

Media and Prison Sexual Assault: How We Got to the “Don’t Drop the Soap” Culture

Kristine Levan^a
Katherine Polzer^b
Steven Downing^c

Abstract

Sexual assault among inmates has become a topic which is generating considerable interest. For many years, public perceptions have been nonchalant and dismissive of this phenomenon. Because the general public has little practical knowledge of the correctional system, these attitudes are likely, at least in part, a result of the media depiction of sexual assault among the incarcerated population. This paper will seek to understand the ways which popular movies characterize sexual misconduct that occurs among inmates. Ultimately, this discussion will help not only understand why individuals hold their beliefs of prison sexual assault, but also allow the public to understand the seriousness this topic.

Introduction

Members of the general public often rely on media portrayals when they formulate their opinions on crime. A major venue for this is often either local or national news media, which report on current issues involving crime and the national criminal justice system. News sources are often faulted for presenting facts in a biased manner, but do allow the general public access to noteworthy items involving crime. In general, the public is somewhat unfamiliar with issues related to the criminal justice system (Chapman, Mirrlees-Black, and Brown, 2002).

Facets of the criminal justice system which are noticeably absent from news coverage include issues related to correctional policies and current issues in the correctional system. This is not necessarily surprising, given the almost complete removal of prisons and other forms of correctional institutions from modern culture. Even the facilities themselves are far-removed from the public, often found in rural areas with relatively small populations.

Where then, does the public acquire information regarding correctional systems, and how do they go about forming opinions on these systems and the offenders who are kept by them? It is likely popular media, such as television shows, films, music, and even video games, help shape opinions that are ultimately primarily generated from fictionalized accounts (Levenson, 2001; Mason, 2003; Bennett, 2006). As Meiners suggests

The removal of prisons from the everyday U.S. experience means that mainstream audiences depend heavily on popular media to offer meanings and representations of prisons. Mainstream audiences require mass media to interpret these spaces and the bodies housed within. (2007: p. 91)

This issue becomes particularly compelling when examining issues related to violence among the inmate population. Recently, the issue of sexual violence began to garner a significant amount of attention, both by correctional authorities and researchers. The Prison Rape Elimination Act has increased the attention and

a Plymouth State University, kmlevan@plymouth.edu

b Texas Christian University, k.l.polzer@tcu.edu

c University of Ontario Institute of Technology, steven.downing@uoit.ca

research being conducted on this highly controversial and formerly taboo topic (Beck & Hughes, 2005; Beck & Harrison, 2006; Beck, Harrison, & Adams, 2007). This is an issue which existed long before researchers became interested in it, a fact which is illustrated by the depictions of sexual assault in our popular media over the past several decades.

The primary research question to be addressed by this paper is what kind of messages are we (the public) receiving about sexual violence among incarcerated populations? The paper will focus on films that depict sexual violence and relationships, exclusively examining male on male interactions. Although we acknowledge that other avenues of mainstream culture, such as television, music and video games portray sexual violence, films will be the focus of the current study.

Review of the Literature

Ultimately, public opinion is important because it is what drives the policymaking process. It has been noted that the media, through sensationalized depictions of crime and violence and a subsequent need for harsh punishment, may have contributed to the recent significant growth in the prison population in the United States (Mathieson, 2001; Mauer, 2001). For issues concerning sexual violence among inmates, these depictions may have varying results, depending on the type of portrayal. If victims of sexual abuse are characters which we, as audience members, are meant to be sympathetic toward, then these depictions may increase the attention and empathy given to the victims. In contrast, portraying the sexual abuse as either humorous or retributive may mean that viewers feel little or no sympathy for the victim, and may even relate to the perpetrator.

It has been well-cited that inmates are not likely to officially report a sexual assault (Chonco, 1989; Smith & Batiuk, 1989; Struckman-Johnson, Struckman-Johnson, Rucker, Bumby, & Donaldson, 1996; O'Donnell & Edgar, 1998; Beck & Hughes, 2005). The emphasis on masculinity and individual strength in the tenets of the convict code (Sykes & Messinger, 1960) does not lend itself to admitting to victimization and weakness. Embarrassment and fear of retaliation from perpetrators often guide the decision to not report victimization (Smith & Batiuk, 1989; Struckman-Johnson, et al., 1996; Man & Cronan, 2001). However, media depictions of sexual violence among inmates may also contribute to a lack of reporting. Portrayals of revenge and retaliation may contribute to new inmates being fearful of officially reporting being victimized (Owen, McCampbell & Wells, 2007).

Considering the amount of exposure given to sexual violence among prisoners, there has been a lack of research dedicated to this topic. There is a relatively sufficient amount of research which examines the prison film genre in general (Nellis and Hale, 1982; Crowther, 1989; Cheatwood, 1996; O'Sullivan, 2001; Mathieson, 2001; Mauer, 2001; Jarvis, 2004; Mason, 2006). However, very few studies have focused on prison violence and no study to date has focused exclusively on depictions of sexual violence and victimization. Moreover, there is scant discussion in the scholarly literature on how the prison film genre influences issues related to public perceptions of correctional systems (Mason, 2006).

The literature which focuses on the prison film genre generally has a narrow definition of what constitutes a prison film. This has created much debate among scholars (Nellis and Hale, 1982; O'Sullivan, 2001; Mason, 2003; Jarvis, 2004; Mason, 2006; Rafter, 2006), but the generally accepted definition of a traditional prison film is one which primarily occurs within the prison walls. Although this definition is accommodating to a centered approach to the research, it takes a very narrow approach to the information that the public is exposed to regarding the prison experience. It can be argued that it is not only the films that have prison as the dominant theme, but also those films which address prison in a more dismissive light that help shape public opinion.

A similar perspective can be said of the narrow focus on more dramatically themed films. No scholarly work to date has examined comedic portrayals of sexual misconduct among inmates or the potential consequences of these films on public perceptions. The existing literature on prison violence in the media focuses exclusively on more dramatic portrayals of the event (O'Sullivan, 2001; Mason, 2006; Rafter, 2006). Comedic portrayals may be equally as important as those which take a more serious or dramatic stance on the

incarcerated population and the plight of the inmates.

Sample

Films are a rich resource for cultural understanding (Belton, 2000) and when assessing a specific component within film – such as here, sexual assault – the numbers of potential films for inclusion can prevent in-depth qualitative comparison. In the case of our current research, we also seek to analyze specific components of sexual assault portrayal in film, thus narrowing the available sample while also facilitating an in-depth qualitative comparison of the films. In light of the resulting small number of “cases” for analysis, we adopt a dimensional sampling strategy (Arnold, 1970). Essentially, this approach is appropriate for analyses of a small number of cases and extends the methodology of the case-study approach to the entire sample.

Arnold’s (1970) sampling strategy also fits with our sampling frame design. Our interest in the portrayal of sexual assault in prison is focused on masculinity and our sampling has been developed accordingly. Specifically, for inclusion we require that a film portray a scene of sexual misconduct or assault between two or more inmates and that the involved inmates also be male. Given our emphasis on the link between film portrayals and larger cultural ideas about sexual assault in prison, we also chose films considered “wide-release.” In other words, films that were released in theaters and are now readily available for home viewing.

Further to the above sampling criteria, we divide our sample into two sub-frames (Arnold, 1970), representing different genres of film; the “traditional,” or dramatic prison film, and non-traditional prison films. Finally, since we are primarily interested in the contemporary cultural disposition toward sexual assault in prison, our sampling frame is limited to films released within, roughly, the last two decades.

Under the criteria of the sampling frame, our analysis includes eight films. The four films traditional prison films include *The Shawshank Redemption*, *Let’s Go To Prison*, *American History X*, and *The Rock*, and the non-traditional include *Office Space*, *The Butterfly Effect*, *There’s Something About Mary*, and *My Cousin Vinny*. As was the intent of our sampling strategy, the gamut of these films includes comedic and dramatic portrayals of sexual violence, thus allowing us to develop a “holistic” picture of the relationship between media and the cultural components we wish to study (see, e.g., Exner and Thurston, 2009). An overview of the included films and how they fit within the overall scope of the study can be found in table 1.

Table 1: Brief description of films reviewed

Film Title	Portrayal Type	Location of Event	Number of Perpetrators	Overt or Reference
The Shawshank Redemption	Dramatic	Shower and Workplace	Gang	Reference and Overt
American History X	Dramatic	Shower	Gang	Overt
The Butterfly Effect	Dramatic	Common Area	Gang	Overt
Let’s Go To Prison	Comedic	Shower and Cell	Individual	Reference
Office Space	Comedic	N/A	N/A	Reference
My Cousin Vinny	Comedic	Cell	Individual	Reference
The Rock	Comedic	Shower	Gang	Reference
There’s Something About Mary	Comedic	Cell	Individual	Reference

Method

In order to understand the visual, auditory, and narrative context of the sexual assaults in question, we focused on viewing the films in their original form, or in other words, as an average “audience member” would do so. This is important because we are interested in the connection between media and culture; an interaction relying on the consumption of film in a holistic discursive context (see, e.g., Read, 2000). An alternative method would be to analyze scripts through a more syntax-focused lens. We chose not to pursue this method both because of the aforementioned desire to capture the context of the film and also because our analytical approach is abductive (Ezzy, 2002), emphasizing domain analysis, which codes for thematic chunks rather than words, phrases or utterances (Spradley, 1979). With this approach in mind, when viewing the films we recorded the location of the event, the number of perpetrators involved, and whether the sexual assault constitutes an overt act or only references sexual assault through character dialogue.

Through this abductive, context focused analysis, we are able to engage in a reflexive reasoning that facilitates grounded theory and the organic formation of coding frames (see Glaser and Strauss, 1967). On the broadest level these frames are operationalized in our findings as comedic and dramatic portrayals of sexual assault in prison, but subframes emerge within these categories, representing both nuanced and overt distinctions. This coding strategy would not be possible under the confines of a more rigid, less reflexive methodology. Further, by adopting a reflexive, domain oriented approach to analyzing our sample of films, we are both admitting our interpretive orientation and drawing on its strength for building theory. The unavoidable biases presented by this approach are tempered by the increased cross-coder reliability garnered from having three independent investigators view each film.

Results

As outlined above, the two broadest categories of portrayals of sexual assault emerging from our analysis are dramatic and comedic. The results of this analysis are organized accordingly, within which effort has been made to preserve the integrity of the context and content of each scene through a brief description of its content. We also interpret each scene through the lens of sociological inquiry, with the goal of our overall inquiry in mind; that is, how do film depictions of these assaults relate to cultural concepts of sexual assault in prison. It is with this framework in mind that we turn to the films themselves.

Dramatic Portrayals of Sexual Assault

All of the films examined that take a more dramatic stance on the issue of sexual victimization include an intense and brutal scene involving an inmate being sexually assaulted. Perhaps the most graphic scene is found in *American History X*, where Ed Norton’s character, a former skinhead, is violently assaulted while showering and is then violently raped by another inmate while several other inmates hold him down and cheer on the perpetrator. The audience is exposed to much of the graphic violence, and then is left with a scene where his character is unconscious, bleeding, and laying on the floor of the showers. During this scene, a correctional officer also intentionally disregards the assault. As soon as the inmates begin attacking Norton’s character, he leaves the shower room and closes the door behind him.

In *The Shawshank Redemption*, the character of Andy, portrayed by Tim Robbins, is portrayed as the protagonist of the film. Upon coming to prison, he is exposed to men who self-identify as situationally homosexual, with one, later identified as taking more of a leadership role, asking if anyone had “got to him yet”. Soon after his intake to prison, Andy tells Red, Morgan Freeman’s character, that he is not homosexual, to which Red replies, “neither are they” and tells Andy that he should “grow eyes” in the back of his head.

A few scenes later, a group of inmates assault Andy while he is at work, with the leader telling him “I will open my fly and you better put it in your mouth.” Although we never see the actual act of sexual victimization, it is implied that he is both physically and sexually attacked. There are also several scenes throughout the first portion of the film where Andy is attacked, with the narrator stating that sometimes he was successful at warding off the assailants, and sometimes he was not.

The *Butterfly Effect* has a similar graphic scene, where Ashton Kutcher’s character, the protagonist of the film, finds himself incarcerated and is warned shortly after arriving to prison by another inmate that “Jesus himself couldn’t make me take on the Brotherhood. When they come, just put your mind in another place, man. Be somewhere else.” He is confronted by a gang of what is implied to be a White Supremacist group and is told by the leader “Shit on my dick or blood on my knife.” In another scene, Kutcher’s character tells the leader “You gotta work your way up, and I’m the new guy”. He then drops to his knees, presumably to give the gang leader oral sex. He is rescued from the coercive sexual act by his fellow inmate committing violence against the group of perpetrators.

Comedic Portrayals of Sexual Assault

Comedic portrayals of sexual assault often occur in passing, with prison not being the primary theme of the film. In *Office Space*, the characters in the film compare a white collar correctional facility to a “federal-pound-me-in-the-ass-prison”. Also, as Peter, the main character leaves his apartment to turn himself in for his crime, his neighbor advises him, “Peter... Watch out for your corn hole, bud.”

In *My Cousin Vinny*, there is a fairly lengthy scene and comedic exchange between Joe Pesci’s and Mitchell Whitfield’s characters, in which Whitfield believes that Pesci is there to have a sexual interlude with him and does not realize that he is his attorney. As Pesci discusses that he is handling Whitfield’s case for free, he states, “Yeah, it’s your ass, not mine. I think you should be grateful. I think you should be down on your fuckin’ knees.”

All media references to sexual misconduct are not overt. In *There’s Something About Mary*, Ben Stiller’s character, Ted, is falsely accused of murder. After being arrested and taken to a cell, he lies awake with a terrified facial expression next to a large inmate, implying that he had been sexually assaulted or was under threat of being sexually assaulted by his cellmate.

Although the film *The Rock* is considered to be an action flick, the subject of sexual abuse is handled with a lighter tone and is therefore classified herein as a comedic portrayal. In this film Sean Connery’s character, who has been incarcerated for many years, claims that fighting with a soldier on Alcatraz is better than a typical day in prison where he spends his time “reading philosophy and avoiding gang rape in the washroom”.

Unlike the other comedic portrayals discussed, *Let’s Go To Prison* is a comedy which would be considered a traditional prison film, as the bulk of the film occurs within a correctional facility. There are also significantly more references to sexual misconduct throughout the film. At the beginning of Biederman’s (played by Wil Arnett) prison term, we see Barry (portrayed by Chi McBride) blow him a kiss in the showers. He then drags Biederman to his cell and tells him that he is his property. Once Biederman is shaved by Barry, he resigns himself to being Barry’s “property” and accepts his role as the submissive in the sexual relationship.

Discussion

After examining the common themes and scenarios of these films, it is worth noting that some of the portrayals mirror real-life incidents of prison sexual assault. For example, it has been documented that the most likely locations for sexual assault to occur include in individual cells, in the showers, and in the areas where inmates work. As such, both comedic and dramatic portrayals which either show or allude to misconduct in the showers (*American History X*, *The Rock*, *The Shawshank Redemption*, and *Let’s Go To Prison*), workplace (*The*

Shawshank Redemption), common areas (*The Butterfly Effect*), and cells (*There's Something About Mary*, *My Cousin Vinny*, and *Let's Go To Prison*), can be credited for their accuracy on this front.

In terms of the victim to perpetrator ratio, many of the images depict instances of three or more perpetrators with a lone victim, which is classified by the sexual assault literature as a gang rape. *The Shawshank Redemption*, *American History X*, *The Butterfly Effect*, and *The Rock* all either discuss or display scenarios where an individual inmate is subjected to a gang rape. In *The Butterfly Effect*, the audience is also given the explanation that gang rape may be the only way for a new inmate to earn the protection of the gang members. Gang rape is certainly not an anomaly among the male inmate population, and this type of sexual assault is much more prevalent among incarcerated populations than among the free community. However, the frequent portrayal of gang rape introduces a skewed perception to the public that it is a more frequent occurrence than in reality. It is also worth noting that three of the four references to prison gang rape (*The Shawshank Redemption*, *American History X*, and *The Butterfly Effect*), all of which are overt displays of the act itself, derive from the more dramatic portrayals. Only one inference is made from a more comedic standpoint in *The Rock*. As noted in the literature, films are a product, and any issue which is related to brutality will make the film itself more marketable (Mason, 2006). Perhaps displaying these graphic and highly traumatizing gang rapes are merely a means by which filmmakers can assure marketability and interest to the public.

Frequent references also exist for the individual perpetrator offense. *My Cousin Vinny*, *There's Something About Mary*, and *Let's Go To Prison* all involve a single perpetrator. Unlike the films above which blatantly illustrate graphic examples of prison sexual assault, these films do not actually show the act occurring. Rather, they either make reference to the sexual assault, as in *My Cousin Vinny*, or allude that the act has occurred after the fact, as in both *There's Something About Mary* and *Let's Go To Prison*. The reliance of the media on the more sensationalized, but less frequent, accounts of gang rape rather than the more common occurrence of individualistic sexual assault may feed the public's thirst for extreme levels of violence. Conversely, simply referring to acts that involve one perpetrator may be able to convey the message that the more "mundane" of the two acts has transpired.

Notably absent from most of the depictions are the correctional staff. The acts which occur among cellmates can easily be dismissive of the correctional officer, as officers simply cannot monitor each individual cell for sexual activity. *The Shawshank Redemption's* gang rape scene can also explain away this absence, as the primary incidents occur at the inmates' work area where they may be unsupervised for stretches of time. The only film which prominently shows a correctional officer's presence is *American History X*, where the officer is seen intentionally leaving the scene of the victimization. This type of inaction, known as deliberate indifference, is one which correctional officers have been reported to engage in recently. Many correctional officers report having difficulty recognizing whether sexual activity has occurred or may even see sexual victimization as a deserved response for the inmates' crimes (Eigenberg, 1989; Eigenberg, 2000; Hensley & Tewksbury, 2005; Owen, McCampbell, & Wells, 2007; Owen & Wells, 2006). Other studies indicate that correctional officers may feel ill-prepared to deal with instances of sexual assault (Owen and Wells, 2006). Regardless, the lack of action taken by correctional officers has been brought to the forefront of policy issues by the PREA, which now requires that correctional officers take a more active role in the prevention and sanctioning of sexual assault.

The role of sexual assault in prison culture is also a prominent theme. The role of the newly arrived inmate is evidenced by the term "fish", which is also duly noted in *The Shawshank Redemption*. Many victims of sexual assault are those who are first-time offenders, making them less prisonized than their counterparts (Beck et al., 2007; Davis, 1968; Hensley et al., 2003; Lockwood, 1980; Man & Cronan, 2001). In addition to *The Shawshank Redemption*, *Let's Go To Prison*, *Office Space*, *My Cousin Vinny*, *There's Something About Mary*, *The Butterfly Effect*, and *American History X* all either allude to or vividly illustrate this fact. It is not uncommon for new "fish" to be expected to submit to the sexual demands of more prisonized inmates, either through force, as in *The Shawshank Redemption*, or through sexual coercion, as shown in *Let's Go To Prison*, *The Butterfly Effect* and *My Cousin Vinny*. The perpetrators are shown to be larger in stature, affiliated with a gang, older, or African American. Although little is known about perpetrator characteristics due to a lack of consistent reporting in correctional facilities, these characteristics may indeed hold true.

Although the belief once was that those who engage in homosexual activity while incarcerated were simply homosexuals (Clemmer, 1958), researchers have discovered that this is simply not the case. Sexual assault and coercion are one means by which inmates exert their masculinity and dominance over other inmates. Because of this, inmates may become situationally homosexual while incarcerated, engaging in either forced or coerced sexual encounters with other male inmates (Alarid, 2000; Banbury, 2004; Hensley, 2000; Money & Bohmer, 1980). As illustrated by *The Shawshank Redemption*, these inmates do not self-identify as homosexual, nor are they viewed by other inmates as homosexuals. Those who take the more submissive roles in sex may indeed be expected to take on more feminine roles, such as cleaning, laundry, or even shaving, as seen in *Let's Go To Prison*.

Implications for Future Research

The existing study is limited in that it only examines a handful of films. The extent of sexual violence among prisoners is far-reaching, often branching out into films where references to it are unexpected. Traditional prison films alone account for more than 350 of the available films (Mason, 2006). A more comprehensive examination of films, including both traditional and non-traditional prison films, will likely yield even more data on media depictions of this crime. The eight films under consideration in this study represent only a sample of the many films available for analysis. Also, as formerly stated, films are not the only venue available for analysis. Television shows, popular music, television commercials and video games have also used sexual violence or sexual exploitation as themes. The current study can be extended into these other venues, which may either echo or contradict the messages portrayed by the films under consideration.

We acknowledge that female prison experiences are absent in the present analysis. These films have been discussed elsewhere in the literature (Rafter, 2006). The female inmate subculture is one which differs drastically from the male inmate subculture in terms of relationships between inmates, relationships with correctional officers, and less involvement in violent activity. As such, a comprehensive qualitative review of female prison films and their influence on public perceptions is warranted in the near future.

Another future direction for research may be to analyze the portrayal of prison sexual assault in films over a course of time, thus providing a longitudinal understanding of the link between media portrayals and cultural perceptions of this phenomenon. While beyond the scope of the current research, such an analysis would frame the media-culture relationship in a historical context, providing an evolutionary perspective that is difficult to grasp in studies of contemporary film.

Finally, it is crucial to understand how these images of sexual violence impact audience members. Conducting surveys on audience members, ideally both before and after exposure to these media portrayals, could help in addressing the impact these depictions have. Specifically, audiences could be questioned on their beliefs, values and opinions on matters regarding sexual victimization of prisoners and how these translate into policies addressing this issue.

Conclusion

It is well-documented in the literature that prisons have become a "revolving door". As many as eighty percent of the convicted will eventually return to the streets, and as many as seventy-five percent of those returned to streets will return to prison (Petersilia, 2003). Despite the attempts to completely separate prisoners from the general community, modern society has become one which prison and the community may have simultaneous influence over one another. In this light, it is unclear to what extent prison culture influences the media and vice versa. The question then remains whether any of the existing issues with sexual violence among incarcerated populations may actually be dictated by the media and its perceptions of its norms and values.

Regardless of the portrayal type (comedic or dramatic), it seems that there are both truths and myths buried in films that discuss the correctional system. It is difficult for the uninformed viewer to recognize fact from fiction. Foucault (1979) argues that "the spectacle of punishment" has become far-removed from the eyes of the public. Cessation of public execution and corporal punishment and the systematic location of most prison facilities to rural areas are just a few of the examples of this removal. However, has American society reached a

point where the public's hunger for knowledge on crime and punishment is one which must be fed? Modern cinema seems to believe so. If this is the case, then the public should be provided with some avenue of accurate portrayals of the entire criminal justice process, not just those which serve to sensationalize or make light of controversial and potentially devastating issues.

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