

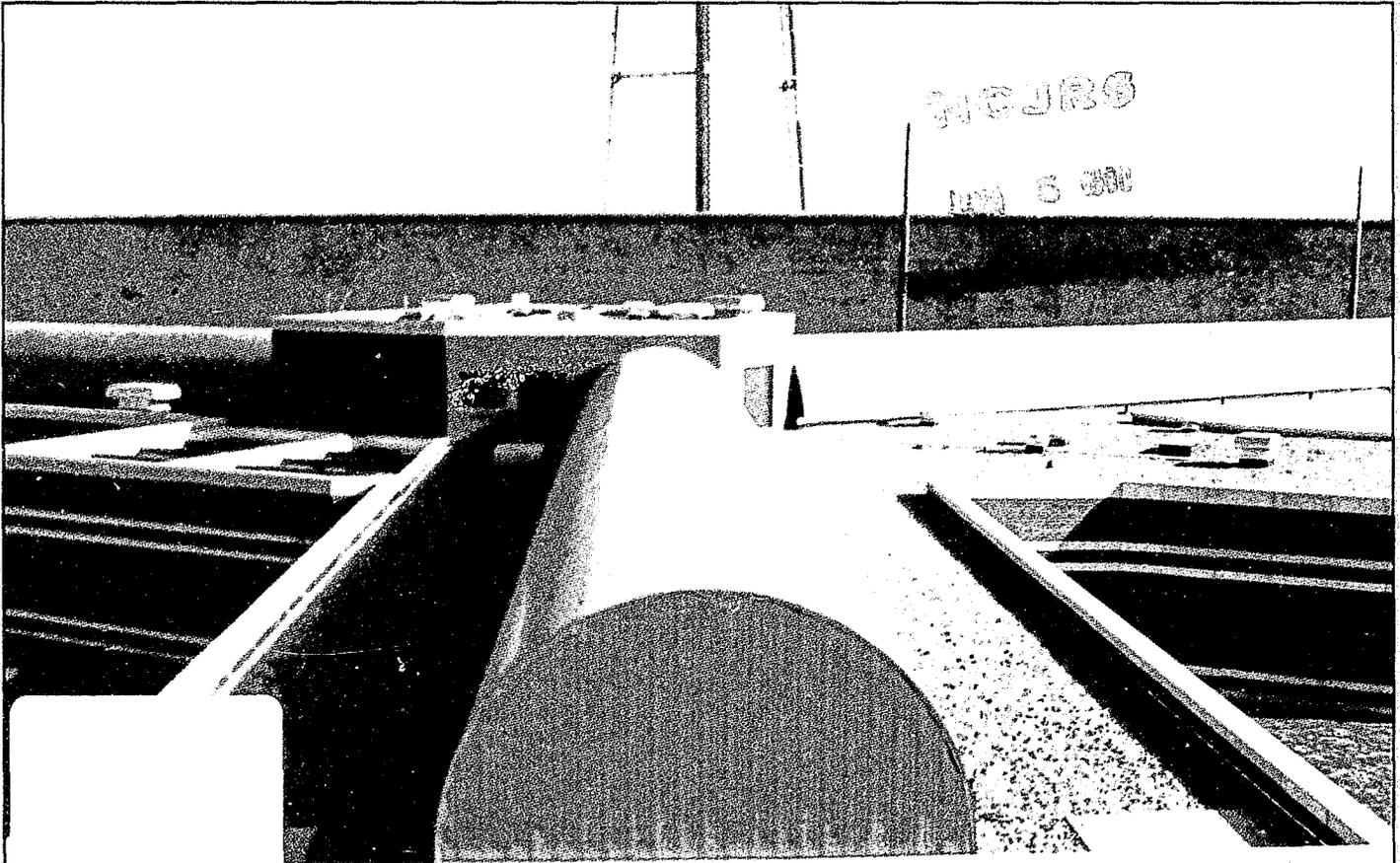
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New Directions
for High Security



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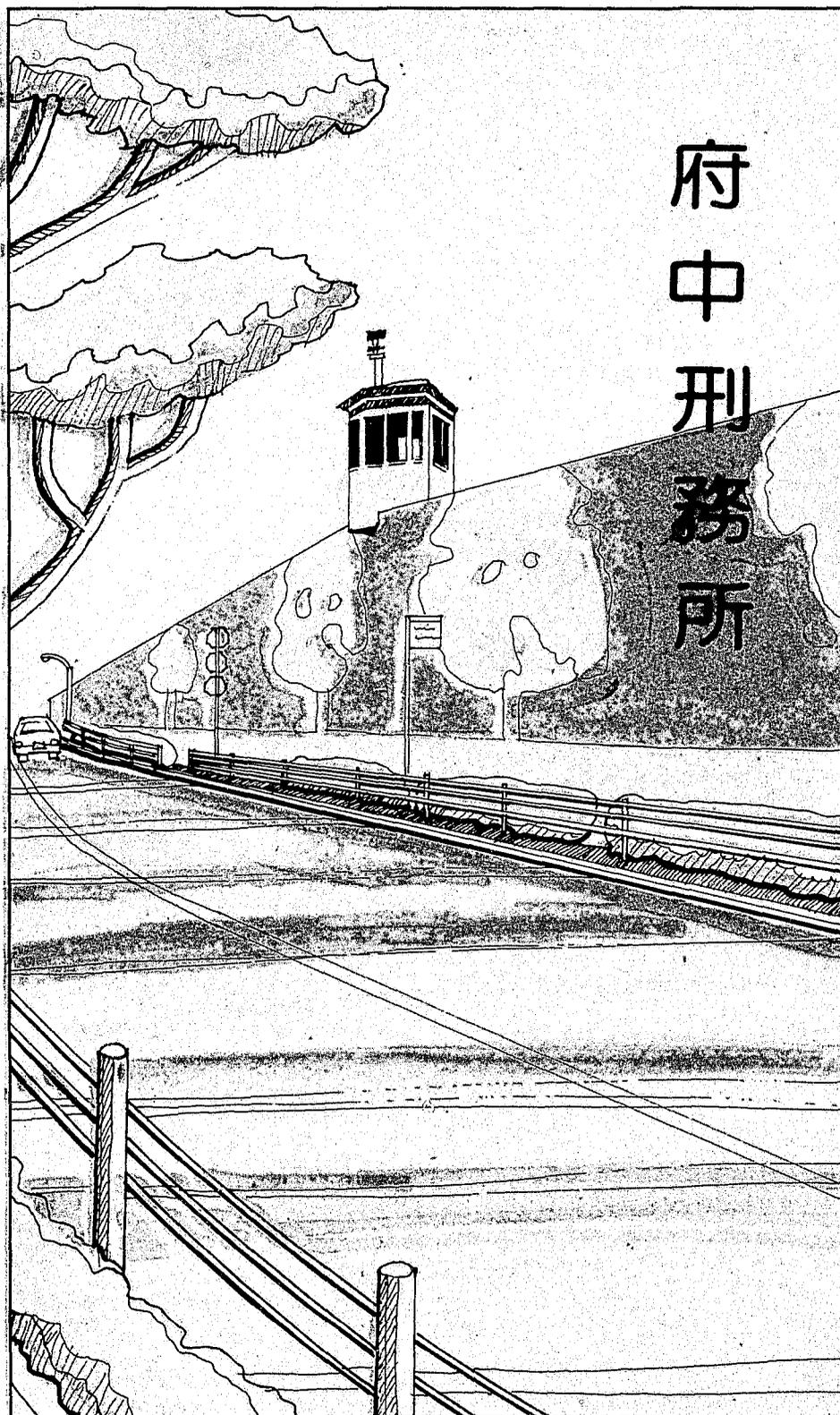
Clair A. Cripe

In May and June 1989, I was privileged to travel to Japan and to participate in a unique correctional experience. For more than 4 weeks, I was a Visiting Expert at UNAFEI—the United Nations Asia and Far East Institute for the Prevention of Crime and the Treatment of Offenders.¹ Typically, the Institute presents two training courses per year, each of 3 months' duration. Some of these courses—about half—are geared to corrections issues. The course that I attended was focused on correctional administration, with emphasis on issues of crowding, new technology, prisoner classification and treatment, staff training, and inmate grievances.

There were 30 participants in the course, from 14 countries. All are criminal justice professionals, but from a variety of positions, including police, prosecutors, judges, probation, and prison workers. (Fortunately, English is the official language of the proceedings at the Institute! During conference-room presentations and discussions, there was simultaneous translation into Japanese, and from Japanese into English to allow us to understand the Japanese speakers, typically from the Ministry of Justice, who spoke to us in Japanese.)

The support of the fulltime UNAFEI staff (who are Japanese, and on the payroll of the Ministry of Justice) and the physical plant at the institute are outstanding features. The interaction among the

¹ UNAFEI was founded in 1962, to promote research and training in criminal justice matters, primarily for administrators from Asia and the Pacific region. The work of the Institute is supported, to a great extent, by the Government of Japan.



participants, the UNAFEI faculty, and us visitors was marvelous. Their interest in correctional developments and innovations in the United States was genuine. Countries represented at this course ranged from tiny St. Lucia, a nation of 150,000 people with a single prison facility holding about 200 inmates, to China, with its large and unique prison facilities. However, interesting as they were, my report here is not going to focus on the classroom or seminar-discussion periods we had, but on the Japanese prison system itself.

In their characteristically accommodating way, the Japanese hosts at UNAFEI arranged lectures and visits for us, to introduce us to the Japanese criminal justice system, and specifically to its probation and prison operations. It might be of interest to readers to learn some of the things that typify the Japanese system, and particularly those things that make it different from ours. This I propose to do in an anecdotal way—roughly, as a diary of my observations and notations during the talks and visits I attended. This must be understood to be an informal, not a thorough or research-oriented article. I have tried to make it as accurate as possible; if there are any errors, I apologize to my Japanese hosts, who took such efforts to show us what we asked to see and to answer our questions.

Besides our visits to prisons, I would like to comment on one aspect of probation about which the Japanese are quite proud. Through lecture presentations, and, perhaps more important, through talking with individuals, we learned of the Japanese system's voluntary probation workers, many of them retired (the average age is about 60!), who establish a one-on-one relationship with probation-

Comparative larcenies and homicides by country in 1986

Year/Item	U.S.A.	U.K.	F.R.G.	FRANCE	JAPAN
Larceny cases reported	11,722,700	2,893,996	2,720,077	2,041,268	1,375,096
Crime rate	4,863	5,797	4,456	3,963	1,130
Clearance rate	17.5	28.3	29.1	15.3	58.7
Homicide cases reported	20,613	2,160	2,728	2,413	1,744
Crime rate	8.6	4.3	4.5	4.4	1.4
Clearance rate	70.2	76.7	93.9	89.4	96.4

Note: *Crime rate*: number of reported offenses per 100,000 population.
Clearance rate: number of offenses cleared divided by number of offenses reported x 100



Left to right: the author; Warden Hideaki Shimoji of Fuchu Prison; Gordon Lakes, former Deputy Director of British prisons; and another official of Fuchu Prison.

ers (this also includes parolees under supervision in the community) assigned to them. Their relationship is one that provides counselling and support to probationers. About one-half of all supervision cases throughout the country are assigned to volunteer probation officers, and the results reported are very positive. The volunteers whom I met were committed, compassionate, and most interested in the criminal justice system and particularly in their individual charges.

Comparing crime figures

The criminality figures reported by representatives of the Ministry of Justice are, in some respects, quite astounding. The Japanese recognize two major categories of offenses: Penal Code Offenses (the

“traditional” crimes such as homicide, robbery, assault, extortion, larceny, fraud, embezzlement, rape, arson, house-breaking, forgery, gambling, and “professional” traffic offenses) and Special Law Offenses (election law violations, firearms, public morals, immigration, drug offenses, and regular traffic violations).

The table at left shows the comparative rates of homicide in the United States, the United Kingdom, West Germany, France, and Japan.²

² These crime figures and tables are from the Japanese Ministry of Justice's *White Paper on Crime, 1988*, the most recent report available.

Percentage of newly admitted prisoners, by offense

Offense	1985	1986	1987		
			Total	Male	Female
Total	100.0	100.0	100.0 (29,726)	100.0 (28,454)	100.0 (1,272)
Penal Code offenses	63.0	61.3	62.3 (18,518)	63.2 (17,996)	41.0 (522)
Homicide	2.4	2.4	2.5 (749)	2.4 (681)	5.3 (68)
Robbery	2.0	1.8	2.1 (614)	2.1 (609)	0.4 (5)
Bodily injury	6.9	6.3	6.7 (1,984)	6.9 (1,971)	1.0 (13)
Assault and unlawful assembly					
with weapons	0.4	0.3	0.3 (90)	0.3 (90)	—
Intimidation	0.2	0.2	0.2 (51)	0.2 (51)	—
Extortion	3.8	3.7	4.1 (1,217)	4.3 (1,213)	0.3 (4)
Larceny	26.9	26.9	26.7 (7,948)	27.0 (7,676)	21.4 (272)
Fraud	7.3	6.7	6.8 (2,009)	6.7 (1,910)	7.8 (99)
Embezzlement	0.9	0.9	0.9 (266)	0.9 (258)	0.6 (8)
Rape	1.4	1.4	1.4 (427)	1.5 (427)	—
Indecent assault	0.4	0.4	0.4 (120)	0.4 (120)	—
Arson	0.9	0.8	0.9 (257)	0.8 (224)	2.6 (33)
Housebreaking	0.6	0.7	0.7 (195)	0.7 (195)	—
Violent acts	2.2	2.0	1.9 (568)	2.0 (567)	0.1 (1)
Professional negligence	4.6	4.5	4.5 (1,335)	4.7 (1,329)	0.5 (6)
Others	2.3	2.4	2.8 (688)	2.4 (675)	1.0 (13)
Special Law Offenses	37.0	38.7	37.7 (11,208)	36.8 (10,458)	59.0 (750)
Narcotics	0.1	0.1	0.1 (35)	0.1 (33)	0.2 (2)
Stimulant drugs	27.1	28.0	27.0 (8,036)	25.8 (7,337)	55.0 (699)
Prostitution	0.4	0.4	0.4 (133)	0.4 (110)	1.8 (23)
Road-traffic violations	6.6	6.8	6.5 (1,919)	6.7 (1,906)	1.0 (13)
Others	2.8	3.5	3.7 (1,085)	3.8 (1,072)	1.0 (13)

Note: Figures in parenthesis show actual numbers.
Source: *Annual Statistics on Corrections*

As is frequently reported, these figures show a wide disparity in the homicide rate (the number of reported offenses per 100,000 population) between the U.S. and Japan. One can guess that the rate in later years may show even a greater disparity. The numbers for larceny for the same five countries again show a great difference, but primarily this time between Japan and the western industrialized nations.

What is truly amazing, though, is the reporting for drug crime in Japan. Drug offenses are covered by four separate statutes; crime reports usually show numbers according to these four categories:

- The Narcotic Control Law (covering heroin, morphine, cocaine, and synthetics such as LSD).
- The Opium Law (covering opium, the poppy, and poppy straw).
- The Cannabis Control Law (marijuana).
- The Stimulants Control Law (amphetamines and methamphetamines).

The numbers of cases prosecuted in 1987 (and other recent years show similar figures) are: Narcotics, 154; Opium, 156; Cannabis, 1,511; and Stimulants, 27,214. Here is a nation of 120,000,000 people, situated near major Asian drug producers, astride huge trade channels, and with heavy tourist traffic, with a narcotics

problem that borders on being trivial. The major problem is with abuse of amphetamines, a problem that understandably troubles the Japanese a good deal.

Initially, when the Japanese told us of these figures, we from other countries (Western and Eastern) looked at each other in disbelief. But there they are, year after year, showing up in reports of crimes, of prosecutions, and of prison commitments. I don't disbelieve the figures. Considering the Japanese official view against drugs, I don't think there is any hiding or avoiding of drug offenses. One can guess or lay-analyze the figures (and we did discuss them, among the Japanese and non-Japanese participants), and identify some of the factors that probably influence these numbers—no doubt, cultural factors as well as aggressive law enforcement.

Prisoners

Japan has a unitary criminal justice system; that is, it is not broken (like the U.S.) into national, State, and local jurisdictions, with separate law enforcement components at each level. Essentially, there is a national system of police, prosecutors, courts, and corrections, which embraces all levels of crimes and misdemeanors.

The prison population is about 55,000,³ with about 46,000 who are convicted and 9,000 remand (pretrial) prisoners. The rated capacity of Japanese prisons is about 63,000, so they are not over-

³ This is amazingly close to the current Federal prison population of about 54,000. Of course, the Federal population is something under 10 percent of the total U.S. prison population, while the Japanese number is the total prison population for a country half the size of the U.S. The U.S. rate of imprisonment is thus at least five times that of Japan's.

crowded at all. There is a considerable construction budget (more than 15 billion yen, or \$100,000,000, according to my notes), but this is for refurbishing and construction in existing institutions. No new prisons are planned, since no need for them is seen.

The table shows new commitments to Japanese prisons in 1987, with some comparison to the prior 2 years. From the figures (which show fairly constant figures for different offenses from year to year), the two largest offense categories, and the only two offenses with large representation, are larceny and stimulant drug offenses. The prison population has remained remarkably stable over the past 5 years, with about 30,000 persons committed and 30,000 released each year.

Fuchu—A men's prison

I was pleased during my short time in Japan to be able to visit two prisons, one for men and one for women.

The men's prison is at Fuchu, just two blocks from UNAFEI, where I was staying and working. Fuchu is considered to be a very desirable suburb of Tokyo, with more than 100,000 residents, located to the west of the city. A large Toshiba manufacturing plant is nearby.

On an afternoon in mid-May, Gordon Lakes (a Visiting Expert from Britain, recently retired as Deputy Director of British prisons) and I went to visit Fuchu Prison. We were met at the entrance to the administration building by a security official, who escorted us to the warden's office. Warden Hideaki Shimoji hosted us with tea (typically served on a visit to any official's office), and gave us background information about the prison and



A group room at Fuchu prison. Most inmates live in such rooms. Note the rolled bedding.

about his job. He was only recently assigned to Fuchu as warden by the Ministry of Justice's Corrections Bureau.

We had taken photos on our way into the prison, along a street with residences and neighborhood stores on one side, and with a high-rise apartment building for prison staff on the other.⁴ Then, along pleasant streets inside the prison grounds, we observed the staff training building, residences for higher-ranking staff, and baseball and tennis recreation fields (for staff—the inmates had no such large recreation sites). We also took some photos inside the very attractive office of the Warden, but had to leave our cameras there for the balance of our tour.⁵

⁴ Almost all staff live on the prison grounds. In fact, a very different aspect of Japanese government is that Ministry of Justice employees—lawyers and judges, as well as corrections workers—are provided housing. This is a significant benefit, in a country where housing costs are far higher than in the U.S.

⁵ The photographs illustrating this article are from official brochures, or were taken at my request by a participant in the UNAFEI course who was a security official at the prison. We were not permitted to photograph inmates.

To give some idea about this prison, I will provide a direct quote from its official information brochure (printed in both Japanese and English copies):

"Distinguishing Features

"1. This is the biggest prison in Japan, in terms of authorized capacity.

"2. This is one of the leading prisons for B-class prisoners. Namely, the prison is to treat those who have advanced criminal tendency, such as recidivists, gangster-members, drug-addicts, and other offenders difficult to be resocialized. In addition, it also interns foreigners who have committed offenses in Japan.

"3. Vocational training is actively carried out. Various training courses are provided; for example, auto repairing, laundry, leather work, and printing (phototypesetting). Such vocational

courses as ceramics, mounting (paper hanging), and gardening are offered to the aged prisoners.”

The authorized capacity of the prison is 2,422 inmates.⁶ The population on May 1, 1989, was about 2,125 inmates. The average population for the years 1984 through 1988 was 2,350; 2,415; 2,316; 2,252; 2,161. This remarkable stability—for the major secure facility in the Tokyo area—shows again that the Japanese do not have a prison crowding problem.⁷

Some comments about the prisoner population may be of interest. This is the main prison for holding foreigners, who are generally centralized here. When we were at Fuchu, there were 177 foreign inmates, primarily from Hong Kong (41), Formosa (37), the Philippines (21), Pakistan (13), and Thailand (12). There were only 8 from the U.S., and 6 from all of Europe. We did not speak to any American or British prisoners, and indeed were asked not to speak to anyone, even if we spotted someone who looked like he might be a countryman.

The offenses represented at Fuchu concentrated, like the national statistics, on theft (36 percent) and stimulant drugs (24 percent). Interestingly, only 0.8 percent of the Japanese inmates were committed for other-than-stimulant-drug



A room for foreigners, with Western bed.

crimes, but 27 percent of the foreign inmates were.

The average age of the inmates was 44. Only 10 percent were in their 20's, 26 percent in their 30's; and 33 percent in their 40's; the oldest inmate was 83. Although Fuchu is not a hospital facility, 340 of the inmates were classified as having a "mental condition": 79 as feeble-minded, 60 as psychopaths, and 210 as psychotic. A large number were reported to have addictions: 429 to stimulant drugs and 201 to alcohol. Twenty-seven percent of the population (581 inmates) were classified as members of "organized violent groups."

The warden and the chief of security escorted us on a tour of the prison—a memorable experience. All security staff wore grey military-type uniforms, with caps and high boots. (The warden wore a business suit.) As we entered each area of the prison (living unit, factory, school), the officer assigned there would come striding forth to meet us, would stand at stiff attention, salute the warden,

and give a loud (almost shouted) statement to the warden. After this happened a second time, I asked the warden what the "greeting" was; he told us that the officer was reporting that this was the XX Unit, so many inmates were assigned to his supervision in that unit, and all were present and accounted for.

We walked through several living units. They were clean and austere; most were painted in beige or grey. There were two kinds of inmate rooms, group rooms and single rooms. The single rooms were about 5' by 10', and the group rooms (most inmates live in these) were about 10' by 20'. The group rooms had a possible capacity of eight, but most we saw had only six assigned to them. There was plenty of space in the rooms (we did not see any inmates in their rooms—all were out working, or at other activities) because the futon bedding was all neatly rolled and placed on the side walls. There was typically a TV set in each room, with side tables for food (breakfast and supper are brought to the rooms; only the noon meal is eaten out, in a dining area in each factory), a sink for cleaning, and plastic buckets.

Inmates are taken to a communal bath area, 80 to 100 at a time, where they bathe in the traditional Japanese hot bath. (These are not so common in Japanese communities any more—except, I was told, in the far north.)

Prison industry in Japanese prisons is large and flourishing. It operates with the strong support and leadership of the Prison Industry Cooperation Division (CAPIC) of the Japanese Correctional Association, a nonprofit group that operates with government subsidies to plan new products, purchase and provide raw materials, regulate production, and

⁶This figure is for the prison portion of the facility. There is also a pretrial center here for about 120 inmates, called Hachioji Detention House, which I did not visit.

⁷Fuchu is, for the Japanese prison system, a high-security facility. I am not a security expert, but Mr. Lakes (from the viewpoint of the British penal system) and I agreed that the security features we saw, including the wall, towers, and grilles, would qualify the prison to hold medium, or at most high-medium inmates in our systems.

supervise marketing and sales. About half of prison industry is in metalwork, tailoring, and carpentry. Leather work, auto repair, and printing are other industries.

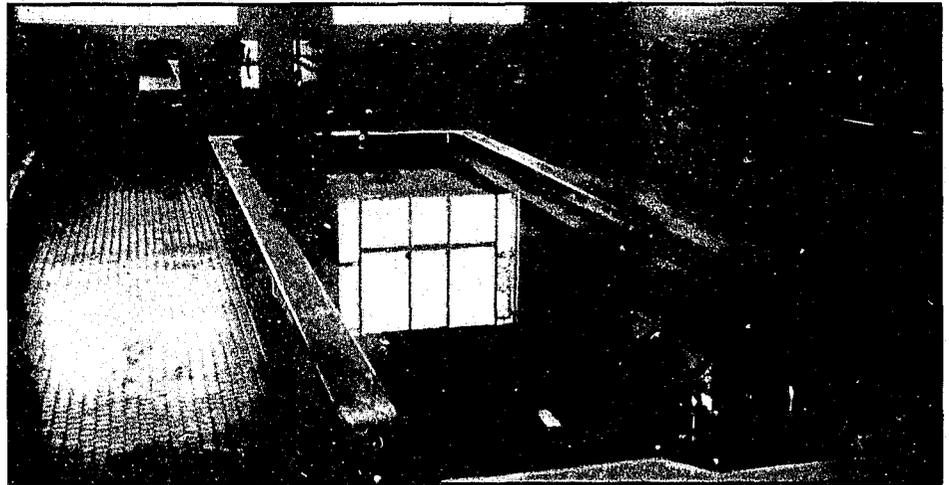
The inmates we observed at Fuchu worked at metalworking machines, assembly tables, and sewing machines. When we entered a work area (after the military greeting noted above), we strolled down a center aisle, observing. Inmates who were working turned their heads, so that we could not see their faces; inmates who were standing or walking went to the outside wall, and stood facing the wall while we walked through.

In the outside areas, we observed elderly inmates on the ground, pulling weeds by hand, slowly and meticulously. The warden told us that these were typical jobs for older inmates.

Tochigi—A women's prison

Later in May, we went by bus (this time, all the course participants and several faculty went on the trip) to visit Tochigi, a women's prison located near Nikko, about 2 hours' ride north of Tokyo.

Tochigi was the site of an earlier prison, which burned down. It was re-established in 1948, and a new prison for women was built in 1976. This is one of five women's prisons. Another item of note: the women's prisons are the only ones in the country that are over capacity, and I believe Tochigi to be the most overcrowded of all. It has a capacity of 398, and a population (in May) of 427—7 percent over capacity! (This represents a reduction in population, which had risen in the mid-1980's to a peak of 475 average daily count in 1988.)



A communal bathing area. Inmates bathe here in groups of 80 to 100, in the traditional Japanese hot bath.

The warden, who is a woman, gave us information about the facility and its inmates.⁸ Of particular interest was the spread of the three major offenses represented: 153 were confined for drug offenses, 107 for theft, and 79 for homicide! (This is a much higher percentage, and even raw number, than the homicide offenders at Fuchu, the male high-security prison.) Other offenses had much lower numbers—fraud was the next highest offense represented, with 34 offenders. Most inmates are in their 30's (115), 40's (147), and 50's (78). Tochigi is also a center for foreign prisoners, with 58 foreign citizens in its population.

Tochigi is a neat, attractive facility, with lovely landscaping and low-lying Japanese-style buildings. The dormitories are divided between group and single rooms (about 140 women live in the latter). As with the men, women are assigned to work for 8 hours a day, mostly in prison industry—sewing jobs, assembling, leather craft, and paper

binding. Women are also assigned to food service, laundry, and cleaning of buildings.

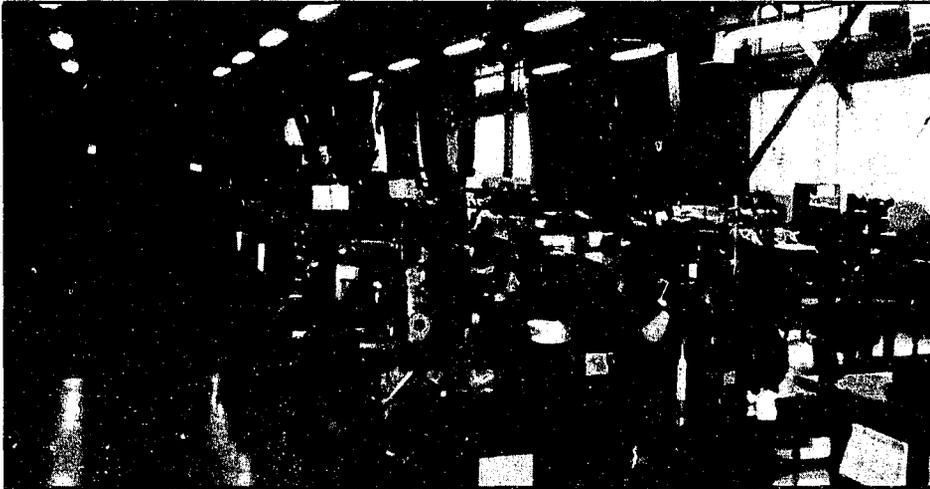
There are educational programs available, and inmates are allowed to work on crafts and other projects for 2 hours a day in their rooms. Money from sales of these items belongs to the inmates. Group recreational activities include flower arranging, tea ceremonies, calligraphy, poetry, traditional Japanese dancing, music, gymnastic exercises, and some athletic games (volleyball, softball, track).

Pregnant inmates are allowed to deliver and keep their babies in the institution's nursery, where there were several newborn during our visit. The mother is allowed to keep her baby for a year at most, but is encouraged to find an outside guardian as soon as possible.

A Japanese view of an American prison

By coincidence, Satoru Ohashi, the Assistant Chief of Security at Fuchu Prison and a participant in the course at

⁸ Most, but not all, of the staff at Tochigi were women. Some of the security staff were men. At Fuchu, the only female member of the security staff is a translator.



A correctional industries area (sewing machines) in Fuchu Prison. About half of Japanese prison industrial production consists of metalwork, tailoring, and carpentry.

UNAFEI while I was there, is attending Southern Illinois University for the 1989-90 school year. I asked Mr. Ohashi if he would be willing to visit our penitentiary at Marion, Illinois, and to give me his comments, particularly from the view of a Japanese security officer. I thought it might be of interest to read some of Mr. Ohashi's reactions. I thank him for his willingness to share his observations so openly.

"Before I visited Marion Penitentiary, I imagined that the United States Penitentiary must be miserable, because information about the U.S. Penitentiary by mass media was only a tragic one, such as escape, violence to officers, and violence to other inmates. (CNN news is broadcast in Japan.) Most correctional officers in Japan, even high-ranking officers, would have the same impression as mine. However, after visiting Marion Penitentiary, I found that the Japanese penitentiary would be more miserable than the U.S.

"First of all, security devices are not sufficient in Japanese penitentiaries as compared with U.S. The Japanese prison does not have enough precautions to prevent escape. [Even so, the escape rate in Japan is very low, but again cultural and social pressures work to explain some of the discrepancies that are so obvious to correctional observers—C.A.C.]

"Second, in the Japanese prison, the number of staff members is insufficient. For example, in Fuchu Prison, the capacity of inmates is about 2,300, but the number of staff is about 500 (security staff is only 200). In Marion, the number of staff seems to be sufficient to cover security.

"Third, in Marion, each cell has a TV set and a radio set. It is a good measure for inmates to have recreation programs and education in their cells, and each inmate has recreation time such as exercise every day. In Japan, no single room [i.e., only the group rooms] has a TV set, and inmates must work in their cells and they do not have enough recreation time.

(Most inmates were sentenced to imprisonment at forced labor.)

"In Marion, I found that many measures to alleviate the officer's burden such as improved security systems and inmate recreation programs were introduced. The condition of the Japanese security officer is worse because of poor security devices, poor treatment programs for inmates, and low payments [salary] to officer. For the Japanese people, it is important to contact each other face to face without a barrier in order to communicate, the minds with each other. A Japanese officer tries to talk with inmates, who are even dangerous inmates, face to face if possible. I feel that Japanese prisons are still undeveloped and have many things to be improved."

While some of these statements may reflect the Japanese tendency to be overly modest and self-critical in certain contexts, I think they also show some essential differences in approach and in prison operation that are there for even the casual observer to see.

Prisons, no doubt, represent the culmination of a society's efforts to deal with its criminal, antisocial activity. Historical changes are mixed in. What we sometimes forget is that our American prisons are uniquely American, tied to our own criminological history and our own social and cultural standards. It is educational, and an eye-opener, to see prisons in other countries. It should, if nothing else, give us some help (even modesty) in our correctional perspective. ■

Clair A. Cripe recently retired as General Counsel of the Federal Bureau of Prisons, a position he had held since 1975.

Victim/Witness, from page 25

■ *Victim Assistance Coordinating Committee.* In accordance with the Victim and Witness Protection Act of 1982, all Federal law enforcement agencies were directed to adopt guidelines and procedures consistent with the Act. This includes designating an individual as a "victim/witness contact person." To promote cooperation and communication among the agencies, the Office for Victim Assistance, in concert with the Executive Office for U.S. Attorneys, has established a Victim Assistance Coordinating Committee, which will meet frequently to discuss issues directly related to providing assistance to victims.

■ *Victim/Witness Community Relations Board.* To ensure that the concerns of victims are being adequately addressed, to promote community understanding, and to receive guidance on how services and programs may be improved, the Office of Victim Assistance has established the Victim/Witness Community Relations Board. This board, composed primarily of former victims and witnesses, will hold its first meeting in Washington, D.C., in spring 1990.

The Bureau's accomplishments are also reflected in the most recent statistical data. As of December 1989, the Office of Victim Assistance, with the Executive Office for U.S. Attorneys, was monitoring close to 500 inmates, with approximately 1,100 victims or witnesses requesting notification pertaining to their release. This represents virtually a 100 percent increase over the previous year.

Data pertaining to the Inmate Financial Responsibility Program for 1989 reflect comparable achievements. As of December 1989, more than 23,000 inmates had fulfilled their obligations, with approximately 13,000 actively participating in the program, accounting for \$18.6 million in collections. Since implementation of the program in 1987, more than 35,000 inmates have participated, accounting for \$34.6 million in collections.

In the months ahead, as the Bureau of Prisons develops strategies to prepare for the most significant period of growth in its history, focus on its primary mission must be maintained. Protecting the public, while providing a safe and humane environment for inmates, remains the principal task. It has become necessary, however, to expand the definition of "protecting the public" to include the newest constituency, the victims of crime. Correctional practitioners have a legal and moral obligation to be sensitive and responsive to their rights and needs. Inmates must also be held accountable for their crimes through all phases of the criminal justice process.

While other corrections professionals have begun to explore the issues of victim assistance and financial responsibility, the Bureau can take pride in programs that have been in existence for several years with increasing levels of return to victims. Staff can take even more pride in the success of these programs—a product of their collective effort. ■

Paul Horner is Chief of the Office for Victim Assistance, Federal Bureau of Prisons. Gilbert L. Ingram is Assistant Director of the Bureau's Correctional Programs Division.

Acknowledgements

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Notes

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³ Peter Finn and Beverly N.W. Lee, "Establishing and Expanding Victim-Assistance Programs," National Institute of Justice, August 1988.

⁴ Public Law 97-291, signed on October 12, 1982.

⁵ Public Law 98-473, signed on October 12, 1984.

⁶ Public Law 98-596, signed on October 30, 1984.