoke her into writing him a ticket in order to be removed from the general population, she explains, "I told him he can walk out into the hall and go to the box, but I'm not sending him." Further, inmates develop their own ways of leveraging existing bureaucratic procedures against staff who they feel abuse their power to write tickets. Leroy tells me, "You really want to get to her? Grieve her. Say she has psychological problems, drug problems, they'll make her pee in a cup." Referring to the Inmate Grievance Program set up after Attica to hear inmates' complaints of staff misconduct and abuse, he sees the opportunity to subject Ashley to the same mortifications he endures as an inmate. "I wouldn't do that to her," he admits, qualifying, "She give me no reason to." In this sense, inmates, too, evolve their own moral calculus concerning staff and to what extent custodial practices "deserve" retaliation through alternative institutional means.

Still, the threat of a ticket, rather than direct appeals to them, is more frequently wielded in the classroom to compel "cooperation" out of inmates. Joel is trying to get clarification on his math assignment, but Scott keeps interrupting him and will not let him finish his question. Finally, Joel just walks away and says something under his breath. "Mr. Joel," Scott tells him, "If you keep disturbing the order I will lock you up."

"Oh *man*," Joel looks at me, shaking his head, "I'm over here doing my work!" Scott raises his voice and repeats himself, "Mr. Joel, if you keep disturbing the order I will lock you up." A few minutes later, Marvin is talking instead of doing his work, and Scott tells him, "You keep this up, I'm going to lock you up for stupidity." They argue back and forth, and Scott finally orders him to "step outside." Someone in the class says, "Come on, man, give him a chance," and Scott lets it go. Scott later tells me that he likes to give inmates a "way out" of the confrontation, which, as in the case with Marvin, usually means escalating the situation and betting that either other inmates will intervene, or the inmate's will toward "cooperation" will outweigh the prospect of the box. For example, Cooper and Scott are arguing about his disinterest in working, and Scott says to him, "If I write you a ticket, you'll be locked up all weekend. You want to be locked up all weekend?" Cooper insists it would not be all weekend. "No, it would be a Tier II, until Tuesday," Scott says, implying he will invoke the kind of charge needed to keeplock Cooper for longer period. Cooper says he might just get a Tier III, the level of charge that would send him to the box. "Then why don't you just walk out?" Scott asks, "Grow some balls." Cooper crosses his arms tight across his chest and looks through the Plexiglas into the hallway.

On the day Joel returns to class after the incident with the apple, having spent five days in his cell on keeplock for a mistake that Scott would not admit to, he takes his usual seat. He is quiet as the other inmates filter in. Finally, he says to Scott, "And for the record, Mr. Scott, it wasn't no orange. It was an apple." Scott does not hear him, or at least pretends not to.

## Conclusion

Taken together, the material life of the school evidences the sedimentation of a century's worth of thinking and talking about the aims and means of education in prison. Functionalist ideas about "social adjustment" that typified the Progressive era, where inmates were socialized into better workers, and better workers made for good citizens, are preserved in the discourse of "reentry" and the documentary practices that reflect and sustain it. Traces of the therapeutic logics that evolved mid-century inform the "counseling" inmates receive, where vaguely psychological assessments of inmates' behavior—in their expressions of "self-control," for example—are similarly evocative of the ways in which criminality might be "treated." The expansion of the carceral warehouse after Attica has driven the further instrumentalization of these reform efforts in the interest of "cooperation," where the only record that is destroyed is the very document that might preserve inmates' perseverance and educational achievements, rather than their social or psychological "dysfunction." In this sense, the incoherently collated life that emerges within the prison school draws on and reflects long-standing ambivalences about the nature and purpose of confinement, and indexes the ways in which education in prison is very much "jerry-built," as Sykes describes the prison itself, "pieced together over the years and appealing to few" (Sykes 2007: 39). For staff, the result is a necessary indifference. "If I took this job too seriously, I'd be crazy," Ashley explains, "I did at the beginning." For inmates like Howard, this jerry-built system is similarly "designed to break you apart." He continues, "Sometimes I wonder if it will ever change."

## An Ambivalent Conclusion

The rapid prison build-up in the U.S. over the last four decades—both informed by and reflected in tough-on-crime rhetoric and policies that have proved advantageous for both sides of the metaphorical “aisle”—has nonetheless managed to produce “a carceral state that has been hiding in plain sight” all along (Gottschalk 2014:78). Amidst the neoliberal backdrop of deregulation and deep cuts in public spending, and in what political scientist Marie Gottschalk describes as an unparalleled feat of “political chutzpah” (2014:78), our public servants—particularly those at the local and state levels—have managed to at once profess a commitment to shrinking the pockets as much as limiting the reach of the state, while at the same time committing unprecedented public monies to the surveillance, confinement, and regulation of persons (see also Wacquant 2009). This apparent contradiction is papered over by stoking the fears of an anxious public, which now figures as unremarkable, if not inevitable, a criminal justice system grown to an historically unparalleled scale (cf. Lancaster 2009, 2011). Further, these anxieties have a way of doubling back into the halls of power, producing a self-sustaining logic of fear masquerading as self-evident truths or necessities, and politically expedient ones at that.

Despite the rhetoric of “reentry” that has evolved over the last decade, little material investment has been made in supporting, let alone expanding, educational programming in prison. This is the same as it ever was. In the more recent past, the Second Chance Act, signed into law by George W. Bush in 2008 and which awarded \$300 million in federal grants to develop reentry programs at the local and state levels, was whittled to just \$63 million by the Senate Appropriations Committee in 2012 (who changed course after originally eliminated *all* funding for reentry programs). And this

despite approving \$300 million for new federal prison construction, and a combined annual budget of \$60 billion between the federal prison system and state departments of corrections (Gottschalk 2014:80, 83). This retrenchment follows the Clinton-era repeal of federal Pell Grant eligibility for the incarcerated and the subsequent elimination of most higher education programs in prisons across the country.

What the human sciences, and an anthropological approach in particular, can contribute to our understanding of this politics is in parsing word from deed, official policies and pronouncements from on-the-ground processes and lived experiences. On their face, the questions that follow are deceptively simple. Under such ideological, as much as fiscal, constraints, what does the daily work of rehabilitation actually look like? How do those charged with this work understand and explain what they do? And how do those subjected to it make sense of their own rehabilitation?

This research demonstrates that the everyday work of rehabilitation is profoundly shaped by institutional ambivalences and incoherencies that track to the prison's earliest formations. The task of "rendering them better" has taken different guises over the centuries, where formal schooling emerged as a Progressive era reform both within the prison and U.S. society. Since, education has been central to the rhetoric of rehabilitation at the same time that it has, in practice, been delimited and reshaped by the institutional context in which it is delivered. This institutional context is fundamentally ordered by relations of authority that underwrite the custodial priorities of prison administrators and line-staff, as much as the public desire to keep inmates sequestered at all costs.

In examining the structures of "care" (diagnostic and standardized testing) and "custody" (disciplinary segregation) as they intersect in the prison's school, this research identifies the ways in which academic progress is significantly constrained by

expiring test scores and the excessive use of solitary confinement to manage minor rule infractions. The result is a ladder of achievement reformed and calcified into a bottleneck, where inmates can spend years if not decades churning on the lowest rungs. Despite occasional admissions that these structures do, in fact, create near impossible conditions for advancement, staff nonetheless articulate a moral logic that identifies inmates' values as explanations for these structural effects. This logic reflects well-documented ethnoracial discourses outside of the prison, where the achievement gap is explained away as a reflection of cultural failures to properly value education, rather than systemic failures to provide all youth with an equally valuable education. In the prison, these cultural failures only confirm for staff that inmates belong in prison in the first place. Inmates are thus left with the "choice" to "be stupid or be bad," but rarely to be graduates. Inmates confront this "choice"—made only more ironic by the fact that schooling in the prison is compulsory—with their own moral logic that questions the institution's own values as evidenced in these structures themselves. Some appeal to solitary confinement as an available means out of school, despite the heavy prospect of months confined to "the box." Still others see advancement as a political act precisely because the institution seems to value their success so little, learning the "limits" of their teachers and "going hard" as they attempt to beat the clock of expiring scores. Finally, some simply use their time in the school for their own unsanctioned ends, as a break from the crowding and routine of daily life in the prison or a chance at some semblance of "normal" social relations with staff and other inmates.

Still, these social relations are deeply conditioned by the institutional context in which they are formed. "People-work" in prison demands personal and emotional distance that is often produced and managed by folk theories about the "nature" of criminals, which serve to construct essential moral differences between staff and

inmates that are meant to insulate staff from feelings of identification or attachment. These folk theories are necessarily shaped by gendered and racialized relations of authority in the school, where the white, largely female civilian staff are expected to affect the “security mindset” in their dealings with primarily black and Latino inmates. This “security mindset”—in which staff must “harden” themselves against inmates through demonstrations of indifference and suspicion—is thus established by identifying all inmates as sexual predators. Evoking longstanding myths of the black rapist and violent *machismo* stereotypes, as much as fears of miscegenation, the “security mindset” demands that social relations as much as pedagogical practices in the classroom reflect these fears. One way in which teachers attempt to “soften” the “security mindset” and foreclose their own sexualization is in evoking their identities as mothers and grandmothers, and reimagining their work as maternal caretaking. But in doing this, staff further submit inmates to the infantilization already foundational to institutional life, no less racializing discourses of the “child-like Other,” both instrumentalized in the service of custodial control. In their struggles with staff, inmates insist on adult forms of sociality that recognize them as capable of reasoning and decision-making, while their protests only double-back as evidence of their own “infantile” nature.

This “security mindset” is further instantiated in the material practices of record-keeping in the school, where parallel sets of documents reflect the institutional mandates of both “care” and “custody,” as much as their incoherencies. The fraught socialities signaled in struggles over the “security mindset” are evidenced in the production and circulation of these documents within the school, which archive these institutional incoherencies as staff and inmates attempt to navigate and negotiate them. Rather than carefully producing “legible” subjects, these documents reveal everyday

evasions, mistakes, collusions, and erasures that render fractured, rather than whole or uniform, subjects—the ostensible goal of rehabilitation. In examining how these documents are variably engaged and interpreted by both staff and inmates, this research reveals an institution at once deeply ambivalent about its own mission while still thoroughly committed to the goals of custody.

Taken together, this research demonstrates the everyday practices by which reform-oriented programs are assimilated into the custodial orientation of a contemporary prison. In its ethnographic treatment of those working and living in the institution's ideological interstices, it begs the question as to whether such an institution can or will ever change. As the political will toward punishment is tempered by strained budgets as much as by recent court rulings, the U.S. may well be primed to once again reconsider the means and ends of its administration of "justice." Understanding past and present efforts to reform the prison to better live up to its mandate to "care" is important in understanding whether these reforms represent meaningful change at all; this is only possible in carefully examining the daily, mundane administration of these reforms as they take shape in the prison under the guise of programming. As this dissertation suggests, such change is elusive.

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Lori and I meet at the Hunter Dinerant, a 1950s-style chrome box perched precariously above the Owasco River, a half-mile or so upstream from the prison. We settle into a booth, and she sums up the ambivalence that she cannot help but feel after years of teaching "inside." "They've got to be able to say to the public that the people they're sending back are better, and I agree with that. They're not foreigners, they're coming back next-door. At least some of the time has to be rehabilitative. OK, I get it,

'punishment.' But still..." The waitress refills our coffee, and Lori continues, "I don't know if there's a way to make it nicer, because our goals are different. It's never going to be a tea party" (interview, September 29, 2011). Certainly, what happens at this tea party should be of concern to us all. As Waldram notes, "prisons are not just warehouses. People change in prison, and not always for the better" (2009:5). Howard is not so sure that he is being "rendered better," as Beaumont and Tocqueville would have it. "A lot of people don't know what people go through in here," he explains, "No one goes through here and goes back rehabilitated. You get bitter. You get angry. Stuff I think of in here, I never used to think of on the street. It makes you do things...you don't know yourself anymore" (interview, July 18, 2011). As Paul describes his time, "I'm just faced with so many questions" (interview, July 18, 2011).

DOCCS Commissioner Brian Fischer is not so disillusioned. Writing on the fortieth anniversary of the Attica rebellion, marked during the course of this research, Commissioner Fischer cites "program success" that has "clearly made life in prison more rehabilitative, supportive, and oriented toward reentry" (2009). If this research demonstrates anything, however, it is that there is no such thing as "clearly" in prison. The ambivalent mission of DOCCS itself—"Care, Custody, Control"—makes at least *this* fact clear. Those staff charged with "rehabilitating" inmates face a Sisyphean task in which they are expected to somehow reconcile these ambivalences on their own, in a three-hour module within an institution where Donna describes feeling "looked down upon from the moment you get here. You're an 'inmate lover,' you 'coddle' them..." Staff go about this task with their own particular strategies for delivering "care" in spite of this. For Lori, that means staving the impulse to "harden" herself against inmates, where "I don't just look at a guy to see if he can read. I look all around him to find something I like" (interview, September 29, 2011). Georgia and Jill start coming back at

night, on their off hours, to tutor inmates who want the extra help. And yet others find that, like Howard, they also do not know themselves anymore. In the school office one day, after warning me that prison work will make you “hateful,” a staff member tells me they once intercepted an inmate’s package, filed down the dentures inside, and put it back in the mail for no apparent reason at all.

Inmates, too, must attempt to reconcile the ambivalences of “Care, Custody, Control” on their own. Howard describes being processed into the state prison system, where “they put me in a cell where the guy killed himself with a razor. His mom died. They tried to clean it up, but it was still there. I had to clean it up. I see a lot of guys from the street I know come in here. They got them taking meds, but I think the meds make it worse” (interview, July 18, 2011). An inmate comes into Ashley’s class wearing a bib one morning, and Martin teases him gently, “Why you wearing a bib? You eating up the math?” The inmate shakes his head, “Nah, drooling.” So medicated that he needed a bib to soak up his own saliva, he was sent to the school where, officially, Ashley was supposed to teach him something and he was supposed to learn. Superintendent Graham chuckles at these circumstances: “When we say we need to ‘tune an inmate up,’ 20 years ago you meant beat him up. Now you mean give him his medication” (lecture, Cornell University, September 7, 2010). How this signals “program success” is anyone’s guess. If anything, it further demonstrates the “jerry-built” nature of the institution itself, where inmates, too, must navigate the patchwork of two centuries of thinking about how they might be “rendered better.” What Sykes notes of the mid-century prison is still the case, where “allegiance to the goal of rehabilitation tends to remain at the verbal level, an expression of hope for public consumption rather than a coherent program with an integrated, professional staff”

(2007:34). Even Commissioner Fischer is compelled to ask, “We will never be completely successful; what organization is?” (2011).

“Albany is funny,” Lori laughs, “They’re not even around inmates and they’re scared. Every decision they make is rooted in fear—what the inmate might possibly do” (interview, September 29, 2011). This fear, of course, is rooted in public anxieties, where the desires to punish *or* to rehabilitate are both overshadowed by the simple desire to keep inmates removed from society, effectively segregated and confined. The “phantom of ‘security’” (Goffman 1961:84) thus haunts Albany as much as it does the prison itself, where staff and inmates must struggle to exorcise it in the mundane practices that constitute “care.” The narrative of progress, that the prison has and must and will only get better—as Commissioner Fischer puts it, that the system “continues to evolve, adapt, and do what is right within a very difficult environment” (2011)—is a tempting one. I offer no such suggestions for improving or building a “better” prison education program, nor do I advocate for abandoning efforts to provide educational opportunities in prison as wasteful or misguided; either would be presumptuous, and both are beyond the scope of this research. This does not mean that I am indifferent or resigned, however, a real possibility for anyone who spends much time trying to make sense of these ambiguities.

My hope is that this small attempt at rendering some of the sequestered practices of the prison more visible might contribute to the slow dismantling of the politics of fear that drives the “hardy perennial” of public debate surrounding incarceration, and provide readers with a better understanding of what they are demanding of people when they ask them to work or sentence them to live in these institutions. Martin wants people to know, “We’re not all mad here. We come from mothers, from fathers” (interview, May 13, 2011). Leroy struggles with figuring out *what* he is if not mad, and

tells me, "I ask my family, 'Is what you do who you are?' They looking at what we do is who we are. We locked up, we go to the box, it's who we are" (interview, May 16, 2011). "I struggle with it, this whole thing," Lori tells me in the school one morning, gesturing out toward the yard, "and of course I'm a part of this whole thing, but..." The least we can do is ask ourselves if what we do is who we are, and struggle with this whole thing, too.

## Afterword Graduation Day

The Osborne School's annual graduation is approaching. Ashley recalls a memorable moment from a previous graduation a few years back. "A Native American man got his GED and they gave him a ceremony. He cried, he had been here 30 years," she continues, "Everyone wants to hug me. It's the only day I like my job." She tells the class, "He's making \$20 a week in industry now," and Dwayne calls out, "That's slavery, man!" Martin cuts him off, "No, man. He's been here 30 years. He needed the money." A few weeks later, still waiting for the latest round of GED scores, Ashley tells Ty, "I'm going to be so happy if you get your GED." "Me too! I'm gonna— (he hugs his own chest, miming wrapping her in a hug). Don't worry, I ain't gonna attack you!" he replies, laughing.

As the day draws closer, inmates are petitioning to allow graduates who have no friends or family on the outside coming to the ceremony to invite one inmate from the general population who has helped or inspired them to the celebration. Ashley thinks it is a good idea, and is disappointed when the request is denied. Caleb teases her, "Wow, Ms. A! This is the first time you on our side!" While several inmate organizations usually donate funds to have the graduation catered, this year they also came together to cook the meal in the prison's kitchen. Word is that the food tended to dwindle as it made its way from the gate back to the school. Staff are upset to find out that inmates will have to return their tassels after the ceremony. "These guys worked so hard," Donna complains, "We can afford to buy them \$5 tassels and let them keep them." Scott commiserates, "You know, we know how to punish people really well. But we don't

know how to reward them? Come on, they did what we wanted them to do." Donna agrees, "Albany's all 'education, education.' Please."

Martin passed his GED exam. When I ask him how he is feeling as graduation approaches, he tells me, "When I get the paper, I feel happy, I feel sad. What I'm going to do? *You* make an accomplishment, you can move on. Say I get my GED. I don't get a good job, like on the street, I get a slave job." He asks, "Who does this benefit? You say it benefits me? You saying education is good for me? I'm doing 40, 50 to life. I get the paper, but I'm not going anywhere." Leroy is also graduating, and feels a similar ambivalence. "I complete my GED. I complete electric," he explains, "There's nothing left for me to do to better myself." As Leroy suggests, vocational programs are limited to one per bid, no matter the length of your sentence, and though he is not graduating Howard anticipates the dilemma Martin and Leroy are facing. "You used to take as many trades as you want. Now they stop you at one," he explains, "And when you graduate, what are you going to do? Industry or sit in your cell."

When graduation day finally arrives, Lori and I are walking through the empty yard in the twilight of the morning on our way back to the school building. Our pace coincides with the morning alarm as it echoes through the cellblocks, and while it only lasts seconds it feels much longer. "I thought *my* alarm clock was bad," I tell her, "How miserable to wake up to that." "This is a place of subtle tortures," she replies.

When we get to the school, staff are beginning to decorate a small pavilion behind building, sheltering a dozen or so concrete picnic tables. Adjacent to a small patch of grass and the prison's only tree, you can almost forget where you are. I help hang paper streamers and scatter confetti shaped like tiny mortarboards on the tables. Georgia asks a correctional officer watching us prepare if he remembers his high school graduation. He tells her he never had a graduation, and that he has a GED, not a high

school diploma. Later, Georgia tells me that she has never heard an officer admit to having a GED, and she is surprised he did so in front of two inmates who were helping set up nearby.

Ashley and I go down to the school's basement, where the mortarboards and gowns are laid out on folding tables. The ceremony itself will be in a small area of the basement separated by floor to ceiling fencing, a large cage. Folding chairs are set up in two sections with a center aisle, and staff take their seats on one side of the aisle, families on the other. A small boombox is set up in the back, and a recording of "Pomp and Circumstance" sounds tinny and distorted as it bounces around the basement. The featured speakers include the Superintendent, who reminds the graduates that they are a "captive audience" and chuckles.

The Deputy Superintendent of Program Services and the Education Supervisor give brief remarks, along with the valedictorian. The commencement speaker is a local poet who has been volunteering to teach creative writing workshops in the prison for years. She likens their experience to Filipino schoolchildren who, lacking a boat, lifted their books over their heads and waded through miles of mangrove swamp to reach the school every day. As they call each of the graduate's names, the vocational staff do not clap for them.

After the ceremony we all surface from the basement and head to the pavilion, where the food has been set up on a long table. There has been some discussion about whether or not staff will eat the food, with many insisting they will not eat "state food" and some suspicion as to its preparation. When the meal actually looks and smells delicious, Scott is almost persuaded, "Well, I don't know, this looks like it was made with care." Once the graduates and their guests are served, the Dep gets in line for a

plate, and the staff take this as a sign that they, too, can trust the food and get in line behind him.

Ashley is in line in front of me, and when we get to the end of the table she puts her plate down to pour a drink. An inmate comes up to get a drink, too, and she gestures for his cup. "This is the first and last time I will ever serve you," she tells him, and they both laugh. None of the vocational staff eat, and stand in a line with correctional officers on the lawn near the pavilion. All the teaching staff sit at a table together except Lori and Dale, who each find and sit with an inmate who has no guests at the ceremony and is eating alone. I sit down to eat with Rasheem, an inmate I know from the Cornell college program who is here to help set up and break down the event, and we watch as couples pose for Polaroids.

A few children run and play on the grass, and another couple makes their way to the tree; he sits down on the grass, and she nestles into him, his arm around her waist. As they get their Polaroid taken, Ashley comes over and asks me, "Isn't that weird, posing like that?" I tell her I think posing for pictures is fairly "normal," and ask her if she does not pose for pictures with her family. She shrugs, "Yeah, I guess so," and walks away. "Of course people pose for pictures!" Rasheem shakes his head, "Things are so regimented in here." A short while later the officers call back all the graduates except those lucky few who have family at the event. Georgia asks me, "You know why they did that?" I shake my head "no," and she explains, "To frisk them and put them in the holding room."

## APPENDIX A: Directive 4804, "Academic Education Program Policies"

 STATE OF NEW YORK DEPARTMENT OF CORRECTIONS AND COMMUNITY SUPERVISION <b style="font-size: 1.2em;">DIRECTIVE</b>	TITLE		NO. 4804
	<b>Academic Education Program Policies</b>		DATE 08/08/2013
SUPERSEDES DIR# 4804 Dtd. 03/15/2012	DISTRIBUTION A B	PAGES PAGE 1 OF 10	DATE LAST REVISED
REFERENCES (Include but are not limited to)	APPROVING AUTHORITY  		

- I. PURPOSE:** Since there are clear correlations between level of education and employment and between attainment of a high school diploma and reduced recidivism, it is the goal of the Department of Corrections and Community Supervision that every offender possesses a high school diploma or obtains a high school equivalency diploma prior to release.

For this reason, when an offender is identified as having an academic need, the Department requires participation in educational programming until a high school equivalency diploma is obtained. The Department requires having at least a high school diploma, equivalency diploma, or participation in the GED® program as a prerequisite for higher paying offender jobs and to be eligible for a variety of Department programs.

This directive presents the Department's policy and procedures that are designed to implement offender programming that will meet the offender's identified educational needs and require all offenders to work toward obtaining a high school equivalency diploma.

**II. DEFINITIONS**

- A. **Language Dominance/Individuals with Limited English Proficiency:** It is the policy of the Department of Corrections and Community Supervision to ensure that all offenders have access to, and the ability to benefit from, all services and programs, including offenders with Limited English Proficiency. The first step is to determine language dominance and primary language spoken. Primary language is the language an individual controls best, uses most frequently, and feels most comfortable using. It is the language in which a person thinks. Language dominance is determined at the Reception Center using an oral interview with appropriate questions to assess the primary language. One of the following codes must be entered on the Reception Classification Information System (F451):

- 1 - Spanish or Spanish monolingual
- 2 - English or English monolingual
- 3 - Other (primary language is something other than English or Spanish)
- 9 - No preference (bilingual)

If the coding is missed for any reason, it is the responsibility of the Education Supervisor at the first general confinement facility to assess language dominance and complete the data entry. If the coding is "Other," the primary language must be entered on the comment screen in F451 and dated, and initialed by the Education Supervisor.

- B. **Verified Diploma:** Because the possession of a high school diploma or equivalency diploma is a prerequisite for the higher paying offender jobs, as well as selected Department programs, it is necessary that the Department receive evidence that an offender possesses a diploma or degree. For this reason, copies of diplomas or transcripts presented by an offender or any other individual are not acceptable. The following are the only acceptable means of verifying claims to diplomas or degrees:

- 1. An official transcript sent by a high school, a college, the State Education Department, or other educational institution directly to the facility Education Supervisor or other Department official.
- 2. Written or oral documentation supplied by a high school, college, the State Education Department, or other educational institution that the institution has official documentation of a diploma.

3. Verified Information contained on the Department's Academic Education Information System or the Reception/Classification system under an offender's current or prior DIN.

It is the responsibility of the offender to ensure that acceptable verification is provided to the Education Supervisor at the facility. It is the responsibility of the Education Supervisor to assist the offender and to ensure that verification is documented on the Department's computerized information system.

4. An IEP Diploma (Individualized Education Program Diploma) from a school that can provide the required documentation as 1, 2, 3, above. See Directive #4805, "Special Education Services." (Please note that the New York State Education Department will discontinue IEP Diplomas as of June 30, 2013. Only IEP Diplomas issued prior to this date are valid.)

- C. **DSP:** For purposes of this directive, DSP shall refer to the Deputy Superintendent for Program Services, or highest-ranking Program Services person at a facility (e.g. Assistant Deputy Superintendent for Program Services or Correctional Facility Program Administrator).
- D. **Academic Need and Completion:** Any offender who is committed to the custody of the New York State Department of Corrections and Community Supervision, who does not possess a verified high school diploma or equivalency diploma or IEP diploma, will have an academic need. This need can be satisfied in **ONLY** one of two ways:
  1. Verification of one of the above-named academic/school credentials; or
  2. Achievement of a high school equivalency diploma through academic programming.
- E. **School-Age:** Offenders who are younger than 21 or who turn 21 years old during a school year are deemed to be school age until the end of the school year in which they turn 21.
- F. **Request for Waiver:** A Request for Waiver is a document used to request the removal of an offender from an education program. A waiver may be requested for any of the approved reasons listed on [Form #4084 A](#), "Request for Waiver from the Mandatory Education Policy." The request shall be initiated by a teacher, Offender Rehabilitation Coordinator, and/or the Education Supervisor. Waivers are valid for up to one year and shall be reviewed by the assigned Offender Rehabilitation Coordinator at the Quarterly Review. All waiver requests must be reviewed and approved by the DSP in order to be valid.
- G. **Academic Need and Completion for Offenders with Limited English Proficiency Whose Primary Language is Spanish:** Any offender with Limited English Proficiency who is received by the New York State Department of Corrections and Community Supervision, and who possesses a verified high school diploma or equivalency in the primary language, will have an academic need and must attend school until the English literacy requirements as outlined in Section IV-A-2 are met.

- III. **TESTING:** Appropriate, periodic testing within the Department's Academic Education program is necessary to ensure appropriate educational program placement, to promote offenders to the next academic level, to verify eligibility for certain offender job assignments, to monitor the educational progress of the individual student, and to ensure program accountability.

In addition, the practice test utilized in conjunction with preparation for the GED® test ensures that offenders are adequately prepared for, and likely to pass the GED® test.

The following test instruments, policies, and procedures are to be followed by every facility which operates an Academic Education Program:

A. **Standardized Achievement Testing**

1. **Testing Instruments:** Unless written approval has been received from the Director of Education, only the following tests may be used for educational program placement and promotion, and for measuring gain in reading, mathematics, and English Oral Proficiency:

IF THE OFFENDER'S  
PRIMARY LANGUAGE IS:

- (a) English (code 2)  
or  
No Preference (code 9)

- (b) Spanish (code 1)

- (c) Other dominant (code 3)

THE FOLLOWING TESTS ARE TO  
BE ADMINISTERED:

TABE (Reading and Mathematics)

SABE Level 6 (Reading and Mathematics)  
and  
TABE Español (Reading and Math)  
and  
B.E.S.T. Plus

and  
TABE (Reading and Mathematics)

B.E.S.T. Plus  
and  
TABE (Reading)

2. Retesting: In order to periodically measure student progress and assess eligibility for promotion for the GED® test, every offender in the Academic Education Program, except for those offenders already eligible for the Official Practice Test or GED® test, as noted in Sections III-B-1-a and III-B-2-a below, shall be retested using the appropriate form and level of the TABE, TABE Español, or SABE test, as defined in the "Academic Teacher's Handbook." There will be three testing cycles scheduled each year. Shock, DTC, ASAT, and CASAT facilities may test more frequently to ensure that every student has the opportunity to qualify for the GED® test.
3. Recording Achievement Test Scores: All test scores for the B.E.S.T. Plus will be calculated and entered by Central Office Division of Education staff. B.E.S.T. Plus results will be manually entered into the Department's mainframe computer within ten working days after the test is received at Central Office. TABE, TABE Español, SABE, and English Official Practice Test (OPT) results will be scanned and uploaded directly to the mainframe from the scanning site within five working days of receipt of the answer sheets. Spanish OPT scores will be manually entered by the Education Supervisor within five working days.
4. Timeliness of Test Scores for Placement: Test scores are only considered valid for placement if the testing was completed within the previous 12 months.
5. Test Procedures and Security
  - a. The Education Supervisor has primary responsibility for all aspects of academic testing and security of all testing materials, including proper secure storage of these materials.
  - b. It is the responsibility of the teachers, proctors, test administrators, Education Supervisor or Program Administrator to adhere to all testing procedures and maintain strict security of all standardized testing instruments.
  - c. Education Supervisors are responsible for maintaining monthly inventories of all standardized tests.
  - d. Education Supervisors are responsible for tracking all movement of all standardized tests. This includes documenting the tests distributed to teachers to administer, ensuring teachers inventory and secure tests, and documenting the administration of the OPT and GED® exams.
  - e. No test materials are ever permitted to be stored in the teachers' classrooms.

- f. Education Supervisors or Program Administrators are designated as GED® Chief Examiners and have overall responsibility for the GED® test and all standardized test administrations.
  - g. Chief Examiners will secure all testing materials in a locked file cabinet within a restricted area when tests are not in use and comply with all GED Testing Service® (GEDTS) regulations, including maintenance of a perpetual inventory that accounts for all testing materials. When the materials are in use and not secured within the cabinet, they must be accounted for at all times.
  - h. It is the responsibility of the Education Supervisor and teachers to inform all offenders taking standardized tests that no unauthorized aids are allowed into the testing area.
  - i. It is the responsibility of the Education Supervisor and DSP to ensure proper security measures are adhered to for all candidates entering the test site.
  - j. Any offender caught cheating or attempting to cheat during testing is to be removed from the test and issued a misbehavior report. When a cheating or other disruptive event takes place during the administration of the GED® tests, the Chief Examiner must first notify facility security staff and DSP, then complete Form #L-40, "Testing Irregularity," and submit it to the Director of Education who will review and forward it to the GED® Administrator for New York State. In the event of an extensive test compromise, the Materials Compromise Form (L-24) is to be used.
  - k. Before each standardized test administration, it is the responsibility of the Education Supervisor to review administration procedures with the academic staff. No teacher may administer or handle GED® exams.
  - l. It is the responsibility of the Education Supervisor to ensure all test directions are read verbatim from the test administrator's manual to all test takers.
- B. **GED® Testing Policy:** The Department's policy for screening and testing offenders for admission to the GED® test is consistent with sound educational practices and is designed to make the most efficient use of Department resources by insuring that only offenders who have a reasonable chance of success on the GED® test are admitted.
- 1. **Official Practice Test**
    - a. **Eligibility:** An offender who has been tested within the previous 12 months and scored a total reading score and a total math score of at least 9.0 (English, TABE D; Spanish SABE, Level 6) is eligible to take the Official Practice Test.  
Enrollment in the education program is not required on the initial attempt to qualify for the GED® test. Enrollment or being on a Required Program List (RPL) will be required of candidates who fail to meet the eligibility criteria listed below in Section III-B-2-a or who fail the GED® test.
    - b. **Testing Instrument:** The Official Practice Test is the official practice test and used as a predictor of success on the actual GED® examination.
    - c. **Method of Administration:** All five subtests must be administered according to the instructions provided in the examiner's manual.  
Offenders whose admission to the practice test is based upon English achievement test scores on the TABE, Level D, must take the practice test in English; those qualifying in Spanish on the SABE, Level 6, must take the practice test in Spanish.  
In order to obtain the maximum predictive value of the practice test, it should be scheduled no more than four weeks prior to the administration of the GED®.
  - 2. **GED® Test:** (English or Spanish)

- a. Eligibility: To be eligible to take the GED® test an offender must:
    - (1) Have scored 410 on each subtest and a total of 2300 on the Official Practice Test (OPT) (English or Spanish) within the last six months, or
    - (2) Have previously taken a current form of the GED® test and achieved a minimum total score of 2200.
  - b. Method of Administration: Offenders who take the practice test and qualify in English must take the GED® test in English; those taking the practice test and qualifying in Spanish must take the GED® test in Spanish.

All policies and procedures outlined in the facility's agreement with the State Education Department must be strictly adhered to.
  - c. Waiting Periods: Offenders must wait the required time periods between GED® tests. A minimum 60 day waiting period is required before retesting. Offenders cannot make more than three attempts at the GED® test in a one year period.
3. Recording Official Practice Test and GED® Test Scores
    - a. English Official Practice Test (OPT) answer sheets must be sent to the designated scanning site for scoring and uploading. Scores will be uploaded to the mainframe within five working days after the answer sheets are received by the scanning facility.
    - b. Spanish Official Practice Test (OPT), Spanish GED®, and English GED® test results must be manually entered at the facility into the mainframe on FZED within ten working days of receipt of the scores.

#### IV. ENROLLMENT POLICIES

- A. General Confinement Population: All general confinement offenders who are available for programming, and have been determined to have an academic need, will participate in the Academic Education Program. Facilities are expected to provide educational services, both instructional and testing, for all cadre offenders, as well as offenders in Phase 2 and 3 of the Behavioral Health Unit, the Residential Mental Health Unit, the Therapeutic Behavior Unit, Intermediate Care Units, Long Term Protective Custody, Special Housing Units, Protective Custody, Keep Lock, and Special Needs Units of the facility. Exceptions are made for offenders who are in Temporary Release Programs, Out to Court, or in Reception. Other specific categories are addressed in Sections IV-B through G as listed below:
  1. Every offender without a high school diploma or equivalency diploma must attend school until he/she obtains a high school equivalency diploma. Offenders whose primary language is Spanish should obtain a high school equivalency diploma in Spanish.
  2. Offenders whose primary language is other than English or Spanish, who, are programming in an ESL class, attain ESL Level 08 on the B.E.S.T. Plus Test, should be retested on the TABE E or M and may be promoted to an ABE or Pre-GED® class to improve their English reading skills or can remain in the ESL class. This determination should be made in consultation with the teacher, student, and Education Supervisor. The goal for these students is attainment of the high school equivalency diploma.
- B. Offenders Who Are Under 21 Years Of Age
  1. Every offender under 21 years of age who does not possess a high school diploma or equivalency diploma must attend the academic education program.
  2. Every offender under 21 years of age with a high school diploma or equivalency diploma who does not have a documented vocational skill must attend the vocational education program.

3. In accordance with Directive #4805, "Special Education Services," every offender under 21 years of age who has a documented disability will attend education programs, following the educational program recommendations of the Committee on Special Education until the end of the school year in which he/she turns 21.
- C. Offenders In Shock, ASAT, And CASAT Programs
1. Every offender in the Shock program who does not possess a verified high school diploma or equivalency diploma is required to participate in a minimum of 12 hours of academic instruction per week.
  2. Every offender in a CASAT or CASAT feeder facility who does not possess a verified high school diploma or equivalency diploma is required to participate in one module of academic instruction per day.
- D. Offenders Who Are 65 Years Of Age Or Older: Offenders who are 65 years of age or older are exempt from the mandatory educational policy and the academic qualifications for pay grades 3, 4, and 5.
- E. Minimum Security Offenders: All minimum security offenders who have an identified academic need are required to participate in the academic program. Education may be provided using the cell study model in order to meet the work needs of these offenders.
- F. Returned Parole Violators: Returned parole violators who have an identified academic need are required to participate in an academic program.
- G. Removal From The Program
1. Offenders removed for disciplinary reasons: If, in the judgment of the DSP, an offender's documented behavior while in the Academic Education Program is such that continued enrollment jeopardizes the safety or security of the program area, this individual shall be removed from the program with a disciplinary waiver, Form #4804 A, "Request for Waiver from the Mandatory Education Policy."  
Appropriate disciplinary steps should be taken, however, and the individual should not receive an alternate assignment at a grade level higher than grade 1 or 2.
  2. Offenders removed for failure to progress: Although unlikely, it is possible that some offenders, in spite of a great deal of effort, may not progress significantly in reading and mathematics or English Oral Proficiency. The DSP may issue a waiver from the mandatory education policy for these offenders after a minimum of three testing cycles (approximately 12 months of instruction).  
This approval will be given only if sufficient documentation is provided, which indicates that a variety of instructional strategies have been used without success, and in the case of an offender with a disability, that reasonable accommodations have been provided.
  3. Offenders removed for medical, emotional, or psychological reasons: If, in the judgment of the DSP, an offender's medical, emotional, or psychological status is such that continued enrollment jeopardizes the safety or security of the program area or is not in keeping with the individual's treatment plan, education is not mandatory. In the case of an offender with a disability, reasonable accommodations must be considered and/or provided prior to the decision to waive the requirement.
  4. Documentation: The decision to remove an offender for reasons listed in this section shall be documented on Form #4804A and requires approval by the DSP. The Request for Waiver form is to be placed in the offender's Guidance Unit folder and the appropriate removal code is to be entered into KIPY.

## V. OFFENDERS WITH DISABILITIES

- A. An offender with a disability may request any reasonable accommodations which would allow the offender to participate successfully in the education program. A reasonable accommodation is any change in the program environment, the provision of auxiliary aids or services, or a change to the way things are customarily done that enables a qualified individual with a disability to participate in the program or service offered by the Department. A qualified individual is one who meets essential eligibility requirements for participation in the education programs. Reasonable accommodations might include, but are not limited to, the following:
1. Making program areas accessible;
  2. Relocating programs to accessible areas;
  3. Providing more time for the completion of tasks;
  4. Providing readers or interpreters; or
  5. Acquisition or modification of equipment or devices.
- B. Academic teachers are required to provide whatever instructional strategies are necessary to assist the student with learning. All instruction is individualized and based on an individual diagnosis of the student's learning needs and a written prescription to remediate that need. The teacher will identify an individual's strengths and weaknesses and write individual learning objectives for each student. The teacher is required to document any modifications made to instruction to accommodate the learner in the classroom.

- C. Adult offenders suspected of having learning difficulties and requesting accommodations for standardized testing shall be pre-referred to the Education Supervisor, using [Form #4804 C](#), "Referral Form For Adults with Learning Disabilities Who Are Requesting Accommodations on Standardized Testing." The Education Supervisor will forward the pre-referral to the Assistant Director of Academic Education, with a copy to the DSP, to begin the evaluation process. A pre-referral may be made by a professional (i.e. teacher) or security staff member, a judicial officer, or the offender. The person making the pre-referral should state the reason(s) for the pre-referral and include test results, reports, if available, and should include a description of attempts to remediate the student's performance prior to the pre-referral. (Please note that the disabilities of the under 21 year olds are addressed by the procedure set forth in Directive #4805, "Special Education Services," and handled by the Coordinator of Special Education.)

The Assistant Director of Academic Education will evaluate the pre-referral. It will be returned to the Education Supervisor if more information is needed. If the information is complete, the Assistant Director of Academic Education will schedule an evaluation with an Education Psychologist. The Psychologist will schedule the evaluation, conduct the evaluation, produce a written report with specific recommendations, and will complete Attachment B, "Request for Reasonable Accommodation," from Directive #2614. Once completed, the "Request for Reasonable Accommodation" form will be sent to the DSP at the owning facility for further action, with a copy to the Assistant Director of Academic Education. This process must be completed within 15 business days of the receipt of the request by the Assistant Director of Academic Education.

In the event that an offender seeking accommodations on standardized tests is not currently enrolled in the academic school, the offender will submit a written request to the Education Supervisor, with a copy to the DSP, who will complete [Form #4804 C](#), pre-referral, and submit to the Assistant Director of Academic Education. The Assistant Director of Academic Education will evaluate whether the information is complete and send back to the Education Supervisor if more information is needed or schedule an evaluation with an Education Psychologist. The Psychologist will schedule an evaluation, conduct the evaluation, produce a written report with specific recommendations, and will complete Attachment B, "Request for Reasonable Accommodation," from Directive #2614. Once completed, the "Request for Reasonable Accommodation" form will be sent to the DSP at the owning facility for further

action with a copy to the Assistant Director of Academic Education. This process must be completed within 15 business days of the receipt of the request by the Assistant Director of Academic Education.

- D. The DSP and Education Supervisor ensure testing accommodations are implemented and document the accommodations in the comments section of F451, tests and evaluations. Enter the supervisor's name and type of accommodation on the same page where the test results were uploaded.
- E. Accommodations for Standardized Tests: Whenever administering the B.E.S.T. Plus, TABE, TABE Español, SABE, Level 6, and OPT, the Education Supervisor must follow the publisher's guidelines for testing accommodations. For the GED® examination, all requests and documentation must be approved by the New York State Education Department.

**VI. PROCEDURES FOR ENSURING COMPLIANCE:** It is the responsibility of the DSP to ensure facility compliance with the Department's required education policy. Individual offender compliance is to be encouraged through implementation of, and adherence to, the following:

- A. Eligibility For Grade 3, 4, 5, and Industries Jobs
  - 1. To be assigned to a grade 3 job an offender must possess a verified high school diploma or equivalency diploma or have documented proof that he/she functions at or above the 9.0 grade level in reading and mathematics on the TABE, Level 6, or SABE 6, and is enrolled in a GED® program. If no program slots are available in the facility GED® program, the facility may assign an offender at or above the 9.0 reading and mathematics levels to a grade 3 job if he/she is on the GED® Required Program List. When an offender is reached on the Required Program List, he/she must enroll in the education program in order to retain the grade 3 assignment.
  - 2. To be assigned to a grade 4, 5, or Industries job (at any pay level), an offender must possess a verified high school diploma or equivalency diploma. (See exemption in Section IV-D for age 65 or older.)
  - 3. If a facility can document to the satisfaction of the Director of Correctional Industries and the Director of Education that the Industries work force needs of the facility cannot be met with offenders who have a verified high school diploma or equivalency diploma, a waiver may be given to allow offenders who have 9.0 reading and mathematics levels and who are enrolled in the facility GED® program to be assigned to Industries (only to Industries pay grades I, II, III).
  - 4. It is the responsibility of the Offender Rehabilitation Coordinators of offenders who are assigned to Industries through waivers granted under A-3 above, to monitor the progress of these individuals to ensure that they are working toward their high school equivalency diploma. Failure to obtain a high school equivalency diploma after a period of six months may result in the removal of such individual from his or her Industries assignment.
- B. Eligibility For Earned Eligibility Program (EEP) Certificate: For an offender who does not possess, or attain while incarcerated, a high school equivalency diploma, he/she should have reasonably pursued this academic education need in order to obtain an EEP Certificate.
- C. Sanctions: An offender who does not have a verified high school diploma or equivalency diploma who refuses to participate in the Academic Education Program (either by refusing to accept assignment to the program or by refusing to actively and positively participate once assigned) may be denied good behavior allowances in accordance with Correction Law, Section 803.

In addition to disciplinary action, the offender's assignment should never be higher than a grade 1 or 2 job and a work assignment never higher than a grade 1.

Removal from the education program for disciplinary reasons must be documented by placement of Form #4084 A, "Request for Waiver from the Mandatory Education Policy," in the offender's Guidance folder.

At each quarterly review interview thereafter, the Offender Rehabilitation Coordinator is to discuss the offender's educational needs and to note admission or readmission to the program, continued refusal on the offender's part, or facility decision not to place the offender in the program.

- D. Closer To Home Eligibility: It is the policy of the Department that any male offender in a medium security facility desiring to be transferred to a facility closer to home (or remain in a facility close to home) must not only meet the eligibility requirements related to time in the HUB and disciplinary adjustment, but must also participate in specific programs to meet identified programmatic needs.

Accordingly, any male offender in a medium security facility will **not** be transferred closer to home if he has *academic education* listed as a program need on his program plan but refuses to participate in that program plan after being properly advised by his Offender Rehabilitation Coordinator during his first and subsequent quarterly reviews. Likewise, if such offender is already housed in a facility close to his home, he will be transferred to a facility **farther** from home.

- VII. **POST-SECONDARY CORRESPONDENCE COURSES**: It is the policy of the Department to encourage offenders to continue their education beyond a high school equivalency diploma. In order to provide educational programs beyond the High School level, facilities will provide access to independent, post-secondary, distance learning, and correspondence programs. The burden of financial responsibility is on the offender.

A. Procedures and Responsibilities

1. Responsibility for the operation of these programs is with the Education Supervisor. The Education Supervisor is responsible for verifying that a course scheduled by an external degree university or correspondence school will be given. The Education Supervisor will act as a liaison to facilitate testing, provide a testing area, and assign proctors.
2. It is the responsibility of offenders to select which courses they wish to take and which educational institutions they wish to take them from.
3. It is the responsibility of offenders to make whatever financial arrangements are necessary to pay for the courses. If the offender is paying directly, through Inmate Accounts, it is the responsibility of the offender to ensure that there are sufficient funds available. As per Departmental policy, offenders are not allowed to make installment payments. If the offender/family/other source is paying from outside the Inmate Accounts System, they must make arrangements independently with the school.
4. All Departmental directives for packages, media review, and correspondence must be adhered to.
5. The Education Supervisor is responsible for insuring offender participation is recorded on the KIPY System. The Education Supervisor is also responsible for entering degrees and certificates using the proper codes on FZED and submitting the COLSEM report to the Division of Education at the end of each semester.
6. The Department also supports a number of privately funded college programs at several facilities. In order to be eligible to participate in one of these programs, a requirement is that offenders not have any refusals and must be actively pursuing their recommended programs. Any offender interested in these programs should contact the Education Supervisor for program information and his/her assigned Offender Rehabilitation Coordinator for information on transfer requests.
7. Any questions regarding these guidelines or any aspect of the independent study initiative should be referred to the Director of Education.

B. Eligibility

1. Offenders must have a verified high school equivalency diploma or high school diploma in order to participate in a correspondence course.
2. All distance learning and correspondence courses must be from accredited post-secondary schools. The accrediting organization must be recognized by the US Department of Education. All offenders must meet with the Education Supervisor and sign the release form, [Form #4804 B](#), "Academic Education Post-Secondary Distance Learning Permission Form/Record."

## APPENDIX B: Osborne School Procedures

### AUBURN CORRECTIONAL FACILITY OSBORNE SCHOOL PROCEDURES

---

Name

DIN

Cell

---

Students are expected to demonstrate positive behaviors and attitudes that reinforce learning. (180.18) The following procedures apply to all students, teacher aides and other inmates with legitimate business in the school. Violation may result in disciplinary action. (106.10)

**1. ACADEMIC RESPONSIBILITY:**

Students will accept academic assignments, and work as directed by instructional staff. (180.18) Active participation is required. (106.10)

**2. TESTING PROCEDURES:**

Students will comply with all testing procedures, and will complete answer sheets as directed, without unauthorized materials to assist them. (113.23, 114.10, 116.12)

**3. BEHAVIOR IN SCHOOL:**

- a) Students will not harass teachers or other students, and will not interfere with employees carrying out their duties. (102.10, 107.10, 107.11)
- b) There will be no disruptive behavior, no horse-play, no loud talking, no inappropriate language, no inappropriate sexual behavior, and no sleeping in the classroom or in the school building. (104.13, 100.13, 100.15, 101.20)
- c) No unauthorized movement in the classroom. (109.10, 109.12)  
Furniture is to remain in the position and location determined by instructional and security staff at all times. (106.10)
- d) Students will avoid all unauthorized areas, including but not limited to: the teacher's desk, cabinets, lockers, files, shelves, fans, air conditioners, bulletin boards, blackboards and the alarm bell area. (109.10)
- e) No chewing, smoking or rolling of tobacco products, or sharing of tobacco is allowed in the school. (106.10)

**4. The "NOTHING IN" Procedure**

Certain items are not allowed in the school. Do not bring anything into the school that has not been authorized by your teacher. Forbidden items include but are not limited to: candy, food, beverages, cards, letters, pictures, magazines, personal books, legal papers, net bags, and all personal items. (113.22, 113.23) Students will be frisked (115.10).

**5. The "NOTHING OUT" Procedure**

Students are not permitted to remove anything from the school such as pencils, books, pens, paper or other items without the permission of the teacher. Students will be frisked. (116.10, 115.10)

**6. The "STATE PROPERTY" Procedure**

Do not harm or destroy any materials in the school or any structural part of the school building. Do not break pencils, do not crumple or tear up papers unless authorized, do not write in books, do not write on desks or any other unauthorized surface in the classroom or school. (116.10, 116.13)

**7. BATHROOM:**

Students will follow posted facility and classroom procedures, and the direction of the officers, for use of the bathroom facilities.

**8. SCHOOL CLOSINGS:**

Students will check at the North and South Control Centers and the Shop Gate to determine the status of their classrooms. If your room or program is listed on the board as closed, go back. (109.10)

**9. HYGIENE AND APPAREL:**

Nothing may be worn on the head except authorized head wear. Students must dress in compliance with the facility dress code as it applies to the school. Pants will be worn around the waist and shirts will be tucked in. (106.10)  
Students will maintain cleanliness of clothing and apparel. (118.30)

**10. REPORTING TO SCHOOL:**

Students will report to their classrooms and be dismissed from their classrooms according to a schedule determined by the facility and security staff. (109.12)

**11. LITTERING:**

Students will not leave litter or trash of any kind in the classroom, in the school or on the school grounds. (118.25)

**12. SICK CALL:**

There is no sick call from the school. Students may leave school on mandatory call-outs only. (109.11, 109.12)

I have read the school procedures and I understand my responsibility for compliance.

_____	_____	
Name		Date
_____	_____	
Teacher		Date Revised 12/06

## APPENDIX C: Inmate Progress Report

FORM 3250 (12/05)

STATE OF NEW YORK - DEPARTMENT OF CORRECTIONAL SERVICES

### INMATE PROGRESS REPORT

CORRECTIONAL FACILITY \_\_\_\_\_ NAME OF PROGRAM \_\_\_\_\_

NAME: \_\_\_\_\_ DIN # \_\_\_\_\_ HOUSING UNIT \_\_\_\_\_ DATE: \_\_\_\_\_

CHECK ONE:

PAY INCREASE \_\_\_\_\_

READING LEVEL \_\_\_\_\_

PAY DECREASE \_\_\_\_\_

GED OR H.S. DIP. YES\_\_ NO\_\_

GENERAL EVALUATION \_\_\_\_\_

DATE ENTERED PROG. \_\_\_\_\_

FINAL EVALUATION \_\_\_\_\_

PAY ITEM NUMBER \_\_\_\_\_

	EXCELLENT	ABOVE AVERAGE	AVERAGE	BELOW AVERAGE	POOR
ATTENDANCE/PUNCTUALITY					
INTEREST IN PROGRAM ASSIGNMENT					
EFFORT AND INITIATIVE					
ATTITUDE TOWARD PEERS					
ATTITUDE TOWARD AUTHORITY FIGURES					
FOLLOWS RULES AND SAFETY PRACTICES					
ABILITY TO FOLLOW DIRECTIONS					
QUALITY OF WORK					
DISPLAYS SELF CONTROL					
DEPENDABILITY					
APTITUDE/EMPLOYABILITY					

EXPLAIN INMATE'S ACCOMPLISHMENTS WHILE IN YOUR PROGRAM OR WORK DETAIL:

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

LIST JOB TITLES, OR SPECIAL SKILLS ACQUIRED:

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

GENERAL COMMENTS:

\_\_\_\_\_  
 \_\_\_\_\_

\_\_\_\_\_  
 INMATE'S SIGNATURE

\_\_\_\_\_  
 EMPLOYEE'S SIGNATURE

\_\_\_\_\_  
 TITLE

\_\_\_\_\_  
 DATE

DISTRIBUTION: White -Guidance Unit, Yellow -Inmate, Pink -Evaluator

APPENDIX D: Education Record



**Education Record**

State of New York  
 Department of Correctional Services  
 The Harriman State Campus  
 1220 Washington Ave.  
 Albany, New York 12226-2050



NAME \_\_\_\_\_ DIN \_\_\_\_\_ DOB \_\_\_\_\_

FACILITY	PROGRAM	DATE ENTERED	DATE LEFT	REASON/COMMENTS:

TABE	FORM	LEVEL	DATE	READING	MATH COMP	MATH APPS	MATH TOTAL	TOTAL
1								
2								
3								
4								
5								
6								
7								
8								

OPT

DATE	TEST FORM	LA/WRITING	SOC. ST.	SCIENCE	LA/READING	MATH	TOTAL

GED

DATE	TEST FORM	LA/WRITING	SOC. ST.	SCIENCE	LA/READING	MATH	TOTAL

<b>LANG. ARTS/READING</b>	<b>100</b>	<b>TABE LEVEL</b>	<b>ABE</b>	<b>PGED</b>	<b>GED</b>
<b>Readiness</b>	<b>101</b>				
Matching Letters	101.1				
Recognizing Letters	101.2				
Begin/End sounds	101.3				
Middle Sounds	101.4				
Interprets Graphic Info.	101.5	<b>E,M,D</b>			
Dictionary/Reference	101.6				
Index	101.7				
Constr. Graphs/Charts	101.8				
Forms	101.9				
Consumer Materials	101.10				
<b>Vocabulary</b>	<b>102</b>				
Synonyms	102.1				
Antonyms	102.2				
Homonyms	102.3				
Homophones	102.4				
Homographs	102.5				
Word Meanings	102.6	<b>E,M,D</b>			
<b>Word Attack</b>	<b>103</b>				
Phonemes	103.1				
Roots	103.2				
Prefixes	103.3				
Suffixes	103.4				
Endings: Adj./Adv.	103.5				
<b>Comprehension</b>	<b>104</b>				
Recall Information	104.1	<b>E,M,D</b>			
Construct Meaning	104.2	<b>E,M,D</b>			
Evaluate/Extend Meaning	104.3	<b>E,M,D</b>			
Words in Context	104.4				
Passage Details	104.5				
Sequence of Events	104.6				
Character Analysis	104.7				
Main Idea	104.8				
Cause/Effect	104.9				
Compare/Contrast	104.10				
Drawing Conclusions	104.11				
Supporting Evidence	104.12				
<b>Interpreting Pictures</b>	<b>105</b>				
<b>General Interest</b>	<b>106</b>				
<b>Literature/Arts</b>	<b>107</b>				
Prose Fiction	107.1				
Prose Nonfiction	107.2				
Poetry	107.3				
Drama	107.4				
Literary Terms	107.5				
Reading Classics	107.6				
<b>Documents/Forms</b>	<b>108</b>				
Legal Documents	108.1				
Forms and Applications	108.2				

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<b>LANG. ARTS/ WRITING</b>	<b>200</b>	<b>TABE LEVEL</b>	<b>ABE</b>	<b>PGED</b>	<b>GED</b>
<b>Usage</b>	<b>201</b>	<b>E,M,D</b>			
Noun	201.1				
Verb	201.2				
Adjective	201.3				
Adverb	201.4				
Pronouns	201.5				
<b>Constructing Sentences</b>	<b>202</b>	<b>E,M,D</b>			
Subject/Verb/Object	202.1				
Identify Complete Sent.	202.2				
Identify Frag./Run-On Sent.	202.3				
Combine Sentences	202.4				
Subject-Verb Agreement	202.5				
Coordinating Conjunctions	202.6				
Depend/Independ Clauses	202.7				
Diagram Sentences	202.8				
Parallel Construction	202.9				
Combining Sentences	202.10				
<b>Mechanics</b>	<b>203</b>	<b>E,M,D</b>			
Capitalization	203.1				
Ending Punctuation	203.2				
Internal Punctuation	203.3				
Comma	203.4				
Colon	203.5				
Semicolon	203.6				
Quotation Marks	203.7				
Hyphen/Dash	203.8				
Apostrophe	203.9				
<b>Paragraph Formation</b>	<b>204</b>	<b>E,M,D</b>			
Topic Sentences	204.1				
Supporting Sentences	204.2				
Sentence Sequence	204.3				
Concluding Sentences	204.4				
Write Paragraph	204.5				
Edit/Revise Writing	204.6				
<b>Letter Writing</b>	<b>205</b>	<b>E,M,D</b>			
Personal	205.1				
Business	205.2				
<b>Employment Skills: Writing</b>	<b>206</b>				
Finding a Job	206.1				
In the Workplace	206.2				
Explanatory	206.3				
Report	206.4				
<b>Essay Writing</b>	<b>206</b>	<b>E,M,D</b>			
Topic Sentence	206.1				
Prewrite	206.2				
Draft	206.3				
Revise	206.4				
Edit	206.5				
Publish	206.6				
<b>Spelling</b>	<b>207</b>	<b>E,M,D</b>			

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SCIENCE	300	ABE	PGED	GED
<b>Earth and Space</b>	<b>301</b>			
Relative motion/perspective	301.1			
Air/water/land	301.2			
Matter	301.3			
Energy	301.4			
Motion	301.5			
<b>The Living Environment</b>	<b>302</b>			
Living vs. non-living	302.1			
Comp/cont:plant,animal,cell	302.2			
Genetic information	302.3			
Trait inheritance	302.4			
Sexual/asexual reproduction	302.5			
Life cycles	302.6			
Organisms/species	302.7			
Variation/survival	302.8			
Basic life functions	302.9			
Plant/animal relationships	302.10			
Species competition	302.11			
Environment	302.12			
<b>Human Body Systems</b>	<b>303</b>			
Skeletal	303.1			
Muscular	303.2			
Nervous	303.3			
Respiratory	303.4			
Digestive	303.5			
Excretory	303.6			
Reproductive	303.7			
Circulatory	303.8			
Integration of systems	303.9			
<b>Health and Wellness</b>	<b>304</b>			
Nutrition/exercise	304.1			
Disease	304.2			
Current health issues	304.3			
<b>Biology</b>	<b>305</b>			
Ecosystems	305.1			
Structure and repro of cells	305.2			
Photosynthesis/respiration	305.3			
Classification of life	305.4			
Evolution	305.5			
Genetics/heredity	305.6			
<b>Earth Science</b>	<b>306</b>			
Astronomy/universe	306.1			

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Solar system formation	306.2			
Earth size/shape/make-up	306.3			
Geology	306.4			
Landforms	306.5			
Seismology	306.6			
Oceanography	306.7			
Atmosphere	306.8			
Weather/climate	306.9			
<b>Chemistry</b>	<b>307</b>			
Atomic theory	307.1			
Atomic structure	307.2			
Molecular structure	307.3			
Compounds/mixtures	307.4			
Conserv.of matter/equations	307.5			
<b>Physics</b>	<b>308</b>			
Conservation of energy	308.1			
Waves: light and sound	308.2			
Electricity and magnetism	308.3			
Nuclear physics	308.4			
<b>SOCIAL STUDIES</b>	<b>400</b>	<b>ABE</b>	<b>PGED</b>	<b>GED</b>
Community	401.1			
Citizenship	402.1			
Cultures/civilizations	403.1			
Local history/government	404.1			
Map skills/geography	405.1			
US/Canada/Latin America	406.2			
Eastern Hemisphere	407.2			
US and NY State History	408.2			
Current events	409.3			
World history	410.3			
US Exploration	411.3			
US Colonial	412.3			
US Revolution	413.3			
US Civil War	414.3			
US Expansion and Industrialization	415.3			
Economics	416.3			
US WWI	417.3			
US Depression	418.3			
US WWII	419.3			
US Korea/Viet Nam	420.3			

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<b>MATHEMATICS</b>	<b>500</b>	<b>TABE LEVEL</b>	<b>ABE</b>	<b>PGED</b>	<b>GED</b>
<i>Whole # recognition</i>	501				
<i>Operations</i>	502				
Addition	502.1	E,M			
Subtraction	502.2	E,M			
Multiplication	502.3	E,M,D			
Division	502.4	E,M,D			
<i>Place value</i>	503				
<i>Rounding</i>	504				
<i>Number series</i>	505				
<i>Word problems</i>	506	E,M,D			
<i>Calculator Introduction</i>	507				
<i>Decimals</i>	508	M,D			
Addition	508.1				
Subtraction	508.2				
Multiplication	508.3				
Division	508.4				
Word problems	508.5	M,D			
<i>Calculator Intermediate</i>	509				
<i>Fractions</i>	510	M,D			
Intro/reduce/improper/mixed	510.1				
Fractions as decimals	510.2				
Add fractions	510.3				
Subtract fractions	510.4				
Common denominator	510.5				
Multiply fractions	510.6				
Divide fractions	510.7				
Word problems	510.8	M,D			
<i>Ratio/Proportion</i>	511	D			
Theory	511.1				
Solving Ratios	511.2				
Solving Proportions	511.3				
Word Problems	511.4	D			
<i>Percents</i>	512	D			
Read/Write Percents	512.1				
Percents to Dec. to Frac.	512.2				
Simple Interest	512.3				
Word Problems	512.4	D			
<i>Integers</i>	513	D			

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Mathematics cont'd		YABE LEVEL	ABE	PGED	GED
Application					
Numeration	514	E,M,D			
Number Theory	515	E,M,D			
Data Interpretation	516	E,M,D			
Measurement	517	E,M,D			
Actively Measure Objects	517.1				
Ruler	517.2				
US Standards of Meas.	517.3				
Metric Standards of Meas.	517.4				
Length/Weight	517.5				
Time	517.6				
Temperature	517.7				
Word Problems	517.8				
<b>Varied Applications</b>	<b>518</b>				
Graphs: Pie, Line, Bar	518.1				
Table/Chart/Diagram	518.2				
Calendar	518.3				
Money	518.4				
Estimation	518.5	E,M,D			
Rounding	518.6				
<b>Algebra</b>	<b>519</b>	<b>E,M,D</b>			
Exponents and roots	519.1				
Addition of pos./neg. #s	519.2				
Subtraction of pos./neg. #s	519.3				
Mult/Div of pos./neg. #s	519.4				
Order of Operations	519.5				
Algebraic symbols/notation	519.6				
Algebraic substitutions	519.7				
Monomials/Polynomials	519.8				
Solving simple equations	519.9				
Factoring	519.10				
Solving/Graphing Inequal.	519.11				
The Coordinate Plane	519.12				
Word problems	519.13				
<b>Geometry</b>	<b>520</b>	<b>E,M,D</b>			
Geometric Terms/Formulas	520.1				
Point/Line/Angle	520.2				
Triangles	520.3				
Quadrilaterals	520.4				
Circles	520.5				
Irregular Figures	520.6				
Pythagorean Theorem	520.7				
<b>Calculator Advanced</b>	<b>521</b>				

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