

KENNETH E. HARTMAN

WHAT IS AND WHAT SHOULD BE

THE TENSION cuts through your clothes and into your skin like a jagged shank. Another alarm goes off, its pitched wailing, yelling out: there's trouble over here, be careful, be concerned, stay vigilant. The prisoners, all knotted up into little groups defined by skin color and tattoos, warily circle before sitting down. Each group watches the others closely. This could be a diversionary tactic to draw the guards off to a far corner of the compound to launch a sneak attack. The tower speaker is blaring a constant refrain, "Down on the yard, down on the yard."

The guards go running off to where a blue light is flashing. It could be anything from a false alarm to a full-on attempted takeover of the building or anything in between. Clubs drawn, pepper spray canisters in hand, they pour into the open doorway. On the yard, each group is sizing up its relative position. Because the alarms are essentially random, you never know where you might be when one goes off. It is a Russian roulette version of the chairs game. If the guards come out with combatants of different hues or conflicting tattoos you might get caught sitting on the ground, out of your seat, with your head kicked in. The longer it takes the guards to come back out, the sharper the tension gets. This happens multiple times every day. After a while, everyone is a raw nerve. The guards become so hyper-vigilant they react to everything with overwhelming force. The prisoners are so stressed they become landmines, tripwires extended out in every direction. Fear, masked as aggression, suppresses the higher modes of thought resulting in a defensive stance so rigid that all slights and perceived incursions provoke a mindless, out-of-proportion reaction. This goes on for years.

The breaks in this lunacy come in the form of periodic lockdowns that last for a day or a week or months, usually without any easily comprehended distinction. One stabbing could be a lockdown of a week, another a month. At first, the feeling on all sides is one of general relief. From having to watch hundreds of potential adversaries to only your cellmate is a diminution of stress by orders of magnitude. In those few cases when you are truly compatible with the man sharing your concrete box, the relaxation is invigorating. Normally, as the choice of who lives in your space is never truly voluntary, this is not the case. Now, whatever irritating peculiarities exist become heightened. Body odors and irrational hostilities come to the fore. It often devolves into a wary dance around hard-to-understand psychological problems and complex, deep-seated fears and resentments.

Regardless of compatibility, within a few days most prisoners begin to suffer an odd form of cabin fever, a depressive rage against the powerlessness of being trapped behind a steel door that only opens unpredictably and infrequently. Some men sleep all day, slipping into a self-induced semi-coma state of passive resistance. Others rev themselves up, adopting a maniacal workout routine consisting of hours and hours of furious grunting and sweating, as if by the force of transmitted kinetic energy the walls will spread apart. For many, the cabin fever expresses itself in the loss of rationality. This is particularly true for those with preexisting mental health problems, a startlingly large percentage of modern prisoners. For these unfortunates, the lockdown becomes too much to bear. Door kicking, random shouts, radios played at full volume for days on end, stopping up toilets to flood the tiers, and other similarly irrational behaviors proliferate throughout the buildings. Like a virulent, highly contagious disease, once a few men slip the constraints of civilized behavior, a general disorder is unleashed. Cell fights start to occur more frequently because there is no other way to escape intolerable situations. Asking for a move is tantamount to being an informer in the bizarre world of prison. Even if you do, the guards normal re-

sponse is "show us some blood." Suicide attempts increase during these periods. The cell starts to shrink down on some prisoners until it is little more than a concrete coffin, squeezing out the desire to continue. In most prisons, a man spends more of his time on lockdown than off. This goes on for years.

The yards are peppered with these guys, these so-called "shotcallers." They are the ones who have become prison. Beyond the electrified fences, there is no existence for them besides that of scorned outcast. Faces tattooed with hideous and outrageous statements of ignorant rejectionism, they appear to rule this world by a sleight of hand so deftly performed few ever manage to perceive it. They receive special treatment, hold the best jobs, have the most movement around and between the buildings. Most ironically, in light of their complete disdain for the mores of the real world, they are accorded the most respect and humanity available from the guards.

It is to this group of thugs and psychopaths that the course of events on a prison yard is handed. To maintain their grip on power, held as it is without any justifiable claim, they must foment violence. Fear, as has been noted by dictators throughout history, is a powerful motivator of men. Follow our rules or you will be attacked, possibly killed. A whole series of dehumanizing and conforming policies are constantly pushed by their mercenaries, which only add to the stress and misery of this experience. You must wear your boots at all times because you must be prepared to fight for our group at all times. You must swear fealty to whichever bonehead happens to be the latest anointed holder of the keys to the yard. (Leaden irony in the use of "keys" to connote power to a prisoner, without actual keys, in a prison.) You must be willing to sacrifice your own good judgment to the lowest common denominator of herd thinking driven by the basest of human instincts. Worse, all of this will be actively supported by the guards empowering the shotcallers. Violence will be used, and encouraged, to achieve complete compliance. All will be penalized for the actions of the dumbest as if all were complicit. Re-

fusal of an individual to play along will result in extremely negative consequences. This is the norm, the status quo. This goes on for years.

Idle hands are never a good thing. Combined with too often addled minds and tormented hearts, the results are disastrous. Of course, the kinds of programs needed to combat the outcome of lifetimes misspent and mismanaged are well known. Real and comprehensive substance abuse treatment, substantial education, mental health treatment, welcoming visitation, religious programming, creative outlets like art therapy, and regular and predictable recreation. All of these are proven to make a positive difference in the success or failure of prisoners. The problem is, heedless to reality, none of these are available to the average man. What substance abuse treatment there is provided boils down to hectoring and spotty enforcement, devoid of any actual treatment. Education in prison is little more than watching movies, doing crossword puzzles, and marking time in an overcrowded, loud little room monitored by a bored teacher marking his time until retirement. Mental health treatment is the issuance of pills to mask the unpleasant outward manifestations of madness and the generation of reams of paper to paint a picture of activity that does not exist beyond the motions, little of substance ever occurring. Visiting is the opposite of welcoming, being rather an effective bar to families and friends who are forced to endure a series of humiliations both petty and profound for making the obviously poor choice of consorting with prisoners. Beyond the highest hurdle, the location of prisons far from the places most prisoners originate, there is the maze of inconsistently applied rules visitors are forced to navigate. Those who lead religious programs and art therapies are both tossed into the same category of "inmate lover," which serves to both denigrate and accuse in one phrase. The prevailing opinion of those who guard prisons is that anyone who comes in to work with us must be dirty, somehow. As for regular and predictable recreation, the only constant in prison is its unpredictable and irregular nature. Each day has the quality of a

crapshoot existence where the doors open with a capriciousness not unlike the weather in the mountains. Guards and administrators, teachers and doctors, who hold a fundamental belief in the futility of their mission, in the great waste of time it is to try and make a difference, manage these "programs." Lockdowns break up the continuity of any program, and lockdowns dominate the life of a prison. The result is tens of thousands of prisoners with nothing to do even remotely productive in nature. This goes on for years.

Corruption and incompetence hide behind chaos. This is the iron law of this particular jungle. Because the people who are charged with implementing the programs do not believe the programs have any chance of success, and because too many of those same people lack the requisite skills and education to effectively implement the programs in the first place, the maintenance of the state of chaos that rules prisons is in their best interest. It is the perfect dodge to responsibility: We would run these rehabilitative programs, but the inmates just won't cooperate. The gangs destroy anything good we try to do. The inmates are not capable of anything positive. These are the well-rehearsed excuses that play well to a public conditioned to assume that prisoners are, in fact, irredeemably recalcitrant, gang members who live to sow destruction and are all, simply, bad. To speak the truth, that most who run these institutions have little interest in our success, and a personal interest in our failure, is just not done. Nevertheless, to those of us who have spent enough time inside and struggled to achieve a level of consciousness beyond the walls, it is self-evident, this foul truth.

It is a question of economics. The fewer of us, the smaller the empire. It is a question of disposition. The system, in obeisance to the all-powerful god of security, trains its minions to consider prisoners as little more than security risks with legs. It is a question, most fundamentally, of ideology. They cannot, at the risk of professional suicide, accept that prisoners are capable of real and sustained growth. To abandon the company line of presumed failure would call into question the foundational elements underpinning this

world. This world of humiliation and degradation, of isolation and stigma, would fall apart without the regular injection of negative poison that is the gasoline on the funeral pyres of so many wasted lives—lives on both sides of the fences.

Chaos is created with the unconscious cooperation of prisoners who desperately want to be part of something, even if that something is a system that feeds off our own suffering. The drug dealers and shotcallers are supported, years are spent in crushing lockdowns, violence is perpetuated, and those programs that could ameliorate the effects of tragic lives are suppressed or dismissed or subsumed in the terrible reality of prison. This chaos acts as a superbly effective smokescreen, a perfect blind behind which failure's familiars hide.

Even so, to be fair to those human beings that manage these places, the majority are not evil. They are rather, mostly, functionaries not capable of breaking out of the small box of prison thinking. Ideas like rehabilitation and reform bounce off of them as they search for the appropriate box to check on the appropriate form. The forms have no check boxes for abstractions like harm reduction or making a positive difference. It's all about restrictions and negative reinforcement: took this, took that, will take more if this and that don't result in compliance. People who missed first-year psychology must have designed the forms. They are all punishment and no reward. They are the products of reactive and punitive thinking that has never worked. These bureaucratic marionettes are simply not adept at reflection or analysis. Follow the form, go through the motions; any creative thinking will be punished. When the boxes are all checked off, and your ass is sufficiently covered by the appropriate ass-covering form, you have performed your duty. That the result of this is all too often, all too predictably, more failure, more violence and more chaos, is warped proof of the futility of this world. This has gone on for far too many years.

Deeply ensconced at all levels of the system is a much smaller group who actively work to defend the status quo, who consciously fight against positive change. These are the bullies who see their po-

sitions as opportunities to right the wrongs of their personal lives, the slights and injustices of high school still sharp in their memories. These are the crime victims who seek a place on this side of the fences to exact revenge, to take a bite out of criminals. And the ideologues, the most dangerous among the corrupt minority, the religious and political zealots who act with their own distorted sense of moral certitude. These are the creators of the forms that demand compliance to a failed system, a system that creates the failure it profits from, that it depends upon for its survival. These are the naysayers and the underminers, the hearts and brains of the current system. This has gone on for years, for decades and, absent radical change, it will go on forever.

All of this could lead an average person to conclude there is little hope for change, a not unreasonable conclusion. There is within the system this dejected sensibility; it's what ultimately drives off most reformers. But among prisoners, in particular those of us serving life sentences, there exists a stubborn strain of determination rooted in outrage that things have deteriorated to such an abysmal state. We know prison does not have to be this horrible. Prisoners do not need to be brutalized and traumatized at the hands of the system or their fellow prisoners. We know there are prison systems in this country that achieve markedly better results while treating their prisoners with much more humanity. We know the culture of gangs and violence, racism and self-destruction, is not a given. We also know that the groups in positions of power and influence have a personal stake in maintaining the status quo of failure, on both sides of the prisoner-guard divide. The strange twist of this is we lifers, who will be around for the long haul and who must see this world as our home, may be the only large group, the only long-term stakeholders, willing to fight for lasting change and endure the consequences for mounting the challenge.

It was in this vein of thinking that a small group of us got together and came up with a plan to create a transformational yard in one of the most dysfunctional of California's prisons. We had all watched

as the creeping maelstrom of systemic disorder invaded our corner of the system. In the space of a few years, the whole prison was engulfed in massive race riots, organized attacks on guards, retaliatory brutality against prisoners, and a stunning level of corruption camouflaged in the tear gas laced clouds of chaos. It was never a good place, but now it became a terrible, frightening and dangerous place. This was the time of the final ascendancy of gangs to power throughout the system, including prison guard gangs in the worst of the prisons. It appeared that those who knew better, the old veteran guards who came from before the era of outright inmate hating, left and turned over the reins to the new thugs in uniforms. And these new thugs, empowered by the victims' rights movement's incessant demands for ever more punishment and the pandering of opportunistic politicians, launched a war on prisoners. The ruse was that by taking everything away from us that made existence inside tolerable, it would make prison so intolerable an experience it would drive us into compliance and terrify us into never coming back. We all knew, on both sides of the fence and with complete certainty, the result would be disaster.

As the disaster unfolded, we came up with a proposal to create one yard for those prisoners who wanted to stay out of the whirlpool sucking us all down. I couched it in language that appealed to the demand for genuflection before the security altar and the basic need to have the necessary services (food preparation, laundry, and the like) performed by prisoners not nursing wounds incurred in the latest riot. We had the great good fortune of one of the last wardens to come up through the non-custody ranks (he had been a teacher) and a few smart and humane staff willing to carry the water for the project. The waves of tragedies that had scoured this prison left everyone not interested in the triumph of chaos open to experimentation.

The specifics were simple: take only those prisoners who volunteered, who had a record of positive behavior, and enact a strict system to disempower the worst elements of our own ranks. This

would be a yard devoid of drug dealers, devoid of shotcallers, and devoid of all the chaos these groups bring with them. Anyone who broke the rules would be removed back to the hell of the other yards, a powerful and visible disincentive. Additionally, and most controversially as it turned out, positive incentives for successful participation would be included—a few modest carrots to balance out the thicket of sticks.

The warden ordered implementation and the process was completed in a few months. The recalcitrant prisoners left of their own accord, taking with them the drugs and violence and the grossest of stupidity. Within a six-month period, a yard with a housing unit once known to all as “Thunder Dome” was fully functional. Gone were the negative elements that destroy prisoners’ ability and will to achieve the kind of transformation necessary to successful reintegration back into free society. The madness of constant alarms interrupting the flow of every day simply stopped. Lockdowns ceased for years, literally. The shotcallers, having no shots to call, disappeared, melting back into the torment from which they emanated. And programs proliferated, exploding in a great blast of pent-up demand to be a part of something, anything worthwhile.

In the next few years, something wholly unexpected was achieved on this yard known as the “Honor Program.” It was far beyond the peace and positive energy that replaced the fearful tension, beyond the absence of lockdowns and alarms and casualties, beyond even the programs self-initiated by prisoners proving many of us actually desire to do good. What happened was the emergence of a movement that grew out beyond the fence line. At first, mostly our families and friends—which is to be expected—but then political figures, community leaders and local nonprofits got involved. Men on the yard started to write the newspapers, describing something incongruous, practically unbelievable out of one of these places. Good things were happening on a prison yard deep in the mire of what is, arguably, the worst prison system in the country. Television crews came in to document this strange aberration. Leaders of the state

government showed up to witness how good could possibly have taken seed in such barren soil. It was a heady time. For a little while, many of us believed we had crossed the Rubicon, or rather we had pulled the prison across; there would be no turning back to the beforetime of such obvious failure and waste.

During the few years things reached their apogee, the transformation was complete and deep. We organized our own sports leagues and required all teams to be integrated of our own accord. This is such a revolutionary act in the hyper-racialized world of California prisons that administrators from other prisons came in to see it for themselves. "How did you do this?" one of them asked me, a look of utter astonishment on his face. We recruited the educated from amongst our own ranks and set up formal instruction in an empty classroom. Foreign languages, mathematics, creative writing and business courses took off with diverse and peaceful groups of students eager to learn. The best artists formed a collective to donate their work to local charities. A prisoner group formed to counsel at-risk youth, gaining widespread recognition. Men conducted their own religious services, without any troubles. (Before the implementation of the Honor Program, when the chapel required a staff presence for any activity to take place, the area was the site of endless fighting and rampant drug dealing.) At one point, there were real plans to bring in service dogs for us to train. Prisoners performing an indisputably valuable function for the community. It was a moment of genuine pride for all of us who had labored to make this happen, prisoners and our supporters, and those staff who had the courage to break out of the negative expectation.

Then, something else unexpected happened. In retrospect, it is obvious why it happened, but this was during our moment of greatest success. We were blinded in the footlights, unaccustomed warmth. We didn't see it coming. The elements that stand behind their barricade of disorder launched a concerted effort to undo all that we had done. The manufactured need for ever-increasing security, which means more positions and more money, was being ex-

posed by our peaceful yard. Talk was beginning to spread up and down the dark empire of opening more yards like this one, of injecting the system with an inoculation of positive energy. Without the cover story of prisoners as unmanageable beasts, the more uncomfortable truth might be exposed. Even though a growing body of scholarship and a towering pile of studies and reports documented the mismanagement and incompetence at the heart of the prison system's failure, the sad facts on the ground stymied efforts to bring about change. This was the strategy, and it had always worked to wear out the reformers, something it continues to accomplish. The public's desire to see prisoners treated humanely is shallow, at best. Added to this the constant, well-funded drumbeat of demands for revenge dressed up in justice's flowing robes, which keeps the focus on punishment for the sake of the infliction of pain. The reformers know this only results in further victimization and further vast sums of scarce dollars poured down the drain of prisons. The trouble is, the bullies know they can count on some twisted wreck of a human spat out to the real world, after years of neglect and torment, committing a senseless and atrocious act. The calls for justice (punishment and pain) shout down the appeals to reason, and the circus of horrors then resumes, unmoved and unchanged.

We brought it on ourselves, to a certain degree. Perhaps if we had been silent, had quietly enjoyed our little space of peace, the reaction would not have come. But we couldn't. We had proven it was not necessary to exist as animals, and we wanted to share this revelation for the benefit of the many thousands trapped in the quagmire elsewhere. The truth is we felt like we had done something demonstrably good. For men whose lives have been defined by everything but good, the desire to take ownership of good is powerful. This last impulse, this claiming to us what was rightfully ours, turned out to be another irritant of considerable weight. Even some of the more progressive staff, who seemed to appreciate the positive direction events had taken, could not accept that the bulk of the changes were on account of us—that our efforts, primarily, had re-

sulted in this good turn. They were offended, their feelings hurt, perhaps. But the department's administrators were livid at our audacity. How could prisoners have done anything good? This was an outrageous usurpation. If anything good had happened, which they mostly now insisted had not, it was solely on account of their decisions and their superior knowledge. In the final analysis, the Honor Program was denigrated as little more than mollicoddling, at best, and perhaps nothing more than a sham behind which a slew of gang-banging, drug dealing regular (read bad) inmates were hiding.

Once the gloves came off, and with a resounding slap on the concrete table they did come off, the next few years devolved into a series of political battles between the movement we created and led, and the big bosses in the state capitol. Reports favoring the program aired on television and appeared in print. A bill passed in the state legislature that would have mandated the program only to be vetoed by the governor at the insistence of the department. All the while, as we did all we could to hold our place, the undermining went on. The best staff, the ones who had been willing to support this better way, were transferred or otherwise penalized. The standards we had set up to create a workable population were deliberately ignored as the yard collapsed closer to the violence and degeneracy of a normal yard.

The past couple of years we have spent coming on to half our time on lockdown, although, thus far, the issues have been manufactured. We still have held off the worst of our own idiocy, though it grows stronger every day. The yard is now three distinct groups: we who started this and struggle to keep it alive, a growing group of blockheads and tattooed faces who work mindlessly to end it, and a final group of mental health cases who wander around like human I.E.D.'s waiting to explode at the most inconvenient of moments. It is a true shame, and it is very deliberate and purposeful what has been done.

Regardless of the ultimate fate of this particular corner of the concrete and razor wire empire, whether we are able to pull yet an-

other rabbit out of our state-issued hats and stave off the end, we proved that prison doesn't need to be the wasteful, destructive monstrosity it has become. It is not a foregone conclusion that prisoners must descend into tribal primitivism and atavistic violence. We also proved that most prisoners want to be productive, contributing members of society. If only the impotent rage against the daily degradations of prison life can be lessened by the creation of a semblance of peace and respect, the average prisoner can focus on recreating himself, on disabusing his previously held notions of who or what he is supposed to be. We proved this life does not necessarily need to be a pointless, meaningless experience in futility.

What with all the millions of words spewed and the boatloads of ink splattered on forests of paper seeking to convince the average citizen of the great waste of time it is to seek rehabilitation, and the far greater need to exact many pounds of flesh, a logical response to all of this is, Why should I care? The simple answer is found at the front gate of every prison in the form of the angry mass of ill-clothed, destitute men pouring out every day. Men who have lived a Hobbesian nightmare without a moment's break. No substance abuse treatment, no mental health care, no education of any kind, and no meaningful attachments in the communities to which they are headed, which all translates to without any real hope of success. These men will be your neighbors. These men, out of an endless battlefield of shame and rage, will be walking down your streets.

Contrast that daily dose of poison with a man who has lived a life of peaceful reflection and service, who has been able to receive the treatments and skills needed to reenter the community prepared to participate. It is not a question of whether this man deserved to be helped or not—it is a question of societal self-interest. Building up the fallen is worthy even beyond the ethical issues of a just society. It is worthy from the pragmatic perspective of the American sense of doing what works because it works, because it achieves the results we all want to achieve. No matter how emotionally satisfying it may be to pursue the twisted ideal of revenge, in practice what falls off that

dead tree is indigestible. To quote the maxim of the moment, the approach needs to be smart on crime. The smartest thing is to apprehend the offender, seek a just and appropriate penalty, and then set to work making the chance for rehabilitation more than a slogan or a mirage obscured by the glare of idiotic policies. The program we created, that we have fought the good fight for, is that real chance.

We have, finally, proven another fact of this world. It is a terrible fact that ought to engender a great uprising of disgust and outcries for immediate reform. The people who manage the prison system, largely, have no desire to rehabilitate prisoners. Worse, they see rehabilitation as a threat to their livelihoods. All the pious talk of protecting the public and salving the wounds of crime victims is nothing more than public relations spin. The experience of this program's fight for survival is stark testimony to this truth that needs no embellishment. If change is going to come—and come it most certainly must—this truth needs to be addressed, first.