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# Supermax Prisons in the Consciousness of Prisoners

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Prison administrators claim that supermax prisons are essential tools in the management of unruly prisoners and that these facilities act as a deterrent to prisoners contemplating violence. Pelican Bay, known in prison jargon as "Up North," is California's supermax prison. This article states that not only does Pelican Bay not deter, it has created a new standard of toughness, an upper class of prisoners whose survival at Pelican Bay affords them high status. This status allows them great influence on daily events in the prison. Instead of isolating the most negative elements, the supermax has simply raised the bar on toughness. California now has a new breed of prisoners who have survived the trial by fire and are afraid of nothing. Suggestions are offered to ease the conversation away from the supermax and toward programs that might actually work on the ground. Ask the prisoners what they think will work. Include prisoners in designing and implementing smarter programs.

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The supermax, a place of indescribable isolation and removal from even the rudimentary society of prison, resides as a constant presence in the minds of prisoners; it is a specter of doom, but also a place of fascination wherein men are tested to the limits of their capacities. An analysis of the effect of the supermax prison on the consciousness of prisoners must begin with an acknowledgment that prisoners have a consciousness out of synch with that of the common man. It is, perhaps, politically incorrect to state this so blatantly, but I make this assertion from the position of serving 27 continuous years in maximum-security prisons for murder, in the largest prison system in the country, and as a leader for reform and restoration.

In the past, prior to the advent of the supermax, a trip to the hole was dismissed as "just another part of the jail." It was, as the U.S. Supreme Court so ineloquently and harshly stated, an expected part of the prison experience

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(see *Hewitt v. Helms*, 1983). The hole was in a building off to the side of the yard, separated by some fences and a psychic distance, but still a part of the life of the prison. All that has changed now, and the effects, primarily to the consciousness of the prisoner population, have been profound and deleterious, without exception.

### Before the Supermax

Prior to the advent of the modern supermax, each prison had its own hole. San Quentin had the infamous "AC," the Adjustment Center, from which George Jackson's ill-fated revolution sprang and sputtered out. Folsom had "4-A," less prosaic and in the stark gray tradition of "The Pit," a hole of little distinction and vast amounts of man-years misspent. Soledad's "O-Wing" and Deuel Vocational Institution's "K-Wing" were among the other more well-known holes in California. The common factor was a simplified program consisting of little more than time in a cell and small yards. The difference was in the men, in the qualities and competencies of the denizens of these pressure cookers. There was a kind of esprit de corps, a sense that prisoners had been made greater as a result of their experience within the hole.

The problem, from the perspective of prison managers, was that these men also tended to be more recalcitrant than the average prisoner, and often were viewed as leaders of the resistance, as it were. It became a rite of passage, a concrete and iron Vision Quest during which prisoners acquired a status held in much esteem. Suffering has been viewed as a test of manhood throughout history and in most all cultures; prisoners view the sufferings of more severe punishment as campaign badges.

In 1986, New Folsom opened, across a wide expanse of open field and a century of industrial progress, and the harder core of Old Folsom were transferred into the new unitized construction. The prison system assumed this would be sufficient to neutralize the influence of prison gangs and prison codes, but it proved too porous. Prisoners came and went, and the leadership continued its ability to direct traffic. In 1988, one of the three facilities of New Folsom was turned into "Bedrock," so-called because of the removal of all metal from the cells, replaced by concrete fixtures. The theory, promulgated by certain professionals and much of the actual practitioners of the correctional sciences, held that by depriving men of everything they valued they would abandon their wicked ways and fall into line. Like every other punitive, purely negative-reinforced policy, this one failed. Instead, most of the prisoners were transformed, hardened and tempered by the experience:

They became leaders. Others were also transformed, but into diminished caricatures of their former selves: They became mad.

The guards were also affected by these policies. To enforce the new edicts required a much more hostile posture of the guards than had previously been the case. Another of the misapprehensions of prison culture by the professional class deals with this phenomenon—the older guard cadre was more brutal, to be sure, but they were also far more willing to see prisoners as fellow humans. The new, better trained and compensated guards do not, in large measure, see us as fellow humans. The rhetoric of the mass media and politicians demagoguing criminals has permeated their consciousness. This has allowed the guards to implement the grotesque policies of the supermax prison.

### California's Supermax Experience

In 1989, Pelican Bay opened in the farthest northern corner of California, more than 14 hours from Los Angeles, from which the largest percentage of prisoners come. "The Bay," as it almost immediately came to be known, consists of three facilities. Two are maximum-security general population; one is the Security Housing Unit—the supermax. The general population units quickly devolved into the mad racial violence common to this prison system, culminating in large riots in the '90s. Guards were convicted of setting up child molesters for attacks and trafficking drugs, among other equally notorious things. It is no coincidence that these two max units cascaded into ferocious, and unprecedented, violence and rampant corruption in the gravity well of the supermax's influence.

In 1998, after years of wild rumors and bizarre tales of abuses positively medieval in character, a federal court in California issued the first of a series of injunctions and remedial orders against the supermax unit at Pelican Bay. The court found true many of the allegations made by prisoners and their allies; the prison system and its allies had dismissed these same allegations as so much bunkum (see *Madrid v. Gomez*, 1995).

The salient facts are well-known: murder, some of which may be orchestrated by staff and much of which was more of the intertribal violence that poisons California's prisons; medical neglect and malfeasance; mental health outrages beyond the pale of acceptability; and, more to the point of this essay, the further inculcation of gangs and other disruptive groups. The explicit rationale for Pelican Bay was the isolation of certain "worst of the worst" characters to squash negative groupings out of existence. Those of us who knew better always assumed The Bay would actually result in the creation

of an upper class of prisoners whose experience would afford them a special status. I recall the words of one of the leaders who ended up there, spoken to me many years ago at Old Folsom. The administration had announced the loss of some privilege. I noticed this fellow was not the least upset. "You can't sharpen a knife on a blanket," he told me.

The supermax is the ultimate whetstone of human behavior, sharpening those who survive its rigors and deprivations to a keen edge. The only behavior it seems to actually deter is that which could result in the successful transition from prison to free society. The supermax mindset spreading out from Pelican Bay has worked its way through the system. Those prisoners deemed most eligible to "drive the car," to influence the course of life inside the prison, are those who have passed the far north crucible. This position is held by guards and prisoners alike. After locking thousands into the permanent twilight of the supermax program, lockdowns in the other prisons look less and less like extreme actions and have become a normal part of the lives of all prisoners. Most insidiously, there is now a sense that from "up north" comes a kind of holy writ to which all must kowtow. Instead of isolating the most negative elements, the supermax has elevated their status and extended their reach into the minds and hearts of more prisoners.

For a whole panoply of reasons not germane to this piece, California's prisons are packed far beyond their designed capacity. Consequently, the numbers of prisoners being placed into administrative segregation has also risen dramatically. The prison system has responded by building new supermax style units at all of the maximum-securities and some the mediums, as well. Like toxic concrete mushrooms they are springing up throughout the state. The system has elected to bring up a little piece of Pelican Bay to the rest of the prisons. In a telling development, the monitors appointed by another federal court to enforce minimum standards for mental health care, have barred the placement of any prisoners with known mental health issues in these new units (see *Coleman v. Wilson*, 1996). I cannot imagine a more damning bit of evidence to present, no matter the art of its presentation.

### The World According to Prison

Prison, as every serious study has shown, is a world unto itself while remaining anchored to the wilder, free world. It has unique issues along with many of the common problems found in any poor, crowded city. Crime is widespread, and the police are seen as an occupying force. Gangs are everywhere a source of great consternation. Health care is substandard, and the

denizens of this "city" tend to suffer disproportionately the ills of poverty and stress. Violence is so much a part of reality that absence of it for any extended length of time feels unnatural. So it is a city, of a sort, the prison. It is a city unlike the free world, too.

Too often, prisoners are viewed, by even the most well-intentioned of experts and other professionals, as a class of humans ripe for experimentation, akin to exotic livestock, but without the passionate celebrity protectors. Whole books are written about prisoners and prisons that force one to wonder if the author ever spoke to a single prisoner. Theories are developed and put into practice that have little more practical validity than the Auburn System. Prisoners may be, in fact, the only adult, conscious, fully sentient human beings who are assumed to be incapable of making any decisions about their own lives.

The rise of the supermax prison and the concomitant rise of the prison culture associated with this phenomenon is a perfect example of how poorly understood prisoners are. The conceit that held construction of enormously expensive, isolated, postmodern Alcatrazes would have a salubrious effect on anything or anyone evinces this fatal misunderstanding of prison culture and prisoners dead-on.

Prison is a great compressor of experience, and intensifier of the human condition for good or ill: mostly ill. The supermax is, likewise, an intensifier, but by another order of magnitude. The hard prisoner who enters emerges harder still. The mentally unbalanced, after a stint, leave all the more unbalanced. The guards are not unaffected, either. At the California Correctional Institution at Tehachapi (a maximum-security prison), there was a time limit on how long a guard could work in the Security Housing Unit, a sort of mini supermax based, loosely, on the supermax model. The experience for the guards was also intensified, again mostly for ill. The examples out of Pelican Bay, horror stories not far removed from Abu Ghraib, demonstrate the truth of power unchecked in the prison world.

None of this is new. Philip Zimbardo's experiments at Stanford in the '70s explained to the professional community a truth prisoners have always known—the prison world is inherently damaging. The roles assigned to the players, prisoner and guard, work a noxious brew into the psyche of all. The virulence of the supermax's impact is felt up and down the line of the prison system, and the reliance on this form of hypercontrol bespeaks loudly the fundamental failure of the control/restraint model of correctional management.

Prisons are cities, of a kind. The goddess of the modern city, Athena, bringer of science and the arts, built the model for distinguishing what sets the great city apart from the towns of anonymity surrounding. For the prison city,

the goddess is of a less exalted standing in the pantheon; Melpomene, the muse of tragedy, rules these lives. The supermax would be her seat of power, her home base.

### Conclusion 1: As It Is

One thing can be said of the managers and administrators of the country's prison systems: they never met a stick too big or too awful to swing at prisoners. The supermax is just the newest "big stick" to be utilized. (Of course, a fair reading of the history of corrections in America, from the copper mine in Connecticut, to the monstrous schemes of so-called reformers in the 19th and 20th centuries, to Red Hannah, to Alcatraz, right up to Pelican Bay, militates against calling this a "new" development.) The resort to overwhelming levels of force to manage the prisons is the sad hallmark of our corrections, yesterday and today.

This stems, I suspect, from a barely sublimated desire to stone and otherwise vent our violent desire for revenge on those who harm us. Unlike the rest of the advanced societies, it seems beyond our national character to contemplate ideas like restorative justice and reconciliation. We look askance at those other nations that practice this "soft" justice. Where is the suffering? Where is the obvious (and satisfying) infliction of pain? Our system of justice, for all its pretensions to high-minded ideals, boils down to paybacks. A prisoner can easily understand this mentality; prison operates on the payback model of justice, both officially and unofficially among these men.

The supermax is severe payback for those who disrupt the system. In addition to those who may have earned a bid, there are also many whose presence is the result of filing one too many grievance or lawsuit, or who wrote too disparagingly of the prison system, or who suffer from some seriously irritating mental illness. Worst of all, perhaps, are those who simply were caught up in the everyday madness and chaos of prison life; the all too predictable result of punitive, retributive policies enforced too often, in too many prisons. The supermax is the biggest stick, but like all the sticks before it, it has failed. Witness the Federal Bureau of Prisons' efforts to secure the death penalty (the ultimate stick) for various long-term supermax prisoners because of their alleged complicity in prison violence and disruption. In the final analysis, written by some future observer of our time, I am confident the supermax will be viewed as yet another tragic episode of American corrections.

## Conclusion 2: As It Should Be

Alternatives to the control/restraint model of corrections do exist, notwithstanding the on-the-ground realities of most of our correctional systems. That restorative, rehabilitative programs actually work, although a shock to the general public mesmerized by negative propaganda, should not surprise the professional class: They do. The problem has not been the failure of the programs but a failure to implement them during the past two decades of "get tough" rhetoric. Those of us imprisoned have never quite understood the tenuous connection between cracking down on crime, something we too can sometimes see the need for, and turning the screws on prisoners. The only marginally cogent rationale proffered, that making incarceration such a terrible experience fewer prisoners would reoffend, has been soundly debunked by California's nation-leading recidivism rate of around 70%. A full generation of worsening conditions and the elimination of most program options did not deter parolees from returning for another round of punitive deterrence.

The latest slogan to catch political fancy is "smart on crime," distinguished as not being wasteful and ineffective. Thus far, it seems to actually mean talk about rehabilitation and considering alternatives to naked retribution. It is a long overdue conversation, to be sure, but to prevent another series of ill-fated "reforms," prisoners must be included in designing and implementing the smarter programs to come.

Utilizing the same very successful modality employed by 12-step groups—specifically the valuation and respect for direct experience as opposed to a complete reliance on professionalism—I am certain real success stories can be written. Prisoners can, and often have a great desire to, create and put into place programs based on their own direct experience of prison and criminality. I have personally participated in well-meaning programs that were not connected to the realities of my life in any fashion I could discern. Oftentimes, I have been insulted, confused, and amused, sometimes by the very same program. Rarely have I felt like the designer of the course or seminar had even a clue what it is really like to serve prison time.

With all due respect to the professional class, of whom I know within which lies tremendous talent and usefulness, this latest small window of opportunity to bring humane reform to the prisons must be based, in large measure, on the life experiences and hard-won understanding of prisoners. Absent this, I fear another generation of failed policies and great slogans. Any prisoner worth his salt could have predicted the ugly cloud emanating

from the supermax concept. The supermax prison will ultimately prove to be another stick whose utility ultimately diminishes over time, that serves mostly to pull the bar of what is considered acceptable lower, and opens the system for still more failure.

Aristotle wrote that "he who is unable to live in society, or who has no need because he is sufficient for himself, must either be a beast or a god." Prisoners confined to supermax units are transformed into something other than normal. Whether this results in beast or god is unclear, but it is, clearly, a potent and dark force. For the rest of the prisoner population, the supermax has invaded our inner world, introducing a new level of separation and hostility, creating and nurturing a tough resistance to positive change. The supermax has succeeded only in this coarsening of our consciousness, a sordid feat, at best.

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