The Sing Sing Revolt

The Incarceration Crisis and Criminal Justice Liberalism in the 1980s

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As 1983 began, New York's prisons reached a chokepoint: in the past decade the inmate population went from 12,444 to 27,943. Mario Cuomo, who would become the nation's most prominent liberal politician after delivering the keynote address at the 1984 Democratic National Convention, prepared to take the oath of office to become the state's fifty-second governor.[1] Corrections officials scrambled to find beds for four hundred new people each week in crumbling facilities and repurposed public buildings. This overcrowding occurred, to different degrees, throughout the system—city and county jails, juvenile facilities, and in state-run facilities variously classified minimum, medium, and maximum security. Multiple factors converged to create this overcrowding, including the war on drugs, the victims' rights movement, and new "truth in sentencing" laws.[2] In addition, declining tax revenues and the economic struggles of the state's voters limited the state's ability to fund new prison construction and to accommodate the educational, therapeutic, and social needs of its burgeoning prison population. Access to basic needs like warm clothing, blankets, and mail became constrained. The Department of Correctional Services (DOCS) was characterized by laughably inadequate grievance procedures, insufficiently staffed facilities, anemic responses to ongoing labor-management disputes, rifts between uniformed and civilian employees, and failure to address racist and sexist barriers to fair treatment for employees and the incarcerated population.

Recent memory generated a foreboding sense of where all this would lead. In 1971, increasing frustration with inhumane treatment led directly to the Attica Correctional

This research benefited from insight gained from Joe Britto, Lisa Gail Collins, Andy Evans, Judith Weisenfeld, participants in Princeton University's American Studies Workshop Series, and feedback from the anonymous reviewers for *New York History*.

1. New York State Committee on Sentencing Guidelines, *Determinate Sentencing: Report and Recommendations* (Albany, NY, 1985), 15.
2. Michelle Alexander, *The New Jim Crow: Mass Incarceration in the Age of Colorblindness* (New York: New Press, 2010).

Facility rebellion. Governor Nelson Rockefeller's decision to replace peaceful negotiations with the murderous retaking of the facility led to ghastly results: 128 men shot, 10 hostages dead, 29 prisoners killed. In the years that followed, the state failed to prosecute a single state official or employee, instead charging 63 prisoners with over 1,200 separate crimes.[3] The state implemented some reforms following Attica, but more notable was the state's spearheading a national shift toward the use of lengthy prison terms with the 1973 passage of the Rockefeller Drug Laws, which set then-unheard-of sentences of fifteen years to life for selling or possessing narcotics.[4] By the time the state's prisons began to buckle under the pressure of new entrants, Rockefeller decamped Albany to serve as Gerald Ford's post-Watergate vice president. Malcolm Wilson, his lieutenant governor and successor, lost the 1974 race to Hugh Carey, a Democrat who would face the exploding prison population amid fiscal struggles that impeded the state's ability to borrow funds necessary for new prison construction.[5] Under Carey, mid-1970s cost-cutting led to further erosion of the state's prison reform tradition, which led to yet another uprising. In 1977, forty people incarcerated at Coxsackie Correctional Facility, a medium-security facility near Albany founded as a New Deal–Era vocational reformatory, took three hostages in protest of increasing violence by correctional officers and a reduction in the facility's unusually expansive vocational training and programming. This incident ended quickly and peacefully but failed to have a meaningful impact on the Department of Correctional Services; nor did it impede the legislative push for continued use of long-term incarceration for a wide range of offenses. Instead, as historian Joseph Spillane notes, the incident served as a fitting coda to the reformatory era.[6]

In 1983 the uprising would take place at Sing Sing, one of the oldest and most infamous prisons in the world. After many months of using peaceful means to change inhumane practices and conditions—including the state's own grievance procedures and nonviolent protest—failed to create change, inmates in Sing Sing's B Block took control of the block and held nineteen employees hostage for three days. Thirty years later, Lawrence Kurlander, who served as the state's director of criminal justice during the revolt, noted, "nobody remembers that prison riot, because we handled it very differently from the Attica prison riot."[7] Attica cast a long shadow throughout the Sing Sing ordeal. People

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3. Heather Ann Thompson, *Blood in the Water: The Attica Prison Uprising of 1971 and Its Legacy* (New York: Pantheon, 2016). Governor Hugh Carey vacated the few successful prosecutions of Attica's prisoners.
4. Julilly Kohler-Hausmann, "'The Attila the Hun Law': New York's Rockefeller Drug Laws and the Making of a Punitive State," *Journal of Social History* 44 (September 2010): 71–95.
5. Kim Phillips-Fein, *Fear City: New York's Fiscal Crisis and the Rise of Austerity Politics* (New York: Metropolitan Books, 2017), 194–95.
6. Joseph Spillane, *Coxsackie: The Life and Death of Prison Reform* (Baltimore: Johns Hopkins University Press, 2014). Coxsackie is now classified as maximum security. There was another uprising at Coxsackie's Special Housing Unit (SHU, or solitary confinement) in 1988. See Bert Unseem, Camille Graham Camp, and George M. Camp, *Resolution of Prison Riots: Strategies and Policies* (New York: Oxford University Press, 1996), 107–20.
7. Lawrence Kurlander, quoted in Owen Lubozynski, "Lawrence Kurlander '64: Looks Back on Three Careers (and Counting)," *Cornell Law School Spotlights*, http://www.lawschool.cornell.edu/spotlights/Lawrence-Kurlander-64-Looks-Back-on-Three-Careers-and-Counting.cfm, accessed August 16, 2017.

incarcerated in B Block chanted "Attica!" just hours prior to overtaking the block, indicating that a takeover was imminent and perhaps also as an expression of solidarity with the previous decade's prisoners' rights movement. During the takeover, the inmates hung a banner in full view of the assembled media on which they wrote "We Don't Want Another Attica," expressing their memory of the violent retaking of that prison.[8]

To be sure, DOCS and inmate negotiators should be remembered for not repeating the mistakes of Attica. They reached a relatively peaceful resolution despite the improvised weapons of the inmates, heavily armed state forces, intense scrutiny of the New York news media, and grandstanding politicians. But there are other reasons why we should remember the Sing Sing revolt of 1983. The Sing Sing revolt broke the chokehold. It pushed elected officials, especially the governor and his director of criminal justice, to rapidly expand the state's prison capacity. Seeing the revolt as primarily the product of overcrowding, they convened a blue-ribbon sentencing commission that barely questioned the sentencing practices that were the central cause of the overcrowding in New York's prisons. Their actions guaranteed continuation of the upward trajectory of the prison population through the final decades of the twentieth century. Furthermore, the revolt served as the catalyst to shift the priorities of the Urban Development Corporation, created in 1968 to bring jobs and economic development to underdeveloped areas of New York City.[9] The doubling of the size of the state's prison system would be achieved through funds meant to support the very communities that sent its sons, brothers, and fathers to Sing Sing.

The state's response to the Sing Sing revolt demonstrates the aftereffects of what historian Elizabeth Hinton calls the transition "from the war on poverty to the war on crime." Rather than solely the product of clichéd "tough on crime" conservatism that led to the initial surge in incarceration, the prison-building boom of the 1980s and 1990s was also the product of "criminal justice liberalism." Under Cuomo's leadership, New York's liberal politicians and corrections officials built dozens of new prisons in order to address long-standing complaints by correctional officers and incarcerated people about dangerous and inhumane conditions. The state's leaders did not typically argue in favor of more punishment, and they even proposed some alternatives to incarceration, but they did not heed calls to roll back the relatively recent sentencing practices that led to the overcrowding. Rather, they implemented new determinate sentencing practices they hoped would prevent racial bias from influencing sentencing disparities but which also contributed to the overall rise in the size of the prison population. In order to fund this expansion, they transformed programs initially created by antipoverty liberals of the late 1960s and 1970s into a funding tool to build these prisons. This combination of liberal means and goals disassembled antipoverty liberalism and refashioned it as criminal justice liberalism. This, as much as

8. Sydney H. Schanberg, "Attica on Their Minds," *New York Times,* January 11, 1982, A19.
9. Mario Cuomo, quoted in Susan Chira, "Budget Proposes Space for Additional 2,300 Prisoners," *New York Times,* February 1, 1983, B5.

anti-government conservatism, had a chilling effect on the antipoverty and urban renewal programs as state resources went from housing and job creation for the residents of the impoverished neighborhoods to building new prisons in more rural parts of the state.

Thus, if Sing Sing's inmates revolted to address longstanding unresolved grievances, they also unwittingly left behind state-level evidence for how the apparatus of postwar liberalism was instrumental to the development of mass incarceration. We are increasingly aware of the way that mass incarceration was made possible as much by the rise of postwar liberalism as by the tough on crime rhetoric typically associated with the New Right's effort to discredit New Deal and War on Poverty programs. As Julilly Kohler-Hausmann noted, if 1980s criminal justice policies served to undermine welfare programs, they also "built upon the welfare state."[10] Republicans and moderate Democrats may have been the loudest voices driving mass incarceration, but the structures and programs of pre– and post–World War II liberalism facilitated the transformation of antipoverty programs into prisons. On the federal level, conservatives and moderates dismantled welfare programs while expanding funding for crime control. Elizabeth Hinton found that though the War on Poverty and the War on Crime were both products of Johnson-era liberalism, by 1980 the former had been eclipsed by the latter. Even before Reagan's 1981 inauguration, funding for "federal crime-control measures ballooned from $22 million in 1965 to approximately $7 billion."[11] Rather than combat racism, support education, end poverty, provide nutritional security, or build housing, federal policy and dollars increasingly supported militant policing and long-term incarceration.

This represented a transformation of liberalism as much as a dismantling of the welfare state. In the 1980s and 1990s, moderate Democrats, including Senate Judiciary Committee chair Joe Biden and President Bill Clinton, championed three-strikes laws, mandatory minimums, and the use of federal dollars to fund local police forces. Clinton couched his support for the expansion of policing and prisons in the language of liberalism. According to Naomi Murakawa, Clinton saw his crime bill as a compassionate effort to free poor people from crime-ravaged communities.[12] These policies, he hoped, might also neutralize conservative talking points that successfully targeted Democrats like Mike Dukakis as "card-carrying liberals" who were soft on crime.[13] What has perhaps been less well understood in the critique of New Democrats like Clinton are the ways that leading liberals of the 1980s like Ted Kennedy and Mario Cuomo contributed to mass incarceration

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10. Julilly Kohler-Hausmann, "Guns and Butter: The Welfare State, the Carceral State, and the Politics of Exclusion in the Postwar United States," *Journal of American History* 102, no. 1 (2015): 89.
11. Elizabeth Hinton, "'A War within Our Own Boundaries': Lyndon Johnson's Great Society and the Rise of the Carceral State," *Journal of American History* 102, no. 1 (2015): 111. See also Hinton's *From the War on Poverty to the War on Crime: The Making of Mass Incarceration in America* (Cambridge, MA: Harvard University Press, 2016).
12. Naomi Murakawa, *The First Civil Right: How Liberals Built Prison America* (New York: Oxford University Press, 2014).
13. Hinton, "A War within Our Own Boundaries," 113

by promoting policies and practices they believed would make the criminal justice system more fair, more humane, and less racist. Liberal efforts like Kennedy's Sentencing Reform Act of 1984 sought to address racially disproportionate sentencing but ultimately contributed to across-the-board lengthening of prison sentences and an escalation in the use of the death penalty. Furthermore, these efforts to level punishments across race and class backfired when, in 1986, as Murakawa notes, "Congress established the infamous 100-to-1 ratio, giving a five-year mandatory minimum for trafficking 500 grams of powder cocaine or five grams of crack cocaine."[14] African Americans would soon account for 88.3 percent of all crack cocaine convictions, while 75 percent of all those who reported powder cocaine use were white.

Previous New York governors tried and failed to address the growing incarceration crisis. The economic crisis of the 1970s prevented construction of new facilities from regular tax revenues even as elected officials pushed for an increasing reliance on long prison sentences for a broad range of convictions that would not have resulted in significant prison time in prior generations. If the money had been available, construction and state procurement logistics made it nearly impossible to keep up with the rate the prison population was growing without bringing other state operations to a standstill. Early in the 1970s, New York operated 21 facilities holding just over 12,000 men and women. By the early 1980s, the state's prison population stood at over 30,000. It would more than double again, to over 60,000 by the mid-1990s. According to DOCS estimates, the system received 400 new admissions per week in 1982. These 20,000 new admissions per year would be offset by only 12,000 annual releases. In response, the state converted some drug treatment and mental health facilities to prisons during the second half of the 1970s, but these steps could not keep pace with the accelerated rate of prison population growth. This solution also meant that the state offered fewer facilities for treatment and rehabilitation at a time of rising demand for these services. It is reasonable to conclude that the conversions of rehabilitative alternatives to prisons would, before too long, intensify the problem of overcrowding as people with mental illnesses or addictions wound up in the penal system.

Incarcerated people, correctional bureaucracies, and elected officials struggled to respond to the consequences of startling new laws that simultaneously made it easier to receive a prison sentence and harder to get out.[15] Nationally, there was a clear and persistent trend to incarcerate large numbers of people during the final decades of the twentieth

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14. Murakawa, *The First Civil Right*, 122.

15. Todd R. Clear and Natasha A. Frost, *The Punishment Imperative: The Rise and Failure of Mass Incarceration in America* (New York: NYU Press, 2014). Clear and Frost identify a "relentless punitive spirit" and "grand social experiment" that gave shape to the post-1960s criminal justice system. See also Jordan T. Camp, *Incarcerating the Crisis: Freedom Struggles and the Rise of the Neoliberal State* (Berkeley: University of California Press, 2016). Camp contends that mass incarceration emerged specifically in response to the class anxieties resulting from the intense antiracist activism of the 1960s and 1970s; see also Alex Lichtenstein, "Flocatex and the Fiscal Limits of Mass Incarceration: Toward a New Political Economy of the Postwar Carceral State," *Journal of American History* 102, no. 1 (2015): 113–25.

century, from 200,000 in the 1960s to over two million in the early twenty-first century. The impact of large inflows of people, reduced rehabilitative services, and insufficient funding for new prison construction first emerged in New York City's Department of Corrections.[16] In late 1974 a federal judge ordered the city's Men's House of Detention—the infamous "Tombs" prison in lower Manhattan—closed due to inhumane conditions. In response, the city slated three detention centers for closure, including the Tombs, causing more overcrowding at the city's main prison complex at Rikers Island. In addition, the city's underlying financial problems led to cuts in civilian and uniformed staff, as well as to drug rehabilitation and other social welfare programs, including those that sought to alleviate housing and nutritional insecurity.[17]

Men and women in Rikers reported overcrowding, fewer opportunities to leave cells, and limited access to attorneys and visitors. In November 1975 men housed in Rikers rose up for the second time in less than six months.[18] Twelve hundred men participated in the revolt, armed with broomsticks and homemade weapons. The men wanted more access to phones, more frequent contact with visitors, more time outside of their cells, improved medical care, more correctional officers, cleaner cellblocks, and a reduction in overcrowding. Most of these demands were already mandated by federal courts, but the city proved unable or unwilling to implement them.[19] The city quickly agreed to many of the demands, including a promise of amnesty for all men involved in the revolt, and the hostages were released.

As a stopgap, the city canceled the planned closure of the Bronx House of Detention so it could transfer several hundred men from Rikers. The continued high pace of prison population growth made clear that the city and state needed to either build more prisons or incarcerate fewer people. In 1981, Governor Hugh Carey sought voter approval for a $500 million bond issuance for new prison construction. But a majority of voters rejected the new debt, and lawmakers refused the alternative of releasing prisoners to make room for the newcomers, leaving the state DOCS needing to find some other way to deal with the problem of more people than cells. Additional pressure came from county officials and judges who wanted to avoid more revolts and demanded that "state ready" prisoners—those who had been convicted and sentenced yet remained in county and city jails awaiting room in the state system—be transferred out of overcrowded local facilities and into state correctional facilities. In March 1981, New York City alone held a thousand postconviction inmates awaiting transfer to state facilities. In protest, the city filed suit against the state

16. By the end of 1975, historian Kim Phillips-Fein notes, the city's main jail for men at Riker's Island reduced the uniformed correctional staff from 500 to 340. The New York City Department of Correction saw an overall reduction of 350 officers and 150 civilian employees—500 people from a total workforce of 4,400 (Phillips-Fein, *Fear City,* 202).
17. "The Rikers Revolt Was for Rights Already Won," *New York Times,* November 30, 1975, 6.
18. Phillips-Fein, *Fear City,* 211.
19. "The Rikers Revolt Was for Rights Already Won," 6.

and refused to take in parole violators due to lack of space, forcing the state to take in four hundred prisoners for whom it had no cells within forty-eight hours.[20]

While overcrowding was a problem throughout the state, the issue was particularly acute at Ossining Correctional Facility, the little-used name then assigned to Sing Sing Prison. After conviction and sentencing, adult men would be sent to Downstate Correctional Facility in Fishkill, New York, for classification. Classification involved evaluation and review of a newly convicted person's criminal record, educational and health history, current violation, and length of sentence. Classification determined whether a person would initially serve their sentence in a medium- or maximum-security correctional facility. When New York's prison population was smaller, transfer to the longer-term facilities would take place shortly after classification. But with people going from the city and county jails to the state system faster than others were released at the end of their sentences, DOCS came up with a new plan: postclassification prisoners would be sent to Sing Sing while awaiting open beds at another facility or until new cells could be constructed.[21] Predictably, Sing Sing's population went from 1,400 in 1980 to over 2,100 at the beginning of 1982, with over 1,200 people awaiting permanent placement housed in Blocks A and B, two massive cellblocks only recently slated for closure due to crumbling infrastructure. These conditions eerily mirrored those at Rikers five years earlier. Rather than solve the problems that led to the Rikers revolt, they were merely shifted from the city facilities to the state facilities.

Sing Sing designated postclassification inmates as "transfers" or "in transit" and treated them differently from the people in other blocks at Sing Sing or, for that matter, other facilities, on the grounds that their stay was temporary. First, people from all risk and security classifications were grouped together in Blocks A and B—young and old, violent and nonviolent, short-term and long-term, crammed together while awaiting transfer. These massive cellblocks constructed on the "Big House" model during the 1930s each housed over six hundred people in single cells along tiers measuring the length of several city blocks. All inmates awaiting transfer remained locked in their cells for at least nineteen hours per day. If the count was delayed, their "lock out" time outside of their cells was shorter. When permitted to leave their cells, people congregated along the "flats," the lengthy, narrow passage along the bottom tier, or in an unheated garage, where they could watch one of two

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20. Testimony of Thomas Coughlin, Commissioner of Corrections, New York State Joint Legislative Hearing, Senate Committee on Crime and Correction, Assembly Committee on Codes, *In the Matter of: A Joint Hearing on the Investigation of the Events Leading to the January Incident at Ossining Correctional Facility*, Proceedings, April 20, 1983, 229, hereafter cited as *In the Matter of*. In addition to the threat of additional uprisings, the city faced considerable pressure from the courts to reduce the Rikers population. Prison officials faced the threat of contempt charges when they failed to implement a court order demanding that they release or transfer prisoners held in deplorable conditions, including on barges and temporary buildings. See Morris E. Lasker. "Taking Stock of the Accomplishments and Failures of Prison Reform Litigation: Prison Reform Revisited: A Judge's Perspective," *Pace Law Review* 24 (Spring 2004): 427–30; Robert McFadden, "Morris Lasker, Judge Who Forced City to Clean Up Jails, Dies at 92," *New York Times*, December 28, 2009, http://www.nytimes.com/2009/12/29/nyregion/29lasker.html.

21. Testimony of Thomas Coughlin, Commissioner of Corrections, *In the Matter of*, 229.

televisions or hang out at picnic tables. Their visiting hours were restricted to weekdays, sharply curtailing access to family and friends who might be available only on weekends. They had virtually no access to parcels. Educational, vocational, religious, therapeutic, and cultural programming were virtually nonexistent. And the cellblocks were filthy: stagnant water and rotting food attracted vermin and roaches. In short, A Block and B Block were dirty, dangerous, and degrading human warehouses.

There was some bureaucratic logic to these restrictions: because their ultimate destination remained undetermined, the administrators reasoned that inmates should not start a program they would not finish. It was also logistically challenging to coordinate the delivery of mail and visitors to a continuously revolving population. There were also the usual snafus: construction of a new visiting room that could accommodate Sing Sing's ballooning population took longer than expected, resulting in a policy decision to limit visits for the transfer population in order to accommodate the general confinement population during the week. In addition, DOCS did not have a mainframe computer that could monitor and efficiently allocate available prison cells throughout the state.[22] By 1983 the length of time people awaited transfer to a permanent facility ranged from six months to one year: six months to one year without packages, programming, access to visitors, and with less than six hours per day outside of a cell.[23]

While the revolt at Sing Sing on January 8 was not foreordained, the actions of the correctional officers and prisoners offer insight into the fraught context of New York's prisons on the eve of its decade-long expansion. At 3:00 p.m. on January 8, Alexander Cunningham, the sergeant-in-charge temporarily assigned to B Block and understood by the inmates to be a heavy drinker, ordered the block's correctional officers to lock in the entire block.[24] While this reflected the facility's policy, the regular officers on the block knew this order might cause trouble. Of the twenty-five officers assigned to B Block that afternoon, fifteen had served as correctional officers for less than six months. Employee turnover and training protocols made it difficult to keep the facility fully staffed with experienced uniformed and civilian employees. DOCS needed to rapidly recruit, hire, and train correctional officers and civilian staff to meet its growing mandate. Among the nineteen initial employee hostages during the revolt, nine were trainees. Three arrived at Sing Sing two weeks prior to the revolt.[25] Among these new officers were a new generation of women and men not typically represented among correctional officers. In the wake of Attica, DOCS

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22. Lawrence T. Kurlander, *Governor Cuomo's 1984 Criminal Justice Accomplishments* (Albany, NY: Office of the Director of Criminal Justice, 1984), 10.
23. Testimony of John Nelson, Inmate at Ossining Correctional Facility, *In the Matter of*, 62–64.
24. John Mack, "Inside Sing Sing: An Inmate Chronicles the Revolt," *Village Voice*, February 8, 1983, 9. This summary of events is based on the subsequent state investigation conducted by Lawrence T. Kurlander, *Report to Governor Mario M. Cuomo: The Disturbance at Ossining Correctional Facility, January 8–11, 1983* (Albany, NY: Office of the Director of Criminal Justice, 1983).
25. Table 14, Employee Hostages. Three hostages were twenty-one years old, a fourth was twenty-two years old (Kurlander, *Report to Governor Cuomo*, 131).

hired Allen Bush as the department's minority recruitment director. Bush succeeded in increasing the racial diversity among the uniformed and civilian staff. This was particularly true at Sing Sing, where 75 percent of the facility's staff, including the superintendent, identified as "minority" in 1983.[26] The correctional officers on duty felt strongly that Cunningham's order was a bad idea and let their superior officer know that it deviated from regular practice amid ongoing tension about declining "lock out" time. Typically, the officers noted, fully half of the prison population did not go back to their cells after the 2:30 count because of work assignments. It was simply a waste of time to lock them in at 3:00 only to have to release them at 4:00 to go to the mess hall or work assignments.

Cunningham insisted that the officers follow the procedure rather than concede to informal practice, further instructing the officers to issue reports on all prisoners not in their cell after the 2:30 count. Tensions mounted when Cunningham refused to allow prisoners returning from work assignments to shower, offering no explanation for departing from the custom of allowing people to wash after engaging in physical labor. During evening recreation, Cunningham ordered prisoners to either return to their cells or go to the unheated and near-freezing garage used for recreation. Again, while this was in line with procedure, correctional officers typically allowed men to congregate along the flats on cold days because many of the transfer prisoners had not been issued winter coats. When Lieutenant Lowell Way, Cunningham's superior, arrived on the block, he rejected a signed medical pass excusing an inmate hoping to stay on the relatively warmer flats from going to the garage during recreation. The inmate refused to return to his cell. Way ordered Cunningham and two officers to take the inmate to solitary confinement.

Attica was in the air. Several inmates began shouting "Attica!" but the block quieted down quickly and Way ordered the officers to continue with the routine releases for recreation. Seeking to change the tone from Cunningham's hard line, Way ordered all inmates still in their cells released for recreation, and those already in the unheated garage returned to the flats. Nevertheless, inmates began to voice broader grievances concerning limited access to mail, visitation, commissary, and programming. Sensing a shift in tone, several of the veteran officers quietly left the block.

As the afternoon wore on, Way continued to try to diffuse the situation, first by speaking with inmates and, according to one account, extending the recreation period amid Cunningham's vocal protests.[27] Way dismissed Cunningham from the block, but it was too late. As Cunningham left, inmates began covering their faces, barricading the doors, restraining officers, and ordering all officers to one end of the block.[28] Ultimately, nineteen of the thirty officers and civilian employees working in B Block were held hostage. Eleven, including Cunningham, made it out. In the immediate melee, a wall of Muslim inmates

26. Ibid., 36.
27. Mack, "Inside Sing Sing," 9.
28. Ibid.

risked their own safety by protecting eighteen of the nineteen hostages from the rest of the population. The nineteenth officer was hidden away by an inmate who is not identified in official reports.

Several members of the Inmate Liaison Committee (ILC)—which had the ability to move freely through the facility—arrived on B Block just before the takeover. Quddos Farrad, chair of the committee and part of the prison's "cadre" (prisoners who held key positions within the facility), arrived on the cellblock during the initial takeover. Since the beginning of his term on the ILC the previous March, Farrad repeatedly reported on the deteriorating conditions and tense climate in Blocks A and B to the Sing Sing administrators. Each month, the ILC met with the administration, detailing grievances. The administration ordered an investigation of each grievance, which invariably would not be completed before the next monthly meeting, where additional grievances would be added. "We tried," Farrad later noted, "to give the administration the things that were needed to alleviate the problems, and it was just a thing of hitting your head on the wall."[29] The prison's administrators refused to resolve major policy-directed grievances involving medical treatment, the visiting room, and access to packages.[30]

These problems led to several smaller actions before the 1983 revolt. The men on A and B Blocks mounted two collective direct action protests: a food strike on B Block in August 1982 and a mass refusal to lock in among the A Block population that December. Farrad successfully worked with the administration and the prison population to bring these to an end, but the underlying issues were never addressed. The grievances at the heart of those peaceful protests would eventually emerge as key negotiating points during the January revolt.

This is not to say that the revolt was premeditated. Rather, it rolled along on the energy of long-standing grievances and deteriorating conditions. The refusal to go to the garage happened between 7:20 and 7:30 p.m. The hostages were taken at around 7:40 p.m. The department's main office in Albany was notified at 8:00 p.m., which in turn notified Governor Mario Cuomo's secretary, who briefed Cuomo via telephone. Cuomo immediately established a command post at his New York City office on the World Trade Center's fifty-seventh floor. He would stay on an open phone line with Commissioner of Corrections Thomas Coughlin throughout the revolt.[31] Joining him were key advisers and staff members, including Lawrence Kurlander, the state's director of criminal justice; Michael J.

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29. Testimony of Quddos Farrad, *In the Matter of,*, 9.
30. The facility's grievance officer acknowledged that the facility's procedure was designed to allow inmates to file and log their grievance but did not provide a mechanism to actually resolve the underlying problems. "My job was only to see that the procedure operated in respect that the inmate was allowed to file his grievance, have it logged, and that he would get an answer. That was my responsibility. Whether he would get what was asking for in a grievance was not my . . . [answer cut off]" (*In the Matter of,* 179).
31. Mario Cuomo quoted in "Thomas A. Coughlin, III, 'The Good Public Servant,' Dies at 63," New York State, Department of Correctional Services, Office of Public Information, August 24, 2001, http://www.doccs.ny.gov/PressRel/2001/coughlinpr2.html.

Del Guidice, the governor's secretary; Timothy J. Russert, Cuomo's press secretary; Fabian Palomino, his special counsel; and Cuomo's son and policy adviser, Andrew Cuomo. The governor had taken the oath of office only eight days earlier. As the state bureaucracy snapped into action, some inmates used whatever was at hand amid the debris of the cellblock—stray lumber, mop handles, a sharpened bit of metal, a procured nightstick—to overpower and restrain the officers. Others prevented immediate physical harm to the officers by escorting them to the flats. Fearing especially for the safety of Lieutenant Way, Farrad and an unidentified Spanish-speaking inmate escorted him to the mess hall gate, convinced several inmates to allow them through, and accompanied Way to Deputy Superintendent McGinnis's office.

The DOCS main office in Albany had already been notified of the hostage situation by the time Way made it to McGinnis's office. Several DOCS officials, including Commissioner Coughlin, flew from Albany to Westchester County Airport. So, within a few hours, inmates on B Block achieved the full attention of the state's executive and correctional authorities where the existing grievance policies had been ineffective. The same concerns that emerged as the central causes of the revolt had festered for many months, despite repeated efforts by inmates and guards to inform their superiors using procedures DOCS set up after Attica.

After the preventative measures failed to address issues that repeatedly led to inmate uprisings, the state's emergency response protocol would receive a key test of its effectiveness. In the years after Attica, DOCS instituted a two-pronged approach to regaining control of inmate uprisings. First, they created coordinated teams at all state and county facilities. The Correctional Emergency Response Teams (CERT)—dubbed the "Orange Crush" or "Crush Squad" by inmates—used force in order to achieve institutional goals. Starting in 1975, each facility sought volunteers from the uniformed officer staff to receive training in riot control and other emergency response measures.[32] Teams from each institution could be coordinated and mobilized in response to larger scale conflicts like the Sing Sing revolt. Almost immediately after the revolt began, three nearby facilities mobilized their teams. By the end of the revolt, nine different facilities sent teams to Sing Sing to contain the revolt within B Block. Aware of the tactics of the Orange Crush, inmates spent the early hours of the takeover fearing a violent invasion. As officers strengthened barricades leading from B Block, inmates used picnic tables to create barricades leading in.[33]

As CERT mobilized its forces, a second group made their way to the B Block mess hall. The revolt was the first major test of the Crisis Intervention Team. Known more generally as Situation Control (Sit-Con), this team was formed in 1977 to peacefully resolve crises ranging from the relatively common refusal to leave a cell to the rare hostage situations.[34]

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32. Kurlander, *Report to Governor Cuomo*, 142; Mack, "Inside Sing Sing," 11.
33. Kurlander, *Report to Governor Cuomo*, 145.
34. James Feron, "Notebook: Hostage Talks a First for Crisis Team," *New York Times*, January 16, 1983, B12.

As with CERT, each facility had its own Sit-Con team for small-scale crises. When needed, teams from different facilities could come together to form a larger coordinated team. DOCS identified and trained several dozen people from throughout the system in the hope that they could bring a peaceful end to the conflicts arising from the state's growing prison population. They trained at a camp in rural Wilton, New York, where they learned to work as a team and studied the art of negotiating from a range of experienced hostage negotiators. Among the lecturers in Wilton was Frank Bolz, head of New York City's Hostage Negotiating Team and author of 1979's *Hostage Cop*. Bolz emphasized flexibility and ongoing conversation designed primarily to prevent harm to hostages. Bolz described the need to reassure people holding hostages that they would not be harmed and that he would help them resolve underlying demands.

Bolz identified the origins of his approach to hostage negotiation in his visceral response to the failures and violence of the Attica uprising in 1971 and the Munich Olympics in 1972.[35] In particular, Bolz came to believe that police agencies needed to take seriously the political or personal demands of hostage takers. He urged negotiators to talk with people who take hostages for as long as possible. Bolz believed that negotiators should meet demands where they could, with the expectation that those holding hostages would also make concessions in order to incrementally move toward resolution. Refusal to do so in both Attica and Munich had resulted in what Bolz saw as an unnecessary loss of life.[36] Time, Bolz believed, was on the side of the state. He felt that at Attica, the state arbitrarily cut off negotiations and unnecessarily used overwhelming force to retake the facility.[37]

In Wilton, Sit-Con training culminated in a role-playing exercise involving a prison uprising in which they had to negotiate the release of hostages using Bolz's signature technique. Bolz emphasized the great need for negotiators to stretch out the negotiations both to resist one's own "fight or flight" urges and to avoid aggravating the person or people holding hostages. He did not create a false impression of friendship, nor did he argue during negotiations. He recognized that those taking hostages do not typically want those in their control to die or be harmed. This lesson made the Sing Sing negotiations far different from those at Attica. If Sit-Con could demonstrate a willingness to resolve underlying grievances while meeting short-term requests in exchange for inmate concessions, they believed they could peacefully bring the revolt to a close.

Twenty-seven members of Sit-Con eventually served during the Sing Sing revolt, as compared to at least one hundred members of CERT. This was the team's first opportunity

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35. Frank Bolz and Edward Hershey, *Hostage Cop* (New York: Rawson, Wade, 1979), 240. For a detailed discussion of the Attica negotiations, see Thompson, *Blood in the Water*.
36. The Black September group that held Israeli athletes in Munich demanded the release of over two hundred Palestinians held in Israeli prisons. Bolz believed that the hostage negotiators in West Germany were hampered by the Israeli government's refusal to negotiate, as well as the International Olympic Committee's wish that the games continue (Bolz and Hershey, 301).
37. This view is also reflected in Tom Wicker's account of his experience as an observer in Attica, *A Time to Die* (New York: Crown, 1980).

to prove that negotiation could succeed over brute force in a major hostage negotiation. The team included Sit-Con commander and chief negotiator Anthony "Kenny" Umina, who was himself a hostage in the takeover of Coxsackie Correctional Facility in 1977, when he served in that facility as a correctional officer captain. Most other members of Sit-Con came from civilian professions, including social workers, psychologists, and recording technicians.[38] Sit-Con's first task was to set up listening posts under and around B Block. Because DOCS lacked electronic equipment, they enlisted members of CERT and Sit-Con to physically staff the eavesdropping stations, radioing information back to Sit-Con's command center in the mess hall. Meanwhile, inmates sought to jam these efforts by spraying water on the negotiating team and demanding direct contact with the news media.[39] But in order to negotiate, inmates needed to first agree on what they wanted. Taking over an entire cellblock was not simple; maintaining a semblance of order and moving toward a peaceful resolution proved far more difficult. Inmates had a hard time agreeing on demands and creating a consistent negotiating team, but just after midnight they did agree to exchange one hostage, Officer Trainee Patrick Peryea, who had been at Sing Sing for about five weeks, for medication.[40] Peryea described deep divisions on the block, especially between those inmates who sought a peaceful resolution and others who seemed eager to inflict harm. Peryea confirmed that no officers had been seriously injured in the takeover and that the different inmate factions so far agreed on only two things: they would no longer accept Cunningham on the block and they wanted direct contact with the news media.

As dawn arrived, Sing Sing was shaping up to be a major test of the two-pronged approach. The exchange of Peryea for medication clearly showed the potential of Bolz's methods. But because Sit-Con grew concerned with the lack of organized leadership or clear demands that might facilitate future negotiations, they began to develop contingency plans.[41] Umina ordered the water shut off while the leadership of CERT began planning to use tear gas and lethal weapons to retake the block.[42] There was a realistic assumption that a CERT assault was imminent as conditions, negotiating positions, and perceptions remained in constant flux. At the same time, the news media, as well as family members of the hostages, began congregating outside the gates. To prevent the inmates from listening to or watching news broadcasts, senior DOCS officials cut off electricity to the block. When incarcerated leaders in the block urged solidarity and order, this intensification by the state was accompanied by renewed hope.

The state's corrections officials debated using force to resolve the crisis. This was more

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38. Feron, "Notebook," B12; Spillane, *Coxsackie*.
39. Joe Britto, interview with author, July 15, 2015. Britto, who served as a member of Sit-Con and its successor, Special Operations, had his initial training in Wilton during the summer of 1982.
40. Kurlander, *Report to Governor Mario M. Cuomo*, 148.
41. Ibid., 154.
42. Ibid., 150; "Anthony 'Kenny' Umina," Obituary, *Albany Times-Union*, October 29, 2011, n.p.

than a tactical debate between Orange Crush and Sit-Con. It also reflected long-standing tensions between the uniformed and civilian employees of the Department of Correctional Services. These tensions were heightened during and after a correctional officer strike in April and May 1979.[43] Along with National Guard soldiers who filled in for the officers, many civilian employees, including members of the Sit-Con team serving during the Sing Sing strike, crossed the picket line and served as security personnel.[44] In the wake of the strike, residual lack of trust escalated to a dangerous and frustrating breakdown in communication and collaboration. This was still the state of affairs in 1983. Correctional officers held DOCS administration and, in some cases, civilian employees, responsible for poor work conditions that had been repeatedly reported to local and state officials for months—and in some cases years—by prison advocacy groups, inmate self-government, and the correctional officers union. Local 1413 of the Security and Law Enforcement Employees Council 82 (typically referred to as Council 82), representing Sing Sing's officers, noted low morale due to administrative reliance on mandatory overtime due to unfilled positions and the closing of the officers mess hall. James Burke, Council 82's executive director, pointed to the systemic problems uncovered as far back as the McKay Commission, formed in the wake of 1971's Attica uprising. Statewide, Burke testified, New York's facilities were at 113 percent of capacity. Sing Sing stood at almost 130 percent of its capacity. He attributed many of the problems his members faced to overcrowding: assaults on officers by inmates, assaults on inmates by inmates, and inmate psychiatric problems.[45]

These frustrations were felt even more acutely by women officers, who noted the absence of a women's locker room and a discriminatory pattern of being passed over for promotions in favor of male colleagues.[46] Men and women officers of color faced additional challenges. New black and Latino officers described the compounding challenges of facing racist colleagues and a prison administration and union leadership that did not stand up for their interests. Rudolph Graham, an African American correctional officer at Sing Sing, noted that white officers would not even talk to him, creating a double burden: "Dealing

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43. The strike was called after the state and union reached a tentative agreement on April 5, 1979. Despite initially agreeing to the terms, the union asked the state to reopen negotiations. When the state refused, workers went on strike. The state received a court order prohibiting Council 82 from striking. When Hollis V. Chase, the union's executive director, refused to obey, the state imprisoned him in the Albany County Jail. The state's entire prison population of twenty-one thousand people remained locked in their cells for the duration of the fifteen-day strike. Richard Gooding and Gene Ruffini, "Prison Guards Walk Out, Inmates Face Long Lockup," *New York Post,* April 19, 1979, 2.

44. Britto interview.

45. Testimony of James Burke, Executive Director of Council 82, *In the Matter of,* 100–102. Burke largely concurred with the inmates regarding the causes of the revolt, arguing that lack of capacity, idleness, and limited educational or therapeutic programming contributed to unsafe working conditions and high risk of rioting. His solution was to expand the prison system and stop plans to close the Long Island Correctional Facility. He suggested that the state acquire surplus federal property and turn them into prisons (104).

46. Minutes, Ossining Correctional Facility Labor Management Meeting, January 9, 1980, M. E. Grenander, Department of Special Collections and Archives, University at Albany, State University of New York, *Council 82, Security and Law Enforcement Employees, American Federation of State, County and Municipal Employees (AFSCME) Records, 1968–1989,* Sing Sing Local 1413, Series 5, Box 1.

with inmates is tough enough, but when you've got to deal with the administration too, you've got a double load on your back."[47]

Amid these degrading and racist working conditions, officers formed the Minority Correctional Officers Association (MCOA) in 1977 in order to represent the interests of black and Latino officers throughout the system. MCOA expressed outrage when Larry Van Dyke, an African American inmate from Kingston, New York, who had done time in Attica, Clinton, and Green Haven correctional facilities between 1973 and 1977, revealed that he was recruited by white correctional officers at each of those three facilities and offered incentives, including cash and reduced time in solitary confinement, if he would frame black civilian and uniformed employees for drug dealing, carrying money out of the prison, and sexual molestation. Echoing Graham's experience at Sing Sing, a Green Haven officer noted, "our problems are not so much with the inmates but with immediate supervisors—the racism and bigotry of administrative officials."[48]

Thus, for reasons grounded in their specific experiences as members of Council 82 and their gendered and racialized experiences within DOCS, many of Sing Sing's correctional officers held an adversarial view of the administration. Officers reported the same lack of follow-up regarding grievances as the inmates. Robert Slattery, a white member of the executive board of Sing Sing's Council 82 chapter at the time of the revolt who had worked at Sing Sing for eight years, explicitly sided with the testimony of John Nelson, an inmate who testified at the joint legislative committee on the Sing Sing revolt: "I am echoing John Nelson's antagonism when he is just tired of hearing all the lip service that is being paid to our problems."[49] In order to emphasize this point, Nelson provided minutes and notes from a 1980 task force that highlighted problems of overcrowding and low employee morale. While this did not mean that Slattery identified with the incarcerated population, it did mean that many officers would not see the administration and its negotiating team as their allies and saviors during the hostage negotiations.

Sit-Con continued to try to use time to its advantage. During the mid-morning hours of January 9, nine ill inmates left the cellblock in two groups. They confirmed that the basic conditions had not changed since Peryea emerged: there were no injuries, the hostages remained guarded by Muslim inmates seeking a peaceful and just resolution, and that Cunningham was the catalyst for the unplanned takeover. However, in addition to reiterating the immediate demand of direct media contact, they added more specific concerns regarding policies affecting inmates with transient status that largely mirrored those already required but not followed: more visitation, recreation, commissary, and programs.

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47. "Plot Alleged Against Black Prison Guards," *Poughkeepsie Journal*, December 18, 1979, Council 82 Papers, Sing Sing Local 1313, Clippings File.
48. The state confirmed Van Dyke's story, including that he served as an informant in exchange for cash and suspension of sixty days in solitary confinement ("Charge of Entrapment in 3 Prisons Under Inquiry by Albany and U.S.," *New York Times*, March 11, 1979, 38).
49. Robert Slattery, executive board member, Local 1413 (Ossining Correctional Facility), *In the Matter of*, 122.

To Sit-Con, this new information appeared to be a good opportunity to open up negotiations. But over the next several hours, a rotating set of inmate spokespeople and an unproductive back-and-forth between Sit-Con, CERT, and Commissioner Coughlin resulted in no real progress. Finally, on the evening of the ninth, five inmate negotiators entered the mess hall with six demands: permanent reassignment of Cunningham, increased time outside of the cells, increased access to programs, overhaul of transfer status designation, access to packages, and relief of overcrowding. In addition, they demanded media coverage when they released the hostages. These demands would become the cornerstone of the eventual agreement, but along the way both sides added additional ultimatums regarding amnesty and access to food and medicine.

Importantly, both Sit-Con and the inmates quickly agreed that CERT would be barred from engaging in the use of force. The inmates promised that all prisoners would return to their cells prior to the retaking of the facility, and Sit-Con promised that the facility's superintendent and DOCS inspector general would personally monitor CERT. According to Lawrence Kurlander, the state's director of criminal justice, who was present at the governor's command post throughout the takeover, Governor Cuomo and Commissioner Coughlin agreed to file criminal charges against members of CERT or any other corrections employees who violated this agreement when retaking the block. Furthermore, in a clear response to Attica, where the facility's own correctional officers, among others, beat and shot inmates and hostages as they retook the facility, the governor barred officers from Sing Sing in participating in the retaking of B Block.[50] While they did not agree to amnesty from any prosecution for the inmates as a condition of releasing hostages, they did agree not to retaliate.

A resolution seemed imminent but was soon sidetracked. As a show of good faith, the state authorities restored electricity to the block. As they did so, inmates who turned on the television were treated to a live interview with state senator Ralph J. Marino, a Long Island Republican who chaired the Senate's Crime and Correction Committee. Marino, along with his senate colleague James J. Lack, decided to swing by the prison on the way to Albany. When they arrived, a DOCS official barred them from entering the prison but nevertheless updated them on the status of the negotiations. Marino then spoke to a television reporter, who broadcast his comments to all viewers, including those within B Block. Marino noted that the state conceded to most of the inmate demands but falsely said they would not grant amnesty from prosecution. He also noted that Muslims were serving as guards for the hostages.

When they watched Marino on the 11 p.m. nightly news broadcast, inmates felt betrayed. Negotiators had, in fact, not ruled out amnesty; they decided only not to make it a condition of hostage release. Furthermore, the Muslim inmates who protected the guards

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50. Kurlander, *Report to Governor Mario M. Cuomo,* 160. See also Thompson, *Blood in the Water.*

felt incensed that they were singled out. They protected the guards at great personal risk, including facing physical reprisals from other inmates, only to be identified on television.[51] The negotiations immediately fell apart as inmates did not buy Sit-Con's assurances that Marino did not speak for the state. Cuomo called Coughlin to the carpet for granting any access to Marino. As tensions escalated, calls for physical confrontation again emerged on both sides of the mess hall gate. Commissioner Coughlin cut off the heat. Additional CERT teams arrived on the scene to replace the sleep-deprived officers who had been on alert for the prior twenty-four hours. Within the block, according to officers at a listening post, there were calls to "throw out the bodies."[52] Just after midnight, an inmate was released who had been stabbed. After Marino's interview the next morning, both sides managed to restore order. Coughlin reiterated the state's consent to inmate demands, and inmate negotiators returned to the table. DOCS held a press conference, reassuring the media that the situation was under control. At the same time, the hostages began communicating directly with the media via a bullhorn. Officer Randy Gorr, a twenty-two-year-old trainee, noted that no one had been hurt. Berry Madden, a sergeant who had served at Sing Sing for seventeen years, reported, "the inmates are treating us well." More dramatically, Officer Barry Clark, an African American officer who worked at Sing Sing for a year, accused the state of "playing with our lives."[53] In contrast to the crosstalk and bungling by Marino, the prisoners provided a steady stream of updates to the assembled media via both bullhorn and bedsheet banner. The bullhorn updates would prove to be more reliable than the press conferences offered by state officials. *New York Times* reporter Robert Hanley first learned that a deal was imminent from an 11 p.m. bullhorn broadcast from the cellblock on the final night of the revolt.[54]

While there was nothing particularly unusual about this group of correctional officers vis-à-vis Sing Sing's overall staff, their backgrounds reveal some important factors in the lead-up to the revolt. It also helps explain their unexpected support for the incarcerated people who held them hostage. It would be a mistake to overstate the similarities between the officers and those held in the facility, but there were some striking commonalities: the officers and inmates were younger, more transient, and disproportionately from communities of color than in other parts of DOCS, as well as the overall population of the state and nation. By themselves these similarities probably would not be enough to overcome the most important difference—the bars, uniforms, and lines of authority that, at times, overwhelmingly defined their relationship. For example, some African American inmates held particular contempt for correctional officers of color, arguing that they were "allowed

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51. Kurlander, *Report to Governor Mario M. Cuomo,* 163.
52. Ibid., 198–200. This was the only reported stabbing during the revolt.
53. Ibid., 169–70. One officer trainee, Marcus Mendez, also spoke, but he later reported that he had done so at knifepoint. For age, race, and length of service information, see ibid. 131.
54. Robert Hanley, "The Bullhorns of Cell Block B: Reliable Source of Information," *New York Times,* January 11, 1983, B4.

to become an integral part of the oppressive forces with the system."[55] They believed that these employees served to paper over the inherently racist characteristics of incarceration. At the same time that some African Americans could earn middle-class incomes via civil service, DOCS would use their presence to claim progress on post-Attica demands for a diverse correctional staff, while the underlying conditions for inmates remained deplorable and black communities were torn apart.

Finally, at 6:30 p.m. on January 11, after fifty-three tense and often frightening hours involving over a thousand inmates, state employees, and the probing eye of the New York media, the inmates of Sing Sing's B Block began releasing hostages in stages as they and state negotiators agreed upon conditions. At one particularly dramatic moment, four hostages, all correctional officers, emerged from the cellblock. Instead of embracing their freedom, Officers Barry Clark, Marcus Mendez, Randy Gorr, and Israel Romero rejected the advances of the negotiating team. One of the four yelled: "Don't touch me! You people are not doing anything, and you're going to get them all killed." Another officer shook hands with the *inmate* negotiators and offered to "go back inside if I have to" if the state did not deliver on their recent promises that the media would be available to the inmates.[56] Some of the members of Sit-Con attributed this fracas to Stockholm syndrome, a term used by hostage negotiators and psychiatrists to describe the tendency of some hostages to demonstrate support for their captors. Coined a decade earlier by a Swedish psychiatrist to describe what he theorized as a psychological malady afflicting hostages in a bank who refused the help of the government and defended their captors, Stockholm syndrome achieved additional attention in the United States when Patricia Hearst, a nineteen-year-old college student and granddaughter of publisher William Randolph Hearst, joined the Symbionese Liberation Army, the revolutionary group that abducted her in 1974.[57] A psychologist who later evaluated the hostages attributed their reaction to the fact that the officers had slept less than three hours over the previous three days.[58]

But the frustrations and expressions of support for inmate grievances were not, or at least not only, the product of misplaced loyalty resulting from trauma or sleep deprivation. Instead, they reflected the long-standing grievances with their working conditions, in addition to a rational distrust of state prison authorities and elected officials. Following the release of these four officers, things moved quickly. The state's negotiators sent in food, signaling continued cooperation. Between 11:00 p.m. on January 11 and 1:00 a.m. on January 12, the inmates released all hostages. Sit-Con and inmate negotiators achieved some of their key goals—all hostages were released without harm, several inmates directly communicated their grievances to the assembled media and statewide officials, and the

55. Mack, "Inside Sing Sing," 10.
56. Kurlander, *Report to Governor Mario M. Cuomo*, 171.
57. Ibid., 172; Britto interview.
58. Feron, "Notebook," B12.

remaining inmates returned to their cells on their own. With the negotiators' work done, Orange Crush moved in. In keeping with the agreement, officials held back Sing Sing's own CERT team. Teams from at least five other facilities proceeded to secure all cells and clear the cellblock of debris and makeshift weapons.[59]

Once CERT regained control of the block, a new struggle emerged, one that shaped the meaning of the revolt in ways that served competing agendas. Governor Cuomo, Commissioner Coughlin, and Sit-Con received praise for their handling of the revolt, including from prisoner and civil rights advocates.[60] The Civil Rights Division of the U.S. Department of Justice investigated conditions in Sing Sing for violations of the Civil Rights of Institutionalized Persons Act, but did not ultimately press charges.[61] To be sure, inmates complained that CERT team members destroyed property and voiced racist epithets as they retook the facility.[62] The only criminal charges grew from an inmate who accused other inmates of repeatedly raping him during the revolt. He requested transfer to a federal prison facility, noting that even though he was in protective custody—solitary confinement—he received ongoing threats and reprisals by inmates and correctional officers.[63]

In contrast, political leaders in Ossining saw the revolt as further evidence that the correctional facility hindered their town's economic development and tarred its reputation. They felt that the revolt highlighted the ways the prison detracted from the Hudson River charm of the village. Mere hours after B Block was retaken, the Ossining town supervisor urged the governor to close the facility so that the prime riverfront real estate on which it stood could be redeveloped.[64] Cuomo also received pressure from Richard Ottinger, who represented Ossining in the U.S. Congress, to close the facility. Ottinger reminded the governor that just prior to the revolt he had proposed that DOCS lease Rikers Island from New York City and convert it into a state correctional facility as a replacement for Sing Sing.[65] The governor noted that severe overcrowding throughout the system prevented consideration of closing the facility.[66] Ossining mayor Joseph Caputo retorted that the state should

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59. Kurlander, *Report to Governor Mario M. Cuomo*, 177.
60. David Rothenberg to Mario M. Cuomo, January 11, 1983, and Ramsey Clark to Mario M. Cuomo, January 21, 1983, New York State Archives, Governor Mario M. Cuomo Papers, hereafter Cuomo Papers. Correspondence Files, 1983–84, Reel 43.
61. William Bradford Reynolds, Assistant Attorney General, Civil Rights Division, to Mario M. Cuomo, "Notice of Intent to Commence Investigation at Ossining Correctional Facility," June 20, 1983, Cuomo Papers, Correspondence Files, 1983–84, Reel 43.
62. Some inmates reported (this was denied by independent inspectors and correctional officers but corroborated by several inmates) that the subsequent shakedown of A Block, F Block, and 7 Building (none of which participated in the revolt) resulted in significant destruction of inmate property and physical intimidation by CERT (Mack, "Inside Sing Sing," 10–11).
63. Robert Arkin to Michael Del Giudice, secretary to the governor, April 19, 1983, Cuomo Papers, Correspondence Files, 1983–84, Reel 43.
64. Richard G. Wishnie to Mario M. Cuomo, January 11, 1983; Joseph G. Caputo to Mario M. Cuomo, January 17, 1983, Cuomo Papers, Correspondence Files, 1983–84, Reel 43.
65. Richard L. Ottinger to Mario M. Cuomo, January 4, 1983 and January 27, 1983, Cuomo Papers, Correspondence Files, 1983–84, Reel 43.
66. Mario M. Cuomo to Richard L. Ottinger, June 17, 1983, Cuomo Papers, Correspondence Files, 1983–84, Reel 43.

provide annual payments in lieu of taxes and close Tappan, a separate correctional facility adjacent to Sing Sing.[67] When it became clear that riverfront redevelopment was of secondary importance to what Cuomo saw as an ongoing crisis in the state's correctional facilities, the village of Ossining passed a resolution urging DOCS to change the name of the facility from Ossining Correctional Facility back to Sing Sing, "a name much more widely known and having a lesser impact on our Village."[68]

For his part, the governor distilled the meaning of the prisoners' demands to suit his goal of reforming and expanding the state prison system. The prisoners held hostages in immediate reaction to what they saw as the arbitrary and cruel actions of Sergeant Cunningham. As the revolt continued, negotiators on both sides focused on a range of other issues, most notably DOCS policies related to their transient status that restricted access to education, rehabilitation, and visitors. Less than three months after the revolt, Cuomo signed legislation ordering DOCS to raise the minimum age for correctional officers from eighteen to twenty-one.[69] In early 1984, Senator Marino, who had come so close to derailing the negotiations when those participating in the revolt viewed his off-the-cuff remarks on the evening news, coauthored new legislative recommendations in response to several days of hearings about the Sing Sing revolt. The recommendations included a series of reforms centered on shortening the time to transfer, reducing idle time, improving recruitment and training for correctional officers, and fixing the failed grievance process.[70] These proposals pointed to the sources of frustration among the inmates and responded to the interpersonal and professional missteps by correctional staff.

DOCS provided a modest increase to state funding for educational and vocational programs and some new funding for work assignments with Correctional Industries.[71] The state also increased funding to expand the size and improve the training of correctional staff. All told, the 1984–85 state budget included $10 million in new funding for improved programming and work placement for inmates, new correctional officers, and improved training.[72] While these small-scale changes reflected a reasonable response to the legitimate

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67. Mayor Joseph G. Caputo to Mario M. Cuomo, February 23, 1983, Cuomo Papers, Correspondence Files, 1983–84, Reel 43.
68. The name was changed back to Sing Sing in 1985. Lester M. Kimball, Village Clerk to New York State Department of Correctional Services, September 28, 1983, Cuomo Papers, Correspondence Files, 1983–84, Reel 43.
69. Executive Chamber, Press Release, March 29, 1984, Cuomo Papers, Correspondence Files, 1983–84, Reel 43.
70. Ralph J. Marino and Melvin H. Miller, "After Ossining: A Legislative Response with Recommendations," report based on investigations and hearings conducted by the Assembly Codes and Senate Crime and Correction Committees, January 9, 1984, Correctional Association of New York Records, M. E. Grenander Department of Special Collections and Archives, Archives of Public Affairs and Policy, University at Albany Library.
71. The increased funding for Correctional Industries (CI) would be offset by increased profits. CI, now Corcraft, saw a 30 percent increase in sales, from $6 million to $8 million, in the first quarter of 1984. CI went from an operating deficit to achieving a small profit. Lawrence T. Kurlander. *Governor Cuomo's 1984 Criminal Justice Accomplishments* (Albany: Office of the Director of Criminal Justice, 1984), 27.
72. Ibid., 3–4.

concerns of the prisoners who revolted, they would come to be far less significant than the impending transformation and expansion of the state's correctional system in the coming years. Mario Cuomo, who would symbolize the great liberal hope to counterbalance the rightward march of U.S. politics during the Reagan years and who would periodically and publicly flirt with making a run for the White House, instead championed a kind of criminal justice liberalism that addressed the crisis in incarceration by building more prisons.[73]

Faced with a daunting $1.8 billion budget deficit, Cuomo declared, "If we're going to do cuts, every agency has to be cut. There's not going to be somebody safeguarded—well, except for prisons."[74] The crucial long-term impact of the Sing Sing revolt would develop over the following decade as the governor repeatedly invoked the Sing Sing revolt when urging the state legislature to allocate greater state resources to prison construction and staffing in order to house sharply rising prison populations. A round of investigations and blue-ribbon committees concluded that prison overcrowding and sentencing disparities were the underlying cause of the revolt. These were long-standing concerns that brought together a range of critics of incarceration, even if they did not always agree on what to do about it. Rather than seek ways to cut the size of the prison population, state officials rarely publicly questioned the reality that the prison population would continue to grow, even while the governor requested $30 million to support alternatives to incarceration to try and slow the growth of the prison system.[75]

In particular, the New York State Committee on Sentencing Guidelines (NYSCSG) sought to reduce disparities in prison sentences but did not consider reducing the state's reliance on incarceration. It recommended, among other things, predictability in prison terms through a sentencing grid and a phased elimination of parole boards.[76] The committee's report candidly noted, "had the Committee interpreted its mandate as requiring that it propose sentences that would allow the state to live within its planned capacity, the Committee would have had to recommend a reduction in the use of incarceration."[77] At a moment in the state's history when the prison population stood at 110 percent of capacity—and triple its population of a decade earlier—the committee predicted that its recommendations would result in continued explosive growth, to over fifty thousand by the early 1990s.[78]

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73. Saladin Ambar, *American Cicero: Mario Cuomo and the Defense of American Liberalism* (New York: Oxford University Press, 2018), xi. Ambar believes that Cuomo "has been the most significant liberal politician to challenge Reaganism in the past thirty years," with his prison construction as a significant failure in his otherwise progressive vision (xiv).
74. Robert S. McElvaine, *Mario Cuomo: A Biography* (New York: Charles Scribner's Sons, 1988), 311.
75. Kurlander, *Governor Cuomo's 1984 Criminal Justice Accomplishments,* 5.
76. New York State Committee on Sentencing Guidelines, *Determinate Sentencing Report and Recommendations* (Albany, NY, March 29, 1985), 8.
77. Ibid., 14.
78. Ibid., 15. Fifty thousand underestimated the rise. In 1994 the state's prison population peaked at sixty-seven thousand. See William H. Honan. "Thomas Coughlin, 63, a Chief of Prisons in New York State," *New York Times,* August 25, 2001, http://www.nytimes.com/2001/08/25/nyregion/thomas-coughlin-63-a-chief-of-prisons-in-new-york-state.html.

They also knew that this population growth would have a continued and deepening disparate impact on African Americans, Latinos, and poor people of all backgrounds.[79]

The committee proposed a plan that would eliminate indeterminate sentences, a practice where judges set minimum and maximum terms within which parole boards set a release date. The parole board theoretically based its release decisions on the severity of the initial crime, behavior while incarcerated, and future risk of reoffending. The critique of indeterminate sentencing came from many quarters, with conservatives seeing as unrealistic the expectation of rehabilitation at the philosophical heart of indeterminate sentencing, while more-liberal observers arguing that the resulting disparate sentences for similar crimes was itself unjust and a leading cause of racial disparities in incarceration rates.[80] In the 1970s and mid-1980s several states and the federal government began eliminating parole and establishing relatively fixed "truth in sentencing" statutes, allowing for some time off for good behavior. New York tried and failed to move toward determinate sentencing on at least three separate occasions prior to the 1983 revolt. With the wind of the Sing Sing revolt at their backs, the state joined the national bandwagon for determinate sentences. In addition, the Fair Treatment Standards Act provided a greater voice for crime victims in the criminal justice system by creating guidelines for ongoing notification of judicial and corrections proceedings.[81]

The rhetoric around this new legislation focused on "truth in sentencing" and "victims' rights," but would not result in an end to racially disparate sentences or abuses of discretion. Rather, the end result was a shift of discretion away from judges and parole boards and toward prosecuting attorneys who brought charges associated with the new, harsher sentences. In addition, correctional officers and other prison officials retained significant sway over the awarding of "good time," one of the few remaining mechanisms for reducing

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79. New York State Committee on Sentencing Guidelines, *Determinate Sentencing: Report and Recommendations,* 21. Key members of the committee went on the record to note that "it is intolerable for the state to consider implementing a plan to reduce disparities in sentencing without paying equal attention to the implementation of strategies to reduce the overrepresentation of minorities, a marked disparity, in the composition of its correctional facilities." The four members who noted the disparate economic and racial impact of incarceration included Austin Gerald Lopez, past president of the Puerto Rican Bar Association; Basil Paterson, former state senator and father of future New York governor David Paterson; Lynn Walker, who was part of the NAACP Legal Defense and Education Fund team that successfully halted the use of the death penalty in Furman v. Georgia (1972) and who then led the Ford Foundation's Human Rights and Governance Program; and Milton Williams, an administrative judge for New York City's criminal courts who had been the executive director of the McKay Commission investigating the Attica uprising and would go on to serve on New York Court of Appeals ("A Court Official Will Lead Panel on Sentencing," *New York Times,* October 17, 1983, http://www.nytimes.com/1983/10/17/nyregion/a-court-official-will-lead-panel-on-sentencing.html; David Stout, "Lynn Walker Huntley" Obituary, *New York Times,* September 6, 2015, https://www.nytimes.com/2015/09/07/us/lynn-walker-huntley-lawyer-in-prominent-civil-rights-issues-dies-at-69.html?_r=0).
80. Robert Martinson, "What Works? Questions and Answers about Prison Reform," *The Public Interest* 35 (Spring 1974): 25. For a broader discussion of the trend toward determinate sentencing, see Pamela Griset. "Determinate Sentencing and the High Cost of Overblown Rhetoric: The New York Experience," *Crime and Delinquency* 40, no. 4 (1994): 532–45.
81. Kurlander, "Criminal Justice Accomplishments," 20.

prison terms.[82] Kurlander and Cuomo had more in mind than reform: they developed a three-year plan for almost nine thousand new cells in anticipation of continued rapid growth in the prison population. In 1983 the state's prison population of 28,000 people was about 2,400 more than its stated capacity, and this expansion anticipated continued growth in the prison population.[83] DOCS managed to construct space for two thousand new prisoners at existing facilities in 1984, and the governor proposed repurposing five state facilities—three psychiatric centers, a facility for people with developmental disabilities, and a high school—as prisons.[84] Next, beginning with construction of a "Maxi-Maxi" facility adjacent to Wallkill Correctional Facility in upstate Ulster County, the state created facilities that reflected new architectural and regimental trends in penology emphasizing smaller facilities rather than large cellblocks like Sing Sing's B Block, implementation of surveillance technology, and a greater reliance on isolation. By 1987 the capacity of the prison system had grown by ten thousand inmates.[85]

In financing this new construction, Cuomo vowed to not repeat Carey's earlier failed bond issuance. At the governor's urging, the state legislature authorized the Urban Development Corporation (UDC) to finance the construction of new correctional facilities, which would then lease the prisons back to the state.[86] The UDC was part of a state-level War on Poverty, created in 1968 in order to address "substantial and persistent unemployment and underemployment" in New York's urban areas.[87] Although the 1968 legislation did not mention a criminal justice mandate, it did provide significant leeway for the UDC to bypass state spending limits, issue bonds without voter approval, and enter into agreements to acquire or develop large-scale economic development projects. Over the next two decades the UDC financed the construction of thirty-eight new correctional facilities under the logic that these were economic development projects for struggling upstate New York communities.[88] Cuomo proposed issuing UDC bonds within two weeks of the Sing

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82. Griset, "Determinate Sentencing and the High Cost of Overblown Rhetoric," 539, 542. See also Clear and Frost, *The Punishment Imperative*, 31. Alfred Blumstein and Allen J. Beck attributed almost all the growth in the national prison population in the 1980s and 1990s to changes in sentencing guidelines and increased use of incarceration as a penalty for drug crimes. Alfred Blumstein and Allen J. Beck, "Population Growth in U.S. Prisons, 1980–1996," in *Prisons,* ed. Michael Tonry and Joan Petersilia (Chicago: University of Chicago Press, 1999), 17–61. The New York State Committee on Sentencing Guidelines argued against mandatory minimums for this reason but were not able to stop the shift to longer sentences with fewer opportunities for early release.
83. Chira, "Budget Proposes Space," B5.
84. Kurlander, "Governor Cuomo's Accomplishments," 2.
85. Jeffrey Smalz, "New York Criminal Justice Commissioner Resigns," *New York Times,* December 6, 1987, https://www.nytimes.com/1987/12/06/nyregion/new-york-criminal-justice-commissioner-resigns.html?searchResultPosition=1.
86. Chira, "Budget Proposes Space," B5.
87. Urban Development Corporation Act of 1968, New York State Legislature, Laws of New York State, accessed August 16, 2017, https://www.nysenate.gov/legislation/laws/UDA. The UDC funded low-, moderate-, and middle-income housing projects until 1975 (Josh Barbanel, "Cuomo to Seek Bonds of U.D.C. for Prison Cells," *New York Times*, January 26, 1983, B4).
88. Ryan S. King, Marc Mauer, and Tracy Huling, *Big Prisons, Small Towns: Prison Economics in Rural America* (Washington, DC: The Sentencing Project, 2003), 4.

Sing revolt. Noting that voters rejected Governor Carey's attempt to issue bonds for prison construction as recently as 1981, the *New York Times* reported that administration officials lauded the "new form of financing mechanism" for its potential to create construction and correctional jobs. One aide hubristically noted that the facilities "would be designed so that they could be converted to housing or industrial parks if the prison population dropped."[89]

Several state and nonprofit organizations opposed Cuomo's plan. The Correctional Association of New York, which led the opposition to the 1981 bond issuance, noted the UDC scheme specifically and illegally overturned the outcome of bond referendum. In addition, the chairperson of the state assembly's Housing Committee meekly criticized the move as seeming to "go beyond the existing statutory authority" of the UDC.[90] The strongest opposition came from state comptroller Edward Regan, who vowed to "oppose it with all the authority of my office" on the grounds of fiscal irresponsibility.[91] Regan later argued that Cuomo's plan circumvented not only the will of the 1981 voters but also the state's constitution, which required voter approval for issuance of all nonrevenue generating bonds.[92] Cuomo responded quickly to Regan's challenge, urging the legislature to see prison construction as a state emergency: "There is simply no time left to debate the merits of increasing prison spaces and rebuilding old, outmoded facilities. We must act quickly and decisively with the resources available to us." Cuomo justified this shifting of resources from the War on Poverty to the War on Crime, in part, by saying, "the events at Ossining are still recent enough to impress on us all the crisis in our prisons."[93] One month later, the legislature authorized a UDC bond issuance of $150 million. These funds would be used to build five new medium-security facilities, in addition to the two maximum-security facilities already under construction.[94]

What changed because of the Sing Sing revolt? It is tempting to read the revolt backward: from the perspective of the second decade of the twenty-first century, the revolt served as a harbinger of the failure of mass incarceration itself. In this interpretation, a narrative arc that began with Mario Cuomo's criminal justice liberalism would fittingly conclude with his son, Andrew Cuomo, the state's fifty-sixth governor. Andrew was present in his father's office during the revolt as a twenty-five-year-old policy adviser. He began his own first term in 2011, entering office less than two years after the state legislature and his predecessor, Governor David Patterson, succeeded in easing the Rockefeller Drug Laws that had fueled the prison population crisis in the first place. Several decades of activism

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89. Barbanel, "Cuomo to Seek Bonds of U.D.C. for Prison Cells," B4.
90. Ibid. See also Josh Barbanel, "A Reporter's Notebook: Between Budget's Lines," *New York Times,* February 5, 1983, 20.
91. Sydney H. Schanberg, "Now for the Hard Part," *New York Times,* January 29, 1983, 23.
92. Edward Regan, "A Proper Bond Issue Properly Proposed" (letter to the editor), *New York Times,* November 7, 1983, A22.
93. Susan Chira, "Budget Proposes Space for Additional 2,300 Prisoners," *New York Times,* February 1, 1983, B5.
94. Edward A. Gargan, "New York Prison Population Hits a Record 30,000," *New York Times,* May 15, 1983, 27.

culminated in a successful campaign by Drop the Rock, Mothers of N.Y. Disappeared, and the Hip-Hop Summit Action Network, among others, to publicize the extreme consequences and racist impact of the state's drug laws and to lobby elected officials.[95] The state reduced Rockefeller sentences of fifteen years to life for nonviolent drug offenders to eight years. People sentenced under the Rockefeller laws also gained the right to seek an adjustment in their sentences and early release. Even people with determinate sentences sought and received time off for good behavior. These changes in law and practice were accompanied by double-digit drops in the overall crime rate. The state's prison population, especially in the medium- and minimum-security facilities filled primarily with people sentenced under the Rockefeller laws, dropped quickly and dramatically, from a high of over 67,000 in the mid-1990s to 46,000 in early 2019. The state closed twenty-four juvenile and adult facilities during Andrew Cuomo's first two terms in office, but the incarcerated population remained at almost four times its pre-Rockefeller size.[96]

While tempting, this narrative arc obscures the role of criminal justice liberalism, including as practiced by Mario Cuomo. Cuomo ignored warnings about the human, moral, and economic costs of mass incarceration and instead saw the crisis of incarceration primarily in terms of overcrowding. In response to the revolt, he dismantled programs intended to provide jobs and housing and redirected resources to intensive policing and prison construction. The erasure of criminal justice liberalism is perhaps most clearly demonstrated by Andrew Cuomo's first State of the State address. Just three days after taking office, he announced, "an incarceration program is not an employment program. If people need jobs, let's get people jobs. Don't put other people in prison to give some people jobs. Don't put other people in juvenile justice facilities to give some people jobs."[97] His father's administration financed prison construction specifically and perversely using a War on Poverty–era jobs and urban redevelopment program.

Instead, we might remember the Sing Sing revolt from the perspective of those who rose up. Their actions demonstrate Robin D. G. Kelley's insight that for people largely disenfranchised from the political process or from social movements, "politics comprises the many battles to roll back constraints and exercise some power over, or create some space within, the institutions and social relationships that dominate our lives."[98] Those who took over the block gained increased access to visitors, saw their wait times until transfer cut in half, were able to go to the gymnasium instead of the unheated warehouse, and would

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95. Dasun Allah, "Hiphop Takes Stock in 'Drop the Rock,'" *Village Voice*, May 13, 2003, https://www.villagevoice.com/2003/05/13/hiphop-takes-stock-in-drop-the-rock.
96. Press release,"Governor Cuomo Announces Comprehensive Reforms to Improve the Re-Entry Process for Formerly Incarcerated Individuals," March 5, 2018, https://www.governor.ny.gov/news/governor-cuomo-announces-comprehensive-reforms-improve-re-entry-process-formerly-incarcerated.
97. Andrew Cuomo, "State of the State Address," January 4, 2011, https://www.ny.gov/programs/2011-state-state-address.
98. Robin D. G. Kelley, *Race Rebels: Culture, Politics, and the Black Working Class* (New York: Free Press, 1994), 10.

be guarded by officers who were older and better screened by the state.[99] In addition, the state stayed true to its word to not take reprisals against the inmates. Importantly, in the months that followed, inmates and correctional officers reported a cooling of the everyday tensions that served as the immediate catalyst for the revolt. Clifford Bell, an inmate in B Block during the revolt and who remained at Sing Sing, noted that there was "an attitude of understanding between officers and inmates."[100] In this sense, the revolt was a success.

This short-term success would prove costly, however, both for the state's taxpayers and for the individuals and communities most directly targeted for incarceration. Some observers might understand Mario Cuomo's massive expansion of the state's prison system within the framework of what he considered "progressive pragmatism."[101] He was a liberal governing during the Reagan years. He inherited a ballooning prison population, one with roots in decade-old drug laws passed by a more conservative predecessor, and sought to make prisons safer places to live and work by reducing overcrowding. But the rapid expansion of New York's prison system was not simply a concession to criminal justice conservatives by an otherwise stalwart liberal who opposed capital punishment and proposed an expansion of home confinement for nonviolent offenders. Rather, Cuomo's response to the Sing Sing revolt forestalled other paths to criminal justice and instead facilitated the rapid growth in the prison population. At the same time, it participated in a pivot away from state antipoverty efforts. With the momentum generated by the Sing Sing revolt, Cuomo articulated and enacted key goals of 1980s criminal justice liberalism, including reducing overcrowded conditions in state prisons by building more facilities, eliminating sentencing disparities through determinate sentencing, and generating economic opportunities by siting new facilities in impoverished rural areas. Criminal justice liberalism, in the case of New York, provided both the ideological fuel and the bureaucratic machine to double the size of the state's prison system. John Nelson, an inmate at Sing Sing, came closest to describing the long-term impact of the revolt when he insisted that its lesson lay in this underlying trend toward mass incarceration: "I'm 73B5147, but you said I'm a human being. Prison became

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99. *In the Matter of* 345. Overcrowding remained a problem. Five months after the revolt the prison's population sat at 115 percent of capacity.

100. Bell quoted in Jim Bencivenga, "Return to Sing Sing Five Months After the Hostage Crisis," *Christian Science Monitor,* May 20, 1983, https://www.csmonitor.com/1983/0520/052039.html. Not all inmates agreed with this assessment. Prisoners' Legal Services of New York (PLSNY), founded in the mid-1970s in response to the Attica uprising, noted that while B Block's visitation and package rules did indeed conform to the rest of the facility, PLSNY received increased complaints regarding deficiencies in medical care and educational programming since the revolt (testimony of Adrian Johnson, staff attorney for Prisoners' Legal Services of New York, *In the Matter of,* 218). Incarcerated people and corrections officials in other states took a similar approach to the prisoners and officials in New York. Robert T. Chase tells the story of a 1985 Tennessee revolt that mirrored the trajectory of the Sing Sing revolt. See "We Are Not Slaves: Rethinking the Rise of Carceral States through the Lens of the Prisoners' Rights Movement," *Journal of American History* 102, no. 1 (2015): 73–86.

101. Ambar, *American Cicero,* 49.

a correctional facility. Now it's back. Why don't they change the name back to prison again, then, if it's a game? We've gone back to the philosophy of lock them up and throw away the key. We're just locking young guys up who end up in trouble the second time, and there's no more chances."[102] With the Sing Sing Revolt, antipoverty liberalism became criminal justice liberalism.

102. Testimony of John Nelson, *In the Matter of,* 58–60.