

THE JUSTIA AGENDA

Aging and the Justice Initiative

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Why I am In Prison: One Older Man's Prison Parable as Society's Collective Lesson

The Justia Agenda
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New York, New York

Suggested citation: Maschi, T., (2013) Why I am in Prison: One Older Man's Prison Parable as Society's Collective Lesson. New York: The Justia Agenda at Fordham University. Retrieved from: <http://justiaagenda.com/policy-campaigns/>

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Brief Synopsis

‘Aging Prisoners’ are a symbol of our time of how far we as a society of how far off course we have gotten from our collective moral compass and our failure to recognize our common humanity. A growing body of evidence documents the rapidly growing tidal wave of older adults in prison who are disproportionately represented by disenfranchised groups, such as racial ethnicity minorities and persons living in poverty. Recently, the greying of prisons of incarcerated persons with long sentences has been gaining more national and international attention as a human rights issue with high human and economic costs. However, little is known about older adults and their life course history pathways to prison, especially for individuals who first commit a crime in later life. To bridge this gap, this paper documents an unabridged oral history of James O., who is a fifty-year-old man incarcerated in a Northeastern United States prison. James shares his story that led him down his later-in-life pathway to prison, his in-depth observations of the prison environment, and his recommendations for improving the criminal justice system for both younger and older people. His unabridged life story challenges readers to examine the ‘aging prisoner crisis’ using ‘historic global heightened consciousness’ in which awareness of life course time, shifting social contexts, and power dynamics necessitate a three-dimensional individual/social/structural problem assessment. This information can then be used to develop or improve compassionate prevention, intervention, and advocacy efforts for individuals and their families.

“Why I am in Prison”

One Older Man’s Prison Parable as Society’s Collective Lesson

By Tina Maschi

Introduction

In light of the growing global movement to establish a United Nation’s Convention on the Rights of Older Persons, society has reached a developmental stage in which the natural greying of human rights are becoming more visible (UN, 1948, 2012). Fundamental to human rights is the core recognition of the inherent dignity and worth of all persons of any age and the indivisible and interdependent civil, political, economic, social, and cultural rights (UN, 1948). Older people have been historically discriminated against in all societal arenas; these include discrimination in the workplace, violence and abuse in homes and institutions, and lack of access to quality health and social care when age-related decline in functional abilities is inevitable (Help Age International, 2012). Based on historical age-related oppression, the proposed convention will offer older persons protections for equality, respect, autonomy, and dignity (UN, 2012). Areas of protections are noted as age discrimination, violence and abuse, aging and disabilities, institutional and home-based long term care, equal access to productive resources, work, food, and housing, and social protection and the right to social security, health, and palliative and end-of-life care, and access to justice and legal rights (UN, 2012).

Our collective willingness to universally apply these rights will more than likely be tested by older ‘prisoners’ even though the UN High Commissioner specifies this group as a vulnerable group that also warrants these protections (UN, 2012). Persons of disadvantaged backgrounds, such as racial/ethnic minorities, poverty, and mental and physical disabilities, disproportionately represent the older prison population that is often further aggravated by the additional onset of

the stigma of old age (ACLU, 2012).

Many human and civil rights reports are focused on the current crisis of the aging prison, population, especially the soaring health care costs (ACLU, 2012; HRW, 2012), much less attention has been paid to the topic of how life course experiences of bias and discrimination, based on age, gender, mental health, and undetected or detected trauma histories, intersect with social structural determinants, such as poverty, low educational attainment, legal or immigration status of older persons in prison (Maschi et al., 2013). The disenfranchised status of these individuals places them at risk for mistreatment at every stage of the criminal justice process; from arrest, court adjudication, experience in jail, prison, and finally community reentry if they are released, they are almost predestined to reach old age and even die in prison. They often suffer the collateral consequences of incarceration and lack of age-specific discharge planning (Aday, 2003).

‘Aging Prisoners’ are a symbol of our time of how far we as a society of how far off course we have gotten from our collective moral compass. A growing body of evidence documents the rapidly growing tidal wave of older adults in prison who are disproportionately from disenfranchised groups, such as racial ethnicity minorities and persons living in poverty. Recently, the greying of prisons of incarcerated persons with long sentences has been gaining more national and international attention as a human rights issue with high human and economic costs. However, little is known about older adults and their life course history pathways to prison, especially for individuals who first commit a crime in later life.

In order to address this gap, this full-length unabridged case study is offered. It is the life history narrative of James O. (pseudonym), who is a 55-year-old Caucasian man in prison who shares a series of life challenges beginning in early childhood. This narrative was selected from a

larger mixed methods study of approximately 100 life history narratives written by adults aged 50 and older in a statewide prison system funded by Gerontological Society of America and the John A. Hartford Foundation. The case study was selected because he committed a prosecutable offense in later adulthood and his story provides a detailed description of his internal and external experiences before and during prison. For more details about the study methods, see Maschi et al., 2012; 2013.

In his own words, James describes the life experiences that led him down a pathway to prison. He provides a compelling first-hand account of his observations and means of coping while in prison, as well as his recommendations for improving the criminal justice system. His insider's perspective challenges the reader to use of form of 'historic global heightened consciousness' in order to position themselves at the intersection of the life course, changing social contexts, and interpersonal and structural power dynamics. This story can be used to identify potential prevention and intervention strategies that will be beneficial to children, adults, and older adults.

The Life Story of James O.: A Case Study

James (pseudonym) is a 55 year old Caucasian male of Irish-German descent who grew up socially disadvantaged in an inner city neighborhood in the northeastern United States. Written in 2010, James recounts a series of life circumstances that begin in early childhood and which significantly influenced his later life collision with the criminal justice system. His accumulated prison experiences during seven years of a nine-year prison sentence are the basis for his insider recommendations for policy and practice reform. James' early childhood experiences included economic strain (living in poverty) and family problems, which included parental divorce and addiction and the unexpected deaths of three of his six siblings. James

describes growing up in a ‘rough’ and intellectually stifling blue-collar neighborhood that did not understand or support his academic interests and talents. At age 17, James made a decision to quit school. He deceived his mother to get her support, and joined the army to escape his blue-collar fate. James describes his combat experiences while serving in the Viet Nam War as a mixed blessing. As an adult, he experienced divorce from his wife, separation from his children, and the betrayal of infidelity by his seriously ill girlfriend which he describes as “the tipping point that sent him in a downward spiral”. James nearly drowned in alcohol, despair, and depression; he attempted murder which landed him at the banks of the criminal justice system at the age of 47. James wrote the following life history case study.

Pathways to Prison

Early childhood challenges. My name is James O. and I was born in the Kensington section of Philadelphia. Back then, it was a blue-collar, Irish-German neighborhood of row houses and many factories. It was a rough area of the city, but it was also a close-knit community with very little serious crime. Most of the adult males were roofers, construction workers, machinists, police officers, and firefighters. Boys of my age were expected to follow suit. I entered a vocational high school and studied machine construction/tool and die making, but found myself more interested in the academic classes and decided that I wanted to earn a living with my mind instead of my hands, much to the consternation of my family.

Dissolving family. I was one of seven children, born in the middle. My father (for who I named) was a bus driver. He had a severe gambling habit and left my mother when I was about 5 years old to live with a woman who was willing and had the means to finance his gambling. He made no attempt to be involved in our lives and tried to withhold child support to coerce my mother into agreeing to a divorce. She had only an 8th grade education and was compelled to

hold down 2-3 jobs as a cook or housekeeper to provide for us. To her everlasting credit, she never acquiesced to the pressure from my father, who tried to convince her to put all of us in a home and live for herself.

By age 10, I found myself the oldest surviving child. An older brother and sister were killed in an automobile accident and another older sister died of an illness. A younger sister, born prematurely, died as an infant before my father left. As the eldest, I became responsible for a younger brother and sister when our mother was working. I didn't have much of a childhood after that.

Adolescence and the military escape route. As soon as I turned 17 years old, I convinced my mother to allow me to quit school and join the army. I knew I could finish school at a later date and that my family could use the money I would be sending home. I also wanted to be the first in my family to attend college and knew that I'd only be able to do so via the G.I. Bill. I had to reassure my mother that I would enlist for a military job that would provide training for a civilian career and keep me from being sent to Vietnam. Unbeknownst to her, I made arrangements with the recruiter to volunteer for the Airborne (Paratroopers), Infantry, and Vietnam.

Being airborne. I wanted to go to Airborne because I wanted to experience what it was like to jump out of a plane, and also because they had a reputation of being elite troops. I wanted Infantry and Vietnam for a couple of reasons. (1) My father had used his first marriage to avoid being sent overseas during World War II. He stayed state-side as an Army MP; (2) the war was the major event for my generation, and I wanted to experience it first-hand as a combat soldier. I would also be receiving extra money for being a paratrooper and for serving in a combat zone.

After Basic, Advanced Infantry, and Parachute Training, I was sent to the 101st Airborne Division, operating close to the DMZ that separated North and South Vietnam. We were the last army combat troops to leave Vietnam. During my tour over there, I learned about teamwork, leadership, brotherhood, survival, and how to deal with the sudden loss of friends. I also learned to kill.

War backlash, flashbacks, and rewards. When I came back to the U.S., my elation at having survived was quickly offset by the treatment I received. Although I will be forever bitter about it (I have not seen a Jane Fonda movie to this day), I have and always will refuse to use Vietnam as a crutch or as an excuse for any of my personal failings. I'm glad to see today's vets being thanked for their sacrifices and hailed as the heroes that they are. As for me, I have been able to put the war behind me. The dreams have all but disappeared and I only re-visit my experience on Memorial Day each year, as I remember the guys who didn't come back.

I had 2 opportunities to make a career of the army. The first was when I was offered the chance to attend West Point because I had scored so high on the tests I had taken during basic training and on the G.E.D. Test. I was also offered a spot on the Army's Parachute Team (Golden Knights) because I became an avid sky-diver when I was assigned to the 82nd Airborne Division at Ft. Bragg, N.C. when I returned from overseas. All told, I made 354 jumps. I turned down both opportunities for various reasons, and I often wonder how different my life would have been had I accepted either.

Adulthood: Love lost and family disconnection. I met my first wife just before my enlistment ended. We married in 1975 and moved to the inner city in the north after I was unable to find a job in the southeast. I found a job as a night watchman and went to college during the day on the G.I. Bill. My oldest daughter was born in 1976. Unfortunately, with a full-time job

and a full slate of classes, I wasn't home much. My wife was a country girl and couldn't adjust to city life. She became extremely homesick. She was also angered that I left the army. We were divorced in 1978. I stayed in touch with my daughter until she was 13 years old, when my ex-wife took her to Germany to live with her husband, a career soldier.

Most of my working life was spend in retail loss prevention management. I also spent 7 years working in the city as a recruiter, trainer, and sales manager. I met and married wives #2 and #3 through work. I have a daughter from each marriage. I was +10 years older than wives #2 & #3 and both marriages ultimately failed, one after 3 years, the other after 7 years.

All of my daughters reside far from me and my oldest daughter has a daughter of her own. I've never seen my granddaughter. I hope to be able to get them all together with me one day. I haven't heard from any of them since 2007, but I know that they found each other via facebook and that they continue to communicate with each other. I think they are ashamed by my incarceration. The only news I have of them now comes from my nephew, who is also on facebook.

Betrayal and infidelity as the tipping point. Three years after my last divorce, I met a woman who developed a rare form of sarcoma. I was living in a small town in the suburbs at the time and had a job that paid really well. I took care of her and her son for a year. In 1999, I moved into her house in the rural southern part of the state. I thought I finally found happiness until 2003, when I discovered that she was cheating on me with an old boyfriend. I was working 2 full-time jobs to provide for her and her son and I was shocked and hurt by her betrayal. I began to experience trouble sleeping and turned to drinking as a form of self-medication, I supposed. I was still living at her house (as a paying tenant) when I committed my offense. I had reached rock-bottom. My drinking had steadily worsened, and that (coupled with physical

exhaustion and the emotional stress) culminated in a black-out, during which I committed an act that ran contrary to everything I've ever believed and shocked everyone who knows me. To this day, I am horrified and ashamed by what happened. So, that is why I'm in prison.

The Criminal Justice System

At age 47, James enters the justice system. He describes experiences that illustrate the mishandling of justice and neglect of his psychosocial needs from the point of arrest, court, county jail, and last but not least prison. James does later recognize how ironically that prison may have saved his life. His internal resourceful and personal growth showed how he has been able to survive and to some extent thrive even when confronted with the stressful condition of confinement. In this next section, James recounts each stage of the criminal justice trajectory from arrest, court, jail, prison, and his impending prospects for reentry.

Justice denied. My prison experience has been the darkest 6 1/2 years of my life, but upon honest reflection, I have come to realize that it may have actually saved my life. My drinking had put me in a downward spiral from which I had little chance of escape. For the first time, I had lost control of my life and I shudder when I think of where I might have ended up. Of course, I didn't have that view when I was first introduced to the criminal justice system. I had never even had a serious traffic ticket prior to this, so I had no idea of what to expect, other than what I had seen on TV and in the movies.

Arrest, shame, and humiliation. I will never forget the shame and humiliation of being arrested. I had to call upon every ounce of inner strength I possessed to get through the first 48 hours. It was the most surreal experience I've ever had: 48 hours before, I was worried about finances and finding a new place to live; now I was facing prison for an offense that I had a scarce recollection of and steeling myself for any eventuality which might arise. Having grown

up in a fairly rough neighborhood and being a former paratrooper, I know how to defend myself, but it had been a long time since I was compelled to do so. Luckily, I wasn't really bothered by anyone.

Court and the public 'non-defender'. I had to use a public defender because I had been living hand-to-mouth and couldn't afford a lawyer. It was about 2 weeks before I met my public defender. I remember being relieved when I was first summoned to meet with him, thinking that I would finally have a chance to speak with someone who wouldn't be antagonistic toward me. I also remember how deflated I was after our initial conversation.

When I was escorted into the room, he peered at me over a large stack of case files and as soon as I sat down opposite him, he said, "you're looking at 30 years for this." I was shaken as the magnitude of the situation I was facing came crashing down on me. I began to sense that my future depended on this very young, disheveled, and obviously over-worked person, and his obvious apathy did not bode well for me. He was to make two half-hearted attempts to get my bail reduced, but failed. He also entered a "not guilty" plea on my behalf. He later came to me with a plea bargain of 15 years. I declined. He seemed to concur.

Questionable legal and treatment practices. As I was awaiting further developments, I was summoned to meet the county jail psychiatrist (or psychologist) for an evaluation. After a long interview, she said she was going to recommend that I be placed in a 28 day alcohol rehabilitative program. She was true to her word and had me take part in a telephone interview with the director of such a program. She had also gotten the V.A. to agree to pay for it. I was accepted in the Rehab and was told that a bed would be available within a week. I was to complete 28 days of inpatient care, followed by 5 years of outpatient care and probation. All that was required was the Judge's signature. I was ecstatic that something good was finally going to

happen. The jail psychologist even appeared in court on my behalf to affirm her recommendation. The judge seemed to be satisfied and had pen in hand when the prosecutor objected, stating that the matter was still being "investigated". the arrangement was set aside, pending the outcome of the investigation. My public defender was mute. The matter was never revisited.

I was called to a meeting with my public defender a few days later, and he told me that the court had called in a prominent psychologist from the state to interview me. He (the P.D.) made no attempt to hide the fact that he was dubious about the result he expected from this interview. He went on to say that the psychologist (Dr. Q.) was a IVY league-trained expert who was often used by the prosecution.

I was interviewed by Dr. Q. a day or two later. The P.D. told me that the interview would take about 15-20 minutes. It lasted 2 1/2 hours. Dr. Q. kept shaking his head in disgust as I related my story and said that he found my charges to be incredulous. He said I did not belong in prison and assured me that he would appear in court to testify on my behalf. I was elated, and I truly believed that this nightmare was about to finally end.

Mental health labeling. I had to wait a week before the P.D. called me down for a meeting. He said he had good news: Dr. Q. had written a lengthy, favorable report saying that in his opinion I could not have been capable of forming criminal intent that day, due to "diminished capacity." He diagnosed me as "having a medical condition of alcohol intoxication", with additional diagnoses of "alcohol abuse," "alcohol dependence", "dysthymic disorder," and "adjustment disorder." Naturally, I was flush with excitement. This quickly dissipated when the P.D. shrugged and said, "diminished capacity is a very difficult defense. The prosecutor will just bring in another expert who will refute Dr. Q.s findings." Nothing more was said about it.

Cajoled sentencing. Not long after that, I was notified of a status conference regarding my case. It was subsequently postponed- twice. Finally, the P.D. informed me that the prosecutor was offering a plea bargain of 9 years. I said I would need time to think about it. Seven months have passed since my arrest and I was weary of the emotional roller-coaster. The Christmas holiday had arrived and the status conference was postponed until January. I called my family and told them I couldn't go on any longer and would probably accept the plea bargain.

When January finally arrived, I met with the P.D. and told him that I would accept the deal. I had been cajoled by him, the judge, even a bailiff, to the point where I just wanted it to be over with. When I appeared at the status conference and made it known that I agreed to the deal, the prosecutor, P.D., and judge had a side-bar conversation, after which it was announced that the 1st degree offense would be downgraded to a 2nd degree offense, with all other charges dismissed.

No exceptions to mandatory minimum. Since 9 yrs is 2yrs above the presumptive sentence of 7 yrs for a 2nd degree offense, I was given to hope that the judge might exercise his discretion and give me the presumptive term at my sentencing. When the day came, he said that he rarely had a defendant appear before him who was so genuinely remorseful and went on to cite my complete lack of a prior criminal record. He followed this by saying that the court couldn't make exceptions, so I got 9 years with an 85% mandatory minimum, plus 3 years of supervised parole upon release. the biggest aggravating factor against me was that my crime was "committed under cover of darkness". I quickly pointed out that it happened in broad daylight, but the P.D. paid no attention to this discrepancy.

As I waited to be taken to prison, I became increasingly disturbed by this. I also read of a 21 year old with an extensive criminal record who committed the same offense except that

someone had been killed. He was given 8 years in a plea bargain! I immediately filed an appeal of my sentence as being excessive.

Doing the wait list limbo. My experience with the county jail was coming to an end. While there, I began to do pushups, dips, and pullups on a daily basis. I also attended A.A. once a week. Most importantly, I rekindled a relationship with an ex-girlfriend and this did more for my emotional well-being than anything else.

It took a month for the state DOC to come for me and transport me to the central reception facility. On the way there, they stopped at my county jail to pick up a load of inmates there. The route they took was along the same route that I used to take to work. I was filled with a profound sadness as I looked out at the familiar scenery.

I was informed at reception that I would be going to a medium-security prison in a southern part of the state. I spent 3 months there (Apr-Jul) because of a back-up there. Most guys were in and out of reception in a week or two. It was freezing cold in April, oven-hot in July, and I was over-run with roaches and mice. I was actually happy when I was finally moved out to this prison.

Behind the razor wire fences and walls of prison. While at prison reception, I was given a physical and was told that my bloodwork was "perfect." I finally got to the prison and was assigned to a two-man cell. My cell mate was a skinhead, about 35 years old. He was 3 months away from finishing up his 3rd adult bid.

I was assigned to a job in the Infirmary (E.C.U.) as a porter. I had made up my mind to make prison as positive an experience as I could. I took a voluntary T.A.B.E. test and requested enrollment in 3 vocational training programs. I was subsequently placed on a waiting list for all three.

Early introduction to the infirm and tormented in prison. The infirmary job was often very depressing. They have a couple of padded cells there and the screams of tormented souls could be heard throughout many shifts. There were also what we called the "death rooms". These were a row of 5-6 cells which housed terminally ill inmates. They had been brought in from prisons throughout the state. Many were fairly young. The medical "professionals" working there had minimal interaction with them; they were largely cared for by palliative-care inmate volunteers.

When one of the terminal cases passed away, and ambulance would eventually arrive to take the body out of the prison. The guards and medical staff would not help "bag and tag" the body, so it was left to us porters to assist in it.

Observing moral blindness of staff. The apathy of the guards toward dying inmates was unconscionable. We had one inmate about 30 years old whose wife and 2 small children were given permission for a special visit because he was near death. As shift change approached, a nurse entered the room and the family had to stand outside of the door. A female guard yelled to the nurse, "Isn't he dead yet? I don't want to have to stay late to do the paperwork." The two little girls were sobbing in no time.

We also had an inmate turn 100 years old there. He was completely bed-ridden. He passed away eventually. I was left wondering how society was being served by that.

In the 6 months that I worked there, 6-7 inmates passed away. Hepatitis and diabetes cases abounded, with many amputations.

Blind but now I teach. After 6 months, I had a chance conversation with a blind inmate whose job was to teach braille to other blind inmates. When I happened to mention that I had attended college, he asked if I would be interested in a job as a teacher's aide. I said yes and was

soon interviewed by a civilian teacher who had a pre-GED class. This teacher was also responsible for the education effort at the infirmary. He gave me a T/A position. I spent Mon-Thurs. mornings at the ECU, conducting pre-GED classes, then worked the afternoons and both sessions on Fridays in the facility classroom.

I grew to love teaching. I'd had some experience at teaching in a classroom setting as a corporate trainer, so I knew a little about teaching adults. I had a lot of success with this job.

My first cell-mate left after 3 months and I was able to arrange to have a guy my age replace him. He was my cell-mate for over 3 years and we never had a single argument, despite the close quarters and all of the inherent problems that come with that.

After I reached the halfway point of my sentence, I became eligible for consideration for transfer to the minimum-security unit, which is situated outside of the prison fences. I had no disciplinary actions, so I was approved and moved out to the "min camp" in 2008.

Ethnography of prison. During the 3+ years I spent "behind the wall," I saw a few fights, but nothing serious. Most altercations involved the street gangs. They were always brought under control quickly by the guards. I did not see or hear of any sexual assaults. Inmates who were unable to control their sexual urges were often able to satisfy them by making a deal with an openly gay inmate. (There were always a couple of them on each wing).

I was delighted when I was moved to the "camp". There was no razor wire on the fences. Psychologically, that is huge. Part of the prison parking lot borders the camp. A road runs past it. We can see people coming and going to work. Civilians power-walk past the camp, bicyclists go by occasionally. Normalcy. It represents the first real step towards home. Morale soars. On the inside, I could only see our rec yard and a tree-line which surrounds most of the prison. I spent over 3 years watching a single sapling grow into a tree.

There was much more recreation time in the camp. If not at work, an inmate could go outside from 8:30 AM to 9:00 P.M. except for meal times and physical counts. A fully equipped gym was attached to the rec yard. I was able to do a vigorous workout six days a week and was soon in the best physical shape I had been in since the army. I was able to lift pound for pound with guys 20 years younger than me.

The housing situation took some getting used to. There are two wings on the first floor and two on the second floor. Each wing has 6 rooms containing 13 beds, arranged around a large dayroom/dining area in a horseshoe shape, 2 rooms per side. The steam tables are at the open end of the horseshoe. After 3+ years of dealing with just one other personality, being in a dorm setting with 12 others can be disconcerting at first. There are two showers, but one is a handicapped stall and is used to store cleaning supplies and a trash receptacle. There are two sinks and a urinal, plus a single toilet, which is situated behind a shower curtain for privacy. This setup is conducive for causing arguments. I've had many out here, mostly involving noise, baby powder, or conversations that I didn't agree with. Despite the higher number of arguments, the number of fights is small because most guys are waiting to leave via parole or transfer to a halfway house. They don't want to hinder their chances.

Observing staff's violations of dignity, respect, and safety. One big difference between the camp and life on the inside is the attitude of a lot of the guards. Inside the prison, most of the guards were professional in their interaction with inmates. They were stern, but fair and tended not to sweat minor tings. A lot of guards in the camp are the direct opposite. They know that most guys are out here to get closer to home and just want to finish without any trouble and the guards often exploit that. They talk to guys in a condescending manner, constantly threatening to send them back inside for the slightest infraction, real or imagined. I don't understand why they

make such a concerted attempt to embitter guys who are getting close to being released back into society. If you treat someone like an animal all of the time, you get an animal. Stripping and inmate of his dignity and self-esteem virtually guarantees that he will lash out at society sooner or later.

Some guards resort to childish stunts to antagonize inmates. All of the announcements are made on a P.A. system. I can recall an incident where a guard mumbled something that sounded like "recreation out". As inmates from the 2nd floor descended the stairs to go out to the yard, they were met by several guards who wrote them up for "being out of place".

One guard has a work detail assigned to him that reports for work at 7:30 A.M. The building they work in has an inmate bathroom, but he doesn't unlock it for the first two hours. Any inmate who requests that it be opened gets the response, "ask me again and you'll hear two clicks" (handcuffs and a trip to detention). This guard often mumbles his directions incoherently and if an inmate asks for clarification, he is threatened with lock-up. How can that not embitter people?

When I first came to the camp, there were 3 adult cats and 3 kittens who lived in the woods adjacent to the rec yard. Many inmates would bring them food and milk and kind of adopted them. It was a slice of normalcy.

No purring allowed. One guard who hated cats would kick them if he saw them in the yard, and he would lock-up any inmate he saw giving the cats any food or petting them. The cats soon learned to differentiate between guards and inmates, clearly preferring the latter. All of the cats were named, of course.

Toward the end of summer, 2008, one of the adult cats was run over by a doc patrol van. Then someone put out real cat food laced with poison. One adult and all three kittens died

horrible deaths. This upset all of the inmates. A civilian employee heard about it and animal recovered the bodies. A bag of cat food and poison was found in a locked room. The guard who hated cats was visibly shaken and told all of his inmate workers that they'd better not say anything to animal control or administration.

Escape and punishment. We recently had 2 inmates jump the fence and escape. The guards were embarrassed because it took two hours to notice they were gone. As a result, rec time has been considerably reduced and they seem to be bent on sending as many guys back inside the prison as they can.

Holiday torture. One other thing we have to deal with is major holidays. Either right before or immediately following a major holiday, we are invariably subjected to harsher than normal treatment and shake-downs. I actually heard a guard admit that they are trained to make us as miserable as they possibly can. I guess they view this as a deterrent to recidivism, but it doesn't work. Inmates like me aren't going to return no matter how we are treated. The career criminals will come back no matter how they are treated. A new breed of inmate is rapidly filling the prisons (street gang members) who have no sense of morals, do not value human life, and gain points, status, respect, and move up in rank through violent acts. They are expected to do a certain amount of prison time. They are everywhere, and they get extra respect for harming guards. Someday this is going to backfire on doc in a very big way.

Sources of Stress in Confinement

Denial of health and well-being. A major health concern I have is our diet. The quality of most of the food is poor, at best. With the bleak economy, the amount of food we are given has decreased steadily. As bad as that may be, the food we do receive is not doled out in a fair manner. If the meal is a decent one, large and even double portions are given to the gang

members and Muslims. The reason? The servers are all gang members and Muslims. In addition to under-sized portions, any under-cooked food, end pieces of bread, or anything that is undesirable is certain to end up on the tray of an older, white inmate. As a result, I've been compelled to supplement my diet with goods purchased from the prison commissary. The problem with that is most of the food available for purchase is high in sodium, sugar, cholesterol, transfat, and/or saturated fat. For the first time in my life, my cholesterol levels are high and I'm compelled to take a statin (Zocor's generic equivalent), which is something I really dislike having to do. With the reduced rec time, I can't work my levels down through exercise, so I have no choice.

Another health concern comes from overcrowding (there are 2 beds in each room without power outlets, indicating that they were not originally intended) and unsanitary conditions. The issue of overcrowding may worsen, as administration has been considering adding 3 more beds per room. These rooms have approximately 485 sq. feet of living space for 13 inmates. Three more beds, plus lockers, would allow 30 sq. ft. per inmate. There are not enough brooms, mops, scrub brushes, and cleaning supplies to go around, so we are required to share with other rooms. No matter how hard we might try to maintain a sanitary living environment, we still wind up having to spread other rooms' dirt and germs through our area. The plumbing is atrocious for a prison built in the late 1990's. MRSA is a MAJOR concern. Many inmates are drug addicts who have little or no idea of the importance of good hygiene.

Even more disconcerting is the fact that the same brooms and mops used in the rooms (and more significantly, the bathrooms) are used to clean the dayroom, which doubles as the dining area! As annoying as all of this stuff is, I realize that it is part and parcel of prison life. I

put myself in this situation, the fault is mine, and I actually believe that prison should not be a pleasant experience. I just question the necessity of some of these issues.

Denial of safety. The biggest problem I see is the recent flooding of all prison populations with gang members. Because of budgetary concerns, specialized “gang units” have been eliminated, and their inhabitants have been placed among the general population, along with all of their attendant baggage. Drugs, cell phones, are smuggled into prisons. Fights are becoming more commonplace. Extortion of weaker inmates is on the rise. Some of the guards are even gang members. There is a lot of recruiting. Younger inmates almost HAVE to join a gang or the Muslims to have any hope of surviving prison. Gang initiations are beginning to involve harming other inmates, much like they do on the outside. Rules and regulations are disregarded by these fools who have deluded themselves in thinking that they are running things until doc starts to crack down and reassert their authority. Unfortunately, those of us who abide by the rules and are trying to do right get punished with them. We have lost countless rights and privileges since the number of gang members increased significantly in 2009.

Social care-lessness. I can’t talk to social services or the chaplain about things that bother me because I know how they handle personal problems here. In 2008, I was taken to a meeting with a prison social worker. When I got there, I was ushered into a small room occupied by her, a sergeant, and two other guards. I was grilled about my family and made to provide the names of all my siblings. When I got to my half-brother George, I had to provide his wife’s name. Once I did that, the guards moved closer and the social worker said, “your sister-in-law needs to talk to you.” She called my sister-in-law, who told me between sobs that George had passed away. The guards were staring at me intently to see how I would react. In truth, I had

been expecting it; he had been ill for over a year. I consoled my sister-in-law as best I could until I was told to terminate the call.

Disenfranching grief. As soon as I hung up, the sergeant told me that I couldn't attend the funeral because it was out of state. I was then placed in a dirty holding cell, where I sat until a psychologist came and asked if I wanted to escape, hurt myself, or hurt someone else. Satisfied with my answers, he left, and I sat there alone until a guard came and escorted me inside of the prison. I was told that my minimum-security status had been changed to medium, thus requiring that I be moved inside from the camp. I had only the clothes on my back. No towel, no toiletries. I had no job and was housed on a tier where I didn't know anyone. I had nothing to do but think about my brother's passing. Apparently, we are considered a flight risk and/or dangerous when we lose someone, so we are removed from friends who would have been consoling and dropped among strangers. I will be forever bitter about how that was handled.

Coping and Creativity within Confinement

In this next section, James describes how he maintains cognitive, physical, emotional, social, and spiritual well-being while in prison by engaging in activities and practices that foster wellness.

Survival of the physical and mentally 'fittest'. Prisons have their own code of values and social mores. New inmates who can't or won't recognize this and adjust accordingly are in for a long, miserable existence. As a paratrooper, I was trained to operate behind enemy lines. This carried with it the high probability of being captured. I use a lot of the techniques I learned about surviving as a P.O.W. The biggest two are to stay physically fit and mentally active.

Thankfully, I've been able to obtain a teacher's aide position in the camp as well, this time in the horticulture class. I got the position because of a great reference e-mail sent by the

civilian teacher I worked for on the inside to his counterparts out here. Although the job I have now does not involve as much interaction with the students, I have learned a great deal about horticulture. I took and passed a state pesticide applicator licensing exam, which could lead to a job someday.

I've done a lot of other things to stay mentally sharp. I learned to read and write braille from the blind T/A in the infirmary. In exchange for his teaching me braille, I taught him how to type on a computer. I plan to see if I could possibly work with blind veterans when I am released. I'm a voracious reader, and I've become hooked on sudoku. I also devised a mathematical system for predicting the outcomes of college and pro football games which has endeared me to a lot of inmates who "gamble" on them. I've also written an outline of my experiences in Vietnam. I'm up to 23 chapters as of now. I've also been working on learning conversational Italian. I play chess, but hate the prison version.

My ability to stay in good physical shape has been seriously impeded by the reduction in outside rec time that following the recent escape of 2 inmates. I work until 2:30 PM and the last movement for outdoor rec is called about 10-15 minutes before that. Consequently, I only get access to the yard and gym on weekends, instead of 6 days a week.

Cognitive self-empowerment. Perhaps my most effective tool in coping with prison life has been my military background. The army taught me how to adjust to very hostile, stressful environments and to remain calm in the face of extreme adversity. It also taught me to be resourceful and self-sufficient. I actually drew a pair of jump wings on my workout sweatshirt to remind me that I've survived extreme adversity before and that I was once a part of an elite military force. I once served with the best young men America had to offer.

A side benefit of being a vet is that the gang members respect (and fear) anyone with military training. They are especially respectful and wary of Vietnam veterans, thanks to Hollywood. They see us as walking time-bomb (Rambo) who are experts in hand-to-hand combat (Chuck Norris). I certainly don't try to dissuade these beliefs because I'm one of only a few white inmates who are addressed as "mister" or "sir".

Giving and receiving love and social support. Coping with all of this is made considerably easier if an inmate has a solid support group on the outside. Letters and visits remind them that there are still people who love them and don't view them as the scum of the earth. In my case, I was fortunate to have someone who wrote me a letter every single day for the first 6 years, who I talked to on the phone twice a week, who travelled all the way twice a year for a 2 hour visit, and was ready to help me in any way she could. Unfortunately, she has been stricken with a severe case of multiple sclerosis and has become severely debilitated. We had plans for her to move to NJ when I got to within a year of my release date. We were going to live together and if that went as well as expected, we planned to marry. Instead, we have had no contact since April, leaving me unable to help her in any way.

Spiritual practices. I am a Christian, but I don't attend services here. Muslims, God-body, and 5 percenters go out of their way to mock Christians and their beliefs. I content myself with a nightly prayer, although lately they seem to be falling on deaf ears. Still, I continue to believe that things happen for a reason. I've also been studying the beliefs and principals of Buddhism. I practice meditation and have found that I agree with much of what Buddhism has to say as a philosophy, but Christianity is still my religion.

Recommendations for Policy Reforms

Based on this first hand experience of the criminal justice system, James offered the following recommendations for criminal justice reform. These recommendations included continuation of educational and vocational services, the use of empowerment-based peer support models used for incarcerated persons, especially veterans, the addition of specialized units for older adults in prison, and staff attitudes and practices that includes treating incarcerated people with self-respect, esteem, and dignity. According to James, this type of compassionate care ‘goes a long way’ towards offender rehabilitation and a more peaceful and safe prison environment. Additionally, discharge planning that happens prior to the release process is viewed as a key strategy for successful reintegration. James recommendations are detailed below.

Education and vocational training. With the current budget crisis, prison education has taken a serious hit, especially the vocational courses. I think this is a mistake.

Veteran housing units. I read that California had an experimental housing unit in one prison that was populated entirely by inmates who are veterans. According to the article, the unit is maintained in immaculate conditions and has had virtually no disciplinary issues. The inmates police themselves. I would love to be housed in such a unit, as I tend to gravitate to and associate with inmates who are fellow veterans. For many of us, our military service is a part of our lives that we can take pride in. Returning to disciplined, respectful surroundings is a welcome respite from the daily ignorance, inconsideration, and stupidity that is encountered daily in prison. A measure of self-respect, self-esteem, and dignity goes a very long way. I think it would be worth looking into for the department of corrections, as opposed to the current policy of stripping inmates of all these things. I truly believe that this makes it extremely difficult for inmates to adjust when they are released back into society.

Specialized geriatric units. The department of corrections should also consider creating entire housing units that are populated by older inmates, especially first-timers who have been free of disciplinary charges for a prescribed period of time.

Discharge planning. More things should be done to help and inmate make a successful transition back into society. A released inmate who has no reason for hope is doomed to fail. I guess I am prime example. On January 9, 2011, I will have less than a year to go. I had already begun to experience the shrinking employment opportunities that were available to older persons before my arrest. Now, in addition to my age, I will have to contend with being a convicted felon, a notion that is still surreal to me.

A year ago, I was beginning to be excited that the end of this nightmare was finally within sight. I knew that I would be coming out to a home with a person who I loved and who truly loved me. Now, all of that has come crashing down and since I have no one left in my home state, I am facing the prospect being jobless, homeless, and dependent on a state that would rather that I didn't exist and a society that will refuse to acknowledge that I paid my debt to it. I want nothing more than to have a decent job, a decent car to get to that job, a decent place to live, and to be left alone to live out the remainder of my life in peace. I'm not a bad person and I am hurt more by my separation from society than anything the department of corrections can do to me. I long to be a productive part of society, not a burden to it. For the first time in my life, I am afraid of the future. Instead of elation at the prospect of being released I'm actually beginning to dread it because that light at the end of this long, dark tunnel suddenly has the potential of being an oncoming freight train.

Discussion

Life History Reviewed

The purpose of this first-hand oral history of an older adult in prison is to describe the personal life experiences that intersected with social structural and service failures and contributed to one individual's pathway to prison. James outlined his life experiences of trauma, stress, grief, loss, and social and economic injustice that began in early childhood and put him at risk socially and psychologically. He grew up in poverty, in a 'rough' blue-collar, inner city neighborhood; he had limited educational opportunities, and experienced family death, separation, and loss during childhood. In his young adult years, James experienced military combat, the tragic death of his friends, and post Vietnam War discrimination. His "tipping point" was the betrayal of his seriously ill girlfriend that led him in a downward spiral path of alcoholism, and depression. At age 47, he committed a second-degree violent offense.

Perhaps the most serious of societal betrayals, was his treatment in the criminal justice system. As he describes it, his experiences included a denial of justice from the court judge, as well as from mental health professionals, and county and prison service providers. They all failed to give access to quality health and social services. The questionable attitudes and practices of criminal justice, health, and social care professionals and their unwillingness or lack of ability to deal with his psychosocial emotional legal issues, demonstrate the denial of dignity, respect, autonomy, and equality at each stage of the criminal justice process. These failures and lack of assistance typically continue from the time of entry until the time of discharge planning for release. The extreme behavior of the correctional staff, which promotes a culture of fear and negativity, contributes to extremely stressful conditions of confinement. Despite these adverse experiences, James describes his personal internal and external resources in the form of

cognitive, emotional, physical, social, spiritual, and participatory (self-empowerment) coping and behaviors that sustained him in even the most dire of prison circumstances.

‘What If Prevention and Intervention Scenarios’

Based on James story, and in light of five basic human rights of political, civil, social, economic, and cultural rights, we can glean prevention and intervention points that might have impacted his life experiences and pathways to prison. In early childhood, if James’ family had been knowledgeable of ways to access social, vocational, and educational training, they might have been better able to address their circumstances of poverty, addiction, family divorce and death and loss. If James had knowledge of and access to a school guidance counselor, he might have made better informed decisions pertaining to blue collar occupations versus attending college and pursuing a higher education.

In his adulthood, if James had been knowledgeable of, and had access to, adequate mental health services after returning from the Vietnam War, he might have been able to process the chronic grief and loss he experienced. Assistance with marital problems and insight into ways to reconnect with his children despite the physical distance, might have significantly altered his life path. Intervention during the crisis point when James experienced the betrayal of his girlfriend, might have resulted in a very different emotional response and outcome. Knowledge and access to social services could have helped James cope with his depression and increasing alcoholism; it is reasonable to hypothesize that James might not have committed a crime.

When James entered the criminal justice system, if he had had better quality legal representation, he might have received a fair trial with a more just outcome. If the judges upholding the stricter sentencing policies of the 1980s were more sensitized to consider the underlying causes of this first time offender, James may have been given more compassionate

care as opposed to the maximum allowable sentence for his second degree offense. While in prison, if correctional and social service professionals were better trained, they might also have utilized a more compassionate approach to care while maintaining custody standards for safety. Healthier and more effective services and legal advocacy are needed to redress the intolerable conditions of confinement. Adopting some of the policy reform efforts proposed by James, such as quality educational and vocational training, special units for veterans and geriatric first-time offenders, and attending to the rights and needs of prisoners, especially older persons in prison, will improve the outcome those incarcerated and for society at large. Additionally, programs that foster sources of resilience, such as family contact and support, cognitive, physical, emotional, social, and spiritual coping, can help individuals to triumph over challenging life experiences in which a subjective response may include depression, addiction, and unresolved grief, stress, and loss.

Visualizing Practice and Policy Reform

Examining the experiences of older adults in prison illuminates our understanding and makes important contributions to academics, policymakers, and practitioners. The intersection of life history, changing social environmental conditions, and power inequities, is a critical factor in the development of the complex social problems experienced by individuals aging in prison. We need to assume a new lens to look at ‘age-old problems.’ A three dimensional lens of historical global heightened consciousness, can help us see the short and long term implications of personal, professional, and collective practices and policies. It also helps us to see the changing social contexts, and power dynamics that have contributed to the aging prisoner population crisis.

As we begin to recognize the complex histories of older incarcerated persons we become

more sensitized to consider the children they once were. As ordinary citizens and professionals, we can engage in a personal and collective review of James' life and identify points along the way where we could have done better. We also can recognize what we can do better now. From a human rights perspective, all individuals, including James, should be awarded equal opportunities to reach a healthy, prosperous, and dignified old age. The largely forgotten and neglected group of older persons in prison are clearly a group deserving of the protections awarded by the promise of the Convention of the Rights of Older Persons (UN, 2012). From a human rights perspective, the unconscionable conditions of confinement, such as violence and mistreatment by staff, including of the sick and dying, and the policy induced trauma of the stricter sentencing and institutional policies that has tremendous ramifications on the health and well-being of the incarcerated, would more than likely not occur (HRW, 2012).

Individuals, families, communities, and interdisciplinary professionals, are all faced with unique challenges to prevent, assess, and intervene at many points along the way. If individuals of any age lack access to quality physical and mental healthcare, education, and employment, we will continue to fuel the tragic prison pipeline that culminates in the stockpiling of the older persons. These individuals are disproportionately represented by socially and economically disadvantaged groups from inner cities, racial/ethnic minorities, persons with disabilities, including addictions and mental health issue, untreated trauma victims and a rapidly growing subgroup of veterans, especially Viet Nam veterans (ACLU, 2012). Because of their growing age-related frailty, older adults are at increased risk for victimization, injury, medical and social neglect, and inappropriate discharge planning services; their vulnerability makes this an issue about justice (HRW, 2012).

In achieving elder justice for the aging prison crisis at hand, the human rights issues also

must be invoked. Existing United Nations documents, such as the Standard Minimum Rules on the Treatment of Prisoners (UN, 1977) and the Handbook of Special Needs Prisoners (UNDOC, 2009) provide non-enforceable guidelines that address the needs of older prisoners. These include access to prison rehabilitation, physical and mental health care, geriatric specific and family programming, and community linkages to community services. The community reintegration or, in many cases, resettlement of older people with their families is a critical issue requiring attention. The collateral consequences of incarceration, such as lack of access to housing, healthcare, employment, and social security and benefits, make it challenging for older adults to readjust, especially those with longer prison terms (e.g., Dawes, 2009). Assuming a two pronged approach, that includes both prevention and crisis intervention, will help to end the proliferation of risk factor to prison stories. The term ‘aging prisoners’ is the symbol of our times of how far we have gone astray from our common humanity towards one another. The multiple stigmas placed upon marginalized and disenfranchised populations, based on such differences, such as age, race/ethnicity, gender, legal status (e.g., prisoner or formerly incarcerated), ability status, immigration status, socioeconomic status, and the terminally ill. When frail elders and terminally ill and dying go without needed pain medication in prison, we truly have reached a critical omega point. As a profession and group of concerned citizens, it is this author’s hope that we return to a more compassionate approach to justice guided by the dignity and worth of all persons, including older prisoners. Forensic social workers have been a branch of social work that has made the best effort to remain tried and true to the dual social work mission of compassionate care and social justice action (Maschi et al., 2009). It can once again be a leader in assuming a leadership role advocating for conditions that transform a violent and unjust world to a peaceful and fair one. Although this seems like an ominous task, the famous words of

Gandhi make the first steps quite simple: be the change you want to see in the world. This one older man's prison parable can be used for our collective life review to reflect and take action

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