

SELF-HELP AS AN EXPLANATION FOR VIOLENCE AMONG FEMALE INMATES: A PRELIMINARY ASSESSMENT

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Abstract

Data were gathered from 52 female inmates residing in two women's prisons located in Missouri, USA, through semi-structured interviews in order to document the existence of violence among female inmates and to evaluate causes of such violence. Donald Black's self help theory was used as a paradigm for evaluating causes of violence among female inmates. The results of this study suggest that violence among female inmates is more common than typically assumed. The results also suggest that Black's theory may account for the large amount of violence associated with homosexual relationships but is unable to explain the existence of predatory violence aimed at forcibly acquiring property or accomplishing sexual assault. Prison policies including those prohibiting homosexual conduct and the apparent de facto policy of punishing everyone involved in a fight may be unwittingly contributing to the problem of violence among female inmates. Possible reforms that might be helpful are discussed and analyzed.

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INTRODUCTION

Prisons housing men have long been regarded as very dangerous places and a review of the literature reveals that inmate on inmate violence in men's prisons is a wide-spread and well-documented phenomenon (see e.g., Robertson, 2003; Toch, 1998; Walters, 1998). Comparatively little is known about violence among inmates in female prisons because most of the research on violence in the prison setting has focused on males (see e.g., McCorkle, Miethe & Drass, 1995). Even when researchers consider incarcerated women's experiences of violence they usually ignore issues of inmate on inmate violence and focus instead on past abuse suffered by incarcerated women or violence suffered by female inmates at the hands of male inmates and correctional officers (see e.g., Martin et al., 1995; Sable et al., 1999; Stein, 1996; Treacy, 1996).

While these sources of victimization of incarcerated females are clearly important topics for research, the nearly exclusive focus on incarcerated women as victims may be obscuring the reality of violence in women's prisons by systematically ignoring a potentially significant source of violent victimization. Preliminary efforts to explore violence among female inmates suggest that violence and aggression among female inmates is a substantial problem and is more prevalent than previously suspected (Campbell, 1986; McGuire, 2005).

Even sexual violence, once believed to be a problem only among male inmates, appears to be an issue for female inmates as well (Easteal, 2001). One ground breaking study recently found that in three Midwestern prisons for women the sexual coercion rate varied from 8% to 27% and that about half of these incidents were perpetrated by other inmates (Struckman-Johnson & Struckman-Johnson, 2002). Some inmate on inmate sexual assaults among women results in serious physical injury (McGuire, 2005).

Because violence among female inmates is such an under-researched topic, most of the existing research tends to be descriptive, a-theoretical, primarily narrative and sometimes anecdotal (see e.g., Easteal, 2001; Rodriguez and Garvin, 1995). Thus, while the existing research suggests that violence among female inmates occurs more frequently than previously suspected, it sheds little light on why the violence occurs (Rierden, 1997). As a result, there is a need for research that not only documents the existence, nature and quality of violence among female inmates but also seeks to explain the phenomenon theoretically and causally. This study seeks to further research on violence among female inmates by giving incarcerated women a forum to discuss the violence they experience and attempts to place this phenomenon in a theoretical context by evaluating the extent to which Donald Black's theory of self-help explains instances of violence among female inmates.

SELF-HELP THEORY

Over three hundred years ago Thomas Hobbes in his now-famous work, *Leviathan*, observed that without a strong state capable of arbitrating disputes and enforcing order, men would be little better than brutes embroiled in a constant battle of all against all (Hobbes, 1651). Hobbes' apparent faith in the state's ubiquitous ability to preserve order and protect the individual may have been a bit optimistic. For as Donald Black and others have noted, much conflict resolution, even in modern times, is accomplished informally without recourse to the state (1998).

In fact, Donald Black (1998) identifies five elementary forms of conflict management: self-help, avoidance, negotiation, settlement and toleration. Of these five, only settlement is dependent in any great measure on the existence of an authoritative, nonpartisan agent like the state. The remaining four types of conflict management can all be accomplished informally.

According to Black, one of the key factors that determines the type of conflict management that will be used by participants in a particular dispute is whether one or both parties has access to law and legal institutions for purposes of resolving personal disputes (Black 1998). Access to law, like all social resources, is not evenly distributed across social space. As a result, there are regions in social space where law, as a vehicle of conflict resolution is, for all practical purposes, unavailable (Black 1998). People with low social status inhabit one such space and are generally unable to successfully utilize the legal system as a settlement agent to resolve disputes with their peers or social superiors (Black, 1998).

Of the remaining four forms of conflict management, self-help, avoidance, negotiation, and toleration, Black suggests that self-help should be the most prevalent form of conflict resolution among inmates in correctional institutions (Black, 1998:76-77). "Self-help is the handling of a grievance by unilateral aggression" (Black, 1983:34). "It ranges from quick and simple gestures of disapproval, such as a glares or frowns, to massive assaults resulting in numerous deaths" (Black, 1998:74). According to Black, avoidance is less likely among prisoners due to the lack of social fluidity and forced physical proximity (1998). Negotiation is less likely among prisoners due to lack of cross linkages usually obtained through attorneys in modern society and toleration is less likely due to the social equality of inmates and lack of polarization in prison social life (Black, 1998).

Just as the selection of self-help as a dispute resolution mechanism is determined by social position, so to is the precise form that self-help is likely to take. Black asserts that among low status social equals, such as prison inmates, self-help is likely to take the form of vengeance (Black, 1998). Self-help as vengeance involves the infliction of violent punishment against a perceived transgressor. For example, an inmate who stabs another inmate for stealing his/her toiletries is engaged in vengeful self-help.

According to Black, the impetus to use violent self-help among prisoners comes from the inherent immobility in prison life, which has the effect of freezing inmates in physical

space, often with people who are relationally and culturally distant, and with little opportunity to meaningfully access formal dispute resolution mechanisms like the courts (Black, 1998). Such a social milieu, contends Black, is conducive to the selection of violent self-help as the preferred means of dispute resolution.

One of the distinctive features of violence as self-help is that the people committing the violent acts often see themselves as the true “victims” and their acts of violence as justified and morally right (1983). In other words, the perpetrators are attempting to use violence as a means of exercising informal social control over someone they regard as deviant. Violence as predation, on the other hand, is not a response to the victim’s supposed deviance. Violence as predation is simply the instrumental use of violence to achieve some desirable benefit for the perpetrator. Black argues that contrary to common assumption most violence that is labeled criminal by society is actually moralistic attempts to assert informal social control over perceived transgressors and not predation (Black, 1983).

Empirical research in male prisons has tended to support Black’s self-help theory. For example, Silberman’s research in a men’s prison indicates that violence does in fact operate as a primary method of social control among inmates and that providing inmates with accessible legal procedures to resolve disputes reduces violence (Silberman, 1992). This study extends Silberman’s work by exploring whether violence operates as a method of social control among female inmates and the extent to which self-help theory can explain the occurrence of violence among female inmates.

RESEARCH METHOD

The Missouri Department of Corrections operates two correctional facilities for women convicted of criminal offense in the State of Missouri.¹ The older facility is the Chillicothe Correctional Center (“CCC”), located in Chillicothe, Missouri and the newer and larger facility is the Women's Eastern Reception, Diagnostic and Correctional Center (“WERDCC”) located in Vandalia, Missouri. Access to inmates residing in these facilities was granted by the Missouri Department of Corrections in response to a written proposal.

The Missouri Department of Corrections not only gave permission for the research to occur but also facilitated sample identification by drawing a random sample from among inmates who were at least 18 years of age and who had served at least 12 months of their current sentence as of the day the sample was drawn. These inclusion criterion were meant to screen out juveniles and to assure that interviewees would have a substantial period of incarceration to draw upon in answering questions concerning violence among inmates.

Of the 80 randomly selected inmates, 52 ultimately gave their permission to be interviewed. Interviews occurred between August and December of 2002 and took between 1 and 3 hours depending upon how much the woman had to say. At the beginning of the interview, a survey capturing quantitative data about the inmate's background and experiences with the criminal justice system was administered. This survey also sought quantitative data about the number of violent incidents that the woman had participated in or witnessed. Answers were transcribed to the survey by the author while the survey was being administered.

If the woman reported during the survey that she had seen or participated in one or more violent incident(s) while incarcerated, a semi-structured interview was then conducted to solicit qualitative data about the various incident(s). Permission to tape record the interviews was solicited and obtained from all but a couple of participants. The author took contemporaneous notes during the interview for the women who declined to be tape recorded. The tapes were subsequently transcribed as were the author's notes. Ethnograph, a qualitative data software analysis package, was used by the author to assist in identifying themes.

During the interviews, women were asked to elaborate on the circumstances surrounding the violent incident(s) in which they participated. For example, women were asked to describe who else was involved, where the incident occurred, when the incident occurred, why it occurred, injuries sustained and the aftermath of the incident, including retaliation, if any. Women who witnessed violent incidents were asked to similarly elaborate on the incidents that they considered most serious. They were asked to judge seriousness based upon the injuries inflicted during the incident. All names used in this article are fictitious and were created by the interviewees or the author.

For purposes of this study, violence was limited to incidents of actual physical battery. Actual physical battery was defined as encompassing hitting, kicking, punching, pushing, sexual assault and other instances where one inmate deliberately engaged in nonconsensual bodily contact with another inmate, including nonconsensual contact accomplished through the means of an instrumentality of some kind such as a knife, club, chair etc. Emotional and mental abuse, unaccompanied by nonconsensual physical contact, was expressly excluded. This definition of violence is consistent with the definition of violence employed by other researchers who have examined violence in prison (see e.g. Walters, 1998).

CAUSES OF VIOLENCE

Homosexual Relationships and Violence

While the quantitative data suggests that violence between female inmates occurs on a regular basis, it sheds little light on **why** the violence occurs. In the qualitative portion of the interview, women were given a chance to explain why particular violent incidents occurred. The purpose of this portion of the interview was to determine whether violence served as a means of resolving disputes between female inmates and the extent to which self-help, as opposed to predation, explained actual instances of violence. Because of concerns regarding confidentiality, the Institutional Review Board at Saint Louis University required me to disassociate the quantitative and qualitative data, thus it is not possible to directly analyze relationships between quantitatively reported characteristics such as race or length of imprisonment and explanations for violence offered qualitatively.

When asked what the primary cause of physical violence was at their prison, there was remarkable consistency in the women's responses in that almost all of the women identified homosexuality or "girlfriends" as a primary cause. Lady T's response was typical: "the majority of fights in here are usually over their girlfriends." "Everyday somebody beats up their girlfriend" reported Lillian. Siobhan said "The female/female relationships . . . are the majority of fights. Either the two people in the relationship together or . . . like the other woman type story." Sheana said "I've seen more than 100 fights, mostly with girlfriends." Some inmates like Jo felt that violence between inmates was almost exclusively limited to lesbians, "they're the ones [lesbians] that do the fighting."

When asked to explain how lesbian relationships motivated violence between inmates at their prison, women described several distinct types of violence. According to interviewees, violence between partners was usually motivated by an abusive partner's desire to control or punish her partner. Regina reported that a friend of hers on her dorm was trying to get out of an abusive relationship but every time her friend told her partner she wanted to end the relationship, her partner beat her up. Regina concluded that "what they call a relationship is like slavery. It's like abuse. It's sickening." Marcia expressed similar sentiments, though with racial overtones, "There's white girls who let Black girls run them. They Black girlfriends take their money and smack 'em around."

Maria described a specific incidence of an abusive interracial relationship. She said "this little, tiny, skinny white girl [alias Beth]. . . [has] this [African American] girlfriend [alias Rita] who uses and abuses her, and cheats on her and doesn't even try to hide any of this from anyone, including the girl, ya' know." Rita "doesn't care, 'cause she knows [Beth] would not ever go anywhere." Rita "does whatever she wants to her. She eats on her, abuses her, uses her. Does whatever." Rita was mad at Beth "over something stupid and had a whole other person, big girl, like 300 pounds, big, just jump on the girl, on Beth, from the behind." Maria went on to say she saw the woman punch and kick Beth and then she "threw her into the Rover shack, which is where the officers sit up there. I mean, it was like a rag doll. It was, it was like a rag doll."

Several women related their personal experiences at the hands of abusive partners. Katrina's experience was typical. She said that she and her girlfriend "couldn't get along because she wanted to dominate me and have me up under total control, and I wasn't going for that. . . . she ended up beating me upside the head with a lock²." Dawn's experience was similar; she says "I got into a relationship. Something I never thought I would do . . . with another female and this certain individual was very possessive, dominant and controlling. . . . I was trying to break up the relationship and she physically hit me a couple of times." Mickey also reported that she was physically assaulted when she ended a lesbian relationship. "We were going together, and I didn't wanna' be with her no more, so when I had walked in the room, she hit me from behind and we started fighting." This same person later attacked Mickey at Rec³ hitting her with a large metal can pilfered from the institution's kitchen.

Partner abuse was also frequently meted out as punishment for perceived infidelities. Tammy's testimony is typical. "There was a girl up at canteen one time and her friend came running up on her beating her . . . accusing her of being in a relationship with other people. I seen that." Unfortunately, the violence associated with infidelity frequently escalated beyond simple slapping, punching and kicking. As Takisha reported "I've seen another one the other day . . . this was a couple and she goes up to her girlfriend all because the girl is walking down the path with another girl and . . . bam, bam, bam. Hit her like four times [then she] picks up her coffee mug and bam, hits her in the face with the coffee mug." An even more violent exchange was reported by Patty involving a couple she designated as Laura and Shawn. "Shawn was messing around with somebody else and [Laura] took a pole out of the kitchen . . . it was just like a broomstick or a mop." Laura beat Shawn repeatedly about the head with the pole and "busted her head wide open." Shawn required "quite a few" stitches and had to be taken "down the street to the hospital."

Cindy reported that long time inmates, referred to colloquially as "old heads," deliberately create problems between couples for entertainment purposes. She said "the old heads will sit back and create shit. They will create situations. . . . They'll go tell Mary Lou that Suzy Q was with Diane in the bathroom or in the shower and da-da-da-da-da and back and forth, and back and forth until they get ready to tear each other's heads off or proceed to, and then they'll [the old heads] sit back and laugh."

While assaults between partners were common, it was also fairly common for a "dominant" or "masculine" partner to fight to "defend her girlfriend's honor." LaToya said that a lot of the fights involved somebody else saying something to or about "somebody else's woman and they didn't like it and they feel that it's disrespectful and stuff like that." When asked why the girlfriend rather than the target of the negative statement would be more likely to respond with violence, LaToya explained "the girlfriend is gonna' feel more offended than the woman will, because there's always a manly woman and a woman-woman. They play these roles and one's a man . . . That's usually who you have to deal with." Diane referred to "manly women" as "dominant" and reported that she observed an incident where "the dominant one came up and struck

[the victim] in the back of the neck . . . with a lock and then it got kind of gruesome” because the victim had verbally slighted the assailant’s girlfriend.

Individuals involved in these types of altercations report similar dynamics. Hope, who had apparently assumed the dominant role in her relationship, reported that a stud broad made a negative comment about her girlfriend and she told her to “bring me your face” and they got into a fist fight. LaToya reports that she was talking with a woman who got angry with her because “she felt like I was sitting her girlfriend out and just started getting ballistics and going crazy.” When asked what sitting her girlfriend out meant she explained: “Sitting her girlfriend out means like her girlfriend has a tooth missing in the front of her mouth, so I’m telling her girlfriend you should tell her maybe to go to medical so she can get her mouth fixed, because that don’t look very good, ya’ know what I’m saying.” “She got mad and said I was trying to set her girlfriend out in front of everybody, . . . So, me and her got into a physical fight.”

Third parties were also frequently assaulted by a partner to a relationship if that partner believed that the third party was either sexually involved with her partner or was desirous of engaging in sexual activity with her partner. Patty put it succinctly, “people messing with people’s girlfriends. That’s majorly the main issue that everyone wants to fight about.” Special K phrased it more earthily, if I have a girlfriend and you get involved with me “she’s gonna’ beat your ass for messing with me, because I’m hers.”

A typical love triangle turned violent was reported by Lady T who described events she witnessed on her wing. Bobbi and Mary were a couple and Vicki started “trying to be with Bobbi.” One day, Mary was walking down the hall and saw Bobbi and Vicki in a room together. Mary attacked Vicki and “Vicki got her butt whooped.” After the two were separated by other inmates, Vicki went to her room, got a lock, ran into Mary’s room and then “threw the lock in her [Mary’s] face and it hit her in the head.”

Lorna, the victim of a jealous lover, reported that “Susanna thought that I was after her girlfriend. . . So, she organized three other girls to attack me, and my roommate at the time got other people to walk me to school, walk me to work, so I wouldn’t never be alone, ‘cuz they were the kind that would hide in the bushes and come with a lock in a sock, or come with a blade.” Mickey, a perpetrator, explained her perspective. She reportedly beat a woman because “she kept getting into my relationship with me and one of my girlfriends.” She kept “telling her to leave me alone.” One day she “came past my door calling me bitch and calling me names, so I just went out there and beat her up. She was real bloody . . . I knocked her tooth out of her mouth.”

Even the appearance that a third party has designs on one’s girlfriend can be enough to spark violence. As Jesse explained “if you go and talk to my girlfriend, you’re stepping on my toes and I have to publicly show you that that’s not acceptable.” To illustrate this point, Jesse told the story of a young inmate she called Mary. Mary was talking to Melissa’s girlfriend so Melissa and her two friends attacked Mary while she was taking a shower, hitting her in the head with locks in socks. They “busted her head open in like three different places.”

Special K related a similar incident she witnessed one evening. "X wanted to mess around with Q and Q was talking to her. See, up here, talking to somebody means you're fucking 'em, excuse my language . . . Q wasn't backing off and saying, hey, no, I got ties with P. I guess in order to keep P happy, Q decided to ride with P and get X." So Q and P jumped on X as she left the dining hall "I mean they were kicking this girl. It made me go [gagging sound]." X reportedly ended up with "two broken ribs and a busted nose."

Takisha reported that she was bullied by another inmate who "thought I was trying to have her girlfriend, or something, but we [her girlfriend and I] were just friends. She came and told me I better not be with her woman and tells me I better not look at her. . . She come out and she say, I want you to go, she tells me, when I come back out here, I better not catch you on this yard." Takisha reported that after about a week "I couldn't take it no more, so I went to my bay and got my lock and got three more friends of mine's locks off they lockers, put it in a sock, tied a knot in it . . . I knew that she was gonna' go to the movies. So, I stood inside the gym and when she got there, I hit her in the head with the locks." Takisha boasted that the victim had to be airlifted by helicopter to the hospital because she had "busted her head all the way down her face. I was in a lot of trouble for that. I did 90 days in the hole and was charged with assault."

Sometimes two inmates vying for the affections of a third inmate would physically assault each other. Suzy Q reported "I saw one inmate get cut up pretty bad [with] a toothbrush that had a piece of a mirror, from when they had glass mirrors, that was melted into the toothbrush" because the attacker and the victim both wanted the same woman as their girlfriend. Maria also noted that "the most violent fight I saw, was, I think over the summer. And, it was, okay, there's your fem girls and then your stud girls. Your stud girls would be your masculine type, and these were two stud girls." These two women were both romantically interested in the same woman who, according to Maria, was "playing both ends, and then it all came out. But, instead of being pissed at her, they were pissed at each other." In describing the fight she said "they were not pulling hair, or smacking or scratching. They were beating each other like you see drunken men in a bar pounding each other. . . They did not feel it. They did not care. They beat each other. I haven't seen a fight like that in prison ever. I mean, they beat each other."

Lesbian relationships were also indirectly implicated in some violent altercations. Special K reported "I've seen girls that if their girlfriend goes to the hole and they wanna' go to the hole and be with their girlfriend, they don't care who you are. They'll turn on you and start beating your head just so they go to the hole." A number of women reported that a person's former and current girlfriends would fight over seemingly trivial issues. Carmella, for example, reported that Patrice asked her current girlfriend's former lover, Jennifer, to return a chain she had been given during the course of their relationship. Jennifer agreed and left to retrieve the chain. Patrice said Jennifer was "being flip about it." As a result, when Jennifer returned with the chain, Patrice took it from her, threw Jennifer to the ground, slammed her head against the ground and pulled her earring through her ear.

Property Acquisition and Violence

Although lesbian relationships were the most frequently cited cause of violence, a significant number of women reported violent acts that appeared to be predatory in nature. For example, Lucy mentioned homosexuality and “roommates strong-arming their roommates for canteen” as the primary causes of fights at her prison. Molly who also identified the latter as a primary cause of violence explained the meaning of strong-arming thusly: “Strong-arming is making someone buy you canteen and making them do your laundry, making ‘em cook for you, making ‘em do or perform anything they want done or else they’ll beat you up.” Canteen is the institutional store where inmates with money can buy food, hygiene supplies, minor luxuries, like radios and televisions, and other goods. The term canteen was used to refer both to the store and the items that could be purchased there.

Strong-arm violence aimed at securing material possessions or accomplishing a sexual assault seemed to be the most commonly mentioned types of predatory violence. Hope reported that “of course, we have cases of like strong-arming. You’re gonna’ give me your canteen or I’m gonna’ kick your ass, or your gonna’ have sex with me or I’m gonna’, ya’ know, do whatever.” Hope felt that “strong-arming for canteen or to get sex was pretty common.” Carmella also identified strong-arming for sex or canteen as frequent causes of violence.

Strong-arming for canteen was frequently accomplished with threats and intimidation. For example, Tammy reported that victims are typically told “you’re gonna’ get me this from the store or else I’m gonna’ beat you up and take your stuff.” Janice Joplin elaborated on what she saw as the typical intimidation scenario. “Let’s say you’re a weak little girl coming in and you’re mousy, not a lot of friends, just kind of an outcast. You come through here, you’re family sends you money to spend at the store every month. You’ve got these leaches that are gonna’ come up on you . . . And these girls are afraid if they don’t give it to them that they’ll get beat up, ya’ know. A lot of people come in here just terrified, ya’ know. . . They’re scared, ya’ know. And you got people up in here that take advantage of that . . . and the staff, they don’t do nothing about it.”

From what Marsha observed, it is typical for a tougher, more experienced inmate to approach someone and demand in a threatening manner that they buy them something from the canteen. She said she would probably laugh if someone did that to her but concluded that if the person was “younger or some person that’s scary⁴ or doesn’t know how to defend their self, I guess that would be a very scary situation.” Dray concurred: “I think that a lot of women when they first get here are very scared and some people take advantage of that. They have what they call strong-arming. Like, I’m just using this for instance, say I go to the store every week and someone notices that, well, they could come to me and it’s never happened to me thank God, but come to me and say I want you to buy me four packs of cigarettes, this, this, this and this, and then kind of make me feel like I had to. That’s what they call strong-arming in here.” Jessie indicated that “tricks,” people who buy canteen for others out of fear, will often use canteen to buy protection from inmates that they think have enough status and strength to protect them from

victimization by others, thinking that “If I’m labeled theirs, then everybody else will leave me alone.”

When intimidation is unsuccessful, some inmates will turn to violence to punish an inmate who refuses to provide her with canteen and to force her to relinquish the desired items. Taffy believed that strong-arming for canteen was the primary cause of violence noting that if a “girl has money, others will manipulate her to get stuff, if she refuses or runs out of money then people will get violent.” Melanie concurred, “if somebody’s got something” some people will use any means necessary, including violence, to get it. Diane related an example involving Cathy, a woman with a reputation for strong-arming and one of her victims, Felicia. Cathy went to Felicia’s room and asked her “if she could get her some stuff and she gave her a list.” Another inmate warned Felicia about Cathy’s reputation and advised her to refuse to buy her anything. “Well, when Cathy realized that she didn’t get the stuff, she went in there and roughed her [Felicia] up a little bit.” When asked if people ever physically fought over canteen Special K responded “Yeah, if they want your shit and you won’t give it to ‘em, yes. Let’s say I knock at your door and I wanna’ borrow a soup and a soda and you tell me no and I know you got it. Well, if I’m bigger than you, I’m gonna’ call you a selfish bitch, or I’m gonna’ threaten to whoop your ass. There’s a lot of strong-arming that goes on around here.” Lorna reported that she was beat up “because I quit giving her [the assailant] canteen. . . I had my feet on her chest trying to keep her away from me, but she still got to my face.”

Violence also occasionally erupted when a would-be or erstwhile victim of strong-arming got fed up and decided to fight back. Katrina said a lot of fights were caused by “a lot of people strong-arming people until you just get tired of it and you fight back then.” Marsha concurred noting that some victims just get to the point where they say “I’m not doing this anymore and I don’t care what you do to me, and sometimes, they get punched, sometimes they punch.”

Sexual Assaults and Violence

While property acquisition accomplished through force is certainly troubling, reports of coerced sexual contact are even more troubling. When asked if sexual assaults ever occurred, Lacresha said “Inmate on Inmate? Yeah, that goes on a lot” Regina’s answer was even more chilling: “All the time. That happens here all the time. Girls get raped here all the time.” Hope said “I’d say in the 16 years that I’ve been down, I’ve probably seen that roughly about once a month with somebody [she is referring to strong arming for sex], and usually it’s the new girls that come in.” Mila concurred noting that it was not uncommon for a “stud broad” to approach a new girl and “if she won’t give it up, the stud broad will get a gang of her friends together and take it.”

In addition to being new, being perceived as weak also made certain inmates likely targets of sexual victimization. Janice Joplin described the typical victim as small, mousy and brow-beaten, “a victim, ya know?” Jessie explained it a bit differently. “It’s not only just identifying someone that’s weak, it’s identifying someone that’s weak with a particular attitude. . . If you present yourself verbally to be strong [but I know] with

intuition, that you are in fact weak. That's the kind of person that usually gets attacked. Their mouth overrides their ass. . . It's not really a sexual thing, it's more of a power thing and this is the most vulnerable I can meet you at is your sexuality, so that's what I'm going to take away from you to show you just how weak you are."

Several women reported that sexual assaults between roommates were common. Janice Joplin, for example, reported "it's always between roommates. The rest of the room wants to entertain themselves by hurting this person." She reported that the most recent sexual assault with which she was familiar was a gang rape of a woman by her roommates and involved assaults with a broom handle and shampoo bottle. "They hurt her so bad . . . she had to go tell the white shirts, because she was bleeding."

Taffy reported that two inmates repeatedly forced one of their roommates "to do sex on them" and during one particularly brutal assault they cut her with a toothbrush that had been made into a shank and put objects inside her resulting in significant injury. After this assault, the victim came to Taffy bleeding and she took her to an officer. The primary perpetrator was reportedly charged and received additional time for her role in the assault. When asked why these women sexually assaulted their roommate, Taffy replied "they did it because they could, there was no reason."

In addition to inside cells, showers were also typical venues for sexual assaults. Patty noted that sexual assaults were "known to happen . . . People jumping into showers with people. People grabbing people and going into the laundry room and stuff like that." Marsha walked in on a gang rape occurring in the showers involving four perpetrators and one victim. She described the assault thusly: "I saw a woman raped with some cleaning materials, like a broom and a mop, a toothbrush holder and I was quite disturbed by it." Minerva also reported witnessing a multi-perpetrator rape in the shower area involving two inmates who jumped a woman while she was showering and raped her with a broom handle.

While many women reported witnessing sexual assaults, few were willing to admit that they had participated in one. Jesse came the closest to acknowledging victimization when she reported that when she was first released into the general population after being in Receiving and Orientation, two women entered her shower stall and pushed her up against the wall but she managed to escape actual sexual assault by throwing her shampoo and soap at them and then "hollering, so a bunch of people came." This reluctance to admit to sexual victimization is common and understandable given the stigma associated with such assaults (Kilpatrick, Edmunds, and Seymour, 1992). None of the women interviewed admitted to committing a sexual assault.

DISCUSSION

Violence among female inmates, as revealed by the women interviewed for this study, is a complex and multi-dimensional phenomenon. Certainly, much of the evidence is in accord with Donald Black's self-help theory. Many violent incidences described by the women appear to be examples of moralistic attempts to assert informal social control over perceived transgressors and not primarily attempts to secure desirable benefits for the perpetrators. Punishment, not predation, was clearly the motive behind many of the acts of violence associated with homosexual relationships. Surely, many of the women who assaulted unfaithful girlfriends or third parties perceived to be "the other woman" felt justified in doing so and probably saw themselves as the wronged party. Similarly, those who used violence against individuals who had insulted their significant other probably believed their actions were right and the "victim" deserved punishment.

There are also hints that the selection of violent self-help as a means of conflict resolution rested in part on the forced, on-going and continuous interactions of those who were parties to disputes necessitated by the prison environment. Takisha, for example, reported that the woman she assaulted kept bothering her and she "just couldn't take it anymore." Assaults associated with a victim's attempt to leave a relationship also seemed to be exacerbated by the forced proximity of the former paramours.

While violent self-help was clearly used as a means of conflict resolution by some of the incarcerated women in the prisons under study, self-help is inadequate to explain the many instances of predatory violence apparently aimed at property acquisition and accomplishing sexual assaults that were also reported. Black's theory does not account for violence motivated solely by a self-interested desire to exploit other inmates, yet such violence apparently occurred with some regularity. Additional research is necessary to flesh out the circumstances surrounding these apparently predatory acts of violence and to gain a more comprehensive theoretical understanding of why violence occurs among inmates.

Turning back to instances of violence that appear to fit Black's self-help theory, it is immediately apparent that most of the instances apparently supporting Black's theory involve conflicts associated with lesbian relationships. Given the apparently close tie between violence among female inmates and homosexuality, it is interesting to note that Black also argues that due to normative constraints, people involved in intimate relationships tend to have less access to law to resolve disputes when their disputes are with their partners (1998). Thus, their status as a couple as well as their status as prisoners may have operated to make the selection of violent self-help as a means of resolving conflict more likely.

Black's argument that people involved in intimate relationships generally have reduced access to law for dispute resolution purposes is strongly supported by the research literature which indicates that victims of domestic violence often fail to seek legal assistance and that even when they do seek assistance they are sometimes denied legal help (see e.g., Buzawa and Austin, 1993; Russell and Van de Ven, 1976:130-133; Tjaden

and Thoennes, 2000). While the advent of mandatory and presumptive arrests laws in recent years have presumably ameliorated the latter problem to some degree, there is reason to believe that the problem of nonreporting persists (Felson and Pare, 2005). The problem of victims' failure to seek assistance was likely to have been heightened in the prison contexts under study by two polices followed at both prisons and presumably many other prisons nationwide.

Prison Policies and Violence

The first of these policies prohibits all homosexual relationships, even consensual ones. This policy specifically marginalizes those who engage in homosexual behavior while in prison and tends to eliminate formal dispute resolution mechanisms as a viable means of resolving conflicts among parties to such relationships. With such a policy in place, anyone seeking assistance in dealing with a problem involving her partner or perceived rival is at least potentially risking punishment for being involved in a homosexual relationship.

The second policy impacts anyone involved in a violent altercation. According to the women interviewed, it is standard operating procedure to place everyone involved in a fight in administrative segregation (i.e. the hole) pending an investigation, which can take up to 10 days. According to the women, even if the investigation ultimately exonerates someone, they still endured days in the hole and may suffer collateral consequences like the loss of their housing assignment. Moreover, most women seemed to believe that the administration issued violations to anyone involved in a fight without regard to whether they were the victim or the perpetrator. One inmate explained it this way: "Say that you and I are both inmates, and I come and I beat you, and you've never even, you've never even swung at me. You're going down, too, 'cause that's a fight. You were in a fight, whether you started it, or if you were just like pushing me off, you put your hands on me. You're guilty, so you might as well fight. If I hit you, you might as well fight, because you're gonna' have the same punishment. It does not make any difference."

Another inmate in attempting to explain why her friend failed to get help in getting out of an abusive relationship explained that "Well, the way this institution is ran, if she was to go over to the office and say, look she's abusing me, she's beating on me, she's taking my canteen, she's taking my money, ya' know, she's gonna' get punished, too . . . They're gonna' put her in the hole just as well. She's gonna' lose whatever it is she has going for herself. They [the inmates] don't wanna' do that, 'cuz that's the only thing they have to look forward to. Their visits, their Phase 3,⁵ to bring snacks and stuff from the visiting room, ya' know. To be able to do those things and they're not going to risk that. [They would rather] deal with the abuse, because they can't win. If they get out of the relationship, they're gonna' get beat up, as well as go to the hole, as well as lose anything they have going for them. If they stay in it, they're gonna' get beat up. They gonna' go on and do and be miserable, so they'd rather be miserable and keep what they got going, what little they do get." Takisha has similar thoughts noting that "and even if notes is dropped,⁶ the two people that was fighting gonna' say they wasn't fighting, 'cuz they don't wanna' go to the hole either."

In addition to policies, which inhibit victims of violence from seeking formal assistance, sometimes the administration's efforts to help are also perceived as punitive. For example, according to some inmates, prison administrators sometimes move victims of violence to the other women's prison in an effort to protect them. Unfortunately, these forced transfers are not always welcome. Mickey, a participant in several violent relationships, for example, reported that despite a sizable knot on her head, "I didn't tell the people [slang term for correctional officers], 'cuz I didn't wanna' go to Vandalia [WERDCC].⁷ It was a pretty big knot, but I didn't tell."

While fear of sanctions associated with fighting and homosexual relationships induce victims to be silent and even deny their victimization, third parties could potentially bring formal dispute resolution mechanisms to bear on disputes involving inmates generally and intimate partners in particular. Unfortunately, certain normative and structural constraints operative at both prisons appear to deter third party involvement. Among inmates, normative support for "minding your own business" and refraining from informing the authorities about fellow inmates' transgressions appeared to be widespread. Although many inmates commented on the social unacceptability of "snitching" on other inmates, none phrased it quite as colorfully as Janice Joplin did. "Everybody hates a snitch. . . I don't care if I see you hiding a body, I'm not going to tell on you. Even if I hate your guts, I'm not going to tell on you, ya' know?"

Research shows that when intimate partners are involved in a violent altercation, third parties are particularly unlikely to report the incident to the authorities (Felson and Pare, 2005). This general reluctance to get involved in disputes between partners may extend to officers who work in correctional settings. In explaining why a fight between two girlfriends was seen but ignored by inmates and officers alike, Marsha said "Like you have neighbors that are doing stuff and you know kind of like the code is to turn your head, or call the hotline. We don't have a hotline, so we ignore it."

While few inmates other than Marsha suggested that correctional officers deliberately ignored violence among inmates, many of the inmates reported that officers failed to detect most violent incidents. Takisha stated that "They [inmates in homosexual relationships] fight every day almost and officers don't catch it." Molly's response was similar: "Two people will fight. Most of the time they don't get caught, but they'll just fight in different places." Molly, like several of the other women, attributed the failure of correctional officers to detect most violence to short staffing. "There's not that much staff at this institution. There's too many women for as little staff as we have. . . . [Violence] will happen so fast and stop that the officers don't see it or catch it." Maria concurred: "a lot of them [fights], I'd say, at least half of 'em, don't ever get caught. 'Cause we have two man rooms, and there's only one officer in a dorm. You can go in your room and fight until the end of time and, as long as you've got somebody watching out, you're not going to get caught." Other interviewees like Jessie felt that the lack of female officers particularly contributed to the staff's failure to detect most violence. Violence "occurs a lot in the bathroom because they don't have an abundance of female correctional officers and they have to have them in certain locations, like places where they pat search coming

out of the dining room, the kitchen, here for visitation, stuff like that. So, the males are on the housing units and they cannot come into the bathrooms unless they know there's something going on without a doubt in their minds. . . [and even then most male officers are] very, very reluctant to come into the bathrooms.”

CONCLUSIONS AND RECOMMENDATIONS

This study indicates that altercations involving homosexual relationships are a primary source of violence among female inmates. This finding is contrary to prior research, which found that homosexuality was a relatively minor cause of assaultive behavior among female inmates (Kruttschnitt, 1983; Kruttschnitt and Krmpotich, 1990). It is also surprising because the data from the *National Violence Against Women Survey* indicates that lesbian relationships are less violent than heterosexual relationships (Tjaden and Thoennes, 2000). Given that women involved in a lesbian relationship are generally less likely to be abused by their partner than women who have male partners, it is reasonable to conclude that something about the prison environment encourages lesbian relationships to become violent. Policies sanctioning lesbian conduct are an obvious potential culprit. Such policies automatically reduce access to formal dispute resolution mechanisms for parties involved in disputes connected with homosexual relationships. Without such access, self help, including violent self help, to resolve disputes becomes more likely (Black, 1998). Administrators who wish to reduce violence among female inmates should consider whether continued prohibitions against consensual lesbian conduct are appropriate.

Eliminating sanctions for participating in consensual lesbian conduct not only has the potential to reduce violence by helping those involved in contentious situations to access available help, but eliminating such policies may actually be constitutionally required. The U.S. Supreme Court in *Lawrence v. Texas* recognized that the state cannot constitutionally sanction adults for engaging in consensual homosexual conduct. *Lawrence* makes clear that the liberty and privacy interests protected by substantive due process include the right of adults to engage in intimate relations with members of their own sex.

Although the right of women to consensually engage in lesbian relationships is beyond serious question, the extent to which that right survives incarceration is unclear. While prisoners are not stripped wholesale of their constitutional rights, they do lose those rights that are inconsistent with incarceration or the legitimate penological objectives of the corrections system (see, e.g., *Hudson v. Palmer*). Even under the deferential standard of review often accorded prison regulations, regulations which impinge upon constitutional rights must be reasonably related to a legitimate penological purpose like security, order maintenance or rehabilitation in order to be constitutionally valid. In *Turner v. Safley*, for example, the Supreme Court invalidated a ban on inmate marriages finding that the regulation was an unjustified infringement upon prisoners' fundamental right to marry. In so holding, the Court found that the regulation was an exaggerated response to the objective of security and was not reasonably related to the asserted goal of rehabilitation.

The *Turner* decision is important because it suggests that the Court will not simply accept administrators' claims that a particular regulation is necessary for security or rehabilitation purposes. Rather, the Court will scrutinize the offered rationale to determine whether it is overbroad, unnecessary in light of obvious, less onerous alternatives or otherwise not reasonably necessary to further prison's stated justification.

A total ban on consensual homosexual conduct might well fail to survive even this mild judicial scrutiny given the dearth of empirical evidence that **consensual** homosexual conduct among female inmates threatens prison security and order or interferes with rehabilitation. Quite to the contrary, as detailed above, there is reason to believe that it is the prohibition of such conduct that is actually responsible for the observed violence associated with those relationships.

Moreover, there is some evidence that conjugal visits relieve stress and reduce violence against other inmates (Hensley, Rutland and Gray-Ray, 2000). Permitting homosexual conduct among female inmates could have similar effects. In addition, if criminologists like Travis Hirschi are correct, the formation of strong relational bonds retards criminality (Hirschi, 1969). Thus, facilitating the formation of lesbian relationships might actually serve to enhance rehabilitation and reduce recidivism.

Findings from this study also indicate that the prison staff was poor at detecting, investigating and sanctioning violent incidents. Specifically, staff failed to detect most violence. Where violence was detected, staff was ineffective at gathering sufficient evidence to rationally distinguish victims from perpetrators and as a consequence tended to punish all participants in a fight equally. This state of affairs obviously encourages victims to conceal their victimization. Understaffing and norms against “getting involved” and “snitching” further impede detection, investigation and resolution efforts. Thus, it is small wonder that violence goes undetected and investigations fail to produce credible evidence for apportioning blame.

What is needed is effective and objective methods of detecting violent acts and reliably determining fault that are capable of “seeing” what overworked officers miss and impervious to victim and witness reticence. Better surveillance in the form of surveillance cameras monitored by female correctional officers and placed in institutional blind spots like cells, bathrooms and laundry areas may be the best solution. By monitoring a bank of cameras, officers can more efficiently and effectively identify situations warranting officer intervention and dispatch appropriate personnel. Surveillance video can provide important investigative leads and evidence necessary for a fair determination of guilt and punishment, even in the absence of willing victims and witnesses.

The principle objections to ubiquitous monitoring are cost and privacy. An extensive surveillance system will be expensive but the brutalization of inmates by other inmates is far from cost free. Most inmates ultimately return to society and there is reason to believe that ex-convicts who were brutalized in prison are more likely to commit acts of violence on the outside (Gilligan, 2000; 42 USC § 15601). In addition, studies show that increasing the certainty of detection is critical to deterring wrong-doing (Maxwell and Gray, 2000). Thus, there is reason to believe ubiquitous surveillance may actually reduce the occurrence of violence altogether. Now may be a good time to upgrade surveillance equipment as the Prison Rape Elimination Act of 2003 currently provides for federal funding for equipment to prevent and prosecute prison rape, one species of violence that

can be prevented and more effectively prosecuted with the aid of surveillance cameras (42 USC § 15605).

While the privacy encroachment inherent in ubiquitous surveillance is substantial, inmates are already subjected to far more intrusive procedures including pat downs and strip searches. In our society, same sex surveillance in dressing rooms to deter and detect shoplifting is common-place. In bathrooms, partial doors and curtains can be used to minimize invasion while still permitting officers to determine if more than one person has entered a stall or shower. Surveillance designed to protect inmate safety may well be worth both the monetary and privacy costs associated with such a practice.

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Table 1. Prevalence of Inmate on Inmate Violence

Number of Incidents Witnessed	Frequency	Percent
None	3	6
1	3	6
2	2	4
3	4	8
4	3	6
5	6	12
6 - 10	7	13
11 - 20	8	15
21 - 50	5	10
All the time/Daily (100)	11	21
Total	52	100

Mean = 31.73* **Mode = Daily**

** Data concerning the number of incidents witnessed were grouped into an ordinal scale for ease of presentation in the table but the mean was calculated using the raw, ratio level numbers.*

Endnotes

¹ Without the Missouri Department of Corrections and most especially the women who took the time to speak with me about their experiences, this research never could have occurred. The author wishes to gratefully acknowledge the debt she owes to each of the participants and the Department. Thanks for your help!

² Locks were the most commonly identified weapon used to strike another inmate. Inmates frequently reported that locks were placed inside of a sock (i.e. “locks in socks”) and used as a weapon.

³ Rec, short for recreation, is free time when inmates who were not otherwise occupied with a job or program were allowed to congregate in the gym or weather permitting, an outdoor area.

⁴ “Scary” was commonly used by the women to denote someone who was scared or fearful as opposed to the more typical usage where it is used to denote someone who is frightening to others.

⁵ Inmates who are violation free for 90 days are on phase 3 and can have “food visits” where friends and relatives can bring them food from the outside. Being sent to the hole or receiving a violation means an inmate loses these visits and other privileges for at least 90 days.

⁶ At both prisons inmates were apparently encouraged to “drop notes” (i.e. leave anonymous written messages for the staff) to alert staff about problems or incidents.

⁷ Mickey reported that she knew from experience that prison administrators frequently transferred victimized women to the other women’s prison in an effort to protect them.