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From Corrections to College: The Value of a Convict's Voice

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Abstract: *The rise in mass incarceration has been accompanied by an abandonment of first-hand, in-depth accounts of crime and incarceration. Too few criminologists have stepped foot inside a prison, let alone served time within its walls. Situated within a growing movement of convict criminology, this article provides a first-hand account of the abuse convicts often experience in the home, the streets, and later in prison. Breaking from the traditional scholarly format, this autobiographical article not only highlights the importance of a convict's voice, but also calls on criminologists to move beyond official data sources and crime reports to a more in-depth exploration of complex lives of the incarcerated and formerly incarcerated.*

Keywords: convict criminology; incarceration; corrections; prison industrial complex

The era of mass incarceration has given birth to what has been titled the New School of Convict Criminology, a revolution in critical criminology that privileges the voice of the incarcerated and formerly incarcerated (Ross and Richards 2003; Jones, Ross, Richards, and Murphy 2009). To the shock of the general public and the amazement of some mainstream criminologists, the formally convicted offender, who has gone on from prison to complete a higher degree, typically a doctorate, has increasingly joined the ranks of academia and is fighting to gain a significant voice in criminology and penal policy. Ironically, at a time when 2.3 million people are locked behind bars, there has been a conspicuous absence of first-hand accounts of prison life in the criminal justice literature (Wacquant 2002). Labeling theorist Howard Becker long ago warned that much of criminal justice literature fails to provide in-depth accounts of the daily lives and thoughts of those who carry the label of "criminal" (Becker 1963). Although there have been several ethnographies of and by offenders (see for example, Cromwell 2009; Rewtigg 1999; Canada 1996),

and classic ethnographies and prison commentaries have been written by ex-convicts (Irwin 1970; 1985; McCleary 1978), nearly 50 years after Becker's call for more in-depth, first-hand accounts of crime and criminal justice institutions, this charge remains largely unanswered. Despite the steady growth of convict criminology, most research continues to be plagued by what Polsky (1969) called "courthouse sociology," a methodological approach confined to analyses of official data sets and crime reports. As a result, few researchers venture outside their air-conditioned university offices into the social worlds of those they are attempting to study (Richards and Ross 2003; although important exceptions include Richard Wright and Scott Decker 1996; 1997; Jody Miller 2001; Jeff Ferrell 1996; 2006, among others).

Coming on the heels of over a decade of convict criminology (Irwin 1970; Terry 1997; Richards and Ross 2003; Jones et al. 2009), this article provides a first-hand account of "doing time" on the streets of California, behind the bars of the California Department of Corrections, and later within the halls of community

college. The article is unconventional in that it is autobiographical and intentionally breaks free from the veneer of “objectivity” that characterizes much of conventional criminology. As anyone who has served time in the prison knows, there are no “objective” observers within the prison industrial complex. Everyone, from guards to convicts to researchers, has their own particular standpoint. Far too often, researchers hide behind the illusion of “objectivity” but lack a solid understanding of the lives of the people who have served time behind bars. They have never felt the human degradation that comes with incarceration: the endless strip searches, the brutal monotony, and the continual physical and mental abuse. As Ross and Richards lament, “there is something wrong when criminology/criminal justice research is...conducted by academics or consultants who have had minimal contact with the criminal justice system, or by former employees of the law enforcement establishment (Ross and Richards 2003:1). Given this, much of what has passed for “objective” research has been plagued by the unexplored privileges of criminologists, who live dramatically different and often, segregated lives from those they attempt to study and understand (Jones et al. 2009:157-158). If criminologists are serious about the study of criminal justice institutions, they must take seriously the call of convict criminologists to move beyond an overreliance on official data sets and dive into the social world of the prison. Before sharing my own position on this, it would be valuable to briefly consider the concerns and contributions of other convict criminologists.

WHAT IS CONVICT CRIMINOLOGY?

In their recent review of the last 10 years of “Convict Criminology,” Richard S. Jones, Jeffrey Ian Ross, Stephen C. Richards, and Daniel S. Murphy (2009; see also Richards, Newbold, and Ross 2009), identify ten central issues that concern members of this School. These are:

1. “How the problem of crime is defined” (Jones et al. 2009:152), especially whose behavior is subject to incarceration and whose is not, with concern for the hypocrisy that disproportionately incarcerates poor white and ethnic or racial groups relative to “the monumental crimes against property, the environment, and humanity that are committed by corporations and governments [that] still go largely unprosecuted and unpunished” (Richards et al. 2009:356);
2. “The experience of prisoners and ex-cons” (Jones et al. 2009:152), documented through “direct observation and real-life experience in understanding different processes, procedures and institutional settings,” particularly the dehumanization and brutality of inmates at the hands of the guards resulting “in high levels of

intimidation, serious assault, and sexual predation,” the “bad food, old uniforms, lack of heat in the winter or air conditioning in the summer,” and the destructive surveillance and control practice of “snitching” that exacerbates institutional violence (Richards et al. 2009:362);

3. The policy solutions to crime that are proposed and implemented; for example, laws resulting in “extraordinarily long sentences” for petty offenses, “complemented by the imposition of long parole periods after release, with strict conditions, rigorous monitoring, and hair trigger violation components” whereby “released prisoners may be summarily returned to prison for supervision rule violations” (Richards et al. 2009:361);
4. “The devastating impacts of those decisions on the men and women ‘labeled’ criminals who are locked in correctional facilities, separated from loved ones, and prevented from fully reintegrating into the community” (Jones et al. 2009:152); this is “a carceral environment that...produces social cripples whose return to a felonious lifestyle and further incarceration is virtually ensured” (Richards et al. 2009:360-361);
5. The destructive impact of the prison sentences on family, friends, and community who are, by virtue of the imprisonment, also vicariously sentenced;
6. “Record high rates of incarceration” leading to “overcrowding of penal institutions” (Jones et al. 2009:152) in “large-scale penitentiaries and reformatories where prisoners are warehoused in massive cellblocks” instead of recognizing the value of “a reduced prison population housed in smaller institutions...of single-celled units of no more than 60” (Richards et al. 2009:362);
7. “Lack of meaningful programming inside and outside the prison” (Jones et al. 2009:152) with reduced vocational and educational programs, an inadequate system of paid jobs, no advanced vocational training, higher educational opportunities or family skills development, all of which need to be reinstated at sufficient levels to serve many inmates (Richards et al. 2009:362);
8. “Structural impediments to successful reentry that results in a revolving-door criminal justice system” (Jones et al. 2009:152), including inadequate “gate money,” unsuitable clothing for employment, no identification cards and papers, and out of date institutional medical records (Richards et al. 2009:362);
9. The misrepresentation of crime, prisoners, and prison life “by scholars, the media and the government” (Jones et al. 2009:153) that contributes to discrimination in searching for or maintaining employment and in the possibility provided convict criminologists to be interviewed by the media as a

way of “dispelling popular myths about criminals” Richards et al. 2009:360);

10. Providing effective, low-cost, humane alternative strategies to prison, including peacemaking and restorative justice approaches to harm reduction and conflict.

(Derived from: Jones et al. 2009; Richards et al. 2009)

In their historical review and assessment of the field, Jones, Richards, Ross and colleagues point out that because of their first-hand intense experience of being incarcerated and because of their academic training, convict criminologists are in a unique position to meaningfully analyze their own situation and that of the incarcerated in relation to social institutions and the wider system: “The convict scholars are able to do what many previous scholars are unable to do: merge their past with their present and provide a provocative approach to their field” (Jones et al. 2009:153). Convict criminology “conceptualizes these micro activities as being embedded in the larger political economy and as a reflection of it” (Jones et al. 2009:156). Convict criminologists can conduct effective ethnographic research work with offenders precisely because they can pass as members, speak the language, and enter the meaningful worlds of those they study and of which they were a part.

FROM CORRECTIONS TO COLLEGE

In 2008, I (Martin Leyva) started the Transitions Program at Santa Barbara City College, which helps parolees, probationers, and former addicts reintegrate into society through therapy and education. Working with my peers, I found that childhood traumas have numbed us to the world. Many of us have been trained since childhood to enter prison; not simply a physical cage, but also a mental, emotional, and spiritual confinement. I had been training for this my entire life but didn't know it. The following is my story, my life, and it's a story that can't be caged in by criminologists, who often reduce me to crime statistics, or by policy makers, who claim I am a “repeat offender,” or by the police, who see me as a “career criminal” and who continue to harass me, waiting for the opportunity to put me back in the cage. In telling my story, I hope to expose the many contradictions of the criminal injustice system, a system that mirrors the abuse many convicts experienced in the home, an abuse that led many to commit crime in the first place.

The End of Childhood

Can you imagine how I feel—to be treated as a little boy and not as a man? And when I was a little boy, I was treated as a man—and can you imagine what that does to a boy? ... The state-

raised convict's conception of manhood...is a fanatically defiant and alienated individual who cannot imagine what forgiveness is, or mercy or tolerance, because he has no experience of such values. (Abbott 1981:14)

When I walked in the room, I should have been shocked, but I wasn't. Standing in that room, I watched the only positive male role-model I had with a rubber strap around his arm, his sleeve rolled up and veins pulsating. He should have told me to leave, but instead, he gave me advice I would never forget: “do the drug mijo, don't let the drug do you.” He was my uncle, a man that spent most of his life in jail and prison. I admired him so much that I eventually became him.

Every time he disappeared, I knew years would pass by before I would see him again. When I was six, my mother took me to see him in the California Institution for Men in Chino, California, and I knew it was prison. The guards were walking around with their nightsticks and the tower target shooters sitting high up above us. When I was little, I used to think they were in heaven, they were so high up. I learned the truth years later when I eventually served time in the same institution. They were high up there too, but I could still throw a Molotov cocktail at them, if needed.

I learned so much from my uncle just by watching him. I learned to keep my mouth shut when people asked unwanted questions. I knew what I could say and what I couldn't. I learned that violence was sometimes necessary. When my uncle beat my neighbor for snitching to the police, I learned the consequences of being a rat. Back then, watching my uncle beat my neighbor was the coolest thing I had ever witnessed. I saw my neighbor lying on the ground, half dead, because he broke the code. At an early age, I learned how to protect myself from snitches that betray the by-laws of the “culture,” a culture that I came to love. But my uncle wasn't the only teacher. As a child, I learned how to lie, steal, and cheat. I learned how to keep secrets both at home and on the streets. My uncle didn't intend for me to learn these lessons, but I learned them anyway. Like many of the other youngsters in my hood, we learned by watching the older men. They didn't understand that we were sponges that absorbed everything that came our way. I admired everything about my uncles and their friends: their walk, their talk, and all the respect that they had in the neighborhood.

I also learned a lot from the violence in my house. My step-father was an alcoholic. He wasn't just a drunk; he was a violent raging drunk. He regularly beat my mom and yelled at my sisters and me. When he was “teaching my mom a lesson,” I would run to her rescue and jump on his back, only to be thrown across the room. As if that wasn't enough, he yelled and ridiculed me for being weak. Watching my stepfather, I learned how to hate. I learned how to hate those who abused women and children,

another trait that would come in handy when I eventually went to prison. My stepfather used to say, "So you want to be a man?" and at the young age of six, I would answer back, "I am a man!" I was never a boy, and he treated me like a man. He challenged me to act like a man, walk, talk and fight like a man. This was my life, but it wasn't just me; there were a lot of us.

Growing up, the neighborhood kids and I would play by the creek. There was always one of us too afraid to go home, too scared to face the inevitable abuse. Maybe that's the darkness in the eyes of the many people in prison. Darkness created from years and years of abuse and secrets that haunt us. We're all victims of our environments, and because of it, many of us suffer from a lot of trauma that goes unspoken. It exists in the lives of the many that grow up in ghetto neighborhoods where we are forced to be men and never allowed to be boys. In the end, my childhood prepared me for the streets and later, life in a prison.

The Life: Doing Time on the Streets

Growing up on the streets, I learned whom I could trust. The police and city officials, who were supposed to serve and protect, did the opposite. They devastated my community and brought our hatred of them to a boil. I remember when the police were called to my house to respond to a domestic dispute but they only walked away, leaving behind my crying mother, who was scared for her life. The "pigs" looked at me, at the young age of seven, like I was nothing; a waste of their time. I wondered, am I less of a human? Don't I deserve the same respect that the kids down the street in the "better" neighborhoods get? But life was different on my side of town. The police arrested us but never protected us. The sad thing is that many of us internalized these subtle messages. Still until this day, I can't help but despise the biggest gang of them all, law enforcement, and the feeling is mutual.

By the time I hit the age of 10, I was equipped with the tools to survive in my own home and neighborhood. I was imprisoned, emotionally, mentally, and physically. I was numbed to my feelings and emotions so early in life that committing crimes became easy. I learned not to care for others at all. I didn't care what they felt or thought; it was a learned behavior that if you didn't support me, I was against you. I looked at those who weren't part of my life as nothing. I didn't care. I only cared about the life that was taught to me. These feelings would haunt me for years.

I remember one day, I was sitting at home, relaxing and flipping through the TV channels. I'd just got out of prison where I'd served one year on a parole violation. The phone rang, and it was a good homeboy. He told me about a guy he didn't like on the other side of town and said he wanted to "jack" his ride. Having just been released from prison, most would think that I should say no and try to talk him out of it. But I couldn't. I was knee-deep in my

criminal career, and "no" was not an option. I rose from my couch like I was superman donning his cape. I grabbed my long sleeve black shirt, my facemask beanie, and my 9mm handgun. I asked my friend if he wanted me to jack the guy, or if he was going to do it. He said he would, so naturally, I was going to drive. As I cruised over to pick up my homeboy, I loaded my clip. It was a way of life for me, driving and loading. I put the gun under my seat, within reaching distance, just in case. I picked up my partner, and we were off. My homeboy told me the details: who, what, when, where and why. And yes, there was always a reason why. Right or wrong, I had no choice but to help him. We sat across the street, in my car, waiting patiently. The guy's car was in the grocery store parking lot where he worked. We could see the doors to the store, and we waited for him to leave his shift. My homeboy did his homework.

With our facemask beanies on our heads, waiting to be pulled down, we sat and talked shit to each other. It's what we did. Suddenly, the "enemy" walked out the doors. We crept into the parking lot, turned the headlights off, rolled down our masks, and inched closer to his car. The timing couldn't have been better; we had done this before. I put my passenger car door close to the victim's car, my buddy jumped out, and we both pointed our 9mm handguns at him. The 9mm was the weapon of cheap choice, win or lose; it was the right gun for every occasion. The guy knew the game; he quickly put his hands up and moved backward. I could see, smell, and taste his fear; it was the same fear I had when my drunken father was chasing me. He tossed my homie the keys without even being told, and my homeboy jumped into his car. My buddy fired up the car and was off. I told the guy not to move, keep his face down, and that if he reported my vehicle, I would be back; it wasn't like the car had the right license plates anyway. I drove off, hearing my open passenger door slam shut from the momentum of the gas pedal. My homeboy was right on time, waiting for me curbside at the drop-off site. We always planned out the drop-off and pick-up spot, never leaving room for error. I didn't want to go back to prison. Not for this. We went back to my friend's house, jumped in his car, and drove to the scene of the crime, parking in the gas station across the street. Not feeling a bit of remorse, we smoked cigarettes and drank tall fountain sodas, because alcohol wasn't cool when you're driving. We watched the cops, detectives, and news reporters do their thing.

That was our own organized crime ring, jacking cars, mini-stores, and innocent bystanders, and selling the merchandise to whoever would pay. We sold guns and other weapons to those who were not afraid to use them. I actually later sold a gun to the same guy we car jacked. He told me the reason he was buying the gun was because he got car jacked. Nice! I even had to show him how to load the thing.

Are there people out there who would like to be me? Are there people who fantasize about living a crazy and unpredictable life? Of course, but many can't, nor will they ever, live that life, because they fear the consequences. So, there are companies like Rock-star Games, the makers of Grand Theft Auto; a game that allows the player to live the romanticized life of crime and of violence. But this game doesn't come with "feelings," and it certainly doesn't come with consequences and death. These are the things that "criminals" gamble with when we play the game of real crime.

We live a life that can be played in a videogame, but the main ingredient is missing: feeling. In a perverse way, the media has put "criminals" on a pedestal to be simultaneously feared and worshipped. Out of curiosity, I played my little nephew's game, Grand Theft Auto 4. It was all there, the talk, the walk, and ways of gaining respect and street power, that ever-elusive power that many young gang members die trying to reach. It's a way of life for many, and there is no winning in the end. While our society glamorizes crime through video games, music, and news stories, a lot of people turn a profit. The video game makers increase their market share. The police pad their budgets with a society that is far too willing to pay for the perception of safety. Politicians secure elections by pawning "criminals" as "super-predators," and academic researchers receive government funding for research that guarantees their promotion. In the end, it's us on the bottom, the so-called "criminals," who pay the price with our lives caged by draconian prison sentences—sentences handed down by district attorneys, who have become the new and improved judges.

Prison Life: The Abuse Never Stops

Not too long ago, I was at the parole office for my monthly parole meeting. I noticed the similarities between my peers and me. I quickly checked the faces that I haven't seen before. I noticed the neatness in their style and middle/index finger grip on their smoke. It's a trait that can be spotted in any town or city. I noticed the darkness in their eyes, a darkness that tells their history. The darker the eye, the deeper the story, and I'm not just talking about time in prison. I am talking about mental, physical, and emotional abuse that so many of my peers have experienced, all of which guarantees their return to prison. As I sat in the parole office, I couldn't help but think of the injustice of it all. California would rather spend more than \$50,000 a year to keep us behind bars, many for petty crimes and parole violations, than provide the mental and emotional therapy that so many of us desperately need. While drug charges carry mandatory minimums and fill our prison system, there are few intensive treatment programs. This is a fundamental fact missing from the stories mainstream criminologists tell about us; though it is a main theme of the story critical

criminologists painfully point out (Austin, Clear, Duster, et al. 2008). Many paint us as predators, as victimizers, and while many of us did commit crimes, there were far more crimes committed against us before we decided to live this life, none of which is ever taken into consideration during court proceedings.

There are many reasons why we commit crimes and get sent to prison. I am not making excuses, but once we become property of the state, it should be the State's responsibility to rehabilitate us so that we become active members of society. It should be a crime not to provide me, the so-called "criminal," with the basics of life: education, therapy, and the simple necessities to survive outside prison. Prison doesn't provide the tools necessary to keep us out of prison. Instead, they provide the opposite and reinforce many of the lessons that I learned growing up. I suspect that they want me to stay numb. Why else would they force me into a cage barely the size of a walk-in closet? It's profitable to keep me in prison. The telephone companies make money off of our collect calls; the prison guards union swells their members and increases their lobbying power. My years in prison have taught me that correctional guards purposely degrade and lower the already non-existing self-esteem of us criminals. Once inside the walls, we cease to be human beings, which makes it far easier for them to corral us from place to place like we're animals.

I remember when I was transferred from Wasco to North Kern State Prison reception because of prison overcrowding. It's no surprise that the California prison system is overcrowded. There are so few services designed to keep us out of prison. When the California Department of Corrections trans-packs us from one prison to another, they begin early in the morning around 2 am. I awoke to a loud kick and screams at my door, "Hey Leyva! Wake up! You're being trans-packed in 20 minutes!" The guards blasted lights from above, and it felt like they burned off my eyelids. I woke up too quickly to take a birdbath in my sink, as my "cellie," as cellmates are called, made us a cup of cold mud (cheap prison coffee). We sat for a few minutes and waited for the pig to escort me to R&R, receive and release. My cellmate told me that it was a pleasure meeting me, and I told him to hang in there. He was new to all the lock-up shit, and I was honored to school the kid and turn him into "a good warrior," willing to take a hit and even become the aggressor if necessary.

In prison, there are many who will take advantage of a young newcomer. Given this, we are forced to join a subculture to survive. It's not only the inmates, but also the correctional system itself that forces us to click up. We have to if we want to survive. My cellmate and I are Native American, and we choose to walk with our people behind prison walls. Behind the walls, there are many subcultures, but we are only allowed one. We are all segregated from the beginning; the guards ask us who we run with and what we claim. If one doesn't know coming

into the system, they quickly learn the hard way. We Indians in prison are few but willing and ready to do what is necessary for our survival.

The pigs came to my door, and by 2:30 am, I am ready to be moved to Delano. Wasco and Delano are a 15-minute drive. If given the chance, I could throw a damn rock from prison to prison.

But the move between prisons was an exercise in torture. First, I was put in a cell with others who were half asleep and already complaining to the pigs about being hungry and tired. It was like being in a maternity ward with nagging babies that can talk. All the surrounding cells were already full, and of course, suffering from the same old song and dance that was happening in my cell. The pigs ignored them. All I wanted was some peace and quiet, but what in the hell was I thinking. I'm in prison. There is never peace, and there is never quiet. As the hours went by, my cell was the last to be transferred. After 15 hours of waiting, I would finally board a bus for Delano at 5 pm. Everybody was pissed. We began to load up; one by one, shackled waist to wrist to ankle, tight and degraded. We were loaded onto the bus with a shotgun wielding pig with trigger-happy tendencies written all over his fat face. Little did I know that our bus would be traveling the opposite direction to Tehachapi to do a drop, followed by a visit to Corcoran State, and then to the Corcoran Secure Housing Unit (SHU), home of the infamous Charles Manson.

When we arrived at Corcoran SHU, a place where the guards were caught staging and betting on gladiator-style fights, one of my peers asked a young man on the bus what he did. The young man said he beat a cop and was serving 15-to-life with his sentence starting in the hole. My peer smiled and responded with, "Well, sometimes, you have to do what you have to do. Keep your head up; we're on your side." We all smiled in solidarity, and he left us for the hole.

Solidarity is what kept many of us alive, and it was another trait learned growing up in the hood. As we left the Corcoran SHU, the pig in the back of the bus with the shotgun yelled, "next stop ladies, paradise." I'm offended; this asshole hiding behind a steel plate holding a shotgun has the audacity to talk shit. Comments like these are an everyday reality, but I have grown used to it. I first experienced it growing up, and I learned early that I would lose if I allowed it to affect me. I grew up a born leader and learned that it is better to never respond in the moment. It's easier to pull a sneak attack on ignorance. Never let them see it affect you, and even more so, never let them see you execute pay back.

Next stop was North Kern State Prison in Delano. It was three in the morning, and after 25 hours of travel, no one is happy. As we lined up, side-by-side, the pig instructed us to strip from our paper jumpsuit and, all together like a sadistic cheerleading squad, we do the piggy shuffle. "Open your mouth let me see you wiggle your tongue. Hands out, wiggle your fingers. Pull your

ears forward! Turn around. Lift your left leg up! Wiggle your toes, right foot, and wiggle your toes! Bend over, spread your butt cheeks, squat and cough. One more time! Louder!" Every time this happened, I felt like screaming, "we do the hokey pokey, and we shake it all about, and that's what it's all about!" Fucking pigs make me sick. We did the hokey pokey before we left Wasco, and now, one more time upon arrival. We never left their sight.

Like soldiers who degrade their enemies in battle, I think the guards like degrading us, because it gives them a sick sense of power. As we're lined up and given our outfits, I glanced to the left and made eye contact with the pig. I violated one of the fundamental rules of slavery, and all hell broke loose. He approached me, and without skipping a beat, he looked me in the eye and gave me a verbal whipping, "What in the fuck are you looking at loser? What in the fuck are you making eye contact with me for, huh? Do you have something to say to me? What's your problem low-life?" He continued for what seemed to be hours, yelling and screaming at me, calling me every name in the book, degrading me in every possible way. If I had been weak, I would have broken down. But he noticed that I didn't flinch or react, which meant he poured it on thicker and thicker. Eventually, he knocked me down and ordered me to a little room with 5 or 6 other goon pigs in tow. In the room, he demanded that I explain why I looked at him. I looked him in the eye and said in a calm and relaxed tone; "it's been a long day and night and I'm tired. I have no excuse. I'm hungry and all I want is a place to rest my head." I didn't apologize; fuck that!

As a child, I had been through all of this before. These experiences were nothing but a reproduction of the abuse I experienced as a child. The state had become my abusive step-father. This is nothing new to me and countless other men and women who are institutionalized and corralled in and out of prison. When that pig was in my face, degrading me, it was no different than my stepfather, standing before me and calling me a worthless piece of shit. It was no different than the feeling of having a teacher or a neighborhood pig tell me that I was stupid and would never amount to anything. In a sense, I have been in training since I was just a baby. My mind has been through worse. But, at least the man who degraded me as a child gave me a fake apology, hug, and told me he loved me. The pig was just a fucking mirror of that earlier man.

Sometimes, I wonder if the world knows just how numb we convicts are to them, just how closed and separated by hate we are from society. And it's the mirror of hate that many young folks feel from society. It's what we learn growing up in poverty. It's what we learn from schools that don't provide the necessary books to educate us. It's what we learn from cops who degrade and harass us. We never learn to ask for help, and even if we did, help is rare. Our parents had to work two to three jobs just to survive. Not just that, some are too fucked up on drugs and

alcohol to care. We raised ourselves in a childhood that never really existed. Asking for help was not an option.

Today, I face this reality daily with the young men and women I mentor. I see my childhood in them. I recall the many times that I thought my childhood wasn't that bad. Then, I see and hear their stories, and it brings up so many suppressed emotions. Reality hits hard. My life is a reoccurrence of tragedy and makes for statistics that are read about in some classroom. Prisons are more than physical. They are deeper than the steel and concrete zoos that supposedly house the worst of the worst. I don't remember the last time I saw the "worst of the worst," but I know they exist. For the most part, prison is just a warehouse for the streets, just so that we feel safer at night when we shut our lights off and tuck our asses into bed. But really, with the 173,000 of my peers in prison in California, do you really feel safe at night knowing that the families we come from are bigger? For every one of us the courts put away, there are many more on the streets without fathers, without mothers, without anyone to love and nurture them. Prison is not the answer to crime. Prison is a crime!

Freedom: A Transition from Prison to College

When I was finally released from prison in 2007, I asked myself over and over how I could stay free from prison? I struggled for answers. I had no idea what I was going to do. With two strikes on my record, it was hard to find work. Even though I paid my debt to society, I would have to report my crimes to the world for the rest of my life. "Have you ever been convicted of a felony?" Yes! The odds are stacked against me with that single question alone; no one would give me the time of day. I am a felon, and I will pay my "debt" for the rest of my life.

Besides being a felon, I'm also a product of my environment. I never learned the basics of life, like asking for help. I never learned to express my emotions or feelings. I thought there was no way that I could survive outside the walls. I was destined to try, fail, and return to my old habits. Nobody in my circle would be surprised, because that is what I did. I was comfortable with failure and letting my loved ones down.

After losing my third job in three months, I was still determined to stay out of prison. I decided to enroll in school. Many of my elders in prison suggested that I return to school and change my life. They didn't want me to end up like "them," but in my mind, I am "them." I didn't feel they were less than me for spending a lifetime in prison. We are one and the same. I was raised with "them," and I have nothing but love and respect for society's worst. In prison, my elders gave me a gift I'll never forget. They taught me about the Inipi (Sweat Lodge), a ceremony that we Indians behind the walls love so much that we are willing to die for it. We hold the Sweat Lodge close to our hearts. It's the only sacred place in prison where we are

allowed to return to Mother Earth and feel safe, secure, and nurtured, like the wombs of our mothers, a re-birth in prison. The Inipi allowed me to survive in prison, and it supported and reinforced my decision to stay out by grounding me in a spiritual belief system that transcended prison walls and my previous life on the streets. It was the only place where I felt safe.

Equipped with the lessons from my elders in prison, I enrolled in community college. I thought I was bound to fail. Failure was normal to me, just like breathing, failure and disappointment came easy. I've learned to degrade myself and hold myself back. I told myself that if I fail at this, the streets would always give me a place to succeed, even if only for a short while. But the teachings of the Inipi taught me that I was stronger than these negative thoughts, and that they could no longer control me and limit my potential.

I didn't know what I was getting myself into when I went back to school. I remembered the books I read in prison, like *Native Heart* by Gabriel Horn and *Why We Can't Wait* by Martin Luther King Jr. A.C. Ross's *Mitakuye Oyasin* taught me about how everything in life is connected. I even read banned books like Joan Moore's *Homeboys, Gangs, Drugs and Prison in the Barrios of Los Angeles*. The Skin that gave me that book warned me not to get caught with it or else the pigs would take it. I cherished those books, because they offered a window into my potential, a pathway to freedom.

Aside from books, it was the lifers who served as the most intellectual and profound teachers that I would ever have. The lessons I learned from lifers and the knowledge I gained from reading books in prison sprang to life when I enrolled in college. After two semesters, I felt alive. I had a drive to feel wanted and understood. It was a new feeling. But I also knew that I didn't know how to act in this new setting. I didn't know how to ask for help, and I didn't know how to accept it when offered. I also found that I lost the ability to speak in public. I was scared. I decided to enroll in Alcohol and Drug Counseling courses (ADC), because I wanted to help my people out, and since my people consist of needles, baggies, liars, and thieves, everything I was, what better field could I get into? But with the ADC classes, I began to dive into my own life and the contradictions that have plagued me since birth. I found that the only place I knew myself, the only place where I was comfortable in my skin, was in prison. Physical or other, prison was where I felt powerful. That wasn't going to work for me; I needed to love myself without the syringes, bottles, and the power one feels through violence. I wanted to look in the mirror and smile for good reasons, not deviant ones riddled with hidden depression and strife. I needed to be there for myself, so I finally sucked it up, and used campus therapy. I discovered myself.

After one of my monthly check-ins at the parole office, I saw that I wasn't alone. Some of my peers that I

saw at the parole office were also attending community college. I saw them on campus. I knew their disposition. I knew their walk, but I wasn't going to ask them about prison. I could see in their eyes that they didn't know how to ask for help either. But I was determined to change that and seek help for all of us. Here we all were, transitioning from a correctional institution to a learning institution. What a scary thing. I wanted my college to see and recognize my peers and me as human beings, not animals locked in cages that were freed for a short time. We weren't just "criminals" to be read about in administration of injustice, sociology and psychology textbooks. We weren't simply statistics to be studied. I wanted the world to know that we are alive and well, ready and willing to learn, share, and speak the truth with confidence. We needed to know that we were worth something. We needed to know that someone understood us. I began a support group. We were the only ones who could understand each other, and we had to free ourselves from hatred taught to us by years of abuse in the household and years of torture in the prison system.

There are things that hold us back from moving forward, and given some direction, we will be productive members in this fucked-up society that I love to hate but yearn to be a part of. After growing up and spending time in prison, I realized that my self-esteem and worth were little to nothing, especially outside the confines of my neighborhood and prison. In prison and in the neighborhood, I was comfortable. I was able to smile and be myself. Why? Because I was understood there; loved and cared for. I was accepted. But I wasn't comfortable in the classroom, which was full of judgmental, close-minded individuals who were taught by the media how to look down on my "type." I had a shaved head, tattoos, baggy pants, and a strut that you see in video games, on television shows like *America Most Wanted*, *Cops*, and every other bullshit *Lockdown* show that justifies the absurdity of the prison industrial complex. It's no wonder why they are scared of me. In their mind, I am an animal that needs to be locked behind a gate. People watch prison shows and news and assume that they are doing us good by voting for stiffer laws (e.g., three-strikes laws) and harsher sentences. In the process, however, citizens are voting to remove fathers, uncles, and sons from society. We're removing mothers, aunts, and daughters from needed families just so that a scared population can sleep at night. Prison is not the solution to insomnia.

I vowed to fight back by creating the Transitions Program and helping young men and women in similar circumstances. One of my goals for the Program was to create a safe environment, so that we could release the tension caused by years of abuse and hurt. We wanted to nurture a place where we could come together and help each other realize that we're not alone in our struggle. We needed to learn the power of our stories and share them with the world. The same stories that I share in this article

are repeated over and over again by my peers. I am certainly not alone. There are 2.3 million of us in cages and millions more on probation and parole. Our stories and struggles need to be heard. These are pain-filled stories that you don't hear about on the television or read about in textbooks that paint us as "criminals," "super-predators," and "thugs." We are grown adults filled with painful childhood trauma covered by fake laughter and smiles.

In the Transitions Program, I like to share that we are only as strong as our struggles, and if we give ourselves the chance to get educated, we will be armed with a mind that no bars can contain. I learned that I am not a bad person. I was just born into a bad situation and I am a survivor worthy of living a decent life. I am worth something, and I'm going to live my life. But I know the struggle continues.

Even while I was writing this article, I was sitting down at a little "panaderia" (Mexican sweet bread) in the little town of Ojai, population 7500. Earlier, when I was walking down to the street, I saw a sheriff's vehicle slow to snail's pace. They eyeballed me and looked me up and down like I was nothing. I strolled past them, and I didn't give them the time of day. I truly don't like them, and it's not just one, it's all of them. My years of experience in the criminal justice system taught me that it's us versus them, and I always win. Even if they give me shit and search me illegally, I win, because they will never find anything. I can't trust or believe any cop. They are nothing to me, and they are dealing with a hardened individual who is numb to their so-called authority. A badge means nothing to me, and they know it. That's why they still harass me. Fuck them. As I continued to work on this article, one, two, and three pigs drive by and scope me out. I laughed. They must really think that they can intimidate me into giving them something; they can't.

Despite the continued harassment by police, I graduated in 2009 with my Certificate in Drug and Alcohol Counseling, and I am currently a mentor for young men on probation. I recently met a 12 year-old young man who was sadly a replica of my childhood. It was strange seeing this reality through new educated eyes. What once looked to me as normal, I now see as an injustice to our cultural survival. I hate to say this, but this young man is prison bound. Twelve years old and addicted to heroin. I'm not going to ask myself what happened; I know what happened, and it's a tragedy that now his young life has more statistical stories than most grown adults. At his young age, the pigs, district attorneys, and judges already look at him as a form of job security, a young man who will travel in and out of the prison system, securing a steady stream of middle class jobs that leech off the poor. It was heart-breaking to see his already little frame strung out and sucked up, his young face, pale and saddened by grief. I remember the look in his eyes. He is already a veteran of the streets and knows how to survive. His walk and the talk was that of a veteran dope fiend. He already

has the ability to disconnect from the world that pretends to care about him. He asks if I missed the feeling of drugs, but he is caught off guard by my one simple statement: "I don't miss that feeling at all mijo."

THE VALUE OF A CONVICT'S VOICE

There are many young lives that mirror my life and the many people I have met during my years in and out of addiction and prison. I hope that by sharing my story, I have added to the growing body of convict criminology by telling a more human story of crime, incarceration, and redemption. Too much is lost in the tales that conventional criminologists tell about "criminals." Confined by official data sets and crime reports, mainstream criminologists often reduce the incarcerated to the mistakes they have made in their lives, their crimes. In the process, they neglect the full complexity of our lives: "In the real world people who work or live with felons are often surprised at the reserve, sensitivity, gentility, and good humor people who may have been convicted in the past of serious crimes...a person is more than the worst thing he or she ever did" (Richards et al. 2009:361). As John Irwin writes, "The general public, most functionaries in the criminal justice system, and many criminologists fail to fully understand and appreciate the viewpoint of the convict and because of this see them as less than human, as inferior or evil deviants" (Irwin 2003:xix). We are not simply "criminals" to be surveyed, categorized. We are not data! We are husbands, fathers, mothers, and daughters. We are human beings struggling to find our way in an era of mass incarceration.

This article joins the call by convict criminologists for mainstream criminologists and policy makers to value the voices of the incarcerated and formerly incarcerated. Although convict narratives are sometimes not written in the conventional scholarly format, they are increasingly important to the literature on criminal justice. However, as the convict criminology literature demonstrates, many published works by the formerly incarcerated are increasingly being published which reflect the synthesis of their social science training and their prison experience: "Although trained as scientists, they do not forget their duty to report what they find and help translate it into policy recommendations" (Richards et al. 2009:360). My short autobiographical tale written in this genre makes three fundamental points that all criminologists and policy makers should take seriously when conducting research on crime and incarceration.

First, convicts aren't simply "criminals" or "offenders," we are also victims of abuse both during childhood and later during our incarceration. As convict criminologists have observed, the language found in scholarly articles often reaffirms and legitimates stereotypical conceptions of incarcerated people, and ultimately serves to justify inhumane treatment at the

hands of the prison industrial complex (Richards 1998; Jones et al. 2009). Terms like "offender" and "criminal" and "good guys" and "bad guys" overshadow that totality of the convict experience and ignore the abuse that many of us experienced in the home, on the streets, and in the prison system, while simultaneously denying the multifaceted human qualities that we possess. For this reason, convict criminologists "avoid referring to people in terms of the crime for which they were convicted as if this were their master status...a component of their identity...a person's crime may indicate very little about him or her"(Richards et al. 2009:361).

Second, as evident in my story, the mass incarceration experiment is bound to fail because prisons often mirror the same abuse that ushered many of us into crime in the first place. My story warns of the futility of spending billions of dollars on a warehouse prison system that fails to offer the necessary rehabilitation programs and often guarantees our return to prison. Prisons are not the solution to crime, but rather they are a crime, or should be thought of as such. The literature on corrections often fails to convey the total degradation and abuse that one feels while incarcerated. This is perhaps because few criminologists have set foot in a prison (Ross and Richards 2003).

Third, convict criminologists have already begun to make valuable contributions to the criminological and policy literature and have been particularly influential in working with critical criminologists interested in prison abolition and in developing "Peacemaking Criminology," which provides restorative justice alternatives to the dehumanizing and alienating prison experience (Pepinsky and Quinney 1991). Although convict criminologists have been challenged, not least by the mixed public perception of the dangerousness of their crime, leading those with drug convictions to be more accepted than those with violence or sexual abuse convictions, many have conducted research on personal transformation, social stigma; have contributed to public policy around prison population reduction, and prisoner re-entry; and some have done this while completing their prison sentences. Their research has led to early release programs and changes in the management of parole violations that lead to further sentences of incarceration (Jones et al. 2009:161-162).

Fourth, my story speaks to the importance of education as providing a pathway to freedom. The Transitions Program at Santa Barbara City College provides an example of what is possible when programs value the lives and experiences of the formerly incarcerated. As more and more convicts become college educated, it is critical for criminologists to recognize the value of a convict's voice. This voice has gone on to make important and productive contributions to their universities and to students, providing mentorship and advising for students who seek them out, especially those who themselves have got into trouble with the law or who have themselves served time; a portion of the 630,000 offenders

released every year find their way to college and can be challenged to succeed with advisers who are able to provide support and hope for the future (Jones et al. 2009:163-164). In addition, convict criminologists have organized courses for the incarcerated while in prison, using student intern instructors.

In short, a criminology that ignores the voice of the convicted criminal is unlikely to change the crisis in corrections that confront the United States in the 21st century; a criminology that incorporates the convict's voice offers hope for a different, less harmful future.

References

- Abbot, Jack Henry. 1981. *In the Belly of the Beast*. New York: Vintage Books.
- Austin, Jim, Todd Clear, Troy Duster, David Greenberg, John Irwin, Michael Jacobson, Candace McCoy, Alan Mobley, Barbara Owen, and Joshua Page. 2008. *Unlocking America: A Blueprint for Sentencing Reform*. JFA Institute.
- Becker, Howard. 1963. *Outsiders: Studies in the Sociology of Deviance*. New York: Free Press.
- Canada, Geoffrey. 1996. *Fist Stick Knife Gun: A Personal History of Violence in America*. Boston, MA: Beacon Press.
- Cromwell, Paul, ed. 2009. *In Their Own Words: Criminals on Crime*. 5th ed. New York: Oxford University Press.
- Ferrell, Jeff. 1996. *Crimes of Style: Urban Graffiti and the Politics of Criminality*. Boston, MA: Northeastern University Press.
- Ferrell, Jeff. 2006. *Empire of Scrounge: Inside the Urban Underground of Dumpster Diving, Trash Picking, and Street Scavenging*. New York: New York University Press
- Irwin, John. 1970. *The Felon*. Englewood Cliffs, NJ: Prentice-Hall.
- Irwin, John. 1985. *The Jail: Managing the Underclass in American Society*. Berkeley, CA: University of California Press.
- Irwin, John. 2003. "Preface." Pp. xvii-xxii in *Convict Criminology*, edited by J.I. Ross and S.C. Richards. Belmont, CA: Wadsworth/Thompson.
- Jones, Richard S., Jeffrey Ian Ross, Stephen C. Richards, and Daniel S. Murphy. 2009. "The First Dime: A Decade of Convict Criminology." *The Prison Journal* 89(2):151-171.
- McCleary, Richard. 1978. *Dangerous Men: The Sociology of Parole*. New York: Harrow and Heston.
- Miller, Jody. 2001. *One of the Guys: Girls, Gangs, and Gender*. New York: Oxford University Press.
- Pepinsky, Hal and Richard Quinney, eds. 1991. *Criminology as Peacemaking*. Bloomington, IN: University of Indiana Press.
- Polsky, Ned. 1967. *Hustlers, Beats and Others*. Chicago, IL: Aldine.
- Rettig, Richard P. 1999. *Manny: A Criminal Addict's Story*. Prospect Heights, IL: Waveland Press.
- Richards, Stephen C. 1998. "Critical and Radical Perspectives on Community Punishment: Lessons from the Darkness." Pp. 122-144 in *Cutting the Edge: Current Perspectives in Radical/Critical Criminology and Criminal Justice*, edited by J.I. Ross. New York: Praeger.
- Richards, Stephen C., Greg Newbold, and Jeffrey Ian Ross. 2009. "Convict Criminology." Pp. 356-363 in *21st Century Criminology*, edited by J.M. Miller. Los Angeles, CA: Sage Publications.
- Richards, Stephen C. and Jeffrey I. Ross. 2003. "An Invitation to the Criminology/Criminal Justice Community." Pp. 347-353 in *Convict Criminology*, edited by J.I. Ross and S.C. Richards. Belmont, CA: Wadsworth/Thompson.
- Ross, Jeffrey I. and Stephan C. Richards. 2003. "What is the New School of Convict Criminology." Pp. 1-14 in *Convict Criminology*, edited by J.I. Ross and S.C. Richards. Belmont, CA: Wadsworth/Thompson.
- Terry, Charles M. 1997. "The Functions of Humor for Prison Inmates." *Journal of Contemporary Criminal Justice* 13(1):23-40.
- Wacquant, Loic. 2002. "From Slavery to Mass Incarceration." *New Left Review* 13:41-60.
- Wright, Richard T. and Scott H. Decker. 1996. *Burglars On The Job: Streetlife and Residential Break-ins*. Boston, MA: Northeastern University Press.

Wright, Richard T. and Scott H. Decker. 1997. *Armed Robbers In Action: Stickups and Street Culture*.

Boston, MA: Northeastern University Press.

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