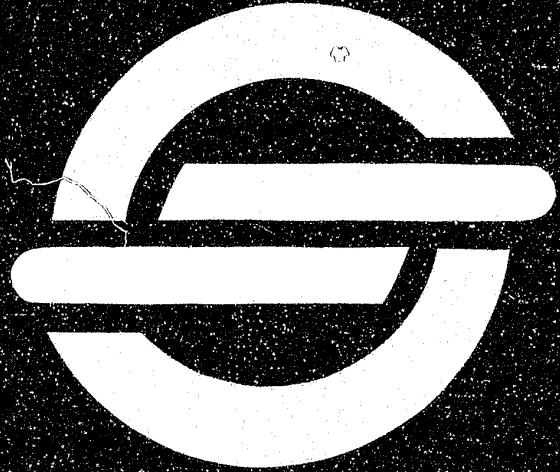


# THE PRISON JOURNAL



Volume LXXI

Number 2

## Prison Gangs

Fall-Winter  
1991

PENNSYLVANIA PRISON SOCIETY

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# Prison Gang Development: A Theoretical Model

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## Introduction

Prior to the decade of the 1960s, convicted offenders were held to have no legal claims to constitutional rights. In effect, they were "slaves of the state" (*Ruffin v. Commonwealth*, 62 Va. 21 Grat, 1871; *Price v. Johnson*, 334 U.S. 266, 1948). Guided by this conviction, prison officials were left unchecked in the administration of their prisons. As a result, many questionable policies were implemented to maintain control over inmates. Some of these policies, created from the lack of resources, exacerbated deplorable conditions within the prisons. Unless indicated by a clear violation of the Eighth Amendment's prohibition against cruel and unusual punishment, courts on both the federal and state levels typically adopted a "hands-off" policy of refraining from exercising the power of judicial review in prison matters.

The constitutional rights of prisoners were first recognized in *Cooper v. Pate*, 378 U.S. 546 (1964) where the U.S. Supreme Court established prisoners' entitlement to seek redress from inhumane treatment through litigation filed under 42 U.S.C. Section 1983<sup>1</sup>. The subsequent consequences of this legal precedent on prisoners' rights paralleled the civil rights and women's movements through the 1970s and 1980s. To date, more than 40 prison systems have been mandated by court decisions to remedy unconstitutional conditions ranging from overcrowding to poor medical care (National Prison Project, 1988).

While prisoners' rights have been greatly strengthened by the courts, judicial intervention has unexpectedly weakened the legitimate authority of prison personnel to achieve institutional safety and correctional goals (Marquart and Crouch 1985; Engel and Rothman 1983). In Stateville, for example, where court intervention created an atmosphere dominated by specific court mandates and potential inmate civil rights lawsuits, correctional personnel found it easier to overlook inmate mis-

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conduct rather than to take appropriate official actions (Jacobs 1977). Without the ability to exert unbridled control over inmates, coupled with negative response to reforms by correctional personnel, a state of crisis existed where many inmates organized themselves for self-protection and power dominance (Eckland-Olson 1986; Beaird 1986; Jacobs 1977). Many such groups rapidly grew to become organized crime syndicates known as prison gangs. What followed was violence and institutional chaos (Jacobs 1977). In Texas, the disruption caused by the sudden development of prison gangs during the mid-1980s was so severe that prison officials almost lost control of their prisons (Fong 1990; Beaird 1986). Not only did inmate homicides and non-fatal stabbing incidents reach an all-time high (Homicides: 1982 — 12, 1983 — 8, 1984 — 24, 1985 — 27; Non-fatal stabbings: 1982 — no record kept, 1983 — no record kept, 1984 — 404, 1985 — 218), some correctional officers were physically attacked by inmate gang members at some prison units (Fong, Vogel and Buentello 1992; Crouch and Marquart 1989). Texas prison officials attributed this chain of events to the reform mandates issued by the federal court in the historic prisoner lawsuit of *Ruiz v. Estelle*, 679 F.2d 1115 (5th Cir. 1982). While the magnitude of prison gang disruption cannot be precisely assessed, it has been reported that prison gangs are responsible for 50% of all prison management problems nationwide (Camp and Camp 1985, 1988). Recent reports from various police agencies have indicated that prison gangs have expanded their crime base to the streets (Sullivan 1991; Fong 1990; Buentello 1986). To many professionals in the criminal justice community, this latest development has elevated prison gangs to be the newest and most dangerous organized crime syndicates in America (Emerson 1985; Freeland 1985; Buentello 1986; Elizondo and Glass 1989; Edwards 1989; Fong 1990).

Despite the disruptive nature of prison gangs, very little is known about them. The secretive nature of prison gangs, coupled with the reluctance of prison administrators to acknowledge their existence, has hindered research on these groups. Still, a few researchers have managed to study prison gang development and organizational structure (Knox 1991; Fong & Buentello 1991, 1992; Fong 1990; Camp and Camp 1988, 1985; Beaird 1986; Emerson 1985; Jacobs 1977). One aspect of prison gangs that remains virtually untouched, however, is the process by which inmate groups evolve to become prison gangs. Some earlier gang researchers, based on their studies of gangs in such jurisdictions as California and Illinois, described prison gangs as an extension of street gangs (Jacobs 1977; Irwin 1980). This is not true with the Texas prison gangs. The eight prison gangs that were identified by Texas prison officials during the mid-1980s formed and developed inside the prisons. Simply put, the Texas phenomenon gives true meaning to the term "prison gangs".

The purpose of this paper is to construct a theoretical model for prison gang development based on an examination of the process by which the Texas prison gangs emerged and evolved.

### *Methodology*

In behavioral research, two techniques are commonly used for theory development. The first is known as induction, which allows the researcher to develop theory based on observations. The second technique, referred to as deduction, reverses the process; applying theory to observations. Since no theory on prison gang development has yet been proposed, this study relies primarily on the inductive method.

This study began with the selection of the Texas Department of Corrections

(TDC) as the source of data collection. The TDC was chosen for three important reasons. First, the senior author of this study has monitored prison gang development in the TDC since its inception. Second, the quick response to the emerging gang problem by prison officials during the mid-1980s at the TDC allowed for the establishment of a systematic and complete record keeping and gang monitoring policy. This helped strengthen the accuracy of information collected for this study. Third, the TDC provides an ideal environment for the study of "true" prison gangs.

Data for the present study were derived from several sources: staff reports, inmate informants, inmate records, well-organized prison gang files, personal observations, and interviews by the senior author with prison gang members who defected. In essence, the data collected for the construction of this theoretical model covered observations made and documents reviewed over one decade of events at the TDC.

### *The Theoretical Model of Prison Gang Development*

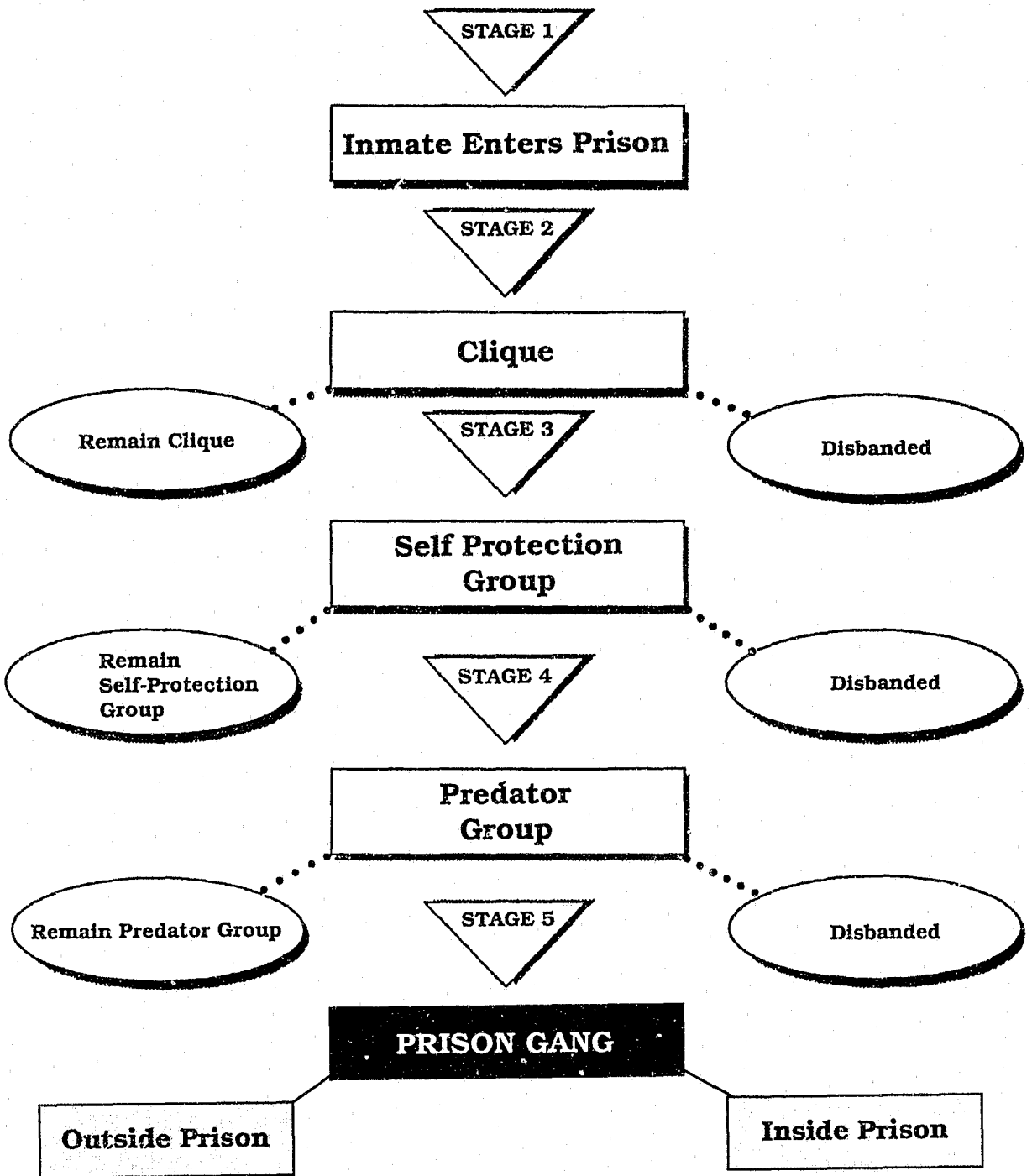
The development of prison gangs involves a five-stage process (Tables 1 and 2). In Stage 1, a convicted offender is sentenced to serve time in prison. The new inmate is physically separated from the traditional support system to which he once had ready access. He realizes that he has entered into a "dog-eat-dog" world where he must go through what Clemmer (1958) termed the "prisonization" process of changing attitude and behavior. He will quickly learn the skills of dealing with prison guards and other inmates. He must also familiarize himself with the "black market" (Gleason 1978). His adjustment will also include knowing how to deal with racial conflict. He must properly play the role expected of him in the prison community, which requires that he abide by the inmate code of conduct (Sykes and Messinger 1970). Most important of all, he must learn the skills of anticipating and coping with violence, a brutal but ever-present aspect of daily prison life (Duffee 1989). To overcome these feelings of isolation, fear, and danger, he moves into Stage 2 where he socializes with certain inmates with whom he feels comfortable and shares some common interests - i.e., cellmate, classmates, members of a counseling group, homeboys, friends of friends, etc. (Toch 1977; Clemmer 1958). In this stage, the relationships among members of the clique are sustained by the need to belong and the need for survival. As members do not consider themselves a group, they are free to join or leave the clique anytime they please. There are no formal rules regulating members' conduct, nor are there leader-follower relationships. Criminal activity is rarely promoted.

While some cliques get disbanded in time due to unit transfer or release of members, others evolve into Stage 3: self-protection groups. This is possible when a clique has a sizeable membership or when members of the clique perceive hostility by other groups. The Black Muslims are an example of a self-protection group. The formation of the Texas Syndicate in the California prison system by Texas-born inmates during the early 1970s is another good case study, in that the sole purpose of the group was protection against other California inmate groups.

Although the primary purpose of a self-protection group is still survival, its presence is clearly noticed by other inmates as well as prison staff. When provoked, group members will protect each other from attack by outside groups. However, group members are not required to abide by a strict code of conduct. Leadership in the group is informal and based on the charisma of the individuals. As a matter of practice, self-protection groups do not participate in illegal activities.

TABLE 1

Theoretical Model of Prison Gang Development



## TABLE 2

### The Characteristics of Prison Gang Development

#### INMATE

- \* Feeling fearful of new setting
- \* Sensing danger
- \* Feeling isolated
- \* Feeling lonely

#### CLIQUE

- \* Sense of belonging
- \* No rules for acceptance
- \* No commitment to group
- \* No rules of conduct
- \* Members can come and go
- \* No formal or informal leadership exercised
- \* No involvement in criminal activity

#### PROTECTION GROUP

- \* Self-identity
- \* Existence of simple general rules
- \* Existence recognized by inmates and staff
- \* No involvement in criminal activity
- \* Does not initiate violence unless provoked
- \* Informal leadership based on charisma
- \* No formal code of conduct

#### PREDATOR GROUP

- \* Discussion of formalizing rules of conduct
- \* Beginning to realize strength
- \* Exclusion of "undesirable" or "unwilling" members
- \* Involvement in inmate/staff intimidation
- \* Involvement in retaliation and assaults
- \* Initial entry as a group into illegal activity
- \* Emergence of strong leadership although informal
- \* Existence and activity limited to inside penal setting

#### PRISON GANG

- \* Formal rules and constitution
- \* Well-defined goals and philosophy
- \* Hierarchy of formal leadership with clearly defined authority and responsibility
- \* Membership for life
- \* Members wear gang tattoos
- \* Wholesale involvement in criminal activity both inside and outside the penal setting
- \* Ongoing criminal enterprise

As members of a self-protection group enjoy increased recognition, certain members begin to exert stronger influence over other members and over events of the group. In time, these individuals emerge as the leaders of the group and contemplate leading the group into Stage 4: predator group.

Several changes occur in Stage 4. First, members begin to discuss the necessity for formal rules of conduct. Members are expected to hold viewpoints similar to those of other members. Individuals who are considered weak or incohesive are excluded from the group. Unlike any previous group, predator groups are willing to participate in such criminal activities as extortion, gambling, prostitution, and violence against other inmates. Predator groups normally generate fear among other inmates. Although they may vary in size, predator groups exist and are recognized at the unit level. A predator group may have branches on more than one unit, the loyalty of group members is to themselves and to other members at their immediate unit.

Members of a predator group receive more than protection; they also enjoy their newfound power over other inmates. This power enables them to profit from criminal activities. In time, some predator groups emerge as stronger and more fearful groups than others. This paves way for them to elevate into Stage 5: prison gangs.

As part of a prison gang, members see themselves as part of an established organized crime syndicate. Involvement in contract murder, drug trafficking, extortion, gambling, and homosexual prostitution is required of gang members. For example, Rule #12 of the Texas Mexican Mafia Constitution states:

"The MEXIKANEMI is a criminal organization and therefore will participate in all aspects of criminal interest for monetary benefits"  
(Fong 1990:40).

In addition, members are required to abide by all rules of conduct (Table 3, also see Fong, Vogel, and Buentello 1992). Failure to do so would result in the death of the member. Members are also expected to wear tattoos (Figure 1; also see Fong, Vogel, and Buentello 1992) which signify their pride in being members of the gang. Tattoos also serve as warning signals to other inmates that members of the gang are dangerous and not to be disrespected. To prevent internal anarchy, prison gangs have adopted a formal and para-military organizational structure (Figure 2; also see Fong 1990). Each rank in the structure has defined authority and responsibility. Every member knows his place in the gang. To guarantee their longevity, most prison gangs require their members to make a lifetime commitment to the gang. This is one reason prison gangs have expanded their crime base to the streets with the help of released gang members.

As of December 1990, the Texas Department of Corrections had identified and confirmed eight prison gangs with a total membership of 1,174 (see Fong, Vogel, and Buentello 1992). Since the assignment of confirmed gang members to administrative segregation in September 1985, these gangs have made several noticeable changes in their operations within the prison system. For one thing, new gang members are no longer required to wear gang tattoos so that they cannot be easily identified by prison officials. Another change is in the use of "associates/sympathizers" and "want-to-bes" to assist them in their criminal activities. Because these inmates are not real members, they are not subject to the same rules and regulations. As confirmed members are permanently confined to administrative segregation, maintaining communications among members, both inside and outside the prison system, becomes difficult. In this regard, most prison



gangs have adopted the coded message technique. Messages are often contained in legal material, as prison officials are prohibited by the courts to review the contents of legal documents. Messages are also transmitted by gang members or associates during inter-unit transfers. Despite these limitations, prison gang membership within the Texas prison system continues to grow. Perhaps what is more alarming is the level of disruption prison gangs have generated on the streets as a result of their criminal activities. This condition has caused a great deal of concern among law enforcement personnel on all levels of government.

### *Conclusion*

In the understanding of prison gangs, much is yet to be explored. What is known about these groups as a result of earlier research focuses primarily on policy-related issues such as the organizational structure of prison gangs, the detection of prison gang development, and the management of prison gangs. Few attempts have been made to address the evolutionary process of prison gangs. This phenomenon is created by a common assumption that prison gangs are simply an extension of street gangs. While it is true that many prison gangs have their origins in the streets, such is not the case in Texas where prison gangs formed and proliferated within the prisons. In other words, Texas prison gangs give true meaning to the term "prison gangs". As such, Texas provides an ideal environment for the study of prison gangs.

Based on information collected over a decade of observed and documented prison gang activities at the Texas Department of Corrections, this study resulted in the construction of a theoretical model of prison gang development. While the broader applicability of the model awaits verification, this pioneer effort has attempted to provide a theoretical foundation for future research in this area.

### *Footnote*

<sup>1</sup>"Every person who, under color or any statute, ordinance, regulation, custom, or usage, of any State or Territory, subjects, or causes to be subjected, any citizen of the United States or other person within the jurisdiction thereof to the deprivation of any laws, privileges, or immunities secured by the Constitution and laws, shall be liable to the party injured in action at law, suit in equity, or other proper proceeding for redress."

## TABLE 3

# The Constitution of The Texas Aryan Brotherhood

### Section I: TITLE

The Texas Aryan Brothers is an independent organization of, by and for the Aryan Brothers of Texas. It is not affiliated with any other group or organization. Our Organization is a White Supremacy group; no pretense is or will be made to the contrary.

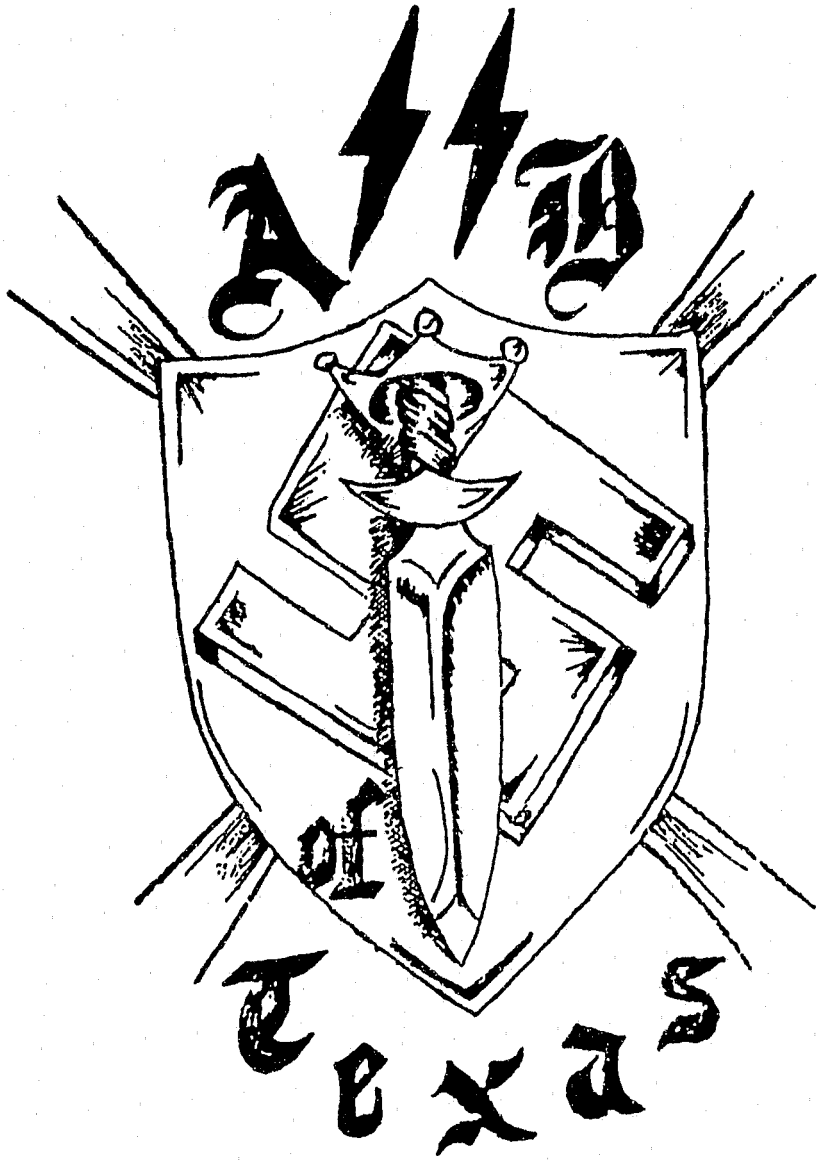
### Section II: SOLIDARITY

1. The Texas Aryan Brothers are solidarity (Brotherhood) among its members. Solidarity is our backbone; nothing is paramount to the Organization.
2. Each member is a mirror of his Brother. Your actions reflect on all Brothers, and breach of the Brotherhood is a serious matter which will be handled as such.
3. Those Brothers chosen for the Organization are life term members; death being the only termination of membership.
4. Upon release from the TDC a member will contact an incarcerated member to notify the Organization of his place of residence. The member notified will contact a member of the Steering Committee who will take note of the place of residence.
5. Upon release from the TDC a member will also contact a freeworld member and, after taking note of each other's place of residence, will always maintain regular contact with each other.
6. Newly released members will have a six (6) month grace period after he is released from the TDC or halfway house. The grace period will be used to readjust to the freeworld. After the six (6) month grace period the Brother will establish and maintain regular contact with incarcerated members by whatever means are possible. Incarcerated members for contact will be selected by the Steering Committee or by a Committee Member.
7. All incarcerated and freeworld members will give each other full support, and will follow their designated chains of command regardless of their place of residence.

Source: *Constitution* - Texas Aryan Brotherhood

# FIGURE 1

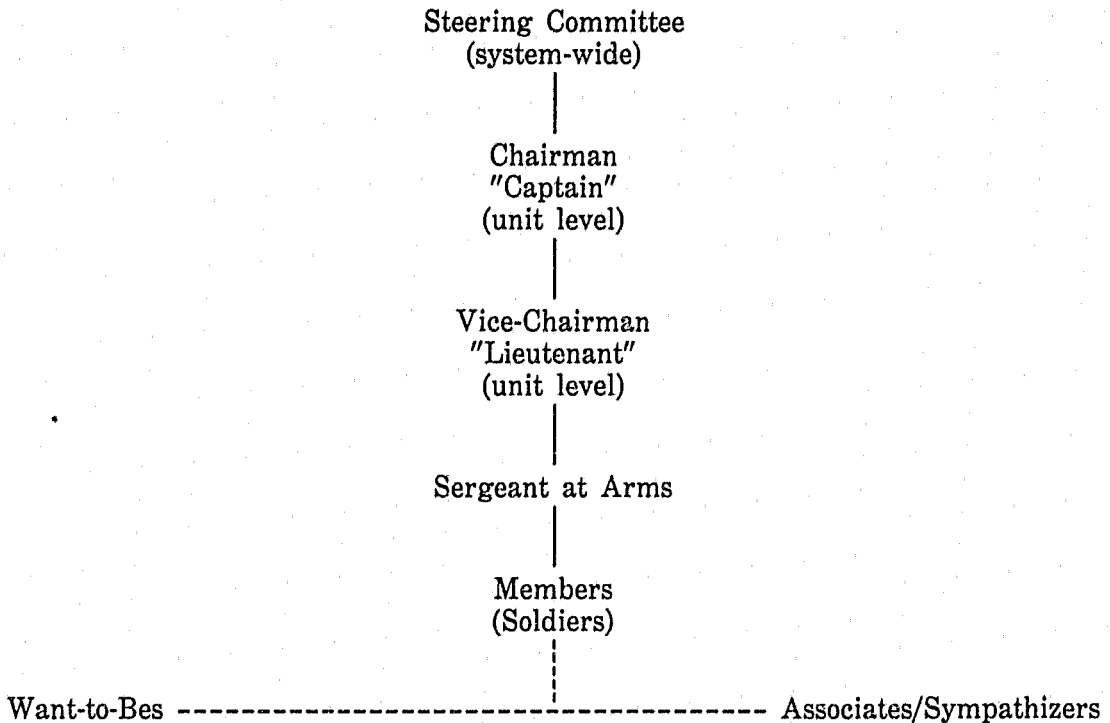
## Tattoo of The Texas Aryan Brotherhood



Source: Scallan, J.H. (1987) *Prison Gang Codes and Communication*. Unpublished manuscript. Texas Department of Corrections, Huntsville, Texas.

## FIGURE 2

### The Organizational Structure of The Texas Aryan Brotherhood



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#### Section III: STEERING COMMITTEE

1. Will consist of five (5) charter members of the Organization who will guide the Organization in its policy making, chains of command, etc.
2. The members of the Steering Committee are the highest ranking members of the Organization, and will be known only to the membership.

#### Section IV: CHAIRMAN

1. Each TDC unit will have one chairman, with the rank of Captain, and one vice-chairman, with the rank of Lieutenant, elected by the membership of that unit or appointed by the Steering Committee Member who presides over that unit if election is not appropriate.
2. The Captain is responsible for the Family of his unit; the Lieutenant is responsible for enforcing the Captain's decisions. Each Captain will maintain regular contact with his designated Steering Committee Member, who will guide the unit in accordance with our policies.

Source: *Constitution* (Texas Aryan Brotherhood)

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