

**Institutionalized Indifference:
Rape with a View**
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INTRODUCTION

In this essay, I discuss my experience with institutional indifference during a brief stay at a medium security local jail in Southeastern Louisiana and the conditions, circumstances and participants involved in my sexual assault. In this discussion, I intend to offer an “insider’s account” as a type of autoethnographic method of inquiry whose purpose is to expose readers to the complex dynamics of life within a correctional system for a young, middle class, college educated, gay¹ man of colour. This “insider’s account” attempts to describe the conditions and circumstances of my incarceration, which contributed to my sexual assault and the ensuing analysis of that event.

I begin with a discussion of my methodology, specifically my decision to employ the autoethnographic method and the application of “convict criminology” in the elaboration of my personal narrative. Then, I present that narrative – which describes my experiences while incarcerated that lead up to and included my assault – followed by some analysis about prison culture, both general and specific to the institution where I was held, in tandem with an exploration of prison sex and sexual culture, and the discourses of safety that proliferate outside its walls. Finally, I conclude with a discussion about the politics of prison rape and sexual assault that include a summary of, and my personal reactions subsequent to, my escape and release from both the institution and my attacker. The objective in writing this essay is to better inform readers about the socioeconomic, racist and homophobic obstacles that faces those familiar and unfamiliar with our Nation’s criminal justice system and the very real, very frightening problems of sexual assault that gay men must encounter and negotiate – every day, of every week, of every year within that system.

**WRITING, REMEMBERING AND RELIVING:
METHODOLOGY**

I adopt convict criminology’s theoretical objectives to “honestly declare who we are, to articulate what we experienced and observed and to do ethnography that tells the truth” (Ross and Richards, 2009). And because “convicts are rarely asked to comment on prison policy or procedure” (Ross 2003, 243) I hope that my story will also render myself visible as a

survivor. Methodologically, I have adopted an autoethnographic approach for the purposes of this research because it offers both a personal narrative and an analytical assessment of the events surrounding my incarceration and assault (Anderson, 2006). My objective here is to “document...and bear witness to harmful social practices, occasions of relational violence” (Adams and Jones, 2011, p. 111) that I have overcome, and to provide an “insider’s” account.

My decision to embrace the autoethnographic method is based on the firm belief that autoethnography can offer an invaluable, evocative, personal narrative that – when combined with scholarly inquiry and rigorous intellectual analysis – can produce insightful qualitative results that might otherwise go un(der)investigated, unobserved and un(der)theorized (Ellis, Adams and Bochner, 2011). By explicitly incorporating a personal narrative, especially as I do here with an “insider’s” perspective, autoethnography creates a theoretical platform from which analyses of that narrative can be undertaken (Gatson, 2003). Moreover, Norman Denzin (1997, p. 228) writes that evocative autoethnographers “bypass the representational problem by invoking an epistemology of emotion, moving the reader to feel the feelings of the other”. Denzin’s observations are particularly important here, since the retelling of my story – despite the pain and shame of its remembrance – functions as a way to make sense of my experience, as much as it is a means to raise the visibility of same-sex rape – a subject woefully in need of much more public attention and scholarly investigation (Kunzel, 2008).

To tell my story, I draw on a wide variety of source materials, including correspondence written during my incarceration to, and the replies from, various agencies and people, personal notes, recorded telephone conversations between my attorney and myself, district court records, and my own memories. One of the most substantial limitations to the use of memories is the fact that I suffer from an “inability to recall an important aspect of the trauma” (Turner, 1992). Despite the passage of years, I still want to forget the *specific details* of my assault, however successfully I can recount them for readers here. The images, smells, sounds and minutiae of the people, places and locations during my brief incarceration bring with them the ever attendant antagonisms of shame and humiliation that accompany such recollections. Although some might argue that there is a therapeutic benefit in the recounting of my assault, I have yet to find that to be true. There is a peace and solitude in the silence that comes with

forgetting. However, I have temporarily accepted, for the purpose of this work, to forego the insulating comfort which comes from that solitude to make my story known.

RAPE, INVISIBILITY AND INSTITUTIONAL COMPLICITY

Regina Kunzel (2008) explains that rape is such a well-known, commonsensical component of prison life that it inevitably shapes the expectations of those sentenced to prison. Sexual violence in prison is so well known that its inclusion in novels, plays and films constitute a frame of reference to which American society constantly refers when invoking ideas of incarceration (ibid, 155). However, the acceptance and circulation of these discourses in popular culture often omit the voices, experiences and existence of the men who are sexually abused (some of whom are gay men). Indeed, within the perverse sexual culture of same sex prisons, prisoners do not label a behaviour as rape “unless those acts meet particular conditions set by inmate culture’s construction of rape” (Fleisher and Krienert, 2009, p. 85). The common definition of rape is interpreted as “sexual relations with another person obtained through physical force, threats or intimidation...rape is forcible sexual assault” (Scacco, 1982, p. 231). Despite this commonsensical understanding, the definitions of terms like “‘rape’, ‘sexual assault’, ‘sodomy’, ‘sexual abuse’, and ‘coercive sex’ have taken on expanded meanings, which can even differ depending upon the perspective (medical, legal, etc.) being employed” (Kunselman, *et al.*, 2002, p. 28). Thus, there is a wide discrepancy between what constitutes rape, *who can be raped*, and where and when it can be expected to occur.

Moreover, perpetrators of prison rape “almost never face criminal charges” (Mariner, 2003, p. 232) such was the case with my attacker. I continue to question how this reality can be reconciled with the presumption articulated by the US Supreme Court that “being violently assaulted in prison is simply not part of the penalty that criminal offenders pay for their offenses against society” and that “prison rape not only threatens the lives of those who fall prey to their aggressors, but is potentially devastating to the human spirit. Shame, depression, and a shattering loss of self-esteem accompany the perpetual terror the victim thereafter must endure” (Farmer V. Brennan, 1994). Rape, by prisoners’ accounts, is no aberrational

occurrence. Instead, it is a deeply-rooted, systemic problem. It is also a problem that prison authorities do little to address. Rape plagues American prisons “because of a lack of attention or concern by prison authorities or politicians. In too many institutions, prevention measures are meager and effective punishment of abuses is rare” (Mariner, 2003, p. 232).

Although my facility was an exception, most states do not have facilities capable of accommodating safe separate housing for lesbian, gay and transgender prisoners, primarily due to cost, lack of space and the small population size. As such, they are at a “heightened risk of abuse...leaving prisoners open to harassment and violence” and because prison staff are afforded ‘unfettered discretion’, this only “contributes to their systematic victimization” (Tarzwell, 2006, p. 17). And yet according to Mariner (2003, p. 232), “the federal courts have played an insignificant role in curtailing prisoner-on-prisoner rape” despite a responsibility for prisoner safety recognized by the US Supreme Court. The court *unanimously* stated that “prison officials have a duty under the Eighth Amendment² to refrain from indifference as to prisoners’ safety with regard to violence and assault by other prisoners...having stripped [them] of virtually every means of self-protection and foreclosed their access to outside aid, the government and its officials are not free to let the state of nature [sic] take its course” and that “gratuitously allowing the beating or rape of one prisoner by another serves no legitimate penological objective” (Farmer V. Brennan, 1994). Despite that obligation only twenty-five states even keep statistical records of rape incidents and of those just six stated that their correctional officers receive specialized training in recognizing or preventing prisoner sexual assault (Mariner, 2003, p. 234).

AN OBJECT LESSON IN HUMILIATION

November 1996

My story began on what seemed to be a very long car ride, in the back seat of a police cruiser on the way to jail late in the afternoon. The facility I was travelling to was not really a “prison”, but a medium security county facility in Southeast Louisiana that housed about 1500 prisoners (1410 males and 184 females) and employed approximately 350 Sherriff’s deputies. Earlier that day, I had been caught shoplifting three textbooks in the bookstore, while attending

Louisiana State University as an undergraduate. I was a 6 foot 1, 180 pound, thin, 21 year old Latino undergraduate college student, in a state where college graduates constitute only 21 percent of society, and the vast majority of whom are white (Complete College America, 2011). While I was phenotypically classified as white within the complex hierarchy of the state's racially intricate history, my skin is brown. My facial features and jet Black hair, and acute verbal locution characterized me as a Caucasian and consequently I benefitted from the privilege that such an assignment brings with it in the racial hierarchy of southern Louisiana culture. Despite these complex "advantages" I was a young man with a pencil thin mustache, gold rimmed glasses and a soft spoken, but articulate insouciance towards authority. Thus, I knew that my fate was sealed the moment the cruiser left the station on its journey towards the local jail. And most importantly, I was openly gay.

I arrived at a low, cement brick walled facility surrounded by what I thought was "barbed wire", but in actuality was "concertina wire" and a long chain link fence. The gates opened slowly and we pulled into a loading bay. Trying to compose myself I climbed out of the car, with the police officer's help, his strong hand on my arm, he guided me toward the sally port of the facility's booking section. I was next interviewed by another white male deputy, who sat next to an ancient monochromatic green computer screen, who began to ask me a series of questions. I later learned that this was where I was classified, based on a variety of factors that included criminal history (none), race ("white" according to the arrest report and other booking documents), age (21), education (undergraduate), booking agency (LSU – I later learned that their appearance at the facility was an infrequent occurrence and was one that deputies noticed), charge (felony theft) and a number of other things. Finally during this debriefing of sorts, I was asked that magical question – "Are you homosexual or bisexual?" to which I replied "yes". The deputy, who had been asking these questions, had been looking down the entire time, writing my responses down on his checklist. At that precise moment, he finally looked up; he began to *really look* at me, and I just stood there, curiously wondering why he suddenly was taking an interest in me and if my answer to this last question was the reason.

He turned away for a split second and then looked back at me and said "ok" just sit down here (next to him). I sat back down on the wooden bench separated from the main central booking area adjacent to this office. After a few moments of typing, during which I thought his

typing skills were in serious need of attention, I was taken into the main central booking area (surrounded by the large, multi-person cells). The classification deputy spoke to the deputy on duty and handed over my paperwork. This duty deputy (another white man, albeit with a very pink, completely skin shaved head) rose from his chair in the control platform and took me towards the multi-person cell, whereupon the booking deputy (who had begun to walk away) turned and loudly yelled “he’s L2, put him in cell 4!” The booking deputy immediately changed course, his left hand firmly grasping my right arm and proceeded to a flank of single man cells directly in front of the control platform, one of which, painted pink, was filled with women. And the cell next to it, also painted pink, was where I was unceremoniously, but gently pushed into.

After retreating to the back of the cell on its wooden bench, out of the sight of almost all of the Central Booking prisoner’s view, I tried to compose myself and decipher how I was going to extricate myself from this situation. Moments later, a young guy (around my age) walked up to the front of my cell and asked me to come forward to speak with him. I remember thinking that he was cute in his jeans and LSU pullover and ball cap, dressed as he was in something other than the tan and green uniforms of the sheriff deputies that I had encountered so far. He interviewed me for bail and went about explaining the process of being assigned bail. He looked in my eyes and spoke softly but clearly and it was the first time that night that anyone had treated me even remotely humanely. Until that moment, I had been shuffled, pushed, and pulled into, out of and around the room and patrol car. He informed me that I would be taken into an adjacent room with a closed circuit television and microphone where I would be presented to a judge who would have a report (prepared by him) that would determine the price of my bail. He explained that it would probably be around \$10,000 of which I would have to raise 10% or \$1,000.00 if I used a bail bondsman, and I was given the opportunity to make a telephone call. I asked few questions, but remember thinking that he was the first person to actually use my name the entire time. And here is where my story truly begins. I never left the facility until after I went to court four weeks later. And the simple reason is that pay phones cannot call cell phones and ironically, everyone I knew at the time only had a cell phone. *All my family, friends, and even my dorm roommates* only had cell phones. And I did not remember a single phone number. Had I remembered *just one phone number* I would have been able to leave that evening or at the latest the next

day. It was only until I finally got to court and spoke with an attorney who could call my family and friends, was I finally able to leave, but by that point my life had already changed – as you will soon learn.

Since I was unable to make bail, I was escorted to a changing room where my clothing and property was inventoried. This included my cell phone and as much as I begged and pleaded I was not allowed to touch it much less turn it on and search for any phone numbers – which is still a source of anger almost profound as that produced from my physical attack. I was given a receipt, a prison uniform, a blanket, towels and miscellaneous hygiene products, and a prisoner handbook outlining the facilities rules and regulations. I was escorted back to my pink cell and being a voracious reader, I quickly consumed the handbook and realized that there was nothing to do amidst the noise and clamor of central booking. I eventually struck up a conversation through the bars with the women adjacent to me and they were uniformly very polite and courteous, which I found to be particularly heartwarming in my circumstances at the time. They were all very nice, but were obviously all from socioeconomically depressed backgrounds, despite being evenly divided between Black and white racial groups. The time passed slowly until just after “dinner” when I was eventually escorted to my final “home away from home” on L2.

L2 was the designation for the homosexual wing. It was a small, squat cement brick building just like the rest of the facility. Yet, it was physically separate, as one had to walk through a caged walkway outside the main facility into the open air and walk down a paved cement sidewalk to its front door, where one had to be buzzed in. It had sliding inner and outer brown metal doors. The inner door opened to a large rectangular room with one wall dedicated to a single row of steel bunk beds with plastic mattresses. In the middle was a metal table and at one end a shower and a steel emergency exit. On the wall directly opposite to the row of bunk beds was a colour television affixed to a metal stand on the wall and close to the shower, sat a long metal urinal and a single metal toilet. There were ten bunk beds and at the time of my incarceration there were about twelve people there – all but three of whom were Black men – the others were Caucasian men around the age of 30-40. I sat down and was immediately approached by what appeared to be a Black transsexual who courteously introduced herself as Ms. Goldie.

Ms. Goldie was an older Black male around the age of 40-45 from my estimation. Ms. Goldie and I spoke briefly and I was introduced to the prisoners as Michael and given a choice of locations to sleep. This decision proved to be very important within the hierarchical dynamics of the L2 community. I chose a bottom bunk with a corner wall (apparently coveted real estate) whose feet faced the door. My bunkmate “upstairs” was a very kind and gentle Black man, around the age of 45 or 48 who, like all the rest of the Black men on L2 were imprisoned primarily on prostitution charges. L2 proved to be the one (*and only*) place within the facility where I was truly safe. And it was here that my education about prison culture commenced.

Not a single prisoner on L2 was imprisoned for a violent crime and during my stay there never was one. Indeed, it was the one reason why we were treated fairly decently as we posed no physical threat to the deputies who worked in our building or at the facility at large. Apart from medical call, visitation, court appearances or the cafeteria we never left L2. Mail was delivered daily and commissary once a week. To my knowledge, I was the only person to ever leave L2 for any other reason (due to my Spanish linguistic abilities, I was often called upon to be a translator). Normally, this would have produced envy and vindictiveness, but it turned out to be a cause célèbre as I was able to carry paper notes to other prisoners on my way through the facility to central booking where the medical ward was located. Thus, what normally might have been perceived as a distinct disadvantage turned out to be something valued by my fellow prisoners. Communication with other prisoners was impossible given our little building being physically separated from the rest of the facility. As Mark Fleisher (2009, p. 66) makes clear:

In prison, the labels ‘gay’ and ‘straight’ are not necessarily mutually exclusive categories... two basic sexual tracks can be forged. The first involves openly homosexual behavior; actors in these categories define themselves as homosexuals and are considered homosexuals by the prison culture. The second track contains men who define themselves as straight, but may or may not participate in sexual acts with other men. Regardless of their behavior, they are seen as heterosexual by member of the prison culture. A separate hierarchy exists for each sexual track.

December 1996

I was finally being transported to court for my arraignment. I was looking forward to it because I knew that I would be assigned at least a public defender and thus, I would be given an opportunity to speak with someone (anyone) about getting in touch with my friends and family to arrange for my bail. I actually was elated when, before breakfast, the deputy working on L2 announced my name on the court “call out” list (which meant we were to leave the facility immediately after breakfast). Shocked at hearing my name, I quickly began asking people questions about what to expect, where I would go, how long would it take and so on. while trying to get dressed at the same time and make myself look presentable to the judge and the court in general. I was nervous as hell and anxious to get on the road. After breakfast, they called me out and sat me on a hallway bench while other prisoners heading to court went into a large multi-person cell off the main hallway. While they were being handcuffed and shackled in a humiliating display of barbarity, I was handcuffed only because shackling would require that I be paired to another prisoner (though I understand that this did happen on those rare occasions when more than one L2 prisoner was attending court on the same day, and thus could be paired together).

Soon I was, as usual, escorted to the head of the line at one end of the hall with a deputy, to the hooting, hollering and whistles of the men aligned against the wall. We walked through the facility and out into the daylight. I recall the vividness of the colours outside that early morning and remembered that I still had a life waiting for me if I could ever legally escape the current circumstances of my confinement. We travelled by bus to the courthouse, entering via an underground parking garage into holding tank level. I was housed in a much smaller adjacent cell (inside a larger office) next to the female prisoners who, despite my nervousness, actually made the interminable wait tolerable. Sometimes men would flash themselves at us between moments when deputies were not in the office. While this made me very uncomfortable, I did what I usually did on these innumerable occasions and tried to ignore them. If there is one thing that you’ll learn about the criminal justice system in Louisiana is it *moves slowly*. We arrived around 7:00 am and I did not appear in court until 3:00 pm.

I, along with two deputies and approximately six other men were escorted to a commercial, loading dock type elevator, packed in together like sardines.

One deputy was with me at all times, while the other unshackled and escorted the various prisoners to their respective courtroom floors. Finally, I was the last and only one remaining in the elevator and I too arrived at my destination. I stepped off the elevator and was escorted down a hallway that divided the courtrooms from the Judge's chambers and various offices. At the end of the hallway was a jury deliberation room where I was told to sit down and was handcuffed to the chair. I remember looking outside the window from the 11th floor judge's courtroom – the view was amazing. I also recall how luxurious the furnishing were for its padded, fabric seats seems to be from another world and, as I rocked back and forth, I began to uncomfortably think about what I had been missing. One does not miss the simple things until they are taken away. At the end of this hallway was a type of elevated platform with a U-shaped desk and multiple Black and white monitors.

There stood an older Black man – a captain by rank who yelled frequently to other deputies and wore a perpetual scowl. Not more than five minutes passed before he accosted me and angrily asked “what the fuck are you doing out here?!” To which I responded, I was waiting to be called into court for my appearance. He immediately seized a junior deputy, a young man, no more than 45 years old and said “put him in the tank”. Fear ran down my spine and I instantaneously felt nauseous and it was the only time in my life I felt like I might urinate on myself. I said “No! I can't go in there!” and the Captain simultaneously yelled over me to “shut up” and said “put his ass in there [pointing to the tank] right now”.

The tank was a large holding cell with a solid steel door and a tiny Plexiglas window with a steel shutter that covered the window. The junior deputy started towards me with his face down and began to uncuff me from the seat. I began to cry and said over and over again, “please, you can't put me in there! I'm gay! I'm on L2; you can't put me in there”. My pleas falling on deaf ears, the Captain simply yelled to “hurry up” to the deputy as he literally dragged me as I struggled against him towards the door. He quickly pushed me inside the room, his face never meeting mine. I felt that *he knew* what he was doing was wrong. As the door started to close I turned around and saw three young Black men seated on a metal bench that ran the perimeter of the tank on three walls. There was one toilet, a light in the ceiling and nothing else. It was entirely too close for comfort. I had ‘lived’ in the relative safety of L2 during the weeks of my incarceration. Now, at that moment, I truly realized the real danger that I was in.

One young man with braids, named “redbone” was in for Murder, the second young man named “Black” was incarcerated for Burglary and Aggravated Assault, the third whose name I can’t recall, was incarcerated for a series of high value thefts. In what seemed to be an eternity, but probably lasted only 15 minutes, I endured subtle but unmistakable harassment that gained in intensity as time passed, from questions to threats to sexual suggestions. Although the conversation started with friendly chitchat about each person’s legal case that brought them to court appearance that day, it quickly escalated despite my feeble attempts to change topics. “Redbone” quickly became aggressive, although “Black” and the other remained relatively subdued. Within minutes, I was so uncomfortable I grabbed “Black’s” bible sitting next to him and began to pray out loud, thinking that this might dissuade “Redbone” and his attraction. It did not. He then stood up and approached me from the opposite side of small cell, snatched the bible out of my hands and threw it back to “Black”, pulled his pants down and demanded that I perform oral sex.

I was eventually pushed in the corner where the toilet was located and he began to assault me. It was not a rape that one sees in a movie, but a slow, methodical type of process accompanied by whispered threats. Because of the confined space and the frequency of prisoners being moved in and out of the cell, oral sex was the only option. I briefly thought of biting him, but was warned that I would quickly lose all my teeth. After a few minutes, though an eternity of agony, I realized through my tears that I was within reach of the metal door. I banged on that door as fast and as quick as I could, since I knew my arms would immediately be pinned after my attempt so I would not be able to reach it again. Fortunately, the slot on the window opened which forced him to back away, knowing that people could see inside motivated him to move back to the far corner of the cell. Suddenly, but temporarily free, I yelled for help. This immediately brought the joyous sounds of keys being rattled in the lock and “Redbone” quickly ran back across the tank. The violation itself lasted no more than 2-3 minutes and I moved to the doorway and saw the junior deputy. I whispered to him what just happened and he immediately moved me out of the tank and back into the jury deliberation room. Thankfully, the Captain was nowhere to be seen.⁴

After he handcuffed me to the chair, he knelt down, looked me in the eye, put his hand on my shoulder and asked, “Are you okay?” I hoarsely mumbled through utterly distraught tears and sobbing that “I was okay now”. He then

left the room and came back with two Dixie cups of water and asked if I wanted some more to which I replied, “No, but please don’t put me back there again”. I recall him standing up, and looking down at me, saying “No, I won’t put you back in there, no matter what”. Much to my regret, I cannot remember his name although I believe it was Italian, but I will *never* forget his face. He then apologized (which for a brief moment, shocked me to the core) and said that he had to leave and go back to his station, whereupon he left me alone. He said that the courtroom deputy would eventually retrieve me when the time came, and until then I would be left alone to wait for my court appearance. Composing myself, I took stock of my surroundings. I was sitting in a very comfortable, padded swivel chair, with wooden arms positioned at a long rectangular table surrounded by a number of chairs exactly like my own. As I sat there, feeling used and abused, my throat sore, hands trembling and sweat dripping down the insides of my undershirt, it almost felt surreal watching birds fly around outside as the world went by and the traffic on the I-10 Mississippi River Bridge moved like little toy cars back and forth across its span. The tears dried on my face and I felt a profound numbness inside. At that moment, I really did not care what was going to happen to me in the courtroom. I just needed to get out.

I only saw my rescuer once more (though he did not see me), as I was later escorted out of the courtroom and into the hallway, chained and handcuffed to another person as we walked, clink, clink, clink towards the elevator. A day after my court appearance, I was released. Days later, I mustered the courage to report the incident to the Sherriff Department’s Internal Affairs office. I met with overweight white man, dressed in plain clothes at the Sherriff’s downtown headquarters in a cramped hot office. The room reeked of smoke and stale coffee, and every possible surface was covered with piles and piles of manila folders and papers. I thought I was on a movie set, but it was real life. The man sat there as I told my story, taking a few handwritten notes as both he and I sat in the stifling heat. Finally, after an agonizing, emotionally draining hour, he looked up from his notepad and said “Ok, I’ll see what I can do”. He did not ask any questions. No, he did not need any additional information, and yes he had my contact information.

I left thinking reporting it was a complete and total waste of time. As I walked outside, into the fresh air, I felt victimized all over again. A fresh sense of intense shame, anxiety, anger and despair pulsed through my veins with each heartbeat. I never heard from anyone in Internal Affairs again.

I count myself lucky, as my assault was relatively brief, I did not contract HIV or any STDs and I escaped mostly unscathed. But others are not so lucky. Had the location been different and the circumstances slightly more favourable for the perpetrator, what happened could have been much worse.

PRISON SEXUAL CULTURE AND HETERONORMATIVE HIERARCHIES

King (1992, p. 68) explains it is difficult to “separate sexual arousal from a desire for domination and aggression, but there is little doubt that sexual gratification plays a greater role in coercive sexual activity in prisons” than in free society. Of particular importance to my own experience, Scacco (1982, p. 5) has long recognized that the “pursuit of power via sexual violence and the enslavement of weaker prisoners is not peculiar to the Louisiana penal system. It is an integral feature of imprisonment throughout the United States”.

The state of contemporary research into prison rape is abysmal. English and Heil (2005, p. 1) note that what little scholarly evidence *is* available “has failed to be translated to effective intervention strategies for treating inmate victims and ensuring improved correctional practices and management”. Regardless of the paucity of scholarly knowledge about the prevalence, frequency or other data regarding prison sexual assault, Louisiana’s correctional system needs to recognize that prison rape is real, that it happens, and that the obfuscation and denial that resulted in my case is not a legitimate solution to the problem. While incarcerated I had little recourse, either before or immediately after my assault, to adequately challenge the correctional system’s responsiveness (or lack thereof) to the conditions that gay men must endure. And some of those conditions were a product not simply of the coercive nature that accompanies confinement of gay men within a heteronormative system, but also accompanies the well-known, but invisible preference of the largely heteronormative administration of the correctional system that barely tolerates our existence as an undesirable, but unavoidable demographic amongst the prison population.

As an out gay man, my nonconformity with the rigidly imposed sexual scripts and expected prison performances of heteronormativity were too ambiguous and too peripheral to fit within the convenient stereotypes of what “queens” were supposed to embody, thus (unknowingly) made me

a target. I was regularly harassed by older Black prisoners when being escorted in the hallways with phrases like “know you place bitch, shave that shit off” (referring to my unwillingness to shave off my mustache) and “take that bass outta your voice”. Somewhat contradictorily, very young Black men, who overwhelmingly outnumbered their older counterparts, would not make such comments preferring instead to try for even the briefest physical contact. In one case, a 22 year old boy constantly tried to kiss me – even in front of his older peers, which (amazingly) provoked little response from them.

His behaviour seemed to suggest that while there was undoubtedly a strict heteronormativity amongst the older demographic of Black men, younger Black male prisoners were afforded more apparent freedoms to violate these sexual scripts by virtue of their being “short timers” with little experience in the prison sex culture. Ironically, the heterosexual restrictions on prison sexual culture also extended to a perverse type of homonormative enforcement amongst and between other *gay men*. Some queens on L2 repeatedly told me to “sit down when you pee” in case “the men” (meaning other straight prisoners) saw me urinating, as standing up was what “men” (read heteronormatively) did and were they to see me standing up urinating, I might very well get hit without notice. These disciplining tactics reflect that of the prison hierarchy. More importantly, my unwillingness and abject rejection of those distorted norms and values made me a target, as my conduct and very appearance created an image of rebellion, thus publically threatening to destabilize the heteronormative prison sexual culture that renders gay men at the bottom of the hierarchy.

Although I suffered some mild bruising around the neck, as a consequence of attempting to resist, such “submission injuries” were far less pronounced than they could have been had I not been rescued when I was. The most pronounced effects of my assault were not physical but emotional. And as Richard Tewksbury (2000, p. 29) attests, “the most common emotional response of men to sexual assault victimization is a sense of stigma, shame and embarrassment...clearly shame is directly tied to frequent expressions of self-blame from victims and importantly serves to inhibit reporting or seeking of medical or mental health services”. Despite Tewksbury’s analysis that the feelings of shame stem from blame that we “victims” – a word I despise for its connotations of passive victimization – assign ourselves, the fact remains that shame is a powerful force. I have struggled for many

months, trying to decide if I really wanted to pursue publication of this research and my narrative within it, specifically because of the damn near suffocating enormity of the shame that accompanies such public airing of a deeply stigmatizing event in my life. My reluctance stems not simply from the shame associated with the publicity that will accompany the publication of this research, but more importantly the potent fear of embarrassment that I worry will be paralyzing despite how valuable others might find this knowledge. Ultimately, I am hoping that the reward will come from knowing that silence shall have no power over me and that maybe other people will learn from this, my fragile display of courage.

YOU CAN'T BE RAPED IF YOU'RE A MAN

Knowles (1999, p. 273) accurately observes:

One of the perverse mores in the world of prison is that victims of sexual violence are rarely regarded as 'victims'. A key element of the prisoners' belief system is that a 'man' cannot be forced to do anything that he does not want to do – a 'real man' cannot be exploited. Those unable to meet the stringent demands of that standard are regarded as not being 'men', but rather as being weak and unworthy of respect from those who *are* 'men'".

And without a doubt gay men like me at that age, and with my level of inexperience of prison culture, fall directly within this perverse catch 22.

To make things even worse, the “degree of satisfaction derived from the sex act is often in direct proportion to the degree of force and humiliation to which the partner is subjected” (Wooden & Parker, 1982) and this is especially the case in a world where the capacity to exercise violence is interpreted as a distinctly masculine (e.g. heterosexual) trait. At the facility level prison staff may “dismiss the victimized prisoner as merely engaging in ‘gay’ behavior (the implication being that gay men cannot be raped because they always consent to sex)” (Mariner, 2003, p. 237). Particularly discouraging is the fact that “[t]he courts have also made bizarre rulings defining an attack as not ‘bona fide rape’ if a condom is used. Specifically, the rulings suggest that if a victim can persuade an attacker to use a condom, it may be interpreted as a vague form of consent on the part of the victim” (Knowles, 1999, p. 270). Given these obstacles, it is surprising that more

gay men in my dormitory were not sexually assaulted even in the relatively brief period of time while I lived on L2.

CORRECTIONAL OFFICERS AND PROFESSIONAL CULTURE

Many deputies were quite professional and vigilant in their duties, especially if we had personal relationships with them. But a few were not and they viewed their task with disdain, either because of personal animosity and homophobia or they believed the policy inherently flawed (granting special privilege). My experiences with correctional staff have been validated in much of the literature. In the sociocultural landscape of southeastern Louisiana, those who disliked gay men and the policies existing to protect them often found ways to circumvent their responsibilities – a common tactic would be to profess more important work priorities, thereby neglecting duties to protect our vulnerable population to sexual predation.

It is well established that many correctional officers “attitudes about rape influence their willingness to respond to rapes and many officers hold very stereotyped views on...homosexuality, together with their degree of religiosity, explain most of the variation in officer’s willingness to respond to reported rapes” (Tewksbury and West, 2000, p. 373). In my experience, however, while Tewksbury’s argument is true, race and age proved to be more influential predictors of correctional staff’s willingness to respond to an actual rape.

The deputy who rescued me was a young man by comparison to the higher ranked Captain who thought that I was using my sexuality as a means to achieve some nefarious end, like sitting in a back hallway handcuffed to a chair. My rescuer was a younger, white deputy, while his superior was an older (almost elderly appearing) Black man with a particularly obvious dislike and revulsion towards my identifiably gay presence. I attribute the younger deputy’s familiarity with gay men to his willingness to help me and, thus, this generational difference manifested itself in disastrous consequences in my case. Even in cases where correctional officers are present and aware that a sexual assault has taken place, “as long as there is no visible physical injury, prison guards will often stand by and suggest that the alleged rape was in fact consensual sex, simply because the prisoner was considered ‘weak’ and not strong enough to repel such victimization. In

many cases prison officials just turn away and pretend that such violence is not really occurring (Crawford, 2001).

I was fortunate to some degree that my rescuer did not ignore my pleas and saved me from further brutalization. He was the only one who obviously understood my precarious position and sufficiently empathized with my plight to intercede on my behalf despite the potential professional consequences – and because of that I was very lucky. But at the same time, while he was sensitive and caring to me in the immediate aftermath, it was obvious that he was neither trained, nor prepared to handle what happened to me. He never asked me if I needed medical attention and, beyond the most rudimentary of psychological attentiveness on his part, he never referred me to any mental health professionals (much less inform the court or his superiors of the event) (Davies, 2002). His actions, while merit worthy also reveal an abject failure on the part of the Sherriff's Office to prepare correctional staff for these events, and illustrates in my case only an *ad hoc*, informal adaptation to this lack of training as I was left sitting in a swivel chair in the jury room with a Dixie cup of water and a view.

CONCLUSION

In this article, I intended to expose readers to a first-person, autoethnographic account “insider’s account” of the complex dynamics of life within one medium security correctional facility in Southeastern Louisiana for a young, middle class, gay Latino male and my experience of sexual assault while temporarily housed there. I began with a brief discussion of the autoethnographic methods, combined with an application of “convict criminology” to elaborate upon my personal narrative. I then described the circumstances of my incarceration and the events in the lead-up to my assault. Next, I analyzed prison sexual culture, as well as the complexities of sex and sexuality within one correctional facility, and the discourses about prison rape that permeate popular culture and the public consciousness. I now conclude with a brief discussion about the politics of prison sexual assault and a summary of my personal reactions subsequent to my escape from my attacker and release from the institution.

Beth Richie (2012, p. 105) argues that the nature of a “prison nation” where neoliberal “law and order” authorities seek to “maintain the status quo *rather than* to prevent or remedy the range of social problems [like

rape] associated with male violence for those [like gay men] who are most socially isolated, economically disadvantaged or politically powerless”. Indeed, my experience occurred precisely within a criminal justice system more occupied with policing and stigmatizing sexual nonconformists, than with remedying any of the inattention to sexual victimization among LGBTQ prisoners.

Many gay men, lesbians and transgender prisoners are the most vulnerable among prison populations and are in desperate need of heightened safety measures when under the direct supervision, control, and bodily immobilization exercised upon them by state correctional institutions. The simple fact is that my escape was the product of my own initiative, the willingness of a staff member who happened to be in the right place at the right time and no small amount of luck. And, when I consider the failures of the criminal justice system to protect me, and the vulnerability of my queer brothers and sisters behind bars, I can only hope that recent advancements in political power *outside* correctional institutions will slowly change the circumstances of life for those LGBTQ prisoners *inside* them.

ENDNOTES

- ¹ I specifically use “gay” to denote the identity subject position, rather than the medico-psychological term of homosexual.
- ² The Eighth Amendment in the U.S. Constitution states: “Excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishments inflicted”.
- ³ Arkansas, Illinois, Massachusetts, North Carolina, New Hampshire, and Virginia.
- ⁴ I never was able to determine who he was, but I *do* remember and I will never forget it or forgive him for his contribution to what happened to me.

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