

2013

Narrating a second chance: Seeking reprieve from a life sentence

Laurie Jordan Linhart
Iowa State University

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Narrating a second chance: Seeking reprieve from a life sentence

by

Laurie Jordan Linhart

A dissertation submitted to the graduate faculty
in partial fulfillment of the requirements for the degree of
DOCTOR OF PHILOSOPHY

Major: Sociology

Program of Study Committee:
David Schweingruber, Major Professor
Andrew Hochstetler
Gloria Jones Johnson
Abdi Kusow
Stephen Sapp

Iowa State University

Ames, Iowa

2013

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DEDICATION

This dissertation is dedicated to two very important people. My mom, Hazel A. Jordan, who made it possible for me to be the first in my family to pursue higher education. She always challenged me to do my best academically and in life. Unfortunately, she passed away before I would earn my Ph.D. I am eternally grateful, Mom.

The other person who made this accomplishment possible is my soul mate and husband, Curtis Linhart. From the day I decided to return to school, leaving our family business, through the qualifying exams and dissertation writing, he has been 100% supportive. When I struggled with the self-confidence needed to continue, he was quick to remind me of my intelligence and abilities. I truly believe **we** earned this Ph.D. I love you, Curtis.

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ACKNOWLEDGEMENTS

I want to thank Dr. David Schweingruber, my major professor. Dave graciously took me on as a returning, non-traditional Ph.D. student. His guidance, compassion and patience through what seemed to be an unending process was and is very appreciated. I am better teacher, writer and thinker because of his mentorship. I'm proud to be a member of his sociological family lineage.

I extend sincere gratitude to each of my committee members, Dr. Andrew Hochstetler, Dr. Gloria Jones Johnson, Dr. Abdi Kusow and Dr. Stephen Sapp. All of them have been generous in the time, advice and support they've given me.

I also want to thank Dr. Darcie Vandegrift, my writing partner and Drake University colleague. At the Midwest Sociological Society annual meeting in 2012, Darcie asked if I would consider joining her in a writer's group. Since then, we have written nearly every Friday at Panera. I am convinced I got through the difficult process of writing this dissertation due to our regular meetings and her willingness to gently prod me forward.

At various stages, I have had the opportunity to gather advice and feedback from several other mentors. I would like to thank Nancy Berns, Joel Best, Gary Fine, Doni Loseke, Kathe Lowney, Joseph Schneider and Sue Wright. Their scholarship and friendship has influenced me professionally and personally.

I am deeply indebted to the women serving life without parole sentences at the Iowa Correctional Institution for Women in Mitchellville, IA. They were the inspiration for this research. I had the unique opportunity to get to know several of them while volunteering there. Their stories are compelling and humbling. Thanks also to the former volunteer

coordinator at ICIW, Linda Haack, for allowing me to teach sociology over the years. I learned much more than I taught.

Two other individuals that deserve recognition are Kristin Hardt and Sofia Turnbull. Kristin was the legal assistant in Governor Chet Culver's administration. She spent many, many hours pulling the requested commutation files, helping me to understand the commutation process and supervising my transcriptions of the applications. Sofia Turnbull is the department's administrative assistant at Drake and so much more! In addition to providing moral support throughout my many years of teaching, she formatted this very dissertation. I couldn't have done it without you two women!

And finally, to my two furry writing partners, Jack and Winston, my family and friends – I am grateful to each of you all for the support and encouragement you've provided throughout the years.

Chapter I

General Introduction

GT: I am not saying with this commutation request that I have been in prison long enough and I deserve to go home. I do not know that I deserve anything. I am hoping for mercy. I used to believe that since I did not directly murder anyone, I do not deserve to die in prison. I was so busy feeling sorry for myself I had little time to realize the responsibility I held for Mr. E. losing his life. I have learned that I did play a role in this murder; that my actions led to a man losing his life. The weight of that responsibility, along with the pain my behavior has caused not only my victim's family but my family as well, is a very heavy burden to carry. I will carry that burden the rest of my life, whether I am ever released or not. I can only ask for mercy because of the good I have done and the person I have become since that night back in February of 1988.

This quote is taken from a sentence commutation application submitted to the Iowa Board of Parole and the Governor's Office by a now 42-year-old man who is serving life in prison without the possibility of parole. He and another juvenile were convicted of murdering a gay man in the victim's home. He has served 24 years of his life sentence.

The prevailing notion in contemporary American society is that taking someone's life or holding them against their will is a heinous crime and should be significantly punished. In 32 states plus federal and military jurisdictions, a homicide conviction may result in the death penalty (Death Penalty Information Center 2013). The next most

serious penalty is life without the possibility of parole. The only way out of prison, besides dying, is making a successful petition to authorities.

My research explores the ways in which those sentenced to life without parole attempt to construct a commutable identity in the eyes of the authorities. I approach this research sociologically, specifically from the lens of symbolic interactionism.

In the following pages, I introduce the reader to the main research questions, provide the background and significance to this work, describe the characteristics of the applicants and preview the content of the upcoming chapters.

Research Questions

Drawing from a sample of written commutation applications, I attempt to answer three main research questions. The first question asks, "What types of narratives do individuals sentenced to life in prison without the possibility of parole construct in an attempt to convey potential sentence commutation?". The second question asks, "How do individuals 'do gender' while attempting to construct a commutable identity?". The third question asks, "What is the process that individuals narrate when attempting to construct a role exit from a life sentence?". Each of these questions becomes the subject of a subsequent chapter. My overall argument is that an individual's narrative construction of commutability is a complex process embedded in larger cultural and institutional narratives. There are identifiable patterns within this process.

Background and Significance

Brief history

According to Sarat and Hussain (2004):

Clemency is a general term for the power of an executive to intervene in the sentencing of a criminal defendant to prevent injustice from occurring. It is a relief imparted after the justice system has run its course. Clemency provisions exist in every judicial system in the world except China. The U.S. Constitution gives the President the power to grant clemency. In 35 states, the governor can make clemency decisions directly, or exercise this power in conjunction with an advisory board. In five states, boards make clemency decisions, and in 16 states, the power to grant clemency is shared between the governor and an advisory board. (P. 1308)

There are four types of executive clemency (Moore 1989). A pardon is an action that lessens the defendant's sentence and restores the person's reputation. Amnesty is used when a political offense has been committed. Reprieves postpone a scheduled execution. Commutation, which is the focus of my dissertation, reduces the sentence to a term of years. In Iowa, it makes one eligible to be seen by the Board of Parole.

Speaking to why clemency is necessary in any civilized society, Chief Justice William Howard Taft (who was also the 27th President of the United States) in *Ex parte Grossman* (267 U.S. 87 [1925]) claimed:

Executive clemency exists to afford relief from undue harshness or evident mistake in the operation or enforcement of the criminal law. The administration of justice by the courts is not necessarily wise or certainly

considerate of circumstances which may properly mitigate guilt. To afford remedy it has always been thought essential in popular governments ... to vest in some authority other than the courts power to ameliorate or avoid particular criminal judgments.

The power of the President and of the Governors to grant clemency is an awesome one in which there is no review or appeal. Derrida (1999) sees it as a “power above the law” (p. 9). And, according to the Supreme Court of Florida in *Sullivan v. Askew* (348 So. 2d 312, 315 [1977]), presidents and governors can grant (or deny) clemency for good or bad reasons – or no reason at all, according to the U.S. Court of Appeals, Sixth Circuit in *re Sapp* (118 F 3d 460, 465 [1997]). In the latter decision, the court defines the process an executive may take – he may “agonize” or not over the petitions, he may “glance “ at the petitions or not, he may delegate the decision making to a staffer. U.S. Supreme Court Judge William Renquist in *Herrera v. Collins* (506 U.S. 3 [1993]) writing for the majority stated that the executive pardon is the “real fail-safe of the criminal justice system”.

Moore (1989) traces the notion of executive clemency as gift giving through time. She claims there is no ethical basis for this, but rather executive clemency is a “duty of justice that follows from the principle that punishment should not exceed what is deserved” (p. 12). But, despite that rationale, the conventional wisdom persists that clemency is a gift (Ridolfi 1998).

As Sarat & Hussain (2004) claim, governors’ use of clemency has dramatically decreased since the 1990’s and is typically used when someone has obviously been unfairly convicted. According to Acker, Harmon and Rivera (2010), executive clemency is “a dying

breed” due to politics placing the supporters on the soft-on-crime team and the opposers on the tough-on-crime team. The latter clearly being on the winning team.

Iowa

Since abolishing the death penalty in Iowa in 1965, the punishment for anyone (even a juvenile) convicted of first-degree murder or first-degree kidnapping is life in prison without the possibility of parole. The only remedy is to seek sentence commutation from the Iowa Board of Parole and ultimately, the Governor. In this sense, commutation means reducing the sentence from life without parole to a term of years.

Individuals can make application every ten years. The process is a lengthy one, taking a minimum of a year (and more likely four or five years) from first submission to final decision by the Governor. Once the Office of the Governor receives the application, it is typically forwarded to the Iowa Board of Parole. Although Iowa law gives the Governor sole discretion in these matters, it appears as if governors welcome the oversight that the parole board provides.

The Iowa Board of Parole is a five-member panel, appointed by the Governor, which reviews the commutation application and determines whether a formal investigation by the Department of Criminal Investigation is warranted. These investigations are rigorous, intensive and expensive; therefore, only the cases IBOP deems as potentially commutable receive this level of scrutiny. These documents are not considered to be public record and cannot be requested through the typical open records request process.

Once the investigation is complete (if there is one), the board of parole conducts an interview via the Iowa Communications Network. At no point do any members of the

parole board personally visit with the applicant. The interview is typically grueling and emotional – the board expects the applicant to provide the details of his or her crime, take responsibility for it, and show the appropriate level of remorse and rehabilitation.

Upon completion of the interview, each board member votes yes or no on whether they recommend sentence commutation. In order for a recommendation to go forward to the Governor, the five-member panel must vote unanimously. Rarely do any members vote yes. Once the vote has been taken and announced to the applicant, a letter is sent to the Governor. Iowa law stipulates the governor has 90 days to make his/her decision. Throughout history, governors have handled this matter differently. Some governors send a surrogate to conduct one (or more) face-to-face interview. Other governors have relied exclusively on the written documents. Once his decision has been made, a letter is sent back to the IBOP announcing the decision.

Fewer and fewer and fewer sentences are commuted today than ever before. According to the IBOP Annual Reports submitted to the governors dating back to 1999 (last half of Governor Branstad's last year and first half of Governor Vilsack's first year) to 2011 (last half of Governor Vilsack's term and first half of Governor Branstad's term), 188 applications for life sentence commutation were reviewed. Of those, 23 were recommended for commutation (12%) and 165 (88%) were denied recommendation. Governors subsequently commuted the sentences of only six lifers (3% of those applying).

Despite the low likelihood of receiving a favorable recommendation from the IBOP and a subsequent gubernatorial approval, individuals continue to make application for commutation. In some instances, individuals make multiple applications over the decades of incarceration.

Applicant Characteristics

Of the 40 commutation applications received from the Governor's Office 12 were submitted by women, and 28 were submitted by men. Two were convicted of first-degree kidnapping and the remaining 38 were convicted of first-degree murder. All were sentenced to life without parole, at minimum. The average age at time of committing their crime was 25 years, with a range of 14 years to 43 years. There were eight individuals sentenced to life as juveniles (18 years or younger). Of those still incarcerated today, the average number of years incarcerated was 30.4 years with a range of 17 years to 56 years. The average age of these men and women today is 56 years with a range of 32 years to 79 years. There are nine men and women serving life without parole sentences that are 65 years of age or older. A total of three individuals have been granted clemency from the applications I analyzed, two men and one woman.

Of those convicted of murder, eleven make the claim of innocence. One of the two convicted of kidnapping says she didn't do it. Four of those claiming innocence said the person they were with actually committed the crime. Three convicted of murder claim not to remember anything about the supposed incident.

The method of murder ranged from the most common shooting (n=22); stabbing (n=9); striking head with an object (n= 3); arson resulting in death (n=2); drowning (n=1); or asphyxiation (n=1). The majority of the victims had a relationship with their killers/kidnappers (n=35). Three of the other victims were in a high-risk profession that put them in the line of fire. Two of the random victims were convenience store/gas station clerks and one was a police officer.

Layout of this Dissertation

I have opted for the “Journal Papers in a Thesis” type dissertation. Included are three manuscripts prepared for submission to scholarly journals. Each of the three topics are related as they explore the ways in which individuals sentenced to life without parole attempt to construct an identity worthy of sentence commutation.

Chapter two takes the broad approach to studying narrative construction across commutation applications. Situating my analysis in the rich literature of storytelling (Polletta, Chen, Gardner and Motes 2011) and accounts (Labov and Waletzky 1967), I discover three prevailing narratives being told. The most common told was the transformational narrative, consisting of telling the tale of the once bad person becoming good. The next narrative discovered was the victim narrative. It this involves a sad tale where the teller falls victim to abuse or mental illness. The last narrative revealed was the immutability narrative, which is characterized by stability and organized around the plot of always being a good person. The teller claims innocence in this narrative.

Chapter three focuses on gender, specifically how men and women who have been convicted of murder or kidnapping account for their behavior. Crime has a long history of being gendered with men committing and being convicted of more crime when compared to women (U.S. Department of Justice Federal Bureau of Investigation 2010). This chapter is devoted to understanding how individuals “do gender” while narrating the facts surrounding their crime (West and Zimmerman 1987; Connell 1987, 2005). I discover that men have a single accountability burden, needing only to account for their criminal actions. Women, on the other hand, have a double accountability burden. They need to account for their legal crime and their gender crime.

Chapter four explores the narrative of role exit, the process of becoming an ex-murderer or ex-kidnapper. This extends the work of Ebaugh (1988), who theorized role exit as process and deemed the study of it as valuable as socialization into a new role. It also adds to Granberg's (2011) work on stigma role exit and Brown's (1991) research on becoming a professional ex. I find two broad narratives told in the process of role exit. One portrays prison as a place of opportunity, where one begins one's journey to becoming an ex. The second projects the future self as free from incarceration in which the ex journey is completed and from which can be moved on. However, some describe clinging to the ex identity in order to become professional counselors or wounded healers.

The final chapter is the general conclusion. In it, I discuss the results as they apply to the research questions from each of the three journal article chapters. I look ahead and make recommendations for further research. Finally, I offer some final thoughts on sentence commutation.

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CHAPTER II

THE ONLY WAY OUT: HOW INDIVIDUALS SENTENCED TO LIFE WITHOUT PAROLE ATTEMPT TO CONSTRUCT POTENTIALLY COMMUTABLE NARRATIVES

A paper to be submitted to the *Journal of Contemporary Ethnography*

Laurie Jordan Linhart

ABSTRACT

In Iowa, individuals sentenced to life without parole are faced with the realization that they will die behind bars. The only way out is by applying to the Governor and Iowa Board of Parole for sentence commutation. The outcome is rarely successful for the applicant. My study looks at a selection of 40 applications from 1999 to 2013. Using the grounded theory method, I conduct a document analysis of each application. I discover that individuals temporally construct narratives of former self, current self and future self. Three types of narratives emerge: One that describes a transformed self, one that describes a self that has been victimized and one that describes an immutable self. These findings suggest that the narratives are carefully crafted for their audience in order to convey a sense of moral decency and desistance from future trouble. The individual demonstrates the potential to shed the always bad institutional self, but in all but a very few instances is stuck with the stigmatized self.

Introduction

Being sentenced to life without parole for first degree murder or kidnapping is the most serious penalty in the United States criminal justice system today, with the exception

of the death penalty. The cultural narratives swirling around these individuals indicate, as Maruna (2001) comments, “an inescapable immorality” (p. 5)—inescapable in the sense that, unless granted executive clemency, they will die in prison. It is also inescapable because the label of murderer or kidnapper is associated with past behavior and reflects society’s belief that it is a predictor of future behavior (Maruna 2001). Due to its permanent and enduring nature, the criminal identity is constructed as the “worst of the worst” and criminals should be locked up and the key thrown away.

Scholars have studied the concept of sentence commutation predominantly from the legal and historical perspective. The consensus among legal scholars is that clemency is necessary, although practices vary widely among states (Love 2006; Moore 1989; Ridolfi (2000); Sarat and Hussain 2004). Research on this topic is conspicuously absent from the sociological literature.

Despite the prevailing cultural notion of a permanent criminal identity, these individuals claim moral and decent current and future selves worthy of sentence commutation told against the backdrop of their former lives (Presser 2004). In this paper, I investigate the ways in which those serving life sentences reflect on their past, present and future selves in an attempt to construct a potentially commutable identity in the eyes of the Iowa Board of Parole and the Governor of the state of Iowa through the construction of several narratives.

A general background informing the reader about the technical aspects of sentence commutation can be found in this dissertation’s introductory chapter along with a description of applicant characteristics. I begin with my theoretical framework. I review the recent research on how stigmatized individuals develop narratives of stability and of

reform. Using a grounded theory analysis of clemency applications, I examine the past, present and future narratives applicants construct. In the findings section, I report three distinct narratives that the applicants tell in their written application to the Iowa Board of Parole and the Governor of the state of Iowa. The *narrative of the transformed*, the *narrative of the victim*, and the *narrative of immutability* are told.

Literature Review

Human beings are storytellers (MacIntyre 1984). We tell stories to help make sense of our lives to others and ourselves. Sociologists, particularly symbolic interactionists, have long studied the stories told. We refer to these stories as narratives. According to Polletta, Chen, Gardner and Motes (2011), narratives are “social performances that are interactively constructed, institutionally regulated, and assessed by their audiences in relation to hierarchies of discursive credibility” (p. 110). Labov and Waletzky (1967) refer to narratives as an account of a sequence of events in the order in which they occurred in order to make a point.

In order for a narrative to be intelligible, the following components must exist: First, the story must have a point. It must also have events leading up to the point that makes it believable. Next, the events must be ordered in a logical arrangement – most typically in a temporal fashion. Then causal linkages must be drawn so as to show that each event leads up to the next. Finally, the storyteller needs to be clear about the beginning of the story and the end. (Gergen & Gergen 1988)

Narratives can be constructed along many plot lines. They can be told about experiencing infidelity (Riessman 1990), physical abuse within an intimate relationship

(Wood 2001), battered women (Berns 1999; Loseke 1992; Riessman 1989; Loseke and Cahill 1984), sexual assault (Hollander 2002), alcoholism (Denzin 1987), violent men (Presser 2012, 2010, 2008, 2004, 2003; Hochstetler, Copes, and Williams 2010; Brookman, Copes, and Hochstetler 2011; Garot 2007; Topalli 2005; Levi 1981) and illness (Frank 1995). These narratives uncover the reasons why individuals behave in the way they do.

Stories are also told about committing violent crime and how someone “makes good” (Maruna 2001). Maruna describes a macro-narrative that ex-cons tell themselves and others. He refers to this as a desistance narrative. It includes three components. First, a true self needs to be established. This is in stark contrast to the criminal self. The criminal self was accidental whereas the good self is the intentional true, real self. This establishes the criminal self as a consequence of external factors. One doesn’t need to feel guilty or shameful about past actions because these were caused by someone or something external to the individual. Goffman (1961) calls this returning to the unspoiled identity, a kind of re-biographing.

Next, the individual projects a claim of agentic control over their actions. When compared to the bad self where the claim is often no control, this good self has total autonomy over his/her current behavior and future behavior. This often involves constructing oneself as a “super” person – doing not just what one needs to in order to slide by, but rather telling tales of grand overachievement. Many of Maruna’s subjects credited organizations or individuals as the reason for their redemption.

The last component that seems to cross plot lines throughout the desistance narrative is the desire to become productive and give back to society, particularly to the younger generation. Lofland (1969) entitles this as becoming “hyper-moral”. Ex-cons

construct their future self as generative, having something to show for themselves. The ex-cons draw a sharp contrast between the former deviant self and the current good self, and continued good future self

Presser (2008) discovered that violent men construct themselves using one of three narrative strategies. The reform narrative is essentially a return to the good self, similar to Maruna's (2001) "making good". The plot line in this narrative is moral transformation.

The stability narrative is the opposite – the self has always been decent and steady. Narrators used a variety of accounts and excuses to convey this type of narrative. In order to make this narrative work the narrator constructed the crime as good (they were the heroes, protecting the family), or that the violence was fleeting and atypical (it even shocked the narrator), or they shifted the focus away from their criminality (speaking of being a victim themselves), or they portrayed themselves as their own harshest critic (being bad seeds, but still essentially good).

The elastic narrative is a combination of the stability and reform narratives. Presser (2008) describes this type as having a vague and inconsistent account of the crime, being much more disintegrated than those found in reform narratives.

The role of cultural, institutional, organizational narrative in storytelling is significant. Each has a reflexive effect on the other ultimately producing an acceptable overall personal narrative. Loseke (2007) describes cultural narratives as those formula stories accepted by society in general, typical plots told by typical actors. Institutional narratives are produced through the policymaking process, thereby legitimizing punishment or rights and freedoms depending upon how one has been sorted or categorized. Organizations construct narratives via social problems workers. Individuals

are evaluated (or evaluate themselves) as possessing a spoiled identity (Goffman 1961) that needs repair. Each person is expected to adopt and conform to the right story, that of the organization. Some actively reject adopting the organization's story.

Method

Data collection and analysis

Information for this article comes from a selection of 40 applications submitted by men and women convicted in Iowa of First Degree Murder or First Degree Kidnapping and sentenced to Life Without Parole. I obtained these documents through an open records request to the Office of the Governor. The documents span terms of three governors from 1999 to 2013. In addition to the actual applications completed by the imprisoned, I obtained the letter from the Iowa Board of Parole to the Governor announcing their recommendation, the IBOP official vote sheet, and the letter from the Governor to the IBOP rendering his decision and the rationale for it. I took the documents at face value. My interest is in the social construction of identities through narratives, not in assessing truth or validity of the applications.

I conducted a document analysis within the context of the grounded theory method. Documents are legitimate sources of data "forming a field for research in their own right" (Prior 2003, p. 26). According to Babbie (2008), analysis of a document's content allows for a thorough approach to studying phenomena over a prolonged period of time. I obtained a group of 40 applications and attachments from the governor's office.

The grounded theory method is an active, inductive approach to analyzing data. Rather than approaching the research from preordained hypotheses, the theory emerges from the data (Creswell 2009; Corbin and Strauss 2008; Charmaz 2006; Charmaz 1990; Glaser and Strauss 1967). Although not widely used with textual materials, LaRossa (2005) comments that grounded theory method provides a useful set of procedures for thinking about them in a theoretical fashion.

I retyped each application in order to immerse myself in the stories the applicants were telling. I reread the transcriptions on multiple occasions and I jotted down ideas as they came to mind in memo format. These ideas became the topics that I grouped together based on similarity. This resembles Corbin and Strauss' open coding process where "breaking data apart and delineating concepts to stand for blocks of raw data" (2008:195). Three narratives emerged: the transformation narrative, the victim narrative, and the immutability narrative. I then began my review of the sociological literature on narrative. With a greater understanding of the theory and research, I went back to the transcriptions and identified more specific categories and subcategories within each of the broader narratives. Excerpts from applications included in the analysis section were chosen as representative of the three narratives that emerged.

Limitations

My study has three limitations. First, only 40 applications were analyzed. This is a small sample size that could distort the conclusions that I make. Increasing my sample would inevitably improve the quality of the results. Secondly, the applications were limited to 1999 – 2013. Expanding the time frame to include applications from earlier years may

show a different institutional sentiment towards sentence commutation. More fundamentally, I coded the data alone resulting in no inter-rater reliability.

Results and Analysis

Transformation narrative

The transformation narrative constructs one's self prior to the crime as negative, as a bad or really bad person. Then, the narrative shifts as the self is transformed at some point during incarceration. When constructing the future self, the narrative of the transformed self is projected and predicted to continue as good. Emphasis is placed on being bad in the lead up to the crime and juxtapositioning this bad self against the reformed current and future self. The case is made that they would never return to the bad self ever again, if given the chance to live outside of the fence.

Of the 40 commutation applications analyzed, this is by far the most common narrative. Twenty-two individuals construct this type of temporal narratives. The majority of the stories begin with an initial bad self and that bad self persists through the crime. I discovered one variation of the transformation narrative where the negative initial self persists and is negative through a certain number of years while incarcerated, then a turn of heart to a positive self from that point forward stays positive.

Transformed by being sentenced to prison

One variation of the transformation narrative is where the individual tells of a bad self that is completely changed by the prison experience. There appear to be two

approaches to telling this story. In the first approach, the individual takes full responsibility for his bad heart. Whereas, in the second approach, the individual acknowledges her bad behavior but contrasts this with her really bad boyfriend.

BG was 16 years of age when he was convicted of kidnapping and raping a woman at gunpoint. He explains that he was looking for a beautiful woman in the parking lot of a local grocery store. Mr. G. states that he took her to his parent's home (they were out of town) and sexually assaulted her.

I realized what I had done was far worse than I had rationalized it would be. In the face of reality, fear of discovery and lack of conscience for a fellow human being ruled my heart and I tried to kill Miss Ewing, hitting her on the head, stabbing her twice and leaving her in a snow filled rural ditch.

BG constructed his former self as having a "bad heart".

Violence and aberrance lived in my earliest remembered thoughts and I lacked normal regard for people. But I carefully hid these things from everyone because I knew even then that they were wrong.

As with many, sex held increasing interest for me in adolescence. At 16, it seemed like about the most important thing. And, being as I was, I became unwilling to wait for proper, consenting circumstances. When my parents left home on vacation in December 1981, I set out to experience what I imagined I was missing out on.

Alcohol and drug abuse played a role in this negative self-construction. He describes abusing alcohol, marijuana, hallucinogenic drugs and livestock tranquilizers. This all took

place, he says, between the ages of 14 and his arrest at 16 years of age.

When he entered the Iowa State Penitentiary in Anamosa, IA, BG embraced his true heart – his newly reformed one – through work in the prison’s woodshop. “My life in prison centers on my work in the woodshop. I love working with wood, producing something of value, and the notion of earning my keep. I am grateful for my job, and were it permitted, I would work more than our 40 hours each week.”

BG describes his life in prison as time spent creating a more acceptable self by earning his high school diploma and his Associate of Arts degree. Further evidence of a current good self is his stated involvement in religion.

In a concluding soliloquy, BG appeals to the Governor and the parole board. He constructs a contrite, humble, upstanding future self clearly distanced from the old, bad self.

I would have you believe that the heart which bore such ugliness in youth has been substantially altered in the passage of time by the providence of a gracious God, by the good conscience of confession and repentance, by the unwavering love and prayers of many good people, and by the hard experiences of prison that I once feared to face and would not now trade.

Lastly, I offer a resolve that no desire of the heart, or fear of consequence can ever lead me to the evil of harming a person.

CL uses a bit different strategy to distance her self of today (and the future) by characterizing her boyfriend as a really bad person, and although she sold drugs, her behavior was not nearly as bad as his. She was 17 years of age when she was convicted of robbing and murdering her best friend’s grandfather. Her boyfriend at the time was also

convicted of the same crimes. The victim was stabbed to death and several items were stolen from his home (although she claims to have been in the truck at the time the crimes occurred).

The narrative CL tells is a life spiraling out of control. She describes herself as an unmarried, teenage mother of an infant son. She became acquainted with an older, male friend of her baby's daddy. They became involved and things quickly went from bad to worse. She tells about getting apprehended by the police but not knowing why, other than being a runaway. It was only later, she claims, that her boyfriend robbed a packing plant.

R often left for several days at a time. When he came back, he would say he had been seeing his son. I found out later he was sleeping with his ex-wife and burglarizing homes somewhere near Clinton. R and his brother and sister-in-law stole a truck and were arrested.

After the conviction and sentence to prison for first-degree murder and robbery, CL constructs a self that is productive (continuously employed), philanthropic (volunteered in numerous capacities), and educated (took college courses and completed a trade school program). Being sentenced and subsequently incarcerated was the impetus leading to the transformation of her self. Again, she refers back to her former bad self and draws a stark contrast to the person she is today.

Growing up in prison has been anything but easy, but I have changed so much, physically, mentally and emotionally. When I came to prison, I was a young, youthful and energetic person who thought they could make everything all right for everyone. I did not have the slightest concept of the problems I had caused for other people all my life or the depth of the tragic

murder I am responsible for. Emotionally, I felt the pain of everyone involved but I really did not see beyond the present moment.

Today I am thirty-one and the immature, irresponsible person I was at seventeen, when I committed this crime no longer exists. Through constant self-evaluation, decision-making and goal setting, I am responsible for myself and my future. Nothing “just happens” to me, because I have an awareness of what’s going on around me and I consciously choose who and what I become involved with. I do not wait for anyone else to take initiative in my life because I am doing this for myself everyday. My success no longer depends on whether someone loves me, because I have my own self-value and appreciation. My self-worth comes from my own accomplishments, ability to grow and what I can contribute to the world I am in.

The future self CL constructs represents an extension of the current self she described above. She speaks to building a new life that includes counseling (helping her to adjust to life outside of prison), employment, education, obtaining a driver’s license, and a church family. CL concludes, “Personally, I have other goals I plan to work towards achieving, but I know I will have to initially focus my energy on earning trust, putting a life together for myself and adjusting to all the changes that have taken place in the world”.

Eventually transformed by incarceration

The before prison narrative of the self is the same as the preceding, “I was a bad person”. This negative story continues throughout a portion of their incarceration. A turn

in behavior takes place as a result of something that occurs in prison. Transformation begins at some point behind bars. For some it was one single event that perpetuates a reconstruction of the self as now good. For others it was an accumulation of days behind bars that leads to the construction of the good self.

GT was convicted of the murder of a schoolteacher whom he and another teenage male met at the "gay loop" in Des Moines in February 1988. The victim ended up dead via multiple stab wounds in his apartment. It was later discovered that his young daughter was sleeping in her room in the same apartment. GT was sentenced to life without parole at the age of 18 and has served 24 years. He is now 42 years old.

GT describes his life prior to the crime as chaotic -- a product of dysfunctional parents.

As a teenager, I lacked both guidance and discipline because of my father's alcoholism and my mother's depression problems. Their own problems prevented them from being the parents I needed them to be. Their divorce when I was 14 left me without structure in my life. I rebelled against my mother until she sent me to live with my father at the age of 15. He ceased being my father and became my buddy, actually taking me to bars and allowing me to drink alcohol with him. I had no curfew, no one checking report cards and basically no one to answer to on a day-to-day basis. By the time I was 17, after two years of living this way, I was an out-of-control alcoholic. My father, not knowing what else to do, kicked me out on the streets. I dropped out of school and tried to be an adult, holding a job, paying rent, and basically trying to be responsible. However, I was put in a position

to make adult decisions with an immature mind and made all the wrong decisions. I lacked self-discipline because I never really knew or understood discipline. Add that to an addiction to alcohol and it was very self-destructive.

He continued his “bad self” narrative even after incarceration as he received multiple disciplinary reports. It took him several years to begin a “positive self” narrative. The event he claims was pivotal was a Victim/Offender Intervention session with the victim’s daughter who was sleeping in the adjacent room the night of the murder.

That is the main reason I took it upon myself to initiate a Victim/Offender Intervention Session with Mr. E’s daughter, J. I did not want to forget my crime. I wanted to see, first hand, the effect my crime had on the survivors of Mr. E. Meeting with J had a tremendous impact on my life. Facing J and hearing in her own words the impact my crime had on not only her but also Mr. E’s students and faculty from B Middle School, really made me realize how careless and selfish my actions were that night.

It also made me see how selfish my thoughts were since coming to prison. I used to be very bitter about having a life sentence when I did not commit the actual murder. This meeting, and the idea that I owed it to J to be as honest as possible about my actions that night, encouraged me more than anything else to take responsibility for my role in her father’s murder. In taking this responsibility, I lost the bitterness I felt about the sentence I received.

GT's transformed self narrative becomes solidified by his narration of involvement in meaningful work, being trusted by staff, paying off his restitution, participating in rehabilitation groups, involvement with at risk kids, and seeking higher education. GT credits his time in prison for playing a part in creating his positive self.

I believe good can come from time in prison. Once I took the time to evaluate the behaviors that brought me to prison, I learned to change those behaviors and take something positive from this experience. I am now doing what is expected of me as well as what I expect from myself. I feel good about that.

As for GT's future self, he constructs a life that includes a loving relationship with his wife whom he married while incarcerated, a continued relationship with God, and involvement with troubled teens. His future self still stays connected to his prior bad self as a reminder of who he used to be.

I am still connected to the kid I used to be. His pain and problems made me who I am today. That kid also gives me something positive to contribute to society. I can reach out to troubled teens (similar to what I am doing here through the Mirrors Program), who are struggling through divorce, abandonment, and addiction. I can help them because I know. I took what they are dealing with to the extremes of self-destruction and criminal behavior. I can get into their minds and their hearts, and show them they are not alone. I can show them other ways of dealing with their pain rather than through violence, anger, self-pity, or addiction. I can speak their language because I have felt what they are feeling. If I can save just one child from choosing the path I chose in life, then my life will again have meaning.

The victim narrative

Of the 40 applications analyzed, only four were categorized as telling the victim narrative. I discovered two variations on the victim narrative. One variation was being a victim of abuse and the second was being a victim to mental illness. All of these narratives tell a very sad tale. The storyteller positions being a victim as the primary reason the horrendous crime occurred. The narrative turns positive in prison. It remains positive throughout the projected future self because the individual received the help they needed to overcome the abuse or mental illness. An emphasis is on the heroic struggle the individual endures in order to overcome the horrible situation they once were in.

A victim of abuse

I found this narrative to be told in two slightly different ways. In the first the victim describes a life of abuse leading to the eventual crime. The second variation is where the victim sheds the role of victim and takes on the role of bully.

KF was 14 years old when she was convicted of the stabbing death of her great aunt. In the story that KF tells, being physically and emotionally abused plays prominently in the reason the crime occurred. In the first part of her victim narrative, she describes herself as biracial, which she claims resulted in being a victim of hate crimes and having an identity problem.

I was age eleven and already had received discrimination in several different forms, from racial “slurs” written in marker on my locker to verbal confrontations. My mother received letters threatening “cross burnings” and scenarios at our home against her and myself. The issue was taken to the

school board and an investigation was completed with some action taken to relieve some of these issues.

KF became involved with an older male who turned out to be a gang member. He kidnapped and violently raped her. When she was able to break free, she returned to Iowa and was sent to a residential treatment facility, where she was prescribed Prozac. She claims that the medication made her violent and ultimately able to murder a beloved family member.

I was forced to take the medication at Orchard Place (OP) and soon after began having hallucinations in my living unit. The information is all documented evidence, which consisted of "homicidal" visions of my roommates having knives stuck in their heads.

KF describes the sequence of events leading up to the murder. The tale of being victimized because of her race and lifestyle is clear. She refers to a rape as well.

It was on October 25, 1994 that would alter my life and the lives of everyone around me. I ran away from OP with the assistance of another person. JF and the two of us traveled to my Aunt A's house because it was a "safe" place for me to go. My intentions were not to cause any harm of any sort. However, in the midst of the time there were words exchanged and my aunt began to "criticize" me and my lifestyle regarding my mother being involved with African American males, me practicing the Muslim religion, and trying to find my way in life. I remember telling my aunt that I felt I didn't know who I was, because of the whole color issue, my mother being Caucasian and my father being AA. I remember telling her I think that is why I reached out to AH, per

our conversation regarding this I “snapped” and lost it totally, regarding painful memories about the rape. My anger erupted two fold from rage regarding Anthony and my hallucination began peaking. Once the hallucinations stopped, I realized what I had participated in and I had wanted to call 911, however Janine had ripped the phone from the wall. Subsequently, I ran next door to my aunt’s friend and neighbor Sue for assistance.

Initially, KF describes being afraid of being incarcerated with women much older than she. But once she worked feelings of being afraid of being incarcerated and realized she wasn’t going to be harmed, Kristina tells of taking full responsibility for her crime and she clearly constructs herself very differently from the girl she had been.

I have accepted my dilemma. The pain and sorrow of loss is still within me. All I have is memories of the woman whose life I took and for a lifetime will never see her again. She never got the chance to watch me grow, or live her life to the fullest. I am guilty for denying her that right. She did not deserve to die, and I accept responsibility for taking her life.

I am no longer that child. I live in a private prison of my own with the knowledge of what I have done to get here. My aunt is forever gone to me, and I realize death is a final thing, how I wish I could bring her back. I know in my heart she would have wanted better things for me.

KF briefly mentions this about her future self. She states, "If I am released I plan to be a loving wife, a working adult who is a tax paying citizen and maybe even one day a mother".

The other narrative of victimization told the individual was victimized at an early age, and then realizes that becoming a bully enables them to become one of the powerful. Like the others, the narrative told of the incarcerated self is a positive. And, the positive self is projected into the future.

JB was convicted of life without parole at the age of 18 for the stabbing death of a friend who he approached for a job recommendation. In his narrative, he denies committing the crime, insisting it was the friend's husband that killed her. However, B originally admitted to the police and Department of Criminal Investigation to the crime – he states that was to make him look tough in the eyes of two of his friends.

JB includes an entire section in his application detailing why he made the story up in the first place. It chronicles a life filled with victimization at the hands of his family. The sad tale he tells involves purposeful death of pets – his only true friends.

My friends were my dog and the animals I raised. I raised mainly ducks. Usually my dogs would end up getting killed somehow. Buck was my best dog. Wherever I went, he went. He helped me out a lot especially with snakes. He wouldn't let snakes get close to me. Then one day a farmer who lived down the road said Buck killed his pigs and eating them. And nobody listened to me. I was just a kid. My dad ended up killing Buck because of the farmer.

JB tells the tale of his father being particularly physically abusive to him. He recalls an instance where they were cleaning the house and he made an inappropriate comment. His father slapped him. Another instance described where he and his brother were working along side his father, and something went wrong. This resulted in a pipe wrench being hurled at his abdomen. JB states, "I remember the times he would take me and Allen behind the rabbit shed and spank us bare bottom with the belt or switch".

His narrative begins to switch at this point, straddling being both victim and perpetrator. JB tells of engaging in delinquent activities, such as breaking into the shed of the farmer that got his dog killed. He stated that, "it relieved a little frustration". And as a result, "I started doing stuff like that more".

There was a guy that sold honey close by and he a thing by his garage with money in it. He trust people to put money in it and grab a thing of honey. I used to grab both. I used to try to talk to people in my family when I was sad or low. But it seemed like they didn't want to listen. So I just started keeping my feelings inside most of the time.

I think that's the time I almost went over the edge, didn't care for or about no one or anything, started to hit inanimate objects, people, started to fires.

I found out that some people started to get scared of me because they knew what I was like and some of the stuff I did. I liked it when I found out people was scared.

JB narrative describes becoming intoxicated with his bad self, engaging in petty mischief and boasting to his friends about his behavior. The story that he tells leading up to

the murder of the woman to whom he asked for a job recommendation is bizarre. His claim is that he really didn't murder CB, rather he made the story up to impress his friends. That in fact, he witnessed her husband killing her.

As in each of the other cases, the constructed narrative of the incarcerated self is a positive self. JB tells of obtaining his high school diploma and learning hydroponics. Most importantly, he claims his prison self matures.

I received my high school diploma. I grew up in prison, mentality wise. I got my relationship with my Dad again. I learned a lot about gardening, flowers, how to take care of them, proper techniques to use. How to run hydroponics. Produce. How to look problems up.

The future self that JB constructs centers around caring for his aging parents. He says, "My mother and father's health isn't that good anymore. I just want to be with them. I put them through so much in the years. I want to try and make it up to them." Once again the narrative is a positive future self, just as the other cases claim.

Falling victim to mental illness

Another type of victim narrative is being plagued by addiction and mental illness, such as the narrative RV tells. He describes a long history of addiction to alcohol, prescription drugs and depression. RV was convicted of five counts of first-degree murder resulting from an apartment fire for which he was responsible. Originally he was charged with manslaughter, a much lesser crime.

RV describes having recently been discharged from a psychiatric ward where he was being treated for alcoholism and depression. During that time, he states he was

prescribed a plethora of psychiatric medication. RV claims he wasn't ready to be discharged because he knew he'd return to drinking.

Shortly after discharge, I went to the liquor store and bought several bottles of vodka and at least 24 cans of beer, and, at my apartment at the Coronado, I began to drink heavily. Thus, from about 12:00 Noon on February 4, 1977 through Tuesday, February 8, 1977. I did little other than drink, take my prescription medications, smoke cigarettes, and sleep in between trips to the store to buy more beer. Also, during this four-day time frame, I lost track of the number and times I was taking my prescription drugs and I am certain that I was overdosing on the pills, capsules, and tablets as well as drinking vodka and beer. Although I remember being hungry, I was not able to eat. In short, I was very, very sick – so sick that was falling down and bumping into things within my small efficiency apartment.

RV attempted to light a cigarette that ignited in flames, creating a blaze that swept through the apartment complex. Five people failed to escape. He was originally charged with manslaughter, but eventually was changed to five-counts of first-degree murder.

According to his narrative, while in prison, he has been a model prisoner. He makes toy poodle dogs out of yarn, has an interest in Trans-Atlantic Ocean Liners of the 1900 – 1930 era, and has “achieved sobriety over my alcohol and prescription drug addictions”. He works as a tutor in the GED program.

His future self is constructed as a family man, living in Georgia with his daughter and her family.

Not only would justice be served, if commutation be granted, but a further justice of a humanitarian nature be served, if my daughter and I could finally become a family, something that we have both longed for over 30 years.

My daughter has had a tough time of things in her life and she needs her father with her. Please give her the chance of having a father – she has never had one, and her enclosed letters tell the story far better than I could.

RV sentence was reduced from life without parole to a term of years by the Governor. He was eventually released and has subsequently died.

Immutability narrative

Of the 40 applications analyzed, this narrative was told in 14 cases. This narrative is characterized by immutability and stability. It is organized around the plot of always being a good person. They tell a tale of being constant, steady and indefeasible. I found two variations on the narrative. The first is where the individual constructs a not guilty story, by making the claim of innocence. The second variation of immutability is the story of anyone, given the same circumstances, would have reacted in the same way. In both variations, the incarcerated self is presented in a positive light further underscoring their constancy. And, since they have always been good, their future self will be no exception. In all cases, the future self is projected as good.

Innocent

The narrative of innocence is different than the previous narrative of not guilty of premeditated murder. The claim of innocence represents a denial of any involvement in the crime, someone else committed the murder. MG maintains his innocence in the death of the manager of the Moose Lodge in Iowa City in 1979 throughout his narrative. He was 37 years old at the time of the crime. He claims to have been married with children and was gainfully employed as a taxi dispatcher.

I believe that I am an excellent candidate for executive clemency. Before my arrest and conviction, I was an ordinary, middle class member of society. I had no criminal background nor have I ever had a history of alcohol or drug abuse.

MG claims that evidence was not adequately admitted nor were key witnesses called in his trial. A good deal of his application includes lengthy explanations of polygraph test results, and a minute-by-minute description of his whereabouts the day of the murder.

Included in my original application is a minute to minute timeline of my movements, witnessed by various people, and a timeline of the murder of Mr. L, verified by police logging. This indicates that it would have been impossible for me to have committed this murder.

In prison MG constructs a self that is productive, positive, model inmate. Besides his continuous employment, he provides an extensive list of volunteerism.

I have shown, during my incarceration, that I have not been a violent nor troublesome inmate. In the past 12 years I have had only one report which resulted in a reprimand. I have performed all duties asked of me to the best

of my abilities. I've worked hard all of my life and continued to so in prison. I believe that I am a productive member of my prison community. I am very proud of the job rating I received while incarcerated.

Going forward, MG projects a future self in the same good light as his former selves. He lists fifteen reasons the governor should commute his life sentence to a term of years. Six speak to his future competence.

I know that I can again become a contributing, taxpaying member of society.

I have shown during my more than 20 years of incarceration that I haven't been a violent nor troublesome inmate.

I have performed all duties asked of me to the best of my abilities. I had worked hard all of my life and I continue to do so in prison. I believe that I am a productive member of my present community. I am also proud of the job ratings I received while incarcerated, #5 which is the highest grade possible.

I have a job waiting for me should I be released.

I am married to a loving, caring woman. I have a home and family to return to.

I want only to be able to live out the remainder of my life with my wife and children. I want to work and contribute to my family and to the community.

Anyone would have reacted in the same way

WS maintains his innocence by claiming the individual whose life was taken was a result of a stray bullet from WS gun. He describes events leading up to the night of the shooting and his role as mediator between two of his friends. He states that on one occasion he becomes physically injured in an attempt to restrain these friends from fighting. He makes the decision to purchase a gun, he says “out of fear”. Fourteen days later, he says, they meet again.

As he made eye contact with me, panic, fear, and shock overwhelmed me. Even though Mr. G. had a gun in his possession, out of fear I, too, had procured a weapon due to previous encounters with Mr. G.; with no intent to ever use the weapon. I attempted to plea with Mr. G. to avoid any form of confrontation that would be of no benefit to any of us. Nevertheless, Mr. G. swerved towards me still armed. Out of complete and utter fear, I began to fire, never directly aiming my weapon at Mr. G.’s van. Due to my fear, panicked state, and the severity of my injury suffered 13 days prior, I did not possess total control of my weapon. The first shot trajected down the street; the second pierced the driver’s side door into the steering column; the third into a building across the street; and the fourth into the rear pillar of the van which ricocheted taking Mr. G.’s life.

WS narrative of his self in prison is clearly told from the “I was good before, but I’m even better now” perspective.

My time, prior to prison, could have been spent in a more positive manner. I could have been a more devoted son and responsible parent as well. I now

know what truly has value in my life; and that is my family. Being here for the past 13 years has seasoned me and allowed me to grow tremendously as a person and develop an overwhelming appreciation for the beauty of freedom.

WS projects his future self to be more of the same, especially given the chance to live outside the fence. The narrative has all of the elements to guarantee success, including supportive family, return to school, employment, taking care of elderly parents, and giving back to the community.

If given this most cherished opportunity to reenter society, my family will continue to support me extending whatever help possible or needed. I will be a productive citizen if given the chance to return to home someday. I plan to return to college to further my education and would have at least two jobs waiting. I would tend to the needs of my parents and son since they only continue to grow in age as I remain here. I am very blessed to have such a caring mother who has raised my son since he was two. My son is now 15 years old and comes to visit with my mother (CS), approximately 3 – 4 times per month for fatherly advice and to keep our bond as tight as possible.

Governor Vilsack, also know that if given the chance to reenter society, I can take my situation and use it to help deter others from making the same mistakes. It would be my aim and duty to devise outreach programs to educate the youth in my community, and/or surrounding communities, that anyone can achieve success no matter the hardships one may experience in his/her life.

Summary and Conclusion

In this final section, I summarize the results from the analysis I conducted. I discuss the contributions made to the existing narrative identity literature by this research. I conclude with suggestions for future research.

From the analysis, I discovered applicants tell one of three different stories about their lives. The transformational narrative, the victim narrative and the immutability narrative are told in an attempt to convince the Iowa Board of Parole and the governor their sentences should be commuted to a term of years and eventually considered for release from prison. In addition, I've shown that applicants construct and reconstruct their selves at three distinct times -- who they were in the past, who they are currently and who they will be in the future.

The most common narrative told was the transformational narrative. This consisted of the telling the tale of once being a bad person but becoming good at some point. This sets the stage for why and how a person could take the life of another or kidnap them. Addiction to drugs and alcohol, family circumstances and dysfunctional relationships are common elements of the past bad self. Many of the applicants point to some experience during incarceration as pivotal. For most that occurred almost immediately following conviction or imprisonment; for others it took several years of incarceration and programming before a shift to a positive narrative. To a person, the positive self is projected into the future.

The next narrative I discovered was the victim narrative. These narratives tell a very sad tale. I discovered two variations on the victim narrative. One variation was being a victim of abuse and the second was being a victim to mental illness. Being victim is claimed

to be the primary reason the horrendous crime occurred. Regardless of variation the individual makes a positive turn in prison and projects future positivity. All made an emphasis on the heroic struggle they endured.

The immutability narrative was characterized by stability and organized around the plot of always being a good person. I discovered two main types of narrative: the not guilty story and the story of anyone in the same circumstances would have reacted similarly. The assertion of innocence is the first type of immutability narrative told. The teller claims he didn't commit the crime, he was wrongfully convicted and sentenced. The other group of narratives classified under the immutability narrative was the story of anyone, given the same circumstances, would have reacted in the same way was told. In both types of narrative, they claimed since they've always been good, a good imprisoned self was narrated along with a projected positive future self.

Being imprisoned for life with no chance of parole is costly to the states and some may feel is cruel and inhumane. The narrative of the institutional self is once labeled as a murderer or kidnapper, this self is permanent and enduring. However, the majority of the narratives told through the applications indicated that individuals construct and reconstruct their identities over time. Further, each of the narratives told the story of a future good "best yet" self-contradicting the "once bad, always bad" institutional self. The individual demonstrates the potential to shed the institutional self, but in all but a very few instances is stuck with the stigmatized self.

My research sheds light into how narratives are constructed within an institutionalized system when the tellers are dramaturgically and dramatically disadvantaged. The acceptable plot line in almost all circumstances is impossible to tell.

But stories are told and narratives are constructed as evidenced by this study. Findings from the present analysis have implications for other severely stigmatized individuals. How do those who have sexually abused children, or those who were cruel to animals, or those that harmed the elderly construct the plots that grant them legitimacy from society? Understanding how these impossible stories are told will advance the study of narrative.

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CHAPTER III

ACCOUNTING FOR MURDER OR KIDNAPPING: DOING GENDER WHILE ATTEMPTING TO CONSTRUCT A COMMUTABLE IDENTITY

A paper to be submitted to *Gender & Society*

Laurie Jordan Linhart

ABSTRACT

The purpose of this article is to analyze how men and women who have been convicted of murder account for their crimes. Drawing upon written narratives from sentence commutation applications, I explore how individuals do gender while narrating the facts surrounding their crime. These accounts are clearly gendered. Men do gender, specifically they do masculinity, as they account for their crime. Women's accounts were found to be more complicated because they had to account for two types of crime: The legal crime and the gender crime. This analysis concludes that men have a single accountability burden, needing to only account for their criminal actions. Women have a double accountability burden, needing to account for their criminal behavior plus their non-normative gender behavior. The discrepancy in accountability further reinforces and reproduces the inequality privileging one gender over the other in our society.

Introduction

Crime has had a long history of being gendered – men in the U.S. society commit more crime (in all categories) when compared to women. According to the Uniform Crime Statistics (Federal Bureau of Investigation 2010), men accounted for 74.5% of all arrests;

whereas, women accounted for 25.5%. Looking at violent crime, the disparity grows wider. Men accounted for 80.5% of all violent crime arrests (murder, assault, robbery, forcible rape) compared to women accounting for less than 20% of all violent crime arrests. The literature refers to this as a gender gap in offending (Britton 2011).

There are several theories attempting to explain the role gender plays in crime and criminal justice. Historically, most of the attention has been focused on men as criminals and women as victims. In the unlikelihood that women commit murder it is most typically infanticide or killing their abusive partner. Research points to a lack of social and economic resources to provide for raising a child as the primary reasons (Oberman and Meyer 2008). Research also points to the “brutality experienced at the hands of husbands, partners and fathers is the leading motivation for women’s violence” (Bowen 2009:172).

Scholars have studied society’s differing response to violent men and violent women (Lloyd 1995). They conclude that these women are perceived to be “doubly deviant” due to the sheer fact that they have broken the law and are violent. In addition, the phrase “violent women” conjures up images of aggression similar to “violent men”. This couldn’t be further from the truth, as women who commit violent crime typically commit only one violent act (Maher 1997). According to Lloyd (1995), “Typically, the very few women who are violent are less violent than men, much less frequently, and not in that characteristic, threatening, daily way” (p. xx).

Much research has focused on society’s perception of violent individuals; however, the literature is relatively silent on how criminals themselves account for and tell stories about their actions. These accounts are autobiographical occasions where society demands that a story be told in a particular way with particular content (Zussman 2012).

Further, these institutional narratives are constructed and constrained by formula stories, “creating categorical identities of types of actors engaged in types of acts with expected moral outcomes” (Loseke 2007:667).

In this article, I focus on how men and women who have been convicted of violent crimes account for and tell about their aberrant behavior to an audience. These are special narratives because they are being told within a total institution (Goffman 1963). A general background informing the reader about the technical aspects of sentence commutation can be found in this dissertation’s introductory chapter along with a description of applicant characteristics. After reviewing the pertinent literature, I analyze written narratives told by those sentenced to life without parole to authorities in an attempt to receive sentence commutation. Drawing from these written narratives, I conclude that men and women clearly do gender while narrating the facts surrounding their crime. Additionally, I conclude that men have a single accountability burden, needing only to account for their criminal actions. Whereas, women have a double accountability burden, needing to account for their criminal behavior and in addition needing to account for their non-normative gender behavior.

Literature Review

In this section, I review the literature on doing gender. I focus on the social construction of gender as initially theorized by West & Zimmerman (1987). I then turn my attention to doing masculinity and Connell’s (1987, 2005) theory of doing hegemonic masculinity. I conclude with a review of the pertinent literature on gender and accounting for violent crime.

Extending the work of Garfinkel (1967) and Goffman (1976), West & Zimmerman were among the first to claim “gender is not a set of traits, nor a variable, nor a role, but the product of social doings of some sort” (1987:129). In other words, gender is accomplished through social interaction. West & Zimmerman (1987) coined the phrase “doing gender” and described it as reproducing common stereotypes. Individuals acting within the social structure accomplish gender in congruence with the norms of the social structure (Fenstermaker 2002). In addition, individuals are motivated to do gender because they know others are holding them accountable to normative standards (Hollander 2013).

Doing masculinity, specifically hegemonic masculinity, was the subject of Connell’s research (1987, 2005). According to Connell, hegemonic masculinity is “the configuration of gender practice which embodies the currently accepted answer to the problem of the legitimacy of the patriarchy, which guarantees (or is taken to guarantee) the dominant position of men and the subordination of women” (2005: 77). It is a pattern or a practice that allows for the domination of men over women to continue (Connell & Messerschmidt 2005). Characteristics commonly associated with doing hegemonic masculinity include being self-sufficient, being action oriented, being violent, using substances excessively, having trouble in school, being girl crazy, using insults associated with feminine connotations and most importantly, not being constructed as feminine (Anderson, Daly & Rapp 2009; Bird 1996; Copes & Hochstetler 2003; Grazian 2007; Newburn & Stanko 1994).

Men are disproportionately represented in committing all kinds of crime, particularly violent crime. Gilgun and McLeod (1999) studied the accounts that male rapists and child molesters constructed surrounding their crimes. These accounts were constructed from the cultural themes of hegemonic masculinity and were quickly drawn

upon to explain their violent actions. Women play an important role in constructing male drug robber's masculinity (Contreras 2009). Through the use of "The Girl", male drug dealers are victimized by male drug robbers. Women are used to lure drug dealers into vulnerable positions so the robbers can rob them. The men exploit "The Girl" by having sex with them, by paying them little money and treating them like an object, which in turn underscores their masculinity.

Women also face more obstacles than men when dealing drugs and engaging in violent street crime. They must be conscientious of their presentation of self, exaggerating or developing strategies to be successful that un-do and then re-do their gender. Grundetjern & Sandberg (2013) found women employ four strategies: de-sexualization, violent posture, emotional detachment and service-mindedness. In avoiding detection and arrest, doing gender as a woman had its benefits. They can appear invisible to police and other street criminals, being mistaken for sex workers (Jacobs & Miller 1998). In accounting for their behavior, women tend to be influenced by the news media's stock tales and the courts (Morrissey 2003; Kruttschnitt & Carbone-Lopez 2006). Both sources tend to pathologize and demonize their behavior because it fails to adhere to gender norms. Miller (1998) found that men and women had similar motives for street robbery, but the enactments were very different. Men tended to use physical violence, display a gun and act confrontational. Women tended to appear sexually available to lure men into a vulnerable position, work with men (typically their boyfriends) to rob other men, describe their boyfriends as the criminal (not themselves) and take a subordinate role (1998: 59).

The literature indicates that within this gendered situation of violence, men are seen as doing hegemonic masculinity. Although criminal, their behavior is viewed by society as

gender appropriate. On the other hand, society's view of women who engage in violent behavior is more complex. They are perceived as un-doing their gender because women aren't supposed to commit violent crimes. Then, they re-do their gender in order to cope with their marginalized position. I analyze the accounts individuals convicted of first degree murder or kidnapping and sentenced to life without parole give of their crimes and the role that doing gender plays in constructing their accounts. The implication of this research extends well beyond how convicted criminals tell about their crime into other areas of daily life where men and women do gender.

Method

Data collection and analysis

Information for this article comes from a selection of 40 sentence commutation applications submitted by men and women convicted in Iowa of First Degree Murder or First Degree Kidnapping and sentenced to Life Without Parole. I obtained these documents through an open records request to the Office of the Governor. The documents span terms of three governors from 1999 to 2013. In addition to the actual applications completed by the imprisoned, I obtained the letter from the Iowa Board of Parole to the Governor announcing their recommendation, the IBOP official vote sheet, and the letter from the Governor to the IBOP rendering his decision and the rationale for it. I took the documents at face value. My interest is in the social construction of identities through narratives, not in assessing truth or validity of the applications.

I conducted a document analysis within the context of the grounded theory method. Documents are legitimate sources of data “forming a field for research in their own right” (Prior 2003, p. 26). According to Babbie (2008), analysis of a document’s content allows for a thorough approach to studying phenomena over a prolonged period of time. I obtained a group of 40 applications and attachments from the Governor’s Office.

The grounded theory method is an inductive approach to analyzing data. Rather than approaching the research from preordained hypotheses, the researcher allows the data to speak for itself. The theory emerges from the data. (Creswell 2009; Corbin and Strauss 2008; Charmaz 2006; Charmaz 1990; Glaser and Strauss 1967) Although not widely used with textual materials, LaRossa (2005) comments that grounded theory method provides a useful set of procedures for thinking about them in a theoretical fashion.

I retyped each application in order to immerse myself in the stories the applicants were telling. I reread the transcriptions on multiple occasions and I jotted down ideas as they came to mind in memo format. These ideas became the topics that I grouped together based on similarity. This resembles Corbin and Strauss’ open coding process where “breaking data apart and delineating concepts to stand for blocks of raw data” (2008:195). Two broad types of narratives emerged: How men account for their crime and how women account for their crime. After initial data analysis, I then began my review of the sociological literature on narrative. With a greater understanding of the theory and research, I went back to the transcriptions and identified more specific categories and subcategories within each of the broader narratives. Excerpts from applications included in the analysis section were chosen as representative of the two broad narratives that emerged.

Limitations

My study has four limitations. First, only 40 applications were analyzed. This is a small sample size that could distort the conclusions that I claim. In addition, the applications were limited to 1999 – 2013. Expanding the time frame to include applications from earlier years may show a different institutional sentiment towards sentence commutation. Third, I relied exclusively on the written commutation applications submitted and the corresponding documents. Greater understanding would be obtained through in-depth, face-to-face interviews with each of the applicants. Finally and more fundamental, I coded the data alone resulting in no inter-rater reliability.

Results and Analysis

Analysis revealed that men construct accounts of their behavior as doing gender, specifically doing masculinity (Connell 1987, 2005). Repeatedly, men told of having a long history of aggressive and violent behavior, committing their crimes by themselves and, for those men who killed their partner, did so out of rage. Through each of these tales, men only provided one set of accounts – explaining the legal crime because all of these traits are normatively attributed to being male in our society. Contrasting women's accounts were found to be more complicated because they had to account for two types of crime: The legal crime and as significant, the gender crime. Women who commit violent crimes violate fundamental gender norms. Women told of acting bad but not being bad, being victims of dysfunctional relationships with men and, for those women who killed their partner, did so out of self-defense. These are analyzed more fully in the paragraphs that follow.

Doing masculinity

Bad heart

Over half of the men's accounts told included involvement in years, even lifetimes, filled with violence. Obsession with sex, years spent in military combat and lengthy rap sheets were typical narratives of this account.

BG describes his heart as a young man who goes to a parking lot with the expressed intention of finding a "beautiful girl" to kidnap and sexually assault at gunpoint.

This crime came from a bad heart. Violence and aberrance lived in my earliest remembered thoughts and I lacked normal regard for people. But I carefully hid these things from everyone because I knew even then that they were wrong.

As with many, sex held increasing interest for me in adolescence. At 16, it seemed like about the most important thing. And, being as I was, I became unwilling to wait for proper, consenting circumstances. When my parents left home on vacation in December 1981, I set out to experience what I imagined I was missing out on.

Others described the experience while in the military as instrumental in shaping their violent selves. Their military job condoned violence and killing. Unlearning these ways proved problematic. EW explains his experience:

When I graduated from high school, I entered the US Marine Corps, in the year 1962. The United States was on the fringes of what would become the

Viet Nam war. The Marines did not necessarily make me into a man, they took me and forged me into a weapon, to be used to defend the rights of this country. I completed my obligation to the US Marine Corp and to this country, the United States of America. I received an honorable discharge.

In 1966, when I was discharged from the US Marine Corps, the US Armed Services did not have psychologists and guidance counselors and departments of various human services in which to assist the service men and women, toward making some sort of readjustment from military life back to civilian life as they do today. Without such assistance, when I arrived home, I was no better off than when I left. I still had no individual identity or personal skills to be a husband, father or useful citizen. I had been trained to follow orders and nothing else. I knew only how to be a Marine, which led to my eventual downfall. I had no plan for my future and no problem solving skills. I didn't even know who I was, I just followed the crowd and following the crowd landed me in prison.

Others tell of lengthy rap sheets characterized by many prior offenses. These narratives indicate lifetimes of criminal acting and thinking, most often beginning in the early teen years. Before committing murder and being sentenced to life at the age of 18, GT tells the tale of an uncontrollable teenage boy.

As a teenager, I lacked both guidance and discipline because of my father's alcoholism and my mother's depression problems. Their own problems prevented them from being the parents I needed them to be. Their divorce

when I was 14 left me without structure in my life. I rebelled against my mother until she sent me to live with my father at the age of 15. He ceased being my father and became my buddy, actually taking me to bars and allowing me to drink alcohol with him. I had no curfew, no one checking report cards and basically no one to answer to on a day-to-day basis. By the time I was 17, after two years of living this way, I was an out-of-control alcoholic. My father, not knowing what else to do, kicked me out on the streets. I dropped out of school and tried to be an adult, holding a job, paying rent, and basically trying to be responsible. However, I was put in a position to make adult decisions with an immature mind and made all the wrong decisions. I lacked self-discipline because I never really knew or understood discipline. Add that to an addiction to alcohol and it was very self-destructive.

Acting alone

Most men (72%) tell of committing their crime on their own. DE has a long rap sheet starting in the 1970's. This account includes stories of being in an altercation with another male that eventually leads to the crime.

After an outing with a couple of newly acquainted female friends and returning to their residence, we encounter the presence of Mr. S. There was an altercation with one of the women and Mr. S. which resulted in the glass of a storm door being smashed by Mr. S. and the police being called. I sustained

a small cut over my eyelid from a shard of broken glass. Being spooked by all of this I decided to leave for fear that maybe something bad could happen.

While running he stated that he knew where I lived. Because of this statement and his eventual presence where I lived, I obtained a shotgun from my grandfather. A confrontation ensued between us outside the housing complex where I lived. As I was beginning to leave, Mr. J. shouted to watch my back or something to the fact. I looked towards Mr. J. who was putting his hands in his pockets, I then fired the gun at him.

Another storyline of the acting alone account describes the role that excessive drinking played in committing the crime. JF tells of being addicted to alcohol for the better part of the decade leading up to his life sentence. He never received help for it.

On the evening of May 26, 1991, I and my cousin JC were at our residence. Also there was a friend present by the name of SC. We were all drinking alcohol. As the night progressed we started to drink more and more and soon became drunk. Shortly after, me and my cousin JC started to argue about some family problems we were having. As the arguing continued tempers flared and we became more aggressive towards each other. Then a fight broke out in which that time we exchanged blows.

Until I was formally charged for 1st degree murder and willful injury for the death of my cousin JC. At that time I was also told that I had made a confession via video which I don't ever remember doing at all. I believe the

reason of this was I blacked out because of the alcohol and the injuries I received to my head.

Filled with rage.

Three men were convicted of killing their romantic partner. Each narrative the men tell involves being enraged by an action or series of actions of the women. In essence, this account indicates that the women brought the violence on themselves.

An alcohol and prescription drug induced argument about money between CL and his girlfriend led to a fatal incident. The narrative that he gives leading up to the incident includes an argument that became more and more heated between the two of them. His narrative describes a scene where his friend, who was driving the car, was given instructions to stop the car on the Mormon bridge over the Missouri River.

L finally stopped the car in the Westbound lane of the Iowa-Nebraska Mormon Bridge, I then pulled Donna from the car and she fell on the ground. She said, "Well, what are you going to do?" at this point I picked D up and held her over the bridge railing with the intention of only scaring her, when she began to struggle due to the fear she may fall, causing me to lose my grip of her and she fell from my arms into the river. At this point the bridge was 65' above the water.

Another tale from the "filled with rage" account describes a marriage unraveling despite several attempts to fix it. DL's narrative tells the story of growing apart, having difficulty communicating, attending counseling sessions and even separating for several periods of time.

Most of my happiness and appreciation for each other at the end of counseling or trial separations were very short-lived. On 2/22/1973 and while in the garage of our home, we were about to enter the car to go out for dinner. R cursed me and I suddenly lost my temper. In an uncontrolled emotional outburst of rage I struck R repeatedly – taking her life. For approximately two hours, I lost myself and only vaguely do I remember the events that followed. I ended up at a farm home in rural Montour, IA, where I reported the death of R and asked that law enforcement officials be notified.

The final narrative tells of RT who kills his wife upon discovering that she has been having an affair with another man.

On June 2, 1979 I was arrested and charged with first-degree murder of my wife. Although I committed a horrible crime of taking my wife's life (which I will always regret), the crime I committed was done in the heat of passion.

This was my wife for 7 years who I did work for, care for, and loved as well as the kids she bore me.

Undoing and redoing gender

Acting bad, not being bad.

In contrast to the tales men told about being bad, women spent a good deal of time explaining why they weren't a bad person. Rather, their crime was a one-time bad act. The vast majority indicated having no prior experience with crime or violence (93%). YL tells about "reacting out of proportion to the situation":

In June 1987 at the age of 16 I left an abusive home in Kalamazoo, MI to attend college at Iowa State University. I thought my problems would disappear when I left my family. By fall I was drinking heavily, engaging in promiscuous sex with older male students, and had become a nude model for KS, a 42-year old paraplegic, divorced father, and budget analyst. KS drew pictures of me, took nude photos of me, and frequently took me out to eat. I felt uncomfortable, but I also felt trapped. When KS attempted me to have sex with him on December 6, 1987, I reacted out of proportion to the situation and killed him. I then attempted to make his house look like a robbery scene, took his van, and used his credit cards the next day.

Another set of narratives that women told to substantiate their claim of not being a bad person was being a victim of mental illness. Significantly more often than men, women claimed a mental illness that facilitated them in committing the crime (8% of men vs. 24% of women). CS' tale told includes several suicide attempts and multiple psychiatric hospitalizations.

Shortly before the crime occurred, I called the Mt. Pleasant Mental Health Institute and requested admittance. I told them I was suicidal because my grandfather died one day before and my boyfriend beat me up again. The said (not verbatim) it wasn't that serious and I could be better assisted by my local hospital who then sent an ambulance to pick me up since I was too weak and battered to walk. In my one week of treatment, I watched films on domestic abuse and was placed on the medication, Xanax. In the middle of the week, I took a furlough to my grandfather's funeral and a get together at

my parents. At the end of the week, I was released under the terms that I live with my parents.

I spent only one night with my parents. KP called me in the afternoon of the next day. He asked that I and K (our son) come back to live with him. He also promised never to beat me again, a statement he never declared before. After two days of living together again, the abuse occurred one last time.

Despite attempts to remember my crime, I am unable to do so. I know I killed him, but only because of the facts I have been told. I am also told that after I killed him, I went out of the house and went to a park, leaving my son along with his dead father. I cannot imagine what was going on in my mind that night. I was drugged, depressed and battered. I offer no excuses, but only an explanation.

KF's narrative begins at the age of 14 when forced to take Prozac for her problem behaviors and depression resulting in her stabbing her aunt to death.

I was forced to take the medication at Orchard Place and soon after began having hallucinations in my living unit. The information is all documented evidence, which consisted of "homicidal" visions of my roommates having knives stuck in their heads.

I ran away from Orchard Place with the assistance of another person. JF and the two of us traveled to my Aunt A's house because it was a "safe" place for

me to go. My intentions were not to cause any harm of any sort. However, in the midst of the time there were words exchanged and my aunt began to “criticize” me and my lifestyle regarding my mother being involved with African American males, me practicing the Muslim religion, and trying to find my way in life. I remember telling my aunt that I felt I didn’t know who I was, because of the whole color issue, my mother being Caucasian and my father being AA. I remember telling her I think that is why I reached out to AH, per our conversation regarding this I “snapped” and lost it totally, regarding painful memories about the rape.

Victim of dysfunctional relationships with men

Several of the women (64%) described a lengthy history of being in abusive relationships with men. This account sets the stage for the commission of their crime. In five cases the women claimed they didn’t know a crime had been committed, that it was their boyfriend or husband that was responsible. In three cases the women claim they were not in the vicinity at the time of the murder and were unaware the crime took place. CL claims that she her abusive boyfriend R went to her best friend’s grandfather’s house to ask for money in a borrowed truck.

I told R that we had to get the truck back and that Debbie would be mad at me for being late, but he didn’t get ready to leave. I told Grandpa that I was leaving and R said he would be out in a minute. R didn’t come out and I knew if I went in it would take him longer to leave, so I honked the horn. Rick didn’t come out so I started the truck thinking he would hear and come out.

He didn't. I pulled around to the front of the house and Rick came out. He got into the truck and started yelling, "I killed him." I didn't believe him, and I promised him I would stay by him forever.

Self-defense

Four women claimed self-defense and they determined murder as the only course of action in order to be released from the abuser's control. Three of the four killed their partner. TD attempted to kill her abusive stepfather, but instead accidentally killed her brother and sister in an intentionally set house fire.

DD claims that anyone in her situation would have done the same thing. Her husband had been abusive to her for over 19 years. She was pregnant and feared for her life and the life of her unborn child.

After 19 years of abuse and knowing what he was capable of, I felt that day he was going to kill me and my unborn child because he wanted me to have an abortion and I refused. I am not a mean, vicious or vindictive person. I felt that this was my only choice on that day. I never in my life intended for something like this to happen and I am deeply sorry that I shot him.

MKT told of the psychological abuse she endured that ultimately led to her purchase of a gun and ammunition. After sharing this with her psychiatrist, she went to her husband's office and shot him multiple times.

Returning to Labor Day 1975 and A's revelation of wanting to leave the marriage, a week or so after he initially told me he wanted a divorce, I agreed that he should stay with me through his malpractice suit. Then he told me he

had changed his mind – that he was going to remain in the marriage. However, this announcement was followed by his on again, off again, cruel psychological acts. One day he would tell me he wasn't going through with the divorce; then he would tell me he wasn't going to divorce me. This continued daily and for several months. He left "compromising" pictures of himself and his subsequent wife in places where I could see them. He ordered me to withdraw \$2500 from our savings account and to make a check in that amount out to her. He would curse me telling me I "was old – she was young," and profligate spending ways that would torment me. This continued until he left the house at 4:00 a.m. one morning in mid-February 1976.

In order to prevent the sexual abuse at the hands of her stepfather from continuing and him from beginning to sexually abuse her sister, TD deliberately set fire to the family home with the intention of killing he and her mother. Her little brother and sister were unable to escape, while her mother and stepfather did. She narrates her story of desperation.

I have been sexually abused since age 4. This man B started sexually abusing me when I was 13 and continued. I know he also just a short time before I started the fire, started to hit on my 13-year old sister, J. I set the fire to get rid of him, but it didn't work out the way I planned and for that I am truly sorry that J and K died.

Summary and Conclusion

In this final section, I summarize the results from the analysis I conducted. I discuss the contributions made to the existing literature on doing gender by this research. I conclude with suggestions for further research.

The focus of this article is how men and women who have committed violent crimes, such as first degree murder or kidnapping, account for their behavior. Men and women account for their criminal behavior in very different ways. Men tend to do masculinity when constructing their tales. Conversely, women had to un-do their gender since women are not seen as being capable of committing violent acts. Then, simultaneously, women must re-do their gender in order to provide an acceptable account.

Even when men in commit violent crimes, they are perceived by audiences to be engaging in gender appropriate behaviors. Possessing evil intent and acting upon it, acting alone and displaying rage have all been attributed to hegemonic masculinity (Anderson, Daly & Rapp 2009; Bird 1996; Copes & Hochstetler 2003; Grazian 2007; Newburn & Stanko 1994). Society's expectations privilege men for behaving badly.

Women have to un-do their gender because committing violent crimes goes against their gender and is seen as gender inappropriate (Lloyd 1995). Women are seen to be society's nurturers (Ridgeway 2011). Further, they needed to re-do their gender by providing an account that included one or more of the following: acting badly (but not being a bad person); being involved in dysfunctional relationships with men; or acting out of self-defense.

The main contribution to the existing literature is the insight into how men have a single burden of accounting for only their legal crime compared to the double burden of

accountability for women. Because men are engaging in what is considered by our society as gender appropriate behavior, they must singly account for their legal crime by constructing a persuasive narrative for their unlawful behavior. Women have to account for two crimes – the breach of law and the breach of gender.

It valuable to note that gender bias and burden against women still exists in our society, even when constructing accounts for violent behavior. The discrepancy in accountability further reinforces and reproduces the inequality privileging one gender over another in our society. My research sheds an important light on how gender is done and how it is institutionalized in our society.

My findings are exploratory in nature and are based on a small sample size. Further research is needed to substantiate my claims findings. Results from the present analysis have implications for additional accountability burdens that may exist beyond gender. Such as those based on race, ethnicity, nationality, sexuality and religious affiliation. This should be the subject of future research.

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CHAPTER IV

BECOMING AN EX-: NARRATING THE EXIT TO A LIFE SENTENCE

A paper to be submitted to *Symbolic Interaction*

Laurie Jordan Linhart

ABSTRACT

Role exit, according to Ebaugh (1988, p. 1) is “The process of disengagement from a role that is central to one’s self-identity and the reestablishment of an identity in a new role that takes into account one’s ex-role”. On one hand, it is common to experience role exits from education, employment, relationships and religion just to name a few. On the other hand, it is very uncommon for someone who has been convicted of murder or kidnapping to become an ex. Society and its institutions view this role as enduring and practically permanent as evidenced by the harsh punishment meted out by the criminal justice system. Applying the grounded theory approach, I conducted a document analysis of a selection of 40 applications submitted by individuals requesting life sentence commutation. I discovered two sets of broad narratives. One broad narrative describes prison as a place of opportunity. The second broad narrative describes the projected future self who is free from incarceration. One or both narratives were constructed and presented to the authorities in hopes of exiting the role of “lifer”. Two conclusions are made. First, exit from a stigmatized role appears to be constructed across time. There appears to be a necessary order to the transformation narrative that involves engaging in the ongoing strategies of behavior and structure. Second, there is much more to a stigma role exit than just the individual desiring to be stigma free. In our society there are cultural and institutionalized

expectations for this type of role exit and therefore, the individual has little real control over the exit.

Introduction

Role exit “is the process of disengagement from a role that is central to one’s self-identity and the reestablishment of an identity in a new role that takes into account one’s ex-role” (Ebaugh 1988, p. 1). By the time we’ve reached adulthood, it is common to have experienced one or more role exits from education, employment, relationships, and even religion.

Current sociological scholarship has looked at a variety of role exits, such as exiting marital relationships (Vaughan 1986), professional athletics (Drahota and Eitzen 1998; Stier 2007), retirement (Harris and Prentice 2004), and religion (Bromley 1998). Each emphasizes the process that takes place as one exits a role, how the process can be generalized across various types of exit and identifies what factors make the exit more or less successful (George 1993).

Then, there are role exits from stigmatized identities. A stigma is defined as “an attribute that is deeply discrediting” (Goffman 1963, p. 3). Examples of exit from stigmatized identities include the exiting the role of sex worker (Sanders 2007), from being obese (Granberg 2011), from being an alcoholic, drug addict or having an eating disorder (Brown 1991), from a mental illness (Howard 2008) and from being a molester (Pryor 1996). The early scholarship on stigma, spoiled identities and stigma exit began with Erving Goffman (1963). Situated in impression management, Goffman (1963) claimed that

stigmatized people aren't fully accepted by society and possess a spoiled identity that needs repair.

But how about those stigmatized identities that are so discredited making it virtually impossible to exit? How is the exit process that individuals who are convicted of first-degree murder or kidnapping attempted? How do they construct a potential ex-identity to those in authority? Society and its' institutions view this role as enduring and practically permanent as evidenced by the harsh punishment meted out by the criminal justice system. In Iowa, the only way someone who is sentenced to life can potentially become an ex is to complete a commutation application with the Iowa Board of Parole (IBOP) and the Governor's Office. I conducted a document analysis of 40 commutation applications submitted by to the Iowa Board of Parole and the Office of the Governor.

I show that constructing an ex-identity is a complicated process for those convicted of first-degree murder or kidnapping. Narratives tell tales where the individual sees prison as a place of opportunity. They draw upon behavioral, cognitive and structural narrative strategies to construct an ex-identity. Narratives are also projected into the future, as the individual talks about their future self. Behavioral and structural narrative strategies are included in this narrative.

Not all individuals included both narratives in their applications, however. Of the 40 applications analyzed, 37 applicants told a narrative of prison as a place of opportunity. Of those, 21 applicants also added to that a narrative of their future self. Three applicants didn't provide either narrative.

Previous work has concluded that becoming an ex is a process (Ebaugh 1988; Brown 1991; Granberg 2011). The individual moves through a series of specified stages in

order to become an ex. In each of these cases, the individual had already completed the role exit and retroactively narrates their exit. I contribute to the existing literature of role exit in two ways. In my research, the individuals are actively constructing their ex-murderer (kidnapper) identity while still sentenced, incarcerated and living the role they are hoping to exit. Other research uses a retrospective approach to data gathering where the individual is asked to reflect back on their role exit experiences. Secondly, these individuals are also likely to be unsuccessful in their attempt to convince the authorities their roles should be relinquished. The individual has low control over the decision made on their behalf due to the high degree of institutionalization of the commutation process. Previous ex research doesn't focus on probable unsuccessful role exits.

A general background informing the reader about the technical aspects of sentence commutation can be found in this dissertation's introductory chapter along with a description of applicant characteristics. A review of the pertinent literature on role exit, a description of the method used, as well as the study's limitations, follow. I present the two broad narratives along with the strategies used. In the final section, I provide a summary of the results, note my contributions to the existing research, and draw conclusions from my work, along with suggestions for future research.

Literature Review

In this section, I review the literature on role exit. My first focus is on the process of becoming an ex as was first theorized by Ebaugh (1988). I turn my attention next to the body of literature that theorizes stigma role exit (Granberg 2011). I conclude the literature review discussing process of becoming a professional ex (Brown 1991).

Role exit

Ebaugh (1988) studied role exits from religious, political, sexual, family, occupational and stigmatized roles. She defined role exit as “the process of disengagement from a role that is central to one’s self-identity and the reestablishment of an identity in a new role that takes into account one’s ex-role” (Ebaugh 1988, p. 1). She claims there are three central characteristics that make role exit different from other transitions. First, a certain amount of role residual exists, creating a “tension between an individual’s past, present and future” (Ebaugh 1988, p. 5). Even when moving into a new role, the former cannot be fully discarded. Also, she notes that even if the individual is able to compartmentalize or discard the former identity, society may not. In many instances we react on the basis of what one used to be, not what they currently are. Finally, the impact of role exit goes beyond the individual. It affects the important others in their lives.

She theorized a four-stage exit process in which each person passed through. The first stage was “first doubts, in which individuals began to question the role commitment they had previously taken for granted (Ebaugh 1988, p. 34). She found that positive reinforcement from others enhances their doubt. Stage two is characterized by the individual “seeking and evaluating role alternatives” (Ebaugh 1988, p.87). She describes this as anticipatory socialization future role taking. The third stage is where the individual makes the role exit decision explicit and it represents the “turning point” (Ebaugh 1988, p. 123). The final stage is “creating the ex-role” and occurs after the role has been exited (Ebaugh 1988, p. 149). Here is where the individual enters into a new role, but still has to fully deal with all of the baggage from the previous role. She concluded individuals have to

cope with the “impact of role residual or the holdover identity derived from the previous status” (Ebaugh 1988, p. 182). It wasn’t as simple as being socialized into a fresh new role.

This model of role exit has been applied throughout the social science literature. One interesting application is to ex-athletes, a typically involuntary role exit. Drahotka and Eitzen (1998) and more recently Steir (2007) find congruence with Ebaugh’s (1988) theorizing. Harris and Prentice (2004) apply the model to the process that ex-community college faculty went through before and after retirement. Bromely (1998) finds the process applicable to those exiting religious roles, even when socially contested.

Exit from a stigmatized role

Stigmatized role exit is a trickier and more complicated process. Stigma was originally described as “an attribute that is deeply discrediting” (Goffman 1963, p. 3). Granberg (2011) claims stigma exits are possible, but not easy, because major stigmas are attached to characteristics often thought permanent. In order to successfully exit a stigmatized identity, both the individual and significant others must change.

Granberg (2011) claims such exits have behavioral, structural and cognitive dimensions. Behavioral dimensions of stigma role exit are actions that the individual takes to change their status. These are deliberate and self-motivated. Structural dimensions are the social interactions that “validate the emerging post-stigma self-concept” (Granberg 2011, p. 31). Cognitive dimensions are adjustments in thinking in order to move from the old, stigmatized self to a normal self.

A variety of empirical pieces on stigma exit have been authored. A haunting piece of research by Pryor (1996) documented the role exit from molester. He determined men

exited offending by first becoming “engulfed by fear that they would be caught” (P. 222), then by stopping either temporarily or permanently, then by turning themselves in or by getting caught. Exiting the role of sex worker (Sanders 2007), from being obese (Granberg 2011), from being an alcoholic, drug addict, drug dealer or having an eating disorder (Adler and Adler 1983; Brown 1991) are also found in the literature.

Becoming a professional ex

Brown (1991) focuses on a specific type of role exit, that of a professional ex. He found that individuals with stigmatized identities from deviant careers may intentionally embrace their deviant identity by taking on a new role in the counseling profession. Brown finds that it isn't enough for them to anonymously participate in Alcoholics Anonymous. They are called by their formerly deviant selves to become counselors. They use their deviant past to help others.

The professional ex is constructed across four stages. Stage one is emulation of one's therapist. Brown found that individuals develop a strong emotional attachment to their counselor and aspire “to have the emotions and meanings once projected toward their therapists ascribed to them” (p. 221). This serves the distinct purpose of preventing relapse into former deviant behavior. Stage two is being called to a career in counseling. Individuals still identify themselves with their deviant behavior and “use their experiential and therapeutic transformations to legitimate their entrance into and authority in counseling careers” (p. 223). Stage three is status-set realignment where they “reciprocate their counselors' gift, immerse themselves in a new universe of discourse, and effectively lead novitiates to salvation” (p. 224). Their master status becomes these transformed

identities. The final stage is credentialization. In a traditional sense, this involves acquiring knowledge through education. In the professional ex sense, however, it involves personal experience. They have first hand experience of deviant behavior and are uniquely qualified as a result.

Contemporary applications of Brown's (1991) professional ex work includes White (2000); Maruna (2001); Maruna, LeBel and Lanier (2003); Bazemore and Karp (2004); LeBel (2007). All found benefit to the ex from acting as counselor, helper or wounded healer to troubled others. LeBel (2007) sums it up, "The results indicate that the helper/wounded healer orientation has a positive relationship with higher self-esteem and greater satisfaction with life, and a negative relationship with having a criminal attitude and the forecast of re-arrest" (P. 2).

The literature shows the importance of focusing on the process of role exit, not just role acquisition. It is a complex process involving managing stigma through several dimensions. In the following paragraphs, I analyze the stigma role exit narratives provided through commutation applications submitted to the board of parole and the governor's office by those convicted of life sentences without parole seeking reprieve.

Method

Data Collection and Analysis

Information for this article comes from a selection of 40 sentence commutation applications submitted by men and women convicted in Iowa of Murder or Kidnapping and sentenced to Life. I obtained these documents through an open records request to the

Office of the Governor. The documents span terms of three governors from 1999 to 2013. In addition to the actual applications completed by the imprisoned, I obtained letters of recommendation, the letter from the Iowa Board of Parole to the Governor announcing their recommendation, the IBOP official vote sheet, and the letter from the Governor to the IBOP rendering his decision and the rationale for it. I took the documents at face value, no questioning of accuracy or integrity occurred. My interest is in the social construction of identities through narratives, not in assessing truth or validity of the applications.

I conducted a document analysis within the context of the grounded theory method. Documents are legitimate sources of data “forming a field for research in their own right” (Prior 2003, p. 26). According to Babbie (2008), analysis of a document’s content allows for a thorough approach to studying phenomena over a prolonged period of time. I obtained a group of 40 applications and attachments from the Governor’s Office.

The grounded theory method is an inductive approach to analyzing data. Rather than approaching the research from preordained hypotheses, the researcher allows the data to speak for itself. The theory emerges from the data. (Creswell 2009; Corbin and Strauss 2008; Charmaz 2006; Charmaz 1990; Glaser and Strauss 1967) Although not widely used with textual materials, LaRossa (2005) comments that grounded theory method provides a useful set of procedures for thinking about them in a theoretical fashion.

I retyped each application in order to immerse myself in the stories the applicants were telling. I reread the transcriptions on multiple occasions and I jotted down ideas as they came to mind in memo format. These ideas became the topics that I grouped together based on similarity. This resembles Corbin and Strauss’ open coding process where “breaking data apart and delineating concepts to stand for blocks of raw data” (2008:195).

Two broad types of narratives emerged: (1) the prison as a place for opportunity and (2) my future self. After initial data analysis, I then began my review of the sociological literature on narrative. With a greater understanding of the theory and research, I went back to the transcriptions and identified more specific categories and subcategories within each of the broader narratives. Excerpts from applications included in the analysis section were chosen as representative of the two broad narratives that emerged.

Limitations

My study has four limitations. First, only 40 applications were analyzed. This is a small sample size that could distort the conclusions that I claim. In addition, the applications were limited to 1999 – 2013. Expanding the time frame to include applications from earlier years may show a different institutional sentiment towards sentence commutation. Third, I relied exclusively on the commutation applications submitted and the corresponding documents from the Iowa Board of Parole and the Governor's Office. Greater understanding of all narratives told would be obtained through face-to-face interviews with each of the applicants. Finally and more fundamentally, I coded the data alone resulting in no inter-rater reliability.

Results and Analysis

My findings are that individuals, in an attempt to persuade authorities, describe a transformation or evolution from a stigmatized identity of murderer or kidnapper to one that is worthy of commutation and suitable and safe for release back into society. Two broad narratives emerge from the data. The first narrative I discovered is "prison is a place

of opportunity” as individuals write about the good that has come from their prison experience. The second broad narrative I discovered is the “tale of the future self “ that will permanently desist from crime and give back to society. The majority told one or both narratives to persuade those in power they were deserving of sentence commutation. Thirty-seven applicants told the “prison is a place of opportunity” narrative; 21 told a “tale of future ex” in addition to “prison is a place of opportunity” ; only three applicants did not mention either.

This study extends the work of Granberg (2011) by arguing that each narrative includes a combination of strategies composed of behavioral, cognitive and social structural components. Strategies were coded as behavioral when an individual told about engaging in some worthwhile action or set of actions. Strategies were coded as cognitive when the individual told about undergoing some shift in thinking. And, strategies were coded as structural when the individual indicated the social structure validates them as a person to whom the stigmatizing labels no longer apply (Granberg 2011). These narrative strategies facilitate the storyteller’s case, helping to make the case for becoming an ex.

Prison as place of opportunity: “I believe good can come from prison”

In a seemingly ironic twist, this narrative characterizes what those of us in the “free world” would consider one of the worst places on earth to be the place that provided those inside them with a treasure trove of opportunities. I discovered three behavioral strategies that were told, these included narrations of employment, education and volunteerism. I discovered three cognitive strategies, these included narrations of maturation, addressing addiction or other dysfunctions, and becoming religious. I also discovered two structural

strategies, these included family support and endorsement from important others. All of the narrated opportunities were designed to facilitate stigma removal from the convicted by the authorities and society in general (Granberg 2011).

Behavioral Strategies: Working, going to school, making the world a better place behind (and beyond) the fence

Working

As has been noted elsewhere, navigating a stigma exit from murderer or kidnapper is a lengthy and complicated process involving many different activities. Employment, regular and steady, is frequently narrated as one behavioral strategy. In some instances employment allows the individual to develop skills that he/she didn't have prior to coming to prison. One individual became an expert at boot making and repair. Someone else learned about gardening and flowers, and all of the proper techniques in taking care of them, as a greenhouse hydroponic worker. Another person learned how to build custom cabinetry. RH went AWOL (absent without official leave) from the United States Army at the age of 18. Shortly thereafter he shot and killed a taxi cab driver, stealing the cab for transportation. He confessed to the crime upon being apprehended. He has served 50 years of his life sentence. He narrates his learning how to repair business machines while incarcerated:

Years ago I studied and received diploma in Business Machine Repair at Ft. Madison prison. I have much and varied experience at prison work which can be readily applied to employment outside the prison setting.

Working “outside the fence” is seen as significant. At the women’s prison in Mitchellville, IA, Iowa Prison Industries is located in proximity to the prison, but outside the fence. Women build and assemble furniture and products for state agencies and the general public. Individuals with only the highest level of trust are allowed to leave the prison fence and engage in some sort of paid labor. Other high responsibility jobs include the prison barber or beautician because they regularly use sharp objects that could be turned into weapons. Working as a suicide watch aid in “the hole” was also seen as a position of responsibility. SJ provides this description of her duties, “watched inmates who tried hurting themselves or felt like hurting themselves or was on some kind of medical watch”. Being an assistant in the education department is also esteemed in a similar way to a suicide watch aid, both roles elevate their status above that of the average inmate giving them power over others. JW was sentenced to life in prison at the age of 33 and is now 67. She has held several positions over the years and at the time of her application she was employed as the clerical assistant to the education department. She describes her duties:

I created the attendance sheets for the GED/LIT classes. I have created several forms for use in the Education Department. I type memos and do general typing when needed. I do filing and complete ACIS sheets when a student completes a class. I make certificates for students when a class is completed. Each day I answer kites and schedule people for computer classes. Each week I make the roster, attendance sheets, half test sheets and computer schedule. I make IEP’s, folders, and journals for new students. Once a month I type student goal sheets for the GED/LIT classes. I type and send a class schedule to the Counselors.

Going to school

Another behavioral strategy narrated in the quest to become an ex-murderer or kidnapper is to take advantage of the education programming that is provided while incarcerated. Inmates are expected to complete their General Equivalency Diploma before being considered for release. Many of them dropped out of high school or were incarcerated during their adolescent years. Several describe taking college courses, achieving their Associate of Arts degree, Bachelor's Degree and even advanced degrees. DL makes it explicit that he "was the first Iowa inmate to earn a four year degree" while incarcerated. He goes on to say he was the "first inmate to attend graduate school in political science and I have earned all but three hours of my degree and 25% of my thesis". Quite unusual is SH who states he earned an Associate of Arts, a Bachelor of Liberal Studies, two Master's Degrees, as well as a "Doctor of Christian Education, magna cum laude, 2003, Shalom Bible College and Seminary".

Other kinds of educational opportunities include learning a trade skill. Local community colleges provide certification in welding, auto mechanics, upholstery and cooking / culinary. In some cases, the inmate puts their newly honed skills to use within the prison. DL killed his wife "in an uncontrolled emotional outburst of rage, struck R repeatedly - taking her life". He describes achieving a Master Gardener status and goes on to become a teacher for them within the prison:

I enjoy teaching classes for the Iowa Master Gardener Program and following up by teaching basic gardening practices to inmate residents. The latter offers me an opportunity to demonstrate and instill positive work ethic, commitment and responsibility to the resident inmates. I try to teach the men to do their best and

take pride in their accomplishments and explain how this attitude can and does work well when performing any task. I like to end each day with a sense of accomplishment and I try to do the best I can with everything I do.

Volunteering

Community betterment through volunteerism was the third behavioral narrative strategy. Inmates narrated how and what they did to make their prison community and the community at large a better place. Gardening, working with flowers and yard work, even “organizing the annual Christmas light display for City of Mt. Pleasant.” Speaking on inmate panels to groups of high school and college students “about ways to stay out of prison and what its’ like to be locked up away from home”. Helping the Animal Rescue League of Iowa through the Paws and Whiskers programs rehabilitate cats and dogs in order to be adopted. Volunteering in the prison’s hospice program by sitting bedside in an inmate’s final days. Other narratives described being involved in fundraising efforts or making items to donate to nonprofit organizations like Amanda the Panda, Ronald McDonald House, Blank Children’s Hospital, and a local nursing home. SH paid an acquaintance \$3,000, whisky, his 1979 Trans Am and the promise of a summer job to kill his aunt. He narrates how his skills and abilities are put to use:

My design and drafting ability permitted me to draw preliminary plans to expand Hamilton, IL VFW. Additionally, I drew preliminary plans for a Hamilton, IL community center. Furthermore, I offered to contribute to over a dozen Vision Iowa project proposals.

Cognitive strategies: Maturing, addressing addiction and other dysfunctions, and becoming religious

Maturing

Cognitive change is an essential component in the effort to construct an exit to a stigmatized criminal identity (Fox 1999a; 1999b). Individuals undergoing cognitive change indicate a persistent shift in their thinking. Three strategies are the most frequently constructed. One strategy, narrated notably by those incarcerated from a young age, is they have grown up and mentally matured. CL who was convicted to life without parole for first-degree murder at the age of seventeen explains her transformation:

Growing up in prison has been anything but easy, but I have changed so much, physically, mentally and emotionally. Over the years, I have come to know myself and develop who I am by reflecting on my past and the effect my actions had on others. Today I am thirty-one and the immature, irresponsible person I was at seventeen, when I committed this crime no longer exists. Through constant self-evaluation, decision making and goal setting, I am responsible for myself and my future. Nothing “just happens” to me, because I have an awareness of what’s going on around me and I consciously choose who and what I become involved with. I do not wait for anyone else to take initiative in my life because I am doing this for myself everyday. My success no longer depends on whether someone loves me, because I have my own self-value and appreciation. My self-worth comes from my own accomplishments, ability to grow and what I can contribute to the world I am in.

KF was sentenced to life at the age of fourteen for killing her aunt. She describes a similar maturation trajectory:

I was fourteen years old and NOT beyond hope and with all the time effort I have put into the Restorative Justice programs and working with young teens has helped me change from that person I was eleven years ago into the grown woman I am today. I grew up in prison.

Others refer to the initial struggle and eventual overcoming of the criminal mindset. SC was sentenced to first-degree murder at the age of 23. He describes how far he has come in the last two-plus decades of incarceration.

I can honestly say I have changed, and a lot of that change has come by banging my head against a wall, so to speak. Over the past 22 1/2 years I have suffered more consequences by my own actions. But even a child learns after awhile that sticking his fingers into the fire will get him burnt. I don't think I would of changed my life without receiving the Life Sentence I was given. Because I believe one needs to experience brokenness, and lose of all things, so that he has no choice but to look at what he has done wrong. My life sentence saved my life, because the road I was on was surely a dead-end. I am not going to give you a story that I changed over night, like some miracle. It has been a long adjusting road, and it has been hard. But one can overcome, if they truly apply themselves.

Addressing addictions and other dysfunctions

Another cognitive narrative strategy deployed to convince the authorities of their ex-status included addressing their addictions, psychological problems and other dysfunctional thinking patterns. Much of this takes place by inmates telling of taking advantage of therapeutic opportunities available. Substance abuse treatment, anger

management, victim impact, self-esteem, criminality and health education are offered. Applicants weave their participation and shift in thinking into their narrative in an attempt to demonstrate their self-improvement.

Alcohol played a significant role in the commission of SF's crime and she narrates being addicted to alcohol her entire life:

On August 30, 1978, I had been drinking to the point of intoxication. I was to stop at Mr. OH's house to discuss the possibility of renting a house he owned. When I arrived at the house, Mr. OH was very jumpy and agitated, as I recall. Perhaps my intoxicated state further agitated him, I can't say for sure. At any rate, an argument started between myself and him. Mr. OH grabbed a wrench that was laying nearby and swung it me. We struggled and I got my hand on the wrench. In the process of the struggle I struck Mr. OH in the head. He fell to the floor and I panicked and left the house. I had no idea how badly he was hurt. Granted, I should have reported the confrontation and subsequent accident to the authorities but in my intoxicated state I failed to think rationally and did not do so.

She subsequently completed substance abuse treatment while in prison and is actively involved in Alcoholics Anonymous. She concludes: "I'm 55 years old and no longer a drunk".

A long history of mental illness, prescription drug addiction and alcoholism resulted in RV setting his apartment building on fire, which resulted in the deaths of five occupants. His narrative involves substance abuse treatment:

"I have achieved sobriety over my alcohol and prescription drug addictions – have not had a drink in over 18 years". He describes successfully completing all

treatment required of him, being actively involved in Alcoholics Anonymous, and a “model prisoner”.

Becoming religious

Telling of becoming religious and adopting a new set of values was the third common narrative strategy individuals used to demonstrate their readiness to exit the stigmatized identity of murderer or kidnapper. Participating in prison fellowship, singing in the church choir, attending and belonging to religious organizations were the ways in which they told of their shift in thinking from who they were outside the fence. Two individuals became ministers while in prison.

SH had his aunt killed by a “friend” after dropping out of college. He describes his life being “reckless and foolish”. But while in prison he becomes very involved in religion. SH speaks directly to the decreased risk to society that someone who is religious and religiously educated poses to society:

I had the privilege of successfully completing the Inner Change Freedom Initiative (IFI) Christian program. IFI graduates enjoy a 90 percent success rate in the community. With this Christian foundation, I pursued advanced theology education receiving the degrees: Doctor of Christian Education, magna cum laude, 2003, Shalom Bible College and Seminary; Master of Theology, magna cum laude, 2002, Shalom Bible College and Seminary.

After listing all of the religious activities and affiliations, he states: “This demonstrated spiritual growth and dedication to a Christian lifestyle support I am not a threat to public safety”.

DL was sentenced to life without parole on October 16, 1973 for killing his wife. He considers the years spent in prison learning to “look at life differently”. DL speaks more broadly to the change in his value system since incarceration:

I’m not sure why, but as I have grown older I find my values to have changed. I now find myself wanting to be useful, needed and helpful to others. There is special reward that comes from helping someone else, especially when you have helped someone to help himself. I adhere to this value more than you might understand. I can’t reverse the terrible crime that I have committed, but I do try to give back to society with the limited resources available to me.

Structural strategies: Family support and endorsement from important others

Structural strategies are those narrative strategies used when a component of the social structure validates the criminally convicted as a person to whom the stigmatizing label no longer applies (Granberg 2011). There were two primary structural strategies that emerged from the data. Narrating a supportive family that is engaged and involved in the incarcerated person’s life is one of those strategies. Another strategy that emerged is the incorporation of others narratives by including letters of support from important and credible others with the commutation application.

Family support

Having a supportive family and healthy relationships with those family members is a sign of stability. It represents one of the formula stories (Loseke 2007) that our culture embraces and is one of the structural strategies used. The institution of the family is one of the key components in the social structure. Commonly, ties are cut with the convicted

murderer or kidnapper. It is too difficult to see their loved one behind bars or their crime is seen as so unspeakable that forgiveness is impossible. Less likely is for the family to stick with their criminal family member. In order for the stigmatizing label to be removed, the individual must transform their relationships with their family, maintain their family relationships or develop new ones.

The narrative of family transformation is clearly told in this person's words. DS was convicted in the first-degree kidnapping of her son. Her son was physically restrained to the basement of their home and regularly beaten and tortured by her husband. She states. "It was decided that I knew about and allowed my co-defendant, LS, to abuse my son, TS, then seven years of age". Despite all of this, she narrates:

My son and daughter have come to see me often. My son started coming to see me in 1996. However, my son wanted to see me since he was 14 years of age. Nine years passed before I was able to see my son again. In those nine years, I wrote to both of my children faithfully and received letters in return. I also talked with them on the phone.

TS kept asking when he could see me. He kept asking more and more as the years passed. When he knew my parents and daughter were coming to see me, he would cry, wanting to come, too. Social Services didn't think he was ready to come see me.

Finally at the age of 16, I got to see my precious son! The visit went well, despite all of the years that passed.

The less common narrative of the family and greater community at large maintaining its love and support is told through DS 's tale. DS killed her husband after having her life threatened by him over almost two decades.

I want to be able to raise my children whom I dearly love and continue on with life.

Even my own community has supported me through all of this and continue to do so.

I am not a bad person and would ask that you realize that and grant me clemency.

Some individuals describe forming new families while incarcerated. GT was convicted of the first-degree murder of a popular middle school teacher at the age of 19. He describes a chaotic life where he was left unsupervised by his parents. He claims to have a healthy relationship for the first time in his life:

I have also met and married a truly bright, loving, and wonderful woman since my incarceration. Ann has taught me more than anyone else about life, love, and happiness. This is the first loving relationship I have ever been involved in with anyone. I have a wife who cares enough to stay committed to me in spite of my situation and all the sacrifices she has to endure being married to a man in prison. Despite it all, we are very happy and completely in love. I now know what it means to love and care for another person. This has helped me in my relationships with my parents as well; and helped me to work through the pains of my childhood with both of my parents. For the first time in my life, I feel like I have a family who loves and supports me. Ann is truly my best friend and the love of my life.

Endorsement from important others

A key component of the structural narrative strategy of moving beyond a stigmatized identity is to have others make the case on the person's behalf. Endorsements may come from a variety of sources. Friends and family, former and current employers, religious leaders, and those within the justice system are all possibilities. Influence varies across each of these important others, with the greatest influence being endorsements from within the justice system.

A letter from a former supervisor, the CEO and General Manager from Farm Bureau Mutual Insurance Company, was included in DL's application. It describes the long-standing relationship between the endorser and DL, and they have stayed in touch throughout the time in prison. His accomplishments and positive attitude is extolled in the letter.

Legal officials, such as county attorneys, defense attorneys, judges and attorneys general are influential. In this case the individual was sentenced to life and the Assistant Attorney General disagrees with the sentence.

I will tell you that I have problems with the idea of a life sentence for Mr. X. My belief in the inappropriateness of the life sentence is a personal belief that the felony murder rule is inappropriate in many situations where the facts make it applicable. This occurs where an actor's minor crime results in a major wrong. The punishment, by the felony murder rule, is made to fit the result not the intent. While I have no problem with the result being considered in determining the punishment, I believe the ultimate punishment should be reserved for situations where the intent as well as the result justify it. In Mr. X's case the imposition of the ultimate penalty was

appropriate to the result of his acts, but not the intent with which his acts were performed. For this reason, my personal opinion is that a term of years sentence would be more appropriate. This would better allow society to serve the punitive and retributive as well as the rehabilitative goals of incarceration for crime.

Wardens are unlikely to tender a letter of endorsement. However, when one is written, the Iowa Board of Parole and the Office of the Governor takes it into serious consideration. One such letter narrates a favorable recommendation for commutation for RW based on the following criterion:

- He has served 33+ years, beginning his sentence in 1975
- He is currently medium security based upon his favorable institutional adjustment
- He has taken advantage of education and treatment programs
- He is viewed as a positive role model for other offenders at the John Bennett Unit
- He maintains excellent behavior adjustment and is very cooperative with staff

The Iowa Board of Parole rarely provides a letter of favorable recommendation to the Office of the Governor. However, when they do it carries the most significant influence on the decision the Governor ultimately makes to either commute the individual's life sentence to a term of years or deny the commutation. An excerpt from one of these letters:

Making commutation recommendations is not a task taken lightly by the Board. A recommendation for commutation is based on the belief that there is no risk of future recidivism, reoffending or victimization coupled with something much more. It is believed, in this case, the individual poses no threat to society, and, indeed, has a very compelling anti-crime message to provide to young people who may be in

danger of participating in a life of crime. He has, additionally, shown that he is interested in delivering the message directly from prison and has not done so with an eye toward any kind of commutation or release consideration. He, furthermore, took it upon himself to assist a prison guard who was in a very bad situation.

In addition to taking advantage of all that prison has to offer in attempt to construct a stigma free identity, I found that 21 applicants narrated a future self. In essence, the narrated future selves were constructed to maintain the recent stigma exit. This is demonstrated by living a life free from crime and most importantly and therefore free from stigma. As one applicant narrates, "I am not likely, under any set of circumstances to commit another crime or sin". In the next section, I will unpack the future ex. I identify and describe the behavior and structural narrative strategies that emerged from the data. Strategies were coded as behavioral when an individual told about engaging in some worthwhile action or set of actions. Strategies were coded as structural when the individual indicated the social structure validates them as a person to whom the stigmatizing labels no longer apply (Granberg 2011).

Future ex: "I believe I can once again become a contributing member of society"

The "future ex" narrative was added on to the previous narrative of "prison as a place of opportunity in 21 of the applicant's stories. In comparison to the narrative of prison as a place of opportunity, the narrative focusing on the future ex self was found to have only two major strategies, behavioral and structural. The behavioral narrative strategies associated with the future ex self that emerged from the data were continuing their education, finding stable employment, securing stable living arrangements, taking

care of their family and becoming a professional ex. The structural narrative strategies discovered were the individual's supportive friends, family and community.

The missing strategy in the narration of the future self is the cognitive strategy where the individual narrates a shift in their thinking. I theorize this is the case because the shift to positive, non-criminal thinking has already occurred while in prison and will be maintained into the future.

Behavioral strategies: Education, employment, living arrangements, family care-taking, becoming a professional ex

Continuing my education

Many inmates narrated taking advantage of the formal and informal educational opportunities while incarcerated. In narrating the future self who has successfully exited stigma, furthering their education becomes a noteworthy strategy. For CL who has been incarcerated since she was 17 years of age (is now 46 years of age), it is part of her release plan that she included in the commutation application.

I also plan to continue my education because I have been working towards reaching that goal since 1987. My brother tells me that no one gets anywhere without a degree. I heard that when I was younger, but you hear it again when you are older and you know it can make the difference between carpeting and cement.

At this point, I have a series of various college credits at the University of Iowa, which will be transferred to West Virginia and applied towards my degree. I enjoy learning and look forward to it. At Valley College, I could have a BA in 16 months.

Finding a job

For the majority of applicants, narrating the strategy of finding employment is a given. It represents a continuance from the work record while incarcerated. They talk about being eager to be gainfully employed and see this as important to their new life on the outside of the fence. CL also has a plan for finding a job. She narrates this a continuation of what she has started in prison.

Securing a job is very important to me because I have tried to be as self-supporting and independent as possible during my incarceration, and I want to be able to provide for my own needs. Although working a real job will be new to me (at 31), I am confident I will be a valuable employee. I am self-motivated, easily taught and have a strong dedication to success. My goal is to become involved in the printing field and there is a large plant a half hour from my brother's home.

Having a job waiting for them is another strategy narrated. Some individuals include letters from potential employers guaranteeing them a position upon release. Others make the claim that they are already employed and reaping the benefit. "I already enjoy an excellent career opportunity with Midamerica Electronics that includes additional academic achievement through tuition reimbursement for continuing education".

A place to live

Along with finding employment post-incarceration, securing a place to live in a safe, crime-free environment is high on the priority list. Narrating the strategy of having a place to live in some cases involves living with family members. After recently reuniting with his estranged daughter, RV narrates a life after being released.

As can be seen from her letter to you of December 1, 1994 (and I am also enclosing a copy of her very first letter to me, dated May 11, 1994) I would be gainfully employed and I would live with my daughter and son-in-law (and my grandson) in the state of Georgia, thereby avoiding any hardship on anyone in the state of Iowa or any further burden on the state of Iowa.

Others construct their future living arrangements with their spouse to whom they've maintained an ongoing relationship. MG maintains his innocence from the crime he was sentenced and narrates his future self as being the family man he has always been.

I am married and have managed to maintain a close and loving relationship with my wife, also with the other members of my family. I will be re-entering society with the advantage of a stable and loving environment.

Still others refer to family, friends and the support of greater community in helping them transition and reintegration into society. "The support includes employment opportunities, transportation, housing, furnishings and transitional assistance to reintegrate me in the community" narrates SH.

Caring for my family

This strategy includes narrating the providing of direct care for their children and their aging parents. Through their extended years of incarceration they have missed out on most of what has gone on with their loved ones. DD narrates, "I want to be able to raise my children whom I dearly love and continue on with my life". DS acknowledges her children have grown up with her parents taking care of them, but wants to be back in their lives, "I

love my young adults very much and would love very much to be reunited with them outside these prison walls”.

Aging parents are discussed in the context of caring for their family. Owing much to their parents who have supported them and been hurt by the inmate’s actions is the common narrative. Convicted of life without parole for the murder of his girlfriend, CL narrates his desire to take care of his parents.

My eighty year old mother is too frail to make the trip to visit me any longer, upon my release I would devote much of my time to taking care of her and my step-father (of 40 years) who is also eighty and is dying of emphysema. I love them both very much.

Becoming a professional ex

A professional ex is someone who has exited his or her deviant career and replaces it with an occupation in professional counseling (Brown 1991). Rather than totally abandoning the deviant or stigmatized identity, the individual professionalizes it. This is a common strategy used by former drug addicts, alcoholics and those individuals that have overcome eating disorders (Brown 1991). I discovered it is also a strategy narrated by commutation applicants. The tale revolves around the use of their life experience in order to influence others, particularly young people, to make better choices than they did. DL describes how he would use his past deviant experience to help others.

As much as I can offer a working knowledge of life and a sound work ethic in here, I can do much more to help people if I were not incarcerated. I would be willing to work with youth groups. I would like to take the experiences I have had here and

share them with the youngsters of Iowa who might need some guidance and direction. If I could help just one young person to change his life and give it some direction it would be worth every moment. I have a vast knowledge of the environment and wildlife and would love to share some of these experiences with these young people. To let them know there is more to life than peer pressure. To let them know there are opportunities in life. To allow them to dream of a better life and then achieve it through personal goals, work and education.

Some speak to the professional ex actually starting while in prison. The strategy is merely a continuation of what has already begun. GT was sentenced to life in prison at the age of 19, he discusses how he will continue to reach out to troubled teens.

I can reach out to troubled teens (similar to what I am doing here through the Mirrors Program), who are struggling through divorce, abandonment, and addiction. I can help them because I know. I took what they are dealing with to the extremes of self-destruction and criminal behavior. I can get into their minds and their hearts, and show them they are not alone. I can show them other ways of dealing with their pain rather than through violence, anger, self-pity, or addiction. I can speak their language because I have felt what they are feeling. If I can save just one child from choosing the path I chose in life, then my life will again have meaning.

One application incorporated several letters of recommendation, including one from an inmate who was incarcerated with the applicant. He describes himself as “a younger inmate that looks up to him because he’s been incarcerated, especially on a life sentence, he’s still able to maintain hope and patience”. He goes on to describe the RW as challenging the younger inmates to be better people, another example of the professional ex in prison.

He has been instrumental in trying to get most of the younger inmates to change our train of thought from crime and time to responsibility and abundant life. He's well respected by both inmates and faculty.

Others see it as fulfilling God's will to become a professional ex, weaving a thread of religion through their narrative. MG maintains that he is innocent, wrongly convicted of the murder to which he was sentenced over 30 years ago. He narrates his future self:

I feel I could be a positive member of society and contribute to my community. I want to witness to young people, to help them see how important it is to let God control their lives. I feel in my heart that God has a plan for my life. He has called me to share my past with others. I am prepared to let Him be my guide and lead me. I do what I can here in prison and by correspondence, but I want to do more.

Structural strategies: My friends, family and community support me now and will in the future

Narrating that friends and family members are supportive of the incarcerated individual enables them to, then, construct a future-oriented narrative where the support continues. As a result, the stigmatizing label no longer applies as validated by the social structure (Granberg 2011). The use of these structural narrative strategies is important to the future self.

The future self-narrative of SH discusses the important role that supportive family and friends play in a successful transition.

I am very blessed with ample support from family and friends as evidenced by the many letters of recommendation submitted on my behalf. These respected members of the community are confident that I am not a threat to public safety. The

support includes employment opportunities, transportation, housing, furnishings, and transitional assistance to reintegrate me in the community.

CL specifically focuses on a long-term friend, but also indicates how she will continue to provide support after release.

An old dear friend, Reverend SW, of Bellevue, NE, is counseling and supporting my rehabilitation. I plan to share a life with her when I'm released, and I will work and try to help the Sarpy County D.A.R.E. Program (Bellevue, NE) and help in her ministry.

Children's support is a particularly common future self-narrative for women. They express love for their children and many refer to family reunification as important. DS, the woman convicted of kidnapping her son narrates:

I wish I could turn back time and erase this horrible nightmare that my son endured, but I can't. I can only look forward and do my best to right some of the wrong that I have done.

I love my young adults very much and would love very much to be reunited with them outside these prison walls.

Summary and Conclusions

In this final section, I summarize the results from the analysis I conducted. I note two main contributions to the larger body of research on role exit. I conclude with suggestions for future research.

Narrating role exit from the stigmatized identity of murderer or kidnapper is a complex process. Individuals choose from two possible narratives in order to construct an acceptable ex identity. The first narrative I discovered is “prison is a place of opportunity” as individuals write about the good that has come from their prison experience. The second broad narrative I discovered is the “tale of the future self “ that will permanently desist from crime and give back to society. The majority told one or both narratives to persuade those in power they were deserving of sentence commutation. Thirty-seven applicants told the “prison is a place of opportunity” narrative; 21 added on the tale of a “future ex”; only three applicants did not mention either.

This study extends the work of Granberg (2011) by arguing that each narrative includes a combination of strategies composed of behavioral, cognitive and social structural components. Behavioral strategies were when an individual told about engaging in some worthwhile action or set of actions. Cognitive strategies were when the individual told about undergoing some shift in thinking. Structural strategies were when the individual indicated the social structure validates them as a person to whom the stigmatizing labels no longer apply. These narrative strategies facilitate the storyteller’s case, helping to make the case for becoming an ex. I discovered behavioral, cognitive and structural strategies were used when narrating “prison as place of opportunity”. Applicants narrate three behavioral strategies, these included tales of employment, education and volunteerism. I also discovered three cognitive strategies, these included narrations of maturation, addressing addiction or other dysfunctions, and becoming religious. Finally, I discovered two structural strategies, these included narratives of family support and endorsement from important others.

This is in contrast to only behavioral and structural strategies were used when narrating the tale of the “future ex”. I theorize cognitive narrative strategies are accomplished while incarcerated, in the past, so as to not be repeated in the future. The individual narrates having wrestled those demons and won. The behavioral narrative strategies associated with the future ex self that emerged from the data were continuing their education, finding stable employment, securing stable living arrangements, taking care of their family and becoming a professional ex. The structural narrative strategies discovered were the individual’s supportive friends, family and community.

I contribute to the existing literature of role exit in two ways. In my research, the individuals are actively constructing their ex-murderer (kidnapper) identity while still sentenced, incarcerated and living the role they are hoping to exit. The majority of narratives focus on telling about an ex identity that has taken full advantage of all the prison has to offer. A fewer, but not insignificant number, tell about their future ex selves. This is different from other research that uses a retrospective approach to data gathering where the individual is asked to reflect back on their role exit experiences.

Secondly, previous ex research doesn’t focus on probable unsuccessful role exits. Rarely do we challenge other’s stories. We mostly believe what others tell about their lives. Honesty is expected. In these narratives however, these individuals are likely to be highly scrutinized. Mostly they will be unsuccessful in their attempt to convince the authorities their roles should be relinquished. The individual has low control over the decision made on their behalf due to the high degree of institutionalization of the commutation process.

Based upon my analysis, I theorize two conclusions. First, stigma role exit appears to be constructed across time. There appears to be a necessary order to the transformation

narrative that involves engaging in the ongoing strategies of behavior and structure. In contrast, the individual continues to narrate behavioral and structural strategies into their future self.

Secondly, stigma role exit involves more than the individual wanting to be stigma free. There are clear institutionalized expectations for this type of role exit and therefore, the individual has little control over the exit. Laws dictate the frequency by which the individual can apply for sentence commutation, in Iowa application can be made once every ten years. Once the application is submitted, individuals play the waiting game. It often takes years for the authorities to respond. Additionally, the narrative told has to meet high standards set by the board of parole and the governor. These standards are not explicit to the applicant or general public and are rarely met by applicants. It appears the structure purposely places significant barriers in the way.

In future research, face-to-face, in-depth interviews with those who have successfully and unsuccessfully negotiated an exit from their life sentence would shed greater light on the complex process of exiting the role of murderer or kidnapper and the challenges they faced along the way. Gathering data about the future self they narrated and comparing that to their actual lived self would also be useful. Probing into the decision-making practices and policies of the authorities would provide much needed insight into a relatively secretive domain.

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Chapter V

General Conclusion

CL: Over the years, I have come to know myself and develop who I am by reflecting on my past and the effect my actions had on others. I have contacted those I could, to admit my mistakes and make amends because I am genuinely sorry for the pain I have caused them. In my day-to-day survival in prison, I make every effort to live and act upon my own morals and values by not being involved in illegal or unethical conduct. I still fail, but I really try hard to learn from my mistakes by not repeating them.

I have gained a value for life, for the lives of others and what is important to them, for myself and what my life is in relation to others. When I gave up my own life, lost everything I ever knew or cared about, I saw how much I took for granted. Now I know that even one day means so much and can mean so much in the lives of others.

The quote above is excerpted from a commutation application from a woman who was convicted of first-degree murder for the death of her best friend's grandfather. She claims her boyfriend did it while she was waiting for him outside in the truck. CL was 17 years old at the time of the crime -- today she is 46 years old. She has served 29 years of her life without parole sentence. Through her written words she attempts to convince the reader that she has changed for the better over the years.

My research explored the ways in which those sentenced to life without parole attempt to construct an identity worthy of sentence commutation in the eyes of the

authorities. I discovered three important aspects of the larger argument that an individual's narrative construction of commutability is a complex process embedded in cultural and institutional narratives. Each of the aspects became a separate chapter in this dissertation. These chapters will be submitted to three different sociological journals.

In the following pages, I review the results as they apply to each of the three research questions, then I make recommendations for possible future research and conclude with some final thoughts on the role of sentence commutation in our society.

Research Questions

This dissertation addressed three main research questions. The first question asked, "What types of narratives do individuals sentenced to life in prison without the possibility of parole construct in an attempt to convey potential sentence commutation?" The second question asked, "How do individuals 'do gender' while attempting to construct a commutable identity?" The third question asked, "What is the process that individuals narrate when attempting to construct a role exit from a life sentence?"

"What types of narratives do individuals sentenced to life in prison without the possibility of parole construct in an attempt to convey potential sentence commutation?"

I discovered three narratives. The most common told was the transformational narrative, consisting of telling the tale of the once bad person becoming good at some point. These narratives emphasized being bad in the lead up to the crime and then juxtaposing it against the transformed self. The transformed self was accomplished by one of two ways. Being sentenced to prison was all it took for some. It represented a culture shock by which

they immediately saw the error of their ways. For others, it took a bit of time but eventually reached a turning point.

The next narrative discovered was the victim narrative, typically told by women, this narrative involves a sad tale where the prevailing plot is “I can be both victim and criminal simultaneously”. I discover four ways in which this narrative is told. The first is a life filled with physical and emotional abuse at the hands of several perpetrators, most typically men. The second is being a victim of abuse at the time of the crime by their intimate partner. The third is falling victim to mental illness. The final set of victim narratives told is more complicated and involves the initial tale of being a victim, but then becoming a bully in an attempt to gain power.

The last narrative revealed was the immutability narrative characterized by stability and organized around the plot of always being a good person. Two variations are discovered with this narrative. In one the teller claims innocence or denies any premeditation. In the second variation, the story is anyone, given the same circumstances, would have reacted the same way. In both cases, since they’ve always been good, the goodness will continue now and into the future.

“How do individuals ‘do gender’ while attempting to construct a commutable identity?”

I discovered that men have a single accountability burden, needing only to account for their criminal actions. Women, on the other hand, have a double accountability burden. They need to account for their legal crime and their gender crime. They do this by engaging in a complicated process of un-doing their gender because in our society, women

are perceived as not capable of committing violent acts. Then, women re-do their gender in order to provide an acceptable account.

Men narrate tales of doing hegemonic masculinity. Most told of having a long history of aggressive and violent behavior, in other words having a bad heart. In addition they described committing their crime alone. Of those that killed their intimate partner, their account is they were filled with rage resulting from an action or series of action of the women. Society sees this behavior as congruent with being male and privileges them for behaving badly. As a result, no accounting of gender is necessary, only accounting for the crime is expected.

Women's tales, by contrast, were told on one of three ways. One narrative was they had acted badly but they weren't inherently bad people. This was substantiated with the claim that this was a one-time act; they had never been violent before. Another narrative was they were the victims of dysfunctional relationships with men and that set the stage for the commission of crime was the narrative told by the majority of the women. They also told self-defense narratives, acting only in protection of themselves or their children. I discovered that women not only needed to account for their crime, as did their male counterparts, but also had to account for their gender because society sees women as life givers and caretakers, not violent criminals.

“What is the process that individuals narrate when attempting to construct a role exit from a life sentence?”

Individuals, in an attempt to persuade authorities, describe a transformation or evolution from a stigmatized identity from murderer or kidnapper to one that is worthy of commutation and suitable and safe for release back into society. This is a lengthy and

complicated, if not impossible process. I found two broad narratives told through this process of stigma role exit. One is prison is a place of opportunity where one takes advantage of all of what the prison has to offer. The second projects the future self as free from stigma; however, some narrate holding on to the ex identity and become professional counselors or wounded healers. Individuals tell the prison as place of opportunity narrative only, or both.

One, of what most of us considers being the worst places on earth, is a place where some describe as an essential experience in their role exit process. Applicants present three narrative strategies to support the “prison is a place of opportunity”. Behavioral strategies are where the individual narrates engaging in some worthwhile action or set of actions. Excelling at work, going to school, and volunteering are behavioral strategies employed. Cognitive strategies are those where the individual narrates some change in thinking. Those strategies that emerged include maturing, addressing addiction and other dysfunctions and becoming religious. Structural strategies are where the individual indicates the social structure validates them as a person to whom the stigmatizing labels no longer apply. Family support and explicit support from important and credible others in the form of letters included in the commutation application packet are two structural strategies utilized.

In addition to taking advantage of all that prison has to offer in attempt to construct a stigma free identity, individuals may also project their newly repaired identity into the future. In essence, the life they lived in prison is reflected in their future self. The narrated future selves are constructed to maintain the recent stigma exit. This is demonstrated by living a life free from crime and most importantly, free from stigma. Two strategies emerge

in the planned creation of the future ex. The first is behavioral and includes a furthering education, being gainfully employed, having an acceptable and safe place to live, taking care of family members who have been neglected since incarceration, and becoming a professional ex. The latter is of particular interest, as the individual narrates not wanting to fully exit the stigmatized role, but professionalizes it. They tell of wanting to use their life experience to influence others, particularly young people, to make better choices than they did. The second set of strategies told are that of friends and family support that continues into the foreseeable future. What are missing are the cognitive strategies that played a prominent role in the previous broad narrative. I theorize this is the case because the shift to positive, non-criminal thinking has already occurred while in prison and will be maintained into the future.

Recommendations for Future Research

Although my present research provided rich detail through the written narratives of those attempting sentence commutation, additional research is necessary in order to more fully understand what social forces are at work. The number of applications analyzed was relatively small (n=40). Expanding the sample would improve the conclusions. In addition, the sample was drawn from applications submitted from 1999 – 2013. Expanding the time frame to include earlier years may show a different cultural sentiment towards commutation.

The applications provided rich detail from which a fascinating picture was portrayed. However, in order to fully explore the narratives told, face-to-face interviews

with the applicants is needed. Clarification of the material in the application and uncovering new information would add a great deal to the project.

The vast majority of applications for commutation are rejected. How do they interpret the rejection by the authorities? How has that rejection affected the way they narrate their selves? It would also be sociologically interesting to study those who were successful in negotiating an exit to their sentence. How has the role exit they began while in prison continued into their lives outside the fence? What is their perception of society's reaction to them?

Beyond the study of the applicants and their narratives, research needs to be conducted on the others involved in the commutation process. Obtaining and analyzing transcripts from commutation hearings held by the Iowa Board of Parole would provide insight into the cultural narratives told and held by the authorities. Conducting observational research by attending commutation hearings and face-to-face interviews with each of the board members would help to further piece together patterns to their decision making process.

In my initial background gathering, I had the opportunity to speak to two of the governor's general legal counsels. These individuals worked closely with the governors in creating the culture of commutation policy and procedure. In addition, they gathered information on the governor's behalf and made specific recommendations on each application to the governor. It would be informative to interview general counsel from the other three administrations in order to compare, contrast and determine how the institutional narratives have evolved over time.

Some Final Thoughts on Sentence Commutation

After spending five years on this project I have vacillated between two emotions and bore witness to another – disgust, sadness and antipathy. Many of the applications went into great detail about the lives they lived prior to prison and the details surrounding the crime that netted them a life without parole sentence. I felt disgust for the manner in which many of them were treated (or ignored) by our society, feeling that if someone would have given them a hand up tragedy may have been averted. I felt disgust for the utter disregard of human life they showed in the commission of either murder or kidnapping. How can this sort of barbarism be present in our modern society?

I also felt sadness for the victim, the victim's family and the perpetrators. The sadness towards the victim and victim's family is obvious. Losing a loved one to violence is a terrible end. But I also feel sadness for the perpetrators. For most, the act they committed was a one-time reaction to an event or series of events in which they felt they had no choice. I am doubly sad for those who were juveniles when sentenced.

Regarding the emotion of antipathy, being the land of second chances is the image Americans like to portray to the rest of the world. Unfortunately for the majority of those sentenced to life without parole won't experience this type of mercy. The commutation process is definitively influenced by our current culture of being tough on crime. Governors, who want to be re-elected or have higher political aspirations, are not likely to commute anyone's sentence for fear of what happened to Governor Mike Huckabee or Governor Michael Dukakis. In both of these instances, future political aspirations were damaged as a result of the violent re-offending of individual's whose sentences were commuted by the governors.

And then, back to the emotion of sadness. A legal right is extended to those wishing to apply for sentence commutation. The Code of Iowa has entire section devoted to the commutation process and procedures. The culture and institutional narratives override the law by erecting barriers. A newspaper reporter (Burns 2010) interviewed the warden in the Fort Dodge Correctional Facility in Fort Dodge, IA. He corresponded with a victim's family in prior to the perpetrator's commutation hearing. The family responded by citing the story of the thief on the cross asking Jesus for forgiveness. Jesus forgave him, but the thief still died alongside Jesus on the cross. Burns summarizes the prevailing sentiment as those sentenced to life without parole live by their sentence and ultimately die with their punishment in prison. Is this an appropriate response for a society as civilized as ours? Does this response serve some other purpose than punishment? As Maruna (2001) comments, the cultural bogeyman narrative allows us (the non-bogeyman) "to relieve ourselves of the shame we feel for our shared responsibility in creating the "Them" (p. 168). It is our moral imperative to pay careful attention to this matter.

References

- Burns, Douglas. 2010. "No Mercy." *Cityview*. December 2 – 8, pp. 16-19.
- Maruna, Shadd. 2001. *Making Good: How Ex-Convicts Reform and Rebuild their Lives.* Washington, D.C.: American Psychological Association.

APPENDIX



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Application for Special Restoration of Citizenship Rights (Firearms), Pardon, and Commutation of Life Sentence

Read carefully. If you do not complete the application in full, it will be returned to you without processing.

General Information: The Governor has the authority to grant executive clemency for all offenses except treason and cases of impeachment, subject to such regulations as may be provided by law. Except for the restoration of the right to vote and hold public office, the Governor does not grant executive clemency for any conviction received in federal court or the court of another state.

Four Types of Executive Clemency:

- 1. Restoration of Citizenship (Right to Vote and Hold Public Office):** A restoration of citizenship restores the right of a person to vote and hold public office. This is not an application for restoration of citizenship rights. If you are interested in restoration of citizenship rights (right to vote), please complete the shorter, Streamlined Application for Restoration of Citizenship Rights form, located at www.governor.iowa.gov.
- 2. Special Restoration of Citizenship (Firearms Rights):** A special restoration of citizenship restores the right of a person who has been convicted of a non-forcible felony to possess a firearm under state law.
- 3. Pardon:** A pardon, which if full and unconditional, restores all citizenship rights (right to vote, hold public office, and firearm rights) and relieves an offender from further punishment imposed by reason of a conviction of a criminal offense. A pardon will **not** erase or expunge the record of conviction.
- 4. Commutation of Sentence:** A commutation of sentence is a reduction or lessening of the original sentence. Usually it takes the form of a reduction in the length of imprisonment. In some cases, it may result in release from prison.

Eligibility:

Convictions in an Iowa state court: Individuals may apply for a Special Restoration of Citizenship (Firearms), Pardon, and Commutation of Sentence.

Payment: There is no cost to apply for clemency. However, all court costs, fines, and restitution must be paid at the time of application. Documentation verifying payment of costs, fines, and restitution, which may be obtained from the clerk of court in the county of your conviction, must be included in the application.

When you may apply: Although you may submit an application at any time, it is the general policy of the Governor's Office to require at least five (5) years to pass from the date that a person is discharged from sentence before granting restoration of firearm rights and at least ten (10) years to pass from the discharge date for a pardon.

Convictions outside of Iowa: Except for the restoration of citizenship to restore the right to vote and hold public office, the Governor does not grant executive clemency for a criminal offense that resulted in a conviction in another state. If you wish to seek clemency for a conviction from another state,



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contact the Governor or another appropriate authority of the state in which your conviction occurred to determine whether any relief is available to you under that state's law.

Convictions in Federal Court: Except for the restoration of citizenship to restore the right to vote and hold public office, the Governor does not grant executive clemency for a criminal offense that resulted in a conviction in federal court. If you wish to seek clemency for a federal conviction, contact:

Office of the Pardon Attorney
U.S. Department of Justice
500 First Street, N.W., Suite 400
Washington, D.C. 20530

Process: The application process takes approximately two (2) years from the time you submit your application to the Governor's office. Each application will be forwarded to the Department of Public Safety and the Division of Criminal Investigation for a full review. Additionally, you and anyone listed in your application materials may be contacted to verify that the information provided is correct. The Iowa Board of Parole will review these materials, and submit a recommendation to the Governor's Office. Finally, the Governor reviews the completed application.

Other Required Documentation: You **must** submit a current Iowa criminal history record and personal credit report from one reporting agency with your completed application. To request these items, please contact:

Iowa Criminal History Record

Address: Iowa Division of Criminal Investigation
215 E. 7th Street
Des Moines, IA 50319

Phone: 515/725-6066

Internet: www.dps.state.ia.us/DCI/Records_Ident/index.shtml

Credit History

Address: Annual Credit Report Request Service
P.O. Box 1058281
Atlanta, GA 30348-5281

Phone: 877/322-8228

Internet: www.annualcreditreport.com

Letters of Recommendation:

Please provide letters of recommendation from the following people **at the time you submit your application:**

1. Prosecuting Attorney in your case
2. Sentencing Judge in your case
3. County Sheriff in your case or where you reside
4. Minister (if applicable)
5. Present and/or former employer
6. Other reputable persons in the community who can attest as to your moral character

If you are unable to obtain letters of recommendations from any of these individuals due to factors beyond your control (retirement, relocation, deceased, etc.) please include an explanation on your application. Letters of recommendation must reference that the letter writer is aware that you are seeking executive clemency.

Mail: (1) Your application, (2) Iowa Criminal History, (3) Credit History Report, (4) Letters of Recommendation, (5) verification of payment of court fines, costs, and restitution, and (6) signed release and send it to:

Sarah Harms
Iowa Board of Parole
510 E. 12th Street, Suite 3
Des Moines, Iowa 50319

Questions: Visit the "Frequently Asked Questions" section at: www.governor.iowa.gov or call 515/725-5717



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Checklist of Materials

- Completed, signed, and dated application
- Letters of Recommendation
- Proof of payment of court costs, fines, and restitution
- Signed Release to obtain personal records
- Current Iowa Criminal History Record
- Current Credit History

- *Failure to disclose true and accurate information may affect your application for clemency.*
- *There is no application fee for clemency.*



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APPLICATION FOR EXECUTIVE CLEMENCY

TO: Terry E. Branstad, Governor of Iowa

YOU MUST CHECK AT LEAST ONE OF THE FOLLOWING:

I hereby make application for: **Special Restoration of Citizenship (Firearms Rights)**
 Pardon
 Commutation of Life Sentence

1. Name: _____

2. Address: _____
Street City State Zip Code County

3. Other names you may have used (maiden, etc.): _____

4. Home Phone: () _____ Work Phone: () _____

5. Date of Birth: _____ Place of Birth: _____ Sex: Male/ Female

6. Social Security Number: _____ U.S. Citizen (circle one) Yes or No

7. Crime or Offense: _____

Classification of crime (i.e., class D felony, aggravated misdemeanor, etc.): _____

8. Please describe in your own words the facts concerning the crime for which you were convicted. (Use additional sheets of paper if necessary.)

9. Date of Crime (Month/Day/Year): _____

10. Date of Conviction (Month/Day/Year): _____

11. County and State of Conviction: _____

12. Sentence Received: _____

13. Place and Dates of Time Served: _____



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14. Beginning and Ending Date of Parole: _____
or Probation: _____ or both: _____

15. Name and Current Address of Parole or Probation Officer:

16. Name and Current Address of Prosecuting Attorney:

17. Name and Current Address of Defense Attorney: _____

18. Name and Current Address of Judge who heard Case: _____

19. Were you ordered to pay any fines? Yes _____ No _____ Amount _____

If ordered, amount you have paid: _____

20. Was any restitution ordered? Yes _____ No _____

If ordered, amount ordered to be paid: _____ Amount you paid: _____

21. Attorney's fees: _____ Amount you paid: _____

22. Court costs owed: _____ Amount you paid: _____

23. Address at time charged and convicted: _____

24. Provide the following information about your employment since conviction. *(Attach additional sheets if needed.)*

a. Name, address and phone number of present employer: _____

Immediate Supervisor: _____ Dates of employment: _____

What is your trade or job description?

b. Name, address and phone number of previous employer: _____

Immediate Supervisor: _____ Dates of employment: _____

What is your trade or job description?

c. Name, address and phone number of previous employer: _____



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Immediate Supervisor:

Dates of employment:

What is your trade or job description?

25. Have you ever been **arrested, charged or convicted** of an offense at any other time? **(You must answer this question even if you received a deferred judgment. If you were a juvenile at the time of your conviction, what was the disposition of the case? Were the records sealed?)**

26. If the answer to Question #25 is yes, provide the following information for **each** offense. *(Attach additional sheets if needed.)*

a. Crime or offense: _____

b. Date of offense: _____

c. Sentence received: _____

d. Terms of sentence: _____

e. County and state where convicted or charged: _____

f. Place and dates of incarceration and/or dates of probation or parole: _____

g. Amount of restitution, court costs and attorney's fees ordered and amount paid:

(1) Restitution ordered: _____ Amount paid: _____

(2) Court Costs ordered: _____ Amount paid: _____

(3) Attorney's fees ordered: _____ Amount paid: _____

27. Have you ever been addicted to or abused alcohol or drugs of any type?

28. If so, please state:

a. Kind of addiction or abuse: _____

b. Dates of addiction or abuse: _____

c. Description of help received and dates: _____



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29. Marital status at present, include spouse's name, address and phone number if other than your own:

30. List names and present addresses of any previous spouses and dates of divorce or separation: _____

31. Names and ages of dependents presently living with you:

32. Names, ages and addresses of dependents not living with you:

33. List any alimony or child support payments you were ordered to make:

34. Amount of alimony or child support you are presently paying: _____

35. Have you made a previous application for executive clemency (citizenship, firearms or pardon)? _____

36. If yes, when and in what state? _____

37. Provide the names, addresses and phone numbers of three persons (not relatives or convicted felons) who know you well and would serve as references:

- a. Name: _____ Phone No. _____
Address: _____
- b. Name: _____ Phone No. _____
Address: _____
- c. Name: _____ Phone No. _____
Address: _____

39. Did you file federal and state income tax returns for the following years?
a. This year? ___ Yes ___ No b. Last Year? ___ Yes ___ No
c. Two Years Ago? ___ Yes ___ No d. Three Years Ago? ___ Yes ___ No

If you did not file either the federal or state tax return or both, please explain which returns(s) you did not file and why.



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40. Provide a brief description of your lifestyle by listing organizations you belong to, hobbies and special interests:
- _____
- _____
41. List all honors, awards or achievements which you have accomplished since your conviction:
- _____
- _____
42. List all community service or volunteer service projects that you have participated in since your conviction including name, address, and phone number of the contact person(s) affiliated with the project: _____
- _____
- _____
43. Please state why you believe that you are deserving of an executive clemency grant by the Governor. *(Use additional sheets of paper if necessary.)*
- _____
- _____
- _____
- _____
- _____

I certify, under the penalty of perjury, that my application is true and complete.

Signature of Applicant

Print Name of Applicant

1/11



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RELEASE

**YOU MUST SIGN AND DATE THIS RELEASE FORM
OR YOUR APPLICATION WILL NOT BE PROCESSED**

I, _____, the undersigned applicant for executive clemency to the Governor of the State of Iowa, do hereby authorize any and all persons, firms or corporations, to release any and all information or documents they may now have or hereinafter receive concerning me.

I authorize the release of said information to the Governor of the State of Iowa, his designee or agent. In granting this release, it is my understanding that the information or documents obtained will be used for the sole consideration of my application for executive clemency.

I further forever hold blameless those persons, firms, corporations and the Governor's Office, who by virtue of this consent may release information as requested.

A photocopy of this release form will be valid as an original, even though said photocopy does not contain an original writing of my signature.

I have read fully and understand the contents of this application and the authorization for release of personal information.

Signature of Applicant

Print Name of Applicant

Date of Application:
