

A Day in a Chicago Narcotics Court

James H. Williams

Abstract: The “War on Drugs” is the most important component of the “School to Prison Pipeline.” It has turned the criminal justice system into an almost-industrial apparatus which proceeds without regard to rehabilitation or humanity, for that matter. This soul-deadening process is recounted here by a Social Work participant.

Keywords: drugs; substance abuse; criminal justice; racism; war on drugs; courts; probation

In a noisy, crowded, stuffy hallway, rank with the odors of stale sweat and urine, a group of 11 men stand or slouch disconsolately in a cage of iron bars. Their clothes are rumpled and dirty. They are disheveled and obviously haven't washed their faces for some time. These are prisoners, called “overnighters,” arrested only a few hours ago by the Chicago police. They are awaiting a bond hearing before a judge on drug charges. Standing up at the bars, a line of prisoners (mostly Black and Latino men) are being interviewed by obviously middle-class young men and women (mostly white) with clipboards and pens. These are Pre-Trial Services' officers. They will make a report to the judge regarding whether these men should go free while awaiting trial.

The officers shout their questions, hoping to be heard over the din in the lockup. The prisoners listen hard and intently, staring at the officer's faces, looking for meanings in their expressions. Their brows furrow as they answer the questions they are asked. They know the answers they give could decide whether they go free or are forced to remain in jail.

Branch 72 of Municipal District 1 of the Cook County Circuit's Criminal Court is located on the 4th floor of the courthouse at 26th St. and California Avenue. It is an old building, built in 1927. It is where all people arrested on drug charges on the south side of Chicago are brought for a bond hearing and, later, a preliminary hearing to see if they must stand trial. Here, too is where all persons arrested in drug “sweeps” are brought. These “sweeps” bear a variety of names of a quasi-military character: Operation Risky Business, Operation Iron Wedge and Operation Hammer-Down. It is, after all, a “war” on drugs. Military metaphors cloak

most activities in criminal justice these days. One can get away with so much more if there's a war, you know.

They consist of two types of arrests: (1) persons accused of buying drugs from an undercover police officer, or (2) persons accused of selling drugs to an undercover police officer (Kleiman & Smith, 1990.) Over 80 percent of those arrested on drug charges are African-American or Latino (Lusane, 1991). Juveniles, aged 16 and 17, who are accused of drug offenses are brought here as well. They are the “Automatic Transfers” transferred directly to Branch 72 instead of the Juvenile Court.

7:00 AM: a police van pulls into the receiving area at the court. Some men in handcuffs are pulled from the van, and shoved into the general lock-up. “Get your butt in there, you dumb fuck,” yells a deputy sheriff, an African-American male, at a laggard. “We haven't got all day for your sorry ass.” The man, who we will call Stokeley, is also African-American. He wipes sleep from his eyes as he gropes for a place on a hard bench along the wall.

Deputy Sheriffs are drawn from the same socio-economic strata as the prisoners. Not much is required to be a deputy sheriff in the way of credentials. A powerful political patron (interestingly called a “Chinaman” in Cook County) is the best guarantee of a job. Consequently, many African-American employees owe their jobs to John Stroger, powerful boss of Chicago's Eighth Ward. For the same reason, the white Sheriffs tend to be Irish or Italian, placed by Vito Marzullo's organization or, in the case of the Irish, the 11th Ward Democratic organization. “Who's your Chinaman?” is a common greeting for newcomers.

There is a thick streak of grease along the wall, an unbroken line, just a couple of feet above the bench where generations of tired men have rested their heads. The noise in the lockup is increasing and decreasing in waves. Some men try to sleep, while others walk around the cage, their eyes darting from one side to another. What are they afraid of?

8:30 AM: The sheriffs begin to lead the men out, one at a time to stand at a machine. They place their eye against a thing that looks like a telescope. It takes a picture of the retina of their eye. This “eye-dent” is supposed to be superior to finger printing, and a computer quickly searches the files to see if the men have arrest records. After they are “eye-dented,” the men are led back into the cage. Their fingerprints were taken electronically at the police station, and a computer generated a Chicago Police “rap sheet,” which details arrests and convictions in Chicago only.

Upstairs, on the fourth floor, in Branch 72, a computer printer begins to spit out forms, detailing the information the men have given. The printout shows if there is a “match” with their criminal records, and if there are any current warrants for the men. A clerk from the States Attorney will pick up a copy of this printout in the States Attorney's “War Room,” a room full of computer terminals connected to criminal justice agencies all around Illinois, to the FBI and Justice Department in Washington, DC. Re: War Room, yes, the military metaphor, again. It was named that by Asst. States Attorney Jim Piper, who set it up. Piper is the kind of guy who has quotations from Nietzsche on his wall. He left the States' Attorney's office recently to take over computer operations at the Chicago Police. He is now Commander Jim Piper.

He will enter the prisoners' data into these computers to perform a nationwide search for information about them.

Downstairs, on the first floor of the courthouse, Pre-Trial Officer Alysha, enters the Pre-trial Service PTS office, one eye on the clock. She dumps an enormous bag on a counter, shrugs out of her coat, grabs a clipboard--and heads for the snack bar. The snack bar is called the “Gangbanger's Lounge” by the PTS officers. It is on the first floor of the court building and is open to the public; lawyers, their

clients, client's families, cops, sheriffs and an occasional judge can be seen there. It is one of the few “legal” places to smoke in the building. With a can of tomato juice in hand, officer Aloysha heads for the fourth floor and branch 72. If it's an unusual day, she will be joined by four other officers, Evdokia, Sveta, Sasha and Boris. A “usual” day means that at least one of the officers will call in sick, or request a personal day, or another reason not to come in.

An employee from the jail cafeteria wheels a cart of coffee and sandwiches to the lockup. The employee is a young Mexican male in his 20s. He is a former inmate of the jail, placed on this job by his pre-trial officer. It pays the minimum wage of \$5.25 an hour. The coffee and sandwiches are received with enthusiasm only by those who have never eaten them before. The coffee is weak, heavily laced with a cream-like substance and sugar. The sandwiches are simply two slices of white bread and a slice of bologna. It is called “rainbow” bologna by the prisoners, because it is starting to change color.

About me, a recent MSW-social worker and a doctoral student, not exactly your typical Criminal Justice type. Because of the usual understaffing in Pre Trial, I supervise two units: Branch 72, and the “upscale” Felony Trial Courts Unit. The FTCU officers attempt to achieve release for defendants already incarcerated. For purposes of this study, there are advantages and disadvantages to my perspective. As Supervisor of this unit, I have incredible access to almost everything that goes on. I can wander in and out of every area. I'm on chatting terms with everyone here. I can ask anybody anything and nobody will give it a second thought. In this sense, I'm like part of the furniture, I'm invisible – a fly on the wall. I know the process in and out. Coming up through the ranks – I was a pre-trial officer before, I know something about this world from the eyes of a “rank and filer.” The flip side of this coin is that I'm also an authority figure. My job is to nose around in my pre-trial officer's business (professionally, at least). I do regular performance appraisals, “grading” their work. My officers, if they are smart, will always maintain a certain distance, never revealing everything. Prisoners, certainly, have every good reason to distrust me, a bad recommendation from us, means a stretch in jail. (Judges frequently ignore our

recommendations that prisoners be released. In my experience, they have never ignored our recommendation to incarcerate. Oddly enough, the people who seem to relate to me best are old-time Chicago police officers. We share stories about our various aches, pains and geriatric complaints. They show me, proudly, their new toys: guns, bullets and retirement community brochures.

There is yet another caveat that accompanies my version of events: because I've been here so long and seen so much, I probably miss a lot of what's actually going on. By now, I've formed a lot of a priori assumptions that shape the way I view everything that goes on. I've tried, consciously, to struggle against that, to look at things in new ways. The reader must beware that I may not be able to distinguish the forest from the trees. I am probably missing something very important.

Here are some Pre-Trial Services Officers: Aloysha is a young African-American woman, a college graduate, who grew up in the Robert Taylor Homes. Married to a Chicago cop. Argues that poverty is no excuse for bad behavior. Evdokia, a young white woman, UIC grad, lives in the Western suburbs. Her family is composed of career criminal justice officers. Sveta, young white woman with two young children, college graduate degree in education. She lives in Mt. Greenwood with her husband, a union plumber. Sasha is a young African-American woman, who just returned from maternity leave, her first child. Boris is a new hire. An older white man with a powerful Chinaman, he was sent from downtown with orders to hire him. He is having a hard time learning the ropes, especially the computers. He tends to keep to himself and not have much to do with the other workers. Boris is in school now, and likes to read his textbooks on the job. He complained to Democratic machine officials "Downtown" when I admonished him about reading when he should be working.

The officers assemble at their desk. That's right, one desk for all of them, stuffed into a narrow hallway just outside the courtroom. They have one phone between them. Crowded into the hallway are four shabbier, beat-up desks, used by the States Attorneys. Along the other side of the hallway is a long wooden bench, taken from the courtroom. It is

here that police officers waiting to testify are "briefed" by the States Attorneys.

The five States Attorneys are young, not long out of law school. They are white, and have a youthful brashness about them, a sense that they may be on a "mission from God." Maybe not, but that is my impression. "This job is really no fun," one confided in me, "it's like shooting fish in a barrel. These people (meaning, of course, the prisoners) are so stupid."

Two public defenders are assigned to this courtroom. They share a desk in a cubbyhole next to the Judge's chambers, with the Chicago Police's fugitive warrant officers. The public defenders seem older than the states' attorneys. They argue with each other about the union contract. Marina, a public defender, white, 30-something, tells me: "I try really hard to defend these guys, but they are so stupid. I can't wait to transfer out of here."

Meanwhile, the pre-trial Officers are gathering the arrest reports and "rap sheets" on the eleven men who will have initial bond hearings today. (Today there are no women prisoners, also an unusual occurrence.) Sveta is doing the initial screening today. She scans each arrest report to document all the charges, and the amounts of controlled substance the prisoner is accused of possessing or delivering. The officers know that Judge Y.R. Honor tends to set bond according to the cash value of the drugs. They also know that the dealers will easily post the bond, while their customers probably spent their last dime on product. They screen carefully for a history of violent offenses, well aware that these and drug offenses are often related (Robinson, 1993.)

The reader should know that prisoners, who get cash bonds from the judge, still have a chance to get out on bond. The Sheriff, operating under a Federal Court Order resulting from jail overcrowding, releases many prisoners when they are sent to the jail. This release, the Administrative Mandatory Furlough, the "Sheriff's I-Bond, carries no further conditions. More than 40% of those receiving Sheriff's I-Bonds fail to return to court. Today, all prisoners accused of nonviolent crimes will be released if their bond is less than \$75,000. Sveta scans the "rap sheets" looking for past convictions and bond forfeitures. Too many

convictions, too many bond forfeitures can sink chances for a low bond or an I-Bond. Sveta portions out the interviews to her fellow officers—they flip a coin to see who interviews the odd number. Clipboards in hand, they file back to the lockup behind the courtroom.

The lockup is an enormous cage, with bars that extend from floor to ceiling. A toilet sits in the corner, in plain view of all. There is no toilet paper. The noisome din is overpowering and the smell from the men and the toilet is nauseating at first. Right now the Sheriff is bringing 25 new men into the lockup. These men, clothed in jail uniforms, are back for their preliminary hearing. The preliminary hearing is where the judge decides if there is enough evidence to go to trial. The police officers come and testify about the arrest. If the judge decides the state doesn't have a case, he lets the prisoners go. If he decides the state does have a case, he schedules the prisoners to be sent to a trial judge. (Frequently, the states' attorneys go to the Grand Jury when the judge decides they have no case, and get the prisoner directly indicted by the Grand Jury).

The prisoners in their tan jail uniforms are boisterous and animated compared to the “overnighters.” They, at least, have had a chance to sleep. They add to the noise and confusion.

The Pre-trial Officers stand at the bars, calling out the names of prisoners. The two public defenders are back there now, also straining to be heard, this is their client conference. No discreet lunches at the Athletic Club, no fees negotiated on napkins, for them.

Boris has located Stokeley, who I mentioned at the start of this account. Boris reads Stokeley his Miranda rights and asks him to sign a statement that he has read this before he is interviewed. “Can you get me out?” Stokeley asks Boris. “I need to get out. I got some business to take care of.” “That is strictly up to the Judge,” Boris replies, “but it can help if you can answer my questions.”

Boris tries to get a current address and phone from Stokeley, because Pre-trial Services sends a letter to each client reminding them of their next court appearance. The night before their court date, they get a phone reminder from Pre-trial Services. Only

about 24% of the Pre-trial I-Bonds fail to appear, compared to 40% of those released on Sheriff's I-Bonds. Stokeley is vague about his address. He lives with friends and relatives, staying nowhere in particular for any length of time. Finally, Stokeley gives his mother's address and phone, “she usually knows where to find me,” he says.

Stokeley responds to questions. No, he doesn't have a job. Yes, he went to South Shore high school, but he didn't finish. No, he didn't get a GED.

“Have you ever been arrested before,” Boris asks? No, says Stokeley, this is his first time. (Note: Stokeley's rap sheet indicates over a dozen arrests, with two convictions. He is currently on pre-trial for possession of a controlled substance and unlawful use of a weapon by a felon.) “What about drugs or alcohol,” Boris continues, “have you ever had a problem with those?” “No,” answers Stokeley, “I don't ever use drugs.” (Note: There are needle tracks clearly visible on both of Stokeley's arms. Some of them are the “deep craters” left by “T's & Blues”, a crude synthetic heroin substitute from back during the heroin shortage of the 1970s.)

“Will the judge let me go” Stokeley asks. “I can't really say,” Boris replies. “It depends on what kind of mood he's in today.”

Note: The judge gives Stokeley a \$50,000 bond because of his two prior convictions. With only a \$50,000 bond, and a nonviolent charge, Stokeley will get a Sheriff's I-bond, and beat Boris home. With a Pre-trial Service I-Bond, Stokeley would have had to report in to an officer, and undoubtedly make urine drops. With a sheriff's I-Bond, he won't have to do anything--nor will he get a letter or phone call reminding him to come to court.

Stokeley slumps back down on the bench, a look of disgust on his face. I ask Boris what he thinks of Stokeley's chances. “He looks pretty good to me, no prior arrests and no history of drug use,” Boris says.

Sveta comes dashing up to me. “This guy I'm interviewing says he has TB. I can't interview him if he's got TB.” TB is coming back big time in the jail, they say. It's supposed to be a particularly virulent strain that resists treatment. “We've got to at least get an address and phone,” I tell Sveta.

“What if he gets out?” “Well, somebody else will have to do it,” she replies. She's right; of course, she doesn't get paid enough to risk TB. Why should she carry it home to her kids? I take the file and head to the bars. I get paid enough to risk TB. Besides, I had it once already when I was a kid.

“How do you know you have TB,” I ask Courtland, a young African-American in his 20s. He seems thin to me, and short. He looks more like 17 than 25. “They tole me at the clinic,” he said, “at County.” “Did they put you on some medication?,” I asked. “They gave me a prescription, but I stopped taken it after a while,” Courtland replied. “Do you have any other medical problems,” I asked. “Mostly asthma. I use an inhaler for that.”

Courtland lives with his grandmother in the Robert Taylor Homes. He is not sure where his mother is these days. He says she has a problem with alcohol sometimes. Courtland has no job, and dropped out of DuSable High in his sophomore year. He admits membership in the Gangster Disciples. Courtland has two prior arrests, but no convictions. I call his grandmother's number to confirm the information he has given me. “She's not here,” a male voice says, “who is this?” When I tell him, he hangs up.

No matter, Courtland has a small amount of drugs. He'll probably get an I-Bond anyway.

Sasha is interviewing Ivanhoe, a young African-American male, who looks awfully young to me, but he insists that he is 18. Ivanhoe is well-dressed in a leather “8-Ball” starter jacket and immaculate Mikes. He tells Sasha that he doesn't have a phone. “Gee, that is too bad,” answers Sasha. “It helps to get an I-Bond if you have a phone.” Ivanhoe comes up with a number. According to police records, this is Ivanhoe's first arrest (as an adult.) Because Ivanhoe is only 18, we check the juvenile court records. We find three adjudications (convictions) for drugs. We also discover from the juvenile records that Ivanhoe is only 16. Sasha calls the number Ivanhoe has given us and talks with his mother. She confirms that Ivanhoe is 16.

Since Ivanhoe is charged with simple possession--and it's not on a school ground or on CHA property, he should be tried in juvenile court. “Why did you tell the officers you were 18,” I asked him.

“Because you can't get an I-Bond at the Juvenile Court,” he said. “They give everybody an I-Bond here.” The kid is no dummy. Although the Audy Home, the Juvenile Detention Center, is also overcrowded, there is no Federal Court Order in effect there. Juveniles who receive cash bonds have to come up with the money.

Later, I catch Sveta in the hallway. She looks frazzled. I ask her if she's having a rough day. Not so bad, she replies, but she is worried about reports of a serial rapist on the loose in Mt. Greenwood. “My husband won't even let me go to the mall by myself with the kids anymore,” she says. “He says I'm too vulnerable when I got two infants in car seats.” She pauses, stares out the greasy window. “I hate being scared.” I wonder how she must feel about the prisoners she interviews, day after day. (This week, Sveta turned in her resignation. She is going to stay home with her kids.)

About 10:00 am, Judge Y.R. Honor comes down the hallway. An African-American, is in his 40s, Y.R. Honor has a reputation as a tough judge. “The trouble with you liberals” he once told me “is that you feel sorry for the perpetrators and not the victims. It's true that these defendants are Black and poor. But you forget that their victims are Black and poor also! What about their rights?” Today, the judge has another beef against liberals.

The liberal IVI-IPO which has always endorsed him for election, has given the nod to a gay activist lawyer. “The gays packed the endorsement meeting,” he complained. Judge Y.R. Honor is especially involved with juveniles who are brought into his court as adults. He sets strict terms of release; 24-hour curfews--and he makes them come sit in his court every day until they either enroll in school or get a job. Wags around the courthouse call this unhappy group of young men, Judge Y.R. Honor's “choir.”

10:15 AM: Judge Y.R. Honor ascends the bench and begins his “call.” He begins with the preliminary hearings for the men in the tan jail uniforms. The routine is set. As a man is brought out, a police officer steps forward and testifies that he sold drugs to this man, or bought drugs from this man or saw him drop plastic bags “containing a white, rock-like substance” on the ground. The state's attorney

questions the police officer. The public defender tries to find a hole in the police officer's testimony. The judge rules. About 20% of the cases are thrown out at this point, usually because the police officer is not there to testify.

As these hearings are going on, the Pre-trial Officers complete their files on the interviews that they have completed. They look up additional criminal history in the computer. They begin calling the names the prisoners gave them to see if they can verify any of the information they were given. They draft a report on each prisoner, with a recommendation on bond for each of them. They know that the judge won't call them out for a couple of hours. Evdokia goes over yesterday's court records. She will note the defendants who didn't show up for their preliminary hearing. If she can find a working number in our files, she will call them and suggest that they show up for court before the police come and get them. I drift over to my other office, to see what's cooking there.

Boris calls me on the phone. He has interviewed a Mexican prisoner (who speaks English), but the grandmother he gave as a reference only speaks Spanish. Boris doesn't speak Spanish, what should he do? I tell him the fact that the young man has given a working phone number, and that somebody actually answered the phone bodes well. He should consider the information verified. I don't have any Spanish-speaking officers. It's a sore point with me. We've sent the names of several likely candidates downtown. What downtown sends me are white suburbanites. I should call the grandmother. But my Spanish is not so hot. And over the phone, where I don't get any visual cues? I think not. I prefer to fume to myself about the patronage system.

At 12:45, Judge Y.R. Honor calls the "overnighters." The Pre-trial officers scramble to get into court, grabbing their clipboards, leaving uneaten fragments of sandwiches in their wake.

The overnighters file out of the lockup and into the jury box in the courtroom. They sit solemnly and quietly. Some crane their heads to see if their friends or relatives have come to court to bail them out.

Ivanhoe is called first. The judge reads the arrest report and announces "finding probable cause to detain." He turns to the States Attorney for their presentation. "It seems this young man is 16, your honor," Conan, the States Attorney says. "He lied about his age when they picked him up." Judge Y.R. Honor looks at Ivanhoe through his hooded eyes. "Is this true, son, are you only 16?" "Yes," Ivanhoe states. "Has this information been checked out, Pre-trial" the judge asks? Boris, who's doing the reporting today, tells the judge that his mother says he is only 16. "In that case, son, I'm returning you to the Audy Home. "Let them figure out what to do with you," the judge says. Ivanhoe is escorted back to the lockup, only this time, he is kept in a separate room because he is a juvenile.

When Stokeley is called, he wobbles a bit on the way up front. The judge, reading the arrest report, rules cause to detain. The State recites Stokeley's criminal history, his many arrests and two convictions. They note that he is on 1 probation and ask permission to file a Violation of probation for picking up another case. Judge Y.R. Honor rules no, they can't file a VOP. He sets a high cash bond, but not high enough that the sheriff won't let Stokeley go on an I-Bond. As the sheriff leads Stokeley from the courtroom, Stokeley asks him if he will get to go home.

Courtland begins coughing as he approaches the bench. He uses his sleeve to cover his mouth. His public defender takes a slight step to the side, avoiding his touch. "Finding probable cause to detain," the judge intones. The States Attorney can find no prior convictions. "The defendant has lived in Cook County all his life, Your Honor, we're asking for a reasonable bond," the Public Defender says.

That's about as much as the P.D. ever says on behalf of their clients "Lived in Cook County all his life." What good do they suppose that does? (At one time, the courts used to worry if defendants would flee the jurisdiction. Now, everyone wishes they would just go away somewhere else; don't come back.)

The judge gives Courtland an I-Bond, telling to report in person to Pre-trial Services twice a month.

Having completed hearings on the overnighters, the judge returns to the remainder of his call. The Pre-trial officers gather their materials and return to the lockup. There, they will give each I-Bond recipient an appointment card telling them when to report to Pretrial, and their next court date. Courtland takes his card without comment as the officer explains his conditions. "Don't forget," Evdokia tells him. "If you don't show up the judge can revoke your bond and put you in jail." Courtland shrugs. The threat of jail doesn't seem to carry much weight with him.

Stokeley is less sanguine about the prospects of jail. "I got business to take care of," he tells Evdokia. "I can't be up in here." He is beginning to perspire, and he is rubbing his arms in jerky little motions. Heroin withdrawal is beginning to set in.

Their "post" interviews completed, the pretrial officers begin to file downstairs. They got out early today, so they'll be able to get lunch. That puts them in a happy mood.

After lunch, they'll begin putting today's files into the computer database. Aloysha, Evdokia and Sveta are accomplished at data-entry. Sasha and Boris struggle to get their files into the computer. The computer program they use, PROMIS (Prosecutors Management Information System,) is clunky and unwieldy, requiring them to memorize long strings of complicated commands. PROMIS was developed by a friend of former Attorney General Edwin Meese, and acquired by the Justice Department.

It has since become a standard program used by criminal justice agencies all over the country. Recently, the makers of PROMIS have sued the Justice Department for software piracy. PROMIS has shown up in the hands of foreign criminal justice agencies, such as South Africa's Bureau of State Security (BOSS) and the former Shah of Iran's SAVAK. But the makers of PROMIS complain that they have received no royalties.

At 3:00 PM, their cases entered into the computer, Sasha faxes a summary up to the post-release supervision office at 1500 N. Halsted. There, today's cases will be assigned to supervising officers.

The officers are relaxed now, and chatting with their colleagues from the two other drug courts in the building, Branch 25 and Branch 57, where an identical process has been going on all day. At 3:30, they grab their coats, sign the sign-out sheet and head out the door.

4:00 PM: a police van pulls into the receiving area at the court. Some men in handcuffs are pulled from the van, and shoved into the general lock-up. "Get your butt in there, you dumb fuck," yells a deputy sheriff, an African-American male, at a laggard. "We haven't got all day for your sorry ass." The prisoner is also African-American. He wipes sleep from his eyes as he gropes for a place on a hard bench along the wall.

Notes on Narrative Methodology

The intent of this narrative was to give some notion of what it was like to be a Pretrial Services Officer, in the first place, and secondarily, what it was like to be around Branch 72 of the Circuit Court of the County of Cook. It is based upon my experience working there, i.e. my personal observations as a participant observer. Other kinds of data were gathered from police arrest reports, rap sheets and FBI data.

What I found was that the task was much more difficult than I anticipated. I kept a reporter's notebook at hand, and scribbled furiously, when I could remember to scribble. Other times I was too busy or too involved in what was going on around me. Only later was I able to sit down and work at recall. I also discovered that I was writing, and rewriting, and rewriting. Now, years later, I reflect retrospectively and seek to portray, for our *Reflections* readers, what I saw, heard, and felt.

This narrative is primarily descriptive and not analytical. I had hoped to spend more time not only showing how things are, and how they should be, but to also indicate what should not be (Callebaut, 1993, p. 99).

My experience suggests a number of ethical problems. What is appropriate consent? Defendants are read their confidentiality rights from a canned legalize paragraph that probably means little to them. After reading the canned form, I interpret it to the defendant in "English." What

kinds of protection can be provided for the privacy of the individuals? Glesne & Peshkin (1992) and Eisner (1991) provided a way of looking at the problem and defining it – but few concrete solutions emerged from their writing. What they did convey was the sense of relativity and situation-specific guidelines to this kind of research. The key aspect of confidentiality is the protection of those being studied, and the duty of the researcher to agonize over this question.

Kotlowitz (1991) and Portelli (1991) provided approaches and examples from the world of journalism and oral history which provided important clues to me. Confidentiality is implied at a minimal level: names have been changed. But certainly any of the major court personnel involved will be able to recognize themselves and/or their colleagues. So, arguing as Plummer (Glesne & Peshkin, 1991, p. 119) do, “Sometimes the researcher must partially deceive his readership.” Thus, in some cases, I’ve further disguised my account, using composite examples of the individuals involved.

In the case of the prisoners, I have actually taken a journalistic step: the prisoners are composites, cobbled together from bits and scraps of actual individuals. “Stokeley, Courtland, and Ivanhoe” do not exist as actual persons. People much like them do exist. The details and the incidents which are described here are true. They actually happened. But not to any one person that can be identified here.

One of my goals in this research was to illuminate areas for intervention by social work. What, if anything, does social work provide in this setting? It is difficult to interest social workers in the criminal justice setting. One reason, a growing complaint, is that social workers have “abandoned” the poor and oppressed, preferring to provide psychotherapy to the middle-class “worried well” (Specht & Courtney, 1994; Ehrenreich, 1985).

Another reason that social workers who do work with the poor and oppressed avoid the criminal justice system is the conflict with traditional social work goals of client self-determination and autonomy (Compton & Galaway, 1989; Germain & Gitterman, 1981.) Hopefully, a little glimmer of

light may emerge from this research, showing how social work is needed in this setting, despite obvious problems.

References

- Callebaut, W. (Ed.). (1993). *Taking The Naturalistic Turn, or, How Real Philosophy of Science is Done*. Chicago: University of Chicago Press.
- Compton, B. R. & Galaway, B. (1989). *Social Work Processes* (4th ed.). Belmont, CA: Wadsworth Publishing Co.
- Ehrenreich, J. H. (1985). *The Altruistic Imagination: a History of Social Work and Social Policy in the United States*. Ithaca, NY: Cornell University Press.
- Eisner, E. W. (1991). *The Enlightened Eye: Qualitative Inquiry and the Enhancement of Educational Practice*. New York: MacMillan Publishing Company.
- Germain, C. B. & Gitterman, A. (1980). *The Life Model of Social Work Practice*. New York: Columbia University Press.
- Glesne, C. & Peshkin, A. (1992). *Becoming Qualitative Researchers: An Introduction*. White Plains, NY: Longman.
- Kleiman, M. A. R. & Smith, K. D. (1990). State and Local Drug Enforcement: In Search of a Strategy. In Tonry, M. & Wilson, J. Q. (Eds.), *Drugs and Crime* (13 ed.) (pp. 69-108). Chicago: University of Chicago Press.
- Kotlowitz, A. (1991). *There Are No Children Here: The Story of Two Boys Growing Up in the Other America*. New York: Anchor Books.
- Lusane, C. (1991). *Pipe Dream Blues: Racism and the War on Drugs*. Boston, MA: South End Press.
- Portelli, A. (1991). *The Death of Luigi Trastulli and Other Stories: Form and Meaning in Oral History*. Albany, NY: State University of New York Press.
- Robinson, C. D. (1993). The Production of Black Violence in Chicago. In Greenberg, D.F. (ed.), *Crime and Capitalism: Readings in Marxist Criminology* (2nd ed.) (pp. 279-333). Philadelphia: Temple University Press.
- Specht, H. & Courtney, M. (1994). *Unfaithful Angels: How Social Work Has Abandoned its Mission*. New York: The Free Press.
- Tonry, M. & Wilson, J. Q. (Eds.). (1990). *Drugs and Crime* (13th ed.). Chicago: University of Chicago Press.

Van Manen, M. (1990). *Researching Lived Experience: Human Science for an Action Sensitive Pedagogy*. Albany, NY: State University of New York Press.

About the Author: James H. Williams, Ph.D., LCSW, has most recently served on the social work faculty of the University of Washington Tacoma. A lifelong social activist, he serves on the state board of NAMI of Washington (912-604-4356; jimherbwilliams@yahoo.com).