

THE RHETORIC OF IMPRISONMENT: SELECTIONS, DEFLECTIONS, AND  
REFLECTIONS OF REALITY IN CORRECTIONAL COMMUNICATION PRACTICES

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By

Elizabeth Joy Nissly

Director: Dr. Nathan Kreuter  
Assistant Professor of English  
English Department

Committee Members: Dr. Diane Martinez, English  
Mr. Jeremy Jones, English

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Kenneth Burke dedicated *A Grammar of Motives* to his wife—“To Elizabeth, Without Whom Not.” I will echo Burke in simply stating that this thesis is dedicated to my father, Timothy Stephen Nissly, without whom not.

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## ABSTRACT

### THE RHETORIC OF IMPRISONMENT: SELECTIONS, DEFLECTIONS, AND REFLECTIONS OF REALITY IN CORRECTIONAL COMMUNICATION PRACTICES

Elizabeth Joy Nissly, M.A.

Western Carolina University (April 2015)

Director: Dr. Nathan Kreuter

This work analyzes the rhetoric of incarceration in the United States, examining how our social hierarchy, systems of power, moral ideologies, and discourse practices have contributed to our status as the global leader of mass incarceration, the state of our nation's correctional facilities, and the treatment of incarcerated individuals. The author argues that significant progress in corrections reform will only occur as the result of a comprehensive investigation into our current approaches to communicating about and with incarcerated individuals. Using Kenneth Burke's theories of identification, division, consubstantiality, and terministic screens, the author analyzes how social perceptions of crime, prisoners, and deviance are constructed by communication practices within correctional agencies. Attention is specifically focused on the use of silence, labeling, and institutional language and the way these communication practices reinforce deviance and prohibit identification between the public and prisoners. Communications from officials employed at Lancaster County Prison in Lancaster, Pennsylvania are evaluated as a way of concretely illustrating the impact that socially constructed perceptions of incarcerated individuals have on staff-prisoner interactions and prisoners' wellbeing. The author applies Burke's theories of identification, division, consubstantiality, and terministic screens to two

documents released to the public—“Commitment, Intake and Classification Information,” which describes initial incarceration practices at the prison, and *Suicide Prevention Practices, Lancaster County Prison*, which was compiled by the prison’s healthcare manager, PrimeCare Medical, and summarizes a review of mental healthcare practices at the facility. The author hopes that analyzing these documents will shed light on how dehumanizing communication practices have contributed to the high rate of inmate suicide at Lancaster County Prison.

## INTRODUCTION

*There is no one among us who is certain of escaping prison. Today less than ever. Police control is tightening on our everyday life, in city streets, and on the roads; expressing an opinion is once again an offense for foreigners and young people, and antidrug measures are increasingly arbitrary. We live in a state of 'custody.' They tell us that the system of justice is overwhelmed. That is easy to see. But what if the police are the ones who have overwhelmed it? They tell us that the prisons are overcrowded. But what if the population is over-imprisoned?*

—Michel Foucault, 1971

Although part of a speech given in France over forty-four years ago, Foucault's words could have just as easily been spoken today as an accurate description of our own nation. The total citizenry of the United States only equates to a mere 5% of the global populace, but the 2.2 million people housed in our correctional facilities represent over 25% of the entire world's prison population (ACLU, "The Prison" n.p.; The Sentencing Project n.p.). America has a higher incarceration rate than any other country, including China whose citizens account for nearly 20% of the global population (Pew Center, "1 in 100" 5; CIA n.p.). Our prison population has increased 700% since 1970, and November 2014 projections from the Pew Charitable Trusts predict the number of state prison inmates alone will increase 3% within the next three years (1; ACLU, "The Prison" n.p.). Additionally, in 2014, the Pew Center on the States reported that the arms of the U.S. corrections system reach far beyond currently incarcerated individuals—if people on probation or parole are included when calculating the number of citizens presently under correctional control, the total amounts to an astounding 7.3 million people, or one out of every thirty-one citizens ("1 in 31" 5, 1).

Efforts to define the extraordinarily high rate of incarceration in the U.S. have necessitated the use of terms such as "mass incarceration" and "hyperincarceration," illustrating

the severity of this epidemic. Incarceration cost taxpayers 80 billion dollars in 2010 alone, and while this price tag itself is enough reason to support a major overhaul of our corrections system, it is just one example of mass incarceration's negative impact on our society (Pew Center, "1 in 100" 3; U.S. Dept. of Justice, *Smart 2*). In 2013, the U.S. Department of Justice itself recognized that our pattern of locking up one out every one hundred of our citizens is "disruptive to families, expensive to the taxpayer, and may not serve the goal of reducing recidivism" (*Smart 2*). Clearly, the effects of mass incarceration are felt far outside prison walls and seriously impact several aspects of our society.

In addition to the startling statistics of mass incarceration, the inhumane practices often found in our nation's correctional facilities further illustrate the dire need for penal reform. In 2013, the American Civil Liberties Union reported that prisoners at the East Mississippi Correctional Facility (EMCF)—a facility specifically designated to care for special needs and psychiatric prisoners—are often underfed and live in cells that are "infested with rats and have no working toilets or lights....Many prisoners have attempted to commit suicide; some have succeeded. One prisoner is now legally blind after EMCF failed to provide his glaucoma medications and take him to a specialist, and another had part of his finger amputated after he was stabbed and developed gangrene" ("Dockery" n.p). The ACLU describes the conditions at another U.S. correctional institution, St. Tammany Parish jail in Louisiana:

St. Tammany Parish officials have a policy of locking suicidal prisoners in 3-by-3-foot metal cages that prison staff call "squirrel cages." After prisoners are deemed suicidal, they're stripped half-naked and put in the cages without a bed, blanket, shoes or toilet. Requests to use the bathroom are often ignored by guards, so prisoners urinate in milk cartons, or soil themselves inside the cage. Some

prisoners reported being forced to wear bright orange, Daisy Duke-style shorts with the words "HOT STUFF" scrawled across the backside. To add insult to injury, the cages are placed in the main part of the jail, so the caged prisoners are a spectacle for other prisoners to gawk at. ("Louisiana" n.p.)

These revolting human rights violations are not unique to St. Tammany; prisoners at the Tent City Jail in Maricopa County, Arizona face similar conditions. According to an article by James Ridgeway and Jean Casella titled "American's 10 Worst Prisons: Tent City," inmates housed at Tent City are forced to live year-round in tents that are both unheated and uncooled—the temperature inside the tents has reached as high as 145 degrees (n.p.). Sheriff Joe Arpaio forces his prisoners to wear striped, chain-gang style uniforms and pink underwear in order to reinforce the humiliation and shame already heaped upon them by society (Ridgeway and Casella n.p.). In 2008, a district court judge ruled that the deplorable conditions at this facility were "grossly inadequate," "unconstitutional and jeopardize the health and safety of prisoners," but as of mid-2013, life at Tent City had not improved for its residents (ACLU, "Judge Calls" n.p.).

As the conditions at EMCF, St. Tammany, and Tent City illustrate, the state of correctional healthcare is in great need of reform as many prisoners are deprived of the access to adequate medical and mental health treatment. According to the Bureau of Justice Statistics, in 2004 only 69.7% of inmates in state prisons and 75.9% of inmates in federal prisons who had a current medical problem saw a health care professional (U.S. Dept. of Justice, *Medical* 21). Worse yet, only 80.4% of state inmates and 85.67% of federal inmates with an injury were seen by a health care professional (U.S. Dept. of Justice, *Medical* 21) While those statistics might not be startling if drawn from the general public, who has a right to make the choice whether or not to see a medical care provider, prisoners do not have that luxury and are in complete control of



the correctional staff, making the 19.6% of state inmates and 14.33% of federal inmates who had an injury and did not get to see a healthcare professional the sole responsibilities of facility personnel.

Additionally, many prisoners have mental illnesses that led them to commit the crimes they are convicted of but are not receiving the mental healthcare necessary for rehabilitation and healing. Fifty-six percent of state inmates, 45% of federal inmates, and 15% of immigration detainees either currently have a mental illness or have a recent history of one, but as with several other key social justice issues, the U.S. has failed to keep up with the rest of the world's standards for working towards improving prison healthcare (ACLU, "Immigrants" n.p.; Exworthy 207). Our nation boasts that we are a country of freedom and equality but, as psychologist Tim Exworthy points out in a study of our nation's prison mental healthcare, "a great gulf exists between rhetoric and reality: the United States is a signatory of the 2009 Convention on the Rights of Persons with Disabilities and the Universal Declaration of Human Rights in 1948, which does not appear to have affected the provision of mental health care in prison" (208).

Not only is prisoners' deprivation of healthcare a human rights violation, but depriving incarcerated individuals access to mental healthcare treatment also increases recidivism rates, crime and violence within detention facilities, and inmate suicide. ACLU staff member, Suzanne Ito reported that a prisoner at Men's Central Jail (MCJ) in Los Angeles had "to wait three months after intake before he saw a psychiatrist, even though he had a 20-year history of bipolar disorder and paranoid schizophrenia that could be confirmed by state agencies" (n.p.). The inmate explained what his lack of access to mental healthcare treatment was like: "When I don't take my medication I become homicidal and I can't sleep and I start shaking. I'm trying to

control my thoughts and my anger because I don't want to hurt anybody while I'm here" (Ito n.p.). Another prisoner at MCJ told Ito that "The deputies ignore my mental health conditions and it seems to me that they will not give me my medication until I seriously hurt myself. When I was in psych review they made me live in a cell with my own excrements. The mental health personnel treat me like they think I am joking about having mental health issues" (n.p.). The practices of our penal system make it clear that our goal is not to rehabilitate offenders; instead, we claim to use incarceration as a way to deter and decrease crime in order to increase social stability, but as the testimonies of these men illustrate, depriving prisoners of mental healthcare only worsens the mental stability of these individuals and, in turn, proliferates crime and the loss of human life.

The practices at the U.S. correctional facilities described above only offer a small glimpse at the inner workings of our prisons and jails. Certainly, there are places where inmates are treated fairly and humanely but there are also facilities where the conditions are much worse. While it is obvious that practices like those of Sherriff Arpaio are intentionally malicious, some of the human rights violations occurring daily throughout our penal system are the result of our extremely high rate of incarceration. State prisons are regularly run at ninety-nine percent or more of their operational capacity, and the population of numerous prisons either maxes out or exceeds the design capacity of their facilities (U.S. Dept. of Justice, *Prisoners* 31). Operating at such a high capacity makes it difficult for prison staff to adequately carry out their duty to ensure the wellbeing of the individuals under their watch and perpetuates problems that may be completely out of the control of staff members. While there is no excuse for anyone who mistreats prisoners, given this information about overcrowding, it is easy to see how employment in a correctional institution could be an extremely frustrating, ungratifying experience. Certainly,

if an attempt was made to calculate the total number of Americans directly impacted financially, emotionally, and mentally by hyperincarceration, all state, local, and federal correctional employees—whether officials, staff members, healthcare workers, foodservice providers, or guards—would surely have to be included and could easily bring the total number to well over ten million. Indeed, the arms of the U.S. corrections system are long-reaching and encompass a much larger portion of our society than the 2.2 million people who are currently incarcerated.

### **Personalized Perceptions**

The United States' desperate need for correctional reform is evidenced by the statistics and descriptions provided above but they also raise a serious question— if so many Americans are affected by the negative ramifications of our current practices, why aren't reform efforts much stronger? Why is our approach to punishment so drastically different than our global peers'? Why are “excessive punishments and restrictions” and “prison and detention conditions” included in the list of five U.S. domestic policies focused on by Human Rights Watch, one of the strongest advocates of global human rights?

After initially learning some of the shocking information provided above, I began researching the rhetoric of incarceration in the hopes of discovering answers to these questions. During the first stages of my research, I began searching for social justice scholarship specifically related to prisoners' rights and quickly noticed that prisoners are frequently excluded from conversations focused on human rights and social justice. These omissions appeared reflective of the general public's approach to incarcerated individuals—a realization which helped me understand that uncovering reasons for the lack of corrections reform necessitated an analysis of how our social and personal perceptions of prisoners contributes to their status as an

alienated, underrepresented group. I began analyzing this perception by reflecting back on the time, not too long ago, when I myself was ignorant to the state of incarceration in the U.S. and how I very rarely, if ever, considered the individuals housed in our correctional facilities. Eventually I became aware that my ignorance and disregard for prisoners largely resulted from the fact that I did not have a strong connection to anyone affected by this system. It was not that I actively participated in the oppression of incarcerated individuals or even made a conscious decision to ignore their existence; rather, I simply had no real occasion to identify with inmates and, therefore, rarely considered their experiences as prisoners.

Upon further research, I discovered that the reason for my personal lack of awareness is common and helps to explain why making substantial progress in corrections reform is so difficult. Not only is someone less likely to be well-informed about topics related to incarceration if they are not personally connected to the system, but they are also less likely to support the efforts of prisoner-focused activist groups. In their article “Service-Learning in Prison Facilities: Contact And Interaction As Sources Of Changes In Stereotypes,” Shelly Schaefer Hinck, Edward A. Hinck, and Lesley A. Withers recognize how personal experience influences public support for corrections reform: “for those citizens who do not know a relative, friend, neighbor, or acquaintance who has served time for criminal activity, it may be difficult to perceive prisoners as individuals worthy of remedial resources” (5). As these authors observe, more often than not, people who see incarcerated individuals as worthy of attention and reform efforts can only do so because someone close to them (or they themselves) has been negatively affected by our criminal justice system. I now personally exemplify Hinck, Hinck, and Withers’ claims of how that kind of experience can restructure an individual’s perception of prisoners. Although I initially became interested in studying prisoners’ rights before having a personal

connection to the topic, I was not fully dedicated to the prison reform movement until December 16th, 2014—the day my father, Timothy Stephen Nissly, committed suicide four days after being released from Lancaster County Prison (LCP) in Lancaster, Pennsylvania.

My dad was arrested on December 8<sup>th</sup>, 2014 for arriving less than fifteen minutes late to a civil court hearing. He was then charged with contempt of court and sent to LCP to serve out his sentence. The link between my dad's choice to commit suicide and his incarceration was not initially clear to me; however, after investigating his cell phone records, Google account activity, bank account purchases and withdraws, and by speaking to those he had contact with during the final days of his life, I realized that the mental state personally described by my father in his suicide note initialized with incarceration, during which my dad was deprived of access to medications he had been prescribed to treat depression, anxiety, insomnia, and attention deficit disorder. Two of the medications had been part of my dad's mental healthcare plan since 2001; each of the prescriptions were to be taken on a daily basis as failing to do so often seriously impacts a person's mental stability. By the time he was released from prison, my father had become a mere shell of the reasonable, forward-thinking, resilient man I had known all my life.

It might be natural to assume my dad's behavior after release was probably consistent with his behavior prior to his incarceration but this is not the case at all. I have more than ample proof that his mental state was consistently clear, focused, attentive, and active for at least three months before his death and seemed to be increasingly, and surprisingly, optimistic during the last two weeks of his life. I think many people who knew my dad choose to believe he was depressed and hopeless before his incarceration because that interpretation of reality makes it easier to understand his final choice. Additionally, the only alternative is acknowledging that incarceration led to my dad's decision to end his life, which demands simultaneously

acknowledging that the practices of the U.S. Department of Justice may not be so just after all. These truths are difficult to accept because they fly in the face of what most Americans have been taught about the criminal justice system—an institution that supposedly exists to enhance the quality of our lives, not rob us of them. I personally understand how hard it can be to accept that injustice and corruption are a regular part of our criminal justice system, but after thoroughly researching the experiences of other individuals who have been negatively impacted by incarceration, I have realized that my father's story is not unique. Whether it be currently incarcerated individuals, formerly incarcerated individuals, or their families and loved ones, the practices and policies enforced in our correctional facilities have led to the suffering and death of a countless number of people.

### **A Rhetorical Approach to Corrections Reform**

Clearly, the United States' penal system is in great need of reform. Thankfully though, attention to our nation's mass incarceration epidemic and problems within our corrections system seems to be growing stronger as each day passes: academics and the public alike have begun investigating and publishing on correctional facility practices, prisoner advocacy groups are growing in number, and many state governments have begun recognizing the flawed ways of their corrections system. These are all positive steps towards achieving corrections reform, but we cannot expect to change this system by simply rooting out instances of injustice in our prisons and jails and then prosecuting these people or organizations in court. Instead, we must focus on the aspects of our social makeup that have enabled the current state of this system to come about in the first place—our social hierarchy, systems of power, moral ideologies, and the very thing that holds all of them together—discourse. As communication and social justice

scholar Lee Artz insists, “Theoreticians and practitioners of rhetoric and social activism alike must acknowledge how and to what extent communication contributes to constructing, reinforcing, and changing the current social order, in all of its local and global complexities” (47). To enact meaningful change, we must look at how our communication practices have enabled, constructed, and reinforced our society’s current approach to punishment.

An analysis of discourse related to incarceration is necessary to corrections reform because discourse shapes our social perceptions of justice and of the individuals convicted of threatening justice, and these perceptions determine the manner by which we create and enact systems of punishment. As illustrated by my own experience, personal history strongly impacts an individual’s regard for prisoners and level of awareness about our nation’s urgent need for penal reform; however, for many Americans who have been spared the type of experience I had, our social perception may equal the sum total of their particular perception, making it the most vital point of analysis in the quest to uncover effective approaches to gaining public support for ending mass incarceration and restructuring imprisonment practices in the United States. To understand our social perception, it is necessary to examine how the typically negative ideologies associated with prisoners, crime, and criminals are perpetuated by the language typically used when communicating about incarcerated individuals— language that rarely represents prisoners as individuals but, instead, reinforces the idea that all prisoners are corrupt, immoral, and undeserving of our concern.

Analyzing the full scope of language’s influence on creating and maintaining the current state of U.S. corrections is an impossibility in a thesis of this length; in light of that fact, I have chosen to focus attention on three communication practices commonly used by corrections personnel: labeling, institutional language, and silence. Since prisoner communication with the

public is strictly controlled, corrections employees often control public knowledge of facility operations and inmates and, therefore, have a significant role in creating and maintaining our social perceptions of incarcerated individuals. In addition, these communication practices construct the perception correctional staff members have of the individuals under their control and reinforces the dehumanization of prisoners that often leads to abuse. By looking at the use and effects of labeling, institutional language, and silence in communications from correctional personnel, we will begin to see that the corrections reform movement must include new approaches to communicating about incarcerated individuals.

### **Methodology**

I have chosen two documents released to the public by Lancaster County Prison (LCP) officials as the basis of my analysis, not only because of my personal connection to the facility but also because they illustrate how language constructs social perceptions and correctional personnel's perceptions of incarcerated individuals. "Suicide Prevention Practices, Lancaster County Prison" was published in 2012 by PrimeCare Medical, the corporation to who LCP's healthcare has been outsourced. "Commitment, Intake, and Classification Information" outlines procedures LCP staff must follow during the initial incarceration process. The PrimeCare Medical report totals forty-five pages, but I will focus specifically on pages thirteen and eleven, which illustrate the use of silence as a communication practice; pages three, twenty-four, and twenty-seven, which illustrate the use of labeling; and pages ten and forty, where examples of institutional language are found. When analyzing LCP's initial incarceration guidelines, I will focus attention on the intake and commitment sections, where both institutional language and



labeling are consistently used. Each of these sections of LCP's publications will be analyzed as part of an effort to answer the three questions that are guide my work:

- How do language and rhetoric shape our personal and social perceptions of prisoners?
- How do the communication practices of labeling, institutional language, and silence create, maintain, and reinforce negative perceptions of incarcerated individuals?
- How does using these communication practices within correctional facilities directly impact prisoners' lives during incarceration?

I will ground my analysis in Kenneth Burke's theory of identification, division, and consubstantiality and apply his theory of terministic screens to labeling, silence, and institutional language to fully illustrate the power language has to create perceptions of incarcerated individuals. I will begin with an overall analysis of the way these communication practices work throughout all of society and then apply my observations to the two documents published by Lancaster County Prison officials. This analysis will highlight the powerful influence language has on shaping reality but it will also serve as a reminder that *all* members of society—incarcerated individuals, correctional staff, and the public alike—experience the damaging effects of our nation's current incarceration practices.

Losing my dad to suicide is by far the most traumatic experience I have had to walk through in my twenty-nine years of life, but I am determined that something positive will come of this loss. The one benefit I can see arising is how my newly developed personal connection to individuals impacted by incarceration has fueled my motivation to bring about correctional reform in the United States. My father's face now comes to mind each time I am confronted by the harmful ideologies that shape our social construction of prisoners as immoral, undeserving deviants. I hope that sharing my story and completing the work contained in this thesis will cause

other individuals to consider the millions of currently incarcerated people in light of their personal identities, rather than simply dismissing them based on the negative characteristics assigned to their labels as “criminals,” “felons,” “cons,” “prisoners,” and “offenders.”

CHAPTER ONE- OBSERVATIONS OF REALITY: CONSTRUCTED PERCEPTIONS OF  
PRISONERS, CRIME, AND PUNISHMENT

*Pick some particular nomenclature, some one terministic screen... [t]hat you may proceed to track down the kinds of observations implicit in the terminology you have chosen, whether your choice of terms was deliberate or spontaneous.*

—Kenneth Burke

In *A Rhetoric of Motives*, Kenneth Burke insists that “rhetorical analysis throws light on...human relations” because “rhetoric...is not rooted in any past condition of human society. It is rooted in an essential function of language itself...the use of language as a symbolic means of inducing cooperation in beings that by nature respond to symbols” (xiv, 43). Burke’s observations illustrate the usefulness of analyzing the significant role language plays in constructing our social and personal perceptions of prisoners. Language can be used to induce cooperation between individuals and determine adherence to a particular social group by establishing a shared set of values that acts as the foundation from which a collective perception of reality is constructed. Each social group that develops among humans then has a unique perception which determines how its members will interact with members of other groups. Oftentimes, this interaction can be contentious because alignment with one set of individuals means simultaneous separation from others. Analyzing the relationship between language and perception of reality is often a key part of understanding all human interaction but it is a particularly necessary part of this study because communication between prisoners and the public is strictly controlled, causing our society’s perception to be largely shaped by the rhetoric of the U.S. corrections system. The negative ideologies often inherent in the language used by these officials are transmitted to the public through verbal and written releases of information

related to incarceration and crime, and ingrained in prison personnel throughout policy education and implementation. Once these ideologies become a part of an individual's perception of prisoners, cooperation is induced—that is, their interests are now aligned with that of correctional agencies and divided from the interests of incarcerated individuals.

### **Identification/Division**

Burke's theories of identification, division, and consubstantiality inform our understanding of language's ability to induce cooperation. Burke restructured traditional beliefs about rhetoric by insisting that identification is an "accessory" to persuasion because "you persuade a man only insofar as you can talk his language by speech, gesture, tonality, order, image, attitude, idea, identifying your ways with his" (*A Rhetoric* xiv, 55). The truth of Burke's claims is clearly visible in human interaction; our beliefs, actions, and thoughts are influenced by the individuals with whom we share a connection and this connection is established through a recognition of what we share in common with those individuals. If we look back on our personal lives, we will no doubt see that the people who have had the greatest role in shaping our lives have been family members, close friends, colleagues, and other individuals who are tied to us in one significant way or another. In one of the most often-cited excerpts of Burke's theories, he further explains how identification joins us with one another and allows persuasion to occur:

A is not identical with his colleague, B. But insofar as their interests are joined, A is *identified* with B. Or he may *identify himself* with B even when their interests are not joined, if he assumes that they are, or is persuaded to believe so. Here are the ambiguities of substance. In being identified with B, A is 'substantially one' with a person other than himself. Yet at the same time he remains unique, an

individual locus of motives. Thus he is both joined and separate, at once a distinct substance and consubstantial with another (*A Rhetoric* 20-1).

Identifying with another person means that our individual substance becomes inextricably linked to the substance of another individual. The Venn diagram, commonly used to show the relationship between two distinct subjects, visually illustrates Burke's theory. The diagram is composed of two circles that overlap one another; the individual shape of each circle remains clearly visible in the figure so, although they are connected and, together, create the larger shape of the diagram, they simultaneously remain distinct objects—they are both joined *and* separate. The place where the circles overlap represents where identification exists between people, who at once retain their individual substances *and* exist as consubstantial beings. A consubstantial relationship based on identification between individuals or groups of individuals is established through communication and allows for persuasion and cooperation to occur because shared interests exist.

As Burke illustrates, communication is an essential part of creating cooperation between humans because it is the very thing that enables a discovery of our shared interests, creates consubstantiality, and allows for persuasion. However, Burke explains that his theory of the rhetoric of motives also “considers the ways in which individuals are at odds with one another, or become identified with groups more or less at odds with one another” because examining “‘identification’ is...to confront the implications of *division*” (*A Rhetoric* 22). Burke recognizes war as the “ultimate *disease* of cooperation” as war illustrates the potentiality for conflict to occur when members of a social group identify with one another, and, thereby divide themselves from other social groups (*A Rhetoric* 22). On a much smaller scale, we can see how the disease of cooperation leads to the division that exists between prisoners and the public and prisoners

and correctional personnel. Even though we all share a common identity as human beings, our social perception of incarcerated individuals emphasizes the idea that those of us who exist outside of prison walls are inherently different from prisoners, which creates division and sets up two very distinct groups of individuals. No longer are we all equal members of humanity; instead, we are divided into prisoners or non-prisoners. Members of the general population who remain unconvinced that they share anything in common with prisoners are identified as members of the non-prisoner group and by identifying with this social group, they automatically become at odds with the opposing group—prisoners. These divisions and the lack of consubstantiality is a large part of the reason prisoners’ rights violations occur and can then go largely unnoticed by the public. It is not so much that the people who are not incarcerated just do not care about prisoners; it is that they do not *identify* themselves with prisoners and because identification does not exist, division exists. As Burke points out, division often leads to evil acts of cooperation in which one group demonizes another and creates an enemy out of those they have divided themselves from. Naturally then, treating prisoners inhumanely would not arise the same sense of guilt in correctional staff as might be felt if dealing with other individuals, and members of the public would not react as strongly when learning of these injustices because they have been conditioned to believe that the individuals who are suffering are “the enemy.”

### **Correctional Communication Practices: Silence, Institutional Language, and Labeling**

A rhetorical analysis focused on how language determines identification and division between humans and, in turn, shapes our social perception of prisoners, will (to echo Burke) shed light on the interaction between prisoners and non-prisoners. As previously stated, our social perception of prisoners is largely constructed by correctional agencies’ communication practices.

There are many examples of these practices, but attention will be focused on the use of labeling, institutional language, and silence. Each of these approaches to communication influence our perceptions of prisoners and creates what Burke defined in *Language as Symbolic Action* as “terministic screens,” which he explained by drawing an analogy between language’s ability to color our perception of reality and the way a camera’s color filters can cause multiple photographs of the same object to appear differently (45). Labeling creates a screen through which we perceive prisoners solely in light of the negative characteristics assigned to those labels, institutional language establishes a screen that dehumanizes prisoners and distances them from the staff members they interact with, and although silence refers to the muting of prisoner voices and, therefore, necessarily implies a lack of communication, its use within correctional agencies creates a screen through which we only perceive prisoners in light of the terms used by whoever is speaking for them. Each of these techniques have been used by staff members of Lancaster County Prison and I will explain the impact they have had at that facility in the next chapter, but let us begin by analyzing these communication practices in a broader sense so that we can fully understand their influence on shaping social perceptions of incarcerated individuals.

### *Brands of Incarceration*

In terms of the focus of this work, labeling refers to the practice of using a very small amount of identifiers to refer to the millions of unique individuals incarcerated throughout our nation, such as “prisoner,” “felon,” “inmate,” “offender,” and “convict.” Certainly, there is some logic behind the labels we assign to incarcerated individuals—they have been convicted of a crime and as a result, have received a sentence that mandates they spend time in a correctional facility. Rather than simply referring to the facts of a person’s criminality, however, these labels

also invoke the stigmas of immorality, corruption, and deviance associated with them. Consequently, these stigmas create a terministic screen through which we view incarcerated individuals—that is, we attribute universal malevolence, regardless of crime committed. This terministic screen is especially detrimental to prison reform efforts because it weakens public support for incarcerated individuals by replacing their unique identities with a collective identity solely comprised of negative characteristics, thereby establishing the foundation on which our perception of prisoners as ineligible members of society is built.

The social acceptability of referring to incarcerated individuals in terms whose definitions only contain our negative perception of their identities as prisoners reflects their status as social deviants, which is a socially construction in itself. Criminal justice and legal studies scholar Robert M. Bohm focuses on the way negative social reactions create the definition of “criminal,” but his observations are applicable to incarceration labels as well because “criminal” is socially synonymous with “prisoner.” He explains that, from the perspective of labeling theory, “the distinguishing feature of all ‘criminals’ is that they have been the object of a *negative social reaction*. In other words, they have been designated by the state and its agents as different and ‘bad’” (105). As Bohm illustrates, while in a purely technical sense “criminal” and “prisoner” reflect the reality that a person has been convicted of breaking the law, our usage of these labels is based on the negative social responses they have elicited by failing to abide by social norms. Failure to adhere to these standards marks incarcerated individuals as deviants, both metaphorically *and* literally casting them out of society.

S. Giora Shoham and Giora Rahav’s explanation of social deviance aids an understanding of how designations of deviance, such as “different” and “bad,” do not reflect reality but, instead, reflect our social construction of reality. Shoham and Rahav explain:



Social groups create deviance by making the rules whose infraction constitutes deviance, and by applying those rules to particular people and labeling them as outsiders... In other words, a group must decide that certain behaviours are preferred over others and that certain types of action are required, while other behaviours and actions should be avoided. These norms should be transmitted to the members. The group must then maintain surveillance in order to determine the degree of compliance, and react appropriately to cases of deviant behaviour. (10)

Our national laws are commonly perceived as a set of logic-based rules derived from the morals and values innate in all human beings, but, in actuality, as Shoham and Rahav makes clear, they are nothing more than social mores, established to ensure full adherence to the standards valued by the most powerful majority. Examining the social construction of deviance is a key part of understanding why such an expansive division exists between prisoners and other members of society because it shows us how the use of labeling terminology creates and maintains this gap. In the same way that language can be used to induce cooperation by establishing identification, it is can also be used to emphasize differences between members of one social group and members of another, thereby inducing division. Burke explained that “all terminologies must implicitly embody choices between the principle of continuity and the principle of discontinuity” (*Language* 50). By this, he means that terminologies can be used to either emphasize commonalities or differences between the subjects to which they refer. Labeling embodies the principles of discontinuity because the stigmas attached to labels of incarceration emphasize the idea that people who are not incarcerated are somehow inherently different from those who are incarcerated. This belief defines the terministic screen through which much of the public views prisoners, a screen that hides the unique identities of incarcerated individuals and the nature of

the crime committed and creates a perception of reality in which all prisoners are monsters who have committed the most heinous acts known to mankind. It makes sense then that people who are not incarcerated would distance themselves from prisoners and align with members of the non-prisoner group with whom they can identify.

The terministic screen that labeling sets up not only creates division between the public and incarcerated individuals, it also enables works to garner support for our current approaches to punishment by making them seem justified. Again, Bohm helps clarify matters: since a label “defines and shapes the conception of reality, it tends to reaffirm itself. The past, the history of the stigmatized, is reinterpreted in the light of this conception and thus provides further ‘empirical’ support for the stigma” (150). By reconstructing the identity of prisoners so that they fit our constructed reality of these individuals, we are simultaneously creating evidence that the fabricated identities we have assigned to them do, in fact, exist and reflect what we accept as reality. This process is creates support for the policies governing corrections because in defining all incarcerated individuals in terms of one single concept, we create what political scientist Murray Edelman recognizes as a “personified threat,” which “marshals public support for controls over a much larger number of ambiguous cases symbolically condensed into the threatening stereotype” (14). Assigning evil characteristics to all prisoners, regardless of the crime committed, constructs a personified threat much like that which has been constructed for terrorists. These commonly held, negative stereotypes of incarcerated individuals then categorized them as public enemies whose attempts to take away our nation’s freedom and security should stopped by any means necessary.

Daniel S. Murphy recognizes the role technology plays in proliferating the negative effects of the labeling and further highlights how social deviance is created and social hierarchies

of power are maintained. In his article “The Electronic ‘Scarlet Letter’: Criminal Backgrounding and a Perpetual Spoiled Identity,” Murphy writes:

The electronic scarlet letter confers a stigmatizing identity upon the bearer and renders him or her forever suspect by others. It tells others that not only did this person probably do something wrong, there is most likely something wrong with this person...A criminal record creates a social response that is almost always negative. It is a symbolic “badge of shame,” conveying the message that this person should not be trusted, is somehow flawed or bad, and should be viewed with suspicion at the very least. Today’s electronic criminal records are both efficient and effective in transmitting this symbolic message to others in society. The electronic scarlet letter is not only today’s symbol of deviance, but also a widely recognized sign of questionable moral character. (104)

As Murphy points out, the electronic scarlet letter brands an individual, decreasing their chances of social acceptance and forcing them to carry the weight of the associated shame for however long a conviction continues staining their criminal record. Rather than seeing people who have a criminal background as human beings who in fact have lives, families, talents, and personal histories, these individuals are collectively perceived as deviants who deserve their status as outsiders. Whether it is performing community service, paying a fine, or receiving a prison sentence, every convicted criminal faces a punishment of some sort or another, but the most devastating punishment of all is being branded with the labels “criminal,” “prisoner,” “inmate,” “offender,” and/or “convict.” By assigning these labels to individuals who break the law, we also chain them to the stigmas associated with these terms and cement their status as unacceptable social deviants.

When looking at prisoners through this lens of labeling, I think it becomes clearer why the general public does not advocate for prisoners' rights. Although the backlash is not as extreme as it would be if someone created a terrorist's rights group, advocating for this group is playing with fire because we are, in effect, telling our fellow members of society that we have identified ourselves with a public enemy and therefore, can no longer be part of the collective group united against that enemy. The public's relationship with prisoners is an example of the danger Burke pointed out can result from too much cooperation—the ultimate disease, war (1326). In this case, there may not be a literal war waged against prisoners, but many of the characteristics found in acts of war (death, violence, deprivation of human rights) are present in our country's treatment of incarcerated individuals.

### *Institutionalized Dehumanization*

Using technical language is often necessary when communicating about very complex topics or seeking to disseminate a large amount of information using a minimal amount of words; however, the use of it in communications focused on matters directly involving human beings can have serious consequences, especially when this technical language is part of an institutionalized vocabulary. Oftentimes, technical language is used by correctional employees because they work in a very much institutionalized environment that demands adherence to a specific, strict set of guidelines. While this communication practice might be useful and necessary for certain aspects of corrections, it can become detrimental when consistently used to refer to the people housed in our correctional facilities, as it is often extremely dehumanizing and greatly impacts staff-prisoner interactions. Corrections staff might begin their employment at a jail or prison with every intention of treating inmates with the same level of decency they show

to other humans, but maintaining this approach grows increasingly difficult as their exposure to institutional dehumanization practices increases.

Burke's theory of terministic screens again helps demonstrate how communication practices within correctional facilities can affect corrections staff and prisoners alike. Burke explains, "there are two kinds of terms: terms that put things together, and terms that take things apart. Otherwise put, *A* can feel himself identified with *B*, or he can think of himself as disassociated from *B*" (*Language* 49). As will be illustrated in the following chapter, using institutionalized language when referring to prisoners, their medical and mental health needs, and policies governing staff-inmate interactions causes correctional staff members to disassociate themselves from inmates much the same way that labeling does because this type of language depersonalizes prisoners. Rather than simply removing personal identities however, technical language removes most human traits from a person and turns them into an inanimate object, which then becomes nothing more than a thing that must be controlled to maintain systems of order set forth by the institution. When prisoners initially become depersonalized objects in the eyes of corrections staff, they can no longer be seen in terms of their identities as children, spouses, parents, siblings, or friends; however, once prisoners are *completely* depersonalized, they become little more than monsters or animals in the eyes of their captors.

The perceptions of prisoners created by institutionalized, technical language can impact the way staff interacts with inmates on a daily basis in terms of they speak, enact punishments, and give orders, but it can also determine more serious aspects of the prisoner experience such as the level of medical or mental healthcare they receive, the attention paid to inmate-inmate violence and abuse, and reactions given to complaints or concerns they may present to corrections officials. Corrections staff who view prisoners through a lens that presents them as

corrupt, manipulative monsters, will have observations of reality much different than that of their inmates. As Burke noted in *Language as Symbolic Action*, much of what we think we *know* about the world is simply a reflection of the ideologies inherent in the particular terms we use when talking about the subject of our observations. He explains:

Not only does the nature of our terms affect the nature of our observations, in the sense that the terms direct the *attention* to one field rather than to another. Also, *many of the 'observations' are but implications of the particular terminology in terms of which the observations are made.* In brief, much that we take as observations about 'reality' may be but the spinning out of possibilities implicit in our particular choice of terms. (46)

If spoken language used within correctional facilities and written language used in policy, procedure, and training documents contain dehumanizing terminologies and create a terministic screen comprised of negative ideologies, then the observations made of "reality" will necessarily reflect that. This explains how a prisoner might not be taken seriously when talking about a desire to commit suicide (they are seen as manipulative), complaining of symptoms of an asthma attack (they are seen as trying to obtain out-of-cell-time), bringing inmate-inmate abuse to the attention of a correctional office (they are seen as trying to start trouble), or complaining to officials about mistreatment from staff (they are seen as liars). Again, it is not that corrections staff simply chooses to take these approaches when dealing with inmates, it is that they have been *conditioned* to approach inmates this way.

Some of my statements about the impact of using institutionalized language may seem dramatic, but the truth behind them can be seen in any correctional facility across our country. Anyone familiar with what takes place behind the brick walls and barbed wire fences that

separate the free world from the world of incarceration will no doubt realize that the terministic screen skewing correctional staff member's perception of inmates is not only very real, it is also key to surviving employment in an institution that continuously robs humans of their dignity and self-worth. Corrections staff not only have to keep emotional, psychological, and physical distances between themselves and prisoners for their own safety, they must also maintain this division so that they can carry out the inhumane practices required of them. After all, how else could they lock human beings in 3x3 foot metal cages or force them to live in rat-infested cells contaminated with their own urine and feces? How else could they force someone to live in a windowless, concrete box and exist in complete isolation save for the hand they see insert their metal food tray through a slot in their cell door three times a day? How else could they watch as a fellow human being lies strapped to a table, writhing in pain during the legally-sanctioned murders that pass as punishments in our nation? How else?

### *Silenced Voices*

My decision to categorize silence as a communication practice is based on Cheryl Glenn's insistence that "speech and silence are not mutually exclusive; they are inextricably linked and often interchangeably, simultaneously meaningful. Speech and silence depend upon each other: behind all speech is silence, and silence surrounds all speech" (7). The interdependence of speech and silence clearly proves that silence is in itself a discourse practice. Although many people who study language or communication tend to focus on words that have been spoken or written, acknowledging the presence of silence aids an understanding of oral and written language because it explains why the author or speaker has been allowed to or chosen to express inner speech. Oftentimes, social hierarchies can be observed not only by examining *what*

is said and *how* it is said but also by paying attention to who is speaking and who remains silent. Examining the communication practice of silence sheds further light on our social perceptions of prisoners and on power structures within corrections agencies.

I will invoke Burke once more in this chapter to help explain how silence is used as a form of oppression—he writes, “even if any given terminology is a *reflection* of reality, by its very nature as a terminology it must be a *selection* of reality; and to this extent it must function also as a *deflection* of reality” (*Language* 45). The terminologies of institutional language and labeling both serve to establish terministic screens which select the reality that incarcerated individuals are corrupt, evil social deviants who deserve any treatment they deserve as a result of their crimes. At the same time, they also deflect the reality that many prisoners are incarcerated for minor, non-violent offences and the reality that prisoners are human beings with lives and personalities very similar to free members of society. More importantly, both of these terminologies and the realities they select and deflect are constructed in the voice of people who are not incarcerated, so they necessarily deflect the reality that incarcerated individuals have voices as well and deserve to speak and be heard as much as the public and correctional personnel do. As I will illustrate in the following chapter, selecting a reality in which the voices of correctional personnel are only heard can have serious consequences for prisoners.

Prisoners’ voices are not only silenced by the corrections system, they are frequently silenced throughout public society as well. In all but two states, prisoners are restricted from voting, thereby silencing their voices in politics (a troubling fact when it is remembered that 2.2 million people are incarcerated in our country) (ACLU “Map” n.p.). That these voting restrictions are not met with public outrage reaffirms Glenn’s insistence that silence “goes unnoticed (or, if noticed, then appreciated) in those whose words are not valued, which makes



for a kind of communal silence” (10). Clearly, our social perceptions dictate the policies governing our treatment of incarcerated individuals. Most of our shared conceptions of prisoners are based on the ideas of social deviance; however, our national ideologies regarding personal responsibility also shape our perceptions and determine public support for corrections reform. Shelly Schaefer Hinck, Edward A. Hinck, and Lesley A. Withers describe this perception in the introduction to their article “Service-Learning in Prison Facilities: Interaction as a Source of Transformation”:

Some members of society might perceive prisoners as individuals who have had their chance at education and social opportunity but, having failed to avail themselves of those opportunities, forfeited their claim to society’s resources and concern. Embedded within this view is the idea that these individuals are morally degenerate and do not deserve help from taxpayers. (5-6)

This viewpoint is strongly influenced by deeply-imbedded American ideals of self-sufficiency, personal responsibility, and control over one’s fate, each resulting from the completely fictitious belief that all humans are given an equal opportunity to succeed in life. Many members of our society frequently categorized as failures (such as people who are unemployed, homeless, or uneducated) are negatively impacted by these ideals; however, no group feels the effects of this categorization quite as severely as prisoners because, as Hinck, Hinck, and Withers note, incarcerated individuals receive both the label of failure *and* immoral degenerate. Regardless of the crime a person has been convicted of, once placed under correctional control, they cease being defined as an individual and, instead, are viewed entirely in light of the negative characteristics assigned to the labels “prisoner,” “inmate,” “felon,” “offender,” and “convict.”

We can even see silence by exclusion as a reinforcement of established social hierarchies at work in social justice activism. In her article “Reflections on Liberation,” Suzanne Pharr criticizes two different approaches to social justice activism: those centered on diversity politics and those centered on identity politics (596). Underlying her criticism of these approaches is Pharr’s insistence that in order to make change, it is first necessary to address the role power plays both in the creation of oppression *and* in our approaches to combating oppression. She insists that activist groups oftentimes reinforce the hierarchy of power that creates inequality by accepting participation from certain individuals while simultaneously excluding others (Pharr 598). As Pharr explains, “it becomes an issue of ‘acceptable’ and ‘unacceptable’ people, deserving and undeserving of rights, legitimate and illegitimate, deserving of recognition as fully human or dismissible as something less” (598).

Proof of Pharr’s claims is found in Iris Marion Young’s book *Justice and the Politics of Difference* in which she defines the term “marginals” as “people the system of labor cannot or will not use” (49). Young insists that although people are frequently placed in this category solely based on race or ethnicity, there are other marginalized groups as well: old people, young people, single mothers, children of single mothers, mentally or physically disabled individuals, and American Indians (49). While her recognition that factors other than race and ethnicity contribute to marginalization is encouraging, her failure to include the *sixty-five million Americans* who have a criminal record in her list is shocking. As is widely known, members of this group face extreme discrimination from the labor system—a criminal record reduces a person’s chances of receiving a job offer by nearly fifty percent, a reality making these individuals more than worthy of inclusion in discussions focused on employment discrimination (Rodriquez 4, 5). Young’s omission is certainly troubling but it is only one small example of

how incarcerated and formerly-incarcerated individuals' social status as ineligible and underserving deviants is constantly reinforced throughout our society.

### **Conclusion**

The correctional communication practices of labeling, silence, and institutional language each evidence the claims Burke makes regarding language's ability to determine human interaction. As he argues, language can be used to induce division *and* cooperation, illustrating the importance of analyzing how communication within correctional agencies and the broader social environment shapes our society's approach to punishment and our treatment of the individuals we have incarcerated. Not only does a rhetorical analysis of corrections' practices bring to light the perceptions that determine our social approach to incarceration and prisoners, however; it also provides an opportunity for us to see how and why prisoner mistreatment occurs in the first place and why it is so prevalent throughout our nation's correctional facilities. In what follows, I will apply the observations made throughout this chapter to the high rate of inmate suicide at Lancaster County Prison to demonstrate that reconstructing correctional communication practices could be the key to bringing about significant corrections reform.

CHAPTER TWO- IMPLICATIONS OF CORRECTIONAL COMMUNICATION  
PRACTICES: THE USE OF SILENCE, LABELING, AND INSTITUTIONAL LANGUAGE  
AT LANCASTER COUNTY PRISON

As has been illustrated, the use of labeling, silence, and institutional language increase division between the public and incarcerated individuals by reinforcing the negative ideologies that shape our social perception of incarcerated individuals; however, it is one thing to theoretically speculate about the effects of these communication practices, it is quite another to actually observe the results in real life situations. To make the impact of silencing, labeling, and the use of institutional language when communicating about prisoners clear, I will apply the observations made in the preceding chapter to two documents published on Lancaster County Prison's webpage. The first document, titled "Suicide Prevention Practices, Lancaster County Prison," was published in 2012 by PrimeCare Medical (PCM), Lancaster County Prison's (LCP) healthcare system manager. This report was authored by the Vice-President of Operations at PCM, Todd W. Haskins, and summarizes a technical review of the prison's mental healthcare practices conducted by Lindsay M. Hayes, Project Director of the National Center on Institutions and Alternatives. The information contained in the PCM report comes from both Hayes and Haskins and no distinction is made in regards to authorial contribution, so the neutral term "authors" will be used throughout the analysis. The second document, "Commitment, Intake and Classification Information," is published by LCP and outlines the procedures prison staff must follow when processing an individual into the facility. Focus will be specifically directed to the commitment and intake guidelines that make up the first two-thirds of the document.

Both of these documents provide unique examples of how correctional officials shape the perceptions of both the public *and* their employees through the use of silence, institutional language, and labeling, and as I will detail throughout the chapter, recent events at the prison serve to illustrate how these communication practices have led to serious consequences for inmates at LCP. “Suicide Prevention Techniques” is one of only six documents housed on the main page of LCP’s website, making it widely available to the public, and was originally a Microsoft PowerPoint presentation given to LCP and PCM staff members. “Commitment, Intake, and Classification” can be accessed by the public through LCP’s website as well and contains specific guidelines staff must follow when processing someone into the facility.

### **Casualties of Dehumanizing Communication Practices**

*Dustin L. Klopp, Zachary Keifer, Michael Lausell, Nathan Blake Nixdorf, Patrick Kanney, Matthew Wisniewski, Ronald A. Snyder Jr., Matthew McNamara, John Harry Kruger, Lester Anthony Shultz, Luis David Villafane, Joseph Patrick Keohane, James J. Hodapp Jr., Derek Ryan Klugh, Kenneth A. Walsh, and Michael A. Smith.<sup>1</sup>*

These are the names of the sixteen prisoners who took their own lives while incarcerated at Lancaster County Prison<sup>2</sup> (LCP) between 1998 and 2015; ten of these men committed suicide at the facility within the past five years, three within the past three months alone (Hawkes n.p.; “List” n.p.). Suicide is the leading cause of death among inmates in local jails and the fifth leading cause of state prison inmate deaths but the rate of occurrence at LCP is abnormally high (Dept. of Justice, *Mortality* 2, 19). The rate of suicide at this facility during the last three months

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<sup>1</sup> I feel it is important to include this list as it restores individual identities to these men and helps undo some of the damage done in the suicide prevention report issued by PrimeCare Medical.

<sup>2</sup> Although the name implies otherwise, LCP is a county jail, not a state or federal prison.

has recently heightened Lancaster County citizens' attention to inmate suicide<sup>3</sup> but while it could potentially lead to future reform in the facility's mental healthcare policies, examining LCP's approach to mental healthcare in the past evokes doubt. LCP dealt with similar rates of suicide in 2011, and in response, PCM initiated Hayes' 2012 evaluation to review mental healthcare policies and procedures and make recommendations to PCM and LCP staff that might help curb the rate of inmate suicide; however, the number of suicides has only increased since then, leaving little room for hope that reform will occur anytime soon (Hawkes n.p.; PCM 10). It is my hope that rhetorically analyzing the communications of LCP and PCM will shed light on alternative approaches to institutional reform that will help prevent future inmate suicides.

### *Silenced to Death*

It is possible to begin understanding LCP's and PCM's failure to prevent inmate suicide by analyzing the methods used by Hayes as described in the "Suicide Prevention Practices, Lancaster County Prison" report. The first thing that struck me while reviewing the summary of Hayes' work is found on page thirteen where a list is provided of his interviewees. Included are "Administration Members, Correctional Staff, Medical Staff, Mental Health Staff" but the very inmates themselves—the individuals who are taking their own lives and are central to the review—are excluded from the interviews (PCM 13). Given Hayes's highly regarded status as an inmate suicide prevention expert, his choice to disregard prisoner input during the evaluation is especially unsettling, but his negligence becomes even more worthy of concern after turning to page eleven of the report where a list titled "8 Components for Suicide Prevention" is provided

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<sup>3</sup> See Lancaster County Newspaper's January 17, 2015 article, "March to Lancaster County Prison Highlights Concerns about Prison Suicides."

(PCM). This list—used as a guide throughout the evaluation of LCP and *compiled by Hayes himself*—notes “Communication” as the third most vital component of inmate suicide prevention techniques (PCM 11, 12). As observed, Hayes clearly values the implementation of strong communication practices in inmate suicide prevention—certainly, as long as those communication practices absolutely do not involve actually communicating with the inmates themselves.

The absence of prisoner voices in this review illustrates one of the biggest problems found in public communication about prisoners as the issue is not only *what* is being said but *who* is speaking as well. Too often, prisoners’ voices are silenced in matters that severely impact their own lives and this silence is dangerous because it creates a terministic screen through which the public views prisoners solely in terms of the voice of those in power over these individuals. When reviewing “Suicide Prevention Practices,” many people may fail to note that prisoner input was excluded because they naturally (and logically) assume contribution from individuals incarcerated in the prison would play an integral role in the review, causing the general populace to believe that Hayes’ observations accurately reflect the truth about mental healthcare practices at LCP. This skewed perception of reality is an example of how correctional agencies frequently escape public criticism of their mistreatment of prisoners.

Silencing not only impacts public perception of correctional facility operations, it also directly affects the quality of treatment incarcerated individuals receive from staff members. Corrections scholar Joe Sim makes similar observations in his analysis of a report titled *The Future Organization of Prison Health Care* (TFOPHC), condemning the authors for making suggestions for prison healthcare reform when not a single inmate was asked to provide input on proposed changes to their medical care (307). Sim argues that the exclusion of prisoners’ voices

leads to audits in which their needs are interpreted and evaluated solely through a lens focused on the best interests of those in power, leading to a biased and inadequate assessment of correctional healthcare practices (307). Hayes' approach to evaluating LCP's mental healthcare provision clearly values the interests of prison personnel, which helps explain why the rate of suicide increased even after some of his recommendations were implemented.<sup>4</sup>

It was impossible for LCP staff to have a fully comprehensive understanding of the mental healthcare system's effectiveness because their experiences within the facility and their perspective on the matter was so drastically different from that of the inmates under their control. Whether employed as guards, healthcare providers, or high-ranking officials, correctional personnel have fairly little in common with the individuals in their care, making the chances for identification to occur nearly impossible. It follows then that if correctional personnel cannot identify with prisoners, they would be unable to fairly and adequately assess the best way to meet their needs. No doubt, if Hayes had recognized this difference in perspective and participated in what Sim calls the "unsilencing process" by including the voice of LCP's inmates in his review, his recommendations for preventing prisoner suicide would have been considerably different. As Sim insists, "asking prisoners about their needs—challenging their status as a 'muted group'—will often generate issues that embrace, but also go beyond, the definition of health articulated by these [healthcare] professionals" (307). It is possible that allowing LCP's prisoners to share their own recommendations for mental healthcare reform might have prevented the deaths of the six men who committed suicide in the years following Hayes' evaluation.

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<sup>4</sup> See Lancaster County Newspaper's May 13, 2012 article titled "Suicides Force Changes at Prison."



### *Brands of Incarceration*

One of the most dangerous aspects of labeling is how it causes our social perception of individuals to be completely defined by the characteristics assigned to the labels with which they have been branded. In the case of prisoners, the effects of labeling can be especially damaging as all of the characteristics attached to their labels are negative. Not only do these attributes influence public perception of and concern for incarcerated individuals, they also impact correctional staff members' interpretations of concerns or needs that may be expressed by prisoners. Incarcerated individuals' status as immoral humans makes it less likely that they will be taken seriously or believed at all when communicating with corrections personnel because their claims are often interpreted as forms of manipulation, especially in terms of medical needs. We can see how this works by looking at page twenty-four of the PCM report where it is noted that after observing LCP's procedures for housing mentally ill prisoners, Hayes had "severe concerns" about their use of a "manipulation status policy" when dealing with suicidal inmates (24). Although I have been unable to locate a specific definition for this policy, contextual information defines it as the policy used to deal with inmates who are participating in manipulative behaviors. Page twenty-seven lists Hayes' recommendation that this policy never be used "for inmates who threaten and/or engage in self-injurious behavior," which means that prior to (and possibly following) Hayes' review LCP and PCM staff were applying this policy when dealing with inmates who displayed suicidal tendencies (PCM). Rather than seeing actions or language exemplary of suicidal ideation as cries for help from individuals who are in extremely desperate situations and in need of support from prison staff, applying the manipulation status policy for suicidal inmates causes staff members to see prisoners' cries for help merely as attempts to push back against authority. Not only does this practice exemplify our

society's disdainful approach to self-harm and suicide, it also reaffirms how labels of incarceration create corrections practices that can result in the most tragic of consequences.

On page three of "Suicide Prevention Practices," the authors note that "certain features of the jail environment may increase suicidal behavior" such as "fear of the unknown, distrust of an authoritarian environment, *perceived* lack of control over the future, isolation from family and significant others, shame of being incarcerated" and "*perceived* dehumanizing aspects of incarceration" [emphasis added] (PCM). While acknowledgement of these contributing factors is one of the most positive aspects of the report, the author's choice to place the word "perceived" before "lack of control over the future" and "dehumanizing aspects of incarceration" undercuts the immense impact these factors have on an inmate's experience while incarcerated and subtly implies that these contextual realities should not be seriously considered. In actuality, there is nothing "perceived" about those facets of imprisonment; individuals who are incarcerated *have* lost the ability to control their own future and as has been illustrated, dehumanization is a very *real* aspect of life inside a correctional facility.

The terms used throughout LCP's "Commitment, Intake and Classification Information" to refer to newly incarcerated individuals are worthy of analysis as they further illustrate efforts made by corrections officials to separate prisoners from their personal identities. This document outlines initial incarceration procedures for the commitment, intake, and classification of people who are newly incarcerated at LCP. The "commitment" section contains nine steps for LCP staff to follow when a person is first committed to the prison; the policies cover documentation, verification of legality of incarceration, uniform issuance, medical evaluations, and inmate education on the prison (LCP 1-2). The terminologies used when referring to newly incarcerated individuals vary from step to step and the progression of terms is worth noting as the labels

reflect the actual actions being taken in each step and bring to light the process of dehumanization taking place both on the page and in real life.

Discovering that “individuals” is the very first reference to newly incarcerated individuals in the LCP guidelines can bring hope to someone like myself who is interested in re-humanizing correctional communication practices (1). Unfortunately, this humanizing language does not last very long, as can be seen in the following list of terms used to refer to newly incarcerated people throughout each of the nine commitment steps: 1) “person,” 2) “female commitments,” 3) “person,” 4) “the inmate,” 5) “new commitment” and “the inmate,” 6) “new commitments” and “inmate,” 7) “the inmate,” 8) “commitment” and “the inmate,” 9) “inmate” and “the inmate” (LCP 1). Steps one and three contain positive references; during these steps, prison staff check the legality of the commitment, begin completing necessary paperwork, and “use technical identifiers on each person” to document their identity—the person has not yet been legally processed into the prison and as such, continues to preserve some personal identity (LCP 1). The second step marks the first time “commitments” is used to reference individuals and contains an explanation of search procedures, which may or may not include a strip search<sup>5</sup> (LCP 1). In the fourth step of the procedures, “the inmate” surrenders all personal property other than “one wedding ring, eye glasses, acceptable photographs, addresses, business cards, etc. And recognized religious ornaments or medals which are smaller than the size of a 50 cent piece” (LCP 1). This step both metaphorically and literally completes the process of stripping away personal identity— the individual is now legally processed into the institution, deprived of all unique identifiers (other than clothing which is taken from them in step eight), and accordingly,

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<sup>5</sup> The document does not clearly explain when a strip search is mandated but instead, it is simply stated that “An officer will conduct a thorough search [to include a strip search were merited] for weapons and contraband as well as check for body vermin, cuts and bruises” (LCP 1).

is referred to solely as “inmate” or “commitment” throughout the remainder of the nine intake and commitment steps (LCP). The progressive alteration of the terms used to reference new prisoners in this document explains how someone can enter a correctional facility as a complete individual and exit as the monster they have been constructed as by prison staff.

### *Institutionalized Dehumanization*

Two guards at LCP were fired after two prisoners—Zachary Keifer, 23, and Michael Lausell, 21—both passed away on January 10<sup>th</sup> of this year as a result of respective suicide attempts (Nepkin n.p.). Brian Secor, president of the union that represents LCP guards, gave a statement to Lancaster County Newspaper in response to the firings: “We’re disgusted and disturbed that over the past couple of suicides they’ve looked to use scapegoats as opposed to solving the problems inside the facility” (Nepkin n.p.). By “the past couple of suicides,” Secor is not only referring to the deaths of Keifer and Lausell, he is referring to the death of 26-year-old Patrick Kanney as well, whose April, 2014 suicide also resulted in the firing of two prison guards (Hainthaler n.p.). As Secor points out, firing these staff members does not address the problems within the prison that have caused these men to take their own lives; instead, the guards who were fired acted as scapegoats that LCP officials sacrificed in order to save face in the public eye. While I personally know how easy it is to place all blame for prisoner mistreatment solely on the shoulders of staff members, this approach does nothing but further perpetuate problems by encouraging negative attitudes towards the individuals under their care. To prevent tragedies like inmate suicide, a comprehensive approach to analyzing the prison system that sheds light on the factors influencing prisoner-staff interactions is needed. Points that must be considered include: the process of dehumanization prisoners go through during incarceration, the use of institutional

language in policies guiding staff procedures, and how these two aspects influence staff-prisoner relationships.

There are many instances of procedures and policies that deter identification between correctional staff members and inmates; however, a look at the initial intake methods followed by most correctional facilities provides the best insight into this process. During intake, newly incarcerated individuals (even those convicted of petty crimes such as contempt of court) are stripped of their clothing, given an extremely invasive physical exam, forced to bathe naked in front of complete strangers, and then clothed in uniforms that make it nearly impossible for their captors to identify one from another. Sim points out how humiliation and mortification are used to exercise power during the intake process and that this process neutralizes staff members' moral concerns about how inmates are treated, but although he highlights the effects this process can have on inmates, he fails to recognize how prison personnel are affected as well (309-10). This process is not implemented simply for humiliation purposes, it also works to differentiate inmates from prison staff and increase division, which makes it easier for prison personnel to participate in other dehumanizing actions throughout the remainder of incarceration.

Correctional intake methods alone are tremendously effective at shaming and humiliating incarcerated individuals but the fact that this process is meant to shame and humiliate implies that there is recognition of the prisoners' identity as human beings. The use of institutionalized technical language, on the other hand, denies prisoners of any traits of humanity that might have remained. When reading through "Commitment, Intake and Classification Information," the word "commitment" clearly stands out, partially because of its overuse throughout the text but also because of societal ideologies inherent in the term. While "commitment" is used in several places throughout the LCP procedures to reference the area of the facility where initial

processing phases occur, variations of it are also used when referring to newly incarcerated people and take the place of personalized nouns. The first instance of such use can be found in section [2] of the LCP document describing search procedures where it is stated that “a female officer will handle all such searches of female commitments” (1). Throughout the remainder of the procedures summary, newly incarcerated individuals are referred to as “the new commitment,” “new commitments,” or simply “commitment”<sup>6</sup> along with other equally depersonalized labels, such as “inmate” (LCP 1-2).

“Commit” is the root word of “commitment” and “committed” and, according to the Oxford English Dictionary, merely means “to give in charge, entrust, consign;” however, these words often carry negative connotations because they are frequently used when referring to someone who has been involuntarily given over to the control of a psychiatric institution or hospital, implying the person is either mentally or physically unstable (“Commit”). These connotations make “commit” and its variations fitting choices for use in corrections policies because they subtly reinforce the idea that there is something wrong with the individuals housed in corrections facilities, making them unsuitable participants of society. Application of these words also reduces the individual to nothing more than the object of the processing procedure, shifting attention away from the fact that the prison personnel is interacting with human beings and constructing the intake process in such a way that the prisoners become nothing more than the product of a streamlined assembly line maintained by the staff’s mechanical actions.

The most notable use of institutional language in the PCM report is found on page ten, which contains a list of reasons Hayes’ evaluation was issued; the first reason provided by the

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<sup>6</sup> After searching the internet, I have been unable to find any other instance where “commitment” is used to refer to an individual.

authors is “suicide cluster” (PCM 10). The use of this phrase to describe the reality that three inmates committed suicide within six months is horrific and illustrates how institutional language can often be dehumanizing. Burke’s theory of terministic screens continues to aid our understanding of how terms like “suicide cluster” influence our perceptions of reality: “even if any given terminology is a *reflection* of reality, by its very nature as a terminology it must be a *selection* of reality; and to this extent it must function also as a *deflection* of reality” (*Language* 45). When we stop to think about it, the phrase “suicide cluster” does, in fact, reflect the reality that several suicides occurred; however, by using this terminology, the authors select a reality in which suicide is merely an impersonal act that has caused a problem for the prison and deflects the reality that this “cluster” is comprised of individual men who were so hopeless that they chose to put an end to their own existence. It is difficult to imagine how people who are participating in an evaluation meant to prevent inmate suicide could not see how the use of such a term could be problematic, but other instances of such dehumanizing language in the PCM report show that using this type of terminology is nothing out of the ordinary for LCP personnel.

In the “Follow-up” section of the PCM report, the authors state: “Every completed suicide, as well as serious suicide attempt (i.e., requiring outside medical treatment), should be examined by a morbidity-mortality review” (40). This language is problematic for two reasons, the first of which is that it would be extremely confusing for laypersons to understand. While the presentation was not initially created to disseminate information to the general public, LCP chose to house the document on the main page of their website, making it widely available to people who would not generally be familiar with terminology like “morbidity-mortality review.” As such, the choice not to tailor the language to laypersons makes it seem as if the report was published online because they wanted to convince the public LCP and PCM staff were taking

steps to help curb inmate suicide at the facility, not because they were truly concerned with the loss of lives occurring so regularly throughout the prison. In his book *The Politics of Deviance: Stigma Contests and the Uses of Power*, Edwin Schur points out that imprisonment not only acts as a way to control convicted criminals and keep them away from the public, imprisonment also “represents containment ...in the sense that those on the outside are largely shielded from...direct awareness of the ways in which control is being administered. It is only through occasional public disclosures of prison conditions and incidents of violence that the general citizenry is exposed to direct knowledge of the harsh punishment being imposed in its name” (96-7). Schur’s observations of the public’s exclusion from the reality of corrections further illustrates the problems inherent in LCP and PCM’s choice to make documents containing institutional language publically available on their website. If individuals who are *not* incarcerated only receive information about the inner working of corrections from correctional personnel and the information they provide is drowned in institutional rhetoric, we will only see the reality of corrections through a terministic screen chosen for us by the system’s most powerful members.

The language in the “Follow-up” section is not only problematic because of the terministic screen it creates for laypersons who might have accessed it on LCP’s website, it also provides another example of dehumanizing communication practices. In translation, this statement means that a study seeking to determine the reasons why someone would hurt themselves or commit suicide should be conducted after every occurrence in which an individual incarcerated at LCP takes their own life or *attempts* to take their own life and in doing so, injures themselves so severely that the medical staff on duty cannot treat their injuries. While my lengthy translation might serve to illustrate the usefulness of institutional language in some



circumstances, this is certainly not one of them. By using the term “completed suicide,” the authors once again reduce a very serious matter that concerns human lives into an impersonal action that mandates extra work on the part of prison staff. Additionally, the fact that a “serious suicide attempt...requiring outside medical treatment” is the only instance short of death that will cause staff to investigate the reasons an individual might physically injure themselves, is troubling in itself.<sup>7</sup>

### **Alternative Approaches to Preventing Inmate Suicide**

The potential for tragedy to occur as a result of using dehumanizing communications practices has been illustrated in the example of Lancaster County Prison. While there are certainly factors other than communication that contribute to inmate suicide, the use of labeling, silence, and institutional language has no doubt played a significant role in the continually high rate of suicide at this facility. Hayes’ review of the prison and recommendations for change focused on aspects ranging from documentation procedures to the construction of suicide-watch cells to initial mental health screenings, but the vital importance of discourse with prisoners and about prisoners was omitted and continues going unnoticed by LCP officials. Blame for the high rate of suicide has been placed on the physical construction of the prison, negligence of guards on duty when the incidents occurred, and the prisoners’ personal experiences prior to incarceration, but none of these approaches have resulted in successful prevention techniques. It is time that PCM and LCP comprehensively evaluate how the terministic screens constructed by

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<sup>7</sup> The policy of only reviewing cases in which someone kills themselves or critically injures themselves is probably related to the “manipulation status policy” discussed earlier.

their communication practices proliferate negative ideologies of incarcerated individuals, which lead to the negligence of prisoners' mental healthcare needs and the tragedy of inmate suicide.

CONCLUSION- THE SPINNING OUT OF POSSIBILITIES: ALTERNATIVE APPROACHES  
TO DEHUMANIZING COMMUNICATION PRACTICES

*“Not only does the nature of our terms affect the nature of our observations, in the sense that the terms direct the attention to one field rather than to another. Also, many of the ‘observations’ are but implications of the particular terminology in terms of which the observations are made. In brief, much that we take as observations about ‘reality’ may be but the spinning out of possibilities implicit in our particular choice of terms.*

—Kenneth Burke

The theories of identification, division, consubstantiality, and terministic screens that Burke applied in his analysis of language’s influence on human interaction are evidenced in the use of the correctional communication practices of labeling, silencing, and institutional language. Each of these practices negatively influence our social and personal perceptions of prisoners, deter identification between prisoners and the public, and increase division between these two social groups. The terministic screen through which we currently view prisoners influences the treatment they receive during incarceration and beyond and leads to tragedies like inmate suicide and the deprivation of human rights described in the introduction to this thesis. As illustrated in the example of LCP and PCM’s approach to decreasing the rate of inmate suicide, tragedies resulting from the mistreatment of our citizens who are incarcerated will continue occurring if alternative approaches to communicating within our correctional facilities are not developed.

Developing new communication techniques is certainly a necessary part of corrections reform but it is also of vital significance to efforts aimed at reducing crime rates. The very real harm done by some of the individuals incarcerated in our correctional facilities cannot be ignored or doubted; however, if our goal is to prevent future occurrences of crime, we cannot continue

with our current approach to punishment, as it only proliferates the pain and destruction caused by the crime being punished. Bohm's explanation of secondary deviance helps explain how adopting alternative terminologies and communication practices could not only bring about reform within corrections but could lead to an overall reduction in crime as well:

Secondary deviance begins with an initial criminal act...If society, especially agents of the state, reacts negatively to an initial criminal act, the offender will likely be *stigmatized*, or negatively labeled....if the negative label is successfully applied to the offender, the label may produce a *self-fulfilling prophecy*...in which the offender's self-image is defined by the label. Secondary deviance is the prophecy fulfilled. (107)

As Bohm points out, once a person has the brand of "criminal" burned into their forehead, they are cast out by society and suffer in a variety of ways such as being unable to find a job, create positive social bonds, or participate in politics (108). He sees the irony in this situation as in our current "attempts to reduce crime and delinquency, society inadvertently may be increasing it by labeling people and producing secondary deviance" (108).

Bohm's observations of the proliferating effects of labeling can be applied to silencing and institutional language usage as well. By silencing the voices of incarcerated individuals, we are sending the message that their existence is not of value to the rest of humanity; if this message is successfully transmitted to prisoners, they will have little reason to concern themselves with how their actions affect other people and may continue participating in criminal acts that inflict pain and destruction in the lives of their fellow human beings. Using institutional language when talking about and with prisoners can also increase crime because it sends the message that they are less than human in the eyes of the public and as such, are expected to act

according to the animalistic and monster-like characteristics assigned to them. Each of these communication practices dehumanizes incarcerated individuals, divides them from the rest of humanity, and leads to increases in recidivism rates. For as long as we continue employing these forms of communication in our correctional facilities and throughout society as a whole, we will not only see increased rates of prisoner mistreatment, we will witness increases in criminal behavior as well. As one inmate housed in solitary confinement at Georgia's Jackson Hi-Max Correctional Facility so clearly explained: "I know prison wasn't made to be easy, you know what I'm sayin? But you got to understand that I'm still a human being and if strip me of that mentality and that thought that I'm a human being, naturally, I'm gonna act like an animal" (*Hard Times* 8:30).

### **The Spinning Out**

If we hope to make significant progress in corrections reform throughout our country, we must focus on restructuring communication practices not only within correctional agencies but throughout all of society as well. As stated in the introduction to this work, we must focus on the aspects of our social makeup that enable the current state of our corrections system to exist—our social hierarchy, systems of power, moral ideologies, and the very thing that holds all of them together—discourse. We need discourse about incarceration and incarcerated individuals that reflects their identity as human beings who are deserving of the same rights and privileges afforded to non-incarcerated individuals. To restructure our discourse practices and bring about significant changes in our penal system, we must remember that the fabric used to create the negative terministic screens through which prisoners are often viewed is comprised of social constructions such as difference, deviance, codes, labels, identification, and division, which are

not permanent fixtures of reality. This realization is a key part of breaking down the walls that exist between the public and incarcerated individuals because it shatters all of our previously formed perceptions and in doing so, provides an opportunity for us to formulate our perceptions using ideologies that promote justice, equality, and compassion.

In her article “Reflections on Liberation” Pharr writes, “It may be that our most important political work is figuring out how to make the full human connection, how to engage our hearts as well as our minds, how to heal the injuries we have suffered, how to do organizing that transforms people as well as institutions” (593). Prisoner activists must employ strategies focused on establishing a full human connection between prisoners and the public, restoring the personal identities of prisoners to engage the hearts and minds of non-incarcerated individuals, develop approaches to punishment and rehabilitation that heal rather than harm, and transform our social and personal perceptions of prisoners. A vital aspect of each of these components is figuring out new ways of communicating about and with prisoners in ways that restore their personal identities, which have been lost as a result of our current communication practices approaches to punishment. We need strategies that tell the stories of the silenced, we need names for incarcerated individuals rather than labels, and we need language that accurately reflects the fact that each and every prisoner incarcerated throughout our nation not only has a past but a future as well.

In *Language as Symbolic Action*, Burke writes, “Pick some particular nomenclature, some one terministic screen... [t]hat you may proceed to track down the kinds of observations implicit in the terminology you have chosen, whether your choice of terms was deliberate or spontaneous” (47). Although neither time nor space currently allows for suggestions of alternative communication practices or terminologies, it is my desire that this thesis moves other

individuals to pick up where I left off—to reflect on their personal perceptions of prisoners, recognize the negative social ideologies inherent in the observations they have made of prisoners, crime, and incarceration, and work towards discovering new ways of communicating about incarcerated individuals that will prevent further instances of tragedy, injustice, and corruption in our nation’s correctional facilities. I look forward to a time when it will not take the experience of tragedy for us to see the millions of currently incarcerated people in light of their personal identities and statuses as our fully-deserving, fully-human brothers and sisters.

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