

**“The Zo”: Disorientation and Retaliatory Disorientation in  
American Prisons**

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The author thanks Vesla Weaver, who advised this thesis, and whose class primarily inspired it.

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## INTRODUCTION<sup>1</sup>

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<sup>1</sup> Footnotes appear following longer quotations (including block quotations). Where multiple short quotations appear in one paragraph, the footnote appears at the end of the last quotation. For sources cited but not explicitly quoted, footnotes appear at the end of the paragraph that references them.

“Allow me to reintroduce myself,” writes Ivan Kilgore, an inmate at California State Prison, Sacramento. “Within these walls . . . I am a socially dead person whose existence has no legitimacy whatsoever”<sup>2</sup>.

Now 32, Kilgore began serving his life-sentence in 2000. Today, he nears 17 years at CSP-Sacramento, where he writes speeches and essays to pass the time. Kilgore’s works refer to prison by a common nickname: “the Zo”—short for “the Twilight Zone”<sup>3</sup>. They argue that this nickname is fitting. In the Twilight Zone, they say, things happen that defy reason. Things happen that are hard to explain.

The concept of the “Twilight Zone” originated in 1959, as the titular subject of Rod Serling’s sci-fi anthology. The show finds characters disoriented by red herrings, otherworldly occurrences, and various other suspensions of rationality. Viewers of the series are manipulated into believing one thing, then the opposite, then another. This manipulation is deliberate. The body of each episode is designed with obfuscation in mind—to throw-off viewers’ guesses about its conclusion, or whatever comes next. From the outset, the show’s writers hoped to untether viewers from familiar structures, traditions, worldviews, and logic (for a TV series, and more generally). Untethered, unsettled, unprepared viewers would be more malleable, they presumed, and more open to the series’ lessons in turn<sup>4</sup>.

To be incarcerated, Kilgore argues, is to step into the Twilight Zone—though of course, for more sinister reasons than amusement. Prison officials<sup>5</sup> instill untethered-ness, unsettled-ness, and unprepared-ness in inmates as did writers in viewers of the show. The combination of these

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<sup>2</sup> Ivan Kilgore. *The Deceptions of Crime and Punishment in American Society*. 2014. American Prison Writing Archive, Digital Humanities Initiative.

<sup>3</sup> Ivan Kilgore. *The Rhetoric of Imprisonment and the Reality of the Cage*. 2014. American Prison Writing Archive, Digital Humanities Initiative.

<sup>4</sup> Noel Murray. "It's a Cookbook, or Something: 14 Types of Twilight Zone Endings." *The A.V. Club*. N.p., 26 Oct. 2009. Web. 25 Apr. 2017.

<sup>5</sup> “Prison officials,” “prison administrators,” as well as just “officials” and “administrators,” are used interchangeably to identify prisons’ various guards, officers, and administrators throughout.

qualities amounts to a “disoriented” state of being, in this paper’s interpretation (see its “Limitations” section for definitions below). Kilgore contends that this state of being is “vital to the institution’s livelihood,” in that it allows prison officials to more easily manipulate their inmates. “If the role identities and relationship interaction between those labeled inmates can be manipulated,” he says, “manipulation can then replace ... [inmates’] views, beliefs, reality, conscious, and the conscience” altogether<sup>6</sup>.

Kilgore argues what this paper will argue: that prison officials deliberately disorient inmates to subordinate them, to make them more manageable. Disorienting tactics allow prison officials to alter inmates’ views, beliefs, realities. They do away with structures, traditions, worldviews, and logic that may empower them, or keep them tethered to reality itself. Using disorientation, they reduce inmates to “identity-repressed” beings,<sup>7</sup> in Kilgore’s terms, who are inhumanly easy to manage.

“[This] reduction takes place in language and culture and typically beneath your conscious awareness,” Kilgore writes. “Like puppets we get our strings pulled by the forces and circumstances they create”<sup>8</sup>. Inmate-puppets enjoy no agency, no dignity, no sanity even—they are “socially dead,” as Kilgore describes. They have “no legitimacy whatsoever.” Which is to say: no self-respect and no sense of self-worth. He writes:

Self-respect and [a] sense of self-worth is the innermost armament of the soul. It lies at the heart of our attempts to maintain our humanness. To be deprived of it is to be dehumanized, to be cleaved from, and cast below, mankind. Dignity needless

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<sup>6</sup> Kilgore, *The Deceptions of Crime*

<sup>7</sup> *Ibid.*

<sup>8</sup> *Ibid.*

to say, is as essential to human life as water, food, and oxygen ... Let me be clear ... in prison degradation can be lethal as a bullet.<sup>9</sup>

Not all inmates succumb in this way, however. This paper contends that some develop a particular mechanism to resist disorientation. Ivan Kilgore himself develops it, and near-explicitly identifies it in his essays. This paper terms the mechanism “detail-commitment” and notes its use by more than just Kilgore. It will argue that, for many inmates, detail-commitment is a means of resisting prison officials’ disorienting tactics.

“I was tired of being a puppet,” Kilgore recounts—so he resolved to do something about it<sup>10</sup>. His essay describes his (at first) vague inclination that becoming “engrossed in learning” may assuage his disoriented-ness. He begins observing the fine details of his surroundings, committing these details to knowledge (“detail-commitment” in terms). “Posted as if a birdwatcher,” he studies, “the beliefs, habits, responses, defenses, egos and other complexes” of inmates and prison officials alike<sup>11</sup>. In piecing these details together, he detects patterns and trends in their behavior. He spots officials’ insidious tactics and what triggers their use. He “learns” and in learning, these tactics’ injustices (and others) come into focus.

“I began to understand how reality was created,” he writes, “how it is exploited; how it controls”<sup>12</sup>. By committing to details, he comes to see through “the Zo’s” disorienting fog. Detailed knowledge grants him the sense of agency he needs to resist officials’ attempts to disorient him. “What I was to gain, in time,” he says, “would be simply profound and [would]

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9 Ibid.

10 Ibid.

11 Kilgore, *The Rhetoric of Imprisonment*

12 Kilgore, *The Deceptions of Crime*

consequently cut the strings [of] the puppet I had become”<sup>13</sup>. Detail-commitment tightens his grasp on the truth—which helps him, though the truth is ugly.

What I stumbled across obviously was the science at the heart of telling my story. I have learned all too well now the cursors of destruction, disorganization, oppression, institutionalization, and the violence of the mind and body it creates.<sup>14</sup>

That science is the science this paper covers. It uses essays by currently-incarcerated inmates to make its argument (see its “Methodology” section below). Kilgore’s essay is one of them. “About this time I had [begun] to take an interest in writing so I signed up for a creative writing class,” he explains. “There were many times while sitting in class that the fear of becoming ‘institutionalized’ would appear in our writings. We often wrote about how the mannerisms and behaviors of prison life had worked their way into our hearts, minds, and souls”<sup>15</sup>.

What, exactly, are the “mannerisms and behaviors” Kilgore mentions? How do they function, and what is the rationale behind them? Can they be resisted? If so, what happens when they are?

Analysis of the writings of Kilgore himself—and a host of other inmates—reveal the answers to these questions, and comprise this paper’s argument, which is presented in three parts.

The first part is titled “Bureaucratic Disorientation.” It offers this paper’s most basic premises: 1) that “the Zo” is disorienting for more reasons than the fact of confinement alone, 2) that interactions with prison officials (or a prison’s bureaucracy) are equally (or more)

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13 Ibid.

14 Ibid.

15 Ibid.

disorienting, and 3) that this disorientation is deliberate, given that disoriented inmates are more easily managed. Officials disorient inmates using tactics this paper terms “Bureaucratic Paradoxes,” diminishing inmates’ sense of agency until their subordinate status is instilled.

The second part is titled “Detail-Commitment”—nominally, the mechanism-of-resistance wielded by Kilgore and others. It argues 1) that some inmates resist Bureaucratic Disorientation by “committing to details,” 2) that these details vary in style, scope, and subject matter, and 3) that amongst detail-committed inmates, some choose to commit to the details of their surroundings in particular, i.e. to the details of intra-prison policies, politics, and procedures. (It is important to note, however: that not *all* detail-commitment is prison-related in this way. Some inmates commit to random, trivial details instead.) Effectively, this section argues, any details will do.

The third part is titled “Retaliatory Disorientation,” and its argument is the most complex. It proposes a recurring chain of events, which it calls the “Retaliatory Disorientation model.” That model mirrors this section’s argument: 1) that when inmates *do* choose to commit themselves to intra-prison details, specific injustices come into focus, 2) that many inmates resolve to file grievances (of all kinds) to address these injustices, 3) that the well-founded-ness of these grievances (as a result of detail-commitment) threatens officials, 4) that officials retaliate against inmates in response, and 5) that these retaliations are uniquely *disorienting* in nature. Officials hope to snuff the detail-committed skillset that allows for well-founded grievances in the first place. To do this, they impose disorientation to an even greater extent than before.

### **Methodology:**

As mentioned, this paper (almost exclusively) uses essays by currently-incarcerated inmates to support its claims. The impetus for this design is simple: it is not done enough. In

recent years especially, much has been said, written, and published about America's prisons and the lives of their inmates. This uptick is encouraging, but for one fact: too few elevate the voices of inmates themselves. The majority of these works (including the most "groundbreaking" and/or popular of them) cite data-sets, surveys, previous literature, political discourse, and experts at length. Of course, perspectives offered by each of these sources are valuable in their own right. But it is this paper's contention: that no perspective on *any* policy is as valuable as that of individuals *affected by that policy*. Which is to say: no perspective on prison-political schemes to subordinate inmates is as valuable as the perspective of those who have endured them. On this basis, this paper utilizes inmates' words over all else.

Perhaps logistical difficulties have prevented previous works from doing the same. It can be difficult to gain access to currently-incarcerated individuals, and to concertedly document their stories, views, and ideas. Fortunately, this paper does not face this problem.

Almost all of its inmate-perspective evidence comes from a new archive, founded and developed by Doran Larson, a professor of literature and creative writing at Hamilton College in New York. The American Prison Writing Archive evolved from a book project Larson completed in 2011. He wanted to publish a collection of essays by Americans writing about their experiences in jail. He sent out requests to prisons nationwide for "personal essays" of all kinds—all lengths, structures, styles, subject matters, etc. Beyond requiring that these works be non-fiction, Larson required very little. In almost no time, he received enough essays to publish his book<sup>16</sup>.

And when the submission deadline passed, Larson *kept* receiving essays. Today, the archive he built in response to this influx holds over 1,200 essays, enough to fill over sixteen books the size of the one he published originally. Its stated mission is to "solicit, preserve,

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<sup>16</sup> Doran Larson. "Collection Description." American Prison Writing Archive, Digital Humanities Initiative, n.d. Web. 25 Apr. 2017.

digitize, and disseminate” non-fiction works by currently incarcerated people, all in the hopes of “ground[ing] national debate on mass incarceration in the lived experience of those who know jails and prison best”<sup>17</sup>.

There are two essential points to make about the archive for the purposes of this essay’s argument. First, to re-iterate, its solicitations are defined by their openness. There are very few instructions, guidelines, or parameters given for inmate-essays. Larson requires very little in terms of content. What inmates write about—and how they write about it—is their choice entirely, so long as it honestly speaks to their experiences in prison. Essays’ displays of detail-commitment then (the mechanism this paper identifies) are organic.

Second: these essays were not solicited from any one *kind* or *type* of inmate. Larson makes an effort to solicit inmate-essays from inmates of all demographics (e.g. age, race, ethnicity, religion, etc.), as well as from all kinds of prisons (by security-level, state or federal status, geographic region, etc.). As a result of these efforts, the archive offers a fairly representative swath of the American prison population. Admittedly, no tests are run to ensure that this representative-ness is exact. It likely is *not* exact, given demographic variations in tendencies to engage in prison-writing, or willingness to submit writings to be published. Moreover, certain kinds of prisons may make Larson’s solicitations more or less visible than others. Really, there are a host of variables to consider. But this paper declines to consider the majority of them. For its purposes, it assumes that the archive’s author-population is representative, and acknowledges that further studies could (and should) look into demographic variations in the phenomena it proposes.

In terms of process: the archive’s essays were analyzed, then compared to one another, in order to arrive at this paper’s conclusions. The first two sections weave findings from essays

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<sup>17</sup> Ibid.

together—essays are introduced to substantiate each premise as it arises (in logical order). Somewhat unconventionally, each of these sections *ends* with a short review of relevant literature to the claims it makes. To reiterate, the goal of this essay is to elevate the accounts of inmate-authors over all other evidence. But this paper acknowledges that certain secondary-sources set important precedents for its inmate-essay-based arguments. These sources are mentioned accordingly, though *only after* such arguments have been made using inmates’ words first.

The third and final section departs from this structure. It foregoes secondary-sources, dedicating all of its space to the deepest dive into inmates-essays yet. And it separates one inmate-account from the other, rather than weaving them together by premise. It makes these changes to offer (and make room for) three in-depth case studies in Retaliatory Disorientation. These case studies are especially illustrative of the model this section develops. They are followed by a smattering of other model-illustrative cases—then this paper’s conclusion.

### **Limitations:**

For convenience, this paper settles on certain terms in describing its findings. These terms refer to bigger ideas than their traditional definitions let on. This study is limited in that it needs these terms to quickly and effectively reference some of its findings’ bedrock concepts, though in context, they can seem too-narrow or out-of-place. The most obvious (and important) of these are the terms “disorientation” and “retaliation.” To avoid confusion, their paper-internal definitions are included below.

“Disorientation” is the untethered-ness, unsettled-ness, and unprepared-ness described in terms of Kilgore’s essay above. At root, it is a state of mental confusion. In this essay, more specifically, it is inmates’ feeling that: 1) they have no sense of the truth and 2) they have no control over what happens to them. Both result from prison-paradoxes, irrationality, backward-

ness—all attempts to make prison more disorienting for inmates. In concert with these means, prison officials can *further* enhance disorientation 1) by isolating inmates and 2) by grounding their actions in *denial* (of facts and reason, as well as of rights and privileges). Both “isolation” and “denial” should be read broadly here. They take slightly different forms in each case but undoubtedly, they are imposed-disorientation’s recurring principles.

“Retaliation” is a return-attack. In this context, it is an attack on inmates in response to—what officials perceive to be—an inmate’s attack on them. Particularly, officials retaliate when inmates have *challenged their authority*. Like “disorientation,” “retaliation” should be interpreted broadly. It encompasses punishments for nearly all affronts to prison officials that go beyond merely “acting out of line” or “misbehaving.” In its final section, this paper combines “retaliation” with “disorientation” to get “Retaliatory Disorientation.” It follows: that “Retaliatory Disorientation” is any retaliation that is uniquely disorienting in character—i.e. any return-attack that takes imposing disorientation as its goal. (Note: this paper coins a few other terms, including “Bureaucratic Paradox” and “detail-commitment,” both of which are defined, or further defined, where they appear. And it will refer to authors of the archive’s essays as “inmate-authors” throughout.)

Two other major limitations of this study are worth mentioning. First, that given its sourcing, its argument can seem speculative. This paper does not try to hide the fact: that it makes hefty claims about the political mechanisms (and motivating principles) of prison officials *without* citing perspectives from prison officials themselves. Even its secondary sources look mostly at inmates (though some do offer empirical findings on prison officials to bolster these claims (See Part I)). As a result, claims about officials’ mindsets can seem like best-guesses, or speculation from “peripheral” evidence.

But readers should remember: that this paper’s evidence comes from those who know prisons and prison officials best—people who experience them every day, in every context, at all times. To distrust or dismiss these accounts as “speculation” would be misguided, and would play into over-hyped presumptions of inmate bias, totalizing mental illness, and/or untrustworthiness—all of which have suffocated the inmate-perspective for too long. That perspective *is* valuable, and this paper takes it from a wide, differentiated sample of inmates (and from a wide, differentiated sample of prisons). The approach to this argument, then, is a kind of “people’s history” (or people’s *analysis*, so to speak). From the ground-up, it describes what inmates are faced with in their own words, then documents a small-scale, otherwise-unrecognizable means of resistance that is popular amongst them.

Of course, speculation cannot be entirely avoided. But this paper roots its arguments in how (when, and why) official tactics are first-hand *experienced*, and thus hardly amounts to a collection of high-flying, speculative accusations from untrustworthy or unqualified sources.

Its final limitation is the simplest: its argument is big-picture in nature. This paper aims to present (and draw links between) three very big ideas, corresponding to each of its three parts. Needless to say, full theses could be written about each. This paper does not cover all elements of each, including a few *major* elements of each (e.g. the role of race in these phenomena is not covered here, though race disparities are crucial to most discussions of American prisons).

But this paper finds value in the wide-ness of its lens. To dive deeply into one section over others, it argues, would be to cut off crucial parts of the story. To present each section out of the other two’s context would be a disservice.

## **PART I: BUREAUCRATIC DISORIENTATION**

This paper takes as its most basic premise that confinement is disorienting. To confine someone to prison is, for a time, to restrict their most basic freedoms. The loss of these freedoms is a shock to the system—inmates are taken from their homes, and locked away. They can no longer go where they please, nor say what they please, nor do as they please. *Any* change so sudden and all-encompassing would be disorienting, of course. Coupled with restrictions on basic freedoms, confinement to prison is *especially* disorienting.

Certainly, confinement's exact psychological and behavioral implications are worth studying. But this paper does not discuss them at length. For its purposes, it simply asserts 1) that confinement is disorienting, and 2) that in the literature, few disagree with this assertion. This paper *adds* to the literature by focusing its attention on the disorienting experiences that occur *within* prison instead—experiences which make prison disorienting for *more* reasons than (merely) the fact of one's confinement to it. Inmate-disorientation, it argues, goes beyond the disorientation of confinement. It is compounded by intra-prison experiences that are, themselves, disorienting in nature.

In particular, this paper takes prison bureaucracy as its subject, contending that prison bureaucracies are *disorienting agents*, and that their disorienting-ness is intentional. This section begins by exploring prisons' bureaucratic means of disorienting inmates, and explains why prison-bureaucrats benefit from doing so. Bureaucracies, it claims, use political and procedural paradoxes to confuse, distract, unsettle, disillusion (or otherwise disorient) inmates as a means of subordinating them. Citing the American Prison Writing Archive's inmate-essays, along with existing literature, this section illustrates 1) the disorienting-ness of prison bureaucracies, and 2) the *deliberate-ness* behind this disorienting quality.

Several inmate-authors echo this argument in full. Michigan's Lacino Hamilton, for example, characterizes the "disorientation" this paper identifies as "insanity," and emphasizes that inmates' "insanity" is attributable to *more* than just the fact of their confinement.

[It] is not just the concrete, the razor wire, bullet proof glass ... [It is] not just the isolation, the monotony, the loneliness ... It is the forceful, the pointed, abusive, oppressive, and violent manner in which correctional policies, programs and procedures assault individuality and independence ... [It is] the systematic application of the principles of behavior modification [by officials]<sup>18</sup>.

Hamilton acknowledges that characteristics of confinement ("isolation," "monotony," and "loneliness") are hard on inmates, as is the "concrete, razor wire" harshness of their surroundings. But a prison's bureaucracy, he implies, is what *really* causes an inmate's "asphyxiation." Far from passive confinement-managers, prison officials "assault" inmates' very sense of being. Their policies, programs, and procedures make inmates go "insane" he says—perhaps even *more* so than their inability-to-leave. He continues: "It is the social distance, not only from family, friends and future relations," (implying that confinement itself, or segregation from these people, is not all that disorients him), "but [also] the social distance from the people who administrate and staff correctional facilities. People I am in close physical proximity to everyday"<sup>19</sup>.

The latter quote hints at one means of bureaucratically disorienting inmates: what this paper will term "Bureaucratic Paradoxes." Put simply, Bureaucratic Paradoxes are a bureaucracy's self-contradictions, or the self-contradictions in its practices. Bureaucratic

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<sup>18</sup> Lacino Hamilton. Being Sane in an Insane Place (Money). N.d. American Prison Writing Archive, Digital Humanities Initiative.

<sup>19</sup> Ibid.

Paradoxes take a variety of forms. Hamilton's quote offers an example: the self-contradiction in officials' close proximity to inmates. He writes that prison officials (like guards) feel nearly omnipresent to inmates. Yet whenever/wherever they are *needed* (for help or reprieve, for a basic good or to file a grievance, etc.) they become impossibly difficult to access. A "distance" kicks in and—even if physically present—they become impervious to inmates' pleas, complaints, wishes, or demands. The paradox here is maddening: officials are simultaneously there and not there—so-close-but-so-far-away. This paper contends that, endured over long periods of time, Bureaucratic Paradoxes like this one become so frustratingly irrational as to loosen inmates' grip on rationality itself. Hamilton characterizes these paradoxes as "a brainwashing of sorts." Echoing Kilgore, he says, they make prison feel like the "twilight zone"<sup>20</sup>.

He concludes his essay by re-iterating the point: that confinement to prison is more than just confinement. "[This] point must be literally brought home, into our communities," he says, "that the ordeal of incarceration, physical detainment, is also the ordeal of a calculated emotional and psychological devastation"<sup>21</sup>. This paper contends—as does Hamilton—that this "devastation" is "calculated" by prison bureaucracies, and achieved (in part) via the kinds of Bureaucratic Paradoxes he describes.

"Bureaucratic Paradox" is an umbrella term which covers self-contradictions of all kinds—*any* internal inconsistency that compounds inmates' disorientation with *more* disorientation. Inmate-authors identify other common forms as well: for example, unreasonable expectations—demands made by the bureaucracy to do something which the bureaucracy itself has made difficult (or impossible) to do.

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20 Ibid.

21 Ibid.

Inmate-author Dean Faiello takes “unreasonable expectations” as the subject of his essay, first composed at Attica Correctional Facility in upstate New York. “The parole board wants prisoners to take drug abuse and anti-violence programs before granting them freedom,” he writes. “Yet Attica’s waiting lists for those programs hold over two thousand names. Some men have been incarcerated for more than twenty years before getting the opportunity to take [them],” he says<sup>22</sup>. Faiello outlines the paradox: Attica expects inmates to take rehabilitative programs, yet offers so few. Programs that do exist are near-impossible to take, given over-subscription. When inmates go before Attica’s parole board, lack of program-participation counts against them. The board *expects* something that is so obviously impossible to achieve.

Unreasonable expectations recur throughout Faiello’s essay and throughout the archive. Parole boards look for evidence of employability, yet offer job-training for computer programs that no longer exist. They favor inmates who show “personal initiative,” especially when it comes to education and self-help, yet “achieving an education in prison [is] a lengthy, frustrating process,” Faiello says, and enrolling in religious or volunteer programs requires “much time, patience, paperwork, and hoop jumping” as well<sup>23</sup>. “As I write this essay,” he concludes, “just one classroom, with seats for merely fifteen men, is the only anti-violence program in session at Attica”<sup>24</sup>. According to him, the program (a DOCCS Aggression-Replacement training) has over 900 names on its waitlist.

Unreasonable expectations like these occur in micro-level, day-to-day interaction as well. Pennsylvania inmate-author Curtis Garner’s essays discuss his prison’s procedure for distributing fresh linens to cells. Inmates *must* be standing at the door when the officer responsible for these supplies comes to distribute them, Garner writes. But this officer never comes at the same time of

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<sup>22</sup> Dean Faiello. *Metanoia*. N.d. American Prison Writing Archive, Digital Humanities Initiative.

<sup>23</sup> *Ibid.*

<sup>24</sup> *Ibid.*

day. Occasionally, the intercom announces when he plans to bring his supplies. But the intercom, as well as the officer's one shout at the cell door (if an inmate is not present) are almost always drowned out by construction noises, or by a block's general noisiness. As a result, inmates miss them regularly. A few missed days, and inmates' towels and bed sheets get dirty. Officials respond by blaming *them* for the mess, and punishing them accordingly<sup>25</sup>. Inmates more concertedly obey linen-procedure to avoid being punished again, but its original flaws remain. Extra effort does little to overcome them.

On first read, this linen-procedure dilemma may sound trivial. But in fact, it is the essence of Bureaucratic Paradox. Once again, officials are so-close-but-so-far, always (and quite literally) just out of reach. They expect inmates to follow rules that cannot be followed, or are exceedingly difficult to follow, *by their own design*. Self-contradiction is embedded in daily routine, woven into the prison's fabric. Inmates are frustrated by it to the point of "metanoia" as Faiello terms it (and titles his essay)—a dull, constant, ultimately debilitating uneasiness<sup>26</sup>. Over time, they simply disarm, he says, and accept their disoriented-ness as inevitable—the norm. In the end, irrationality becomes the default.

The intentionality behind these Bureaucratic Paradoxes is not difficult to detect. Neither is its rationale. The more disoriented inmates are, the less control they have (or *feel* they have) over themselves, and their environment. The less control they have, the less likely they are to pose challenges to prison officials, or to subvert them in any way. Hamilton himself implies this intentionality in his essay, writing that Bureaucratic Paradoxes (like the "proximity" paradox) are instrumentalized to remind inmates of their subordinate status. "It is the systematic process," he says, "of reinforcing the unconditional fact of my existence: I have no control over the regulation

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<sup>25</sup> Curtis Garner. Attempts to Exhaust Administrative Remedies. 21 Jan. 2015. American Prison Writing Archive, Digital Humanities Initiative.

<sup>26</sup> Faiello, Metanoia

and orientation of my own being”<sup>27</sup>. Similarly, Faiello writes that prison officials cultivate “metanoia” for its power to debilitate inmates, and Garner considers the flaws in his prison’s linen-procedure to be “deliberate” (“clearly”)<sup>28</sup>. These practices are “deliberate,” he insinuates, because they confuse and unsettle inmates, thereby subordinating them. And subordinate inmates are easier for prison officials to manage.

This intentionality is most plainly exhibited in a third kind of Bureaucratic Paradox: official “responses” to grievances filed by inmates. Here and elsewhere, this paper uses inmate-experiences with grievance-procedures to substantiate its argument, in part because they so often demonstrate bureaucrats’ willingness to use paradox for their own purposes. The idea of “paradox” here applies to what inmate-author Robert Outman calls “circular negativities”—the feedback loops that emerge from endlessly tangled grievance-procedures designed to confuse inmates, rather than allow them genuine redress.

Outman (of California’s Mule Creek State Prison) begins: “CDCR [the California Department of Corrections and Rehabilitation] professes there is a fair and objective grievance system, titled ‘602,’” though in reality the system is far from “fair and objective”<sup>29</sup>. He writes:

This system is absolutely demonic, and could well be defined as a circle in Dante’s Inferno, frustrating prisoners at the on-set, with rejections for the slightest preparation errors, unreasonable time limitations and palpable indifference ...

When the frustrated prisoner complains, he is told ‘File a 602’, thereby causing circular negativity.<sup>30</sup>

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<sup>27</sup> Hamilton, *Being Sane*

<sup>28</sup> Garner, *Attempts to Exhaust*

<sup>29</sup> Robert Outman. *Reform by a Thousand Psychological Cuts*. 28 Sept. 2015. American Prison Writing Archive, Digital Humanities Initiative.

<sup>30</sup> *Ibid.*

Inmates can do almost nothing to overcome the paradox Outman describes. Prisons require inmates to file grievances via official channels, but these channels fail them in a number of ways (as Outman points out: “rejections for the slightest preparation errors, unreasonable time limitations and palpable indifference”—other inmates mention their opaque and convoluted nature<sup>31</sup>). All this is to say: these procedures include various paradoxes of their own.

But inmates who complain about them are faced with perhaps the most explicit paradox of all: administrators require complaints about grievance-procedures to be filed via these *same* grievance procedures—the procedures that failed them in the first place, and which their complaints *explicitly criticize*. This practice is akin to requiring complaints about one’s boss, for example, to be reviewed and addressed by one’s boss alone. Practically *and* philosophically, it makes little sense, and is emblematic of the kind of backwardness that disillusion and disorients inmates. And purposefully so. Disorientation in the face of Bureaucratic Paradoxes subordinates inmates by confusing them—by throwing them off track. Eventually, Outman writes, most “give up [trying to challenge authority] through frustration, internalizing the negativity”<sup>32</sup>.

Of course, this paper acknowledges a potential counterargument relative to Bureaucratic Paradoxes within grievance-procedures. It has contended that these paradoxes are designed to *disorient* inmates (in order to subordinate them) in the long run, as mentioned. But here, inmate-disorientation seems merely designed to frustrate inmates out of filing grievances, allowing prison administrators to avoid blame for any wrongdoing.

This paper responds: that the two are not mutually exclusive. Certainly, prison administrators benefit from fewer grievances. And grievance-procedures’ disorienting elements

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<sup>31</sup> Garner, *Attempts to Exhaust*; Kilgore, *The Rhetoric of Imprisonment*

<sup>32</sup> *Ibid.*

*do* help them achieve this goal. But these elements also (and equally) lend themselves to the longer-term benefits of disorientation in general. “With their grievances unanswered [or] unresolved, the psychological cuts are deep,” Outman writes, and describes the disoriented state that results: “with no resolution to the original problem, an emotional process of ‘displacement of affect’ takes place, where the frustration, aggravated by the system, is taken out on objects, or other persons”<sup>33</sup>.

This “displacement of affect” grows over time, he says. Its growth is a calculated “process” whose benefits go beyond short-term grievance-avoidance. The goal of this “process” is simple: to erode inmates’ sense of agency as much as possible. Each filed grievance is an opportunity for officials to do so, Outman implies—given that grievance-procedures’ disorienting-ness instills what Hamilton calls the “unconditional fact of [inmates’] existence”: that their efforts are meaningless. Defeated inmates divert their energies towards singular objects or persons (often aggressively), and away from their problems’ institutional roots. With their “affect displaced,” these inmates become less likely to file *future* grievances, complaints, challenges, or campaigns against officials—future threats of any kind. They become more *manageable*, and of course, inmate-manageability is in officials’ interest. “It doesn’t take an Albert Einstein to see,” Outman says, “CDCR is driven to breaking prisoners, like one breaks a horse”<sup>34</sup>.

In this way, grievance-procedures sow long-lasting disorientation. To boot, they are inescapable. Inmates have no choice but to face them if dedicated to addressing their complaints. Numerous authors cite the Prison Litigation Reform Act (PLRA) as the reason for this inevitability (and by proxy, the reason for inmates’ disorientation or discouragement). The PLRA

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33 Ibid.

34 Ibid.

was passed by congress in 1996 in response to an increase in prisoner litigation in federal court. The law requires that inmates exhaust all intra-prison grievance-procedures before attempting to bring a case to the courts. Indiana inmate-author Wesley Purkey describes its effects: “Under the PLRA, prisoners’ lawsuits are summarily dismissed over eighty percent of the time without ever gaining an actual ruling on the merits of the case”<sup>35</sup>. Like the feedback loops in grievance-procedures themselves, inmates are told to go back to prison, and exhaust all prison-based grievance measures if they want the facts of their case heard by an actual judge. As Purkey explains, the PLRA is a trap.

The reality of the matter is that prison and jail officials are keenly aware that if prisoners are *prevented* from exhausting all available administrative remedies, then the prisoner will be foreclosed from ever gaining a ruling on the merits of his case. There are numerous ways prisoners are prevented by prison and jail officials from satisfying exhaustion requirements through both direct and indirect means.<sup>36</sup>

Quite literally, he says, these “numerous ways” include: *adding* more grievance-procedures for inmates to exhaust, or *retaliating* against them in particularly disorienting ways (a response which this paper will discuss at length in its third section). In any case, the PLRA forces inmates *back* into the disorienting arms of their prisons’ bureaucracies, giving officials a second-chance at using paradox (and other measures) to confuse or discourage them. Here again, disorientation erodes their sense of agency in the long-term, and allows officials to avoid court-sanctioned blame in the short-term.

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<sup>35</sup> Wesley I. Purkey. Prison Walls Are Not a Barrier Separating Prisoners From Protections of the Constitution. 2005. American Prison Writing Archive, Digital Humanities Initiative.

<sup>36</sup> Ibid.

Exhausting grievance-procedures becomes extraordinarily daunting as a result. “The Prison Litigation Reform act has done great damage,” writes one inmate-author. “Only a well [-] educated jailhouse lawyer can navigate the ... system now”<sup>37</sup>.

Many inmates, Purkey affirms, “do not have the abilities to mount the procedural barriers by themselves”<sup>38</sup>. In some cases, they give up altogether. When this happens, he says, officials concertededly drill this “loss” into the grievance-filer, likely in the hopes of snuffing his spirit in the long-term (—in some cases, officials do this by *repeating* or *increasing* the behavior about which a grievance was filed in the first place<sup>39</sup>). “These prisoners must silently bear their abuses,” Purkey concludes. Their lack of agency is only further instilled as they continue “suffering without redress”<sup>40</sup>.

Other modes of preventing inmates from exhausting grievance measures include “stonewalling” (i.e. ignoring) filed grievances entirely. Curtis Garner, whose aforementioned essay “Attempts to Exhaust Administrative Remedies” describes his frustrations with his prison’s linen-procedure, files multiple grievances about this procedure. He hears nothing in return. “After writing several grievances concerning clean sheets and towels,” he says, “and receiving no response, formal or informal, within the established procedural time period, the staff and administration of this facility [have] clearly exhibited a standard of ‘deliberate indifference,’” he writes<sup>41</sup>. Here, deliberate “stonewalling” in terms amounts to yet another Bureaucratic Paradox: *lack of response is the bureaucracy’s response*.

In other cases, prison administrators *distract* from the issue raised in a grievance, or *lie* about it entirely. William Ridenour, an inmate-author at Chillicothe Correctional Institution in

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<sup>37</sup> Larry “Rocky” Harris. When Is It Enough. N.d. American Prison Writing Archive, Digital Humanities Initiative.

<sup>38</sup> Purkey, Prison Walls

<sup>39</sup> Charles Brooks Sr. The Rideout. N.d. American Prison Writing Archive, Digital Humanities Initiative.

<sup>40</sup> Ibid.

<sup>41</sup> Garner, Attempts to Exhaust

Ohio, documents a case that exemplifies both behaviors. The case involves the sister of an inmate he knows, named Drexel Greene, who noticed (what she felt were) unfair applications of prison-policy at her brother's parole hearings in early 2014. The exact details of this "unfairness" are unimportant here, but a few journalists noticed them too. Greene's sister sends a published article about her brother's hearings to her U.S. Senator (Bill Seitz of Ohio), seeking redress. Senator Seitz initiates an investigation into these parole hearings, and the administrators involved in them. The prison's administration releases a report in response<sup>42</sup>.

In this report—quite amazingly—the administration "responds" by *attacking the character of Greene's sister*. They unabashedly distract from the issue by questioning *her* credibility, and bring up instances from *her* personal history to discredit her account. More than that, they resolve to willfully lie about her. Namely, the report asserts that she was *not present* for these parole proceedings at all. Perhaps this was a mistake, some say, until Greene's sister points out that she *read a statement* on the witness stand during them, and was recorded there on camera, both in and outside the building. Ridenour does not mince words: Greene's case demonstrates administrators' willingness to lie openly—to "make something up" entirely of their own accord. The tactic is no one-off, he argues—it's an institutional practice, born of the institution's accountability to no one but itself. Ridenour includes the telling Thomas Jefferson quote: "He who permits himself to tell a lie once, finds it much easier to do a second and third time, 'til at length it becomes habitual"<sup>43</sup>.

But perhaps even more troubling than this lie's falsehood, he concludes, is the idea that—even if true—it would resolve anything. In reality, of course, it was only included to deflect Greene's claims, distract investigators, and disorient Greene and his sister—to subordinate them

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<sup>42</sup> William Ridenour. House of Cards. 14 Apr. 2014. American Prison Writing Archive, Digital Humanities Initiative.

<sup>43</sup> Ibid.

(and their grievance itself) to avoid any “further difficulty.” We *know* this was its purpose because, as a strategy, left-field accusations like this one are common. As later sections will show, prison officials frequently use them to deflect challenges to their authority. Again, this paper argues that they recur because they are disorienting in nature and disorientation (at all stages) is bureaucratically advantageous. It comes to define inmate-interactions with prison-bureaucracies for this reason. As a desired response, disoriented feelings are shared across essays by inmates of all kinds.

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The examples included thus far are only a smattering, chosen (nearly) at random. There are (in the archive) far more examples of Bureaucratic Paradox—plus concerted lying, stonewalling, irrationality, and obfuscation on the part of prison bureaucracies—than presented here, and more are offered in this paper’s following sections, which explore Bureaucratic Disorientation from new angles and in greater depth. The purpose of this section was, simply, to establish a few first premises: 1) that prison is disorienting for *more* reasons than the fact of confinement alone, 2) that inmate-interactions with a prison’s bureaucracy are primary reasons for this disorientation, and 3) that Bureaucratic Disorientation is *intentional*, given that disorienting inmates subordinates them, and inmate-subordination is prison administrators’ primary goal.

This third premise is the trickiest. Do inmate-essays sufficiently demonstrate that Bureaucratic Disorientation is *intentional*? Should we simply take inmate-authors at their word? As discussed in this paper’s introduction, it is difficult to make claims about the intentionality behind Bureaucratic Paradox (and other means of disorientation) using essays from the inmate-perspective alone. This paper elevates that perspective where it was previously missing, but acknowledges its limits, in terms of what it can say about the mindsets of prison officials

themselves. To bolster its claims, it briefly turns to secondary source materials outside inmate-essays from the American Prison Writing Archive. These materials find authors empirically studying these three premises, and by and large, confirming them.

### **Secondary Sources:**

The works of sociologists John Irwin, Erving Goffman, and Albert Reiss are particularly relevant. All write extensively about criminal justice officials, and the motivations behind their practices. Using interviews and observations Irwin, for example, methodically investigated modern jail officials' tactics for his 1985 work *Jail*. His findings' resemblance to the archive's testimonies is uncanny. *Jail* begins as this paper began: by acknowledging that confinement itself is a disorienting experience. "The process of being arrested and held in jail often produces a profound state of internal disorganization and demoralization.," he writes. "This state is the opposite of 'having it together,' a popular metaphor for an internal discipline, a spirit, and a set of habits that equip persons to cope with the complexities of modern society"<sup>44</sup>.

Then (in a chapter titled "Disorientation") Irwin identifies the *intentionality* this paper describes. He finds: that the disorientation of confinement is compounded, purposefully, by prison officials (and other criminal justice officers) who make concerted efforts to *amplify* inmates' "internal disorganization and demoralization." "Prisoners receive much more than the treatment required to introduce them to the jail and hold them there [alone]," he says. "They are impersonally and systematically degraded by every step in the criminal process, from arrest through detention to court appearance"<sup>45</sup>.

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<sup>44</sup> John Irwin. *The Jail: Managing the Underclass in American Society*. Berkeley: U of California, 1985. Print.

<sup>45</sup> Ibid.

Irwin calls this “Process Degradation”—officers using various tactics to *increase* inmates’ disorientation (i.e. their disorganization and demoralization). He includes examples of “Process Degradation” in action, which arise in subject-interactions with a wide variety of criminal justice officers. Arresting officers, for example, try to make subject-arrests in *public* places, he says, hoping bystander expressions of “shock, dismay, or revulsion” will “humiliate,” “estrangle,” and “degrade” subjects into submission<sup>46</sup>. As if arrest itself is insufficient, shocked, dismayed, or revolted expressions subordinate subjects twice-over (to officers *and* bystanders alike). Reiss notes that officers often force otherwise-obscured subjects into the sightlines of bystanders to achieve this effect<sup>47</sup>.

Officers instill inferiority by taking other “standard precautions that increase the humiliation” of arrest and confinement as well. They tell arrested subjects to stand spread-eagle or bend over with their arms out (i.e. to strike embarrassing poses that maximize their physical vulnerability). Once confined, Goffman writes, disorienting invasions like these only increase, as inmates are exposed to “numerous mortifying rituals, such as searching, stripping, bathing, spraying, and the taking of personal property”<sup>48</sup>. Officials make maintaining personal hygiene and physical appearance exceptionally difficult, Irwin adds, by imposing limits on basic goods and facilities like soap and showers. (Note: it hardly assuages an inmate’s disoriented-ness that eventually he—quite literally—no longer looks like himself.) And both Goffman and Irwin mention a final tactic: the sudden and seemingly random shouting of threats or orders to startle inmates. Sudden-ness and random-ness are part of the common logic, they say: alter patterns and routines, and inmates lose all ability to predict or prepare themselves for hardships.

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46 Ibid.

47 Albert J. Reiss. *The Police and the Public*. New Haven: Yale UP, 1971. Print.

48 Erving Goffman. "On the Characteristics of Total Institutions." *NCJRS Abstract - National Criminal Justice Reference Service*. 1957. Web. 20 Dec. 2016.

These tactics seem like overkill, or unnecessary to the job at hand. But officials seek to subordinate inmates, and by *disorienting* them, these tactics do so effectively.

Irwin puts it plainly, writing that “disorientation” serves “the institutional purpose of converting newcomers into manageable inmates.” What is needed and wanted,” he says, “... are prisoners who will wait obediently wherever they are placed ... who will make no demands (or few), and who will willingly perform the [required] procedures”<sup>49</sup>. Reiss similarly argues that, at all levels, officers use these practices to establish their superiority<sup>50</sup>. Inferiority is characterized by lesser agency, dignity, grounded-ness, and recognizability, he implies. The more inferior subjects *feel*, the more likely they are to respect the orders of their superiors—i.e. criminal justice officers, whose jobs are considerably easier when their orders are respected. Essentially: the more inferior a subject *feels*, the more inferior a subject *is*.

It should be noted that Irwin, Goffman, and Reiss look primarily at tactics used during an inmate’s early (or first) experiences in the criminal justice system, while this paper focuses on longer-term incarceration in particular. But in the majority of its cases, the same operative principles are at play. Officials use humiliating, degrading, disconcerting tactics to *increase* an inmate’s disorientation, even *after* formal subordination (i.e. arrest and confinement). Doing so *further* and *more emphatically* subordinates them.

Literature on prison grievance-procedures bring these tactics into conversation with the Prison Litigation Reform Act specifically. Works by law professors Margo Schlanger, Giovanna Shay, and Johanna Kalb argue, as this paper does, that prison officials use the PLRA’s exhaustion-rule to trap inmate-claims in disorienting, multi-level bureaucratic review—by increasing the number of grievance outlets altogether, or otherwise raising institutional grievance-

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49 Irwin, Jail

50 Reiss, The Police and the Public

barriers to avoid blame for any wrongdoing. Beyond showing how the PLRA allows prison-bureaucracies to avoid blame, these works show how the law makes grievance-procedures disorienting in nature. Their disorienting quality diminishes inmates' sense of agency as always, subordinating them in turn.

First though, these authors establish that prison officials *have* in fact used the PLRA to stem inmate grievances, and ask the obvious question: "why wouldn't they?" Schlanger writes, "The PLRA's exhaustion rule actually provides an incentive to administrators in the state and federal prison systems and the over 3,000 county and city jail systems to fashion ever higher procedural hurdles in their grievance-processes". Her reasoning is the same as this paper's: "the more onerous the grievance rules, the less likely [it is that] a prison or jail, or staff members, will have to pay damages or be subjected to an injunction in a subsequent lawsuit.<sup>51</sup>" So of course, prison and jail officials make grievance rules more onerous (—and in this paper's interpretation, more *disorienting*, to avoid future challenges of all kinds). "Can anyone reasonably expect a governmental agency to resist this kind of incentive to avoid consideration of grievances?" she asks<sup>52</sup>.

In both short- and long-terms, Schlanger continues, officials have an "understandable interest in avoiding adverse judgments against themselves"<sup>53</sup>. Shay and Kalb agree. They write that the PLRA "effectively leaves the ability to define the hurdles a prisoner must clear (in the form of prison grievance-procedures) in the hands of prison officials, making them gate-keepers to both federal and, in some jurisdictions, state courts"<sup>54</sup>. Officials abuse this ability to protect themselves.

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51 Margo Schlanger. "Trends in Prisoner Litigation, as the PL Enters Adulthood." UC Irvine L. Rev. 5, no. 1 (2015): 153-79.

52 Ibid.

53 Ibid.

54 Giovanna Shay and Johanna Kalb. "More Stories of Jurisdiction-Stripping and Executive Power: Interpreting the Prison Litigation Reform Act (PLRA) (2007)." Cardozo Law Review, Vol. 29, No. 20, 2007.

Though never explicitly discussing inmate-perceptions of these abuses, Shay and Kalb do hint at the uniquely disorienting nature of them. They point out, as an example, the story of the plaintiff in *Woodford v. Ngo*, a PLRA-disputing case heard by the Supreme Court in 2006. Inmate Viet Mike Ngo brought well-founded claims against his prison's administration, but was prevented from litigating them in federal court. Why? Because he had narrowly missed *just one* fifteen-day deadline in *just one* of the numerous prison grievance-procedures he was required to fulfill before advancing his claims. The triviality of this misstep—juxtaposed with the weight and well-founded-ness of his accusations of injustice—is hard to wrap one's head around, Shay and Kalb acknowledge. Disorienting imbalances and irrationalities are palpable in the literature's depictions of “official” practices like this one.

Shay and Kalb also reference University of Pennsylvania law professor Kermit Roosevelt's characterization of grievance-procedures (under the PLRA) as a kind of void. “[T]he administrative proceeding [within prison] may produce no reviewable findings, or no relevant ones,” he says. “[M]oreover, there is no guarantee that whatever findings do result will be the product of a procedure that comports with federal due process standards”<sup>55</sup>. Disorientation, here, arises from the “stonewalling” tactic evident in Garner's linen-procedure case—no predictable rule-following, no acknowledgement of evidence, no agreement on even a case's most basic facts, and sometimes, no response altogether. “[G]rievance proceedings may be nonadversarial,” Roosevelt affirms. “[T]hey may not observe rules of evidence in creating a record.” He concludes: “they may create no record at all”<sup>56</sup>

Finally—but importantly—many of these authors' ideas are echoed in Malcolm Feeley's now-classic work *The Process is the Punishment*. Feeley studied New Haven's lower criminal

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55 Ibid.

56 Ibid.

court in developing his work's thesis: that the process is the punishment. In other words: that the bureaucratic processes (i.e. the logistics, paperwork, planning) of arrest, jail-time, collecting bail, finding an attorney, court proceedings, pleading, and/or incarceration are *themselves* the costs of committing a crime, as opposed to the "formal outcome" of these processes in sum (a \$500 fine, or one year in prison for example). Criminal justice officials may make these processes more taxing, embarrassing, complicated, or frustrating as punishment, and subjects view these "processes" as *more* punishing than their formal outcomes accordingly<sup>57</sup>.

Feeley's thesis is different from this paper's in a number of ways. He focuses very little on incarceration itself for example. But broadly speaking, his research substantiates the central ideas behind its claims: 1) that bureaucratic processes (inside and outside prison) can be extraordinarily burdensome (just as burdensome as "formal outcome" punishments themselves, like confinement), 2) that criminal justice officials *know* these processes are burdensome, and 3) that they are willing to wield them as a means of punishing—or subordinating—subjects for institutional purposes. These ideas harken to Irwin's "Process Degradation" idea—by his definition: adding extra-punishing, subordinating elements to otherwise necessary steps in criminal justice processes. In this way, Feeley and Irwin pave the way for this section's central ideas.

Having established them, the next section begs the question: if prison is so disorienting (due to both confinement *and* interactions with its bureaucracy), how do inmates cope? How do they resist bureaucratic efforts to disorient them (thereby subordinating them)? How do they maintain their agency, dignity, and sanity in an institution committed to diminishing all three? The essays of the American Prison Writing Archive offer some clues. Taken together, they highlight one mechanism-of-resistance in particular.

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<sup>57</sup> Malcolm M. Feeley. *The Process Is the Punishment: Handling Cases in a Lower Criminal Court*. New York: Russel Sage Foundation, 1992. Print.

## PART II: DETAIL-COMMITMENT

Disorientation takes a toll, and inmates face its forces on two fronts. Confinement itself is surreal, of course. But so is Bureaucratic Paradox. Deliberate irrationality, obfuscation, diversion, lying, etc.—all are embraced by the bureaucracies governing inmates' confinement (as argued) and all are surreal as well. Unsurprisingly, this “double-surrealism” has palpable effects on inmates' psyches.

Many begin to feel untethered, set-at-sea. “Drifting from reality,” as one inmate describes it, or from a concrete *sense of things* entirely<sup>58</sup>. The archive's newer inmates are often surprised by officials' willingness to denigrate, ignore, or deny truth itself—i.e. empirical fact or logic whose truth would be obvious (and unquestionable) to the average person. Before long though, they grow accustomed to truth's marginality. The world feels upside down, they imply—not that they *could* do much if it were right-side up. Where bureaucracies succeed in “displacing affect” as Outman describes, inmates come to acknowledge: that they have little control, and are losing more by the day. At its core, their “disorientation” is defined by this combination. No truth + no control. Some inmate-authors succumb to it entirely. “My soul's future [now] depends upon strange abstracts like Grace and miracles,” one writes. “[The] empirical and tangible are useless in this place”<sup>59</sup>.

But others appear to resist it. From here on, this paper takes one mechanism-of-resistance as its subject—a mechanism that appears repeatedly in the archive, across a wide and varied population of inmate-authors. This mechanism is, of course, not the only one. But its prevalence in the archive (and inmates' convergence upon it) is evidence of its unique power.

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<sup>58</sup> Colin Scholl. What's Prison Like? N.d. American Prison Writing Archive, Digital Humanities Initiative.

<sup>59</sup> George Kayer. 28 Days from Nirvana. N.d. American Prison Writing Archive, Digital Humanities Initiative.

In order to stave off prison's disorienting conditions, this section proposes, inmates engage in a kind of "detail-commitment." The idea is exactly as it sounds: they fight their "untethered-ness" by tethering (or "committing") themselves to things they know to be true and, particularly, to the *details* of those things. Across the archive, inmate-authors use their personal writing to highlight what seems like minutiae—the fine details of things that (at first) have little bearing on their day-to-day existence. These "things" are often random for that reason, or trivial-seeming. They cover objects, places, procedures, events, materials, science, food, history—things encountered both inside and outside prison. Lists of ingredients or meals, their exact route to work, step-by-step descriptions of medical procedures, precise measurements of objects, dates and times of events or conversations, groups of named inmates according to blocks or gangs, and a host of other topics.

Without the American Prison Writing Archive, this mechanism may not be so evident. But to reiterate, the archive's request for essays is distinguished by its generality. It accepts "personal writing" according to that term's broadest interpretation. The result is a broad swath of writing-types (personal, legalistic, creative, epistolary, poetic, etc.) representing an even broader swath of subject matter. Moreover, the archive accepts essays from an array of prison-types (i.e. security-levels, state and federal statuses) representing all 50 states. And it accepts essays from an array of inmate-types as well (racially, ethnically, socioeconomically, religiously, etc.). Its parameters are few. In gathering and publishing its authors, it emphasizes generality, inclusivity, and diversity.

The point being: despite this emphasis, "detail-commitment" is astoundingly *uniform* across its essays. Again and again, inmate-authors use their essays to highlight—or at least, copy down—lists or paragraphs of details seemingly from memory. Even where reference materials are used (as when essays consider statutes, regulations, inmate ID numbers, menus, or otherwise), inmate-authors *still* feel the need to include minute information in full, down to the last word or

decimal point (literally speaking, in some cases). Viewed collectively, the archive is littered with minutiae. The appearance and reappearance of minute detail, whether its inclusion is conscious or subconscious, *is* so striking as to call it a phenomenon.

How do we come to understand this “phenomenon” as a “mechanism”? This paper proposes an inclination here, on the part of inmate-authors. The reason for detail-commitment’s repeated appearance is (as discussed) because inmates feel—to varying degrees—a loosening of their grasp on the truth. This loosening (or “disorientation”) is a distancing (or “drifting”) from what inmates know to be objectively real or true. To mitigate the effects of it, inmates commit themselves (i.e. pay concerted attention to, write down, or otherwise regurgitate) things that they *know* to be true for now. To be absolutely certain about the nature of these things, they feel compelled to know even *minute* facts about them. Plus, minute inner-details allow these truths to multiply, or grow fuller.

The more certainty about truth there is—and the more truth there is in general—the more inmates have to hang onto when the going gets rough. The unquestionable facts of things become like storm shelters then, which inmates climb inside and stay inside as disorienting whirlwinds pass overhead: the frustration of confinement, the unyielding irrationality of a prison’s bureaucracy, or “Process Degradation” in general. *Any* truth, facts, details—big or small, random or relevant—may help inmates weather the storm.

Writing these truths down is one way of “committing” to them (though not the only way). Inmates fearing the psychological effects of long sentences can return to them, and resist their being questioned later on. Moreover, the more out-in-the-world they are (and inmate-authors understand that their archive-submissions will be published), the less these “truths” are tied to the world of the prison—i.e. the more immune they are to the disorienting conditions that define their space.

“Hmmm / how does one overcome these conditions?” one inmate-author wonders. “... Graffiti, markings on the walls intomed [sic] behind steel doors, dried blood stains, and teeth marks to ‘etch’ the history of celldwellers before me”<sup>60</sup>. What he means is: we get these truths down on paper. We set them in stone. He conjures the pop-lore image of a desert-island castaway, scratching tally marks on a wall. A castaway does this to keep track of time, to know for certain how many days have passed since he washed ashore. These marks keep him tethered to reality. They tie him to something objective (the passage of time), something that exists externally and resonates *regardless of his circumstances*. Deprived of basic resources, and threatened by a psychological degradation of his own, trivial-seeming tally-marks keep the castaway from succumbing to total disorientation. Detail-commitment is inmate-authors’ version of tally-marking.

It should be noted, of course, that they engage in this practice to varying degrees of self-awareness. Some appear to have little consciousness of it—i.e. of how, when, and why they use it. But their essays show them using it all the same. Other inmates identify the mechanism explicitly. They see the value in committing themselves to truths (facts or details) up front. And their essays point it out.

An essay titled “Scarred: The Effect of Institutionalization” exemplifies the latter. It chronicles the experiences of an African-American inmate-author named Brian McCarn, currently housed at a mixed-security prison in Michigan. McCarn begins his essay by describing the effects of decades in prison on his psyche: “[I have] spent the majority of [my] life in a battle to retain possession of [my] mind while behind bars.” He calls prison’s psychological degradation-process “institutionalization,” “a word synonymous with being programmed—it’s when someone else has

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<sup>60</sup> Levert Brookshire III. *Celldweller Journal: Words Alone Aren’t Enough* – Entry 2? 21 Nov. 2013. American Prison Writing Archive, Digital Humanities Initiative.

acquired the capacity to think for you”<sup>61</sup>. Most inmates, he says, lose the capacity to see truths for themselves.

How do they get to this point? In McCarn’s interpretation—which mirrors this paper’s—prison officials “come to occupy” inmates’ minds. Once inside, they can delude them into believing anything. This includes things that are wholly untrue, and which inmates formerly *knew* to be wholly untrue. They can make inmates *forget*.

“‘Institutionalized’ is when you’re no longer capable of grasping the concept of being free,” he says. You still have some knowledge of an exterior world (meaning, both outside the prison *and* outside you). But “you no longer have the ability to envision yourself living in it.”

He notes that inmates are not always aware of their “institutionalization” right away. “Nonetheless it’s there, lurking beneath the surface ... Sort of like a bad case of acne—you wake up one morning and it’s just there. Each pimple inclusive of its own murky substance”<sup>62</sup>. At some point, McCarn says, the pimple bursts. And this “murky substance” becomes the substance of an inmate’s life itself. “Murkiness” here is the untethered-ness this paper identifies—a disoriented state and all that comes with it. “Image issues, addiction, mental illness,” and so on.

Other inmate-authors agree with McCarn’s characterization—most notably, those housed in solitary confinement. McCarn’s “pimple” bursts more quickly there, where conditions are markedly worse and human contact is disallowed. The mental murkiness or “fogginess” that results is drawn even more explicitly by an inmate-author named C.F. Villa, who spent twelve years in the SHU (Security Housing Unit, the equivalent of solitary confinement) at Pelican Bay State Prison in California. The severity of his “murkiness” reflects the severity of his circumstances of course. But the organizing principles behind solitary apply outside solitary as

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<sup>61</sup> Brian McCarn. Scarred: The Effect of Institutionalization? N.d. American Prison Writing Archive, Digital Humanities Initiative.

<sup>62</sup> Ibid.

well (albeit to lesser degrees). Regularly-confined inmates describe their “murkiness” similarly.

Villa writes:

My sense of normalcy began to wane ... Now I was asking myself, can I do this? Not sure about anything anymore. Though I didn't realize it at the time—looking back now—the unraveling must've begun then. My psyche had changed. I would never be the same. The ability to hold a single good thought left me, as easily as if it was a simple shift of wind sifting over tired, battered bones<sup>63</sup>.

Like McCarn, Villa describes the emotional toll of this decline. “The darkness that looms above is thick, heavy and suffocating,” he says, in near-explicit reference to McCarn’s “murkiness” metaphor. “Emptiness [comes] together seeping into your bones, then eventually the mind ... I’m talking that heart-pounding, palm-sweating, eye-rolling, dizzying effect,” he says, “And of course, on every level *wrong*”<sup>64</sup>.

Villa’s psychological degradation is “discernible,” he writes. He begins to have trouble telling left from right, so to speak—basic truths from falsehoods (“Not sure about anything anymore”). Knowledge he once had fades away. He comes to distrust even the little knowledge he retains (he feels “on every level *wrong*”). Nagging, worried thoughts (and a lack of thoughts altogether) punctuate his dissent into disorientation (the “dizzying effect”). Disorientation nearly consumes him.

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<sup>63</sup> C. F. Villa. *California Elegy?* N.d. American Prison Writing Archive, Digital Humanities Initiative.

<sup>64</sup> *Ibid.*

Somehow though, both he and McCarn develop the will to fight it. And both do so using the mechanism this paper identifies: detail-commitment. Villa describes how he tempers his disoriented state as follows:

In the SHU, the thought process is confusing enough trying to put two and two together. Throw in some pale walls, bouts of rage and a dash of listlessness, and you'll be lucky to form a single thought at all. That's why I keep notes for everything. Notes on colors, names, words that look confusing, emotions, social protocol (should I ever meet another human being, I'd like to be ready), books, magazines, quotes, phrases...you name it, I probably have it on a note<sup>65</sup>.

“Colors, names, words ... emotions, social protocol ... books, magazines, quotes, phrases.” Villa commits himself to minutiae—big and small, representing a wide array of topics. He fights for his sanity by thinking of trivialities, the details and facts of any number of things. Where prison officials (“our oppressors of humanity,” as he calls them) do things “without reason,” and with no regard for “dignity” or “truth,” where they isolate him indefinitely or restrict his freedoms further, Villa commits himself to seemingly *random* truths—small lights through the murkiness. Moreover, he emphasizes the importance of writing these truths down. He “commits” to them in this manner. He sets them in stone.

McCarn also uses this mechanism, and describes it similarly. He writes: “It took me a while, but I finally realized that [it's] the truth, that sets you free ... You see, the truth is the substance I use daily to clean the lens to my soul with”<sup>66</sup>. Truths alone can wipe away the

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65 Ibid.

66 McCarn, Scarred

murkiness, he says. He resolves to commit himself to as many truths as possible, down to the details of random, trivial things. In particular, McCarn's truths highlight a thing's basic substance. Which is to say: he chooses objects at random, then gets at their nature. By his own analysis, he does this so that he can be sure of them—so that he cannot be tricked into thinking they are something other than what he knows them to be. This sureness anchors him to reality. In his words:

[The truth] abruptly confronts me at those times when I'm veering off course, and in need of my mental GPS to remind me that a bar of soap is just that—something to bathe with. That an Oodle Noodle, no matter how well dressed up, is still a cheap processed food item, no more, no less ... A tell-tale sign of institutionalization is when someone has lost sight of that.<sup>67</sup>

McCarn's essay is notable in that he outlines detail-commitment and then, without calling attention to the fact of his doing so, demonstrates its use. In other words: perhaps unwittingly, he engages this mechanism in his essay *about* this mechanism. Following descriptions of his disoriented state and how he combats it, he mentions details with seemingly random, unnecessary exactness.

He writes, for example, that when inmates are disoriented, they often fight over things like commissary items. But before moving to his next point, McCarn is sure to mention that Ramen Noodles are an example of a fought-over commissary item, and to describe Ramen Noodles as

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<sup>67</sup> Ibid.

“something saturated in additives” which he resolves to list: “mononitrate, riboflavin, diglycerides, polysorbate, hexametaphosphate,” and so on<sup>68</sup>.

Later, he recalls a casual interaction on the yard (on a summer day when he was 45, following his 30-minute run, during which he listened to Jay-Z through one earphone). He is confronted by three younger inmates who tease him about his age. McCarn assures them that he looks good for 45. “I cracked a smile,” he says, “... and then proceeded to inform my young audience of the benefits of staying healthy—making sure to place emphasis on the lack of adequate health care that prisoners receive”<sup>69</sup>. Even in casual conversation, McCarn emphasizes the concrete details of things—“boring” his audience with a set of concrete, collected facts about his prison’s lacking health care policy, rather than platitudes about its “injustice” or “unfairness” in general.

This, of course, becomes the trend. Inmate-authors avoid generalities, opting instead to hone in on the details of things, which feel far more concrete, and which the detail-commitment mechanism requires. They find these details in all corners, including those more prone to generalities or abstracts. Many find them in memories, for example, mourning for the smallest features of their former lives *far more* than for years, moments, or milestones missed. “Things [that] are missed,” one writes, “they seem so small; like hot apple pie and chocolate chip ice cream, a real steak with fixings, the rumble of a Harley”<sup>70</sup>. “Trivia,” he calls them. An inmate-author named B.G. Jacobs pines for the pastelles (“Puerto Rican style tamallies [sic]”) he and his aunt always baked and shared (“my favorite smell of all,” he says, “pastelios frying away on the pan”)<sup>71</sup>.

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68 Ibid.

69 Ibid.

70 Daniel Hairgrove. A Day in Life. 04 Apr. 2016. American Prison Writing Archive, Digital Humanities Initiative.

71 B.G. Jacobs. Food for Thought. 10 Aug. 2010. American Prison Writing Archive, Digital Humanities Initiative.

To the lay ear, these descriptions may sound merely wistful, or longing. And of course, to some extent they are. But this paper argues that, even in inmates' memories, "trivia" offer *more* than just nostalgic value. We can tell because so often, inmate-authors take sudden turns into in-depth descriptions of their memories—into uncharacteristically fine, irrelevant details of them. Presumably, they feel compelled to get them down before they lose them. And they take comfort in concretizing them. Take Jacobs' essay, which treats his Puerto Rican pastries with poetic prose at first. Suddenly, this prose becomes precise, step-by-step instructions for cooking them.

You get a banana leaf—you can also use wax paper—and lay down the banana dough. Next, you put some of the pork filling in the center and cover with some more of the dough, enclosing the filling in between the dough like a sandwich. Fold in the ends of the banana leaf ... Once you have two of the pastelles done like this, you stack one on top of the other and using twine, bind the two of them together ... Grandma would make dough using [the remaining] flour and water, roll it out on the counter to about a ¼ inch thick, then place the meat filling on the dough & begin to form patties or pastelios, which she would immediately begin to fry. [They] took about 30-45 seconds per side.<sup>72</sup>

Again, this may seem like a one-off, or like inmate-authors merely adding detail to liven up their essays. But Jacobs himself borders on *apologetic* for this level of detail, and explains himself by describing his need for the *specifics* of his memories—especially when facing prison's disorienting, Twilight-Zone irrationality. "Lately, with the way stuff has been going on inside here, I needed to re-capture [this] little piece of my childhood," he writes immediately after these

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72 Ibid.

instructions. “Where you’re from, do people get cut for playing handball on the wrong court? Do they hang themselves because a girlfriend didn’t come [visit]?” “When too much negativity starts to surround me,” he says, “I try to counter it with something positive ... [by] writing my thoughts down on paper”<sup>73</sup>.

Furthermore, Jacobs’ essay illuminates a common indicator of detail-commitment. Inmate-authors often launch into detailed soliloquys in close proximity (literally speaking) to descriptions of their disorientation, frustration, or disillusionment. Inmate-author John Paul Minarik of Pennsylvania, for example, begins his essay by venting frustrations with his prison’s Bureaucratic Paradoxes. “The power of government,” he writes, “when unchecked by lawsuits, can introduce bizarre requirements”<sup>74</sup>. Specifically, he describes the Prison Litigation Reform Act’s “extremely substantial” impact on prison litigation, i.e. its inhibiting inmates’ ability to bring lawsuits against officials. The PLRA, he implies, has diminished his sense of agency in general. In more essays than his of course, a lack of agency characterizes inmates’ disoriented-ness.

But Minarik quickly moves on from discussing this disoriented-ness, resolving to update readers on his personal life (the stated purpose of his essay). He writes that he received “cataract surgery on July 30, 2015 at Somerset Hospital by Dr. Daniel C. Vittone,” discusses the 19,250-word prison-essay he recently completed, and so on. Initially, his “letter” reads as a fairly typical series of life-updates. But like Jacobs, Minarik quickly veers into minutiae. With urgency, he includes details (about his cataracts surgery, in particular) that seem wildly out-of-place, given their specificity.

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73 Ibid.

74 John Paul Minarik. John’s Personal Message at Christmas, 2015. 2015. American Prison Writing Archive, Digital Humanities Initiative.

Based on Internet research and having my Optometrist brother Ken explain the operation to me, the ophthalmologist began by making a small incision with a scalpel in my left cornea. Because there are no blood vessels in the cornea, I did not bleed and did not have to stop taking Plavix (anticoagulant necessary for the uncoated stent implanted in my heart) or aspirin. Then he injected ocular fluid to build up pressure in my eye to keep it from collapsing as he next used ultrasound to break up the cataract (with unfortunate consequences of destroying the original natural crystalline.)<sup>75</sup>

Recall Villa's means of getting by: notes on "names, words ... protocol ... phrases." Science, as well. Like Villa, Minarik commits himself to these trivia exactly—and, not to be outdone, makes them *as important as* his major life-updates. Descriptions of his cataracts surgery (and there are more of this kind, in as much detail, not included here) comprise a greater portion of his essay than any other element. Moreover, his obsession with detailed, methodically-presented *process* echoes Jacobs' cooking instructions. Both authors commit themselves to process, likely because processes require careful accuracy—and perhaps because prison officials subvert and pervert once-familiar processes so frequently<sup>76</sup>. In any case, recipes, surgical processes (and the like) have desired outcomes reached only where their steps are faithfully, *truthfully* followed. Their predictability is comforting.

Minarik goes on to include "the story behind the implantation of the intraocular (inside the eye) lens," committing his knowledge of Sir Harold Ridley's first successful lens-implant—on November 29, 1949 at St. Thomas' Hospital in London—to paper. He writes about "advances in

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<sup>75</sup> Ibid.

<sup>76</sup> Faiello, *Metanoia*; Garner, *Attempts to Exhaust*; Outman, *Reform by a Thousand*; etc.

lens technology” since then, which “brought about the use of silicone and acrylic[,] both of which are soft, foldable inert materials”<sup>77</sup>.

This paper anticipates a counterargument here: maybe Minarik has nothing else to write about. Little happens in prison. Perhaps he has few life-updates to give, and resolves to discuss the things he learns about instead. To respond: this counterargument *makes* the point exactly. The lack of stimuli, thoughts, events, or occurrences in prison is *disorienting*, and by-design. As a result, inmates take comfort in committing to things that are concrete, and often external (in all senses of the word). Detail-commitment allows them to break free from their environment’s disorienting-ness—to find stability in thinking about things that are unshaken by it because they exist outside of its control.

Minarik closes his letter with a few more life-updates. And he reminds anyone wishing to send him something that prison officials have placed restrictions on any mail containing: “stickers, glue, adhesives, tape, glitter, whiteout, lipstick, unknown substances, watermarks, or discolorations” in that order<sup>78</sup>. More “bizarre requirements,” he says, but commits himself to the fine-print anyway.

Minarik’s commitment to these mailroom-restrictions is telling. Despite finding comfort in externality, many inmate-authors *do* commit themselves to minutiae concerning the *prison itself*, i.e. to the rules, regulations, history, appearances, inhabitants, objects (etc.) of their immediate surroundings. Rather than fixating on small memories, processes, or subjects like science and history, they focus their attention on things they encounter day-to-day. As McCarn and Villa imply, the reasoning behind *this* kind of detail-commitment is sound as well.

Everything within the prison falls under the purview of officials. And (again) inmate-authors

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<sup>77</sup> Ibid.

<sup>78</sup> Ibid.

repeatedly characterize officials by a single quality: their willingness to confuse or lie to inmates about their own circumstances. Facts of things that exist within the prison's walls—as a result—are especially vulnerable to manipulation, given that officials govern them. Inmates can rely upon themselves alone to know their truth.

A Delaware inmate-author named Robert Warrington formulates a hypothetical idol (whom he calls “The Dude”) around this idea. “The Dude” is the man Warrington strives to be, a man who takes it upon himself to know the ins and outs of his surroundings so that he cannot be fooled by them. “The Dude makes thinking a way of life,” he says. “He has made a personal commitment to awareness. He makes the effort to keep expanding that [mental] field,” and all on his own. “When he wants to know if it is raining, he looks out the window rather than asking someone else for the answer ... All of the answers are there [in reality] if one just makes the effort to look”<sup>79</sup>. In prison, “The Dude” *trusts* no official (nor fellow inmate, for that matter), even when it comes to basic facts like the weather. Instead, he commits himself to those facts via observation and concerted thought, assuaging his biggest fear: that prison's illogic will “get to him.”

Similar fears, and strategies to mitigate them, appear in a number of essays. Ivan Kilgore, the inmate-author mentioned at the beginning of this paper, fears what he calls “the rhetoric of the prison”—the false facts, narratives, or ideologies instilled in the minds of inmates by officials hoping to disorient them. Kilgore describes how he combats this “rhetoric” from inside the prison: detail-commitment. He observes his environment, and its inhabitants, to glean detailed facts about them on his own. He writes:

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<sup>79</sup> Robert Warrington. *The Dude: A Character Study in Personal Redemption*. Jul. 2012. American Prison Writing Archive, Digital Humanities Initiative.

Often I find myself on the yard posted as if a birdwatcher with my binoculars focused on my fellow prisoners and staff. Because we go to great lengths to be conscious of those around us, I study with detail their beliefs, habits, responses, defenses, egos and other complexes.<sup>80</sup>

Both Warrington and Kilgore remind readers that in prison, this kind of observation is crucial. “What is at stake is [the Dude’s] life and everything that he is capable of accomplishing with his mind and hands,” Warrington writes<sup>81</sup>. He echoes Kilgore’s idea: that observed knowledge = agency. “Birdwatching” (as Kilgore characterizes it) brings awareness to concrete truths. Inmates use concrete truths to shield themselves from Bureaucratic Paradoxes, and irrationality in general.

Kilgore concludes his essay with rhetorical questions that reflect prison’s disorientingness (“Can a man find his lost moral compass in such a place? Most cannot”). He tacks a quote from British philosopher Bertrand Russell to his signature: “Most of the greatest evils that man has inflicted upon man have come through people feeling quite certain about something which, in fact, was false”<sup>82</sup>. Kilgore commits himself to details (officials’ and inmates’ “beliefs, habits, responses, defenses, egos and other complexes”) to avert “the Zo’s” perversions, manipulations, and false consensuses.

To be clear, detail-commitment functions no matter the *type* of detail. Intra- and extra-prison details serve the same purpose, and inmate-authors use them both. Simply, Warrington’s and Kilgore’s essays explain why some inmates move beyond small memories, processes, or

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80 Kilgore, *The Rhetoric of the Prison*

81 Warrington, *The Dude*

82 Kilgore, *The Rhetoric of the Prison*

scholarly subjects external to prison, feeling greater urgency to commit themselves to the details of their surroundings instead.

These intra-prison details vary widely in nature as well. Inmate-authors find themselves focusing on all manner of facts about daily prison-existence. Angelo Silva, an inmate-author housed at Arizona's Eyman Correctional complex, fixates on the economics of prison for example. He includes this paragraph in a reflection on his whole nine years' experience in prison:

The vending machines in visitation are outrageously priced for food and beverage items. ADC charges a \$25.00 fee for a [sic] application to visit, \$12.00 fee every time family or friends debit money into an account for our phone calls, \$5.00 each 15 min. phone call, \$5.00 minimum fee plus surcharges to refund our families money from the phone account upon release ... [and] there is a \$6.95 fee for family and friends to put 20 bucks on our account.<sup>83</sup>

Again, his quote fits the pattern. Rather than mention unfair commissary prices in general, Silva's essay hones in on vending machines, application fees, and phone accounts specifically, including exact pricing for each. Perhaps outside this paper's context, his specificity is not unusual. But *in* context, even Silva himself sees it as somewhat out-of-the-ordinary—like Jacobs, he justifies his in-depth details where they appear, writing that this kind of “communication has spared [him] from insanity.” Attention to “letters, cards and pictures help[s] curb the built up tension [too],” he says<sup>84</sup>.

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<sup>83</sup> Angelo Silva. Today Brings Relief from Pressure. N.d. American Prison Writing Archive, Digital Humanities Initiative.

<sup>84</sup> Ibid.

Perhaps more intensely than Silva, Eric Wildcat Hall, a Native-American inmate-author at the State Correctional Institution in Pennsylvania, commits himself to intra-prison details as well.

[Cells include] thin mattresses of foam that when layed [sic] upon compress to a thickness of ½ inch or less of rubber foam or a fiber mattress that compresses to a permanent [sic] thickness of 1½ to 2 inches into a solid mass, both of which are only a small degree above sleeping on bare concrete or steel ... [And] steel stools that one has to sit upon if one wants to use the desk most prison cells have, they are strategically placed in a corner, with a steel stool coming out from the wall, just enough to set your butt on, with arm and shoulder pressed against the concrete wall exposed to the outside elements ... Should you sit with your back against the wall it is your back that absorbs the chill, the hard steel stool that after a ½ hour starts to cause an ache ... you can pad it with a towel, rugs, [or a] blanket.<sup>85</sup>

Hall's essay is littered with further descriptions, instructions, measurements—all striking for their banality.

Another inmate-author (who opts to remain anonymous) documents increases in taxes on inmate wages, which discourage inmates from buying commissary items (like Hall's suggested "towel, rugs, [and] blanket") to make their cells more livable. Note the precision in his documentation of these increases. "The most significant in our mind is the one instituted back in about 1998[,] the Amendment of 15 CCR Article 1.5 'Inmate Wage and Deductions' section 3097," he begins.

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<sup>85</sup> Eric Wildcat Hall. Torture. 15 Feb. 2016. American Prison Writing Archive, Digital Humanities Initiative.

“INMATE RESTITUTION FINE AND DIRECT ORDER COLLECTIONS” [is an increase] which up until the amendment was basically 20% (Twenty Percent) with the Department Collecting 10% of that amount as a 2% processing fee resulting in the CDCR [California Department of Corrections and Rehabilitation] collecting a total of 22% (Twenty-Two Percent) being deducted from a prisoners [sic] inmate trust account. The CDCR was then authorized to increase the deductions of 20% to 30% and the CDCR [accordingly] was able to increase their take from 2% to 3% through December 21, 2004<sup>86</sup>.

Detail-commitment to one’s “surroundings” includes those surroundings’ social landscapes as well (recall Kilgore’s commitment to officials’ and inmates’ “beliefs, habits, responses, defenses, egos and other complexes”). California inmate-author Robert Winters, for example, literalizes Kilgore’s metaphor for detail-committed observation, perching himself “above” the yard and watching as his prison’s gang politics play out below. He documents the history (and observed history) of these gangs, their activities, and prison officials’ responses to them in his essay, committing himself to careful citation and definition. Describing what he observes, he shares his background knowledge with pedantic urgency: “The Fresno Bulldogs are identified as a hispanic [sic] street gang that primarily derives in and around the Fresno County in the central valley of California.” He continues:

This Bulldog street gang and group of prisoners in question; is not an associate or an affiliated fraction to ... the much larger hispanic Mafia organized crime prison gang groups known as the “ENE / Nuestra Familia” and the “EME / Mexican

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<sup>86</sup> John Q. Convict. California Inmate Pay Rate Schedule. N.d. American Prison Writing Archive, Digital Humanities Initiative.

Mafia” who have very large right hand fraction groups of street gangs that [cover] over the majority of California and [are] “now leading into Fresno City and its surrounding counties”<sup>87</sup>

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Examples like these appear in nearly every corner of the archive. Of course, this paper is limited in terms of how many examples it can include. Showcasing inmate-authors’ *depth* of detail-commitment requires space this paper does not have, and greater focus on individual essays. But note: this paper’s following section includes more examples of detail-commitment, and *does* dive into individual essays. And, by its current count, over 150 archived essays feature detail-commitment as explicitly rendered as the examples provided above<sup>88</sup>. The full archive is still being explored.

Moreover, the essays quoted above (and in the next section) were chosen for their representative value, as much as for their illustrative value. Collectively, they touch on topics whose details are *most commonly* committed to—measurements of things in cells or the prison yard, lists of everyday objects, prices, step-by-step procedures (prison-based or otherwise), social dynamics (by block or gang or race), prison policies, and so on. Assigned “essays about personal experiences” in the broadest sense, inmate-authors single out these topics most frequently, and hone in on the details within them. Most fall into Villa’s proposed categories: “colors, names, words that look confusing, emotions, social protocol ... books, magazines, quotes, phrases...you name it”<sup>89</sup>.

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<sup>87</sup> Robert Winters. To Politically, Discriminatorily and Unequally Attack a Minority Per Se Lessor of Three Evils is to Assist in Those Greater Evil's: "Organized prison mafia gang and associate street gang activities." 02 Apr. 2010. American Prison Writing Archive, Digital Humanities Initiative.

<sup>88</sup> Essays included in this count are essays in which detail-commitment is especially obvious or prominent. The number may be higher, though given the subjective nature of displays of detail-commitment (and the variety therein), it remains debatable.

<sup>89</sup> Villa, California Elegy

At this juncture, it is important to note that this mechanism (or inclination, more broadly) is *not* typically attributed to individuals or communities in oppressed, “un-free,” or otherwise challenging circumstances. In fact, oppressed individuals and communities are usually characterized by the opposite impulse. In both popular and academic literature, oppressed peoples are often said to maintain themselves, their sense of agency, and their culture via things like myth, legend, or lore. They share oral histories of their people or people like them, and the *truth* of these histories is far less important than their lessons, or their inspirational value. Much-impacted narratives concerning Native-Americans, or colonized Central American peoples, or enslaved Africans come to mind<sup>90</sup>. Even American soldiers during wartime. Of course, it is easy to over-generalize, and each of these communities is extraordinarily diverse (in culture and practice). But, generally speaking, each used (and is said to have used) traditional stories, songs, and other modes of imparting principles or abstracts to define their communities and take ownership of them—to “get by” despite dire circumstances.

This understanding responds to a few potential counterarguments: what were we *expecting* inmate-authors to write about in the first place? And, as briefly referenced earlier, what if inmate-authors are just using detail to color their essays, or to substantiate their essays’ larger claims?

In response to the first question: we might *not* expect the kind (nor level) of detail-commitment found in the archive, given the notions of oppressed communities just described. Because inmates are an oppressed community in essence, and primarily concerned with self-preservation, we might expect a kind of myth, legend, or lore to appear more frequently. It could manifest in any number of forms: legends about horrors committed against inmates-past, or abusive officials, handed down through generations. Sweeping manifestos about the prison’s

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<sup>90</sup> Martin A Klein. "Studying the History of Those Who Would Rather Forget: Oral History and the Experience of Slavery." University of Cambridge, 1989. Web. 13 Apr. 2017.

injustices, and big-picture narratives of inmates' struggle to survive in spite of them. At the very least, we would expect pieces concerned with principles and abstracts. Descriptions of overwhelming remorse or regret ("Why me?" pieces), or experiences of religious vindication or transcendence. Stories or arguments about systemic injustice, poverty, violence, sin, karma, repentance, forgiveness, and so on.

Certainly, there are essays like these. But these essays are surprisingly *few*. At least, they pale in comparison to essays which zoom much further in—which shirk principles or abstracts for concrete, verifiable detail. What results is not myth, but a kind of anti-myth. Not fascination with big narratives or ideas, but a fixation on small, graspable, undeniable truths. Where myths are largely unconcerned with concrete truths, this paper argues, inmates are hyper-concerned with them. Their self-definition, self-ownership, and "getting by" depend upon them.

In response to the second question: this zooming-in may, in fact, be an effort to liven up an essay. It may provide "supporting evidence" for an inmate-author's claims or experiences. But inmate-authors have a tendency to zoom-in to the point of irrelevancy. Consider the aforementioned essays, which variably hone in on exact recipes, cataracts surgery-procedure (and description of the first doctor to complete it successfully), the fee for 20-dollar debits to a phone account, exact bed-compression measurements, exact dates of percentage tax increases, etc. Inmates' commitment to detail goes beyond the descriptive or illustrative, often steering essays off their original, bigger-scale courses, down tangents that have little bearing on their stated purposes.

The idea that these details are merely used to "set the scene" is also dubious. To respond to this counterargument, this paper looks outside the American Prison Writing Archive (briefly), to a longer, more novelistic work—i.e. a work in which "scene-setting" is more likely. (It also hopes to assuage any concern that detail-commitment, as a mechanism, is specific to this archive

by doing so). Purposefully, it considers an extreme: the prison memoir of Austin Reed. Composed between 1858 and 1859, it was first authenticated at Yale's Beinecke Rare Book and Manuscript library in 2016. By "extreme" this paper means: that this work, *The Life and the Adventures of a Haunted Convict*, is the oldest known prison-memoir composed by an African-American. It is considered to be the first.

This paper does not intend to consider Reed's work at length, only to make the point: that *it too* features an extraordinary level of detail. Certainly, one might respond, detail is to-be-expected in novelistic writing—as in most novels, Reed is merely trying to immerse readers in a world he assumes they do not know. Details are required to "set the scene" such that readers can visualize the action, and sympathize with the person describing it.

But take Reed's initial description of Auburn State Prison (now upstate New York's Auburn Correctional Facility). Note its excessiveness if meant only to "set the scene." Reed spends full *pages* walking readers through it, which essentially read as follows: you start at the front gate, then walk down the main hall. There is a door on your left-hand side. If you walk through it, you reach the clerk's office. If you pay the sergeant there, you can pass into the prison's North Wing. There are cabins in the North Wing. Follow the path, and you enter the cooper shop. After the cooper shop is the tool shop. Cross the road and you reach the weave shop. Cross another road and you reach the machine shop. The comb shop is next, across a small pathway. If you stay down this small pathway, you reach the cabinet shop. If you walk through the cabinet shop you reach the South Wing. But first you have to pass through the hame shop. There are more cabins lining the road in the South Wing. Follow the road and you reach the dining room. In the dining room, there are tables set with seven or eight hundred wooden plates. Follow the table to the opposite end of the dining room. The kitchen is at this end. Pass through the kitchen. If you find the warden, he can bring you up the stairs to the hospital, where you will

find its main room, and accompanying closets. If not, walk down the stairs. Then walk back through the wing. When you turn the corner, you have come full circle. You arrive back in the main hall. You are inside the front gate, where you started<sup>91</sup>.

The vast majority of these spaces never reappear in his work. Reed may “set the scene” by definition, but true to detail-commitment’s form, he sets it excessively, too-precisely. (Recall Hall’s outlining the positioning of his cell, desk, and bed, Kilgore’s “birdwatching,” McCarn’s listing every chemical in his Ramen Noodles).

There are more instances of detail-commitment in *The Life and Adventures of a Haunted Convict*, but this instance is indicative of their nature: exceedingly thorough, hyper-accurate description. Again, these instances may be informative. The reader may learn something from them. But consciously or not, informing the reader (i.e. “scene-setting”) may not be the author’s underlying reason for including them. Detail to this extent does not lend itself to captivating a reader, nor even—in its exhaustiveness—to imparting information effectively. Reed commits to it anyway.

And strikingly, just as in inmate-authors’ essays, Reed’s instances of detail-commitment are never far from *his own* descriptions of disorientation. His “scene-setting” moments are almost always followed by portrayals of inmates housed at Auburn who, rigorously governed, move about their routines like zombies. Punctuated by the minute details of these routines (times, durations, quotas, orders, fine-print requirements, etc.), his memoir similarly describes disorientation—an untethered-ness from reality—and the lack of agency that comes with it. Long stints in prison, he repeatedly argues, transform inmates into Psalm 115’s famed subjects: “They have ears, but they hear not / They have feet but they walk not / Hands have they, but they handle

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<sup>91</sup> Austin Reed, Caleb Smith, David W. Blight, and Robert B. Stepto. *The Life and the Adventures of a Haunted Convict*. New York: Random House, 2016. Print.

not. / Nose but they smell not, mouths but they speak not / And the very man that made them is like unto them”<sup>92</sup>.

### Secondary Sources:

Interestingly, Psalm 115 provides a nexus to findings in extant literature that, taken together, bolster the claims of this section as a whole. The psychological effects of confinement-experiences were initially studied in terms of “sensory deprivation” in the early 1950s. Pioneering neuroscientist and psychoanalyst John Lilly was interested in how humans’ brains responded to ears-but-they-hear-not, eyes-but-they-see-not situations, so to speak—stunted sensory experiences or total sensory deprivation. Though this paper declines to discuss the science of inmate-psychology in depth, it does combine Lilly’s research with a few more-recent psychological studies to establish a precedent for what is apparent from the archive’s essays: that rigorous commitment to detailed facts or knowledge is one mechanism of resisting disorientation.

As argued in this paper’s previous section, prison-existence entails a kind of “sensory deprivation” in more ways than one: first, via confinement itself (and its limitations in general), and second, as part of a concerted effort by prison officials to detach inmates from normal cognitive experiences. Lilly himself acknowledges the “sensory deprivation” in prison-style confinement, though he studied *voluntary* participants in a wide variety of un-stimulating environments. He was famous for leaving them in water tanks or dark-rooms for hours at a time, for example, then recording their physical and psychological reactions to these circumstances<sup>93</sup>.

University of California psychologists Craig Haney and Mona Lynch describe Lilly’s findings in their work *Regulating Prisons of the Future: A Psychological Analysis of Supermax*

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92 Ibid.

93 Craig Haney and Mona Lynch. "Regulating Prisons of the Future: A Psychological Analysis of Supermax and Solitary Confinement." *HeinOnline*. New York Review of Law and Social Change, 1997. Web. 25 Apr. 2017.

*and Solitary Confinement*. Several variables appeared to significantly mitigate participant stress-levels in Lilly's sensory-deprivation experiments, they say. But across all demographics, three variables really stuck out. They list them as follows: "Knowledge of the study's duration, awareness of the passage of time, and prior level of ... familiarity with the experimenter and experimental conditions"<sup>94</sup>.

Knowledge, awareness, familiarity—with both the experimenter (i.e. the authority guiding their experience) and the conditions in which they were placed. Lilly's findings recall the castaway, using tally marks to stay tethered to the passage of time. And inmates' commitment to the details of prison policies/procedures smacks of "familiarity with the experimenter and experimental conditions." The more participants *knew the facts* of their circumstances (and about the authorities controlling them)—the less stressed they were in confined, un-stimulating spaces. The less stressed they were, the longer they managed to endure these spaces before pulling the plug.

This study thus lays groundwork for this paper's theory of commitment to knowledge, awareness, and familiarity as psychological-resistance. Lilly does not identify "detail-commitment" in terms of course, nor does he find that details themselves are essential. But in real-life cases, the impossibility of "pulling the plug" might explain why so many inmates take this "knowledge" mechanism to such detailed extremes. Real inmates may feel a need to access or develop new, deeper, or more detailed things to *know*, in order to maintain this mechanism's potency over long periods.

Lilly's results are echoed in other studies as well. Haney and Lynch mention POW Christopher Burney's writings about his imprisonment in France during World War II. Though Burney's account is novelistic like Reed's, it makes detailed observations about solitary

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94 Ibid.

confinement's effects on his psychology—Haney and Lynch note that these observations are popularly reviewed by psychologists interested in subjects like Lilly's. In one observation, Burney writes that solitary confinement had denied him “the experience of so many things,” such that he felt compelled to create “inner worlds of existence” on his own. He tried to do so, he says, by achieving “psychological mastery of [his] environment,” i.e. by working to understand all he could about his circumstances—exactly what was happening to him (and when, and why, and how)<sup>95</sup>. Occasionally, Burney even resolved to focus on things *outside* of his immediate environment as a means of defining his environment in contrast to them. He writes that his “striving” towards “psychological mastery” was part of a “constant battle to preserve his sanity.”

This *striving* itself was as important as its outcome. When Burney felt he had achieved psychological mastery over one subject, he writes, he would find something new to master, and so on. The process gave him purpose, and oriented him around something external to himself. “It takes a well-nourished brain to cope with such an absolute as Nothing” he says<sup>96</sup>. So he made sure there was never Nothing.

Burney's fixation upon “external somethings” is a mechanism that appears in other well-known studies of inmate-psychology. Harvard psychiatrist Stuart Grassian, for example, finds similar “external fixation” in his study of 15 inmates housed in isolation at a Massachusetts state prison. Haney and Lynch write that Grassian was surprised when these inmates described a series of psychiatric symptoms that were “strikingly consistent.” Specifically, two-thirds of these inmates reported a hypersensitivity to external stimuli. They exhibited fixations upon (or otherwise strong reactions to) seemingly insignificant occurrences in their environment, or variations in the status quo. Grassian also noted that isolated inmates who struggled to

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95 Ibid.

96 Ibid.

concentrate *fought* their “deterioration” by focusing on “external somethings” deliberately, in the hopes of strengthening or maintaining their capacities<sup>97</sup>. He attributed this phenomenon to the daunting-ness of existing in an environment devoid of stimulation (especially positive stimulation). In this paper’s terminology, that daunting-ness is “disorientation.”

Of course, across almost all studies of inmates, findings were more extreme for those enduring solitary confinement. Singularly isolated inmates suffered greater psychological disturbance—and more frequently utilized the above-suggested mechanisms of resisting it—than inmates enduring regular confinement<sup>98</sup>. This paper acknowledges the marked differences in these experiences (as well as in experiences of low versus high-security prisons, for example). It simply argues that disorientation occurs in degrees, which depend upon an inmate’s objective circumstances (max- or minimum-security, solitary confinement or non-solitary, restrictions or no restrictions, etc.). Detail-committed strategies of resisting disorientation are deployed in degrees as well. (In this way, solitary-specific studies merely represent extreme cases, whose qualities can be applied more broadly.)

A final pertinent study answers the question: what do inmates *do* with the knowledge they gather, beyond taking comfort in it, and training themselves to gather more of it? This study—undertaken by a group of behavioral psychologists in 2002—provides more foundation for the mechanism this paper proposes. Observing coping efforts in young male prisoners, Mohino et al. found that dominant coping strategies were primarily 1) cognitive and 2) logical. Rather than approaching the challenges facing them with behavioral reactions (like outbursts) or “avoidance” processes (i.e. ignoring challenges or self-deluding), researchers concluded that young male

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97 Ibid.

98 Ibid.

prisoners are *more likely* to 1) collect information from their environment, 2) think about this information and how it informs a given challenge, and 3) confront the challenge *logically*.

Rates of “adherence to logic” were slightly greater than researchers anticipated, though they coincided with results from other known studies. It is “consistent with the findings of McCrae (1984),” they write, who showed that “when faced with a life event considered to be a challenge” an emphasis is placed on “rational action,” and rationality more generally<sup>99</sup>. In sum: many inmates confront challenges (e.g. confinement, behavioral restrictions, subordinating tactics, etc.) by rationally ordering information, then rationally addressing the challenge head-on.

Again, for many reasons, this study does not “prove” detail-commitment—inmates “tethering themselves” to the facts of reality to resist disorientation. It says little about the often random, trivial nature of these facts, for example. But it does show that fact-based, cognitive, logical approaches are favored by inmates—and in particular *young male* inmates, who are *far more frequently* portrayed as violent, physical, irrational resisters. (Note: Mohino et al. also found that intellectual ability has no bearing on whether inmates choose cognitive over behavioral approaches like outbursts.)

Of course, not all inmates cope cognitively and most inmates cope in more ways than one. Moreover, grasping factual information becomes more difficult for inmates over time, per Grassian’s research. Still, Mohino et al. make the point: that commitment to cognition, logic, truth (etc.) is a common approach at the outset—a likely jumping-off point for the detail-commitment mechanism this section has identified. This paper’s final section finds inmates using that mechanism to “rationally address challenges” as Mohino et al. suggest. It shows how officials respond to successful psychological resistance to their tactics, and the challenges to their authority that result.

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<sup>99</sup> Susana Mohino, Teresa Kirchner, and Maria Forn. "Coping Strategies in Young Male Prisoners." *SpringerLink*. Kluwer Academic Publishers-Plenum Publishers, Feb. 2004. Web. 25 Apr. 2017

### **PART III: RETALIATORY DISORIENTATION**

Some inmates, as established by the last section, use details *from their surroundings* to furnish detail-commitment. Because intra-prison details are particularly vulnerable to manipulation by officials, they feel compelled to commit to them (rather than committing to details from memories, processes, scholarly subjects, or otherwise). This paper's final argument is as follows: occasionally, commitment to intra-prison details brings intra-prison *injustices* into focus. In other words, intra-prison detail-commitment has a potent side-effect: it may reveal concrete evidence for a prison's various wrongs.

In this way, detail-committed inmates pick up on a much-peddled intuition: that “the devil's in the details.” As mentioned, these details come in a variety of forms. Everything on each day's lunch menu, for example. Increases by six cents in commissary hygiene products, the number of days before a letter is mailed, or a filed grievance is processed. Numbered subsections of the Texas Penal Code, exact dates and descriptions of man-to-man contact with named administrators, budgetary appropriations for new exercise equipment down to the penny (per legislative documents retrieved under the Freedom of Information Act (FOIA)) and so on. Via observation and experience, law library and FOIA request, some inmate-authors choose to collect and organize minute facts about the policies, politics, procedures (etc.) of their prisons as such. Sometimes, collection and organization of these facts reveals some *greater* fact which—in most cases—was kept hidden by prison officials on purpose.

Linkages between intra-prison details are drawn, and a big picture emerges. Clear, fact-based injustices make themselves known. “Systemic injustice” ceases to feel trite as a phrase or concept. It feels newly revealed. The more specific an essay's evidence for it, the harder it is to

obscure or deny. Perhaps surprisingly, many inmate-authors avoid platitudes about “systemic injustice” where they have not yet made their case. They dedicate the majority of their essays to minutiae that substantiate those platitudes instead—laying out the details before calling out the devil.

What kinds of injustices? In the majority of these essays, inmate-authors draw evidence-based conclusions on micro- and macro-level politics in their prisons. That an officer is corrupt, that an inmate was mistreated, that the prison is infringing upon his rights, or breaking a law, or lying, etc. In accordance with “injustice” as its popularly understood, injustices revealed by detail-commitment are marked by unfairness, imbalance, or abuse. Inmate-authors report details that bring out these qualities in specific practices or incidents. They use their essays to “prove” their prisons’ injustices using the details they have collected.

But their essays do not end there. Many inmate-authors also express a desire to make these conclusions *known* to prison administrators, and document what happens when they do. Confident that detailed evidence founds their claims, some inmate-authors bring it forward. Of course, administrators do not take well-founded challenges to their authority lightly. The archive’s essays are stunning, here, in their uniformity: almost unanimously, issuing well-founded grievances results in retaliation. Even when made via the appropriate channels (i.e. filing grievances according to procedure), challenges backfire on the challenger. To most inmate-authors, this comes as no surprise.

Revelation of this phenomenon is hardly groundbreaking. The frequency of its appearance (in the archive) *is* notable, but the idea that prison administrators have the power to retaliate against inmates who challenge them—and use it—is not new to the literature. See especially works by law professor James Robertson of Minnesota State University<sup>100</sup>, appellate attorney

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<sup>100</sup> James Robertson. "One of the Dirty Secrets of American Corrections: Retaliation, Surplus Power, and Whistleblowing Inmates." *HeinOnline*. University of Michigan Journal of Law Reform, July 2009. Web. 25 Apr. 2017.

Dennis Temko of California Western School of Law<sup>101</sup>, and the University of Iowa College of Law's Maureen Brocco<sup>102</sup>. Studies by these authors consider retaliation in terms of the PLRA; like Schlanger and Shay, they conclude that the PLRA's exhaustion-requirement increases the risk of retaliation by prison officials against inmates. They also find evidence of retaliation more generally<sup>103</sup>. Logically, the idea that officials target inmates who pose challenges to them (of all kinds) is not hard to buy.

This section adds to the literature by taking this idea a step further. It argues that particularly well-founded challenges (i.e. detail-committed challenges) to officials' authority yield a *specific kind* of retaliation. This retaliation is different from retaliation in general. It is a beast of its own, defined by its uniquely *disorienting* quality. Faced with well-founded challenges to their authority, it argues, officials respond by attempting to *further* disorient inmates, even more so than they already have. This "Retaliatory Disorientation" disables the skills that allowed inmates' challenges to be well-founded in the first place.

The logic is as follows: when inmate-authors reveal their ability to stay tethered to fact—and use that ability to build and report cases against a prison's administration—officials choose retaliatory punishments carefully. They respond differently than they would for other, less threatening instances of bad behavior. Perhaps surprisingly, they rarely retaliate by beating or assaulting inmates, picking on them, putting them on notice, or the like. These punishments merely "teach inmates a lesson" or "scare them off." As this paper has argued, officials' aims run much deeper than that.

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101 Dennis Temko. "Prisoners and the Press: The First Amendment Antidote to Civil Death after PLRA." *HeinOnline*. California Western Law Review, Apr. 2013. Web. 25 Apr. 2017.

102 Maureen Brocco. "Facing the Facts: The Guarantee against Cruel and Unusual Punishment in Light of PLRA, Iqbal, and PREA." *HeinOnline*. Journal of Gender, Race & Justice, July 2013. Web. 25 Apr. 2017.

103 Robertson, One of the Dirty Secrets

Instead, they choose punishments that specifically target fact-tethered behavior. Which is to say: they choose *disorienting* punishments, given that disorientation has the capacity to loosen an inmate's grip on detailed facts, truths, or reality altogether. Of course, officials refuse to tolerate fact-, truth-, and reality-commitment in part because it allows inmates to meaningfully, verifiably pinpoint their injustices (which of course, undermines them). Inmates who maintain a firm grip on facts, they reason, have not been sufficiently disoriented by their tactics thus far. So they need to disorient them even more.

The irony here is noteworthy: from the outset, inmate-authors develop detail-commitment as a means of fighting their disorientation. Yet, when officials become aware of their ability to detail-commit, they fight back by putting inmates in *even more* disorienting circumstances—the most disorienting an already-disorienting environment has to offer.

What does this look like in practice? This section refers to retaliations that are chosen (over other punishments) because they have particularly disorienting effects. Officials may, for example, choose to punish an inmate by isolating him from his peers, rather than by harassing him, assaulting him, or restricting his access to amenities. In extreme cases, they may remand him to solitary confinement, known amongst inmates to irreparably alter one's psychology, to “make him go crazy.” Otherwise, they may opt to bring solitary-like effects on gradually, imposing stricter and stricter limits on hours allotted for recreation or contact visits over time, slowly walling him off from the people around him. Or they may transfer him to a different prison entirely, and purposefully give him no warning of the transfer in advance. Sudden-ness increases the disorienting effect.

Where inmate-authors pick up on these retaliations, they often attempt to re-make their original cases. Hoping to bring higher authorities to their side, and fend off further retaliation, they publicly re-state them. But to no avail—officials respond by degrading, obscuring, or

confusing any details that substantiate the points they raise. Before accepting defeat, these inmates often take one last shot: plainly (and often accurately) accusing officials of retaliation against them. But officials' response is the same. They obscure timelines-of-events and "justify" their retaliations to higher-ups by conjuring bogus reasons for punishment from thin air. *This itself is disorienting*, and a retaliation.

Endured over long periods, these disorienting modes of retaliation are too much for many inmates to handle. Many lose or give up on their ability to recall, identify, and organize details. Operationally or motivationally (or both), it becomes more and more difficult for them to make their cases. Some succumb to what prison officials intend: a sense of disoriented helplessness. Those who continue to resist find themselves in a vicious cycle. The more they commit to the details of prison injustices (or subsequent retaliations), the more officials attempt to disorient them. The more officials attempt to disorient them, the more motivated they are to detail-commit.

Almost all instances of Retaliatory Disorientation involve a kind of disorienting *denial*. Officials deny fact-patterns presented by inmates in both initial and subsequent grievances, casting them as inaccurate or unimportant despite all evidence to the contrary. They retaliate with further denials—e.g. by denying inmates their most basic privileges or, in many cases, by refusing to acknowledge or speak to them. Then, when inmates accuse them of retaliation, they outright deny that too. Over time, the unabashed irrationality of these denials threatens an inmate's ability to reason objectively, bending his basic senses of give-and-take and cause-and-effect to the backwardness of officials' obstinacy. This paper's portrayal of that threat may read melodramatic initially, but when considered in the context of long stints in solitary confinement (or similar arrangements, which weigh heavily on inmates' mental well-being), its seriousness is palpable.

In this way, officials issue a final denial: of the right to detail-commitment—the activity inmates use to stay sane. They deny inmates their last vestige of agency—the ability to maintain *some* grip on reality by committing themselves to concrete, unquestionable knowledge. Given this skillset’s necessity, denying it is—in this paper’s interpretation—to deny them their existence entirely.

So taken collectively, these essays offer a recurring chain of events, summed up in the following stages: Detail-Commitment – Issuance of First Grievance – Retaliatory Disorientation – Issuance of Second Grievance – More Retaliatory Disorientation – (and so on). Going forward, this model will be called the “Retaliatory Disorientation model.” Of course, none of the archive’s essays identifies it so explicitly. Merely, each documents personal experience of one, more than one, or all of its stages. At the very least, its beginnings are apparent in almost every essay that describes the airing of a grievance, especially where the author has collected detailed evidence to back that grievance up.

It is important to note: inmate-authors are detailed (as always) in documenting what happens to them during the model’s “Retaliatory Disorientation” stages. Most include exact dates, names, and descriptions of retaliatory events, one after the other, down to details a reader of fiction or newspapers would deem wildly irrelevant. In part because these accounts are so detailed, this paper does not speculate as to the veracity of claims made by inmate-authors. There is always, of course, some possibility that an essay is untruthful or not fully truthful. But the meticulousness of inmate-authors’ documentation—and the clarity of emergent patterns (in both inmate-author and prison official behavior) across essays—seems to decrease this possibility considerably.

It is also important to note: this paper chooses to highlight three main cases in depth (and to briefly discuss a host of others) to illustrate the Retaliatory Disorientation model in action. But

these case studies were not cherry-picked. Which is to say: this paper's argument did not emerge from a comparison of three cases alone. Nor were they picked because they *just so happened* to substantiate some pre-prepared idea or bias. The Retaliatory Disorientation model manifested itself in far more than a few personal accounts, and across a broad, differentiated swath of inmate demographics and prison-types. That it emerged in vastly different regions of the country, in vastly different kinds of prisons, and in the narratives of vastly different kinds of inmates (by age, race, ethnicity, religion, etc.) is compelling evidence in its favor.

The following cases were chosen because they are demonstrative of this fact, as much as for their vivid illustrations of the Retaliatory Disorientation model. They come from a Latino Christian man at Huntsville (Maximum Security) Prison in central Texas, from a white Buddhist man at a medium-security prison in Illinois, and from an African-American Christian man at the high-security federal penitentiary in Tucson, Arizona.

#### **CASE #1: Rodrigo Gonzalez Jr.**

The first of these is the case of Rodrigo Gonzalez, the Latino, Christian inmate-author. Gonzalez is currently housed at Huntsville Prison in Texas, but writes about his experiences at Terrell Unit Prison (also in Texas), where he was transferred following his conviction at age 32. In an essay titled "Wide Latitude Granted to Prison Officials is Impudently Abused," Gonzalez documents a series of retaliations against him by Terrell Unit's staff. His actions—and their efforts—follow the Retaliatory Disorientation model almost exactly, thus supporting the phenomenon this section identifies<sup>104</sup>.

That model begins with a demonstration of the inmate-author's detail-commitment, developed to fight the disorientation of prison-existence in the first place. As evidenced from his

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<sup>104</sup> Rodrigo Gonzalez Jr. Wide Latitude Granted to Prison Officials is Impudently Abused. N.d. American Prison Writing Archive, Digital Humanities Initiative.

essay's outset, Gonzalez is unambiguously committed to the objective minutiae of his day-to-day existence, the Terrell Unit, and the Terrell Unit's history. He begins his essay by outlining the Unit's history of abuses.

Several things are important to note here: 1) Gonzalez's commitment to detail (names, dates, times), 2) the exact-ness of this detail, and 3) his emphasis on citation (down to the decimal point). It should also be noted that his subject matter (the Unit's history of abuses) is especially vulnerable to aggrandizing or mythologizing—i.e. to becoming the stuff of hyperbolized, scary-story lore, passable down through generations—but that Gonzalez resists this impulse entirely. In fact, he shares this information with the exact *opposite* impulse, clinging to hard-fact verifiability, ensuring that this history—unlike almost everything else he says and does—cannot be questioned by his authorities. He lists the Unit's history of abuses as follows:

- A drugs-contraband-prostitution ring organized and led by Unit's Senior Warden and certain high rank officials that made the local news (please refer to Houston NBC channel 2 investigative reports broadcasted during the month of April, 2008.
- An internal investigation concerning malfeasance and violations of Texas Penal Codes §§ 39.02, .03, .04; Agency Policies ED - 2.01, AD - 03.02, AD - 07.30, ED - 07.29; and Federal RLUIPA 42 U.S.C. § 2000cc against Chaplain Curtis E. Robinson that resulted in his removal from such unit on or about March 2009; and
- A very bold and assertive criminal investigation held by Police & Sheriff Departments against Terrell Unit kitchen Sergeant [sic] Billy Joe Harris accused of raping several [sic] elderly women that resulted in his indictment, prosecution, conviction, and subsequent sentencing to life in prison on or about July 2010.<sup>105</sup>

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105 Ibid.

Clearly, Gonzalez is dedicated to corroborating these events with specificity and objectivity. Even when his subject matter shifts, these remain his goals. They mark all parts of an essay about prison officials' degradation of these qualities. And his commitment to them manifests in more ways than one. It goes beyond including detail and citing sources alone. He tries, for example, to shirk the inherent subjectivity in his medium (personal essay) by writing it in the third person (e.g. "Gonzalez did *x*, then Gonzalez did *y*"). The idea behind this is obvious: to distance himself from his own story, i.e. to make himself an objective, third-party observer to it, when in reality he is at its center. Eventually, his dedication to specificity and objectivity is noticed by Terrell Unit administrators. As the Retaliatory Disorientation model predicts, this is where his troubles begin.

Interestingly, in this case, administrators actually *take advantage* of Gonzalez's ability before punishing him for it. An inmate's will to commit himself to the facts of his surroundings (and the people in them) can come in handy, they seemingly note, especially in investigations of other inmates or fellow administrators. Everything was running "nice and smooth," Gonzalez writes, "until December 2010 ... [when] High rank official Captain Anthony D. Houston called Gonzalez out of his living quarters to the administration building to request from him his oral & written statement concerning a sexual (verbal) misconduct/physical assault/use of force perpetrated by prison guard David J. Fontenot over prisoner Carlos T. Ramirez TDCJ - ID Number 562930"<sup>106</sup>. Gonzalez implies that he *did* witness this Fontenot incident, and remembers the facts of it exactly. He implies that officials are newly aware of his ability to recall things precisely (i.e. to detail-commit). They summon him for this reason. He assumes his identity will be protected, and at first, recounts the facts of the incident obediently.

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106 Ibid.

He stops cooperating with the investigation, however, when he becomes aware that Fontenot (the accused officer) is claiming to have the names and ID numbers of inmates who had given statements against him. Fontenot, according to Gonzalez, had threatened to get those prisoners in “serious trouble.” Gonzalez expresses his concerns about this to “Lieutenant Jacqueline M. Brown” on “December 14, 2010, 05:00 PM,” hoping that she might protect him, but she replies, “thats [sic] your problem inmate.” He re-raises his concerns with a different officer, “Captain Francisco F. Rodriguez” on “December 18, 2010, 01:00 PM,” but again, is brushed off<sup>107</sup>.

Just four days later, Fontenot retaliates against him. Gonzalez is “removed from the general population and placed in ... Pre-Hearing-Detention (PHD)” due to a “bogus” disciplinary report filed by Fontenot. The report claims that Gonzalez randomly approached Fontenot and threatened him. Officials hold a hearing and find Gonzalez guilty. His recreation hours are restricted—he is more frequently kept inside and alone as a result.

Fontenot’s retaliation is hardly surprising. Due (in part) to Gonzalez’s testimony, he was fired from the prison when the investigation concluded. Of course, Fontenot was reckless and angry. He had a vendetta against inmates who had spoken out against him. But Fontenot’s retaliation is mostly irrelevant here.

What *is* notable—and at first, incomprehensible—is *other* prison officials’ *continued* retaliations against Gonzalez following Fontenot’s firing, despite the transparency of Fontenot’s motivations for accusing Gonzalez of “threatening him.”

Still being punished for Fontenot’s accusations, Gonzalez files a grievance with officials following Fontenot’s termination. It states the obvious: that an angry Fontenot had retaliated against him for cooperating with the investigation. He presents officials (and ultimately, the

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<sup>107</sup> Ibid.

Office of the Inspector General) with a timeline-of-events, replete with the details included in his essay: exact dates, times, names, ID numbers. On paper, Fontenot's motives (and subsequent firing) make Gonzalez's case hard to deny.

But incredibly, prison officials deny it all the same. Even with Fontenot gone, they respond to Gonzalez's grievance by retaliating against him and, just as the model predicts, their retaliation is best characterized as *disorienting*. They outright refuse to end the punishments Gonzalez received for Fontenot's write-up, allowing restrictions on his peer and outside contact to continue. These punishments themselves are isolating, and thereby, disorienting. And the original charge was so unquestionably bogus that continuing to punish Gonzalez for it (in any way) is irrational—so irrational that it *itself* becomes a mode of disorientation. Even in distant third-person, Gonzalez reads unsettled by its irrationality. He breaks his objective, business-like tone only once, to call the continuance of his punishment “arbitrary” and so “blatantly retaliative [sic]”<sup>108</sup>.

Moreover, prison officials concertedly obfuscate the basis for Gonzalez's punishment to Gonzalez himself, and to his parents. His appeals are repeatedly denied. When his parents meet with the Warden, the Warden tells them, “I maigh [sic] have made a mistake on this.” Gonzalez is excited by this reply, and approaches the Warden the following day about it. The Warden gets Gonzalez's hopes up at first, then flatly decides that there is nothing he can do about the situation. Gonzalez is incredulous, and asks him if he needs to take his grievance all the way to the courts to get things fixed, to which the Warden responds, “... thats [sic] how the system works”<sup>109</sup>. Gonzalez is left utterly confused—by these back-and-forth swings, by the prison's motivations, by what he should do next.

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108 Ibid.

109 Ibid.

Any remaining doubt that these efforts were retaliatory, and deliberately disorienting, is hard to maintain given what follows. Gonzalez decides to hire two attorneys (with the help of his parents) to resolve the matter. He shares his records with them by mail—the mass of details he has documented regarding the initial investigation, retaliation by Fontenot, and continued retaliation by prison administrators. His attorneys visit him in prison. Officials notice, and begin to suspect that Gonzalez is bringing a lawsuit against them.

As a result, Gonzalez writes, his visits with attorneys amount to “the begining [sic] of a campaign of harassment towards him” by Terrell Unit officials, who hope to suffocate his will to bring a case. This “campaign” culminates in a sudden search of Gonzalez’s cell on December 7, 2011, following which he is hand-cuffed and out-of-nowhere accused of “possession of a weapon”<sup>110</sup>. He is found guilty-as-charged and sentenced, indefinitely, to solitary confinement. He remains in solitary confinement for almost *three years*, and is only released to be transferred to a new max-security prison entirely, and without warning.

Ever-committed to specificity and objectivity, Gonzalez does not endeavor to describe the disorienting-ness of this experience outright—he ends his essay with a matter-of-fact update on where he is now, signed with the contact information of his attorneys (who have continued working with him). But the disorienting-ness of his experience is not hard to imagine. Holistically speaking, it closely follows the Retaliatory Disorientation model (Detail-Commitment – Issuance of First Grievance – Retaliatory Disorientation – Issuance of Second Grievance – More Retaliatory Disorientation, etc.).

The model begins with “Detail-Commitment” (here, Gonzalez’s commitment to the Terrell Unit’s history of abuses, and to the details of the incident abuses he witnesses). Typically, this commitment is made known to officials when an inmate files a grievance (“Issuance of First

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110 Ibid.

Grievance”), but here, they take note of it when Gonzalez offers incriminating details about one of their own. Either way, Gonzalez’s participation in the Fontenot investigation confirms that he is willing, and uniquely able, to commit himself to the details of an incident involving an officer.

And administrators respond to this ability as usual: “Retaliatory Disorientation.” They incomprehensibly perpetuate Gonzalez’s isolation and confusion until he files a grievance of his own, hiring attorneys to take it to court if necessary (“Issuance of Second Grievance”). Again, the prison retaliates and again, their retaliation is distinctive for its *disorienting* quality (“More Retaliatory Disorientation”). Seemingly out of nowhere, they charge Gonzalez with possessing a weapon, and sentence him to three years of (what is effectively) psychological degradation. He is only removed from solitary confinement to have his world upended yet again, when administrators tear him from it—suddenly and, as usual, without explanation.

### **CASE #2: George Peter Jr.**

This paper argues that the disorienting-ness of these retaliations is key. Where inmates show themselves to be capable of acute observation—as Gonzalez did—it becomes *politically efficient* for the prison to disorient them. Retaliatory Disorientation throws inmates off fact-patterns that reveal official abuses, which may ground inmates’ questioning-of-authority, or insubordination more generally. Basic punishments (like verbal abuse, commissary restrictions, loss of Good Time credits, etc.) are disheartening for inmates, but do little to attack insubordination at its roots. Disorienting punishments (confusion, oscillation, isolation, transfers, and solitary confinement) do just that. Transfers (especially) remove inmates from the world they know to a new one, where the old one’s details do not apply. And of course, solitary confinement can literally degrade the detail-oriented capacities of the mind<sup>111</sup>. The next case vividly

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111 Villa, California Elegy; McCarn, Scarred; Brookshire, Celldweller Journal; etc.

exemplifies these capacities at work, how they threaten prison officials, and yet again, how officials wield disorientation in response to them.

It comes from George Peter Jr., a white, self-identified Buddhist man currently housed at Western Illinois Correctional Center in Mt. Sterling, Illinois. Like Gonzalez, Peter is an inmate-author who has developed a “discerning insight” into the prison’s everyday happenings, “an insider’s perspective of the Illinois prison system,” he says, furnished by detailed observations of what he witnesses. Peter implies that he uses these observations to fight disorientation induced by his prison’s Bureaucratic Paradoxes—to make “acute sense of the nuances and paradoxes of its operational procedures.” Imprisoned “since LBJ was president,” he passes the time by “arm[ing] himself with knowledge,” he writes<sup>112</sup>. In extraordinary detail, he commits himself to the facts of his prison as a coping mechanism, and as a shield against its abuses.

In 2010, Illinois revised its Freedom of Information Act, allowing prisoners the ability to gain insights into Department of Corrections policies and procedures. Peter resolves to take full advantage of this revision when it takes effect, “[beginning] to research an issue which confronts most every American prisoner—substandard and inadequate food”<sup>113</sup>. His interest in food is further piqued when his prison (then Hill Correctional Center in Galesburg, Illinois) decides to combine breakfast and lunch as part of a “Brunch Program,” thereby reducing the number of meals served daily from three to two. Peter begins the “Detail-Commitment” phase of the model here, and in a uniquely investigative sense. He wonders exactly how much food inmates should be receiving daily (under Illinois state law), and how it compares with what they are actually receiving. “Armed with” FOIA requests, and his own capacity to observe and document, he takes comfort in his ability to investigate the issue himself.

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<sup>112</sup> George Peter Jr. First Amendment Under Attack in Illinois' Prisons: The Price of Dissent. N.d. American Prison Writing Archive, Digital Humanities Initiative.

<sup>113</sup> Ibid.

His readiness to detail-commit is immediately apparent. Having developed his research questions, he says, “I began to chart *every meal* that was served over a one month period, [and] conducted a comparative analysis of how well it matched up with the Master [required] Menu.” This investigation brings a specific injustice into focus. “Upon the completion of this analysis, it was apparent that there was a considerable disparity between what prisoners were supposed to be fed, and what the Dietary Department was actually providing,” he says. Hoping to find some explanation for this disparity, he secures a copy of the Food Service Operations Manual and stumbles upon “Institutional Directive G5.01.127 [which states] the following: Employees shall be served the same menu as provided to offenders”<sup>114</sup>.

Peter develops a hypothesis: that employees are receiving more (and more nutritional) food than inmates in defiance of this regulation, which is depleting funds earmarked for inmates’ food. Detail-committed as always, he closely observes *every meal* in the week following his initial findings. He compiles a list of items made available to employees at each of these meals, but not to inmates. Unsurprisingly, the list is precise, and he is sure to include it as part of his essay.

Sliced Cheese, Tuna Salad, Cookies, Dry Cereal, Apples, Fresh Celery, Fresh Tomatoes, Bell Peppers, Shredded Cheese, Potato Chips/Pop Corn, Crackers, Raw Eggs – for Boiled Eggs or Potato Salad, Radishes, Cucumbers, Fresh Carrots<sup>115</sup>

Building a case now, he aims to learn these items’ approximate cost, arriving at a “rough estimate of how much money was being expended for food which never reached a prisoner’s

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114 Ibid.

115 Ibid.

plate”<sup>116</sup>. A few items stand out, he writes, noting exact dollar amounts for the potato chips and tuna made available to employees alone (\$1,318.00 and \$1,425.00 respectively). Frustrated by the injustice in these disparities, Peter compiles the details of his research in a report, and mails the report to each member of the Illinois House Public Safety Appropriations Committee, but receives no response.

Knowing prison officials would rebuff his efforts, he decides to appeal to the public instead. He composes a cartoon to illustrate Hill’s food disparities and sends it to the local paper, which publishes it with his name attached. The cartoon depicts an inmate seated next to an officer at a dinner table. The inmate munches on a single cracker, while the officer enjoys a massive turkey leg. The cartoon, like almost all of Peter’s actions thus far, is notable for its precision. The header reads, “The supper meal on Sunday, October 5, 2014 consisted of the following.” Beneath the header, every food item available to inmates for October 5’s meal (six of them) is listed next to every food item available to officers for the same meal (34 of them in total)<sup>117</sup>. Even in this political cartoon—a format not typically lent to thorough specificity—Peter maintains his commitment to specifics. In terms of the Retaliatory Disorientation model, the cartoon amounts to the “Issuance of First Grievance” stage—an issued complaint Peter assumes administrators will hear about eventually.

To be clear, Peter broke no rules in mailing out this cartoon. The Belleville News-Democrat regularly publishes inmate op-eds and, in fact, seeks them out. From the outset though, he suspects retaliation for his attempts to raise awareness. “I recognized that the possibility existed,” he diplomatically states, “that my endeavors to secure an improvement in the quality and quantity of the food served at Hill might expose me to additional scrutiny relative to those

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116 Ibid.

117 Ibid.

efforts.” Sure enough, he is summoned to the Internal Affairs Office shortly after the cartoon is published. “My cartoon had come to the attention of the Director,” he writes, “who was extremely displeased with it”<sup>118</sup>. Peter is remanded to segregation on no official charge, and told that administrators are “investigating him.” Here of course, begins the “Retaliatory Disorientation” stage. Segregated from contact with his peers and (most) officers alike, Peter is pulled from his normal routine and left alone. He is given no information about the terms of administrators’ “investigation” into him on purpose. He can only speculate.

And yet, after thirty days in segregation, he is abruptly released. He receives no disciplinary charge. And everything goes back to normal. Administrators act as if nothing ever happened. Like Gonzalez (when the Warden told him he may have made a mistake), Peter gets his hopes up. He can make little sense of the prison’s back-and-forth swings, so can only endure them by taking them as they are.

But in “the Zo,” by design, almost nothing is as it seems. Shortly after his release, officials are after him again. They inform him (suddenly, and without explanation) that he is no longer allowed to share a cell with his long-time cellmate and best friend. Of course, the move is a kind of “unofficial” attempt at disorientation—officials finding creative, less-documentable ways to subordinate inmates via isolation and denial (i.e. disorientation). Peter is devastated, and issues an official grievance in response (the “Issuance of Second Grievance” stage). His grievance has solid grounds: he was never officially disciplined for any infraction in the first place, just segregated. Nor was he accused of any infraction following his release. Almost immediately after filing this second grievance, he is *again* removed and placed in segregation, this time *with* an official Disciplinary Report.

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118 Ibid.

Peter angrily inquires as to officials' grounds for segregating him, and the parallels here are striking. Just as in Gonzalez's case, officials tell Peter that they have searched his cell. And just as in Gonzalez's case, they claim to have found something he is not allowed to have. In place of Gonzalez's "weapon," Peter is charged with possessing another prisoner's *legal papers* (of all things), and found guilty on these charges despite myriad evidence of retaliation (note: Peter responds to these accusations by pointing to the exact law that permits him to have these papers under certain conditions, but to no avail. Doing so only further substantiates officials' reasons for retaliating against him).

Just as in Gonzalez's case, the punishment for these charges is characterized (like the series of punishments that led up to it) by its disorienting quality. The prison vacillates rather than resigning Peter to segregation indefinitely. He is isolated, freed, then isolated again. They toss him around first, concertedly, then decide how best to leave him alone and unsettled. He is re-segregated and eventually, like Gonzalez, transferred to an entirely new prison (with neither warning nor explanation): Western Illinois Correctional Center, almost 100 miles away.

### **CASE #3: Frederick Mason**

The paper's final in-depth case fits the model as well, and addresses an important counterargument to it. It comes from Frederick Mason, a Christian, African-American man housed at the federal penitentiary in Tucson, Arizona. Mason's case plays out across two essays tellingly titled "Who listens to the captives?" and "Email to Warden of Retaliation." As with Gonzalez and Peter, the case begins when Mason's detail-commitment reveals some injustice. He collects the facts of this injustice as a means of making sense of it, and to build a case around the grievance he files in hopes of addressing it.

“It is important for me,” Mason begins, “to be, if possible, objective.” Though like Peter, he recognizes that when inmates take objective approaches to their grievances, they are “often suffocated by BOP [Federal Bureau of Prisons] policy. And when the prison IS wrong, there’s often a cover-up, to give the illusion that it never happened, or [that] it was the inmate’s fault”<sup>119</sup>. Of course, prison administrators are quick to shift the blame for various wrongs onto inmates. But specifically, Mason implies that mind-games are their means of doing so—that rather than merely blaming inmates, officials get inside their heads, working to *convince* them that nothing is actually wrong, or that visible wrongs are their fault. If this fails, he says, they shun inmates entirely, “turn[ing] a blind eye, and deaf ear, to [them].” In these cases, “who listens to the captives?”<sup>120</sup>

Mason’s case centers on his prison’s mailroom. “Here at USP Tucson,” he writes, “there has been, for YEARS, complaints about the mail room [sic]. Inmates have complained ... that mailroom staff was illegally opening legal mail (which by LAW, they’re not supposed to do), and throwing it away”<sup>121</sup>. He goes on to describe (at length) the mailroom’s significance to inmate livelihood. The mailroom, he says, serves as their connection to the outside world—to relations that are “real” (e.g. familial relations) and to their attorneys, who offer instruction and legal information, as well as concrete updates on appeals cases and the like. Notably, his praise for the mailroom highlights the specificity and objectivity in the communications it furnishes. Here then, prison *tampering* with specificity and objectivity is more literally conveyed than in previous cases.

In telling his story, Mason repeatedly pauses to explain prison procedures in detail (further evidence of his detail-commitment). His troubles began, he writes, when he was called to a Team

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119 Frederick Mason. Who Listens to the Captives? N.d. American Prison Writing Archive, Digital Humanities Initiative.

120 Ibid.

121 Ibid.

Meeting with—as he pauses to explain—his dorm Unit Manager, Case Manager, and Counselor. At the meeting, his counselor (Ms. Flores) asked him when he was planning on making his next FRP payment. He pauses again to define FRP payments— “called Financial Responsibility Payment ... if you DON’T pay it, ... [the prison sets] your canteen spending limit to \$25 a month.” He assures the reader that he told Ms. Flores that his mother had already paid his FRP payment for the month. “It was Tuesday when I had Team [Meeting], so I expected the receipt by Friday at the latest”<sup>122</sup>.

When Mason does not receive the receipt by Friday, he is concerned. “Without a doubt, if the payment isn’t made, this prison is quick to punish us,” he says. “We’re accountable to every fault, even if not clearly defined” (recall the “unreasonable expectations” paradox described earlier). He calls his mother, who insists that she already paid his FRP payment, and sent him the receipt in the mail. “Why don’t I have my receipt, or mail for that matter?” he wonders, and eventually hypothesizes that the mailroom is the culprit<sup>123</sup>.

Less than a week later, after doing some digging (the “Detail-Commitment” stage of the model, investigative in nature like Peter’s), he learns that the mailroom is under official investigation for mail-tampering. The investigation is “based on countless complaints of inmates not getting mail,” he writes, “of legal documents CLEARLY marked ‘LEGAL MAIL’ and being opened anyway, and even missing legal documents.” Again, he describes the mail as absolutely “critical” to inmate well-being, and contemplates filing a “BP” (an official grievance) or even a lawsuit to hurry the investigation along<sup>124</sup>.

Ultimately though, he decides against it. “There’s no guarantee that the prison will even honor the complaint,” he says, pointing out prison bureaucracies’ tendency to stonewall inmate

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122 Ibid.

123 Ibid.

124 Ibid.

grievances where total blame-shifting may be difficult. In this way, Mason anticipates the brand of irrational denial faced in both of the previous cases (by Gonzalez especially, who *did* decide to file an official grievance): “You could be 100% right” he says, “but if the adversary regards not honesty, then you’ll still lose”<sup>125</sup>. Disregard of basic honesty is frustratingly disorienting—the kind of utter irrationality Mason knows he must avoid.

When the deadline passes, and Mason still has not received his receipt, he is punished and put on “FRP Refusal.” His freedoms are restricted despite having made the payment, which frustrates and disorients him anyway. But he hangs tight, hoping the receipt will come eventually. When it finally does, he carefully records the date (and amount) of FRP payment it shows. Sure enough, it indicates that the payment was made on time. Eager to have his “FRP Refusal” restrictions lifted, he submits the receipt for official review.

Push comes to shove when officials *still* refuse to change his FRP status, despite reviewing the receipt (and Mason’s own documentation) clearly dated *before the deadline*. They give no explanation for doing so, and Mason is furious. Their refusal means none of his restrictions are lifted. Officials act as if the payment were never received at all.

Naturally, Mason decides that he can be silent no longer. He writes a detailed note to the District Court, appealing to officials *outside* of his prison for help. His note comprises the “Issuance of First Grievance” stage of the model—prison officials, according to Mason, quickly become aware of it. Within a few days, those involved in his FRP proceedings begin retaliating against him he says. And yet again, the retaliatory punishments they choose are uniquely *disorienting* in nature.

Here, Mason’s case addresses a potential counterargument to the Retaliatory Disorientation model. How can we confidently attribute intentionality to the disorienting-ness of

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125 Ibid.

punishments like solitary confinement or transfer? These, the counterargument might go, are (quite simply) the few punishments officials have at their disposal. Their disorienting-ness is a side-effect of them, sure, but not a primary motivation behind choosing them. Merely, retaliating officials choose the most severe punishments *available* to them, and those punishments just so happen to have disorienting consequences (amongst a host of other “severe” consequences). This possibility undercuts the idea that inmate-disorientation is the goal.

To respond: first, it is important to remember that solitary and transfer comprise only *part* of the retaliations illustrated thus far. This paper argues that officials’ back-and-forth swings in sentencing, for example, are as much part of a punishment as the formal punishment itself. Of course, prisons may not be the most efficient bureaucracies, but the sheer recurrence of these swings (in almost exactly similar situations) makes *some* intentionality in their disorienting-ness hard to deny. And, as in Peter’s case, even “bureaucratic inefficiency” fails to explain some of them, which require more work (rather than less) to execute.

Furthermore, not all cases result in solitary confinement or transfer. Though these punishments recur, other cases find officials *going out of their way* to make less severe (or less official) punishments disorienting in character as well. Peter’s case briefly illustrates this, when officials slight him by separating him from his best friend. The punishment is not severe per se, but it confuses, rattles, and isolates Peter all the same. Not all retaliations for well-founded grievances end in a prison’s most extreme means of disorientation. Merely, almost all are disorienting in nature, however objectively “extreme” they may be.

Mason’s case makes this point in particular. Following his detail-committed note to the District Court, the Retaliatory Disorientation that he endures is neither official (in any capacity) nor as Draconian as more typically “official” punishments like solitary. It remains telling, however, that *even in its seeming offhanded-ness*, Mason’s punishment is defined by disorienting-

ness—and characterized by the sense of total *denial* that undergirds Retaliatory Disorientation across vastly different cases.

Mason documents it as precisely as the Team Meeting in his first essay. Like Gonzalez and Peter, he commits himself to the names, dates, times, and other objective facts of officials’ “clear and present retaliation against [himself], and [his] cellmate ... in cell 117”<sup>126</sup>. It happens at lunchtime one day, when the prison is on lockdown. Lockdown requires officers to pass out meals to inmates in their cells, he says. This happens often, so the routine is typical: officers look into each cell, see how many inmates are inside, and give each inmate one boxed meal accordingly.

At “12:50pm,” Mason writes, “the team of Hansen, Lewis and Officer L. Ybarra came out to pass out the meals to all the inmates ... As they came to our cell (117), I saw Unit Manager Hansen and Case Manager Lewis passing out the meals; I didn’t want to say anything to them, in light of the fact that this unit [had] put me on FRP Refusal”<sup>127</sup>. Mason fears seeing these officers; he guesses that they know about his District Court complaints, which named them and recounted their actions explicitly. So he decides not to engage with them. “I sat down at the desk, and continued writing an essay [when they came by],” he writes. “I am [now] convinced they were [set on] retaliating against me”<sup>128</sup>.

The officers arrive and look into the cell. They see both Mason (at his desk) and Mason’s cellmate standing at the door. But Ybarra hands Mason’s cellmate only *one* boxed lunch. Mason’s cellmate calls out to them immediately, as they quickly move away. ““Hey! There’s TWO in here!”” Ybarra mutters a kind of non-answer in response (“That’s what they gave you”), and—never making eye contact with Mason—heads to the next cell. Mason is aghast. “It is very clear that Hansen and Lewis heard [my cellmate too],” Mason writes, “and in fact LOOKED INSIDE

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<sup>126</sup> Frederick Mason. Email to Warden of Retaliation. 21 Apr. 2015. American Prison Writing Archive, Digital Humanities Initiative.

<sup>127</sup> Ibid.

<sup>128</sup> Ibid.

the cell, and kept moving. They never came back to give us another box”<sup>129</sup>. Mason *knows* that they saw him, though all three refused to acknowledge him. They pretended he was not there at all.

Though small in scale, this retaliation disorients Mason considerably, and for the same reasons as usual: 1) It is fundamentally *isolating*. It separates Mason out from the rest of the inmates on his block, who receive their lunches without a hitch. It isolates him from his own cellmate, the person closest to him, who is forced to share (or decidedly not share) his meal. It reinforces a routine and the expectations inherent in routines, only to subvert them without explanation—but only for Mason. He is left alone in his confusion as a result.

And 2) once again, prison officials couch their retaliations in *denial*. Ybarra retaliates by “acting” in a way that belies her true intentions, then denying them to Mason’s face. To deny him something so trivial as a boxed lunch, she resolves to deny his presence (or existence) entirely. In doing so, she shows just how far officials are willing to take denial. I.e., to the point of denying things that are literally right in front of them—things *so obviously there* that “official” denial of them is, at its core, disorienting.

Of course, this punishment seems insignificant on its face. And in the scheme of things, it probably is. Quite obviously, it pales in comparison to solitary or transfer (Mason can survive without one boxed meal). But viewed more closely—and in comparison to cases like Gonzalez’s and Peter’s—it is especially revealing. Because it shows: that even trivial instances of retaliation fit into the larger story this paper posits. Ybarra’s retaliation is seemingly lax, petty, off-handed. *Even still*, it adheres to disorienting principles. This adherence shows the deep—perhaps instinctual—rootedness of these principles in retaliatory responses to detail-commitment.

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129 Ibid.

**Other Cases:**

It is important to reiterate that the Retaliatory Disorientation model neither appears in (nor emerged from) these three cases alone. More than 30 inmate essays use the word “retaliation” explicitly, and many more describe instances of it in other terms. Again, across a wide variety of these cases—which take a wide variety of prison policies and procedures as their subject matter—commitment to the details of these subjects reveals some injustice (the “Detail-Commitment” stage). The inmate files a grievance in some form (“Issuance of First Grievance”) in hopes of addressing that injustice. In doing so, they make officials aware of their ability to detail-commit. And officials retaliate by punishing inmates in ways that share a single trait: disorienting-ness (“Retaliatory Disorientation”). Where inmates stay committed to objectivity while enduring this retaliation, they may file another grievance (“Issuance of Second Grievance”). Officials respond to that grievance with even *more* Retaliatory Disorientation, and so on. Thus begins the vicious cycle.

As a final note on Mason: the follow-up essay that describes Ybarra’s retaliation against him is, in fact, not an essay at all. That “essay” is the text of an email Mason sent following the boxed-meal incident. He submitted it to the archive as “personal writing” but it is, itself, his second grievance. The email is addressed to the prison’s warden. Mason falls into the cycle.

In pieces or as a whole, the Retaliatory Disorientation model appears throughout the archive as such. This section concludes by mentioning a few more model-illustrative cases. These cases are covered in less depth, but show inmates enduring Retaliatory Disorientation at varying degrees of severity, and resisting it to varying degrees of success.

Some inmates, for example, manage to stop themselves from issuing grievances altogether—the majority of these are older inmates serving long sentences who “know the way it goes by now.” Take the case of Frans Sital, an African-American man in his twenty-third year at Attica.

Like his fellow inmate-authors, Sital commits himself to the minute details of his surroundings, even making calculations with them (further commitment to logic, reason, objectivity) (the “Detail-Commitment” stage). His doing so illuminates inadequacies in Attica’s phone availability on the yard. He writes:

There are seven phones in each yard, programmed for 15 minutes per phone call. Simple math at 15 minutes per phone call with seven phones, 28 prisoners can use the phone within one hour and 56 within two hours. As a result to the insufficient amount of phones per yard, hundreds of prisoners go without using the phone daily ... How can seven phones accommodate a yard with, lets [sic] say  $\frac{1}{4}$  of the 528 prisoners in A-Block ?  $\frac{1}{4}$  of 528 is 132.<sup>130</sup>

Sital writes extensively about how this phone shortage causes violence amongst inmates itching to make calls, which the administration knows “good & well.” Yet whenever phone-violence erupts, he says, the prison threatens to *take away* one or more of the phones to punish them—a “solution” *they know* would only cause more violence. Frustrated by this irrationality, Sital makes some, small attempt at “issuing a grievance.” He asks his essay’s readers to inform the phone company of this injustice to see if they can help. (“Will anybody reading this bring it to their attention at [offendersconnect.com](http://offendersconnect.com) or 800-777-2522,” he writes. “It will only take a few minutes of your time.”)

But Sital refuses to file any official grievance, or to confront prison administrators themselves with the phone-availability facts he includes in his essay. “I am well aware that I [would] be subject to retaliation by the administration here at ATTICA, in one of [many] forms,”

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<sup>130</sup> Frans Sital. *Why Did This Happen and Now What?* N.d. American Prison Writing Archive, Digital Humanities Initiative.

he says, and lists the likeliest ones. Almost unanimously, he predicts retaliations characterized by *disorienting* falsehoods and denials—rather than threats, beatings, loss of credit, or the like.

“False positive drug tests,” he guesses, “unauthorized cell searches, or [being] set up with some kind of contraband (weapons, drugs . . . etc.)”<sup>131</sup>. It is, of course, notable that he predicts the exact retaliations endured by Gonzalez and Peter, whose grievances *did* reach prison officials. Both endured sudden cell-searches, and both were, ultimately, accused of possessing contraband (a weapon and another’s legal papers respectively). Sital “knows the way it goes by now.”

Some retaliations are subtler, of course. In an essay titled “Inside FCI Fairton,” a white inmate-author named Jason Gerhard encounters another common response to inmate grievances—nothing at all. Whether this cold-shoulder amounts to a “retaliation” is debatable, but its disorienting quality—as with its “Bureaucratic Paradox” form from earlier sections—is not. Like his counterparts, Gerhard is committed to the details of his surroundings. Specifically, he is committed to state *regulations* for those surroundings, and passes his time by determining whether these regulations are being met (down to the inch). For example:

Standard 4-134 deals with the amenities that each inmate is to have in their cell. If one is confined to a cell for less than 10 hours daily (as general population is at the FCI), he is to have a ‘sleeping surface at least 12 inches off the floor; storage for personal items; adequate storage space for clothes and personal belongings’ . . . [But] no one was ever issued a storage bin in the 3-man cells. They were available for sale in the commissary for about \$80.00, though. Then, on May 28, 2013, the Captain issued a memorandum forbidding them for anything but legal materials.<sup>132</sup>

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131 Ibid.

132 Jason Gerhard. Inside FCI Fairton. N.d. American Prison Writing Archive, Digital Humanities Initiative.

Gerhard meticulously tracks his prison's non-compliance with these regulations as above (e.g. elsewhere he determines that where beds are bunked, the lower bunk typically only rises between 8 and 9 inches off the ground, short of the required 12). In general, he has concerns about bringing these disparities to the attention of prison officials. But where problems are easily fixable, he resolves to try it. He notes that the prison library, for example, has no system for returning books on different housing blocks. For this reason—and because most cells lack storage bins, as he mentions—inmates simply throw away library books when finished with them. Gerhard is frustrated by the rate at which this is depleting the library's collection as a whole. He tracks it carefully (the "Detail-Commitment" stage). Inmates have fewer books at their disposal by the day.

He decides to approach Kim Neely, the library supervisor, about this issue when he sees her ("Issuance of First Grievance"). She seems receptive to his idea: to start a book-return system on each housing block—a task as simple as asking inmates to put them in one place, or paying inmates \$5.25 a month to collect them. But several weeks go by and nothing is implemented. Gerhard sees Neely again, and once again, she assures him that she plans to establish a "mechanism to have books on the units returned to the library, in lieu of being thrown away"<sup>133</sup>. Almost a full year goes by. And still, nothing.

He decides to email her directly, but gets what he calls a "bureaucratic response." The response is signed "Brian Womack," a different individual than Neely (the supervisor he intended to speak with) entirely. He is confused and disheartened by what he senses is deliberate obfuscation ("Retaliatory Disorientation"). Before long, officials stop responding to him altogether. Gerhard tries filing an official grievance instead ("Issuance of Second Grievance") but

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133 Ibid.

to no avail. “Central office was supposed to provide an answer to my grievance by December 16, 2013. Over a year later [and] I’m still waiting”<sup>134</sup>. In the end, his grievance is stonewalled altogether (“More Retaliatory Disorientation”).

Meanwhile, the library’s collection is more depleted than ever. In December, he says, officials build a large and elaborate holiday display at the library’s entrance, including a Christmas “tree” made of stacks and stacks of books. “The juxtaposition of this ‘tree’ with empty bookshelves around it was striking,” Gerhard says. “For this is the essence of our prison library—a prop.” It is the essence of the prison as a whole, he decides. One “Potemkin village” after another<sup>135</sup>.

Unlike in Gerhard’s case (but as earlier exemplified), Retaliatory Disorientation can be anything *but* subtle. The case of C.T. Riley, an Asian- and African-American inmate housed at New Castle Correctional Facility in Indiana, takes the “Insomm” program as its subject (the “Indiana Sex Offender Management and Monitoring” program). Riley is assigned to the Insomm program following conviction of a sex offense, though he maintains his innocence and hopes to appeal. Because he plans to appeal, he writes, his participation in the early phases of the Insomm program “was predicated upon [his] being informed that [he would] not be compelled to do a disclosure or polygraph (forced admittance of guilt) or divulge pertinent details of [his] case”<sup>136</sup>. When Insomm administrators try to force Riley to take a polygraph test (as part of the program), he steadfastly refuses. He points officials to the exact stipulations that allow him to do so, methodically reciting them as he does in his essay (the “Detail-Commitment” stage).

Two weeks later, he writes, “I was warned that a circle of corrections officers & administrative staff were discussing a contrived plan to keep myself from being released on my

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134 Ibid.

135 Ibid.

136 C.T. Riley. Beneathe the Surface Again (Human Trafficking: The Somm-Scheme-Scam-Sex Program). N.d. American Prison Writing Archive, Digital Humanities Initiative.

scheduled release date of 4-27-15” (“Retaliatory Disorientation”). Sure enough, “on 4-21-15 I was indicted on a class A conduct report for not taking a somm polygraph on a 24 hr notice [and was] ultimately sanctioned [with] my incarceration extended for six more months”<sup>137</sup>. Riley is immediately handed back to the Insomm program which, post-sanction, requires him to participate in its programming to an even greater extent than before.

The program itself has disorienting qualities—so given Riley’s ability to detail-commit, remanding him to *even more* Insomm is an obvious retaliatory choice. Like all Retaliatory Disorientation, its purpose is to erase that ability. And per Riley’s descriptions, the program does exactly that.

Its own website describes it as “psycho-education programming”<sup>138</sup> and Riley repeatedly emphasizes its brain-numbing irrationality. “My being forced to participate in the somm program,” he says, “[has] battered my senses to trauma ... [and] made me feel distressed to the point where it affected my mood & appetite.” “I felt & sensed [program administrators’] ... neurosis, frustration & irrationality with every attempt [at] utilizing cornfield psychology to coerce myself into ... admit[ting] guilt for charges that I pled not guilty to at trial and at present [am] still seeking vindication from.” “I have never felt and experienced such an intense hopelessness [and] irrationality ... by so many in concert at one place in all of my life,” he says. “Every somm, corrections & administrative personnel (but for the exception of 3) lies to me.” He concludes: “Irrationality has been brought into parity with their job capacity ... Their irrationality is worn like a perfume”<sup>139</sup>.

Riley’s essay harkens to the institutional reasoning behind disorienting inmates. Drill irrationality (and the disorientation that results) for long enough, and vulnerable inmates begin to

<sup>137</sup> Ibid.

<sup>138</sup> “What Is the Insomm Program?” *Indiana Sex Offender Management and Monitoring (INSOMM)*. Liberty Behavioral Health Corporation, n.d. Web. 25 Apr. 2017.

<sup>139</sup> Ibid.

lose touch with rationality altogether. They *need* rationality to point out discrepancies in (or official violations of) protective regulations. They *need* rationality to make sense of what is happening to them, and to maintain their agency, dignity, and sanity in spite of it. They *need* rationality to keep a grip on reality.

Yet, as evidenced by the archive's essays, prison officials see these capabilities as problematic—as furnishing challenges to their authority which lead to instability. Irrationality then (to the point of disorientation) is suitable to *their* needs. It makes inmates far more easily manageable. Where inmates show rational capabilities despite default levels of disorientation, administrators retaliate by upping the ante. They *increase* those levels of disorientation to suffocate any potential for well-founded disputes. Full-force Retaliatory Disorientation (as in Riley's case) demonstrates their creed: that a lot is at stake. Disputes lead to disorder, and order is a prison's lifeblood.

It is tempting, of course, to moralize about Retaliatory Disorientation. In one sense, this practice is an extraordinary injustice. In another, administrators have no choice. Retaliatory Disorientation is fundamentally self-preservative—a prison's infrastructure cannot survive without it. This paper resists the temptation to level normative critiques of it, allowing readers to draw their own conclusions from the voices of those affected by it. Acknowledging the functionality in this practice, it asks only: at what cost?

## **CONCLUSION**

As ideas, Bureaucratic Disorientation, detail-commitment, and Retaliatory Disorientation give rise to a host of possibilities for further study. The most obvious (and perhaps, pressing)

possibility was referenced at this paper's outset: it did not disaggregate by demographic and geographic categories, nor prison-types.

But the American Prison Writing Archive allows for both. In searching key words or concepts, archive-users can view essays by inmate-authors of specific races, religions, ages, sexual orientations, and the like. Users can search by state or geographic region, by prison security-level, and by prison itself. The archive allows for easy disaggregation—for honing in on the words of one population in particular.

These capabilities bring so many questions to mind. Are certain prisons *more* Bureaucratically Disorienting than others? Do certain prisons specialize in specific disorienting tactics, or Bureaucratic Paradoxes in particular? Do different *states* specialize in specific disorienting tactics? Are prisons more Bureaucratically Disorienting in the American North, South, East, or West? And do disparities in levels of disorientation lead to disparities in the application of detail-commitment across these same categories?

Furthermore: do prison officials use disorienting tactics on one race more than another—particularly on black and Latino inmates more than white inmates? Are there differing tendencies in the use and application of detail-commitment across races in general? If so, does the ability to detail-commit vary according to extra-prison socioeconomics, or access to education? To what can we attribute race-based disparities in Bureaucratic Disorientation, or detail-commitment, if there *are* such disparities?

Does the ability to detail-commit vary according to age, or length of time in prison? And how *long* does it typically take to realize what Ivan Kilgore realizes (consciously or not): that committing to knowledge or learning-in-detail can stave off disorientation? What triggers that realization?

Finally: is there something about prison-writing in particular that draws inmates to detail-commitment? Is detail-commitment a phenomenon for only those predisposed to *write* (the population this paper uses as its source)? What other sources could be used to identify it? How can we access them?

Several of these possibilities for further study address this paper's sourcing, in this vein or otherwise. As mentioned, this paper declines to reference sources (or secondary-analyses) centered on prison officials themselves. In the spirit of its "people's analysis," it highlights inmates' voices instead. But, certainly, it would be worthwhile to know: what would happen if researchers were to confront prison officials with evidence of these tactics, and a description of the principles behind them? Would they deny them altogether? Would they admit them, but excuse them as essential to a prison's function?

To what extent are officials cognizant of the rationale behind these tactics? Are they knowingly imposing disorientation, or simply following protocol rooted in a now-hazy (though resonant) institutional history?

Would they agree with any aspect of this analysis at all? Possibilities abound.

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The goal of this paper was, simply, to offer a framework—to tell the story that underlies other literature on intra-prison politics. "The Zo" *is* a fitting nickname for American prisons, it argued. Kilgore was onto something. Like in the Twilight Zone, experiences in prison are grounded in a *lack* of grounded-ness. They are founded upon a kind of purposeful disorientation—which diminishes subject-senses of agency, dignity, and sanity—which leaves inmates like putty in the hands of their authorities.

Some inmates develop the means to resist this disorientation: detail-commitment. But as this paper's final section argued, these inmates suffer *more* disorientation for making it known.

Officials respond to well-founded grievances by more forcefully disorienting inmates. Inmates respond by more forcefully detail-committing. A vicious cycle takes shape.

Many succumb to its disorienting swirl.

Perhaps this theory sounds too-conspiratorial or fantastic, Kilgore writes. “Guess it goes without saying,” he says, “[that] much of what I have said up until this point is the sort of hype many of you marvel at with amusement”—the kind of amusement that first drew viewers to *The Twilight Zone*. But he implores us to see its concrete, detailed evidence, even where that evidence may be (like so much in his world) deliberately obscured.

“It involves a deception kept locked away behind these walls;” he says, “[it’s] locked away in the volumes of criminal jurisprudence”<sup>140</sup>. It can only be considered if brought into the light.

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<sup>140</sup> Kilgore, *The Deceptions of Crime*

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