The prison experience and its aftermath have been the subjects of much study and description. In different ways and with varying degrees of success, scholars (e.g., Clemmer, 1958; Jacobs, 1977; Johnson, 2002; Stern, 1998; and Sykes, 1958), journalists (e.g., Conover, 2000; Earley, 1992), and current and former prisoners (e.g., Abbott, 1981; Cleaver, 1968; Hassine, 1999; Irwin, 1970, 2005; and Jackson, 1970) have sought to chronicle the pain, degradation, and emotional devastation of incarceration. In spite of these efforts, the present authors are inclined to believe that much remains to be told. Although we hold confidence in the possibility that sensitive people can achieve a conceptual understanding of “doing time” without having to experience prison for themselves, we respectfully maintain that an intellectual understanding of prison is not enough.

Our task in this chapter is to provide some sense of the many intangibles implicit in a prisoner perspective on incarceration. Someday, humans may have the ability to download sensate experience directly, but until that day it seems that the best we can do for our readers is to analogize. Instead of laboring to induce empathy, we will try to convey some of the learning we have acquired as a result of occupying—indeed, embodying—the convict perspective. The named author has passed 10 years in prison and 5 more on parole. His collaborators tally decades more behind bars, and some remain there still. The analogy that presents itself as most like the psychological cesspool of prison is the locker room: a high school or college locker room for male athletes.
In your mind’s eye, fill out the room, if you will, with damp and sweat, stench and soiled belongings. Now, put in place a large number—too large for the room—of opposing athletes. Watch some gamely strut and posture while others withdraw into the self-imposed isolation of daydreams and consuming, reflexive thought. Feel the hypermasculinity manifested in shouted expletives and grunting sexual innuendo. Observe the sophomoric humor and carelessly displayed bodily functions.

Think of those participating in the antics as World Wrestling performers. See their legendary menace and outrageous, provocative acts. Now consider, quite seriously, that they are not acting, that they see their individual performances as competitive, as vital to their integrity and personal safety. Consider that they view one another as lethal threats. Throw in one or two officials who are paid to keep an eye on things but who make going home safely every night their top priority. Now, finally, go ahead and step into the locker room yourself, and seal the door behind you. How do you feel? If you have conscientiously engaged in this exercise, you now have a reasonable approximation of prison. Enjoy your stay.

Mass Incarceration in America

From 1970 to 1988, the prison population in the United States tripled (Bureau of Justice Statistics, 1989). In the next 12 years, it tripled again, threatening to fill prisons faster than states could build them (Lynch, 2000). The incarceration business is said to employ 747,000 people and involve over $37 billion in expenditures (Jacobson, 2005, pp. 67–70). California now spends more on prisons than on the state university system. The electoral passage of Proposition 21 in California, which allows prosecutors to try accused criminal perpetrators 14 years old and above as adults, has at least symbolically impacted the state’s prisons by bringing children—disproportionate numbers of minority children—into the adult justice system.

Advocates for the rights of racial minorities are alarmed at this new development, since overcrowding and racial segregation may worsen prevailing conditions both in prisons and in mostly minority neighborhoods. The life chances of African American and Latino males are already diminished by their frequent interaction with the criminal justice system (Miller, 1996; Western, 2007). Across the country, they are overrepresented in the new cohorts of specially selected penal detainees (Mauer, 1999; Mauer & King, 2007). Critics of the expanding prison-industrial complex complain that offender incapacitation is just the latest punitive twist in the continuing legacy of America’s hot and cold running fascination with race-based social engineering (Clear, 2007; Gordon, 1999).

Criticisms of penal expansion and its variations are not new. Auerhahn (1999) convincingly shows that the underlying rationales supporting incapacitation have been repeatedly challenged on conceptual, ethical, and methodological grounds. Even the chief architect of selective incapacitation, the Rand
Corporation’s Peter Greenwood (with colleague Susan Turner, 1987), later disputed the efficacy of profiling and targeting selected groups for incarceration.

Some proponents of penal incapacitation responded to criticism by crediting the policy with lowered crime rates in U.S. cities and towns. Officially compiled crime rates do show that some categories of major crimes are down 15% to 20% and more (Austin et al., 2009; Lichtblau, 1999). It is uncertain to what extent we can credit the decrease in crime to the increase in the number of the incarcerated.

The so-called War on Drugs has brought other groups into prison besides the traditionally oppressed minorities. Among them are the middle class. These convicts have had some impact on the prison system, and the system has deeply affected them. Some have gone on to make the study of prison their lifework. Most of these are reformers. Their energy, it is said, comes from the poignant observation that “you can take the man out of prison, but it’s hard to take the prison out of the man.” Some of these folks, mostly male, mostly of European American extraction, have grouped together under the banner of convict criminology.

Convict Criminology

It is fair to say that convict criminology was brought into being by the War on Drugs. Although the large majority of people swept into prisons by the wars on drugs and crime have been minority, poor, and poorly educated, another subgroup has been brought along, mostly for the ride, it seems. This group, mostly of European American extraction and middle class, found itself imported into a world of strange customs and moral codes. The prison experience itself, far from being routine and an accepted rite of passage, was bizarre. Some individuals within this group began to look upon the prison as an object of study and brought the culture of prison into their inquiry as well. They have become known, at least in their initial foray into research and publishing, as convict criminologists. The form and function of prisons in America was taken up as their first object of study.

Convict criminology began as an organizing effort to bring the human back into prison scholarship. In the mid-1990s, agitated by a curriculum void of any indication that those persons referred to as criminals, inmates, and offenders were also flesh-and-blood human beings, Chuck Terry and Alan Mobley—two University of California, Irvine, graduate students—met regularly to share strong coffee and even stronger opinions reflecting their convicted perspective.

Soon, Terry and Mobley realized that what they saw in their course materials as the dehumanization of justice system clients existed at an even more profound level at professional conferences. As intense immersions in the thought, politics, and personalities of a profession, these professional conferences were both repulsive and alienating for Terry and Mobley. From these intense experiences came the pair’s desire to step beyond conventional criminology and make their own way. Mobley soon began to pursue social justice activism, prison reform, and fieldwork-based scholarship. Terry, however, sought out other
academics who shared an incarcerated past. His research revealed several former prisoners teaching criminal justice and sociology at U.S. universities. As he began to share his misgivings over criminological study and practice, these new colleagues responded with a litany of their own concerns.

Sparked by the collective sentiment, Terry wanted change. Rather than continue to toil in relative isolation among the conventionally minded, he thought that the ex-con criminologists ought to take a tip from Narcotics Anonymous (a group to which he belonged) and form a mutual-aid support group. When one of his graduate school advisors suggested he organize a panel of ex-con academics for the upcoming American Society of Criminology (ASC) meeting, Terry did the legwork. As luck would have it, his advisor also happened to be on the conference organizing committee and could see to it that the panel was seated. So, out of frustration, comradeship, and with logistical help from a sympathetic insider, Convict Criminology was born (Terry, 2003).

Convict criminology was announced as a “new school” in a 2001 issue of the journal Social Justice (Richards & Ross, 2001). An edited volume titled Convict Criminology was released in 2003 (Ross & Richards, 2003). As defined, “Convict Criminology represents the work of convicts or ex-convicts, in possession of a Ph.D. or on their way to completing one, or enlightened academics and practitioners, who contribute to a new conversation about crime and corrections” (Ross & Richards, 2003, p. 6).

Several principles were declared as core to this new school. Among them were the failure of prisons, the value of taking an insider perspective, the centrality of ethnography, and the preeminence of noted penologist and ex-convict John Irwin.

Irwin is the author of several works of penology (Irwin, 1970; 1980; 1985; 2005; Irwin & Austin, 2000) that have achieved the status of classics in the field. His work combines social analysis with descriptive statistics and ethnography. For his latest book, The Warehouse Prison, Irwin gained access to California state prisons, where he assembled groups of convicts with whom he met over a 2-1/2-year period. Irwin credits them with contributing significantly to the book. The group “shared ideas, descriptions, and analyses of prisoner behavior and relationships. These ‘experts’ read and critiqued drafts of most of the book’s chapters. They [10 prisoners] have served a total of 207 years in prison” (Irwin, 2005, p. ix).

Following Irwin’s lead, convict criminologists offer an often blistering critique of U.S. penal justice and mainstream criminology. Often, the two are lumped into one lucrative, self-perpetuating machine (see Ross & Richards, 2003). Convict criminologists use their academic credentials to argue for their own analytical abilities, if not their objectivity, and burnish their pasts as further validation of the insights and recommendations they offer. They challenge the standard bearers of the mainstream to let them in and heed their words, and to an extent they have been successful. Since the first conference panel in 1997, Convict Criminology has grown tremendously. The group now boasts three
very well-attended panels at criminology’s flagship conference and other national and regional meetings, dozens of journal articles and books, a website (see: http://www.convictcriminology.org/index.html) that offers everything from consulting services to advice for prisoners wanting to attend college, and most importantly, many new cohort members. In short, Convict Criminology is productive and growing.

As might be expected, countercriticism has come from the criminological mainstream. The New York Times quoted one prominent criminologist as implying that convict criminologists lack objectivity, asking, “What convict criminologist is going to say people are in prison because they have low self-control and lower I.Q. scores?” (St. John, 2003, p. 7). The prominent mainstream criminologist goes on: “There’s a tendency among convict criminologists to say, ‘Because I’ve been there, I know and you don’t.’ Being there gives you access to some information, but not all the information. It illuminates and it distorts” (ibid.).

A more subtle form of critique is the exclusion of convict criminology from the discipline’s leading journals. This does not surprise the convict criminologists, however, as they see their exclusion as further proof of scholarly complicity with a negligent (and perhaps malign) government in furthering a mutually beneficial prison-industrial complex (see Ross & Richards, 2003, pp. 18, 41, 349). John Irwin sets the tone in the preface to Convict Criminology, when he states the need for a convict perspective within the larger, ill-informed discipline: “Not only do we have to push, we have to guide them” (Ross & Richards, 2003, p. xviii).

The prison is one place where all agree that convict criminologists can serve as useful guides. In what follows, we discuss the legendary convict code and its more recent variation (for the traditional treatment of the “inmate code,” see Sykes and Messinger, 1960).

The Convict Code

Modern American prisons are largely self-contained establishments operating behind barbed-wire-topped fences and razor wire rolls. Within the confines of penal institutions, prisoners live, work, and play, providing all manner of services necessary for the continued safety, security, and sanitation of their community. Off hours are passed in leisure activities not so different from the outside world’s. Prisoners read; watch television; engage in sports, games, and hobbies; eat junk food; and sleep. A prisoner’s incarcerated life is lived in a compressed, communal lifestyle, no doubt much altered from whatever manner of living the imprisoned knew when free (see Wacquant, 2001, and Anderson, 1998, for different views on the exclusivity of the prison experience).

Prior to the introduction of congregate-style prisons, prisoners passed their days in silence and solitude. Meals were taken, labor performed, and all activities carried out within each individual prisoner’s cell. No particularly new mode
of living was imparted to prisoners; they were simply expected to utilize the
time their sentences allowed to make peace with themselves and with God.
Reaching the goal of inner peace was more than some prisoners could manage,
however, and methods of incarceration were implemented that were essentially
like those used today.

Adapting to limited personal autonomy, enforced material and heterosexual
depprivation, and the rigors of communal living among strangers necessi-
tated the development of norms, rules, and roles appropriate to the peculiar
world of the prison. Solitary confinement had made for peacefully running
prisons, and the shift to prisoners working together to perform institutional
tasks was rough. Congregate living did ease high rates of suicide and insanity
among prisoners, but it replaced those hazards with violence. Frustrated
convicts spent their rage upon one another, finally settling into regular patterns
of transactions, exchanges, and interactions that permitted each prisoner an
opportunity to survive according to his strength and cunning. Two rules in
particular emerged as conducive to peaceful, individualized communal living:
“Do your own time” and “Don’t snitch.”

Both these rules mainly concern the effects of prisoner actions on other pris-
oners. “Doing your own time” entails not bothering others, while “not snitch-
ing” means not involving officials or other convicts in one’s private affairs.
Our contention here is that these two behavioral guidelines are not only obso-
late and in disuse but, through a lingering sense of their continuing validity,
actually serve to undermine the ability of prisoners to rehabilitate themselves.
A new basis for interaction between incarcerates, between prisoners and staff,
and between prison society and the outside world can interrupt our prisons’
current spiral toward stupefaction or anarchy and serve the best interests of all
who participate in good faith.

Before explaining the fundamentals of a new convict code, however, we
will review the original code, its current state, and some causes of its demise.

The Original Convict Code

The convict code is a short set of principles that serve as guidelines for
interactions between convicts, convicts and jailers, and convicts and the
outside world. The convict code recognizes that each prisoner has different
goals and desires to fulfill within a highly circumscribed environment of scarce
resources. The convict code also encourages each prisoner to acknowledge the
commonality of circumstances all prisoners face. No matter what a prisoner
chooses to do with his time, all are subjected to the same limitations that
coerced, unisexual incarceration brings.

By explicitly identifying the predicaments of imprisonment as universal to
all convicts, while simultaneously admitting the validity of diverse individual
pursuits among the prisoner population, the convict code of conduct was
intended to provide for peaceful, individualized, communal living.
Rule 1: Do Your Own Time

The vague but fundamental rule “Do your own time” typifies the code. “Do your own time” implies the uncomfortable fact that each convict is essentially alone. Each was judged alone, sentenced alone, admitted to prison alone, and will be released completely alone. The criminal justice system places other individuals in extremely close proximity and in remarkably similar circumstances to each convicted individual, but the salient point of imprisonment, time to be served, belongs/applies to each individual alone. Because of this simple fact, that each prisoner’s sentence (or “time”) is his to serve alone, each individual in prison is separate from the start. The question is not, How and when do we get out? It is, How can I get out?

Obtaining release appears to be a main goal of nearly all prisoners. The actions in which a convict chooses to engage can often either speed or delay the release process, however. Participation in activities that can prolong a prisoner’s sentence, such as fights, killings, escape attempts, or drug use, is therefore a highly personal decision affecting the decision maker, his confederates, and possibly victims. Being drawn into such situations unexpectedly is a convict’s worst nightmare. As defense against this possibility, a high degree of external awareness is advisable at all times.

“Doing your own time” means one should mind one’s own business so as not to become involved in the potentially dangerous escapades of others. Strengthening oneself as a preventative measure against possible victimization is a second goal of this rule. When a convict follows the suggestion “Do your own time, don’t let the time do you,” he is careful not to let the deprivations of prison life get him down. When prisoners mope around in an attitude of self-pity, the chances of becoming entangled in confrontations with staff and other prisoners are greatly increased. A convict is a person who practices self-defense with the utmost vigilance. A convict can take a breather and relax when he goes home.

Safety

The issue of personal safety is the only issue that rivals obtaining release as a convict’s priority. The convict code tries to restrict one’s exposure to dangerous situations to those situations one willingly enters. For example, if a prisoner enters into a gang relationship for personal safety, drug accessibility, or any other reason, certain obligations are acquired. If a gang member is peacefully walking down a hallway and happens to see a fellow gang member being physically assaulted by one or more assailants, he is obligated to immediately enter the fray on the side of the compatriot. Such an action could result in injury or death immediately or in the future, or in an increased sentence should injury or death occur to another involved in the conflict. A prisoner knowingly assumes this sort of obligatory risk when voluntarily entering into a gang relationship. A prisoner who is unaffiliated
with the gang, who walks by and witnesses the same incident, is under no obligation to put himself at risk. In fact, the convict code demands that bystanders be totally detached and not even look toward any event outside each one’s immediate personal interest.

The prohibition against “rubbernecking,” or looking at things or people beyond one’s previously established parameters of legitimate interest, exists for two reasons. The first, essentially “What you don’t know can’t hurt you,” alludes to the precariousness of witnessing any illegal act. If a passerby witnesses illegal or improper actions, that person can be seen as a possible informant and therefore threatens the perpetrators by his very existence. Strong feelings of mistrust born of personal or vicarious experience involving the treachery of informants, or “snitches,” can build to the point of confrontations and preemptive violence. It is also standard procedure for the prison administration to segregate or “lock up” witnesses to serious events in order to interrogate them more effectively. If one fails to witness the activities of others, however, one bypasses exposure to such unpleasant involvements.

**Privacy**

A second reason why rubbernecking is derided, is simple privacy. Prisons are designed so that most every prisoner action occurs in a public, or at least a visible, space. There are windows in every door; lights never go completely off; and even the toilet stalls are open to view, the doors having been removed. In such a potentially degrading environment, where a total lack of privacy for inhabitants is institutionalized, prisoners must look to one another for whatever bits of privacy there are to be had. After all, usually only one or two officers patrol each living unit at any one time. Nearly every eye observing any prisoner’s actions, therefore, belongs to a fellow convict. If prisoners have the consideration and discipline not to allow their eyes to wander into areas outside their immediate, legitimate concern, some vestige of personal privacy is possible for each individual. Not surprisingly, having a greater degree of privacy is often considered a more pleasant, dignified, and safer manner of living.

**Personal Responsibility**

Surviving the prison experience as comfortably as possible and allowing others to do the same is basic to the code. Each imprisoned individual is granted the right to say and do as he pleases. With this right comes the further implication that one’s actions, because they are freely chosen, are representative of one’s intentions. Prisoners’ words and actions are assumed to demonstrate their thoughts, and others form judgments accordingly. Failure to defend one’s words or actions when challenged sends a message that one is weak and can be exploited easily.
Exploitation

The nature of communal living, as well as the administration’s perceived need to force all actions and interactions of prisoners into open spaces, guarantees tension over utilization of scarce resources. This tension is often prevented from becoming hostile and potentially dangerous competition by the implicit threat of retaliation against aggression. Retaliation against aggressors can be carried out by the offended party or by someone acting as his proxy. The possibility of retaliation by the state may be just as deterring as unsanctioned violence. If a prisoner is caught engaging in overt aggression by an officer or through the use of informants, privileges can be taken away and sentences lengthened. Prisoners acting aggressively to hoard resources or intimidate others are looked upon as intentionally challenging those chosen as victims. The convict code holds the aggressor responsible for his actions and thus liable to retaliation for encroachment on the rights of others. The code also provides for victims to rightfully seek revenge.

Actually, the convict code stipulates that those acting as aggressors must themselves be victimized by their victims. The manner of such retaliation should be disproportionately greater than the original offense. Those who fail to defend themselves, their speech, or their property violate the code. Compliant victims unwilling to retaliate against aggressors forfeit their “respect,” that is, their right to expect others to treat them in accordance with the code. Victims who do not stand up for themselves are seen as both weak and failing to abide by the code’s directions. In short, the convict code condones the exploitation of people who are unwilling or unable to defend themselves.

Opportunities to exploit others without fear of retaliation are rare in prison, so those who seek victims are drawn to individuals who have revealed a willingness to be victimized. If the degradation inflicted by “wolves” upon a “mark” becomes too great, the mark often seeks protection in the formal structure, either by requesting to be segregated (locked up) or by informing on victimizers so that they are segregated.

Rule 2: Don’t Snitch

The use of informants by police agencies is responsible for a majority of arrests. In exchange for lesser sentences, money, or other considerations, individuals with knowledge of others’ criminal culpability often provide incriminating evidence to police. Nearly all prisoners serving time in prison were convicted with the aid of informants, often former friends. As the conviction and incarceration experience is perceived to be the wellspring of a prisoner’s troubles, individuals responsible for incarcerating others are particularly despised by convicts. Police officials and officers of the court are usually viewed quite unfavorably, but government informants, people ostensibly acting as criminals but actually helping law enforcement build cases against outlaws, are generally hated.
Many convicts presume that one small benefit of imprisonment is separation from informants. Everyone in close-custody prisons (fenced and guarded facilities) is there for conviction of a felony considered serious, a conviction most often made possible by the cooperation of an informant. Prisoners thus feel they should have some things in common: an identity as convicts, similar deprivations, and status as victims of informants. When a prisoner is identified as an informant, therefore, it causes a fissure in the social bond of prisoner society.

Life outside frequently permits individuals to let their guard down and be themselves. Prison life does not. With essentially no privacy and surrounded by mostly hostile or apathetic strangers, prisoners have no “back stage” in which to relax. The assumed presence of snitches within prisons influences convicts to cloak their acts with respect to how they may appear to others. Even if a prisoner is not doing anything significantly deviant, chances are he could be set up as another’s “fall guy.” Additionally, each prisoner knows that hardly a day goes by when he does not commit some sort of infraction of prison rules, and most prisoners have personal property in violation of known statutes. Even if the nature of one’s deviance falls short of provoking severe official sanctions, such as segregation or additional time, just the prospect of being hassled by guards and having one’s lifestyle disrupted is bothersome and threatening.

To illustrate this point, prisoners who possess items considered “serious” contraband—knives, syringes, tattoo guns, and so forth—usually do not store such things in their designated personal territory. Contraband is routinely tucked into hidden spots in public places, territory over which no single prisoner has responsibility or control. This sort of precaution against prosecution presupposes the eventuality of detection. Though snitches ensure that no one gets away with anything for long, if one avoids being caught red-handed with illicit goods, disciplinary action by the prison administration cannot usually be taken.

Prisoners who do not routinely engage in serious deviance still check their living areas for signs of tampering. Intrusion by guards, thieves, or set-up artists trying to plant evidence is not uncommon. In self-defense against loss of property or additional punishment, prisoners routinely police their primary personal territories. The fact that prisoners feel compelled to take precautions against theft or entrapment reveals the high level of mistrust present in captive society.

Thieves and snitches form an antisocial aggregate most responsible for the breakdown of community values in prison. Together, they create an atmosphere of defensiveness and suspicion that is perpetuated because each group feeds off the other. For example, thieves operate with near impunity because they know that snitches indirectly protect them. If a thief is caught by a prisoner and violence ensues, the victim of the theft will be punished by authorities as harshly as the thief. The convict code is supposed to protect the anonymity of both thieves and revenge-seeking victims of theft so that retribution against thievery can occur without official intervention. Snitches bring officials into privacy disputes and therefore undermine enforcement of the code.

Victims of thieves and snitches often see the wisdom of cutting their losses and simply writing off stolen articles and incidences of disrespect. Silent
acceptance of ostensibly prohibited conduct has always occurred in prison. When, for example, the perpetrator of a proscribed act is an especially feared individual or one particularly well supported by a strong group, discretion on the victim’s part becomes the wiser part of valor.

Snitches benefit from thieves in equal measure to the covert assistance given. When a rash of break-ins raises tensions, and the administration needs an arrest to quiet things, snitches provide the information. Those apprehended often avoid serious punishment because actual physical evidence of their guilt is rarely discovered. Snitches, however, still get credit from officials for cooperating at significant personal risk.

The existence of informants on the outside and snitches inside works to absolve individuals of a measure of responsibility for their own actions. Where dealings between individuals are based on at least some level of trust and expectation of mutual profit, activities involving bureaucratized structures revolve around procedures, laws, and regulations. Individual responsibility is replaced by systematized expediency where benefit accrues to the bureaucracy. Snitches bring third parties—police agents—into private affairs. The power relationship of any interaction between prisoners is fundamentally altered by including the bureaucracy. Involving the formal prison structure in informal private dealings takes the responsibility for and consequences of outcomes away from prisoners and places it in the hands of hostile administrators. Instead of trust and mutual benefit, prisoner interactions become forced, shaped by suspicion and fear.

Bringing the prospect of negative sanctions and lengthened incarceration to another’s door is antithetical to the convict code. “Squealing” by prisoners compels officials to enter situations they could not otherwise involve themselves in. Since police agents dispense negative sanctions almost exclusively, little chance exists for prisoners to benefit from their inclusion in prisoner affairs. Snitching, squealing, and informing thus make a mockery of Rule 1, “Do your own time.” For this fundamental reason, the proscription against snitching has always held a prominent position in the convict code. Snitching has traditionally been met with the most severe informal sanctions, including removal from the general population of prison society—one way or another.

Factors Undermining the Convict Code/Formal Structure

As stated above, the two traditional premises underlying the convict code of conduct are “Don’t squeal on other prisoners” and “Do your own time” (i.e., mind your own business). The second principle implies that it is forbidden to disturb anything other than oneself, one’s relationships, and one’s possessions. For example, bothering others by noisy or intrusive behavior is considered wrong. Listening in on, or “burglarizing,” others’ conversations or looking at what others are doing.
rubbernecking”) are likewise inappropriate. Taking or in any way upsetting others’ possessions or modes of lifestyle, called “routines,” is forbidden as well. Previous studies and anecdotal evidence suggest that belief in the validity of these elements of the informal convict code are fairly universal in U.S. prisons, especially higher-security prisons. Popular adherence to the code’s dictates, however, has probably never been as consistent as hard-core convicts would like to believe. By and large, episodes of violence resulting from deviations from the code have kept alive the notion that the code is still a valid expression of prisoner ideals and a reliable guideline for prisoner action. The relative rarity of violent incidents in prison as compared with the generally high level of disrespectful behavior, however, illustrates how seldom the code is actually enforced.

Several factors have arisen in recent years to help break whatever real effectiveness the code once had. First, unprecedented growth in prison construction now enables authorities to more easily transfer prisoners between facilities and isolate prison leaders. Frequent transfers dilute prisoner solidarity, remove leaders from leadership positions, pacify prisoners by keeping them either farther from home or closer to it, and remove the threat of such negative social sanctions as ostracism and violent attacks, once the promised outcome of conduct code violations. Authorities now have the luxury of rewarding informants and punishing the rebellious through facility designation.

A second factor leading to the code’s demise is the professionalization of correctional occupations. Authorities’ unwillingness to allow prisoners to enforce informal codes and police themselves has removed an important ingredient of power from prisoner groups. Enforcement of informal rules through violence is no longer tacitly or implicitly permitted. Enforcers are now themselves harshly punished through additional time incarcerated and segregation from general population. Code enforcers are also transferred to other facilities as punishment for their informal roles. Their sacrifices for the common good are then unknown, unrecognized, and therefore unrewarded in unfamiliar, far-flung facilities.

The growing number of institutions in most prison systems has enhanced the trend toward professionalization of increasingly sought-after careers in corrections, as well as exposing the presence of individual code enforcers and informal leadership structures. Informants who reveal the secrets of captive society to officials can be protected by the anonymity of submergence in an ocean of inmates at one of any number of prisons. Bureaucratic tendencies to centralize expanding prison systems and staff institutions with better-trained personnel stem largely from the same causes that have boosted incidences of snitching. The criminalization of drug use and the prioritization of law enforcement resources against drugs criminals—known in recent years as the Drug War—is the central factor influencing the prison industry and the dissolution of the convict code itself.

Self-Concept

The rise of drug sales and consumption in the 1980s and 1990s led certain individuals into criminality who otherwise possessed mainstream sensibilities.
Stringent drug-law enforcement prompted by political pressures brought many of these users/dealers into contact with the criminal justice system. The experience of being taken from one’s environment, stripped of possessions, separated from friends and family, and labeled a criminal often has a dramatic and apparently enlightening effect on offenders guilty of consensual crimes. Drug profiteers were often trying to reach approved societal goals but used inappropriate means to do so. (Criminology has long recognized this phenomenon. See Akers, 1997; Sykes & Messinger, 1960.) For individuals who have no real “outlaw” mentality, after feeling the power of negative social sanctions, the shift back to a more complete agreement with legal, socially approved norms is not difficult to envision.

Whether from upper-, middle-, or lower-class backgrounds, offenders without genuine criminal self-concepts typically adapt to the incarceration experience by throwing themselves upon the mercy of the criminal justice system and begging for release. Their common strategy is to prove to law enforcement officials that a terrible mistake has been made and a valuable lesson learned. The convict code, therefore, has little force or meaning for prisoners without criminal self-concepts. This self-styled “noncriminal” tries to impress officials by cooperating in every way. He works hard for nominal pay, keeps his living area up to prescribed standards, acts respectfully toward staff, withdraws from illicit elements of prison life, and informs, either baldly or surreptitiously, on other prisoners.

In medium- and lower-security institutions, these mostly Caucasian, noncriminal drug users and entrepreneurs comprise a substantial aggregate. The presence of such a large segment of prisoners disinterested in adherence to the convict code calls into question the code’s relevance as a functioning normative system. Following the code’s prescriptions once guaranteed prisoners’ personal safety. In today’s largely nonviolent medium- and lower-security institutions, however, adapting one’s behavior to an existent prison subculture has become unnecessary. The threat to personal safety, and the subculture itself, have been invalidated by the introduction of relatively large numbers of uninitiated prisoners acting independently and unilaterally who are interested in only one thing: going home.

**Gangbangers**

Gangbangers are another large group of prisoners who fail to abide by the principles of the convict code. Interestingly, on the surface gangbangers are almost exact opposites of the mostly Caucasian, noncriminal drug user/entrepreneur. Gangbangers are primarily African Americans from homogeneous inner-city social environments. They appear to have completely assimilated criminal identities and consider doing time just another part of the criminal lifestyle. Like non-criminals, however, gangbangers have no use for the convict code. They care little what members of the general population think or do. Their alliances and allegiance are uniformly tied to outside gangs operating inside prison walls. So many young inner-city African American males are incarcerated that one’s homeboys can be found in any penal institution. Young gangsters, therefore, need not trouble themselves to adapt their behavior to a prison subculture.
With their homeboys, gangsters comprise a distinct subculture themselves, whether on the streets or in prison. They “look out for,” or protect, their own, live an almost familial lifestyle, and rarely so much as speak to prisoners outside their own set. No loyalties exist toward prisoners in general or to the ideal of a united convict society. Gang bangers “run with” their “dogs” from “the ’hood,” meet up with each other in the joint, then plan to reunite again on home turf. No involvement with outsiders is needed or apparently desired.

This fragmentation of incarcerated African Americans into distinct gangs, whether Crips, Bloods, or others, mirrors a similar move made by Chicanos in the 1960s. Racial and ethnic minorities have long tended to congregate in large prison gangs (for reflections on a first-hand examination of racial tensions in California prisons, see Irwin, 1980). Neighborhood economic and protection associations merged with others of the same race in prison in order to provide a larger membership greater economic power and individual security. Particularly in large state prison systems, the formation of race-based groups led to strict voluntary racial segregation. Incidences of personal differences often escalated into tit-for-tat warfare, with a seemingly endless supply of gang “soldiers” ready to avenge attacks on “brothers.” In self-defense, whites were forced to form similar associations, dropping in the name of survival the cliquishness typical of intra-Caucasian behavior.

Today, some state systems, such as California’s, have had to adopt the extraordinary practice of designating certain prisons as the territory of certain gangs. Where once wings of particular prisons were segregated by race, now entire prisons are integrated racially but segregated according to gang affiliation. Internecine rivalries apparently arose around the struggle for control of prison groups. Leaders of smaller street gangs were reluctant to surrender their power and authority just because they were incarcerated. As more and more members of individual gangs were incarcerated, however, gang leaders saw less need to join larger, prison-based racial associations. Street gangs thus reformed within prison yards, with competition for traditional rackets soon flaring and then evolving into hostile and often violated truces.

Intraracial unity is no longer the norm in prison except in times of extreme interracial conflict. Prisoners brought into the penal system by increased law enforcement pressure on urban areas and mandatory prison terms for crack cocaine crimes look to alliances formed in neighborhoods for guidance, protection, and provision of material resources in prison.

The task of initiating prisoners into the prison subculture, once accomplished by means of a generalized code of conduct, is now successfully completed for a large number of prisoners by reliance on preprison affiliations. Whether they are Native Americans associating exclusively with members of their own tribe; voluntarily segregated gang members; old-timers; bank robbers, and dope fiends hanging out on the compound telling lies; or noncriminal drug entrepreneurs reverting to precriminal behavior patterns and beliefs, a majority of today’s prisoners no longer need to feel accepted by a generalized inmate subculture. The convict code of conduct, therefore, which exists for the explicit purpose of initiating prison neophytes into captive society, is functionally obsolete.
Today’s convict would be well advised to admit several things and react accordingly. First, society has developed a habitual intolerance for deviance. Increased frustration with unsolved social problems has led politicians and the public to scapegoat societal out-groups as responsible. Political rhetoric that decried intolerance and punishment-laden responses to deviance born of inequality, although often heard during national election campaigns of past generations, has been dropped from public discourse. To pacify a frightened and worried public, policymakers continue to resort to higher levels of policing, criminalization of deviant behavior, and incarceration. Even though fiscal shortfalls will result in early releases for some prisoners and the elimination of parole supervision for others, this exercise in budgetary pragmatics should not be mistaken for a new, liberal wave in incarceration practices. In fact, reactionary measures and increased unpleasantness for prisoners should be anticipated. Budget cuts mean reduced programs and services for prisoners, and hard times tend to bequeath hard time.

Second, because policymakers have an apparent mandate to use whatever means are necessary to curb crime, factors contributing to the demise of the convict code will intensify in magnitude. More corrections infrastructure will be built, more professionalization of correctional occupations will occur, more noncriminal offenders and gang-oriented criminals will be incarcerated, and increased competition in overcrowded institutions for scarcer material resources will further splinter captive populations and promote the formation of antagonistic prison groups.

Third, due to these factors, prison officials now hold all the cards in their dealings with medium- and lower-security prisoners. Penal administrators will only be strengthened by prisoner uprisings. Any show of protest against social or penal policies will be met by harsher conditions, justified by the public’s unwillingness to face and deal with social problems or the offspring of those problems. America’s problem children are to be incarcerated for the foreseeable future because no one sees any long-term solutions.

Fourth, the high level of mistrust in prisons will intensify between prisoners themselves and between prisoners and politicians. Harsher sentencing and mandatory minimum prison terms for drug crimes have taken the carrot from government’s traditional carrot-and-stick program. Prisoners of past years have had a glimmer of hope for early release through the parole mechanism. Even if apprehended, convicted, and sentenced, felons knew that, with good behavior, time incarcerated could be cut drastically. The pressure to inform on colleagues in order to avoid prison was there, but it was not nearly as strong as it is today, when little hope exists for meaningful sentence reduction.

The fate of prisoners and prison society depends partly on prisoners themselves. If convicts insist on perpetuating antagonism among themselves and toward prison staff, they play right into the hands of custody-oriented penal administrators. The structural antagonism between incarcerates and staff has reached its intended goal and serves only the interests of career bureaucrats, politicians, and corrections unions. Individual prisoners are not well served
by prisons filled with tension and removed from mainstream culture; nor are their families, communities, or victims, and surely not the public. Convict criminology suggests that all groups can best be served if each is permitted a meaningful voice in the justice reform process. We hope that this chapter has provided some evidence for the value of the convict perspective.

**DISCUSSION QUESTIONS**

1. Why do you think incarceration rates have continued to climb in spite of falling crime rates? Is this a reasonable state of affairs?

2. What might you consider to be the pros and cons of convict criminologists in the classroom? What value do you place on experience in your own education?

3. What do you see as the appropriate role (if any) for prisons in a free society?

4. Many commentators take note of the distinct racial composition of U.S. prisons and jails. To what do you attribute the overrepresentation of racial minorities? What, if anything, should be done about it?

**NOTE**

1. This paper was prepared with the assistance of many current and former prisoners, particularly my friend and colleague, Chuck Terry. The collaborative nature of the project suggests to the named author that he honor his unnamed colleagues through the use of “we” throughout the narrative. We also acknowledge the patient assistance of Paul Jesilow, William Granados, Michael Braun, and the editors and peer reviewers of this volume in the preparation of this paper.

**REFERENCES**


