

A PENOLOGICAL APPROACH TO THE SOCIAL CONSTRUCT OF SEXUALITY

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A Thesis

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## DEDICATION

This thesis is dedicated to my amazing mother, Peggy Gibson, for her never-ending support, and to one of my dearest friends, Emily Wigodner, for her unwavering understanding and encouragement.

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## ABSTRACT

Prison sex research has generally followed an essentialist theoretical approach. Only Alarid (2000) examined jail sex using a social constructionist approach to understanding sexuality behind bars. Using data collected from 142 male inmates in a Southern maximum-security correctional facility, the purpose of the present study was to examine whether engaging in sexual behavior affects a change in the sexual orientation of male prison inmates, using a social constructionist theoretical approach. In addition, the influence of several socio-demographic and situational variables on the change in sexual orientation was examined. The only statistically significant variable associated with a change in sexual orientation was engaging in homosexual behavior. Inmates were over 52 times more likely to change their sexual orientation if they engaged in homosexual activity while incarcerated, supporting the social constructionist theoretical approach.

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## CHAPTER 1: INTRODUCTION

In the United States, prison administrators have dealt with the issue of prison sex for as long as prisons have existed. Only in the past century have researchers conducted studies on prison sex and its many nuances. The topic of prison sex remains taboo, as does any discussion of sexuality, but as sexuality becomes more acceptable in social discourse, so should prison sex by the criminal justice community.

The empirical and theoretical understanding of what is collectively known as prison sex has been studied in male inmates since the 1940s. Researchers have formulated three theoretical models to explain and understand the concept of prison sex: the importation model, the deprivation model, and the social constructionist model. The importation and deprivation models, known collectively as the essentialist approach, are older models that have long been applied to prison sexuality. Clemmer (1940) introduced the deprivation model first, theorizing that prison sex occurred because inmates were deprived of a heteronormative sexual identity. Sykes (1958) continued this theoretical model by examining various deprivations, including a lack of heterosexual outlets, that caused inmates to create their own subculture within prison in order to cope with this deprivation. Later, Irwin and Cressey (1962) presented the importation model, which holds that inmates import social values from outside of prison to construct the prison subculture. Through a combination of research from other disciplines and work by fringe movements of criminal justice, social construction developed alongside the essentialist approach, only recently gaining affluence in the essentialist versus social constructionist debate (Stein, 1992). Social constructionism instead defines sexuality and other concepts, such as gender and

class, as “cultural entities,” which have been constructed by social situations and values (Stein, 1992, p. 5; Weber, 1998).

Researchers, historically, have defined sexuality primarily through sexual orientation, arguing that there is only heterosexuality and homosexuality in humans (Paul, 1985; Stein, 1992). This definition of sexuality is part of the “essentialist” approach to research, which holds that sexual orientation forms independently of cultural influences (Stein, 1992, p. 4). This remains true for research on prison sex, which usually defines men as heterosexual or homosexual. Early research rarely tolerated homosexuality as a acceptable descriptive attribute, instead defining men who engaged in homosexual acts as either situational homosexuals or true homosexuals (Sykes, 1958).

Most research uses the premise that sexuality is a categorical, static concept, that people are either one sexual orientation or another, and that people rarely change that orientation (Stein, 1992). Whereas sexual orientation is usually defined through particular behaviors or self-identity, sexuality is much more diverse (Stein, 1992). Sexuality does not exist as a particular way for people to live, but rather as a continuum of shifting beliefs, attitudes, and desires. Sexuality develops later in life, as children grow to be adults and are exposed to social norms, gender roles, and sexual experiences. One does not always feel the same way toward a certain gender throughout their lifetime, nor do most people have the same desires over their entire lifetime. Entering high school causes strong changes in sexuality, as does entering college, entering the workforce, getting married, or going to prison. All of these situations are social situations; thus, sexuality changes to reflect how a person should behave in that situation (Weber, 1998). This also holds true in prison sex.

When compared to normal society, an entirely different social construct exists in prison. Within this unique subculture exists the possibility for alternative sexualities constructed from social values completely different from those in regular society. This study will attempt to show the shifting, fluid concept of sexuality in a prison sample using a social constructionist method. Specifically, this study will examine whether engaging in sexual behavior affects how male inmates self-identify a change in their sexual orientation. In addition, the study will examine the influence of several socio-demographic (i.e., age, race, religion, education) and one situational (amount of time served) variable on a change in sexual orientation.

## CHAPTER 2: LITERATURE REVIEW

### The Essentialist Approach

Sexuality in prison populations remains one of the least understood issues in the criminal justice system. Though sexual relationships between inmates have been addressed in research as far back as the 1930s, most of the research falls into certain categories about how they address the issue. Some research focuses on the characteristics of victims and offenders of sexual assault (Chonco, 1989; Groth, 1979; Hensley, 2001; Hensley, Koscheski, & Tewksbury, 2005; Hensley, Tewksbury, & Castle, 2003b; Nacci & Kane, 1983, 1984a, 1984b; Saum, Surratt, Inciardi, & Bennett, 1995; Scacco, 1975; Struckman-Johnson & Struckman-Johnson, 2000; Struckman-Johnson, Struckman-Johnson, Rucker, Bumby, & Donaldson, 1996; Warren, Jackson, Booker, Loper, & Burnette, 2010), while other research addresses circumstances surrounding sex between inmates, again with a primary focus on sexual assault (Hensley, 2001; Hensley et al., 2003b; Hensley, Tewksbury, & Wright, 2001; Jenness, Maxson, Sumner, & Matsuda, 2007; Nacci & Kane, 1983, 1984a, 1984b; Struckman-Johnson & Struckman-Johnson, 2000; Struckman-Johnson et al., 1996; Wolff, Blitz, Shi, Bachman, & Siegel, 2006).

Still more research focuses on perceptions of and attitudes toward inmate sex, homosexuality, and sexual assault by inmates, correctional officers, and administrators (Alarid, 2000; Eigenberg, 2000; Fowler, Blackburn, Marquart, & Mullings, 2010; Hensley, 2000; Hensley & Tewksbury, 2005; Nacci & Kane, 1983, 1984a, 1984b; Saum et al., 1995; Struckman-Johnson et al., 1996). Some research addresses consensual sex in prison, though much of this literature has occurred largely within the last three decades (Alarid, 2000; Chonco, 1989; Eigenberg, 1992, 2000; Hensley, 2001, 2002; Hensley et al., 2001, 2003b, 2005; Hensley,

Struckman-Johnson, & Eigenberg, 2000). While each piece of research adds to the growing body of literature on prison sex, not much theory has been applied to prison sex and why it occurs. Researchers need to look to an applicable theory that fits a modern understanding of sexuality.

Early studies on prison sex were more likely to view homosexual behavior in a prison setting with a negative bias; thus, most of the research from the 1930s to the 1970s was limited in its scope and focused primarily on prison sex as an instrument of victimization (Clemmer, 1940; Groth, 1979; Irwin & Cressey, 1962; Scacco, 1975; Sykes, 1958). Clemmer (1940), Sykes (1958), and Irwin and Cressey (1962) emphasized this view, arguing that without the natural norms of society, inmates create their own sub-society within the prison structure. Clemmer (1940), in his landmark book on prison cultures, examined how different subcultures of the prison population interacted. He was the first to purport that prison subcultures form on their own and lead to the creation of a new identity for an incoming inmate, having been deprived of a regular social identity. Later, Sykes' (1958) deprivation model established five deprivations which caused an inmate pain: liberty, goods and services, heterosexual relationships, autonomy, and personal security. To cope with these deprivations, Sykes argued that inmates turn toward escapist paths, creating a new society within the prison structure with its own norms that will alleviate the pains of deprivation. In addition, Sykes defined different types of homosexual identities, going so far as to say that predators of violent behavior in prisons were situational homosexuals, which ties into a shifting sexuality (Sykes, 1958).

Irwin and Cressey (1962) attempted to shift the paradigm on prison literature with their importation model, which argues that a prison society is formed when inmates import their

values from the community and their personal histories into the prison setting. They further argued that certain behaviors were more accepted among inmates because they were already exposed to and accepting of those behaviors in the subculture where they lived before they entered prison. Early researchers attempted to show that inmates import homosexuality, which has been largely disproved by later studies that show that inmates have more negative perceptions and attitudes toward homosexuality than the general population (Eigenberg, 1992; Hensley, 2000; Nacci & Kane, 1983, 1984a, 1984b).

The influence of the deprivation model continued through the 1970s, with a few studies showcasing the shift in the paradigm. For example, Akers et al. (1974) attempted to test the deprivation and importation models on the in-prison behaviors of drug use and homosexual acts. The authors found that neither model could be successfully applied in explaining why these behaviors occurred, instead concluding that a better method for approaching the question of which model works better would be one that addresses the process by which an inmate is exposed to the prison environment. Their conclusions show the waning influence of these earlier theoretical models on prison research, as well as hint at the changing paradigm at the time. By implying that the prison environment, or the social forces of the prison, have an influence on how a prisoner behaves within that environment, the authors seem to be approaching a social constructionist method of understanding inmates' behavior, though their research was still too early to be considered an example of social constructionism.

Similarly, Scacco (1975) attempted to apply the deprivation model to sexual assault in prison, but his methodology and language contained hints of a social constructionist approach. Scacco examined the different aspects of sexual assault in prison, with a focus on characteristics

of victims and perpetrators as most research does. Keeping with the deprivation model, he viewed sexual violence in prison as a result of deprivation of familiar social settings. Scacco (1975) upheld Sykes' argument with his viewpoint that sexual deprivation of heterosexual relationships causes "homosexual phenomena," as well as "heterosexual aggression" to occur (p. 35). Interestingly, Scacco (1975) also examined violence in prison in relation to power structures within prison society, one of the central forces that influence the social construct of inmate sexuality, according to the social constructionist model. While the relationship between power and sexual assault has long been debated and examined in research, most research on prison sex prior to the 1980s paid more attention to prison subcultures and argot instead of power hierarchies (Hensley et al., 2003c).

Sykes' model began to lose power in the 1980s after Bowker (1980) and Lockwood (1980) released their landmark studies on prison sexuality and behavior. Even before Bowker's and Lockwood's studies, an informative and illuminating book by Groth (1979) was published, highlighting the different characteristics of offenders of sexual assault. Groth may have been one of the first proponents of a socially constructed sexuality in prison hierarchies, as he, like Kinsey, examined inmates' sexualities as if they could change (Groth, 1979; Kinsey, Pomeroy, & Martin, 1948; Kinsey, Pomeroy, Martin, & Gebhard, 1953). In interviewing 22 inmates, Groth (1979) examined their sexual orientation and sexual lifestyle at the time of their offenses, instead of asking about lifetime sexuality. He stated that,

[t]o define the sexual lifestyle of these offenders as heterosexual or homosexual is not actually an accurate description of their sexual orientation[.] ... Instead, they tended to possess a rather ambiguous and underdefined sexuality that was more self-centered than

interpersonal. Their relationships to others, both sexual and nonsexual, were based more on exploitation than sharing (p. 125).

Groth's explanation of these inmates' sexualities hints at something more than a static sexuality; more closely, he implies that sexuality is not only an inherent part of a person, but also may be a construct of that person's society. Most of his book focuses on power relationships between the offender and the victim, or the social construction of the relationship. He applies the same argument to male sexual assault in prison, stating that male rape in prison becomes "one of the few ways inmates express who is in control and who is controlled" (Groth, 1979, p. 133). As such, Groth could be considered one of the few early researchers to examine inmate sexuality from a social constructionist view.

Likewise, Lockwood (1980) and Bowker (1980) added to a shift in the paradigm surrounding prison sex when they introduced their individual research during a time when literature on homosexuality in prison was waning (Eigenberg, 1992). Lockwood (1980) focused on sexual aggression in prison, while Bowker (1980) addressed violence and victimization at large in prison populations. Their studies were published independently and without corroboration, yet both authors found a high prevalence of victimization in prison (Bowker, 1980; Lockwood, 1980). Additionally, both authors independently concluded that violence in prison occurred not because of inmates' desires to commit violence, but out of either a desire to obtain some reward with the prison society or to join power groups and climb the prison hierarchy. Thus, prison violence, including male sexual assault, occurred as part of the social construct of the prison society, performing acts that would exist outside of their normal lifestyles. From a social constructionist view, these inmates may define themselves in a certain way outside



of the prison society, but they redefine their outward identities in an attempt to fit into the prison society without becoming victimized themselves. They create and define their identities within prison as a social construct, to fit the social forces within prison.

This changing paradigm continued after Lockwood's and Bowker's publications, with Nacci and Kane's (1983, 1984a, 1984b) two-part study on sexual aggression in federal prisons. Though highly biased, possibly homophobic, and heavily critical of consensual sexual activity between inmates, Nacci and Kane added to the shifting paradigm by upholding Lockwood's and Bowker's previous approach to violence in prison. The authors examined sexuality of inmates as a social construct, rather than using the older theoretical models, by asking participants for their own definition of their sexuality and focusing on sexual relationships, whether consensual or nonconsensual, as a product of power relationships, called attempts at "credibility" with other inmates (Nacci & Kane, 1984b, p. 48).

By the 1990s, research had shifted to a focus on male sexual assault as a problem similar in structure and effects to female sexual assault in the community. Researchers focused on the characteristics of victims and offenders, the circumstances surrounding acts of sexual violence between inmates, the attitudes toward homosexuality and prison sex, and the perceptions of sexual assault and prison sex (Chonco, 1989; Eigenberg, 1992, 2000; Fowler et al., 2010; Gaes & Goldberg, 2004; Hensley, 2000, 2001, 2002; Hensley et al., 2000, 2001, 2003b, 2005; Hensley & Tewksbury, 2005; Jenness et al., 2007; Saum et al., 1995; Struckman-Johnson & Struckman-Johnson, 2000; Struckman-Johnson et al., 1996; Warren et al., 2010; Wolff et al., 2006). The methodologies of these studies were likely intended to collect current rates concerning prison sex and to understand the many different nuances of sexual assault, sexuality, and sex in prison.

The essentialist approach has attempted to address prison sex with varying degrees of success (Eigenberg, 1992). The downside of this approach is that researchers tend to view all sexual relations in prison as deviant, with the idea that sexuality, and homosexuality in particular, is a static, never-changing aspect of humanity (Eigenberg, 1992). When Kinsey and his colleagues released their reports on sexuality, society began the slow acknowledgement that sexuality is varied, is not static, does change, and does not change permanently (Kinsey et al., 1948, 1953). Half a century later, more research in multiple fields has been and is in the process of being conducted on human sexuality, the majority of which has emphasized and validated Kinsey's reports (Gagnon & Simon, 2005; Hyde & DeLamater, 2007). Still, within prison sex, researchers lack a clear, modern theoretical basis for their studies.

### **Social Constructionism**

Social constructionism has developed in criminal justice through two avenues. In one, this theoretical approach grew from roots in other disciplines, and in the other, it developed through the combination of different areas of research on the fringe of criminal justice (Rafter, 1990). Criminologists began to incorporate the social constructionism approach as they saw it growing within other disciplines, such as sociology, psychology, and philosophy. Social constructionism has links to in philosophy with postmodernism, originating from poststructuralism, which contends that human culture is structured by ideas, language, and symbols (Matthews, 1996). Social constructionism also has roots in psychology with Vygotsky (1978), whose work in the early twentieth century showed how social factors and behaviors influenced psychological disorders. Berger and Luckmann (1966) popularized the social constructionist approach in sociology, which was largely influenced by early sociological works

(see Schütz, 1954). They held that social influences, such as culture, customs, beliefs, habits, etc. were the main constructs of society.

As other disciplines began to formulate research using social constructionist methods, criminologists began to examine crime in the same way. Foucault (1977) brought social constructionism into criminal justice and penology, with his examinations of prisons and how they affected the flow of power and control within society. Garland (1985) continued the application of poststructuralist theory in criminology, which in turn shaped the social constructionist approach. In penology, postconstructionism is seen in works on prison argot, showing that prison society is largely constructed by the roles played by inmates and defined by the language of prison (see Hensley et al., 2003c). Probably the most important influence on social constructionism was Kinsey and his colleagues (1948, 1953), who changed the way researchers looked at how social factors influenced people, particularly concerning sexuality.

Along with this multidisciplinary development, social constructionism grew through a combination of fringe movements of criminal justice. These movements include the social history of criminal justice, critical criminology, work by grassroot organizations on the victimization of females, and feminist theory (Rafter, 1990). Each of these research movements introduced new nuances for researchers to examine. For example, social histories began to question whether crime could be constructed by social issues or influences (Rafter, 1990). In critical criminology, the 1970s saw researchers begin to question how social class had an influence on crime, criminology, and criminal justice, in a largely Marxist manner (Rafter, 1990). This was further influenced by conflict theorists, who saw crime as a result of the conflict

between different power groups, along gender, socioeconomic, racial, and religious lines (see Bernard, Snipes, & Gerould, 2010).

The organizational work on the victimization of females raised social constructionist questions about the legal definition of rape, the criminal justice process for victims of sexual violence, and other areas (Rafter, 1990). Criminologists noticed these questions and the obvious, unspoken answer – that the criminal justice system was an application of privilege by those in power – and began to use them for research purposes, reformulating traditional ways to analyze sexual crimes (Rafter, 1990). Finally, feminist theory took conflict theory and applied it in full to the social construction of crime and gender, leading criminologists to rethink how social influences affected crime. Together with its multidisciplinary roots, these works have created social constructionism in the field of criminal justice.

In penology, Eigenberg (1992) examined several different theoretical frameworks surrounding prison sex research and found a gradual change from an essentialist approach to a social constructionist approach within research. A few authors since have used the social constructionist approach in empirical studies for criminal justice. Alarid (2000) asked jail inmates about how the social constructs of prison affected their sexuality with a replicable methodology.

### **Social Constructionism and Prison Sex**

Social constructionist theory defines concepts, ideas, and objects with the premise that they have been constructed from social values and norms, rather than simple development, which has no influence from society. With a social constructionist method, concepts such as sexuality are defined not through a static view, but with the foundations that sexuality exists on a

continuum, that sexuality is fluid, and that sexuality may change at different points in people's lives, depending on their lifestyle factors, experiences, and the social forces around them. The social constructionist approach relies on self-definition of participants in research, especially concerning their sexuality (Eigenberg, 1992).

Though social constructionist theory has shaped a great deal of the research of the last four decades, whether through facilitating research methods or broadening the view of prison sex research, most research still holds to the idea that sexuality is a static, unchanging aspect of human behavior (Eigenberg, 1992). Most researchers do not view the social constructionist method as their theory of choice when looking at prison sex, though many have adopted changed methodologies of approaching it, such as asking about sexual orientation, perceptions of sexual assault and prison sex, and attitudes toward homosexual acts in prison (Chonco, 1989; Fowler et al., 2010; Hensley, 2001; Hensley et al., 2005; Hensley, Tewksbury, & Castle, 2003; Saum et al., 1995; Struckman-Johnson & Struckman-Johnson, 2000; Struckman-Johnson et al., 1996). However, a full and developed body of research using, testing, and applying the social constructionist method has not been established.

Some researchers have continued to apply the older importation and deprivation models, which are still prominent theories in the body of research on prison violence (Eigenberg, 1992; Hensley et al., 2001). Very rarely have researchers addressed consensual same-sex activity in prison populations, though some research has been done on that topic (Alarid, 2000; Chonco, 1989; Eigenberg, 1992, 2000; Hensley, 2001, 2002; Hensley et al., 2000, 2001, 2003b, 2005). No single study has directly addressed sexuality in male prisons as defined and explored through a social constructionist approach. Only a few studies have examined sexual assault and

homosexual behavior in male prison populations with a social constructionist approach. In the only article that explicitly uses the social constructionist approach as outlined by Eigenberg (1992), Alarid (2000) examined the two different approaches to research, the essentialist method and the social constructionist method, and demonstrated the social constructionist method with a study on perspectives of sexual orientation by incarcerated men of a non-heterosexual orientation. After taking survey items from a previous study by Wooden and Parker (1982), Alarid (2000) adapted the measuring tool to suit bisexual and homosexual men in incarceration, with inclusion of men who voluntarily defined themselves as homosexual or bisexual. In this way, Alarid went one step further than simply applying the social constructionist theory to a normative study, instead looking at an urban county jail and a non-standard population. In keeping with the social constructionist approach, she questioned participants about their sexuality during a certain time frame (i.e., during incarceration) instead of assuming that the participants' sexualities were the same as any other time in their lives.

After dividing the participants into three groups – bisexuals who leaned toward heterosexuality, bisexuals who leaned toward homosexuality, and homosexuals – Alarid (2000) found the homosexual participants were the least likely of the three groups to change how they acted while they were in jail. Reversely, bisexual men were more likely to alter their behaviors according to the situation, a vivid application of the social constructionist theory (Alarid, 2000). In addition, nearly all of the bisexual and homosexual men entered a consensual sexual partnership with another man, who usually identified as heterosexual. Most of these respondents viewed their heterosexual partners as “in denial” of their homosexuality (Alarid, 2000, p. 89). Bisexual men were more likely to be the dominant partner in these relationships. Homosexual

men were more likely to be the submissive partner, contrasting with other findings which supported the perception that the dominant partner was more likely to identify as homosexual (Alarid, 2000; Eigenberg, 2000). In addition, 23.8% of the participants engaged in sex for profit, and 34% of the men believed that having a steady aggressive, heterosexual partner was the “safest way” to avoid victimization while incarcerated (Alarid, 2000, p. 90). Despite this belief, the same number of men reported that the “steady protector” was likely to victimize his ward (p. 90). One of the interesting aspects about this study is that the author did not examine two different time frames of sexuality for comparison, instead asking the participants to define their own behavior before and during incarceration (Alarid, 2000).

One study published by Hensley et al. (2001) addressed consensual same-sex activity within prison structures in an attempt to apply the deprivation and importation models. In this exploratory study, the authors interviewed 142 inmates in a Southern correctional facility, gathered demographic data, including age, race, and religion, and asked questions about inmates’ sexual habits concerning masturbation and consensual same-sex activities, as well as their sexual orientation (Hensley et al., 2001). In particular, this study examined both pre-incarceration sexual orientation and sexual orientation during incarceration, with differing rates in their results. Before incarceration, 79% identified as heterosexual, 15% as bisexual, and 6% as homosexual, while during incarceration, 69% identified as heterosexual, 23% as bisexual, and 7% as homosexual (Hensley et al., 2001).

These facts point toward both the deprivation model, where Sykes (1958) argued that homosexuality in prison was mostly situational, and the social constructionist model. Additionally, the construction of the measuring tool shows some thought to a social

constructionist method, as the level of detail in the questions reflects the type of questions that a social constructionist method would use (Eigenberg, 1992). Despite finding some support for the deprivation and importation models, Hensley et al. (2001) concluded that the support for these models was weak and admitted that there were several unknown factors that could influence an inmate's decision to engage in homosexual behaviors in prison. Perhaps a social constructionist approach would have been useful in this study. The social forces in prison could have been a factor in the changing sexual orientations of these men.

Incidentally, two of these authors replicated this study with a social constructionist approach, using the same data set from the previous study. With the same results toward sexual orientation mentioned above, Hensley et al. (2005) found that the results supported the idea of a changing, fluid sexuality as outlined by the social constructionist theory. Sexual orientation was one of the most important risk factors for sexual victimization in prison. Of the inmates, 50% identified as bisexual or homosexual before incarceration, and 57% identified as such during incarceration. Their sexual orientation affected how they viewed themselves and how inmates viewed them. With any sexual orientation other than heterosexual being perceived as a "vulnerability" by other inmates, it is unsurprising that bisexual and homosexual men were victimized more than heterosexual men (Hensley et al., 2005, p. 675). That "vulnerability" created a higher likelihood of victimization, and that "vulnerability" came from social constructs. If the prison subculture had not previously defined non-heterosexual men as possibly prey for sexual coercion, would they have been victimized? The findings are from limited data, but the tone of the study is clear: research on prison sex benefits from addressing the topic with a social constructionist approach.



Penologists must incorporate the concept of a free and changing sexuality into their understanding of sexuality in prison populations. If sexuality changes outside of prison, then logically sexuality may also change within prison. There is no construct of prison that restricts sexuality from changing, as sexuality changes based on social forces, of which prison has a good supply. This shift in definition leads to a shift in the paradigm surrounding prison sex literature. By focusing on the possibility of a changing sexuality, researchers can begin to pose questions with a social constructionist approach to prison sex theory. The current study addresses two important research questions. First, does engaging in sexual behavior in prison affect whether or not inmates self-identify a change in their own sexual orientation? This is addressed by examining the inmates' sexual orientation both prior to and during incarceration. Second, do any other socio-demographic and situational variables impact a change in inmates' sexual identity? Based on these two research questions, the following hypotheses will be explored:

H<sub>1</sub>: Inmates who engage in homosexual behavior (i.e., kissing, touching, oral, and/or anal) are more likely to change their sexual orientation from pre- to post-incarceration.

H<sub>2</sub>: Older inmates are less likely to change their sexual orientation from pre- to post-incarceration.

H<sub>3</sub>: White inmates are more likely to change their sexual orientation from pre- to post-incarceration.

H<sub>4</sub>: Protestants are less likely to change their sexual orientation from pre- to post-incarceration.

H<sub>5</sub>: Higher educated inmates are more likely to change their sexual orientation from pre- to post-incarceration.

H<sub>6</sub>: Inmates serving a longer prison sentence are more likely to change their sexual orientation from pre- to post-incarceration.

H<sub>7</sub>: Heterosexuals are more likely to change their sexual orientation from pre- to post-incarceration.

## CHAPTER 3: METHODOLOGY

### Participants

In March 2000, all inmates housed in one maximum-security Southern correctional facility were requested to participate in a study of sexual behaviors. Inmates were assembled in the main area of their respective units by correctional staff, in order that the researchers could explain the contents of the surveys and the rights of the inmates. Correctional staff then distributed self-administered questionnaires to inmates for later completion. Inmates were asked to return the completed questionnaires in a stamped, self-addressed envelope within two weeks of distribution. Inmates were advised that the survey would take approximately 30 minutes and would involve 46 questions. The questionnaire was constructed using various research questions and scales from previous research (Saum et al., 1995; Struckman-Johnson et al., 1996; Tewksbury, 1989). Of 800 inmates incarcerated at the time, a total of 142 agreed to participate in the study, yielding a response rate of 18%.

### Measures

The primary goal of the current study was to examine the influence of sexual behaviors on a change in inmates' sexual orientation. Therefore, inmates were asked two questions: "Before you were incarcerated, how would you categorize your sexual orientation?" and "How would you characterize your sexual orientation today?" The questions were coded so that 0 = straight, 1 = bisexual, and 2 = gay. An examination of the questions revealed that several of the inmates had changed their sexual orientation. A new variable was created which reflected this change with 0 = indicating no change in sexual orientation and 1 = indicating a change in sexual orientation. This item served as the dependent variable for the logistic regression analysis. For

the purpose of the chi-square analysis, a dummy coded variable (0 = heterosexual, 1 = homosexual/bisexual) was constructed to measure sexual orientation prior to and during incarceration.

Several questions about inmates' sexual behavior, socio-demographic information, and a situational factor were then used as independent variables. Specifically, inmates were asked a series of questions about their sexual behavior during prison. These questions included: "Have you ever kissed a man in a sexual manner since being incarcerated?"; "Have you ever touched the penis of a man or allowed a man to touch your penis since being incarcerated?"; "Have you ever received a blowjob from a man since being incarcerated?"; "Have you ever given a man a blowjob since being incarcerated?"; "Have you ever screwed a man since being incarcerated?"; and "Have you ever been screwed by a man since being incarcerated?" Each of these variables were coded so that 0 = no and 1 = yes. All six sexual behavior questions were recoded into one variable that determined whether or not inmates had engaged in sexual behavior while incarcerated. This variable was coded so that 0 = no and 1 = yes.

Socio-demographic information was also collected from the respondents. Inmates were asked, "In what year were you born?" This was coded in a continuous variable that reflected their age at the time of the survey. Respondents were also asked, "How do you describe yourself?" The question was coded so that 0 = African American/Black, 1 = White, 2 = American Indian, 3 = Mexican American/Latino, 4 = Asian or Asian American, and 5 = other. This variable was recoded so that 0 = Non-White and 1 = White. Respondents were also asked, "What is your religion?" This was an open-ended question that was later recoded so that 0 = Protestant and 1 = Non-Protestant. Second, respondents were asked, "What is the highest level of

schooling you have completed?” This variable was coded so that 0 = 8<sup>th</sup> grade or less, 1 = Some high school, 2 = Completed High School, 3 = Some College, 4 = Completed college, and 5 = Graduate or professional school after college. For the purpose of the chi-square test, the variable was recoded so that 0 = less than completed high school and 1 = high school or more.

Finally, as part of the situational variable, inmates were asked: “What was your total sentence length for the offense you are currently serving?” and “How much time do you have left on your sentence?” Both questions were open-ended. The time for the second question was then subtracted from the first question, allowing for a single variable, “Amount of time served.” This variable was coded so that 0 = Less than 5 years, 1 = 5 to 10 years, 2 = 10 to 25 years, and 3 = More than 25 years. For the purpose of the chi-square test, the variable was recoded so that 0 = less than 10 years and 1 = 10 years or more.

### **Data Analysis**

In order to achieve the goals of the study, the first step was to examine the frequencies and percentages of inmates’ sexual orientations prior to and during incarceration. The second step analyzed the frequencies and percentages of inmates who had engaged in homosexual behaviors (i.e., kissing, touching, oral, and/or anal) prior to and during incarceration. Third, the descriptive nature of each independent variable for the logistic regression model was assessed. Because the dependent variable was dichotomous, logistic regression analysis was performed to test if the predictor variables had an effect on dependent variable. This was the fourth step in the analysis. Finally, a t-test and several chi-square tests were performed, which individually analyzed the socio-demographic and situational variables on a change in the sexual orientation of inmates throughout incarceration.

## CHAPTER 4: RESULTS

Out of the 142 respondents, 16.9% of the participants showed a change in their sexual orientation prior to and during incarceration. Of the 24 inmates in the subsample, 75% changed from straight to bisexual, 12.5% changed from bisexual to straight, and 4.2% changed from bisexual to gay, gay to straight, and gay to bisexual, respectively. Table 1<sup>1</sup> reveals these changes in sexual orientation for this subsample. Table 2 reflects the differences between the frequencies of consensual homosexual activity experienced by the total sample and the subsample. In all cases except when the individual received oral sex from another male, inmates in the subsample engaged in more homosexual behavior overall and in each category for sexual behavior, compared to the total sample.

Table 3 shows the descriptive statistics of the entire sample for each independent variable. Of the total sample, 40.1% had engaged in homosexual behavior. The average age of inmates in the sample was approximately 33 years with a range of 20 to 58 years. Almost 68% of the sample was White and the remaining 32% were non-White inmates. More than half (54%) of the sample identified as Protestant and 46% as non-Protestant. For inmates' education level, 9.4% had attended 8<sup>th</sup> grade or less, 43.5% had attended some high school, 18.8% had completed high school, 21.7% had attended some college, 4.3% had completed college, and 2.2% had completed some graduate or professional school. For amount of time served, 11.5% had served less than 5 years, 20% had served between 5 and 10 years, 34.6% had served between 10 and 25 years, and 33.8% had served over 25 years.

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<sup>1</sup> Tables 1-5 can be found in Appendix A.

According to Table 4, only one statistically salient independent variable was found in the logistic regression model. Inmates who engaged in homosexual behavior while they were incarcerated were over 52 times more likely to have a change in their sexual orientation. All other socio-demographic and situational variables had no significant effect on the dependent variable. The independent variables accounted for 26% of the total variance in the model.

After noting in Table 1 that more heterosexual inmates than any others had changed their sexual orientation, a chi-square test was conducted. Table 5 reveals the chi-square analysis for sexual orientation prior to and during incarceration. The finding illustrates that those who are heterosexual when they enter prison were statistically more likely than homosexual/bisexual inmates to change their sexual orientation during incarceration. Socio-demographic (i.e., age, race, religion, and education) and situational (i.e., amount of time served) variables were also tested against a change in sexual orientation. The results of the one independent sample t-test (i.e., age) and the four chi-square tests (i.e., race, religion, education, and time served) revealed no significant changes.

## CHAPTER 5: DISCUSSION

Prison sex studies have explored factors that affect how and why male inmates decide to engage in homosexual activity, though few have examined this issue through changes in sexuality and sexual orientation. Recent research that specifically examines sexual orientation within a correctional setting has seldom been conducted (Alarid, 2000; Hensley et al., 2001). As previously discussed, the limited research that used theoretical models to explore prison sexuality did so by using the importation and deprivation models. For example, a study on consensual sexual activity by Hensley and his colleagues (2001) found limited support for the essentialist approach, which shows that even in the last decade, researchers are struggling to find support for theoretical models that are almost half a century old.

To approach sexuality in a correctional setting, researchers must examine sexual orientation through another theoretical model, the social constructionist approach. Only one researcher has specifically used the social constructionist approach in an empirical study. Alarid (2000) examined the sexual activity and sexual orientation of jail inmates using a social constructionist approach, setting a new example for future research. In the present study, a social constructionist approach was made toward understanding sexual orientation in a maximum-security prison. Homosexual behaviors (i.e., kissing, touching, oral, and/or anal), several socio-demographic factors (i.e., age, race, religion, and education), and one situational factor (i.e., time served) were examined to see how each of these factors effected whether sexual orientation changed during incarceration. Seven hypotheses were proposed, but only two were supported by the results.



First, the present study found that engaging in homosexual behavior had a significant effect on a change in sexual orientation. A logistic regression model showed that inmates who engaged in homosexual behavior were more than 52 times more likely to change their sexual orientation. It is possible that while in prison inmates are introduced to a variety of behaviors and attitudes that are acceptable in the prison subculture which may not be accepted in the culture they left. These behaviors would include the social construct of homosexuality, which inmates may not actively identify as homosexuality, but which other authors have called situational homosexuality (Sykes, 1958). Whether or not an inmate accepts that this social role is homosexual in nature, perhaps believing that they are still heterosexual while engaging in same-sex behavior, same-sex sexual activity is still homosexual activity (Alarid, 2000; Hensley et al., 2003c). Adopting this social construct in turn may cause inmates to be more likely to change their sexual orientation, providing support for the social constructionist model.

The bivariate and logistic regression analyses did not reveal statistical significance for age, race, religion, education, or time served. Age had no significant impact on a change in sexual orientation. In a previous study by Hensley and his colleagues (2001), age also had no statistically significant effect on each of the different homosexual behaviors (i.e., kissing, touching, performing oral, receiving oral, performing anal, and receiving anal). Popular culture, however, would suggest that younger men are more likely to accept homosexuality, and thus are more likely engage in homosexual behaviors than older men, which led to the second hypothesis. Despite the lack of any supporting findings in the present study, future researchers could examine how attitudes toward homosexuality based on age have an effect on any changes in sexual orientation or sexuality.

Race also had no significant effect on sexual orientation, though this differs with previous research that contends that race is a primary factor in an inmate's decision to engage in homosexual activity while incarcerated (Hensley et al., 2001; Tewksbury, 1989). Rather, Hensley et al. (2001) found that White inmates were more likely than non-White inmates to engage in certain homosexual behaviors. The lack of effect on a change in sexual orientation in prison may be because race has been previously linked to certain sexual behaviors, not specifically sexual orientation. Hensley et al. (2001) further argued that non-White inmates may see engaging in homosexual activity as a threat to their masculinity. This is supported by research which has examined sexual assault in male prisons (Hensley et al., 2005; Lockwood, 1980).

Religion, similarly, did not have a significant effect on whether an inmate changed his sexual orientation. Like with race, Hensley et al. (2001) found that religion had a significant effect on whether an inmate engaged in sexual behaviors, with non-Protestants being more likely to engage in homosexual behaviors than Protestants. It is with religion that Hensley et al. (2001) found limited support for the importation model, in that religion is not necessarily a construct of prison but may have been imported from normal society. Whether religion is an important factor in a correctional setting is not clear. Some inmates become more religious while in prison, while others turn away from or change their religion. The previous study by Hensley et al. (2001) found that non-Protestants were more likely than Protestants to engage in consensual homosexual behaviors. Non-Protestants, in that study and in the present study, included Catholics and inmates who did not identify with a particular religion. In support of this idea, Tewksbury (1989) found that less religious inmates and non-Protestant inmates were more likely

to be sexually approached by other inmates, signaling that non-Protestant inmates are more malleable in their sexualities than others. Though the present study did not find support for this argument, it is still one that future researchers should examine.

Education had no significant effect on a change in sexual orientation. Most inmates had completed some high school, all of high school, or some college. Hensley et al. (2001) found that education had no effect on any of the homosexual behaviors in prison. However, popular culture suggests that the more education a person has, the more open-minded he or she is to non-standard cultural constructs, such as homosexuality. With the average inmate having average education, it is unsurprising that inmates' education did not have an effect on a change in sexual orientation. A sample with more educated or less educated inmates may show different results.

Time served also showed no significant effect on a change in sexual orientation. As no other authors have looked at whether the amount of time served has an effect on engaging in homosexual behavior, it is unknown if this finding correlates with any others. Future research could focus on whether time served has a statically significant effect on engaging in sexual behavior or any changes in sexual orientation.

Finally, the present study found that heterosexual inmates were more likely than homosexual or bisexual inmates to change their sexual orientation. This supports Alarid's (2000) finding that homosexual inmates were less likely to change their sexual behaviors, while bisexual men who leaned toward heterosexuality were more likely to change their sexuality. While not comparable directly to the present study as she did not examine heterosexual inmates, Alarid's findings hint at similar results to the present study. This finding also supports the social constructionist approach.

Despite these findings, the data is limited in several important ways. First, the response rate was 18%. Although this response rate appears low, most prison studies dealing with sensitive issues attract 25% or fewer respondents (Hensley, Rutland, & Gray-Ray, 2000; Tourangeau, Rips, & Rasinski, 2000). Second, the subsample of those who had changed their sexual orientation was even more limited as only 24 had changed their sexual orientation while incarcerated. Third, the data was limited in that it was collected through convenience sampling, as the prison was chosen because of availability and ease of access. Fourth, the questionnaire was limited in understanding the larger subculture of prison because it excluded attitudes toward homosexuality and the prison sex hierarchy, which is needed for a fuller understanding of how sexuality may change in prison. Finally, the variables were coded and recoded in a way that limited the full potential of understanding how different sexual behaviors and socio-demographic factors such as race, religion, or education might have an effect on how sexual orientation changes. With a larger data set collected through probability sampling, particularly with a larger number of inmates that show a change in sexual orientation, future research on this topic can find a better understanding of how homosexual behaviors, socio-demographic, and situational variables have an effect on sexual orientation.

Only Alarid (2000) has done such a study, but her data were collected from jails, instead of state prisons, and is not comparable. While Alarid did not directly test for a change in sexual orientation, she did focus on changes in sexuality according to a social constructionist methodology. A study with Alarid's methodology or one similar, focused on a larger sample from a maximum-security state prison, could possibly account for how homosexual behavior, both sexual and attitude-based, affect sexual orientation.

The social roles in prison have been studied by other researchers and will continue to be studied. Policy affecting sexuality needs to address the prison subculture, not simply sexual conduct. It is unknown whether allowing consensual activity would have a positive or negative impact on prison sex. Hensley and his colleagues (2001) have argued that allowing conjugal visits, autoerotic behavior, and consensual activity between inmates would increase the health and safety of inmates. Penologists and prison officials should not simply attempt to control and prevent sexual activity through reaction, but should be proactive in understanding why sexual activity occurs. Sykes (1958) was the first to argue that being deprived of one's social identity caused the creation of a new identity according to prison subculture. In the importation model by Irwin and Cressey (1962), an inmate's identity is created by importing social values which act as a reflection of larger society. Social constructionism argues that the prison subculture itself and the values therein create the identity. Instead of the essentialist approach attempting to account for an inmate's identity and subsequent behaviors, perhaps the importation and deprivation models can be combined with the social constructionist approach to understand the prison subculture.

Scacco (1975) argued that “to stop ... prohibiting every form of sexual expression” would alleviate some of the violence that sexual deprivation causes (p. 108). Tewksbury and West (2000) likewise argued that “refusal or reluctance to acknowledge that sex in prison exists is one thing, but refusal or reluctance even to devote research attention to the issue is detrimental to the study of corrections, to the discipline, and to society as a whole” (p. 377). It is clear from the present study that engaging in homosexual behavior has a significant effect on an inmate's

sexuality. Penologists should take this knowledge and go another step forward to understanding the construct of sexuality within a prison setting.

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## APPENDIX A

**TABLE 1**  
**Change in Sexual Orientation (*n* = 24)**

	Sexual Orientation Before		Sexual Orientation Today	
	<i>n</i>	%	<i>n</i>	%
Heterosexual	18	75.0	4	16.7
Bisexual	4	16.7	19	79.1
Homosexual	2	8.3	1	4.2

**TABLE 2**  
**Sample and Subsample of Inmates Engaging in Consensual Homosexual Activities Prior To and During Incarceration**

	Full Sample				Subsample			
	Prior to <i>N</i> = 142		During <i>N</i> = 142		Prior to <i>n</i> = 24		During <i>n</i> = 24	
Participated in homosexual behavior	47	33.1%	57	40.1%	9	37.5%	23	95.8%
Kissed another male	27	19.0%	42	29.6%	6	25.0%	17	70.8%
Touched another male	43	30.3%	54	38.0%	9	37.5%	15	62.5%
Performed oral sex on another male	24	16.9%	24	16.9%	9	37.5%	19	79.2%
Received oral sex on another male	40	28.2%	51	35.9%	4	16.7%	8	33.3%
Performed anal sex on another male	23	16.2%	46	32.4%	4	16.7%	18	75.0%
Received anal sex from another male	19	13.4%	25	17.6%	4	16.7%	8	33.3%



**TABLE 3**  
**Descriptive Frequencies of Independent Variables**

	<i>Mean</i>	<i>S.D.</i>	Total	Total (%)
Did you engage in homosexual behavior?				
No			85	59.9%
Yes			57	40.1%
Age	33.28	9.15		
Race				
Non-White			46	32.4%
White			96	67.6%
Religion				
Protestant			67	54.0%
Non-Protestant			57	46.0%
Education				
8 <sup>th</sup> grade or less			13	9.4%
Some high school			60	43.5%
Completed high school			26	18.8%
Some college			30	21.7%
Completed college			6	4.3%
Graduate/Professional school			3	2.2%
Amount of Time Served				
0 - 4 years 364 days			15	11.5%
5 years - 9 years 364 days			26	20.0%
10 years - 24 years 364 days			45	34.6%
More than 25 years			44	33.8%

**TABLE 4**  
**Summary of Logistic Regression Beta Weights ( $N = 142$ )**

	<i>B</i>	<i>S.E.</i>	<i>Odds Ratio</i>
Homosexual Behavior	3.96	1.09	52.62*
Age	-.37	.04	.96
Race	-.15	.74	.86
Religion	-.39	.60	.67
Education	-.11	.28	.89
Time Served	.264	.30	1.30
<i>Pseudo R<sup>2</sup></i>		.26	

\* Denotes statistical significance at the .05 level.

**TABLE 5**  
**Chi-Square of Sexual Orientation Prior to and During Incarceration (*N* = 142)**

Pre-Sexual Orientation	Post Prison Sexual Orientation		Total
	Heterosexual	Bisexual/Homosexual	
Heterosexual	94	18	112
Bisexual/Homosexual	4 <sup>a</sup>	26	30
Total	98	44	142
Pearson Chi-Square	55.14*		

\* Denotes statistical significance at the .05 level.

<sup>a</sup>. 0 cells (.0%) have expected count less than 5. The minimum expected count is 9.30.

## APPENDIX B

## MEMORANDUM

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TO: Lauren Gibson **IRB # 11-091**  
Dr. Christopher Hensley

FROM: Lindsay Pardue, Director of Research Integrity  
Dr Bart Weathington, IRB Committee Chair

DATE: June 7, 2011.

SUBJECT: IRB Application # 11-091: A Penological Approach to the Social Construct of Sexuality

The IRB Committee Chair has reviewed and approved your application and assigned you the IRB number listed above. You must include the following approval statement on research materials seen by participants and used in research reports:

***The Institutional Review Board of the University of Tennessee at Chattanooga (FWA00004149) has approved this research project # 11-091.***

Since your project has been deemed exempt, there is no further action needed on this proposal unless there is a significant change in the project that would require a new review. Changes that affect risk to human subjects would necessitate a new application to the IRB committee immediately.

Please remember to contact the IRB Committee immediately and submit a new project proposal for review if significant changes occur in your research design or in any instruments used in conducting the study. You should also contact the IRB Committee immediately if you encounter any adverse effects during your project that pose a risk to your subjects.

For any additional information, please consult our web page <http://www.utc.edu/irb> or email us at: [instrb@utc.edu](mailto:instrb@utc.edu).

Best wishes for a successful research project.

## APPENDIX C

## VITA

Lauren Gibson was born in Aspen, Colorado, to the parents of David and Peggy Gibson. She moved to Signal Mountain, Tennessee, at the age of seven. She attended Signal Mountain Elementary and continued to Red Bank High School. After graduating, she went to the University of Tennessee at Knoxville to study Rhetoric and Writing, a concentration of the English major. She completed a Bachelor's Degree in Arts from the University of Tennessee in May 2008. The following year, she began graduate school at the University of Tennessee at Chattanooga, accepting a graduate assistantship in August of 2010 with the Criminal Justice department at the University of Tennessee at Chattanooga. She is continuing her education with a Masters of Science in Criminal Justice at the University of Tennessee at Chattanooga.