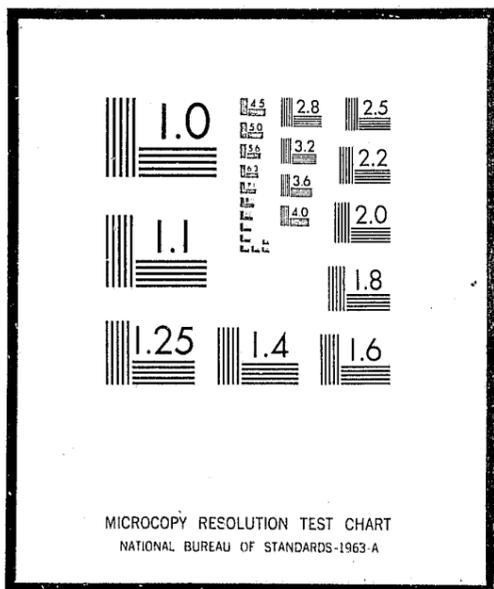


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## RACE AS A FACTOR IN THE INTRA-PRISON OUTCOMES OF YOUTHFUL FIRST OFFENDERS

by  
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A dissertation submitted in partial fulfillment of the requirements for the degree of Doctor of Philosophy (Social Work and Sociology) in The University of Michigan 1975

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ABSTRACT

RACE AS A FACTOR IN THE INTRAPRISON OUTCOMES OF  
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by

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The question of differential treatment of racial minorities in modern correctional institutions has recently become an issue of major public concern. Despite this concern, few analyses exist that have explored this issue directly. This study has attempted to determine the relationship between race and various outcome experiences of 547 young first offenders, using chi square and multiple classification analysis. In addition, a comparative perspective was brought to bear on the data by observing the relation between type of institution and the outcomes. Three institutions were compared: a minimum, a medium, and a maximum custody institution.

Because the study focuses on outcomes that occur prior to actual release from prison, they are referred to as "intraprison" outcomes. Specifically, three outcome variables are examined: institutional adjustment, parole recommendation, and the first parole decision.

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A comparison of Black and White first offenders reveal no important differences on institutional adjustment in this sample. However, all things being equal, Blacks are generally better adjusted than Whites in prison. Weak tendencies in the data also reveal inter-institutional differences. Inmates at the medium custody institution were rated well adjusted by counselors more often than inmates at the minimum and maximum custody institutions. The effect of race varies according to institutional type: Blacks are rated better adjusted than Whites at the minimum and maximum custody institutions; Whites are rated better adjusted than Blacks at the medium custody institution. The reader should consider the findings on adjustment with caution since for the most part, they are not significant.

As decisions about inmates move from judgements of adjustment to important decisions about release, race is more important in the outcomes of inmates. The results reveal that race is related to counselors' recommendations and the final actions of the parole board: 1) fewer Blacks than Whites are recommended for parole; 2) more Blacks than Whites are denied parole. These relations are strongest at the more custodial institutions. The findings do not support the notion of equal treatment of Blacks and Whites in prison. They do provide some evidence to support the perception of racism in correctional processing practices. The final chapter discusses this issue, as well as the implications for research and for correctional policy

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and practice.

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## INTRODUCTION

### The Problem

Recent interest in America's criminal justice system has raised many questions about whether the police, judicial, and correctional agencies in America in fact operate under a distributive system of justice with respect to all offenders. Previous accounts of differential treatment of racial and ethnic minorities have been confined to the processing and handling of offenders in the areas of police contacts, the courts, and numbers of offenders sent to institutions. Differential treatment has universally been assumed for adult minority offenders in these areas, and similar accounts appear to be accepted for juvenile offenders as well. However, there are several gaps which leave deficiencies in our knowledge with respect to generalizing this assumption across the entire criminal justice system. There is little satisfactory evidence which directly examines the experiences of Blacks compared to Whites while they are incarcerated in prison. Consequently, our knowledge about whether differential treatment of minorities is presently practiced in state and federal correctional institutions is limited.

American corrections handles approximately 1.3 million offenders on any given day, and one third of these

offenders are under custody and supervision of correctional institutions.<sup>1</sup> Some estimates of state and federal prison populations indicate that Blacks and other minorities constitute over fifty per cent of the total offender population being sent to prison in many states, and their representation is disproportionate in light of their total percentage in the population. There is no definitive evidence which determines whether this disparity shows up in decisions made about prisoners of different races once they are incarcerated in prison. Few studies have examined this area, partly because of problems of research in the field of corrections.<sup>2</sup> The investigations that have examined the hypothesis that the treatment of offenders in prison is related to their racial characteristics have found significant differences between Blacks and Whites with respect to several variables - length of stay in prison, per cent paroled, and the per cent executed. These findings suggest a need for more exploration about whether the decisions made about inmates by prison officials can be attributed to the racial characteristics of these offenders.

More recent information about the selective practices of prison officials has come from the unsystematic investigations of impaneled lay-groups who have been charged with the task of uncovering the determinants of prison disturbances. Among the findings of these investigations is the suggestion that there may be a relationship

between the racial characteristics of offenders and the processing and handling of inmates in prison. There are two important problems with such investigations, however. First, temporary lay-groups are faced with factors which may be too complex for the time and resources needed to disentangle the racial and non-racial aspects of this situation from the total constellation of factors underlying prison disturbances. Secondly, these groups have lacked adequate methods to assess the nature and extent to which racial and non-racial factors effect prison practices which on the surface appear to be discriminatory.

Most systematic observations of prison organizations have not treated differential treatment of racial groups in prison as problematic. The implicit assumption of most research in the adult correctional literature has been that prisoners of all races are universally treated alike. This may be an invalid assumption. Notable differences in the treatment outcomes and attitudes of Black and White offenders have been found in studies of adult and juvenile institutions.<sup>3</sup>

Finally, past studies of inequities in corrections have failed to consider adequately the fact that changes in correctional philosophy have produced a differentiated system of adult corrections, particularly with respect to the introduction of modern rehabilitation ideology and technology in some penal systems. Variations in the institutional

context, philosophy, and techniques suggest that different models of operation may very well produce differences in the degree to which inequities are found among racial groups in prison. Therefore, the comparative method could be useful for determining what effect, if any, these contexts have on the degree to which differences exist between inmate racial groups in various types of prisons.

#### The Purpose

In contrast to previous research, this study brings a comparative perspective to bear on data from three adult institutions. The findings should have implications for the proposition that the nature and extent to which minority inmates are treated differently varies with the larger organizational context. Questions for this study were developed by considering first the race of offenders in prison, and secondly, the organizational context in which they were incarcerated. In order to determine the extent to which assumed differences occur among offenders of different races, the primary purpose of this study is to examine certain aspects of the processing and handling of inmates in adult institutions for youthful first offenders which result in the following outcomes in prison: institutional adjustment and parole-related outcomes. These are defined below.

### Intra-Prison Outcomes Defined

In this study, an intra-prison outcome is defined as any judgment or decision made about an offender which occurs while he is under custody and supervision of a correctional institution prior to his first release from prison. Specifically, two types of outcomes have been selected for analysis:

1. Institutional Adjustment Outcomes: those behavioral assessments of inmates made by correctional staff regarding the degree to which the inmate conforms to the behavioral requirements of the organization. Specifically this behavior is evaluated in terms of the degree to which the inmate has adjusted to the institutional setting as assessed by prison counselors.

2. Parole-Related Outcomes: correctional decisions made by prison and parole board officials that result in various experiences for inmates. Specifically, the focus will be on decisions concerning parole recommendations and the first parole outcome of first offenders.

These outcome categories, while arbitrarily selected, represent important processing activities from which some type of outcome can be expected. They generally affect all inmates, and are represented in each of the institutions in this study.

Chapter I presents a historical review of inequities experienced by Blacks in the criminal justice system which

focus on persistent disparities between Blacks and Whites despite variations in temporal, cultural, and regional factors. Chapter II covers the literature on complex organizations from which the conceptual framework for this study was derived. Special emphasis is given to the variations in structural characteristics of organizations which may affect the degree of manifested racial differences in prisons. Chapter III describes the area of study, the pre-investigation, the research design, and the type and the sources of the data. In addition, several limitations of the study are pointed out in this chapter. In Chapter IV, a profile of the three institutions studied in this investigation is presented. A description of their similarities and differences is given on several dimensions in order to distinguish their positions on an organizational continuum which ranges from custody-oriented to rehabilitative-oriented institutions. Chapter V presents the findings of the study. In Chapter VI, these findings are summarized and the concluding discussion focuses on their implications for further research and for correctional policy and practice.

## NOTES

<sup>1</sup>Marshalling Citizen Power to Modernize Corrections (Washington, D.C.: U.S. Chamber of Commerce, 1972), p. 1.

<sup>2</sup>For problems of research in the correctional field see Alfred C. Schnur's "Some Reflections on the Role of Correctional Research," in Lawrence Hazelrigg (ed.), Prison Within Society (New York: Doubleday and Co., 1969), pp. 385-388.

<sup>3</sup>For reported differences among adult prisoners see George Simpson and J.M. Yinger, Racial and Cultural Minorities (New York: Harper and Row, 1972), p. 458; also the following: Marvin Wolfgang, Arlene Kelly, and Hans Nolde, "Comparison of the Executed and the Commuted Among Admissions to Death Row," in Richard Quinney (ed.), Crime and Justice in Society (Boston: Little-Brown, 1969); Daniel Glasser, The Effectiveness of A Prison and Parole System (Indianapolis: Bobbs-Merrill, 1964). For differences among juveniles see Ashley Weeks, Youthful Offender at Highfields (Ann Arbor: University of Michigan Press, 1958); David Street, Robert Vinter, and Charles Perrow, Organizations for Treatment (New York: Free Press, 1966); Sidney Axelrad, "Negro and White Male Institutionalized Delinquents," American Journal of Sociology, No. 47, (1952), p. 569.

## CHAPTER I

## THE BLACK OFFENDER AND THE CRIMINAL JUSTICE SYSTEM:

## A HISTORY OF UNEQUAL JUSTICE

In different periods of American history, various racial and ethnic minorities have been overrepresented in the statistics of correctional agencies.<sup>1</sup> During the peak immigration years from 1882-1924, European immigrants concentrating in the Northeastern United States found that cultural differences between themselves and the "natives" among whom they settled often resulted in patterns of antagonism and conflict which strained intergroup relations. As a result, "mass criminality" was attributed to these groups and they frequently found themselves in contact with various local and state law enforcement agencies.<sup>2</sup>

In the late 19th century, it was the Irish and German immigrants who were disproportionately arrested, convicted, and sentenced to prison. By the early 20th century, there was a shift to the Italian and Polish immigrant groups. Over time, assimilation and acceptance of immigrant groups, and passage of the Immigration Act of 1924 reduced the distinction of these ethnic minorities in the intake process of correctional agencies.<sup>3</sup> These groups began to be replaced by racial minorities (Blacks, Puerto Ricans, Mexicans, and Indians) in the second third of this century.

Although these racial minorities face similar problems with respect to the manner in which justice appears to be administered to them, this discussion will focus on the experiences of Blacks in the criminal justice system. Blacks have had the largest disproportionate representation of any minority group in national criminal statistics. Documentary evidence points out that historically and contemporarily, Black Americans are processed in a manner which puts them at a greater disadvantage relative to Whites in the structures of justice. In the North, this situation has been produced by structural and economic constraints which biases their treatment in the areas of law enforcement, the courts, and correctional processing. In the South it has been a function primarily of the commonly accepted norm of caste differentiation which results in a double standard of justice based on race.<sup>4</sup>

To describe the experiences of Blacks in the system, we will discuss the extent to which they have experienced police contacts, their treatment in courts, their experiences in correctional agencies, and finally, the extent to which they have been selected for capital punishment.

#### Blacks and the Police

We do not know whether Blacks commit more serious crimes or not, however we do know that presently, as well as in the past, they are arrested more often than Whites

in the United States. The Uniform Crime Reports indicate that Black Americans are arrested three to four times more frequently than Whites, and even though they constitute little more than one tenth of the population, they represented one third of the persons arrested for all offenses in 1967. A similar distribution by race is shown in Table 1 for all arrests reported in 1972.

TABLE 1

TOTAL ARRESTS BY RACE, 1972  
(ARRESTS 18 AND OVER)

	Black	White	Other	Total
Per Cent	28.7	68.0	3.3	100
Total Number	1,431,794	3,395,384	165,951	4,993,129

Source: Arrest data from Uniform Crime Reports, 1972. Table 36, p. 133, (6,114 agencies; 1972 estimated population 150,922,000).

In his review of the Negro migration of 1916-1918, Donaldson notes that one of the reasons why Blacks migrated to the North in large numbers was their resentment of the law enforcement tactics of Southern county and police officials - that is, these officials were paid so much per head for every man they arrested. As a result, large numbers of Black men were rounded up for petty infractions of the law such as loitering and disorderly conduct. Others were arrested on various charges of suspicion.<sup>5</sup>

Heavy fines were often levied for such small violations and frequently those who could not pay were imprisoned. Carlton notes that at the turn of the century, Black men were often picked up in Louisiana when the labor market was in low supply and workers were needed for road work.<sup>6</sup>

The migration of Blacks from the South had a pronounced effect on arrest statistics in the North. In Pittsburgh, the arrest of Blacks for one seven month period during 1916-17 showed a substantial increase over the same period in 1914-15 for crimes in the petty offense category. During 1914-15 the total number of arrests was 1,681, whereas during 1916-17 the total number was 2,998.<sup>7</sup> In particular, there was a disproportionate increase in arrests for disorderly conduct, drunkenness, and suspicion. The increase in arrests for major offenses was said to be insignificant by comparison. Tyson reports that in many instances in Cleveland, Ohio, Blacks were summarily picked up by police and sent to prison on the mere charge of suspicion.<sup>8</sup> It was this type of action by police that accounted for much of the "Negro Crime" reported during this period in the United States.

Differential arrest rates for Blacks and Whites have persisted for some time and have been of concern to criminologists. Some contemporary writers explain this relationship between race and crime as a function of the processing activities of law enforcement personnel.<sup>9</sup>

Others contend that the lower socio-economic status of Blacks, their youthful population, and the differential opportunity structure found among Blacks, explains the relationship between being Black and having a greater liability for arrest. Skolnick, however, notes that ... "Every study of police activities in the North as well as the South has commented on the different standards that police employ in the ghetto."<sup>10</sup> Whether the charge is police brutality or lack of police protection, the result has been to increase mistrust and resentment toward the police by Blacks in ghetto areas as was noted in the Kerner Commission Report.<sup>11</sup>

Studies of negative contacts between the police and ghetto communities find racial prejudice to be an important aspect of this situation. A Crime Commission Survey found that a majority of White officers hold anti-Black attitudes.<sup>12</sup> Westley's study of the police in a midwestern city near Chicago found that the police officer's general stereotype of Blacks in this city was that they were slum dwellers, and culturally and biologically prone to criminal activities. In addition, he found that every policeman he contacted mocked or used some type of stereotype categorization when referring to Blacks.<sup>13</sup> Skolnick reports the same findings for the police he studied in the Eastern and Western regions of the United States. However, he points out that actual discrimination by police may vary with the

policeman's assignment. In high crime areas, a disproportionate number of Black men may be arrested who are otherwise innocent, because of vague descriptions of suspects given by police dispatchers. While the actions of the police assigned to these areas may be independent of prejudice, they result in resentment which serves to heighten tension between both the policemen and the ghetto community.<sup>14</sup>

Although more research is needed in the area of arrests, Wolfgang and Cohen speculate that the consistency in the data showing higher arrest rates for racial minorities tend to support the assumption that discrimination affects the disparity between these groups and Whites.<sup>15</sup> Whatever the case may be, the disproportionate arrest of both Black adults and juveniles has a significant affect on their greater proportions at every subsequent stage of the judicial process. This can be seen in the discussion below of Blacks in the court and correctional systems in the United States.

#### Blacks and the Courts

The criminal court is perhaps the most important institution in the criminal justice system, yet frequent attacks have been made against the court system for either being too lenient with criminals or for the non-uniform manner in which the law is applied to certain racial and

economic groups in society. The weight of accumulated evidence give credence to allegations of discrimination both historically and contemporarily in America.

It has been generally accepted that Blacks receive longer prison sentences than Whites for most criminal offenses.<sup>16</sup> However, a closer look at studies investigating discrimination in the judicial system indicate that indulgent and non-indulgent patterns of discrimination exist, particularly in Southern courts where local attitudes are reflected in the judicial response to Black offenders.<sup>17</sup> On the one hand, Blacks are given more lenient sentences than Whites who commit the same offense for crimes of an intra-racial nature. On the other, Blacks are more severely punished than Whites for offenses involving actual or potential danger to the White social order. Myrdal's description of Southern court procedures not only highlights this point, but also illustrates the careless judicial treatment of Blacks in the courts in local Southern jurisdictions.<sup>18</sup> Recent observations of Southern justice indicate that similar treatment of Blacks and their supporters occurred during the civil rights litigations in the 1960's.<sup>19</sup>

Racial discrimination has always been more open in the South where the caste-like stratification of Blacks and Whites (a residual aspect of slavery) is transformed into behavioral patterns of racial interaction in courts

and other social institutions. However, unequal treatment has been observed in Northern courts as well. One of the earliest studies of judicial discrimination, by Sellin, found a higher rate of conviction and heavier sentences for the same offense among Black offenders than among White offenders in Michigan.<sup>20</sup> Moreover, in a later study for the Bureau of Census National Prisoners Reports, (1931-32), he found that Blacks received more and longer indeterminate sentences for seven out of eight offense categories, were committed to prison more often, and remained in prison longer than White offenders.<sup>21</sup> Similar evidence was found by Lemert and Rosenberg in their study of a Los Angeles County court.<sup>22</sup> They concluded that the greater severity of the punishment for Blacks and Chicanos was primarily a function of the degree to which non-Whites were perceived as threatening to the White power structure - a thesis similar to Myrdal's regarding Southern judicial motivations.

Disparate sentencing practices are often the result of another aspect of differential treatment accorded to minorities by the court - biased jury selection. Since 1875, the systematic exclusion of jurors on the basis of race has been unconstitutional. However, the innumerable ways in which racial and economic discrimination has eliminated minorities from jury service are well documented. The "keyman" system is one of the more subjective methods used to limit minority participation on juries in some state

and many Southern Federal courts. Under this system, the court appoints one prominent member of the community who is permitted to select the other members of the prospective jury for service. Overby notes that "...the keymen are usually White, and know few members of minority groups. Even where such persons are known, those who are selected are likely to be unduly sensitive to the White community."<sup>23</sup> Consequently, the resultant jury is almost always composed of White jurors.

Unrepresentative sampling methods from voter lists, telephone directories, lists of real property taxpayers, and membership lists of civic organizations are among the more objective means used to exclude minority jurors. Where these methods fail to screen out minorities, more subtle methods are used such as the preemptory challenge, which insures the formation of an all-White jury.<sup>24</sup>

It is questionable whether a Black defendant can get a fair judgment from a jury of all-White peers, especially at the local level in some jurisdictions. However, even where overt racial prejudice is absent, the intrusion of class and cultural variables often place barriers between the Black defendant and the jury. Consequently, the Black defendant could very likely be at a disadvantage with respect to sentencing.

Finally, Burn's statement summarizes the thinking of many who have observed the obstruction of justice in

courtroom procedures:

The likelihood of the legal process being entirely uncontaminated by bias in any given case is small. Individual Blacks can and do win civil suits, and individual Blacks can [be] and are acquitted of criminal charges, but in an institutional sense in almost all instances the law functions in a discriminatory and unfair manner when Blacks (and poor people) are involved.<sup>25</sup>

#### Blacks and Corrections

Above it has been established from documentary evidence that Blacks are arrested, convicted, and sentenced to prison more often than Whites for almost all types of offenses. This has had significant consequences for the American correctional system. Although national tabulations of the minority offender population are unavailable, recent estimates indicate that increasing numbers of racial minorities are being sent to state and federal institutions, and presently constitute over 50 per cent of the total offender populations.<sup>26</sup> Black Americans comprise the majority of this percentage, and have the highest recidivism rates of any racial group in correctional statistics. While other factors may account for this latter fact, a review of penal history suggests that the higher return rates of Blacks compared to Whites could partially be attributed to the differential handling and processing of inmates according to race.

The recorded history of penal systems in the United States is inadequate and incomplete, despite the extensive

literature dealing with general theories and discussions of penology. As one author states, "...just as convicts are generally unworthy of assistance, so penal systems have been largely dismissed as being unworthy of histories."<sup>27</sup> Despite the lack of historical information, some general comments can be offered about the position of Blacks in correctional structures across the United States.

In the South, both the facilities and the philosophy of prisons were tailor-made for Black convicts in the post-Civil War period. Furthermore, even with gradual reforms and nominal progress, these institutions remain in the same relative position as they were in at the early turn of the century - penologically, racially, and economically two generations out of date.<sup>28</sup> Since the Civil War, Southern prisons have been predominantly Black, devoid of modern rehabilitation methods, and dependent on agricultural programs as the principle mode of operation. In order to understand the virtual impasse in Southern penal progress, one must understand the motivation, philosophy, and the evolution of the penal system in the South during the Post Civil War Period.

After the War, the crime problem in the South became equated with the "Negro Problem" as Black prisoners began to outnumber White prisoners in all Southern prisons. This unprecedented increase has been noted by such

historians as Carlton, who observes that "...it is impossible to determine how many convicts had been 'framed' as a result of false arrest, hostile judges and juries, indifferent defense and the like."<sup>29</sup>

The sudden change in the racial composition of Southern prisons produced changes in various penal practices. Of these, the prisoner lease system is the most notable. Under this system, prisoners (the majority being Black) were leased to local farmers and plantation owners as a profit-making venture for the penal system, or as a means to avoid the maintenance of these men. In the institutional mind and philosophy of most Southerners, assigning prisoners to plantation work suggested that the terms "slave," "Negro," and "convict" were interchangeable.

Many prisoners were treated brutally by Southern plantation owners. The nature of this brutality in the early 19th century is best illustrated by the attitude of one Southerner who comments:

Before the war we owned the Negroes...But these convicts, we don't own 'em. One dies, get another.<sup>30</sup>

Simpson and Yinger also note that "accidents" happened almost exclusively to Blacks in prison and a large number of Blacks left Southern prisons brutalized and embittered.<sup>31</sup> Many of the methods used by prison officials to force prisoners to work were reminiscent of pre-Civil War slavery. Floggings and armed guards were more the norm than

the exception. Essentially, once a Black man was convicted in the South, he was viewed as incorrigible and any attempt to rehabilitate him was considered wasted money.

This viewpoint is prevalent in many Southern penal systems today. Penal standards in the South have always been behind those in the North. Partly this is due to "strong political traditions which prevent rapid change in the status quo of prison administration."<sup>32</sup> Moreover, funds are more limited in Southern states such as Arkansas, where prisons are expected to pay for themselves by means of prison labor and agricultural production of items for public sale. Treatment of Blacks in these prisons have not changed substantially, although the cruelty exposed by the Arkansas scandal in 1969<sup>33</sup> has provoked new efforts toward reform in prison conditions by legislative bodies throughout the South.

At the turn of the century, prison systems in the North and West had largely White populations. As Blacks began to migrate to the more industrialized areas in these regions, their numbers began to increase significantly in prison statistics. One of the concomitant variables in this increase was the introduction of official segregation of prisoners according to their race. Racial segregation was practiced in various Northern prisons well into the 1960's.<sup>34</sup> At the present time most prison officials in the North would deny that racism is an implicit part of

prison policy or a general phenomenon among prison staff, but the notion that racism is systematically encouraged by prison officials is reported to be accepted by inmates in many Northern prisons.<sup>35</sup>

In some penal systems in the North, Blacks are predominantly concentrated in one or more prisons while Whites are sent to others.<sup>36</sup> However, as prison populations become increasingly Black, these differences become less discernable when one observes the distribution of inmates throughout the correctional system.

There is little contemporary evidence about the internal operations of prisons generally, and even less information is available with respect to the differential handling of racial groups in prison, particularly in the North. What little information we have comes primarily from inmate accounts and special investigatory committees. These reports indicate that patterns of discrimination can be found in various correctional practices: biased work assignments, "administrative" or disciplinary transfers, disciplinary dispositions, and parole processing. Unfortunately many of these inequities have surfaced only after a major disturbance forced public investigation of conditions inside the affected prison. These investigations reveal that Blacks and other minorities are overrepresented in the menial work assignments, receive harsher punishment for infraction of prison rules, and are transferred more

often for disciplinary reasons.<sup>37</sup>

Glaser's study illustrates how the uneven enforcement of correctional policies and the selective assignment practices of officials resulted in punitive consequences for Black Muslims in one correctional institution:

The Muslims were disproportionately represented in an unskilled labor crew of inmate 'trouble-makers' which was used mainly for clean-up or miscellaneous unpleasant tasks, but generally did very little work. Also officers placed the Muslims under close surveillance; they would stop these prisoners and frisk them for contraband or search their cells, more frequently than was their practice with most inmates. In addition, it was the impression of some staff that conduct rules...were more strictly applied to the Muslim inmates than to others.<sup>38</sup>

Perhaps the most salient area where discrimination occurs in the correctional process can be seen in the figures on parole in the National Prison Statistics Report. Approximately ten to fourteen per cent more Whites than Blacks are annually granted some form of parole in the United States.<sup>39</sup> Data from California reveal that of all prisoners paroled for the first time in 1967 and 1968, the median length of time served was five months longer for Blacks than Whites in seven offense categories.<sup>40</sup> There is tacit agreement among correctional experts that the parole process is structured to permit wide discretion in decision making. The President's Commission reports that the lack of accountability to other agencies is one of the major determinants of differential release rates found among various offender groups.

### Blacks and Capital Punishment

At the end of the correctional continuum is capital punishment, an area of corrections where differential treatment results in the gravest type of injustice suffered by Blacks. In effect, statistics and studies have shown that race becomes a significant variable in the differences found for those offenders who suffer the full extent of the law and those who benefit from administrative reconsideration.

The South has always made the widest application of the death penalty and Blacks have come in for more than their share of executions. An examination of ten Southern states over various periods of time found that 60.9 per cent of the Blacks sentenced to death were executed. In contrast, 48.7 per cent of the White offenders under death sentences experienced the same fate.<sup>41</sup>

Findings from studies in other systems indicate that similar patterns of selecting prisoners for execution can be found in the North. The Pennsylvania study by Wolfgang, Kelly, and Nolde found significant differences among Black and White felony murderers. Among the commuted, 11.1 per cent more Whites than Blacks received this disposition. Conversely, 11.1 per cent more Blacks than Whites were executed. They concluded:

...the fact that Negroes on death row do not comprise a significantly higher proportion of felony murderers than do Whites, combined with the fact

that a significantly higher proportion of Negro felony murderers are executed than White felony murderers, focuses the direction of differential treatment [sic]. It is the Negro felony murderer more than any other type of offender who will suffer the death penalty.<sup>42</sup>

To summarize, at every stage in the criminal justice system, Black offenders appear to have experiences that are significantly different from those of White offenders. Moreover, it was pointed out earlier, that these differences become greater at each step in the judicial process. Even when age and sex are considered, these differences do not disappear. Studies of various outcomes for juvenile and female offenders indicate that skin color is an important differentiating factor among the types of experiences Black and White offenders encounter in the law enforcement, judicial, and correctional process.<sup>43</sup> When one compares juveniles and females of different races, the probability of Black juvenile and Black females being selected for court appearance, sentencing, and institutionalization is almost as high as that seen for Black adult males.<sup>44</sup> In some instances, Black females have been treated more harshly than Black males, particularly in prison.<sup>45</sup>

Although we are in the last third of the 20th century and some progress can be seen for Blacks, there is still the notion that no substantial reduction in the differences between Blacks and Whites has occurred in any area of the criminal justice system. One judge notes that racial disparities in all areas of the criminal justice system

are large enough to suggest that we still operate under a "...double standard [of justice]: subtle, yet pervasive and present."<sup>46</sup>

The Attica riot and the Arkansas scandal, are two examples of how the disarticulation of racism, confinement, and outmoded correctional practices and policies can be costly in terms of human lives, resources, and loss of confidence in the correctional system. We clearly have not arrived at a position where we can unequivocally say that nationally we have achieved an equitable and fair distributive system of justice.

In this study, we will be concerned with one area of the criminal justice system - corrections. In addition to determining whether disparities exist between the handling and processing of inmates who differ by race in one state's penal system, the focus will also be on the extent to which racial disparities are manifested in a differentiated system of corrections - one with varying organizational structures. It is to these ends that our attention is now directed.

## NOTES

<sup>1</sup>Daniel Glaser, Changes in Corrections During the Next Twenty Years (unpublished manuscript prepared for Project Star, American Justice Institute, November, 1971).

<sup>2</sup>For a discussion of problems encountered by ethnic minorities see C. F. Marden, Minorities in American Society (New York: American Book Co., 1952). Also, Allan Silver's "The Demand for Order in Civil Society: A Review of Some Themes in the History of Urban Crime, Police, and Riot," in David J. Bordua (ed.), The Police: Six Sociological Essays, (New York: Wiley and Sons, 1967), pp. 1-24.

<sup>3</sup>Marden, op. cit., p. 11.

<sup>4</sup>Gunner Myrdal describes the gross inequities of Southern justice in his historical work, An American Dilemma, 2 vols. (New York: Harper and Row, 1962), 2: 551.

<sup>5</sup>H. Donaldson, "The Negro Migration of 1916-18," The Journal of Negro History, 383 (1921), pp. 415-16.

<sup>6</sup>Mark T. Carlton, Politics and Punishment (Baton Rouge: Louisiana State University Press, 1971).

<sup>7</sup>Abraham Epstein, The Negro Migrant in Pittsburgh (New York: Arno Press and The New York Times, 1969), pp. 46-54.

<sup>8</sup>F. D. Tyson, Negro Migration in 1916-17, Rep. U.S. Department of Labor, p. 141.

<sup>9</sup>See Gilbert Geis, "Statistics Concerning Race and Crime," in Charles Reasons and Jack Kuykendall (eds.), Race, Crime, and Justice (Pacific Palisades, Calif.: Goodyear Publishing Co., 1972), pp. 61-69; also Jerome Skolnick, "The Police and the Urban Ghetto," in Reasons and Kuykendall, op. cit., pp. 236-258.

<sup>10</sup>Skolnick, op. cit., p. 241.

<sup>11</sup>Report of the National Advisory Commission on Civil Disorders (New York: Bantam Books, 1968).

<sup>12</sup>For a discussion of this report see Marvin Wolfgang and Bernard Cohen, Crime and Race (New York: Institute of Human Relations Press, 1970), p. 69.

<sup>13</sup>William Westley, The Police: A Sociological Study of Law, Custom, and Morality (Unpublished Ph.D. dissertation, University of Chicago, 1951).

<sup>14</sup>Skolnick, op. cit., pp. 239-40.

<sup>15</sup>In the distribution of arrest rates by type of offense and race see Marvin Wolfgang and Bernard Cohen, "The Convergence of Race and Crime," in Reasons and Kuykendall, op. cit., pp. 72-3.

<sup>16</sup>George Simpson and J. Milton Yinger, Racial and Cultural Minorities (New York: Harper and Row, 1972), 4th ed., p. 451; also see Southern Regional Council, Race Makes the Difference: An Analysis of Sentence disparity Among Black and White Offenders in Southern Prisons (Atlanta: 1969).

<sup>17</sup>Indulgent and non-indulgent patterns of judicial discrimination have been noted by Henry A. Bullock, "Significance of the Racial Factor in the Length of Prison Sentences," in Reasons and Kuykendall, op. cit., pp. 417-29; Guy B. Johnson, "The Negro and Crime," Annals of the American Academy of Political and Social Science, 47 217 (September, 1941), pp. 93-104; Harold Garfinkle, "Research Notes on Inter and Intra-Racial Homicides," Social Forces 27 (May, 1949), pp. 369-81; Gunnar Myrdal, An American Dilemma, op. cit., p. 551.

<sup>18</sup>Myrdal notes that Blacks in the South, as well as poor Whites are given trials that are speedy, lack dignity, and are held in an informal atmosphere in many lower courts. Myrdal, op. cit., p. 552.

<sup>19</sup>Andrew Overby, "Discrimination in the Administration of Justice," in Reasons and Kuykendall, op. cit., pp. 264-76.

<sup>20</sup>Thurston Sellin, "The Negro Criminal: A Statistical Note," Annals of the American Academy of Political and Social Science, 140 (September, 1928), pp. 52-64.

<sup>21</sup>Thurston Sellin, "Race Prejudice in the Administration of Justice," American Journal of Sociology, 41 (September, 1935), pp. 213-17.

<sup>22</sup>E. Lemert and J. Rosenberg, The Administration of Justice to Minority Groups in Los Angeles County

(Berkeley: University of California Press, 1948).

<sup>23</sup>Overby, op. cit., p. 269.

<sup>24</sup>Haywood Burns, "Can A Black Man Get a Fair Trial in this Country?" The New York Times Magazine, July 12, 1970, p. 76.

<sup>25</sup>Ibid., p. 46.

<sup>26</sup>These proportions were reported in the ABA, "A Correctional Must...Increase Staff Recruitment from Minority Groups," Commission on Correctional Facilities and Services (Washington, D.C.: 1971).

<sup>27</sup>Carlton, op. cit., p. 166.

<sup>28</sup>Carlton presents an exhaustive review of Louisiana's prison system which traces this system from the early days of political corruption to its present unsatisfactory state in Louisiana.

<sup>29</sup>Carlton notes that by 1900, there were 840 Black convicts and only 149 White convicts in Louisiana. This compares strikingly with the 212 Blacks and 85 Whites in 1868. Ibid., p. 45.

<sup>30</sup>Hilda Zimmerman, "Penal and Penal Reform in the South since the Civil War," (Ph.D. dissertation, University of North Carolina, 1947), p. 93.

<sup>31</sup>Simpson and Yinger, op. cit., p. 458.

<sup>32</sup>This view is expressed in the introduction of Burton M. Atkins and Henry Glick's (eds.), Prison, Protest, and Politics (New Jersey: Prentice-Hall, 1972).

<sup>33</sup>For a detailed description of the bizarre situation found in the Arkansas prison system see Tom Murton, "Too Good for Arkansas," in Atkins and Glick, op. cit., pp. 168-180.

<sup>34</sup>Official segregation was abolished at Attica in the mid 1960's. However, this report states that racism still prevails in this prison. See The Official Report of the New York Special Committee on Attica, Attica (New York: Bantam Books, 1972), p. 80.

<sup>35</sup>Many Black and White inmates express this view. For a participant observation of this notion at San Quentin Prison see Erik Wright's The Politics of Punishment. (New York: Harper and Row, 1973), pp. 106-122.

<sup>36</sup>The writer was informed by prison officials in the state in which this study was conducted that one prison in particular had always been predominantly White. Only recently has there been an attempt to redistribute the races throughout the prison system. Also see how Blacks are distributed in the New York system in Attica, op. cit.

<sup>37</sup>Special investigations have found evidence of these charges in penal systems in the Eastern and Western United States. See Attica, op. cit., p. 80. Also "Black Caucus Report: Treatment of Prisoners at California Training Facility at Soledad Central," Black Caucus in the California State Legislature, July, 1970 (excerpts) in Struggle for Justice (New York: Hill and Wang, 1971), p. 110; also Wright, op. cit., pp. 109, 113; and U.S. Congress, House, Subcommittee # 3 of the Committee on the Judiciary, Prisons, Prison Reform, and Prisoners' Rights: Michigan. 92nd Cong., 2nd Sess., 1972, p. 113.

<sup>38</sup>Daniel Glaser, The Effectiveness of a Prison and Parole System (Indianapolis: Bobbs-Merrill, 1964), pp. 152-154.

<sup>39</sup>Marvin Wolfgang, Crime and Race: Conceptions and Misconceptions (New York: Institute of Human Relations Press, 1964), p. 32.

<sup>40</sup>California Prisoners 1968 (Sacramento: Department of Corrections), pp. 85-6.

<sup>41</sup>Myrdal, An American Dilemma, op. cit.

<sup>42</sup>Marvin Wolfgang, Arlene Kelly, and Hans Nolde, "Comparison of the Executed and the Commuted Among Admissions to Death Row," in Richard Quinney's (ed.), Crime and Justice in Society (Boston: Little, Brown, 1969), pp. 500-518.

<sup>43</sup>Pawlak found no consistent support in his data for the contention that non-Whites are inequitably treated in the juvenile justice system. See Edward J. Pawlak, "Administration of Juvenile Justice," (Ph.D. dissertation, The University of Michigan, 1972), p. 285.

<sup>44</sup>For juveniles see Sidney Axelrad's "Negro and White Male Institutionalized Delinquents," 47 American Journal of Sociology, 569 (1952); For females see Tom Murton, op. cit., p. 173; Kathryn W. Burkhart, Women In Prison (Garden City, N.Y.: Doubleday and Co., 1973); E. Wright, op. cit., pp. 117-119.

<sup>45</sup>Murton noted that Black female inmates in Arkansas were required to clip grass with their fingernails for "therapy" and eat scraps after the White inmates had finished. Murton in Atkins and Glick, op. cit., p. 173; see also Carole Morgan's statement about the Detroit House of Corrections which is predominantly Black in U.S. Congress, House, Subcommittee # 3 of the Committee on the Judiciary, op. cit., p. 111.

<sup>46</sup>Edward F. Bell, "The Double Standard of Justice: Why It Must Go," in Reasons and Kuykendall, op. cit., pp. 340-345.

## CHAPTER II

## A COMPARATIVE ANALYSIS OF ADULT CORRECTIONAL INSTITUTIONS

Recent theories of organizational behavior have moved away from Weber's theory of the ideal-type bureaucracy to a more general theory which recognizes differences in organizations along such dimensions as technology, goals, and structure. In Perrow's comparative framework, technology is the major independent variable which is said to influence the goals and structure of the organization.<sup>1</sup> Other studies have also examined the role of technology in the analysis of organizational behavior, although variations in the operationalization of this concept have been problematic.<sup>2</sup>

For the purposes of this study, Perrow's conceptual scheme seems useful for the analysis of one class of organizations - people-changing organizations - which include prisons, mental hospitals, and other organizations which provide an integrative function for society.<sup>3</sup> In their book, Organizations for Treatment, Street, Vinter, and Perrow characterize people-changing organizations as those which "work not only with or through people but also on them."<sup>4</sup> The type of work that is done in organizations to produce transformation in the "raw materials" (e.g. prisoners) is called the organization's technology. Perrow

believes that organizations devise structures and technologies to accomplish this change as a result of how they perceive their raw materials and their tasks - as well understood or not well understood, uniform and stable or non-uniform and unstable. Moreover, he contends that these strategies, that is the technology, influences the organization's goals and the type of structure that is developed in order to increase its compatibility with other dimensions of the organization's character.

Following this conceptualization, we could expect to find that in maximum security prisons, where prisoners are seen as well understood and more alike than different, the major tasks become those of protecting the community, maintaining discipline, and ensuring conformity among inmate groups.<sup>5</sup> Routinized procedures are developed to achieve security and compliance to numerous institutional rules. Emphasis is on punishment rather than rewards to reinforce the organizational requirements of discipline and order. Since relatively unskilled persons can handle these tasks, heavy reliance is placed on the skills of custodial rather than professional staff. Hence, the goal is a system goal - one that emphasizes security and stability for the organization. In the jargon of inmates, prison officials try to "keep the joint quiet."<sup>6</sup> In order to operationalize these activities into a well-run, well-coordinated security system, management considerations require that the structure

of custodial prisons be tight, authoritarian, and centralized. Studies of juvenile institutions have found that these characteristics also exist for some juvenile facilities.<sup>7</sup>

On the other hand, rehabilitation and social reintegration are becoming more salient in the philosophy of American penology and have influenced the introduction of the rehabilitative prison model in adult correctional systems that are considered to be more enlightened and progressive. The rehabilitative prison perceives inmates as complex beings in need of individualized assessment before techniques can become effective. Emphasis on treatment defines the major task as one of attempting to achieve change in the inmates attitudes and values by means of complex, esoteric techniques and skills which are provided by trained professionals. Since protection of the community and containment are comparatively less important, the goal is one of resocializing the individual for a successful return to the community. To achieve this aim, a structure is developed which permits more flexible handling; the perception that inmate problems are not well understood and require professional attention focuses heavier reliance on the professional staff who participate actively in the organizations' decision-making process. The result is a structure with a greater distribution of power among administrative and clinical staff, resulting

in a more decentralized arrangement.

Perrow's conceptual scheme identifies three important properties in organizations that should be examined in a comparative analysis of adult prisons: variability in the emphasis in organizational programs, variability in the emphasis of organizational goals, and variability in organizational structure.

Several studies of juvenile institutions have found that variations in organizational goals influence the inmate social system with respect to solidarity opposition among the inmates, influence the character of the organization, and influence the perspectives of the inmate group. In all of these studies it was found that in the attempt to increase efficiency, there was a tendency to maximize the congruence between the technology, the structure, and the goals of the organization. Consequently, custodial institutions varied significantly from treatment institutions. Among those institutions that were found to have mixed goals, the bifurcation between treatment and containment often resulted in the dominance of one goal over the other.<sup>8</sup>

The extension of these findings to the adult setting could prove useful for characterizing adult institutions with major patterns of similarity and dissimilarity. Moreover, by examining the effects of different prisons on the disparities seen between inmates of different races, we

may uncover another aspect of how variations in organizations are related to variations in the inmate group.

The underlying theme of most literature applicable to this study is that the universalistic orientation of custodial institutions, as opposed to the particularistic orientation of treatment settings, result in basically different consequences for inmates. However, the extent to which these orientations affect different races may vary. Observations in recent correctional research suggest that staff perceptions of Black inmates differ somewhat from those of Whites.<sup>9</sup> Generally, the perceptions and responses to Blacks are reported to be less favorable. Most penal experts agree that prisons are a microcosm of the larger social order where attitudes and values are reflected in a truncated fashion which significantly affects relationships in prison.<sup>10</sup> However, the question to be answered is, to what degree are external forces allowed to permeate and affect the organization's behavior toward different racial groups in prison? The answer to this question may be a function of the type of pressure that official norms place on organizational members for social conformity.

Social scientists have found that in situations where racism is constantly rewarded (in terms of approval, prestige, and power) and tolerance or "color-blindness" is punished, most dominant group members will exhibit prejudice and discrimination irrespective of personality factors. On the other hand, where official norms favor non-

discrimination, latent racism may exist but will in all probability remain latent when rewards are absent. In the words of Robert Merton, the "prejudiced non-discriminator" in a tolerant society is the mirror-image of the "unprejudiced discriminator" in a racist society. Both types are behavioral conformist, irrespective of their attitudes.<sup>11</sup>

Prisons differ in the degree of tolerance exhibited towards inmates and also in the degree to which they have a universalistic as opposed to a particularistic orientation to inmates. Perrow notes that there is less tolerance and less particularism in custodial institutions, while institutions with rehabilitative goals reflect more of these characteristics. Given these conditions, selective response toward different racial groups may differ among institutions. For example, Perrow notes that prisons with treatment goals tend to perceive differences among inmates and respond accordingly. Thus, irrespective of an inmate's race he would be treated as a unique individual. On the other hand, Perrow's contention that custodial institutions focus on uniform characteristics rather than the individual differences may be qualified for racial sub-groups: Black inmates and White inmates may be seen as basically similar, but only to their respective racial populations. Therefore, in comparison to treatment institutions, one would assume that more differences in the treatment of Blacks and Whites

will occur in custody-oriented institutions.

Several studies provide evidence which tends to support this assumption. A study by Weeks<sup>12</sup> compared the treatment outcomes of Black and White youth who had received short term treatment at Highfields (a treatment institution) with a control group of Black and White youth at the Annandale reformatory. Although the focus was on comparing Blacks with Blacks and Whites with Whites, the findings are of interest in that they reveal that the outcomes also varied by race as the following table indicates:

TABLE 2

## TREATMENT OUTCOMES BY RACE AND INSTITUTION

	<u>Annandale</u> <u>(Custodial)</u>			<u>Highfields</u> <u>(Treatment)</u>		
	<u>Success</u>	<u>Failure</u>	<u>N</u>	<u>Success</u>	<u>Failure</u>	<u>N</u>
Black	33%	67%	51	70%	30%	33
White	61	39	62	79	21	155

The above table indicates that: (1) There are differences in outcomes between Blacks and Whites within both institutions. (2) There are differences in outcomes by race between institutions. (3) The degree of difference in outcomes appears to vary with the type of institution the boys were confined in. Weeks concludes that differences in the experiences that the boys had as a result of being

sent to the respective facilities accounted for the large differences in their success and failure rates. Following this line of reasoning, we can assume that Blacks had different experiences than Whites in both institutions, particularly in the custodial institutional setting.

Comparative studies of adult institutions also show similar differences in outcomes between inmate groups confined in various prisons. Evidence of a relationship between recidivism and custody level was found by Glaser in his study of the federal prison system.<sup>13</sup> His findings indicate that the highest success rates are consistently found for minimum security prisons, while the differences in the rates between medium and maximum security level prisons are less substantial (these findings bear some similarity to the small differences in outcomes seen for mixed-model and custodial juvenile institutions).

Ohlin's analysis of solidarity opposition among inmates in prison also reflects differentials by custody level:

There is a great deal of variation in penal institutions throughout the country in the degree of conflict and opposition between inmates and the administration. The solidarity of inmate body is perhaps greatest in maximum security institutions where more inmates are found with mature identifications. In...many minimum security institutions,<sup>14</sup> the lines of opposition are far less clearly drawn.

These studies indicate that the prisons should not be treated as a discrete type of organization, but like

other organizations, they exhibit variation in characteristics that make them more or less bureaucratic in structure. The present challenge to research is to determine how these differences affect inmate outcomes, particularly those of inmates with different racial characteristics.

To summarize, the comparative approach to organizational analysis provides a useful framework for speculating about adult correctional institutions and how the interactional effects of race and organizational type might further influence the decision-making practices of officials in various prisons.

The principle assumptions and questions that guide the analysis of this study are presented below.

#### Questions for Research

From the literature we have attempted to identify those factors which might affect the outcomes of racial groups confined in prison. First, it is assumed that race plays a major role in the differential selection and processing of inmates. Second, it is assumed that there is a relationship between the organizational characteristics of the prison and the degree to which differential selection and processing of racial groups occur in prison.

Based on these assumptions and the attempt to make an objective study of differential outcomes in prison, this study has set forth two guiding questions:

(1) Does race, as a measurable factor, differentiate the outcomes of first offenders in prison?

(2) Is there evidence that the degree of difference in the outcomes of Black and White offenders vary by institutional type?

## NOTES

<sup>1</sup>Charles Perrow, Organizational Analysis: A Sociological View (California: Brooks-Cole Publishing Co., 1970).

<sup>2</sup>For other studies using technology as an independent variable see Eugene Litwaks, "Models of Organizations which Permit Conflict," American Journal of Sociology, 67 (Sept. 1961), pp. 177-184; R. Hall, "Intraorganizational Structural Variation: Application of the Bureaucratic Model," Administrative Science Quarterly, 7 (Dec. 1962), pp. 295-308; J. Thompson and F. L. Bates, "Technology, Organization, and Administration," Administrative Science Quarterly, 2 (March 1957); E. Trist and E. K. Banforth, "Some Social and Psychological Consequences of the Long-Wall Method of Goal-Getting," Human Relations, 4 (1951), pp. 3-38; Joan Woodward, Industrial Organization: Theory and Practice, (London: Oxford University Press, 1965).

<sup>3</sup>For a theoretical discussion of the types of functions organizations provide for society see, Talcott Parsons, "Sugestions for a Sociological Approach to the Theory of Organizations-I and II," Administrative Science Quarterly, I (June/Sept. 1956).

<sup>4</sup>David Street, Robert Vinter, and Charles Perrow, Organizations for Treatments: A Comparative Study of Institutions for Delinquents (New York: Free Press, 1966), 3ff.

<sup>5</sup>This perspective is reflected in the statements made by several wardens to Bishop Grutka, the Chairman of the United States Catholic Conference Subcommittee on Prison Reform. Paraphrasing, he relates that many wardens say, "...All I try to do is to keep these fellows from killing each other until they are released." (from the transcript of the ABC production, "Directions," aired Jan. 20, 1974).

<sup>6</sup>R. A. Cloward, "Social Control in the Prison," in L. Hazelrigg's Prison Within Society (New York: Doubleday and Co., 1969), p. 107.

<sup>7</sup>See David Street, "The Inmate Group in Custodial and Treatment Settings," in L. Hazelrigg, op. cit., pp. 199-228; Rosemary Saari, "Organizational Patterns and Client Perspectives in Juvenile Correctional Institutions," (unpublished Ph.D. dissertation, University of Michigan,

1962); and Mayer Zald, "The Correctional Institution for Juvenile Offenders: An Analysis of Organizational Character," in L. Hazelrigg, op. cit., pp. 229-246.

<sup>8</sup>Street, op. cit.; Saari, op. cit.; Zald, op. cit.

<sup>9</sup>For a discussion of the stereotyped perceptions of Blacks by correctional officers, see G. Kassebaum, D. Ward, and D. Wilner, Prison Treatment and Parole Survival (New York: Wiley, 1971); also Struggle for Justice (prepared for the American Service Committee, New York: Hill-Wang, 1971); Attica (New York: Bantam Books, 1972), p. 79.

<sup>10</sup>Ronald Goldfarb and Gus Harrison, past Director of Corrections in Michigan both agree that the phenomenon of prison revolt is related to the outside societal climate, in S. V. Roberts, "Prisons Feel a Mood of Protest," in B. Atkins and H. R. Glick (eds.) Prisons, Protest and Politics (New Jersey: Prentice-Hall, 1972), p. 102.

<sup>11</sup>Robert Merton discusses the role of social conformity on attitudes and behavior in his article, "Discrimination and the American Creed," in R. M. MacIver (ed.), Discrimination and National Welfare (New York: Harper, 1949).

<sup>12</sup>Ashley Weeks, Youthful Offenders at Highfields (Ann Arbor: University of Michigan Press, 1958).

<sup>13</sup>Daniel Glaser, The Effectiveness of a Prison and Parole System (Indianapolis: Bobbs-Merrill, 1964).

<sup>14</sup>Lloyd Ohlin, Sociology and the Field of Corrections (New York: Russell Sage Foundation, 1956).

CHAPTER III  
THE PROCEDURE

The present study was formulated on the basis of the writer's interest in: 1) the rising Black prisoner population in American correctional institutions; 2) charges of racial discrimination arising out of the intense prison disturbances in the last decade; and 3) dissatisfaction with the lack of available empirical evidence on these generally accepted charges made by minorities confined in prison.

The initial proposal was to compare the outcomes of Blacks and Whites in all institutions in one state serving first offenders (e.g., camp programs and correctional centers as well as prisons). However, due to limited time and resources, this idea was modified to restricting the comparison of outcomes to Blacks and Whites who were incarcerated in three specific institutions; a minimum, a medium, and a maximum security prison which primarily serves youthful first offenders.

This direction was taken in order to determine to what extent a relationship between race and intraprison outcomes differs when one considers the type of prison in

which the offender is confined. By studying important organizational factors, we might be able to shed some light on the extent to which various correctional practices which affect Black prisoners are representative of the correctional practices which affect White prisoners in the same institutional context.

Few studies have provided sufficient empirical evidence which clearly delineated the important dependent and contingent variables that would manifest areas of differential treatment in prison prior to parole. Consequently, data were collected which permitted an evaluation of the specific questions guiding this study, as well as data from other areas of the correctional process that might allow for exploration into the broader question of the relationship between race and the experiences of inmates who are confined in prison.

Moreover, by placing the study of race and outcomes in a comparative framework, it was not known whether various organizational patterns and modes of operation might produce differences in the type of data needed for the analysis. Therefore, the exploratory nature of this research presented both anticipated and unanticipated problems for this investigation. Some of these problems, along with the areas of study, the pre-investigation, the sample design, and a description of the sources types of data, are presented in more detail below.

Area of Study

In order to determine the feasibility of researching the specific problem outlined in this study, the proposed research plan was initially presented to the Deputy Director in charge of correctional facilities in one large mid-western state. This state has under custody and supervision approximately 13,000 male and female adult felony offenders. More than 50 per cent of this population is Black, as Table 3 reveals.

Initial resistance to the project led to both formal and informal requests to the Director of Corrections for permission to conduct the investigation.<sup>1</sup> The Director responded favorably to the proposed plan and arrangements were made with the Department's research division to facilitate its implementation.

One of the advantages of selecting institutions from this system is that one could study various types of adult institutions that were differentiated by size, custody level, goal orientation, structure, and by the age and type of inmates served. Another advantage is that similar to penal systems in other industrial states, there is a sizable minority inmate population in a system which is substantially controlled by White personnel.<sup>2</sup> As of December, 1973, the total confined inmate population in this state was 7,867 inmates, which is down from the total count of 9,554

recorded in December of 1971.<sup>3</sup> Reflecting recent trends in national correctional statistics, the non-White inmate population of this state represents 57.2 per cent of the total offender population in prison, with Blacks constituting 97.4 per cent of this proportion. In contrast, White inmates constitute 38.7 per cent of the total prisoner population (see Table 3). These percentages are in sharp contrast to the racial proportions of a state where Blacks are only 11.1 per cent of the general population.<sup>4</sup> From a sociological point of view, these factors present this system as an appropriate setting in which to conduct research on the relationship between race and outcomes in various prisons.

Compared to other systems, this state is considered to have a very progressive correctional focus. In addition to operating various types of institutions, the Department operates a separate Reception and Diagnostic Center (hereafter called the RDC) which initially receives all adult male offenders for a 30-day diagnostic period. At the RDC, trained professionals administer a series of intelligence, aptitude, and personality tests to all convicted males entering prison for the first time. In addition to considering the type of crime for which the offender was convicted, these tests are used to determine the type of custody and the type of institutional program most suitable for the inmate. This attempt to match the

TABLE 3

## INMATE POPULATION BY RACE AND INSTITUTION AS OF DECEMBER 31, 1973

<u>Institution</u>	<u>Total</u>	<u>White</u>		<u>Negro</u>		<u>Indian</u>		<u>Mexican</u>		<u>Oriental</u>	<u>Other</u>		<u>No-Info</u>	
A (Rehab)	192	88	45.8	102	53.1			1	.5			1	.5	
B	163	38	23.3	76	46.6	1	.6	1	.6			47	28.8	
C	21	5	18.5	13	48.1							9	33.3	
D	51	26	51.0	21	41.2			1	2.0			3	5.9	
E (Traditional)	780	280	35.9	476	61.0	5	.6	16	2.1			1	.1	2 .3
F	3605	1357	37.6	2184	60.6	12	.3	33	.9	1		6	.2	12 .3
G	724	421	58.1	280	38.7	7	1.0	11	1.5			3	.4	2 .3
H (RDC)	675	179	26.5	272	40.3	3	.4	1	.1			6	.9	214 31.7
I (Training)	656	328	50.0	310	47.3	4	.6	11	1.7					3 .5
J	167	51	30.5	114	68.3							1	.6	1 .6
K	643	224	34.8	402	62.5	6	.9	7	1.1					4 .6
L	184	45	24.5	134	72.8	1	.5					1	.5	3 1.6
TOTAL	7867	3042	38.7	4384	55.7	39	.5	82	1.0	1		18	.2	301 3.8
PAROLE	5428	2250	41.5	3045	56.1	27	.5	66	1.2	3	.1	2		35 .6
[TOTAL]	13295	5292	39.8	7429	55.9	66	.5	148	1.1	4		20	.2	336 2.5

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inmate's needs to the institutional program supposedly increases his chances for returning to the community more rehabilitated than he was prior to entering the prison system.

After the results of the 30-day screening process have been obtained, offenders are transferred to one of the state's several institutions which include: three maximum custody institutions, one medium custody institution, one minimum custody institution, 12 camps and 15 correction centers. The Department also has one correction center and one prison facility for female offenders which is operated under contractual agreement with a large urban city.

In recent years the Department has moved in several directions to improve its correctional program. Among the innovations that are being tried are: 1) a parole-contract system; 2) the hiring of a Black female counselor to work inside a medium custody institution; 3) the hiring of a Black ex-inmate as the Assistant Deputy Warden at one maximum custody institution; 4) the establishment of an ombudsman office;<sup>5</sup> and 5) the reportedly active support of a minority recruitment program. One of the major sources of minority recruitment comes from the Department's participation in the Federally funded New Careers Program. This program provides on-the-job training and education for the unemployed, the underemployed, and disadvantaged persons who desire career opportunities in civil service employment. Under this program, participating state departments are

reimbursed 100 per cent of the trainees' salaries and benefits for one year, after which their salary becomes the total responsibility of the department. The Department of Corrections has attempted to recruit a number of minority group members into the system under this program who otherwise might find entry into the system more difficult under present civil service requirements.

Three correctional institutions were selected non-randomly from this system to ensure variation in organizational characteristics. The criteria used for their selection were that:

1. The institutions were representative of variations in custody level, technology, goals and structure.
2. The institutions primarily served male first offenders between 16 and 23 years of age - those defined as youthful offenders by the state's Department of Corrections.

Most of the prisoners assigned to these institutions are received directly from the RDC, although some are transferred from other institutions. Generally, the maximum security prison receives offenders who have been convicted of crimes of a more serious nature, e.g., murder, rape, and armed robbery, and those offenders who indicate a need for close custody based on their juvenile history of escapes.

The medium custody institution generally receives men who have been convicted of such crimes as breaking and entering, larceny, and burglary, and who need closer super-

vision than a minimum setting would provide, but less supervision than a maximum security setting requires. Moreover, academic criteria are also important in deciding which prisoners are sent to this institution. Men who score higher (7th grade and above) on the Average Grade Rating Test and who score above average in IQ tests are sent here in order to participate in the academic-vocational program which is primarily designed for inmates who can complete enough hours for a high school diploma before release from prison.

Men who are sent to the minimum institution are generally those who have been convicted for breaking and entering and other drug-related crimes that carry a one to three year maximum sentence. They are also selected on the basis of academic aptitude tests that generally indicate a need for more emphasis in remedial and intermediate educational training which is the primary focus of this institution's educational program.

We will defer to the next chapter a more detailed description of these institutions which delineates those factors that characterize them as more or less custodially-oriented in their policies and practices with respect to the handling of confined offenders.

#### Research Design and Sampling Method

The sample for this study was drawn from the total

population of male first offenders, 23 years of age and under, who had been admitted to, and paroled or discharged from one midwestern state prison system between the period of 1969 and 1972. The sample was selected from this particular population based on the fact that male offenders make up the bulk of all prison inmates, and male offenders in this age category are of major concern to all criminal justice agencies as well as to society at large. Offenders in this age group commit the largest number of crimes, more serious crimes, are among the largest proportions of offenders sentenced to prison, and are among the highest proportions to recidivate. In light of these factors and the need for prevention, there is a need to advance our knowledge about the role that correctional institutions play in the increase or decrease of these behaviors between the various races of young offenders during their first prison experience.

The sampling procedure used to select the cases for this study consisted of dividing the entire population into two strata, White and non-White, and taking a simple random sample of equal proportions within each stratum using the table of random numbers.

Several initial problems had to be resolved before the sub-samples could be drawn. It was discovered that the 15 lists provided by the Department for drawing the sample contained duplicate case numbers for men who had

been paroled more than one time during the 1969-72 period.<sup>6</sup> To ensure sampling without replacement, a check for duplicate ID numbers was made on each list and all duplicates were eliminated so that each case in the population had an equal chance for selection. Cases with Spanish surnames were also eliminated. It is not believed that serious bias has been introduced by excluding other minorities since these minorities constitute only 1.7 per cent of the total prison population (see Table 3, p. 47).

Other eliminations had to be made because of recidivism or because it was discovered that some cases had never been confined in the three institutions.<sup>7</sup> The final sample in this study consisted of 547 Black and White offenders. Blacks comprise the largest percentage of the sample distribution (see Table 4).

TABLE 4

## SAMPLE DISTRIBUTION BY RACE (NUMBER AND PER CENT)

	Black	White	Total
Frequency	286	261	547
Per Cent	52.3	47.7	100

Because inmates from the minimum custody institution were oversampled, and because the races might be disproportionately represented in the institutional samples, a weighting procedure that accounts for the average population

size and racial proportions within each institution was used in the analysis of combined data in Chapter V.

The Preliminary Investigation

To minimize as many unknown factors as possible, a pre-investigation was conducted at the three institutions where all educational data could be obtained, and at a major maximum security prison where records of all paroled and discharged offenders are stored. In order to retrieve necessary data from inmate files, an additional number of coders had to be hired from the Department of Corrections.<sup>8</sup>

The pre-investigation revealed several difficulties which had to be overcome before data collection could reasonably begin. First, it was discovered that to facilitate the search for inmate personal folders, it had to be determined whether the inmate had been paroled or discharged from an institution. To make this determination, an extensive search of the card file system (which contained the current correctional status of inmates) was conducted. Second, it was discovered that information about the initial placement of inmates was not always recorded in the inmate's personal folder (nor was this information available from the Department's data storage system). This information was obtained by a tedious search of the card file system which contains the most reliable information on the initial placement of all confined offenders. Third, it

was discovered that there were differences in the manner and extent to which data were recorded in the personal and educational folders, although a major problem of missing data pertaining to training outcomes was not picked up in the preliminary investigation at one institution. This is discussed later in the section describing the data.

Finally, it became salient that cooperation from the institutions always depended on advanced planning and notification by not only the writer, but also by officials in the Department's central administrative offices. It was clear from the outset that the degree of cooperation varied among these institutions - from the minimum security institution which was facilitative of all phases of the project, to the maximum custody institution which rarely had materials or accommodations available to expedite the data collection process.

#### The Data Sources

The data for this project were obtained from several sources. The Department of Corrections provided the project with information on magnetic computer tape about the social background characteristics and the correctional history of offenders. A code book, copies of various Departmental forms, and written documents about the history of this state's penal system were also provided.

The data pertaining to the institutional adjustment

of inmates and data concerning the administrative decisions made about offenders were obtained from inmate personal records which are centrally stored at one maximum security prison for a period of 10 to 15 years after parole or discharge from the system.

The data on the organizational characteristics of the three institutions was obtained from structured interviews with the warden and/or his associate staff at each institution. Moreover, staff questionnaires, official reports, descriptive institutional brochures, informal interviews with inmates, and on-site observations provided information which characterized the institutions.

The information on the educational training of inmates was obtained from the educational files of each inmate who had participated in some type of academic or vocational program while in prison. These files were located at the three institutions and only include information about inmates who had been placed in an educational program.

This latter information was by far the most inconsistent and variable of all the information collected. Aside from the fact that the institutions used different forms to record educational data and used different standards of grading within their programs, additional problems were found that had not surfaced during the preliminary investigation. First, at the medium custody institution, discrepancies were found between the interim grades and the

final grades for course work which was a composite of these interim grades. Officials could not provide a satisfactory reason for these discrepancies.<sup>9</sup> Although data on the number and nature of discrepant grading were recorded, they proved to be too few in number to be useful for analytical purposes. Second, at the minimum institution it was found in some cases that grades recorded on credit slips did not factually agree with grades for the same course reported on the official school transcript. To avoid problems of validity in the data, we were advised by the Director of Education to use only those grades that were officially designated on the school transcript.

The most serious problem encountered occurred at the maximum security prison. Over seventy-five per cent of the cases had large amounts of missing data on the indicators of interest to this study. To the extent that most of the data were unavailable, the collection of educational data was aborted at this institution. When asked where this data might be located, the Director of Education indicated that all educational data prior to 1972 had been filed in the personal folders of inmates.<sup>10</sup> A check for these data in the personal folders revealed that little or no data could be found pertaining to education, grades, or test scores of men who had been enrolled in school at the maximum security prison. Consequently, because preliminary testing revealed considerable absence of information (either because data

were missing or cases had never been assigned to school), and because there were serious questions about the validity of these data, educational data were omitted from analysis in Chapter V.

Work assignment data were also unusable for several reasons. In some cases, it was difficult to distinguish between work and school assignments that were mutually exclusive (e.g., cooking course vs. kitchen work assignments). Furthermore, some job descriptions inaccurately described what were actually menial work assignments. Finally, the absence of sufficient information about the work experiences of many inmates precluded a productive analysis of this variable by race and institution.

There were also questions about the validity of other data. Several staff members noted that disciplinary reports do not always reflect the actual facts of misconduct cases, and further indicated that once these records are stored, special coding may be removed from such reports (which have significant meaning for institutional staff). This raised the question of whether actual differences by race could be obtained from disciplinary data. Several staff were confident that no racial difference would be found in these data, primarily because information may have been manipulated or misrepresented in these records.<sup>11</sup> However, these data are used in the analyses of race and certain outcomes in Chapter V.

The data recorded on the magnetic tape provided by the Department were used to obtain measures of possible contingent variables such as type of offense, previous education, IQ and attitude scores, family status, previous school adjustment, and juvenile correctional history. Also data concerning the inmate's race and initial confinement status (e.g., first offender) were obtained from this tape.

Many wild codes were found for those variables indicating the institutional location of inmates. These were finally clarified by Department officials and recoded prior to the analysis of the data.

#### The Limitations of the Study

The findings of this study are presented with the reservation that they are based on a sample of young first offenders who were incarcerated in three particular institutions in one midwestern state. It cannot be accurately known whether the generalizations from these data can be extended to other inmates incarcerated in other institutions in geographically different regions of the country. At the very least, the findings should generate interest in more intensive investigations of those areas that appear to be particularly vulnerable to differential processing of racial groups in prison.

One important limitation of this study is that of the 547 cases, there are considerable missing data on the

institutional adjustment of inmates at all institutions. Consequently, the reader should exercise obvious caution in drawing inferences about the differential adjustment of Black and White inmates.

A second limitation is familiar to most investigators who have relied on secondary data sources. Data that are not recorded on one or more variables can be problematic for simultaneous control of important intervening variables. However, the present findings should not be taken lightly since there are rather stable patterns by race and by institution.

Essentially, the findings cannot definitively establish that race causes differences in the various outcomes during incarceration, but is simply limited to observing that there is a relation between race and certain outcomes prior to and including the decision that is made at the first parole hearing.

The chi square significance test is used to test the null hypotheses that no relationship exists between the race of inmates and intraprisson outcomes, nor is there a relationship between the degree of difference between the races and the institution of confinement. It can then be observed to what extent the present data deviates from the null hypothesis presented here. A probability value of .05 will be used to reject the null hypothesis.

## NOTES

<sup>1</sup>In addition to the writer, several formal and informal requests were made to the Director of the Department of Corrections on behalf of this project by individuals who have invested years of professional interest and study in the area of criminal justice. No doubt their support was instrumental in eliciting a favorable response from the Director for conducting this research.

<sup>2</sup>A memo provided by the Minority Recruitment Office of the Department of Corrections indicates that 2,185 or 89.1 per cent of the Department's 2,452 institutional employees are of the White race.

<sup>3</sup>This decline represents an effort to reduce the prison population by both the courts, who place more offenders on probation, and the Department of Corrections which more often recommends early parole. These actions are in direct response to the overcrowded conditions that existed prior to 1971 in the institutions.

<sup>4</sup>This percentage is estimated from figures obtained from the 1970 statistics survey of this state's population in the U.S. Bureau of Census, U.S. Census of Population (Washington, D.C.: U.S.G.P.O., 1970).

<sup>5</sup>Recently (June 1974) prison officials were ordered by the state's Correction Commission to ignore the ombudsman. Two issues are under question: 1) the constitutionality of the legislature creating the ombudsman position, and 2) possible violation of the separation of powers between the executive and legislative branches of government. The latter branch has been criticized for the issuance of guidelines to the ombudsman which "supercede the authority of the [corrections] department." Essentially, some legislators have charged that the corrections department has never wanted an ombudsman. Prison officials deny this charge, saying that inmate complaints should go through the regular grievance procedure first. To date the issue has not been settled.

<sup>6</sup>Many instances of men who had been paroled, returned to prison on a parole violation, and reparaoled were observed on the lists. In some cases, there were as many as two duplications of an inmate ID number.

<sup>7</sup>Initial placements of inmates cannot be determined from computer tape which does not have these locations recorded in the Department's computer files. Consequently, unwanted locations could not be filtered out among those

cases that were included on the 15 lists. These had to be done manually by the project coders in the manner described in the text.

<sup>8</sup>This state has a law which prohibits anyone except employees of the Department of Corrections from reviewing the personal files of inmates. While this resulted in the hiring of additional coders and some problems in refining the data collection form, some latitude was accorded to the writer by the Department so that essential changes could be made intelligently on the data collection forms.

<sup>9</sup>Two explanations were given for these discrepancies. One teacher informed the writer that subjective criteria often played a part in the final grades assigned to course work. He later returned to suggest that this initial interpretation was inaccurate. Instead, he said the discrepancies reflected the heavier weight given to some test scores over others. However, a recalculation of the final grades according to those scores weighted heavier in the final grade did not support this interpretation.

<sup>10</sup>After searching files at both the institution and the central location where personal folders are stored, it was our conclusion that educational records are virtually not kept current or organized at the maximum security institution. Officials at the central administration office supported this conclusion.

<sup>11</sup>It should be noted that one staff member also felt there would be no differences between the races, but primarily because he believed the races were treated equitably at his institution. Interestingly enough, he did not believe this to be the case at other institutions in the system.

## CHAPTER IV

### A PROFILE OF THREE INSTITUTIONS

It is generally accepted among casual observers that correctional institutions can be lumped into one category and are basically alike in their function, their operation, and the effect they have on the men they receive. Basic differences were found between the institutions in this study.

In this chapter, a conceptualization of the differences of the three institutions (using the concepts of technology, goals, and structures) will acquaint the reader with specific contextual variables and the atmosphere of the settings from which the cases for this study were drawn. The data for these characterizations were obtained from interviews with staff, on-site observations, and the administration of various questionnaires to staff members at each institution. Placed on a continuum from custodial to rehabilitative in orientation, they are identified by the mnemonic labels: Traditional, Training, and Rehab.

#### Background Information

Similar to correctional institutions in most penal systems, the institutions in this state are located in

out-lying areas near small farming communities. Traditional and Training, being less than one mile from each other, were closest in proximity.

Traditional is a large maximum security prison (capacity 1,318 inmates) which is enclosed by an 18 foot wall with gun towers placed at strategic points. Built in 1877 on 53 acres of land donated by the farming community nearby, it is the oldest facility in the state. Most of the staff members who work here live in surrounding small farm towns which are virtually all-White in racial composition. The people who live in these areas are described as being "good people" but narrow in their views with respect to change and "outsiders."<sup>1</sup> The minorities who work at the institution commute from distant urban areas which are as much as 80 miles away from the institution. Consequently, residence is one of the contributing factors to the fact that the majority of the 366 full-time staff members are White. Most Black employees who were interviewed prefer to commute long distances rather than move to the nearby town which they describe as a racist community.<sup>2</sup>

The inmate population, which now averages about 800, is housed in two five-tiered cell-blocks which are obsolete and inadequate for the type of inmates sent here, and the type of program the institution attempts to provide. There is also a special 185 man dormitory outside of the walls which provides living quarters for inmates

who are on trusty status. In addition to housing, the institution provides for its total custodial needs. Among these are provisions for food service, maintenance, counseling services, educational services, medical care, and religious and recreational services.

Training, a fairly large medium security institution (capacity 734 inmates), was opened in 1958 and until recently was the newest facility in the state's system. The double cyclone fences (with gun towers) that surround the institution detract somewhat from the beautifully maintained grounds, its modern construction, and its modern equipment. However, it is a striking contrast to Traditional which is located directly across the highway. Most employees come from the same communities as those who work at the maximum security institution, therefore it also has a large contingent of White staff members and few Blacks. Black employees constitute about 18 per cent of the total prison staff which numbers 152 full-time employees.

The physical plant consists of 6 living units for inmates which house up to 120 men, a hospital wing, a food service building, a fieldhouse, and an administration building. There is also a swimming pool which has caused some concern among taxpayers in the nearby community.

Rehab, the most unique facility in this study, is situated on a beautiful lake-site which was once used by the National Youth Administration as a training school.

In 1943, the Department of Corrections obtained a loan of the facilities from the federal government, and in 1945, the institution was opened as a minimum security institution for trustworthy first offenders in need of educational and resocialization experiences. The Department has since acquired ownership of the entire compound and its facilities.

A small facility (capacity 284 inmates), there are no visible signs of security at Rehab. Similar to the other institutions, most employees live in nearby White farming communities and Black employees make up approximately 10 per cent of the 49 full-time staff. Unlike the other institutions, however, it is within sixty miles of two of the state's largest cities. Since most Black inmates originate from these areas, visiting by families and friends is facilitated by the location of the institution.

The newer facilities at Rehab include an administration building, a food service building, a modern school plant, and a gymnasium. A new chapel and new housing for inmates are in the process of being constructed. Presently, the inmates live in small log cabins which accommodate nine men. Each cabin group is responsible for its maintenance and the self-government of their unit. Since no officers or unit personnel live with the men, one inmate is designated the anchor-man for each cabin. The anchor-man (an

inmate with status among the group) is responsible for providing leadership in the areas of inmate relations and cabin maintenance operations. Counselors, officers, and administrative personnel only intervene when problems cannot be resolved among the group.

Comparative data on the inmate and staff distribution by race and institution appears in Table 5 below.

TABLE 5  
INMATE AND STAFF DISTRIBUTION BY RACE AND  
INSTITUTION

<u>Instit.</u>	<u>Black</u>	<u>White</u>	<u>Other</u>	<u>No Information</u>	<u>N</u>
<u>Inmate</u>					
<u>Distribu.</u>					
Rehab	53.1%	45.8%	.5%	.5%	(192)
Training	47.3	50.1	2.3	.5	(656)
Tradit.	61.0	35.9	2.8	.3	(780)
<u>Staff</u>					
<u>Distribu.</u>					
Rehab	9.4	90.6	0	0	( 53)
Training	20.1	79.3	.5	0	(184)
Tradit.	9.8	89.8	.3	0	(325)

If we compare Black inmate percentages with those of Black employees at each institution, it becomes clear that the complaints of Black inmates regarding the lack of Black staff at each institution has some merit.

Race relations at the three institutions varied according to whether conflict was manifested primarily

between inmates and inmates, inmates and staff, or staff and staff. There were few opportunities to observe race relations at Traditional, but from our discussions with reliable sources among the staff, there were several indications that racial problems did exist there.

Racial problems at Traditional appear to be between both White staff and Black inmates, and White staff and Black staff, (particularly newer Black employees on the custodial force). For example, some of the White correctional officers have become disgruntled with the New Careers employees whom they feel are given preferential treatment by the administration.<sup>3</sup> Of more importance however, is that White officers feel that these Black trainees are taking jobs away from their people, even though it has clearly been explained to them that the salaries of these men come from a source other than the institution's general appropriated funds. This misunderstanding may be the basis of several complaints of harassment from New Careers employees who feel that the guards on the gate subject them to excessive search procedures before allowing them to enter the institution.<sup>4</sup> Some trainees have had difficulty adjusting to the prison system and have either quit or been fired. This has occurred at Traditional as well as other institutions in the system that have participated in the New Careers program.<sup>5</sup>

The relationship between White staff and Black

inmates has been reported to be under similar strain at this institution. We were told by several staff sources that many of the older officers on the force lack experience with Black people in general, and particularly find that they have difficulty relating to Black inmates from urban areas. Officials said that the current Black inmate population is more militant, questions authority more, and is more "difficult to understand" than previous inmates who have been incarcerated here. Moreover, some high ranking staff members in the Department describe the situation at Traditional as a "powder keg." Most feel that this situation is not only due to the attitudes and behaviors of White personnel, but also due to insufficient numbers of Black staff who could perhaps work better with Black inmates.

Training's race relations are said to be similar to those found in most prisons, where inmates of both races segregate themselves during leisure-time activities. Our observations support these contentions. Inmates were seldom seen in mixed groups either walking to class or in the dining area. Mixed groups occurred only in classroom situations where a quota system had to be maintained by orders from the central administration.<sup>6</sup> Similar observations were made at Rehab, although inmate segregation did not seem quite as striking as the situation at Training.

There also appeared to be some tension between Black inmates and White staff at Training.<sup>7</sup> This may have

been partly due to the lowering of academic standards by the Department so that more Blacks could be sent to this institution. This action has required certain adjustments resented by the teaching staff such as including remedial education in a curriculum which previously had been oriented towards high school course work.<sup>8</sup> The major problem for Blacks here was reported to be the same as that for Traditional: the need for more Black staff at the institution to work with Black inmates, particularly since these are the only Blacks these inmates frequently see. Visiting is hindered by the long distance that relatives must travel from the urban areas where most Blacks in this state are concentrated.

Rehab's racial problems have mainly been manifested in poor inmate relationships which resulted in several disturbances between the period of 1969 and 1971. Although the official explanation for these disturbances was that the inmates were dissatisfied with food and other such common complaints, unofficially the cause is said to have been due to lack of discipline, reports of one race planning attacks on the other, and the polarization of Blacks and Whites reflecting the trend of the free community.

Black inmates at each of these institutions felt that they were discriminated against by correctional officers, especially in the areas of work assignments and disciplinary transfers.<sup>9</sup>

### The Perception of Inmates and the Technology

One of the stark variations between the institutions in this study is that the general perception of inmates was quite different among the three facilities. According to the institutional brochure, inmates at Traditional are seen as rebellious, hostile, belligerent and suspicious individuals who are not as amenable to treatment as most first offenders. This perception was also reported by staff members who were interviewed. Rehab, on the other hand, perceived its inmates as trustworthy young offenders whom they regarded as "students" in need of resocialization experiences. Similarly, Training saw its inmates as "students," but tended to also see them as untrustworthy men who had not acquired self-discipline skills. Information about the latter two institutions also came from brochures and staff interviews.

These perceptions led to quite different techniques for "correcting" young men at these institutions. For example, although Traditional perceived most of its inmates as being in need of basic academic and vocational training, it also saw them as being in need of more training in the area of "steady work habits" and "meaningful work experiences." Most of these assignments however, turned out to be mediocre or poor work experiences such as kitchen, laundry, and custodial work. In addition, an average of 280 inmates are employed in five prison industries which

are located on the grounds. These industries provide wood furniture, officer and inmate clothing, cleaning products, laundry services, and machine repair services for the prison and other state agencies. Farm operations are gradually being phased out since the majority of inmates are from urban areas and dislike agricultural work.

In Table 6 below, differences in technologies employed at these institutions are reflected in the percentage of inmates served in the school programs.

TABLE 6

#### INMATES SERVED IN SCHOOL PROGRAMS BY INSTITUTION

Inmates Served in School :	Traditional	Training	Rehab
None	36%	25%	28%
Part-time	47	0	01
Full-time	17	75	71
TOTAL	100	100	100

\*Based on inmate count, November, 1973.

The data show that the minimum and medium custody institutions place more emphasis on assigning inmates to educational programs. Of the percentages served in school, higher percentages of inmates were enrolled in full-time study at Training and Rehab, while fewer than twenty per cent of the inmates at Traditional had a full-

time schedule. These data are supported by data from staff questionnaires which indicate that between seventy-six and ninety per cent of the inmates at Traditional participate in some form of work experience. In comparison, Training and Rehab indicate that all men are expected to be enrolled full-time unless they have completed a school program.

The average inmate at Traditional and Rehab achieves a score of ninety three on intelligence tests taken at the RDC. Most have not advanced beyond the eighth grade in their previous school experiences, and generally score below the sixth grade level on the Department's Average Grade Rating Test. Until recently, Training's general inmate population had a higher than average IQ rating and a greater potential for academic success than inmates at the other two institutions. Consequently, the level of academic course work varied among the institutions with Training providing more high school courses and Traditional and Rehab providing more courses on the remedial and intermediate level.

All academic teachers at the three institutions had four or more years of college training, however, variation in training was noted for the vocational staff among the institutions (Table 7). Whereas no teacher at Traditional had a college degree, 78 and 100 per cent respectively, had four or more years of college at Training and Rehab.

TABLE 7

PROFESSIONALISM OF THE VOCATIONAL STAFF  
BY INSTITUTION

	No Degree	B.A.	M.A.	N
Rehab	0%	67.0%	33.0%	(3)
Training	22.0	33.0	45.0	(9)
Traditional	100.0	0	0	(5)

Equally important is the variation in training of the treatment staff among the three institutions. Treatment was mentioned by each administrator and all Directors as being of the highest priority. Yet a comparison of the amount of training received by counselors varies by institution (Table 8).

TABLE 8

EDUCATIONAL TRAINING OF THE COUNSELLING  
STAFF BY INSTITUTION

	Less than B.A.	B.A.	M.A.	N
Rehab	0%	75.0%	25.0%	(4)
Training	12.5	75.0	12.5	(8)
Traditional	33.0	50.0	17.0	(12)

Table 8 shows that the greatest percentage of counselors with four or more years of college preparation are at Rehab, followed closely by 87.5 per cent of the

counselors at Training. Counselors with the least amount of preparation are at Traditional. Moreover, when asked about the areas of specialization of those counselors without a bachelor's degree from college, the Director of Treatment at Traditional was unable to respond to this question definitively.

More information about the emphasis on treatment at each institution is shown in Table 9 from data on the percentages of inmates who were regularly seen (once per week) by staff members who provided treatment services at the institutions.

TABLE 9

APPROXIMATE PERCENTAGE OF INMATES SEEN FOR REGULARLY SCHEDULED TREATMENT BY STAFF AND INSTITUTION

	Social Worker	Psychiatrist	Security Staff	Chaplain	Unit Staff	Volunteers
Rehab	100*	0%	25%	10%	25%	50%
Training	60	0	0	5	20	40
Traditional	17	1	0	15	3	16

\*This percentage is large because all men are seen in group therapy as well as some who are seen individually.

Two factors characterize these institutions from the above data. First, among those inmates who were scheduled for treatment, more men were seen regularly at Rehab and Training, with Rehab showing the largest per-

centage of men seen for treatment at the two institutions. Second, Rehab was the only institution where the conceptualization of custodial officers as counselors was actually put into practice in the treatment process. These factors indicate that both Training and Rehab were more concerned than Traditional about the resocialization aspect of their correctional tasks. Furthermore, Rehab was the only institution where the professional staff appeared to have some success influencing the custodial staff in the direction of treatment.

These data and observations tend to support the assumption that these institutions vary in their perception of inmates, and also vary in the techniques used to bring about change in their behavior. The influence of the various technologies can be seen in the goals that were actually pursued at each institution.

#### The Primacy of Correctional Goals

The statement of goals made by top officials at the minimum and medium institutions in this study indicate that the rehabilitation of young offenders (by means of education and treatment technologies) was the most important goal of their correctional programs. On the other hand, the warden at the maximum security institution indicated that the first priority at Traditional was to keep the climate "open and wholesome" by means of both custody and

treatment.<sup>10</sup> Rehabilitation (e.g. educational and vocational programs) was rated second in priority by Traditional's administration.

"Two correctional officials stated that custody was the primary goal of the parent organization. As one administrator put it, "[Departmental] regulations are generally geared toward maximum security institutions."

Goals are conceptually problematic; besides the problem of defining goals, they are also hard to observe and measure. Goals may be regarded as the organization's conception of its task as reflected in its work toward a desired end product, the exigencies of the task, the "raw material" it must work with, and its ability to accomplish the task. However, the major difficulty is one of reconciling the organization's actual goal with the professed goal of top officials.

This section will examine how these institutions actually pursued the stated goals of top administrators. By doing so, the goal-orientation can be roughly classified along a custodial-rehabilitative continuum: Traditional had the most custodial goals, while Rehab's goals were the least custodial of the three facilities. Training's goals fell somewhere between the two types and can be characterized as moderately custodial. These goal-orientations were determined by assessing the means by which these institutions:

1) maintained security, 2) maintained discipline, 3) distributed staff resources, and 4) affected public relations in pursuit of their correctional goals.

#### Goals and Security

Manifestations of security are omnipresent at Traditional. Aside from the security provided by the wall and the guntowers, buildings and doors are locked inside and out around the clock; all cell-blocks, gates, and fences are kept locked. In addition, two electrically operated gates are additional features which separate the outside area from the inside area of the prison. Inmates who were permitted to leave the inside area must carry identification cards with photos, or a special pass to and from their destination.

Training was similar to Traditional with respect to locked areas, although buildings are reportedly not locked during the day. Rehab, on the other hand, locked only certain buildings at night such as the administration and school buildings which were not in use.

The above information came from questionnaires and supports field observations of security enforcement which are mentioned at various points throughout this section. Evidence of greater emphasis on security at the maximum and medium custody institutions comes as no surprise; this is consistent with the mandate issued to these facilities by

the parent organization. However, it clearly challenges the idea that the competing goal of rehabilitation can actually be achieved in such over-controlled environments.

### Goals and Discipline

The most interesting difference found among the institutions was in the area of discipline. Traditional maintains a special disciplinary facility which holds up to seventy two men at any given time. Of more importance is the fact that a highly differentiated system of discipline has been institutionalized with respect to patterns of segregating inmates in the disciplinary unit. Ranging from Grade I to Grade V, each level of segregation corresponds to a different degree of containment and deprivation for inmates. Grade I is the most severe form of isolation where there is no physical contact allowed between the inmate and other individuals. Meals are handed in through an opening in the cell door and the inmate is allowed out of his cell for thirty minutes per day for exercise. Due to the psychological effects of this extreme isolation, containment at this level is officially allowed for only seven consecutive days.<sup>11</sup> Grade II is a bit more relaxed but still considered by officials to be a close form of segregation. Men take their meals with other inmates confined to the segregation unit, but at a special time in the dining hall when the general population is not being served. Grade III and

Grade IV are further relaxed levels of segregation where inmates are permitted to have yard privileges, reading materials, and radios. In addition, recreational and unspecified special therapeutic activities are part of their program. Grade V is used for the administrative segregation of inmates who need or request protective custody. Also, men who are considered by officials as being too aggressive for release into the general population are placed under this type of segregation. These inmates are allowed all the privileges that are permitted at Grades III and IV, with the additional privileges of attending movies and eating meals at a special table in the dining room with the general population. With the exception of Grade I, all disciplinary cases in Grade II to V are reviewed every thirty days. This in effect means that for some men, segregation can last up to five or six months and longer depending on the disposition of the case at review time.<sup>12</sup>

Training also has a special disciplinary unit which holds as many as fifteen men at one time. However, more serious disciplinary cases are usually transferred on an emergency basis to such institutions as Traditional where close custody can be provided. Since their segregation procedures are less sophisticated than those at Traditional, they rely more on confining men to their rooms or withdrawing rewards as the principle means of discipline control. With respect to the latter procedures, this institution

resembles Rehab more than the maximum security prison.

Rehab routinely uses withdrawal of rewards and mild forms of punishment (e.g. extra duty in the kitchen) for inmate infractions. Serious disciplinary cases are transferred immediately to the RDC for reclassification to another facility. When transfer is impossible, the inmate is confined to the hospital room (which serves as the isolation unit) and he is transferred the next day.

#### Goals and Staff Resources

More evidence on where the emphasis on goals is placed is conveyed in the questionnaire data on inmate-staff ratios presented in Table 10.

TABLE 10

#### INMATE-STAFF RATIO BY INSTITUTION FOR NOVEMBER, 1973

	<u>Traditional</u>	<u>Training</u>	<u>Rehab</u>
Inmate-Treatment Staff Ratio	24.1	19.1	11.4
Inmate-Custody Staff Ratio	3.5	5.8	13.6

Higher ratios of inmates to treatment staff and higher ratios of custodial staff to inmates characterize both the maximum and medium custody institutions. Moreover, the ratios for Traditional and Training do not

reflect the additional officers that have been added to the custodial force at these two institutions.<sup>13</sup> As a result of demands made by correctional officers who were concerned for their safety, seventeen new officers were added to Traditional's custodial staff and thirty four new officers were added to Training's custodial staff, giving a total increase of nine per cent and twenty nine per cent respectively, in custody personnel at each institution. Rehab did not ask for, nor did it receive, additional correctional officers.

At Training, correctional officers were routinely assigned to both the academic and vocational divisions of the school building. It is clear that their purpose is to provide security and surveillance services for the teaching staff who also are concerned for their security at this prison.<sup>14</sup> Although they dress in attractive blazer outfits and refer to the inmates as residents, their role is to ensure that the inmate population is kept under control, order, and containment at all times.

We have already noted that Rehab's correctional officers are integrated into the treatment program at the institution. From our observations we noted that they were addressed by inmates and staff as "Mr." rather than by the militaristic terminology that is used at the other two institutions. For example, correctional officers at the maximum institution were not only dressed in the

distinctive olive-drab garb of the old state uniform, but also were referred to by rank as "Sergeant" or "Corporal" in the tradition of the military.

#### Goals and Public Relations

Finally, from the perspective of public relations, there were major differences in the treatment of visitors to the institutions. The most bureaucratic-type of experience occurs at Traditional where officers follow explicitly the policy of searching hand carried items (e.g. handbags, briefcases) for contraband. In addition, not only must one's handbag be checked, but a solution which is exposed under an ultra-violet light is painted on each visitor's hand before being allowed through the electric gates to the visiting area.<sup>15</sup> We found that more concern for security and less concern for the public created an atmosphere which was quite forbidding. It was evident that maintaining control and custody over the inmate population was more important than achieving good public relations such as was found at the other institutions in this study.

Persons visiting the medium custody institution must leave all keys at the gate if they wish to go inside the compound. Unlike Traditional, few visitors are searched for contraband at Training and females may go inside the compound if accompanied by male staff. (No females are permitted inside the institution at Traditional except

# CONTINUED

# 1 OF 3

under rare circumstances.<sup>16)</sup>

Presently, one female counselor and one female secretary work inside the walls at Training. Although this is a progressive step, we cannot be certain if this progressiveness is due to the Department, the institution, or both structures. Despite the concern for security, there is less emphasis on extending excessive search procedures to the public. In the attempt to protect its image, formal courtesy is accorded to all visitors to Training since good public relations is of high priority.

The free atmosphere at Rehab is highlighted by the fact that inmates are not kept at a distance from visitors and often escort them around the site. Females are employed here as teachers, secretaries, and receptionists in both the school and the administration building. There are no armed staff at this institution such as was found at the other institutions. Inmates move freely about the grounds during their leisure time and although there are perimeters beyond which they are not allowed, the extent of their freedom is manifested in the risk that is taken here by officials who allow the inmates personal freedom in their dress and grooming habits. Any inmate could walk away from the institution without much notice since most dress in the latest styles of free citizens. Consequently, at this institution, more reliance is placed on the internal controls of inmates rather than the external controls of armed

guards, walls, and fences. However, reliance on internal controls may place considerable pressure on inmates. Inmate fighting, walk-aways, and racial confrontations may be symptoms of this pressure.

#### The Structural Effects of Technology and Goals

Structural differences found among the three institutions centered around two specific decision-making areas: a) decisions made about the treatment program, and b) decisions concerning changes in the prison program. In addition, observed transactions between the administration and staff support the notion that these institutions had quite different internal staff relations, specifically in the area of how authority relationships were utilized among the various organizational components.

From the treatment questionnaire and interviews with administrators, it was determined that there were different perceptions about who made the policy decisions concerning the treatment program at Traditional. Treatment staff indicated that they made treatment decisions while the administrators saw these decisions as a function of both the executive and the treatment staff. An examination of the treatment questionnaire suggests that administrative objectives may have an influence on the priority that the treatment staff listed as the major objectives at Traditional which were:

1) "...to assist the offender in becoming economically efficient" and 2) to help inmates to become "...civically [sic] responsible."<sup>17</sup>

Both of these objectives appear to be related to the custodial goals of keeping inmates busy by hard work and discipline<sup>18</sup> than to the rehabilitative ideology of providing therapy and education to change inmates at Traditional (many who were described as having psychiatric problems). Put another way, Traditional appears to be less concerned with inmate self-improvement and more concerned with the needs of the institution. For example, the institutional brochure states that the classification procedure (conducted by treatment personnel) attempts to meet the "individual's needs insofar as possible within the structure and needs of the institution."<sup>11</sup> (Italics mine.) Moreover, the brochure and top officials indicate that most inmates at Traditional cannot reform, which may explain the de-emphasis of school assignments at this institution. It is very unlikely that factory, custodial, and other unskilled labor will facilitate the two treatment objectives mentioned above by the Director of Treatment. On the other hand, these tasks may keep the climate "open and wholesome" by keeping inmates busy.

The requirements of organizational stability and control have resulted in a gradual abrogation of the executive's authority to other staff persons in the organi-

zation. This is seen in the heavy reliance at Traditional on the prison's custodial staff who function as the major links of communication between the inmates and the warden's office,<sup>19</sup> as well as being the control agents for the institution. The apparent power that the custodial staff has accrued can be seen in the pressure that was brought to bear on the administration and the parent organization to hire more officers at the institution. By organizing as a union, their threat to strike has influenced Traditional's goals toward more custody and less treatment. In addition, their resistance to a major policy change (the hiring of minorities) has resulted in intergroup conflict which has been problematic for the administration. Officer complaints have resulted in the firing of one New Careers trainee and letters of reprimand for others.<sup>20</sup> The influence of correctional officers on decisions can also be seen in the direct and indirect manner in which disciplinary reports and behavior reports determine the recommendations of counselors concerning inmate release.

While officers have a great deal of power at Traditional, on the formal level policy decisions are still said to be made at the top levels of administration which the staff is expected to follow. As one top official revealed, the staff at Traditional is obsessed with rank among its personnel. Any decisions made at subordinate

levels are first sanctioned at higher levels of authority. The apparent result is a bureaucratic and highly centralized structure.

Training bears some similarity to Traditional in its concern for security and order among inmates, but differs in the effort put forth to approximate the institution's educational goals. In one sense, the staff tries to enhance the self-image of inmates by labelling them "students" and providing them with a complete high school curriculum. At the same time, this image appears to be diluted by placing officers in the school as overseers to monitor inmate behavior. The emphasis on enforcing rules has resulted in a structure that is similar to the punitiveness seen at Traditional, although there is some counter-balance from the educational aspect of its program.

Information gathered from the executive interview revealed that decisions about the overall internal functioning and policies at Training are made by the Superintendent and the Assistant Superintendent. Treatment, part of the stated primary goal at this institution, is not the major focus of Training's program. Education, combined with security and discipline, appeared to be the actual goals pursued by the staff. Official concern with security and discipline had an attenuating influence on the effectiveness of the treatment staff. For example, the institutional brochure identifies the treatment staff

as essential in the maintenance of security and discipline at Training.<sup>21</sup>

In order to handle large numbers of offenders with similar ability, a routine method of operation and processing of inmates has developed over the years at Training. However, changes in the inmate population (increasing numbers of less able inmates) has introduced problems in the school program. Notably, the school has resisted changing its curriculum to accommodate the changing inmate population. For example, the Superintendent revealed that the treatment and teaching staff are in conflict over the classification of inmates. Teachers want inmates removed from their classes whom they feel are not profiting from the educational program. Counselors, on the other hand, refuse to reassign these inmates. They believe that the teachers need to invest more time and effort in trying to work with inmates who are academically deficient. This conflict will more often than likely continue until the educational processing of inmates at Training becomes less routine and less bureaucratic in structure to accommodate a more heterogeneous ability-group inmate population.

Rehab is the only institution in this study that came close to achieving congruence between its technology, goals, and structure. In this facility, where forty two per cent of the staff have earned college degrees, where the goal is to rehabilitate young offenders, and where the treatment staff makes most of the decisions about the

treatment program, a collegial staff structure has emerged which permits flexibility for trying out new ideas to enhance the total program. In fact, the interview data reveals that shared advice in staff meetings and informal contacts between the administrator and staff members leads to most major decisions at the institution. Cooperation is also reflected in the lack of conflict between custodial and professional staff members, resulting in the participation of correctional officers in the treatment process. Moreover, the organization's flexibility allows the inmates to develop internal controls and self-esteem by permitting self-government and inmate participation in the institution's policy decisions by means of a representative inmate council. In contrast to the other institutions, decentralization of authority was greatest at this institution.

#### Summary

While the stated goals of each institution were similar in the priority assigned to them by their administrators, one is reminded by Zald<sup>22</sup> that "...rehabilitation is a vague and difficult to establish criterion..." which too often makes the transformation between ideology and organizational behavior an incomplete task. The fact that these institutions had different perceptions of inmates led them to select those technologies they saw as most appropriate for the type of inmates they had to work with. In

the maximum security institution, inmates were seen as a new type of prisoner who could not conform, therefore work and discipline were the primary tasks of the institution. Hence, the goals of containment and stability resulted in a structure where authority relations were more vertical than horizontal. The medium security prison saw inmates in need of self-discipline skills and more education. To achieve this, it relied upon surveillance and education, resulting in an attempt to achieve both custody and treatment goals simultaneously. The result was that security goals were more manifest and the resulting structures were more centralized than decentralized. The minimum institution came closest to realizing congruence in its treatment and educational techniques, its rehabilitative goal, and the collegial nature of the staff decision-making arrangement. The result was a more open atmosphere, where relations between inmates and staff were observed to be more congenial than in conflict.

## NOTES

<sup>1</sup>The comment was made in reference to my question about the attitudes of the townspeople towards Blacks in this small community. During the data collection period (one week) we also found that there was a great deal of curiosity about what our business was here. (We assumed their curiosity was because we were Black since no Blacks live in this town.)

<sup>2</sup>One Black official who had lived in this town said it was the most racist experience he had ever had in a northern community.

<sup>3</sup>In our interview with one official, it was reported that White officers resented the fact that the Black Trainees (who had traveled over fifty miles to work here) were usually late and nothing was being done about this by the prison administrators. They felt that the prison rules were being relaxed for the minorities.

<sup>4</sup>Several complaints by New Careers people indicate that they have been mistaken for inmates and "shaken down" by guards on the gate. This has caused a great deal of resentment between the minorities and guards (who refuse to admit them without identification even though they see them daily). My source indicated that the guards have been told to watch their behavior towards the trainees, since they will be accountable for their actions.

<sup>5</sup>One New Careers trainee was fired for "reports" of sleeping on the job. State employees at another large institution said that trainees were also quitting after the six month probation period because many did not like working in the prison system.

<sup>6</sup>The recent order to integrate all classes racially has been resented by both Black and White school officials who find that this is difficult to do when one group is not at the level of the other. Many Black inmates have been placed in inappropriate learning situations because of the administration's attempt to balance the races in class. This was one of the major problems at Rehab where Blacks outnumbered Whites.

<sup>7</sup>During the data collection period, encounters were observed between White staff (teachers) and Black inmates. On one occasion, a Black inmate brought us ice water and was severely reprimanded by the principal because he did not receive permission to get the water. The inmate said

that he was only "bawled out" because we were Black and that White visitors received better treatment than we were being given during our visit.

<sup>8</sup>There was a great deal of resentment by the teaching staff who had to develop a remedial curriculum to accommodate some of the Black inmates who were sent to Training. One White female data collector for this project said that complaints were being made to the RDC by teachers who were upset over the new policy to lower the academic requirements for admission to the institution. Moreover, the assistant superintendent reports that conflict between teachers and counselors have arisen over the issue of keeping students in classes who are having learning problems. The teachers want these students out of these classes and reclassified elsewhere.

<sup>9</sup>Complaints of preferential treatment given to Whites was common among the Black inmates at each facility. Many felt the officers were trying to "bust" them only because they were Black. Their claim of discriminatory transfers was substantiated by one Black teacher who said that at Training, the Black inmate population was only forty seven per cent because Blacks are sent out more on disciplinaries. He said the Black population here should be more like sixty per cent.

<sup>10</sup>It was not clear from the interview what treatment actually meant to the administrative staff. We were told of the importance of keeping the "lines of communication open" between staff and inmates, but there were no indications that they had a therapeutic conception of treatment.

<sup>11</sup>Previously detention at Grade I had been for ten days. The Deputy in charge of facilities changed this policy to seven days in 1972.

<sup>12</sup>In this study, one inmate was placed in segregation for refusing to work and spent over five months in isolation before being released. Several disciplinary dispositions had "remain in segregation at inmate's own request" even though most of these cases had initially been placed under segregation for punitive reasons.

<sup>13</sup>Due to the killing of a guard at one maximum security prison in the system, guards at several institutions have been demanding more custody personnel. At Traditional guards threatened to strike in 1972 because they wanted more protection at the facility. As of December 1973, 101 new positions were added throughout the system.

Seventeen were added to Traditional's staff of 194 giving them a total strength of 211 officers. Thirty four new positions were added to the eighty four man custody force at Training, bringing their strength up to 118 officers.

<sup>14</sup>One teacher at Training said he would not work in a setting like Rehab because there "wasn't enough security" (provided by guards). We were also cautioned to stay together at all times at Training unless we were accompanied by a guard or male staff member.

<sup>15</sup>At Traditional it was easy to understand why New Careers people felt harassed by the guard on the gate. We had a similar experience with one guard (who had seen me at the institution with officials on at least four different occasions). This guard made us expose our hands each and every time we passed through the gate. This happened at least six times in one hour. We had several telephone calls to make this particular morning. The booth was on the other side of the gate! On previous occasions when I had gone to Traditional alone, this had never happened. Of more importance was the hostile attitude he exhibited towards us. On several occasions he and other officers referred to us as "gals" which we found an insult since we were official visitors to the institution. The concensus of all data collectors was that the experience at Traditional was worse than any we had encountered during the entire data collection process.

<sup>16</sup>Officials at Training jokingly asked me if I were going "inside" Traditional. They then told me about a female psychologist who was taken inside on one occasion but she was surrounded by an "army of guards." Traditional's Deputy explained to me that no females are allowed inside the institution because most of the men had "psychiatric" problems.

<sup>17</sup>Quoted directly from the treatment questionnaire which listed the objectives of the Director of Treatment in rank-order.

<sup>18</sup>"Refusal to work" and "poor work habits" were violations noted on a number of disciplinary reports among the inmates assigned to Traditional. This appears to be related to the exigencies of institutional maintenance, particularly at large, maximum security institutions which depend heavily on inmates for these services.

<sup>19</sup>The Warden at Traditional explained that twelve years ago he ran the institution with the help of inmates who kept him informed of "rumblings" among the prisoners.

Now with so many urban inmates, he relies more on his officers to establish relationships with inmates to keep him informed.

<sup>20</sup>One administrator at Traditional was writing a letter of reprimand on one trainee on the day of our interview. He said that several officers had complained of the trainee sleeping on the job. (It was my impression that this individual was responding more to the pressure of the officers than to the trainee's infraction of the rules.) Furthermore, he explained that the two most pressing problems facing the institution involved correctional officers: 1) higher wages, 2) demands for more custody staff - (the seventeen officers had not been added at the time of the interview.

<sup>21</sup>Under the heading of Security, the following information appears in the brochure:

As a medium security institution, we rely basically on three areas to maintain security and discipline: 1) A select staff of custody and treatment people who advise, guide and counsel. 2) Double cyclone fences with guard towers placed at strategic points. 3) Small housing units so that adequate supervision is always available.

<sup>22</sup>Zald, Mayer, "The Correctional Institution for Juvenile Offenders: An Analysis of Organizational 'Character'" in L. Hazelrigg's Prison Within Society (New York: Anchor Books, 1968).

## CHAPTER V

### THE FINDINGS

#### Institutional Adjustment Outcomes

There are two major orientations in the analysis of prison adjustment: psychological and sociological. Studies in the former tradition have relied on intelligence and personality tests to determine the adjustment of inmates in the prison environment. Similar to studies in the latter tradition, this study is more concerned with the behavioral aspects of adjustment; that is, the institutional adjustment of inmates as determined by prison personnel. The importance of focusing on the institution's evaluation of adjustment lies in the fact that this information becomes an important part of each inmate's official dossier; it can be used administratively for or against the inmate by prison staff, particularly in determining eligibility for parole. Thus, the question this section seeks to answer is to what extent do adjustment ratings disadvantage one racial group as opposed to another in prison?

The adjustment of inmates in this study is based on the perceptions of various staff members (e.g. teachers, correctional officers) who have daily contact with inmates.

Their verbal and written reports are roughly summarized by counselors into an overall adjustment rating which is recorded in the Parole Eligibility Reports submitted to the parole board.

The measure of adjustment used in the following analyses was taken from data recorded in these reports. Inmates were grouped into two categories based on these entries: Well adjusted (e.g. rated as excellent or good in adjustment by counselors), and Less well adjusted (e.g. rated as fair or poor in adjustment). These are the measures that will be used to compare the adjustment outcomes of Blacks and Whites.

Previous institutional comparisons have largely been confined to the analysis of adjustment relative to social correlates such as type of offense, previous work history, and the informal inmate social structure. In contrast, this study has focused on race as a primary source of variation in the adjustment ratings of inmates. In the following analyses of adjustment outcomes, there were few statistically significant relationships found between race and adjustment ratings. However, just as statistical significance does not always indicate a meaningful relationship between variables, the lack of significance does not always indicate that a modest relationship is without some substantive interest. It is equally important to discuss those patterns that are consistent in the adjustment ratings of Blacks and Whites.

To get a true estimate of the adjustment of the Black and White populations of these institutions, a set of weights reflecting the racial composition of the three institutions under study was applied to the conditional probability of being rated well adjusted or less well adjusted by counselors, given confinement at different institutions and race.

Table 11 shows a .5 percent difference in the ratings of Blacks and Whites in this sample. This seems to imply

TABLE 11  
ADJUSTMENT BY RACE (WEIGHTED ESTIMATES)

Race	Well Adjusted	Less Well Adjusted	N*
Blacks	67.9%	32.1%	884.6
Whites	68.4	31.6	698.4
Total	68.2	31.8	1583.0

\*Based on the actual proportions of Blacks and Whites in each institution as of December 31, 1973: Rehab (N=190), Blacks (.54), Whites (.46); Training (N=638), Blacks (.48), Whites (.52); Traditional (N=756), Blacks (.63), Whites (.37). Cases with missing data on adjustment (n=134) were excluded from the analysis.

that, in general, Blacks and Whites are rated almost identically by prison counselors. Although the large amount of missing data raise some concern about the validity of these results, there is an equal amount of missing data (25 percent) for both races on adjustment. Moreover, it will be shown in the analysis of parole outcomes that the majority of inmates (of both races) with missing data on adjustment

were released from prison. This suggests that these individuals were probably considered well adjusted even though no entry to this effect was recorded in their personal files.

Before exploring racial differences within institutions, Table 12 shows the overall ratings on adjustment at the three institutions.

TABLE 12  
ADJUSTMENT BY INSTITUTION (WEIGHTED ESTIMATES)

Inst	Well Adjusted	Less Well Adjusted	N*
Rehab	62.5%	37.5%	189.6
Training	78.1	21.9	637.7
Traditional	61.1	39.7	755.7
Total	68.2	31.8	1583.0

\*Excludes 68 cases at Rehab, 35 cases at Training, and 27 cases at Traditional with missing data on adjustment or institution.

The data reveal that adjustment ratings differ by institution. Compared to the medium custody institution (Training), proportionately more inmates at the minimum (Rehab) and maximum (Traditional) custody institutions are considered less well adjusted by counselors. This is contrary to the assumption that inmates would become progressively maladjusted as one observes adjustment outcomes at institutions ranked on a treatment-custodial continuum. Furthermore, interviews with staff revealed no major differences in the philosophy and expectations of inmate adjustment among

counselors at the three institutions. Yet, in almost every analysis of this relationship, these data show that inmates at Rehab and Traditional are rated similarly on institutional adjustment. There are only two apparent similarities between Rehab and Traditional. First, inmates confined at these institutions score lower on achievement tests than inmates at Training. Second, the inmate populations at Rehab and Traditional are disproportionately Black. However, controls for these factors did not change the pattern of average adjustment ratings among institutions. Organizational structure also must be ruled out as the primary source of variation here. A highly structured institution, which controls inmates too rigidly, has about the same effect on inmate adjustment as an institution with less structure and fewer external controls.

Furthermore, the relative deprivation of freedom for inmates at Rehab may approximate that experienced by inmates at Traditional. For example, inmates at Rehab expressed a deep sense of frustration about being incarcerated, yet also being located very close to their home environment (the homes of many inmates were less than 75 miles from the institution). In addition, Rehab inmates were allowed more home furloughs which, in effect, may have increased their dissatisfaction with the prisoner role, particularly upon returning to the institution after home visits.

It might be that in both the open and closed environments of minimum and maximum custody institutions, the capacity of inmates to conform to institutional expectations is tested to a greater extent than at Training, where this pressure may be moderated by a correctional program which balances individual freedom within an environment structured for secure confinement. Furthermore, expectations are clearer and more delineated at Training, so it is not surprising that a larger proportion of the inmate population is viewed as well adjusted.

This phenomenon might also be explained by a combination of three characteristics of the medium custody institution. First, Training is the "show place" of the Department of Corrections. Living conditions and the educational program are superior at this institution compared to those at other institutions in the system. Interviews with various staff indicate that a higher status is conferred upon this institution (and the inmates assigned here) by the highest levels of administration in the Department. In addition, interviews with inmates at the three institutions revealed that Training was by far considered the most desirable institution.

Second, inmates who are academically qualified are selected for the program at Training. As noted earlier, qualification is based on the results of IQ and achievement

tests given to all inmates at the RDC. Because inmates selected for Training generally score higher on these tests, they are considered to be intellectually superior to other inmates in the system. This is reflected in the institution's emphasis on the student role of inmates: e.g. all inmates are assigned to a full (six to eight hour per day) educational program until requirements for the high school diploma are completed. Thus, there is an attempt to keep inmates academically productive which precludes idleness. In contrast, large proportions of the inmate population at Rehab and Traditional are engaged in unrewarding work or dual (work-school) assignments. Others have little or nothing to do for the better part of the day.

Third, selectivity at Training may also result from a strict disciplinary transfer policy. It was noted in Chapter IV that misconduct is handled primarily by transfers at Training, while misconduct is dealt with by withdrawal of rewards at Rehab and by means of detention and segregation at Traditional. Although one might expect that there would be more or about the same rate of disciplinary transfers at Rehab and Training, transfers are, in fact, contrary to the ideology at the minimum custody institution. Moreover, officials revealed in interviews that there are more disciplinary transfers from Training because rule infractions are more detectable at this institution. For example, Rehab officials

know that inmates possess contraband (e.g. drugs, liquor) because the institution is open and rules are less rigid than at other institutions. Thus, inmates are able to conceal illicit items in wooded areas on the grounds or in their cabins without being apprehended. At Training, inmates have virtually no opportunity to conceal contraband in their rooms, nor on the well monitored grounds. Therefore, Training inmates are more likely to be apprehended when infractions occur.

Transfers are also used as a means of social control at Training. Several counselors mentioned that one method of controlling inmate behavior was for staff to threaten to transfer uncooperative inmates to Traditional. Moreover, statements in school records suggest that teaching staff may encourage the transfer of inmates who are uncooperative and who are also experiencing academic difficulty. The rationale for such transfers is that other institutions with work-related programs would be more suitable for the inmate. This process may have the effect of screening out individuals who do not conform, while retaining those who do conform to institutional expectations.

It can be speculated that the net effect of this secondary screening process, combined with a stimulating educational program and the notion of being confined at the "best" facility in the state, could interact to produce the comparative adjustment differences shown between Training and the other institutions.

In Table 13, racial comparisons of adjustment are made for the populations at each institution.

TABLE 13  
ADJUSTMENT BY RACE AND INSTITUTION

Institution	Race	Well Adjusted	Less Well Adjusted	N*
<u>Rehab</u> $X^2 = 1.3$ $p = .26$	Black	67.2%	32.8%	64
	White	56.9	43.1	51
<u>Training</u> $X^2 = .18$ $p = .67$	Black	76.6	23.4	64
	White	79.5	20.5	78
<u>Traditional</u> $X^2 = .22$ $p = .64$	Black	62.5	37.5	88
	White	58.8	41.2	68

\*Excludes 68 cases at Rehab, 35 cases at Training and 27 cases at Traditional with missing data on adjustment.

The first thing that is noticeable in this table is that the earlier pattern (in Table 12) is repeated in the differences between institutions for each race: Rehab and Traditional inmates are rated similarly and both are rated lower on adjustment than Training inmates. Second, while adjustment differences between races are small, at Rehab and Traditional proportionally more Blacks than Whites appear to conform to institutional expectations of adjustment. In contrast, at Training, both races appear to be better adjusted than their counterparts at the other institutions and relatively more Whites than Blacks are rated well adjusted.

### Misconduct Reports

An obvious correlate of adjustment is the number of misconduct reports ("write ups," "tickets") that are accrued by inmates during incarceration. A large number of inmates (141) in this sample had no reports of misconduct in their files. Of the 272 inmates who had accumulated disciplinary reports, the majority (147) had one or two "write ups" issued during the time they served in prison. The remaining 125 inmates had received three or more misconduct reports.

Table 14 shows that except for Rehab, the number of misconduct reports appear to be clearly related to adjustment ratings within institutions. However, it is important to note that misconduct behavior is more than likely incorporated into adjustment ratings. If this is the case, then we may be examining a tautological relation between these variables, particularly at Training and Traditional. There is no reasonable explanation for the peculiar results at Rehab, except that inmates at this institution were often written up for trivial offenses such as "wasting food" or "in shower too early." Minor infractions of this sort were not apparent in the disciplinary reports at the other institutions. Since adjustment ratings to some extent influence parole decisions (see Table 42), perhaps counselors do not consider such trivial offenses as important to the adjustment of prisoners at Rehab.

TABLE 14

## ADJUSTMENT BY NUMBER OF MISCONDUCT REPORTS, RACE AND INSTITUTION

<u>Inst/Race/Number of Reports</u>	<u>Well Adjusted</u>	<u>Less Well Adjusted</u>	<u>N*</u>	<u><math>\chi^2</math></u>	<u>p</u>
REHAB					
<u>Blacks</u>					
0	62.5%	37.5%	16	.65	>.5
1-2	72.4	27.6	29		
3 or more	63.2	36.8	19		
Total	67.2	32.8	64		
<u>Whites</u>					
0	52.3	47.7	21	.51	>.5
1-2	63.2	36.8	19		
3 or more	54.5	45.5	11		
Total	56.9	43.1	51		
TRAINING					
<u>Blacks</u>					
0	96.9	3.1	33	16.7	<.01
1-2	61.1	38.9	18		
3 or more	46.2	53.8	13		
Total	76.6	23.4	64		
<u>Whites</u>					
0	90.2	9.8	41	7.19	<.05
1-2	71.4	28.6	28		
3 or more	55.5	44.4	9		
Total	79.5	20.5	78		

TABLE 14--Continued

<u>Inst/Race/Number of Reports</u>	<u>Well Adjusted</u>	<u>Less Well Adjusted</u>	<u>N*</u>	<u>X<sup>2</sup></u>	<u>p</u>
TRADITIONAL					
<u>Blacks</u>					
0	91.6%	8.4%	12	17.06	<.01
1-2	84.6	15.4	26		
3 or more	44.0	56.0	50		
Total	62.5	37.5	88		
<u>Whites</u>					
0	88.8	11.2	18	10.49	<.01
1-2	55.6	44.4	27		
3 or more	39.1	60.9	23		
Total	58.8	41.2	68		

\*Excludes 134 cases with missing data on adjustment.

Table 15 compares the races within institutions and is merely a re-arrangement of Table 14. Again, the results

TABLE 15  
PERCENT WELL ADJUSTED BY RACE, INSTITUTION  
AND NUMBER OF MISCONDUCT REPORTS

Inst/Race	Number of Misconduct Reports				N*
	None	1-2	3 or more	Total	
REHAB					
Black	62.5% (10)	72.4% (21)	63.2% (21)	67.2% (43)	64
White	52.3 (11)	63.2 (12)	54.5 ( 6)	56.9 (29)	51
TRAINING					
Black	96.9 (32)	61.1 (11)	46.2 ( 6)	76.6 (49)	64
White	90.2 (37)	71.4 (20)	55.5 ( 5)	79.5 (62)	78
TRADITIONAL					
Black	91.6 (11)	84.6 (22)	44.0 (22)	62.5 (55)	88
White	88.8 (16)	55.6 (15)	39.1 ( 9)	58.8 (40)	68

\*Excludes 134 cases with missing data on adjustment/misconduct reports.

are peculiar at Rehab but the pattern is the same for both races: the difference between the proportions of Whites and Blacks rated well adjusted is the same at every level of misconduct. At the other institutions, the response of adjustment ratings to misconduct is monotonic: e.g. the percent well adjusted declines as the number of misconduct reports increase for both races.

At Training, differences between the races are not consistent with the expectation that more Whites than Blacks would be rated well adjusted at each level of misconduct,

since over all, more Whites are rated well at this institution. Instead, Blacks appear to be slightly better adjusted than Whites among inmates with no misconduct reports in their files.

The relation between write-ups and adjustment differs for the races at Traditional. For White inmates, the first and second misconduct reports have a large effect and the third and subsequent reports have a small affect on adjustment. In contrast, the first and second misconduct reports have a small effect on the adjustment of Blacks, while three or more reports have a greater effect on their adjustment.

These data suggest that the higher rate of inmates rated well adjusted at Training compared to the other institutions may be due to the lower level of misconduct reports accrued by inmates at this institution (see Table IV in the Appendix). Since, it was noted that Training transfers more inmates than the other facilities, the difference in the adjustment ratings between the races may be related to this screening-out process. One staff member said that the reason more Blacks were not confined at Training was because Blacks were transferred out at a higher rate than Whites on misconduct charges (many which were considered to be "trumped up" or trivial by this informant). It is not clear from these data whether Blacks break more rules or whether for the same level of misconduct, Blacks are more likely than Whites to be transferred out. When asked about the differential rate of

misconduct accrued by the two racial groups, one high level official at the institution stated that the rate at which Blacks receive misconduct reports is much higher than the rate for Whites. These data do not permit a resolution of the question of whether the higher rate of misconduct is due to the racism of personnel or to the assumption that Blacks misbehave more than Whites in prison; this is a concern for further research.

#### Prior Juvenile History and Prior School Adjustment

Two background characteristics are considered to be important in the adjustment of first offenders in adult institutions: the juvenile correctional history of inmates and their previous adjustment in school (as determined from primary and secondary school records). These variables are clearly more independent from adjustment than those previously examined, and are considered by officials at these institutions to have predictive value for the adjustment of inmates to prison and for their appropriate placement in programs at the institutions.

Wolfgang<sup>1</sup> reasoned that the prior experience of adjusting to the institutional routine of living and associating with other inmates might aid the inmates adjustment to a similar subsequent experience. His findings for a small sample of serious offenders (44 murderers) with prior penal experience confirmed this hypothesis. Wolfgang's hypothesis

may also apply to first offenders with prior juvenile records.

Table 16 shows that the proportion of Whites with juvenile records increases with the severity of custody, as one would expect, however there is no relation for Blacks.

TABLE 16

#### PRIOR JUVENILE HISTORY BY RACE AND INSTITUTION

Inst/Race	No Prior History	Prior History	N*
REHAB			
Black	64.0%	36.0%	100
White	68.8	31.2	77
	$\chi^2 = 45 \text{ p} = .50$		
TRAINING			
Black	71.8	28.2	78
White	63.5	36.5	96
	$\chi^2 = 1.3 \text{ p} = .25$		
TRADITIONAL			
Black	70.5	29.5	95
White	56.8	43.2	81
	$\chi^2 = 3.6 \text{ p} = .05$		

\*Excludes 20 cases with MD on prior Juvenile history.

In Table 17, there is a clear relation between prior confinement and adjustment for White inmates: those with no prior record of confinement are better adjusted than those with prior juvenile confinement.

There are two patterns of effect of prior juvenile confinement on adjustment ratings that emerge in Table 17. First, there is no support for Wolfgang's conclusion that prior institutional experience facilitates adjustment: e.g.

TABLE 17  
 PERCENT WELL-ADJUSTED BY INSTITUTION, RACE,  
 AND JUVENILE HISTORY

Institution and Juvenile History	<u>Percent Well-adjusted</u>		<u>Bases for Percentages*</u>	
	Blacks	Whites	Blacks	Whites
REHAB				
No record	65.9	68.8	41	32
Prior history	68.2	43.8	22	16
TRAINING				
No record	76.2	84.3	42	51
Prior history	80.0	70.4	20	27
TRADITIONAL				
No record	66.7	71.1	57	38
Prior history	56.0	44.8	25	29

\*Excludes 71 cases at Rehab, 39 cases at Training and 35 cases at Traditional with missing data on adjustment or juvenile history.

only among Blacks at Rehab and Training are those with penal experience as juveniles, more likely to be well adjusted than those without and these differences are not significant (one-tailed test); in the remaining intra-race, intra-institutional comparisons, those without prior experience are significantly more likely to be rated well adjusted than those with experience. A plausible explanation for the difference between these results and Wolfgang's is suggested by Street<sup>2</sup> who contends that there are basic differences between juvenile and adult correctional organizations. One important difference relevant for this finding is that the length of stay is relatively shorter in juvenile institutions than in adult institutions. This shorter period of confinement may preclude acclimation to institutional living for juveniles, thus having less effect on their later adjustment in adult correctional agencies.

Second, in every case juvenile history makes more difference for the adjustment of Whites than Blacks. Therefore, in addition to institutional differences, there is an effect of prior history for Whites, but not for Blacks. The differential handling of Black and White youths may partially explain these results. Studies of delinquents<sup>3</sup> have shown that Black and White youths are treated similarly for serious offenses, however the disposition of minor offenses is handled quite differently for the races. Blacks youths are more often stopped and questioned by police, are younger at the time of

their first appearance in court and detention, and are more often referred to court for less serious offenses than Whites. This indiscriminant handling of Black youths results in larger proportions of the Black population who are socialized into institutions and who share this experience with other Blacks in the community. Thus, one would expect less variation among Blacks than Whites with different juvenile backgrounds since Blacks have access to a larger pool of information about how correctional systems operate prior to a first conviction to prison.

The effect of the second background variable, prior school adjustment, is shown in Table 18. The data clearly show that prior school adjustment makes more difference for the adjustment ratings of Whites than for Blacks in adult institutions. For example, within-race comparisons show that differences between Blacks with varying reports of school adjustment range from 1.4 percent at Rehab to 15.1 percent at Traditional. Differences between similar groups of Whites range from 19.7 to 42.0 percent at Training and Rehab, respectively.

When one compares Blacks and Whites (by re-arranging the table), there are no important differences in the adjustment ratings of those inmates who were previously considered well adjusted by school officials. Among inmates who were behavior problems, Blacks are more often rated well adjusted

TABLE 18  
ADJUSTMENT BY SCHOOL ADJUSTMENT, RACE,  
AND INSTITUTION

Inst/Race/School Adj.	Well Adjusted	Not Well Adjusted	N*
<b>REHAB</b>			
<u>Blacks</u>			
School adj. good	62.5%	37.5%	24
School adj. poor	61.1	38.9	18
$X^2 = .08$ p = .92 (Fisher's Exact = .58)			
<u>Whites</u>			
School adj. good	70.6	29.4	17
School adj. poor	28.6	71.4	14
$X^2 = 5.4$ p = .02 (Fisher's Exact = .02)			
<b>TRAINING</b>			
<u>Blacks</u>			
School adj. good	73.3	26.7	30
School adj. poor	68.8	31.2	16
$X^2 = .10$ Fisher's Exact = .49			
<u>Whites</u>			
School adj. good	83.3	16.7	30
School adj. poor	63.6	36.4	22
$X^2 = 2.6$ Fisher's Exact = .09			
<b>TRADITIONAL</b>			
<u>Blacks</u>			
School adj. good	64.5	35.5	31
School adj. poor	69.6	30.4	23
$X^2 = 1.5$ Fisher's Exact = .46			
<u>Whites</u>			
School adj. good	73.9	26.1	23
School adj. poor	42.9	57.1	14
$X^2 = 3.6$ Fisher's Exact = .06			

\*Excludes 285 cases with missing data on adjustment and/or school adjustment.

in prison than Whites. While the pattern of the relation is similar at Training, differences are larger at Rehab (32.5 percent) and Traditional (26.7 percent). However, none of the relations are significant.

Both "school adjustment" and "prior juvenile history" have revealed peculiar differences in their effect on Black and White adjustment. As noted earlier these variables most likely do not describe the behavior of Blacks and Whites in the same terms. One might conclude that they are not valid descriptions of the biographies of inmates with different empirical referents for the two races. Thus, White inmates with unfavorable records of school adjustment appear to manifest similar patterns of behavior as adults, while the indiscriminate reporting of school adjustment for Blacks is a meaningless predictor for adult adjustment.

Previous studies have considered two additional variables as important to the adjustment of inmates: time served in prison and family contact.<sup>4</sup> Because we lacked sufficient cases that indicated the inmate's adjustment at the time of entry into these institutions (and at other points in time during incarceration), valid inferences could not be made from these data about temporal shifts in adjustment. Furthermore, while both variables had large amounts of missing data, over fifty percent of the data are missing on the family contact variable at each institution (see Table III in Appendix). These deficiencies, in addition to the considerable amount

of missing data on adjustment precluded a productive analysis of the relation between these variables and adjustment in this study.

A final examination of adjustment differences was made using multiple classification analysis. Tables 19 and 20 show that with the exception of misconduct reports, adjustment ratings are not strongly related to any of variables examined in this investigation. This is true for both definitions of adjustment shown in the table. Moreover, we attempted to determine what the expected outcomes of Blacks would be if Black and White adjustment is assessed in exactly the same way. Table 21 reveals that, given the characteristics examined, we would expect more Whites than Blacks to be rated well adjusted--exactly 7.9 percent more Whites (51.9-44.0 percent). However, the effect of race on adjustment results in about equal proportions of both races being rated well adjusted by counselors. Thus, there is little evidence from these data that counselors rate inmates differentially on the basis of race. If anything, it appears that they rate Blacks better adjusted than Whites in prison.

#### Summary

It appears from these data that there is little support for the proposition that race is associated with the adjustment ratings of first offenders in prison. However, there are differences in the average adjustment ratings at various

TABLE 19

PERCENT WELL ADJUSTED BY SELECTED INDEPENDENT  
VARIABLES, USING MULTIPLE CLASSIFICATION ANALYSIS

Independent Variables	Definition A*			Definition B*			
	Mean	Adjusted Mean	N	Mean	Adjusted Mean	N	
Institution:	Rehab.	43.4%	39.2%	143	64.6%	60.7%	96
	Training	62.6	59.9	139	79.8	74.7	109
	Traditional	49.3	55.7	150	57.8	65.2	128
School Adj.:	No report	50.3%	51.1%	195	68.5%	67.4%	143
	Good	54.9	53.0	142	69.0	69.6	113
	Poor	49.5	50.5	95	61.0	60.9	77
Juvenile History:	N.A.	**	**	6	**	**	5
	None	54.4%	54.1%	283	71.3%	70.8%	216
	Some	47.5	48.4	143	60.7	62.1	112
Type of Offense:	Least serious	**	**	11	**	**	7
	Moderate	51.7%	52.5%	292	67.7%	68.3%	223
	Most serious	51.2	49.7	129	64.1	63.8	103
Time Served:	1-18 Months	52.6%	54.9%	285	66.7%	69.8%	225
	19-36 Months	49.7	45.2	147	67.6	63.4	108
Misconduct:	None	58.4%	60.9%	149	80.6%	81.5%	108
	1-2	57.6	57.9	151	75.0	74.4	116
	3-4	50.8	51.2	63	60.4	62.5	53
	5-6	28.1	22.4	32	34.6	31.7	26
	7+	21.6	14.6	37	26.7	24.4	30

TABLE 19--Continued

Independent Variables	Definition A*			Definition B*		
	Mean	Adjusted Mean	N	Mean	Adjusted Mean	N
Race: Black	51.3%	55.0%	224	65.3%	70.2%	176
White	51.9	48.0	208	68.7	63.4	157
Total	51.6%	51.6%	432	67.0%	67.0%	333

Note: This table is based on the 432 cases having data on parole outcome and total time in prison, but excluding 10 cases who served more than 36 months in prison.

\*Definition A: Well Adjusted is that fraction of all 432 prisoners (including 99 who are not rated) who are rated "well adjusted."

Definition B: Well Adjusted = well adjusted/(well adjusted + poorly adjusted).

\*\*Too few cases.

TABLE 20

PERCENT WELL ADJUSTED\* BY RACE BY SELECTED INDEPENDENT  
VARIABLES, USING MULTIPLE CLASSIFICATION ANALYSIS

Independent Variables	Black			White			
	Mean	Adjusted Mean	N	Mean	Adjusted Mean	N	
Institution:	Rehab.	67.3%	63.6%	55	61.0%	57.0%	41
	Training	75.5	68.1	49	83.3	79.1	60
	Traditional	56.9	64.6	72	58.9	66.4	56
School Adj.:	No report	69.4%	71.3%	72	67.6%	70.6%	71
	Good	61.7	61.0	60	77.4	73.2	53
	Poor	63.6	61.4	44	57.6	57.8	33
Juvenile History:	N.A.	**	**	3	**	**	2
	None	67.5%	66.3%	117	75.8%	76.0%	99
	Some	62.5	65.4	56	58.9	58.7	56
Type of Offense:	Least serious	**	**	5	**	**	2
	Moderate	67.5%	68.7%	117	67.9%	66.9%	106
	Most serious	59.3	58.4	54	69.4	71.7	49
Time Served:	1-18 months	66.7%	71.1%	120	66.7%	68.6%	105
	19-36 months	62.5	52.8	56	73.1	69.3	52
Misconduct:	None	84.4%	86.1%	45	77.8%	77.6%	63
	1-2	78.0	79.5	59	71.9	70.8	57
	3-4	58.6	60.5	29	62.5	62.7	24
	5-6	33.3	26.9	18			
	7+	32.0	27.7	25	{23.1	28.6	13

TABLE 20--Continued

Independent Variables	Black			White		
	Mean	Adjusted Mean	N	Mean	Adjusted Mean	N
Total	65.3%	65.3%	176	68.8%	68.8%	157

Note: This table is based on the 333 cases having data on parole outcome and total time in prison, but excluding 10 cases who served more than 36 months in prison and 99 cases who were not rated on institutional adjustment.

\*Definition B used; well adjusted/(well adjusted + poorly adjusted).

\*\*Too few cases.

TABLE 21

EXPECTED VS. ACTUAL PROPORTIONS RATED WELL ADJUSTED BY RACE,  
STANDARDIZED FOR SELECTED CHARACTERISTICS OF INMATES\*

Race and Expected vs. Actual Adjustment Probability	Definition A**	Definition B**
	Percent Well Adjusted	Percent Well Adjusted
<u>Blacks</u>		
Expected	44.0%	58.1%
Actual	51.3	65.3
<u>Whites</u>		
Expected	51.9	68.8
Actual	51.9	68.8

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Note: This table is based on the 432 cases having data on parole outcome and total time in prison, but excluding 10 cases who served more than 36 months in prison.

\*These proportions are based on the selected characteristics in Table 20.

\*\*For definition A and B see Table 19.

institutions and in the relation between adjustment and other variables for Blacks and Whites within these institutions.

In general, inmates at the medium custody institution are rated well adjusted at a higher rate than inmates at the minimum and maximum custody institutions, but differences are small and not always consistent.

There are weak tendencies in the data suggesting that more Blacks than Whites are rated well adjusted at the minimum and maximum custody institutions, while more Whites than Blacks are rated well adjusted at the medium custody institution. These patterns must be considered with caution by the reader due to the large amounts of missing data on adjustment and because for the most part, differences are non-significant.

The study was able to shed a bit of light on the type of inmates that adjust to prison. For White inmates, previous experiences in juvenile institutions appear to be detrimental to adjustment to prison, while for Black inmates prior juvenile confinement makes little difference in adjustment: they are as well adjusted as Whites with no prior record. Similarly, Whites who are labelled poorly adjusted in public school are less likely to be rated well adjusted in prison than are Whites who are labelled well adjusted in school. There is no relation for Blacks, whose prison adjustment levels decline slightly below those of Whites who are well adjusted in public school.

Whatever the social processes that subsume school adjustment and juvenile records, they are less discriminating for Blacks than they are for Whites. White inmates with unfavorable juvenile biographies (as reported in records) continue as adults to display maladaptive behavior, while any Black is as likely to get an unfavorable juvenile record (or reported maladjustment in school) as any other Black, whether or not the individual is in fact maladjusted. Thus the presence of an unfavorable juvenile biographical record is less predictive of future behavior for Blacks in prison. It is very likely that these results reflect earlier socialization of Blacks to institutions.

There is a strong relation between misconduct reports and adjustment ratings at the medium and maximum custody institutions, and it is similar for the races at each institution: the more misconduct reports accrued, the less likely one is rated well adjusted. There is no relation between misconduct and adjustment for either race at the minimum custody institution. This may be explained by the trivial offenses for which misconduct reports are written at this institution.

With the exception of misconduct reports, multiple classification analysis indicates that adjustment ratings are not strongly related to any of the variables examined in this investigation. Therefore, to the extent that further

decisions are based on adjustment, they will not be a reflection of those variables examined in the foregoing analysis.

#### Parole Recommendation Outcomes

The recommendations of prison counselors are said to play an important role in the outcomes of the parole review process. Prior to all parole hearings, counselors in this state prepare a Parole Eligibility Report (PER) which summarizes the institution's evaluation of the correctional progress of each inmate from information in the inmate's personal record. A recommendation is generally included in the PER which is submitted to the parole board. Most recommendations fall into the following categories: highly recommended; recommended; and not recommended for parole. Occasionally, counselors do not submit a recommendation to the board. It is not certain whether these omissions are intentional or an oversight by counselors. However, it is certain that these omissions are not due to clerical errors in the recording process.

Because only a small proportion of the inmates in this sample were highly recommended for parole, these inmates were combined with inmates who were "recommended" into a single category for analysis purposes. Thus, in the following analyses, parole recommendations are represented by the following categories; parole; no recommendation; and no parole.

Information from the PERs and interviews with staff indicated that different parole recommendations resulted from a combination of factors: general adjustment (to include adjustment to peers, staff, and institutional regulations); type of offense; progress in school; work habits; and participation in self-help programs (e.g. Alcoholics Anonymous). In addition, information in the PERs indicate that counselors often relied on the background history recorded in each inmate's file in order to make an overall judgement about the inmate's character.

This suggests that background characteristics may also be important in justifying or arriving at recommendations that are submitted to the parole board. Unfortunately, the unsystematic recording and questionable validity of school, work, and activities data preclude the use of these factors in the analysis of parole recommendations. Usually, such factors have some influence on counselor recommendations. However, the counselors at these institutions indicate that they are aware that discrepant or manipulated data can easily be entered into an inmate's record, and therefore, most decisions are based on the counselor's knowledge of an inmate's progress and/or staff reports in the file. Thus, it is not believed that the exclusion of these factors cast disparagement on the findings since they apparently have little or no impact on counselors' decisions in this study. Furthermore, consistencies in the data do support certain conclusions

about the relationship between race and parole recommendations. One of these is that differences in race produce differences in the parole recommendations for inmates.

Table 22 presents the weighted distributions of parole recommendations for both races in the first Parole Eligibility

TABLE 22  
PAROLE RECOMMENDATION BY RACE (WEIGHTED ESTIMATES)

Race	Not Recommended	No Recommendation	Recommended	N*
Black	22.8%	10.6%	66.9%	884.6
White	15.6	4.9	79.5	698.4
Total	19.2	8.2	72.4	1583.0

\*Excludes 42 cases with missing data on parole recommendation.

Report (PER). These estimates are based on the actual racial composition of these institutions (see Table 11).

The results show that more Blacks are recommended for no parole or given no recommendation, while more Whites are recommended for parole by counselors. However, these differences may reflect variations in the recommendation practices of counselors or institutions. The utilization of sanction structures, which vary according to correctional ideologies, may result in different probabilities for parole at different institutions. Table 23 reveals counselors' recommendations at these institutions.

The findings reveal that the greatest proportion of inmates are not recommended (or given no recommendation) at

Traditional, followed by Training and Rehab; the direction is reversed for inmates who are recommended. The latter finding is consistent with the notion that the organizational response to parole eligibility would follow the rehabilitative custodial continuum (e.g. Traditional (custodial) and Rehab (treatment) approximating the extreme poles on the continuum).

TABLE 23  
PAROLE RECOMMENDATIONS BY INSTITUTION  
(WEIGHTED ESTIMATES)

Inst.	No Parole	No Rec.	Parole	N*
Rehab	13.9%	2.9%	83.2%	189.6
Training	18.5	7.6	73.9	637.7
Traditional	21.8	9.9	68.3	755.7

\*Excludes 42 cases with missing data on parole recommendation.

Even though parole eligibility is, in theory, a rehabilitative decision,<sup>5</sup> research has found that parole eligibility may be manipulated by custody staff as a control sanction, particularly in custodial institutions.<sup>6</sup>

Table 24 shows how the parole recommendations of Blacks and Whites are distributed at the institutions. More White inmates are not recommended at Training than at either Rehab or Traditional. The same U-shaped pattern is manifested when Black and White recommendations are compared. More Blacks than Whites are recommended for no parole at Rehab and

Traditional, while more Whites are recommended for no parole at Training. However, the data also show that more Whites are recommended for parole at all institutions, but only at Traditional are the differences likely not a sampling error.

TABLE 24

## PAROLE RECOMMENDATION BY RACE AND INSTITUTION

Institution	Race	No Parole	No Recom- mendation	Parole	N*
REHAB	Black	14.4%	3.1%	82.5%	97
	White	11.8	2.6	85.5	76
$X^2 = .29$ $p = .86$					
TRAINING	Black	17.8	11.0	71.2	73
	White	19.1	4.5	76.4	89
$X^2 = 2.4$ $p = .29$					
TRADITIONAL	Black	27.2	12.0	60.9	92
	White	12.8	6.4	80.8	78
$X^2 = 8.0$ $p = .02$					

\*Excludes 12 Rehab cases, 16 Training cases, and 14 cases from Traditional with missing data on parole recommendation.

The Effect of Adjustment

In the preceding section, it was found that there was no significant difference between the adjustment ratings of Blacks and Whites. Since institutional adjustment ratings partially determine parole recommendations, differences in counselors' recommendations should reflect the differences observed in institutional adjustment.

Except for the maladjusted category, Table 25 shows that there is little difference in the recommendations for the races at Rehab. At Training, there is a relation between adjustment and recommendation for Blacks and a somewhat weaker relation for Whites, although the case bases makes these relations nonsignificant. However, the nature of the relations is such that while well adjusted Blacks and Whites are recommended at about the same rate, maladjusted Whites are more likely to be recommended than maladjusted Blacks. Thus, there is a slight overall advantage of Whites over Blacks with respect to recommendations at this institution. At Traditional, we again find a strong relation between adjustment and recommendation for Blacks than for Whites. In addition, Whites are more likely to be recommended regardless of their adjustment. At this institution, there is a marked difference between the overall chances of Whites and Blacks to receive a recommendation for parole.

These findings do not coincide with the notion that differences in adjustment would produce similar differences in counselors' recommendations, particularly among maladjusted inmates. It now appears that as counselors are required to make important decisions about an inmate's actual release from custody, they are more likely to judge Blacks unfavorably compared to Whites. Thus, one wonders if institutional adjustment ratings represent an objective assessment of the inmate's adjustment or whether they represent haphazard record keeping by counselors. Moreover, these findings raise

TABLE 25

## PAROLE RECOMMENDATION BY ADJUSTMENT, RACE, AND INSTITUTION

Inst/Race/Adjustment	No Parole	No Recommendations	Parole	N*	X <sup>2</sup>	p
REHAB						
<u>Blacks</u>						
Well Adjusted	17.1%	2.4%	80.5%	41	.32	>.05
Less Well Adjusted	14.3	4.8	81.0	21		
Total	16.2	3.2	80.6	62		
<u>Whites</u>						
Well Adjusted	14.8	--	85.2	27	2.5	>.05
Less Well Adjusted	4.5	4.5	90.2	22		
Total	10.2	2.0	87.8	49		
TRAINING						
<u>Blacks</u>						
Well Adjusted	10.9	8.5	80.9	47	9.9	<.01
Less Well Adjusted	46.2	15.4	38.5	13		
Total	18.3	10.0	71.7	60		
<u>Whites</u>						
Well Adjusted	16.7	3.3	80.0	60	4.8	>.05
Less Well Adjusted	41.7	8.3	50.0	12		
Total	20.5	4.5	75.0	72		
TRADITIONAL						
<u>Blacks</u>						
Well Adjusted	15.4	13.5	71.2	52	10.7	<.01
Less Well Adjusted	50.0	7.1	42.9	28		
Total	30.4	11.3	58.3	80		

TABLE 25--Continued

Inst/Race/Adjustment	No Parole	No Recommendations	Parole	N*	$\chi^2$	p
<u>Whites</u>						
Well Adjusted	13.5%	2.7%	83.8%	37	3.5	>.05
Less Well Adjusted	7.4	14.8	77.8	27		
Total	10.9	7.8	81.3	64		

\*Excludes 72 cases at Rehab, 39 cases at Training and 37 cases at Traditional with missing data on adjustment/parole recommendation.

the question of whether certain aspects of the inmates character are emphasized at "PER" time, depending on how well the inmate has "shaped up" by the time his case comes up for parole review. Since the measure of adjustment used in this analysis comes primarily from the PERs submitted to the parole board, it seems that Blacks are more severely penalized than Whites who are maladjusted at Traditional.

The complexity of the relationship between race and recommendations at Training appears to be related to the difference between the races in the "no recommendation" category as shown in Table 25. It appears that Training's counselors write fewer definite recommendations for Black inmates in the PERs than for White inmates. This same table shows that the proportions of inmates with no definite recommendation for parole increases as custody increases for both races, although disproportionately for Black inmates.

The differences between institutions might be explained by the inmate-counselor ratios at these institutions. Compared to Rehab, the inmate-counselor ratios are much higher at Training and Traditional. The exigencies at these institutions result in more paper processing activity per counselor, and less contact between inmates and counselors. Consequently, counselors may often be required to write PERs for inmates whom they scarcely know. Statements such as "I haven't met this resident" or "I've only seen this man once" appear more frequently in the PERs from Training and Traditional than

in reports from Rehab. (These comments are in addition to the fact that the counselor may write "no recommendation" as his best advice to the parole board.) Furthermore, at Training and Traditional, the data suggest that counselors are less familiar with Black inmates than with White inmates.

#### Type of Offense

It is asserted by Hayner and others<sup>7</sup> that public reaction towards paroling serious offenders (e.g. murderers, sex offenders) is harsh in comparison to the reaction toward offenders convicted of property crimes. However, there are indications from the literature that there may not be a monotonic relation between type of offense and the recommendations submitted by counselors.

Counselors are aware of research findings and correctional statistics which show that property offenders are more likely than serious offenders to violate parole.<sup>8</sup> Moreover, there is evidence that therapeutic and vocational programs, which are designed to prepare inmates for parole success, are more problematic to implement among property offenders than among serious offenders convicted of situational crimes (e.g. the "one-time loser"). Gibbons<sup>9</sup> notes that serious offenders convicted of situational crimes have less pronounced antisocial attitudes, while property offenders (which he calls the "semiprofessionals") exhibit more pronounced antisocial attitudes. Such attitudes include... "hostile views of the police, anti-treatment views, antipathy

toward conventional work roles...<sup>10</sup> all which countervail the treatment process and are contraindications of parole success. Statements in the brochures of the institutions note that the objectives of correctional treatment is to see that inmates achieve some growth and leave better equipped to meet their responsibilities as good citizens. Counseling and educational services are important components of the process seen as necessary for the attainment of these objectives. However, Gibbons maintains that the inmate social system is organized in such a fashion to exert pressure on inmates to exhibit antisocial attitudes, particularly in custodial institutions. Differences by offender type may also be due to the fact that property offenders often do not serve sufficient time to complete academic-vocational programs before their first eligibility date. Thus, counselors may recommend no parole, even if they have been cooperative with staff.

If Gibbons' assertions about property offenders are correct, then one might expect fewer property than serious offenders to be among those recommended for parole on the minimum term of sentence. Moreover, we would expect fewer property offenders to be recommended at Traditional (the most custodial institution) than at Training (which has some treatment objectives along with custodial requirements).

Differences may also be related to race. Property offenders generally come from lower-income urban slum areas

which provide a crucible for attitude-formations that are divergent from the White middle-class norm in society. A higher proportion of the Black population than the White population in these institutions come from such areas, and for the most part, are the "urban inmates" officials label as recalcitrant and intractable in the institutions. In addition, research findings<sup>11</sup> suggest that the unique values and norms of Black urban residents are more divergent from society's norms than those of White urban residents. Particularly in the realm of law enforcement and the administration of justice, discriminatory practices have resulted in negative attitudes among racial minorities toward such institutions.<sup>12</sup> If these attitudes are perpetuated in the institutional environment, there is a probability that fewer Blacks than Whites will be recommended for parole by counselors.

Table 26 presents the distribution of counselors recommendations by offense category and race for each institution. Although all offense categories are represented, the focus of the discussion which follows will be on the results of those convicted of property and serious crimes, since few least serious offenders appear in the sample.

As expected, the results in Table 26 do not show a monotonic relation between the probability of being recommended for parole and the seriousness of the inmate's offense. Only at one institution and among one race are

TABLE 26

PAROLE RECOMMENDATIONS BY TYPE OF OFFENSE, RACE,  
AND INSTITUTION

Race	Institution and Offense Type	No Parole	No Rec.	Parole	N*	X <sup>2</sup>	p
REHAB							
BLACKS	Least Ser.	40.0%	-0-%	60.0%	6	3.3	.50
	Mod. Serious	11.3	3.2	85.5	62		
	Serious	16.7	3.3	80.0	30		
	Total	14.4	3.1	82.5	97		
WHITES	Least Ser.	16.7	-0-	83.3	6	2.2	.69
	Mod. Serious	13.3	3.3	83.3	60		
	Serious	-0-	-0-	100.0	10		
	Total	11.8	2.6	85.5	76		
TRAINING							
BLACKS	Least Ser.	16.7	-0-	83.3	6	4.0	.39
	Mod. Serious	25.0	12.5	62.5	32		
	Serious	8.8	11.8	79.4	34		
	Total	16.7	11.1	72.2	72		
WHITES	Least Ser.	35.7	-0-	64.3	14	9.1	.05
	Mod. Serious	21.2	7.7	71.2	52		
	Serious	4.3	-0-	95.7	23		
	Total	19.1	4.5	76.4	89		
TRADITIONAL							
BLACKS	Least Ser.	-0-	20.0	80.0	5	2.6	.61
	Mod. Serious	30.2	14.0	55.8	43		
	Serious	27.9	9.3	62.8	43		
	Total	27.5	12.1	60.4	91		
WHITES	Least Ser.	8.3	-0-	91.7	12	4.9	.78
	Mod. Serious	11.5	8.2	80.3	61		
	Serious	8.3	-0-	91.7	12		
	Total	12.8	6.4	80.8			

\*Excludes 41 cases with missing data on parole recommendation/type of offense.

property offenders more likely than serious offenders to be recommended for parole--Blacks at Rehab. For all other groups and institutions, inmates convicted of crimes against persons are more likely to be recommended. This appears to support the notion that additional time needed for treatment and academic-vocational training might preclude a first release for property offenders and would be reflected in counselors' recommendations for parole.

Table 27 shows that at Training and Traditional, Whites convicted of property crimes are more likely to be recommended than Blacks convicted of the same offense ( $p = .02$  at Traditional). Since in both cases the seriousness of the offense makes more difference for Whites than for Blacks, the advantage of Whites over Blacks convicted of serious crimes is greater. Moreover, since Table III (in the Appendix) shows that about forty percent of all Blacks in these institutions were convicted of serious crimes, this proportion of the Black inmate population experiences what appears to be differential treatment by race among offenders of the same degree of seriousness.

Whether or not this is a demonstration of racism, it is clearly a basis for the perception of racism to the extent that these offense categories form a basis of comparison among racial groups that are disparate. In addition, the results suggest that counselors perceive a greater need for resocialization among Blacks at these institutions than among

Whites before they are returned to society.

TABLE 27  
PAROLE RECOMMENDATION BY RACE, INSTITUTION,  
AND TYPE OF OFFENSE

Inst/Race	No Parole	No Rec.	Parole	N*	X <sup>2</sup>	p
<u>SERIOUS OFFENDERS</u>						
<u>REHAB</u>						
Black	16.7%	3.3%	80.0%	30	2.4	.30
White	--	--	100.0	10		
<u>TRAINING</u>						
Black	8.8	11.8	79.4	34	3.5	.17
White	4.3	--	95.7	23		
<u>TRADITIONAL</u>						
Black	27.9	9.3	62.8	43	3.8	.15
White	8.3	--	91.7	12		
<u>PROPERTY OFFENDERS</u>						
<u>REHAB</u>						
Black	11.3	3.2	85.5	62	.12	.94
White	13.3	3.3	83.3	60		
<u>TRAINING</u>						
Black	25.0	12.5	62.5	32	.82	.66
White	21.2	7.7	71.2	52		
<u>TRADITIONAL</u>						
Black	30.2	14.0	55.8	43	7.6	.02
White	11.5	8.2	80.3	61		

\*Excludes 44 least serious offenders, 13 cases from Rehab, 15 cases from Training, and 13 cases from Traditional with missing data on parole rec/type of offense.

#### Juvenile History

Prison counselors and staff are aware that about seventy percent of all commitments to the state correctional system have had a prior history of confinement in

institutions.<sup>13</sup> Because the overall character of inmates may be considered in the decision to recommend or not recommend an inmate, it is important to account for the correctional biographies of those men who were eligible for parole. It is expected that inmates with no previous institutional experiences will be recommended at a higher rate than inmates who have served time in juvenile correctional organizations.

Table 28 presents the parole recommendations for inmates with different juvenile histories. The findings show that Whites with prior juvenile history are less likely to be recommended for parole than Whites with no prior history at each institution. For Blacks, there appears to be no relation between juvenile history and parole recommendation; there is even the suggestion that the relation is the inverse of that observed among Whites. Thus, at Training and Traditional, Blacks with prior institutional experience are more likely to be recommended for parole than Blacks without juvenile correctional experience.

In Table 29 the reader can see that at Rehab and Training, a higher percentage of Blacks than Whites with prior juvenile histories are recommended for parole. However, this is not the case at Traditional where Whites are more often recommended than Blacks with or without a prior record of institutionalization (p = .02).

Similar to its effect on adjustment, juvenile incarceration appears to disadvantage the recommendations for

TABLE 28

## PAROLE RECOMMENDATION BY PRIOR JUVENILE HISTORY, RACE AND INSTITUTION

Race	Institution and Juvenile History	No Parole	No Rec.	Parole	N*	$\chi^2$	p
REHAB							
BLACKS	No Prior History	14.8%	3.3%	82.0%	61	.18	.99
	Prior History	14.3	2.9	82.9	35		
	Total	14.6	3.1	82.3	96		
WHITES	No Prior History	6.0	2.0	92.0	50	6.9	.03
	Prior History	27.3	4.5	68.2	22		
	Total	12.5	2.8	84.7	72		
TRAINING							
BLACKS	No Prior History	18.0	12.0	70.0	50	1.0	.60
	Prior History	9.5	9.5	81.0	21		
	Total	15.5	11.3	73.2	71		
WHITES	No Prior History	13.8	3.4	82.8	58	3.7	.15
	Prior History	29.0	6.5	64.5	31		
	Total	19.1	4.5	76.4	89		
TRADITIONAL							
BLACKS	No Prior History	26.2	16.4	57.4	61	2.5	.29
	Prior History	28.0	4.0	68.0	25		
	Total	26.7	12.8	60.0	86		
WHITES	No Prior History	11.6	4.7	83.7	43	.77	.67
	Prior History	14.7	8.8	76.5	34		
	Total	13.0	6.5	80.5	77		

TABLE 29

## PAROLE RECOMMENDATION BY RACE, INSTITUTION, AND JUVENILE HISTORY

Institution	Race	No Prior History				Prior Juvenile History			
		No Parole	No Rec.	Parole	N*	No Parole	No Rec.	Parole	N*
REHAB	Black	14.8%	3.3%	82.0%	61	14.3%	2.9%	82.9%	35
	White	6.0	2.0	92.0	50	27.3	4.5	68.2	22
		$X^2 = 2.4 \text{ p} = .30$				$X^2 = 1.7 \text{ p} = .43$			
TRAINING	Black	18.0	12.0	70.0	50	9.5	9.5	81.0	21
	White	13.8	3.4	82.8	58	29.0	6.5	64.5	31
		$X^2 = 3.5 \text{ p} = .17$				$X^2 = 2.9 \text{ p} = .24$			
TRADITIONAL	Black	26.2	16.4	57.4	61	28.0	4.0	68.0	25
	White	11.6	4.7	83.7	43	14.7	8.8	76.5	34
		$X^2 = 8.2 \text{ p} = .02$				$X^2 = 1.9 \text{ p} = .39$			

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\*Excludes 17 cases at Rehab, 18 cases at Training, and 21 cases at Traditional with missing data on parole recommendation/juvenile history.

White inmates at the minimum and medium custody. However, at Traditional, where the difference is about the same between the races in both biographical categories who are not recommended, Whites with prior records are recommended more often than Blacks with no history of confinement.

These results, in addition to the other Black and White differences in this section begin to build a consistent pattern which clearly disfavors Black inmates. If one were to interpret these generalizations, one might conclude that staff discrimination of Blacks is reflected in the inconsistency between these results and adjustment outcomes. Parole recommendations are made with one realistic fact in mind - other things being equal, the counselor's judgements may have important implications for freedom. More light will be shed on the nature of this relationship when parole processing results are examined. However, there is some evidence to support the perception of racism at the more custodial institutions.

#### Summary

Race has been found to be consistently related to the recommendations submitted by counselors to the parole board: White inmates are recommended more often than Blacks for parole. Although institutional variations are apparent, the extent to which these variations are related to custody level cannot be conclusively determined by these data.

These findings are primarily based on overall trends in the data. For Blacks, adjustment seems to make more of a difference for parole recommendations than it does for Whites: For example, with the exception of the minimum custody institution, well adjusted Blacks are significantly more often recommended for parole than maladjusted Blacks. There is a similar pattern for Whites, however, the strength of the relation is weak by comparison. While differences are small at the minimum custody institution, it appears that counselors at the more custodial institutions exercise more caution in predicting the parole success of maladjusted Blacks than they do White inmates with the same adjustment characteristic.

There is no monotonic relation between the probability of being recommended and the type of offense for which the inmate was convicted. The recommendations of least serious offenders could not be usefully explored by these data, however, differences are notable between offenders in the property and serious offense categories: Inmates convicted of serious crimes are more likely than property offenders to be recommended for parole. This could be due to the expectation of greater recidivism for property offenders.

At the more custodial institutions, Whites convicted of property crimes are more often recommended than Blacks convicted of the same offense, and significantly so at the maximum custody institution. Even though this finding does

not provide a conclusive basis for the allegation of racism, it does support the perception of racism in correctional processing practices.

Prior juvenile history has a differential effect by race on parole recommendations: At all institutions, Whites with prior incarceration experiences are more likely not to be recommended and less likely to be recommended for parole than are Whites with no juvenile incarceration. For Blacks, there appears to be no relation, however, the relation that exists seems to be the inverse of that for Whites.

A comparison of the races indicates that at the minimum and medium custody institutions, more Blacks with previous juvenile records of custody are recommended for parole than Whites with prior juvenile records. However, at the maximum custody institution, the relation is reversed: Significantly more White than Blacks are recommended for parole, despite juvenile history.

The accumulated evidence, although inconclusive, suggests that practices at the maximum custody institution are such that Blacks are systematically placed at a disadvantage among inmates who are recommended for parole. In the next section, we will try to determine whether these disparities are influential in the processing of inmates who are eligible for parole.

#### Parole Outcomes

Perhaps the most important outcome first offenders experience during incarceration is the decision made at the first parole board hearing. In Chapter I, documentary evidence and studies of parole board actions indicate that in various regions of the United States, Black inmates are proportionally less likely than White inmates to be paroled from prison. Moreover, many Blacks in prison, including Black inmates interviewed for this study, insist that there is racism in the administration of paroles from prison. It may be that the degree of discretion exercised at this point in the correctionally process permits the intrusion of racial bias in the parole decisions made by parole board officials.

We have seen that Whites are more likely to be recommended for parole than Blacks, although we have been unable to definitely account for this difference. Thus, if the parole board is greatly influenced in its actions by these recommendations, and even if the board responded to recommendations without regard for color, it would be perpetuating the perversity of these recommendations which could have racial implications. Quite apart from the question of their possible racial implications, the use to which these recommendations are put is of some interest from the standpoint of organizational theory as well.

Under state law, each inmate in this penal system must be considered for parole when he has served his minimum

term of sentence, less allowances for "good-time". Minimum terms are set by the court at the time of sentencing and are outside the control of the parole board. There are legal provisions which permit parole before the expiration of the minimum term. Such paroles are called "special parole consideration" cases and are referred to the parole board by the institution on the basis of the inmate's overall record of conduct and self-improvement.

To measure the extent to which race is related to parole outcomes, data from the first Parole Board Action (PBA) form were used in the following analyses. There are two possible outcomes of a parole board action: A parole may be denied (e.g. the inmate is continued in custody) or not denied (e.g. the inmate is given a regular parole or a deferred<sup>14</sup> parole) by the parole board. The parole outcomes of Blacks and Whites are compared in Table 30.

TABLE 30

## PAROLE OUTCOME BY RACE (WEIGHTED ESTIMATES)

Race	Parole Outcome		N*
	Denied	Not Denied	
Black	19.8%	80.2%	884.6
White	6.0	93.7	698.4

\*Excludes 20 cases with missing data on parole outcomes out of 547 actual cases in the sample.

Table 30 shows that the majority of all inmates of both races are paroled by the review board at the first

hearing. However, the results also reveal that 14 percent more Blacks than Whites are denied parole. The following analyses of parole outcome are devoted to explaining this difference.

It was noted in Chapter III that inmates were assigned to institutions according to the type of crime for which they were convicted and according to their need for varying levels of custody based on their history of juvenile escapes. While data for the latter are not available, data are available for comparing inmates on the basis of the institution to which they were confined and the type of offense for which they were convicted. The effect of type of offense on parole outcomes will be explored later in this section. Table 31

TABLE 31

PAROLE OUTCOME BY INSTITUTION  
(WEIGHTED ESTIMATES)

Institution	Parole Outcome		N*
	Denied	Not Denied	
Rehab	2.2%	97.8%	189.6
Training	8.9	91.1	637.7
Traditional	21.0	79.0	755.7

\*Excludes 20 cases with missing data on parole outcome.

compares the parole outcomes of all inmates at the institutions.

The data reveal that parole outcomes parallel custody level: Proportionately more inmates are denied by the

parole board as custody becomes more restrictive. Compared to inmates at Rehab, inmates are eight times more likely to be denied at Traditional and four times more likely to be denied parole at Training.

This seems to support Hayner's contention that parole boards are sensitive to harsh public opinion concerning high risk inmates. This is suggested by the larger proportions denied parole among inmates at Traditional, who are considered to be higher custodial risks, and perhaps, higher parole risks as well.

Table 32 reveals that when the races are compared, more Blacks than Whites are denied parole at all institutions. However, there is almost no association between race and the parole outcomes of inmates from Rehab, while Blacks at Training and Traditional are disproportionately denied parole compared to White inmates. Unlike previous findings which revealed that the outcomes of inmates were comparatively similar between Rehab and Traditional, the findings in Table 32 indicate that the parole board's decisions parallel custody level for both races. Either the parole board reacts differently to inmates from very distinct institutions, or this finding reflects the influence of the institution's assessment of inmates in the PERs. This influence is examined below.

TABLE 32  
PAROLE OUTCOME BY RACE AND INSTITUTION

Inst/Race	Parole Outcome		N*
	Denied	Not Denied	
REHAB			
Black	3.0%	97.0%	99
White	1.3	98.7	75
Total	2.3	97.7	174
		$\chi^2 = .83$	$p > .05$
TRAINING			
Black	15.0	85.0	80
White	3.3	96.7	94
Total	8.6	91.4	174
		$\chi^2 = 8.0$	$p < .05$
TRADITIONAL			
Black	26.3	73.7	99
White	11.3	88.7	80
Total	19.6	80.4	179
		$\chi^2 = 6.5$	$p < .05$

\*Excludes 20 cases with missing data on parole outcomes.

#### Parole Recommendations

Parole recommendations are assumed to carry substantial weight in the final outcomes of parole actions. We recall that counselors recommended parole, recommended no parole, or gave no recommendation for inmates in the PERs that are reviewed by the board. The distribution of counselors' recommendations (the Ns) in Table 33 shows that the proportion of inmates who are given no definite recommendations is smaller than those for whom recommendations are submitted.

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TABLE 33

PAROLE OUTCOME BY COUNSELORS' RECOMMENDATIONS:  
ALL INSTITUTIONS  
(WEIGHTED ESTIMATES)

	Parole Outcome		N*
	Denied	Not Denied	
Parole	8.8%	91.2%	1208.
No Recommendation	15.0	85.0	98.3
No Parole	27.8	72.2	276.7

\*Excludes 48 cases with missing data on parole outcome/counselor recommendations.

The results show that the parole outcomes of the "no recommended" category falls midway between those who are either recommended or not recommended. Because the number of cases receiving no recommendation is too small to analyze by institution, and counselors did not definitely recommend against parole, inmates who received no recommendation are combined with inmates who are recommended in the following analysis of parole outcomes at the institutions. The effect of collapsing these two categories is to make less likely any differences in parole outcome between those recommended for parole and those not recommended.

Table 34 shows that while the relation between parole recommendation and the parole board's action is straightforward in the aggregate, things are much more complex when we look at the experience of the races within institutions. At Rehab and Training, nearly everyone is recommended for parole and the recommendation does not appear to make much difference. At Traditional, while, again, nearly everyone

TABLE 34

PAROLE OUTCOME BY COUNSELORS RECOMMENDATIONS,  
RACE, AND INSTITUTION

Inst/Race/Recommendation	Parole Outcome		N*	X <sup>2</sup>	p
	Denied	Not Denied			
<b>REHAB</b>					
<u>Black</u>					
Recommended	2.4%	97.6%	83	.9	<.30
Not Recommended	7.1	92.9	14		
Total	3.1	96.9	97		
<u>White</u>					
Recommended	1.5	98.5	65	.1	=.70
Not Recommended	-0-	100.0	9		
Total	1.4	98.6	74		
<b>TRAINING</b>					
<u>Black</u>					
Recommended	15.0	85.0	60	.0	=.95
Not Recommended	15.4	84.6	13		
Total	15.1	84.9	73		
<u>White</u>					
Recommended	4.2	95.8	71	.6	<.30
Not Recommended	-0-	100.0	17		
Total	3.4	96.6	88		
<b>TRADITIONAL</b>					
<u>Black</u>					
Recommended	10.6	89.4	66	30.8	<.00
Not Recommended	68.0	32.0	25		
Total	26.4	73.6	91		
<u>White</u>					
Recommended	10.4	89.6	67	1.1	=.30
Not Recommended	22.2	77.8	9		
Total	11.8	88.2	76		

\*Excludes 48 cases with missing data on parole outcome/recommendations.

is recommended for parole, Blacks not recommended are about five times more likely to have parole denied than are Blacks for whom parole is recommended. With the exception of inmates at Traditional, the findings are contrary to the argument that parole recommendations carry substantial weight and tend to effect the decisions of the parole board. However, there is a plausible explanation for these results. In interviews with correctional officials we were informed that during the period when many inmates in this sample were paroled (1969-71), most institutions in this state were overcrowded.<sup>15</sup> To relieve this situation, the majority of inmates eligible for parole were released on their regular "good-time" date and a small proportion were released early under arrangements with the courts.<sup>16</sup> Thus, it may be that population pressures are reflected in the unusually large proportions released from custody, even among inmates who were not recommended for parole. Despite the attempt to relieve overcrowded conditions, the differences in Table 34 suggest that either Traditional was under less population pressure or that the parole board is more cautious where high risk inmates are concerned, as shown by the larger proportions denied at this institution.

Two inversions in Table 34 reveal that among White inmates at Rehab and Training, a small percentage of the recommended and none of the non-recommended are continued in custody. While this is unusual, a test of significance

indicates that these differences may have occurred by chance factors along ( $p > .05$ ).

If one reconstructed the data in Table 34, it would be found that there are no real differences between Blacks and Whites at Rehab in either recommended category. However, at Training, Blacks are more often denied parole than Whites, even though the difference is only significant ( $p = .03$ ) for those recommended for parole. Traditional shows a different pattern. Race has no effect on the paroles of recommended inmates ( $p = .59$ ), but for those not recommended, race has a decisive effect ( $p = .02$ ) on paroles as shown by the larger percentage (45.8 percent) of Blacks who are denied compared to Whites at this institution. Even though previous findings (Table 24) revealed that 14.4 percent more Blacks than Whites are not recommended by counselors at Traditional, the action taken on these recommendations increase the difference in the final outcomes of Blacks and Whites by about 32 percent (45.8-14.4 percent).

The above findings suggest that when inmates are denied parole, race and recommendations play a part in determining which prisoner are to be denied by the parole board; a) inmates from the more custodial institutions; and b) proportionally more Blacks than Whites from custodial institutions.

In light of the fact that counselor recommendations are determined from the reports of custody and supervisory

staff, and Traditional's administrators contend that "urban inmates" (a euphemism for Black inmates) are more difficult to control than previous inmates incarcerated here, these findings lend some support to the proposition that parole eligibility may be manipulated by custody staff as a control sanction over Black inmates in maximum custody institutions.

#### Adjustment

Another important factor considered at parole hearings is the extent to which the inmate has adjusted to institutional living. Although the proposition is arguable, parole boards contend that the positive adjustment of the inmate in the correctional setting is a precondition to successful rehabilitation and the subsequent return of the inmate to the free community. Table 35 shows how the parole board disposed of inmates with different adjustment ratings at the institutions.

At Rehab, adjustment has no effect on the parole decisions of either race. Almost all inmates are paroled despite their adjustment in the institution. However, adjustment has a different effect on paroles at the other institutions. At Training, adjustment has a variable effect on the parole outcomes of Blacks and Whites. For Blacks, those who are maladjusted are about five times more likely than well adjusted Blacks to be denied a parole. In contrast, there is only a slight difference in the proportions

TABLE 35  
PAROLE OUTCOME BY ADJUSTMENT, RACE AND INSTITUTION

Adjus/Inst	Race	Parole Outcome			X <sup>2</sup>	p
		Denied	Not Denied	N*		
REHAB	<u>Black</u>					
	Well Adjusted	4.8%	95.2%	42	.0	=1.0
	Less Well Adj.	4.8	95.2	21		
	Total	4.8	95.2	63		
	<u>White</u>					
	Well Adjusted	3.6	96.4	28	.09	>.70
Less Well Adj.	-0-	100.0	22			
Total	2.0	98.0	50			
TRAINING	<u>Black</u>					
	Well Adjusted	8.2	91.8	49	8.9	<.01
	Less Well Adj.	40.0	60.0	15		
	Total	15.6	84.4	64		
	<u>White</u>					
	Well Adjusted	1.7	98.3	60	.3	>.50
Less Well Adj.	-0-	100.0	16			
Total	1.3	98.7	76			
TRADITIONAL	<u>Black</u>					
	Well Adjusted	14.8	85.1	54	9.8	<.01
	Less Well Adj.	45.4	54.4	33		
	Total	26.4	73.6	87		
	<u>White</u>					
	Well Adjusted	5.0	95.0	40	3.1	>.05
Less Well Adj.	18.5	81.5	27			
Total	10.4	89.6	67			

\*Excludes 37 cases at Training, 29 cases at Traditional, and 74 cases at Rehab with missing data on parole outcome/adjustment.

denied among well adjusted and poorly adjusted Whites at Training. Adjustment has an effect in the expected direction on paroles for both races at Traditional, however, the effect is much stronger for Blacks than for Whites.

Even though earlier findings indicated that proportionally more Whites than Blacks are poorly adjusted at Rehab and Traditional, proportionally more poorly adjusted Blacks than Whites are denied parole at all institutions, but significantly so at Training and Traditional (in both cases the  $p < .05$ ). This is similar to the earlier trend for parole recommendations among poorly adjusted inmates.

Among well adjusted inmates, there are no important differences by race ( $p > .05$ ) although the trend of the data show that more Blacks than Whites are denied parole and the difference parallels custody. Moreover, it appears that when adjustment ratings are effective, they disadvantage intractable Blacks more than they disadvantage intractable Whites at these institutions.

It was possible to discern from the data the parole outcomes of inmates for whom there was missing data on adjustment. Table 36 reports these results.

Table 36 shows that even though the parole outcomes parallel custody, the majority of inmates are released by the parole board. Furthermore, the results reveal that there is almost no difference in the outcomes of Blacks and Whites at Rehab and Training, although racial differences continue to persist at Traditional. These findings support the contention that counselors do not spend much time confirming the adjustment of well adjusted inmates, but possibly allude to their satisfactory adaptation in the PERs which influence

the actions taken on these cases.

TABLE 36  
PAROLE OUTCOME BY RACE, INSTITUTION, AND  
MISSING DATA ON ADJUSTMENT

Inst/Race	Parole Outcome		N
	Denied	Not Denied	
	<u>Missing Data on Adjustment</u>		
REHAB			
Black	--%	100.0%	36
White	--	100.0	35
Total	--	100.0	61
TRAINING			
Black	12.0	88.0	16
White	11.0	89.0	18
Total	11.8	88.2	34
TRADITIONAL			
Black	25.0	75.0	12
White	15.0	85.0	13
Total	20.0	80.0	25

#### Type of Offense

The seriousness of the offense is one of the more important factors considered by the parole board before reaching a decision. Johnson et. al.<sup>17</sup> note that workable instruments have been devised which offer greater accuracy in predicting parole success, however, parole boards rarely use such techniques in arriving at parole decisions. As noted earlier, Hayner<sup>18</sup> suggests that one reason behind this continued reluctance to use predictive devices is the boards sensitivity to public opinion. Because of the nature and reporting of serious crimes in the media, public reaction

to such crimes is said to influence greater caution in considering the release of serious offenders compared to property offenders who are eligible for parole.

Inmates convicted of various crimes were confined at all institutions. The analysis of type of offense and parole outcomes for both races show a mixture of results in Table 37. First, type of offense has almost no effect on the paroles of either race at Rehab ( $p > .80$ ). Second, even though type of offense has no great effect on paroles at Training ( $p > .20$ ) and Traditional ( $p = .70$ ), the relation differs by race and institution. At Training, offense type has an inverse association with parole for Blacks: the less serious the offense, the more likely paroles are denied. For Whites, the relation is in the expected direction, although the difference between offense categories is small. At Traditional, the results are reversed. Here type of offense makes no real difference in the parole outcomes for Blacks, but the relation is in the expected direction. On the other hand, White inmates appear to be denied less if they are convicted of property offenses and denied more if they are convicted of less serious and serious offenses.

These findings may partially be explained by the differential administration of special paroles among offender types. Table 38 reveals that at all institutions, Black serious offenders are paroled on "specials" at a higher rate than Black property offenders. For Whites the situation

TABLE 37

PAROLE OUTCOME BY TYPE OF OFFENSE,  
RACE AND INSTITUTION

Type of Off/Inst/Race	Parole Outcome			$\chi^2$	p
	Denied	Not Denied	N*		
<b>REHAB</b>					
<u>Black</u>					
Least Serious	-0-	100.0%	5	.10	= .95
Property	4.7%	95.3	64		
Serious	-0-	100.0	30		
Total	3.0	97.0	99		
<u>White</u>					
Least Serious	-0-	100.0	6	.4	> .80
Property	1.7	98.3	59		
Serious	-0-	100.0	10		
Total	1.3	98.7	75		
<b>TRAINING</b>					
<u>Black</u>					
Least Serious	33.3	66.7	6	1.9	> .30
Property	15.0	85.0	39		
Serious	11.8	88.2	34		
Total	15.2	84.8	79		
<u>White</u>					
Least Serious	-0-	100.0	15	2.7	> .20
Property	1.8	98.2	55		
Serious	8.3	91.6	24		
Total	3.2	96.8	94		
<b>TRADITIONAL</b>					
<u>Black</u>					
Least Serious	20.0	80.0	5	.32	> .80
Property	24.5	75.5	49		
Serious	29.5	70.5	44		
Total	26.5	73.5	98		
<u>White</u>					
Least Serious	16.7	83.3	6	.71	= .70
Property	9.8	90.2	61		
Serious	15.4	83.6	13		
Total	11.3	88.7	80		

\*Excludes 22 cases with missing data on parole/type of offense.

TABLE 38

PAROLE OUTCOME BY TYPE OF OFFENSE, RACE, AND INSTITUTION:  
DISCRETE PAROLE CATEGORIES

Inst/Race	Type of Offense	Parole Outcome				N*	x <sup>2</sup>	p
		Special	Regular	Defer	Denied			
<u>REHAB</u>								
Blacks	Least	-0-%	60.0%	40.0%	-0-%	5	6.7	.34
	Property	6.3	57.8	31.3	4.7	64		
	Serious	16.7	40.0	43.3	-0-	30		
	Total	9.1	52.5	35.4	3.0	99		
Whites	Least	16.7	50.0	33.3	-0-	6	3.2	.78
	Property	6.8	57.6	33.9	1.7	59		
	Serious	-0-	80.0	20.0	-0-	10		
	Total	6.7	60.0	32.0	1.3	75		
<u>TRAINING</u>								
Blacks	Least	16.7	-0-	50.0	33.3	6	8.5	.20
	Property	12.8	35.9	35.9	15.4	39		
	Serious	32.4	20.6	35.3	11.8	34		
	Total	21.5	26.6	36.7	15.2	79		
Whites	Least	33.3	40.0	26.7	-0-	15	14.8	.02
	Property	9.1	40.0	49.1	1.8	55		
	Serious	37.5	20.8	33.3	8.3	24		
	Total	20.2	35.1	41.5	3.2	94		
<u>TRADITIONAL</u>								
Blacks	Least	-0-	40.0	40.0	20.0	5	6.5	.37
	Property	2.0	28.6	44.9	24.5	49		
	Serious	13.6	20.5	36.4	29.5	44		
	Total	7.1	25.5	40.8	26.5	98		

TABLE 38--Continued

Inst/Race	Type of Offense	Parole Outcome				N*	X <sup>2</sup>	p
		Special	Regular	Defer	Denied			
Whites	Least	-0-	33.3	50.0	16.7	6	3.2	.78
	Property	8.2	37.7	44.3	9.8	61		
	Serious	7.7	15.4	61.5	15.4	13		
	Total	7.5	33.8	47.5	11.3	80		

\*Excludes 20 cases with missing data on parole outcome/type of offense.

varies by institution: At Training, White serious offenders are "specialized" more often than White property offenders. At Rehab, no serious offenders are "specialized" among Whites, although all are given regular or deferred paroles. At Traditional, White offenders in the property and serious crime categories are "specialized" at about the same rate, although property offenders are given regular paroles at twice the rate of serious offenders. One might conclude two things from the data in Table 38: First, offense type is not important for the parole outcomes of Blacks; either serious offenders of this race have exceptional institutional records or they are given prison terms considered excessive by staff.

Second, while the same explanation can be offered for White offenders at Training, there is no plausible explanation for the parole outcomes of White offenders at Rehab and Traditional. Type of offense just doesn't appear to differentiate the parole outcomes of White offenders at these institutions.

Table 39 reveals that race bears a relation to parole outcomes at all institutions (except Rehab) among inmates convicted of similar crimes. However, the results are only significant for property offenders. Black property offenders are denied parole more often than White property offenders at Training ( $p < .02$ ) and Traditional ( $p < .05$ ). This suggests that while differences occur more often among serious

TABLE 39  
PAROLE OUTCOME BY RACE, INSTITUTION, AND  
TYPE OF OFFENSE

Institution	Race	Parole Outcome			X <sup>2</sup>	p
		Denied	Not Denied	N*		
<u>SERIOUS OFFENDERS</u>						
REHAB	Black	---%	100.0%	30	.0	>.05
	White	---	100.0	10		
TRAINING	Black	11.8	88.2	34	.19	>.05
	White	8.3	91.6	24		
TRADITIONAL	Black	29.5	70.5	44	1.0	>.05
	White	15.4	83.6	13		
<u>PROPERTY OFFENDERS</u>						
REHAB	Black	4.7	95.3	64	.91	>.05
	White	1.7	98.3	59		
TRAINING	Black	15.0	85.0	39	5.7	<.02
	White	1.8	98.3	55		
TRADITIONAL	Black	24.5	75.5	49	4.1	<.05
	White	9.8	90.2	61		

\*Excludes 32 cases in the least serious category and 9 cases at Training, 6 cases at Traditional, and 18 cases at Rehab with missing data on parole outcome type of offense.

offenders due to chance factors, variations in parole can partially be traced to the race of inmates at the more custodial institutions. This further supports the perception of racism in the administration of parole decisions.

#### Time Served in Prison

Differential parole outcomes have frequently been measured in terms of the amount of time served in prison. Wright<sup>19</sup> found in his analysis of California parole data for

1976-1968 that there was evidence to support the prisoners' changes of racism within prison - Blacks frequently served an average of five months longer in prison than Whites convicted of the same offense. The present study attempts to look at the same question, but from a slightly different perspective. The attempt here will be to determine the difference in the percentage denied a first parole, given confinement at different institutions, serving similar periods of time, and race.

Time served in prison is measured by two categories: Inmates serving 1 to 18 months in prison and those serving 19 to 36 months in prison. All inmates in this sample (N=10) serving over 36 months in prison were paroled at the first hearing and, are excluded in the analysis. Also, since it has already been determined that type of offense has no effect on parole decisions, this factor is not controlled for in the analysis presented in Table 40.

The results in Table 40 show that except for Blacks at Rehab, the amount of time served in prison has no great effect on parole outcomes. However, the trend reveals that more inmates serving shorter terms are denied at a slightly higher rate than those serving longer terms for both races.

Table 41 compares parole outcome by race, and again, the results vary according to institutional type. For any given category of time served at Rehab, race bears almost no effect on parole decisions ( $p > .05$ ). However, at Training,

# CONTINUED

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TABLE 40

PAROLE OUTCOME BY TOTAL TIME SERVED,  
RACE AND INSTITUTION

Tot. Time/Inst/Race	Denied	Not Denied	N*	X <sup>2</sup>	p
<u>REHAB</u>					
<u>Black</u>					
1-18 months	6.8%	93.2%	44	2.6	>.10
19-36	-0-	100.0	37		
Total	3.6	96.4	81		
<u>White</u>					
1-18 months	2.2	97.8	46	.4	=.50
19-36	-0-	100.0	16		
Total	1.6	98.4	62		
<u>TRAINING</u>					
<u>Black</u>					
1-18 months	20.0	80.0	40	.0	=.90
19-36	19.0	81.0	21		
Total	19.6	80.4	61		
<u>White</u>					
1-18 months	4.8	95.2	42	.17	=.70
19-36	2.8	97.2	36		
Total	3.8	96.2	78		
<u>TRADITIONAL</u>					
<u>Black</u>					
1-18 months	33.9	66.1	62	.50	>.50
19-36	25.0	75.0	20		
Total	31.7	68.3	82		
<u>White</u>					
1-18 months	13.7	86.3	51	.04	>.80
19-36	11.8	88.2	17		
Total	13.0	87.0	68		

\*Excludes 105 cases with missing data on parole outcome/total time in prison. Also excludes 10 cases with over 36 months in prison.

TABLE 41

PAROLE OUTCOME BY RACE, TOTAL TIME  
SERVED AND INSTITUTION

Institution	Race	Parole Outcome			X <sup>2</sup>	p
		Denied	Not Denied	N*		
<u>1-18 MONTHS</u>						
REHAB	Black	6.8%	93.2%	44	1.6	>.05
	White	2.2	97.8	46		
TRAINING	Black	20.0	80.0	40	4.3	<.05
	White	4.8	95.2	42		
TRADITIONAL	Black	33.9	66.1	62	6.0	<.02
	White	13.7	86.3	51		
<u>19-36 MONTHS</u>						
REHAB	Black	--	100.0	37	.0	>.05
	White	--	100.0	16		
TRAINING	Black	19.0	80.9	21	4.1	<.05
	White	2.8	97.2	36		
TRADITIONAL	Black	25.0	75.0	20	1.0	>.30
	White	11.8	88.2	17		

\*Excludes 39 cases at Training, 34 cases at Traditional, and 42 cases at Rehab with missing data on time served in prison/parole outcome.

race bears a significant relation to parole decisions: for both periods of time served, Blacks are denied parole significantly more often than Whites ( $p < .05$ ). The same pattern exists for both periods of time served at Traditional, but is only significant for inmates serving shorter terms: Here, Blacks are denied parole almost two and a half times more often than Whites who served 1 to 18 months in prison ( $p < .05$ ).

Overall, these findings suggest that by comparing the races on the basis of time served in prison, one is better

able to ferret out the extant disparities between Black and White offenders. Even though differences at the minimum custody institution are miniscule, the data for the more custodial institutions are consistent with Wolfgang's<sup>20</sup> study of national parole statistics which found that, annually, Whites were 10 to 14 percent more likely to be paroled than Blacks from state correctional institutions. Whereas Wolfgang's study does not consider institutional differences, these results suggest that the degree of difference between the races may vary according to institutional type. In addition, it may be that the variability of prison terms (e.g. 2 to 5 years) provides parole boards with the jurisdiction and the discretion to determine parole outcomes which, intentionally or unintentionally, bias the outcomes for Black inmates in the more custodial institutions (where prison terms generally have a wider range between the minimum and maximum term of sentence).

Using multiple classification analysis, Tables 42 and 43 account for the effect of all variables on paroles. Table 42 reveals that parole is primarily a function of misconduct and to some extent, institutional adjustment. However, the net effect of being Black decreases an inmate's chances for parole since twelve percent more Whites than Blacks are paroled (93.8-81.7). Of this twelve percent difference, about eight percent (91.4-83.8) cannot be explained by differences in the non-racial characteristics of inmates in the table.

TABLE 42  
PERCENT OF PRISONERS PAROLED BY SELECTED  
INDEPENDENT VARIABLES, USING MULTIPLE  
CLASSIFICATION ANALYSIS

Independent Variables		Mean	Adjusted Mean	N
Institution:	Rehab.	97.2%	94.5%	143
	Training	89.2	85.5	139
	Traditional	76.7	82.6	150
School Adj.:	No report	88.2	88.7	195
	Good	84.5	82.9	142
	Poor	90.5	92.0	95
Juvenile History:	N.A.	**	**	6
	None	88.3	87.7	283
	Some	86.0	87.3	143
Type of Offense:	Least serious	**	**	11
	Moderate	87.3	87.8	292
	Most serious	86.8	86.5	129
Time Served:	1-18 Months	85.3	86.7	285
	19-36 Months	91.8	89.1	147
Misconduct:	None	98.0	95.4	149
	1-2	92.1	91.2	151
	3-4	84.1	85.7	63
	5-6	68.8	74.2	32
	7+	48.6	55.3	37
Institutional Adj.:	N.A.	90.9	87.5	99
	Well adj.	91.9	89.9	223
	Poorly adj.	75.5	82.7	110
Parole Recommendation:	No recom.	90.0	85.2	60
	Recommended	87.7	88.4	309
	Not recom.	84.1	85.0	63
Race:	Black	81.7	83.8	224
	White	93.8	91.4	208
Total		87.5	87.5	432

Note: This table is based on the 432 cases having data on parole outcome and total time in prison, but excluding 10 cases who served more than 36 months in prison.

\*\*Too few cases.

TABLE 43

PERCENT PAROLED BY RACE BY SELECTED INDEPENDENT  
VARIABLES, USING MULTIPLE CLASSIFICATION ANALYSIS

Independent Variables	Black			White			
	Mean	Adjusted Mean	N	Mean	Adjusted Mean	N	
Institution:	Rehab.	96.3%	91.5%	81	98.4%	97.7%	62
	Training	80.3	76.6	61	96.2	97.0	78
	Traditional	68.3	75.8	82	86.8	88.8	68
School Adj.:	No report	81.2	80.9	101	95.7	96.1	94
	Good	77.8	77.7	72	91.4	90.5	70
	Poor	88.2	89.0	51	93.2	94.1	44
Juvenile History:	N.A.	**	**	3	**	**	3
	None	85.0	84.7	153	92.3	91.3	130
	Some	75.0	75.2	68	96.0	97.9	75
Type of Offense:	Least serious	**	**	5	**	**	6
	Moderate	81.6	81.4	152	93.6	94.6	140
	Most serious	80.6	81.8	67	93.5	91.6	62
Time Served:	1-18 Months	78.1	80.3	146	92.8	93.8	139
	19-36 Months	88.5	84.3	78	95.7	93.8	69
Misconduct:	None	98.4	95.2	62	97.7	96.7	87
	1-2	88.3	85.0	77	95.9	96.3	74
	3-4	79.4	82.0	34	89.7	90.5	29
	5-6	61.9	69.1	21			
	7+	46.7	53.7	30	72.2	74.6	18

TABLE 43--Continued

Independent Variables		Black			White		
		Mean	Adjusted Mean	N	Mean	Adjusted Mean	N
Institutional Adj.:	N.A.	89.6%	83.9%	48	92.2%	90.8%	51
	Well adj.	87.8	85.0	115	96.3	95.5	108
	Poorly adj.	63.9	73.7	61	89.8	93.2	49
Parole Recommendation:	No recom.	85.2	75.7	27	93.9	95.2	33
	Recommended	83.3	84.1	162	92.5	92.7	147
	Not recom.	71.4	75.4	35	100.0	98.1	28
Total		81.7	81.7	224	93.8	93.8	208

Note: This table is based on the 432 cases having data on parole outcome and total time in prison, but excluding 10 cases who served more than 36 months in prison.

\*\*Too few cases.

Furthermore, in Table 43 we see that, except for misconduct reports, Blacks and Whites who are paroled are quite similar on all characteristics. Thus, it appears that the difference in misconduct accounts for the reduction of the original twelve percent difference shown in Table 42. However, if more misconduct reports are unjustifiably filed for Blacks, one could interpret the eight percent net difference between the races as representing an underestimate of racism. This interpretation finds some support from staff and inmates who state the records do not reflect actual misconduct, but reflect the perception of misconduct by staff. For example, more Blacks than Whites are written up for the offense of "talking or singing too loud." Furthermore, charges that have no empirical basis (those that fall into the category of suspicion) remain on the inmates' record even when the charge is clearly disproved. Several informants said that Blacks are more liable for this kind of action than Whites and some evidence in disciplinary records tend to support this contention. This could account for more misconducts reported for Blacks than for Whites.

A counter argument that can be advanced is that Black inmates are more serious offenders than Whites (as indicated by the offense category). Thus, Blacks may be a more difficult type of prisoner than Whites. If this is true, then the eight percent difference is an overestimate of racism. However, the data reveal that type of offense has no effect

on recommendations and no net effect on parole outcomes in Tables 42 and 43. This supports an earlier contention that serious offenders have exceptional records and/or are given prison terms considered excessive by staff which would obviate differences between offender types.

To explore the differences further, we asked one final question: What proportion of Blacks would we expect to be paroled if parole decisions for Blacks were made exactly the same as they were made for Whites? Table 44 shows the expected vs. the actual proportions of inmates paroled by race.

TABLE 44

EXPECTED VS. ACTUAL PROPORTIONS PAROLED BY RACE,  
STANDARDIZED FOR SELECTED CHARACTERISTICS\*

Race and Expected vs. Actual Parole Probability	Proportions Paroled
<u>Black</u>	
Expected	89.2%
Actual	81.7
<u>White</u>	
Expected	93.8
Actual	93.8

Note: This table is based on the 432 cases having date on parole outcome and total time in prison, excluding 10 cases serving over 36 months in prison.

\*Using the MCA equation shown in Table 43 for Whites, the expected parole outcome for a Black would be:  $.938 + .039$  (if Rehab)  $+ .033$  (if poor school adj.)  $- .025$  (if no juvenile record)  $- .022$  (if serious offense)  $+ .000$  (if served 19-36 months)  $- .033$  (if 3-4 misconducts)  $- .066$  (if poorly adjusted)  $- .011$  (if recommended)  $= .883$  = the probability a given Black should be paroled if White criteria were used.

The findings reveal that, given the characteristics of Blacks and Whites, we expect 4.6 percent (93.8-89.2) more Whites than Blacks to be paroled. However, 12.1 percent (93.8-81.7) more Whites were paroled, indicating that the 7.5 percent difference (12.1-4.6) is the net effect of race. Table VI in the Appendix shows that the unexplained race residual is primarily among those Blacks denied parole who had characteristics considered essential for parole eligibility (.90+).

Several things must be considered in the interpretation of these results. On the basis of these data (in Tables 42 and 43), parole is determined by the accumulated number of misconduct reports, institutional type, and to some extent, institutional adjustment. However, in addition to the fact that differences are consistent when the races are similar on these characteristics, we cannot rule out the notion that racism may be perpetuated by the decisions that form the empirical referents from which these characteristics are derived. Thus, the findings do not refute the idea that correctional systems work to the disadvantage of Black prisoners. Differences that are not large numerically are still important if they are perceived by those who suffer the disadvantage of disparate treatment. More importantly, the fact that this study has found differences at all from data said to be altered and misrepresented in records is, in itself, important and should be of

concern to those responsible at every stage in the correctional process.

#### Summary

The findings of the foregoing analysis revealed consistent differences between the parole outcomes of Black and White first offenders. Although Blacks are denied parole more often than Whites, the degree of difference tends to vary according to institutional type. There are only minor differences between the parole decisions for Blacks and Whites at the minimum custody institution, regardless of the factors controlled. At the more custodial institutions there are significant differences between the races and these are summarized below.

Parole recommendations do not appear to carry the weight one might expect in the decisions arrived at by the parole board, except at the maximum custody institution. Here, nonrecommended Blacks are denied about five times more often than recommended Blacks. At the minimum and medium custody institutions, nearly all inmates are recommended for parole and recommendations do not appear to make much difference in parole outcomes.

On the other hand, race is significantly related to the parole outcomes of inmates with the same counselor recommendation. At the medium custody institution, Blacks who are recommended are significantly more likely to be denied parole than Whites who are recommended. At the maximum

custody institution the trend is the same, however it is stronger for non-recommended inmates: non-recommended Blacks are significantly denied parole compared to non-recommended Whites. These results suggest that when inmates are denied parole, recommendation appears to interact with race to determine those inmates who are denied e.g. inmates from custodial institutions and proportionally more Blacks than Whites from these institutions.

The relation between adjustment and parole outcome varies according to the institution of confinement and race. At the minimum custody institution, adjustment had no effect on parole for either race. At the medium custody institution, the results differs for the races: maladjusted Blacks are five times more likely to be denied parole than well adjusted Blacks. For Whites, there is little difference in the proportions denied parole between the two adjustment categories. At the maximum custody institution, adjustment has an effect on the parole outcomes in the expected direction for both races, but the effect is much stronger for Blacks.

There is a significant difference between the parole decisions of Blacks and Whites, given their adjustment in custodial institutions. Blacks are denied more than Whites despite adjustment, although the differences are most significant among maladjusted inmates. This suggests that the intractable Black will be disadvantaged most by adjustment ratings in prison.

There is no significant relation between type of offense and parole outcome among first offenders. However, there are indications that property offenders may be denied parole more often than serious offenders.

Race bears a significant relation to parole outcomes for inmates convicted of property crimes: Blacks are more often denied parole than Whites at the more custodial institutions and the difference between the races is about the same at each institution. Since property offenders are considered to exhibit antisocial and anti work attitudes and behaviors, these findings may reflect the perceived need for more time to render resocialization services for this hard-core group. Whatever the bases for their recommendations, they result in a disproportionate number of Blacks who are denied at the custodial institutions.

Time served in prison has no important relation to the parole outcomes of either race at the institutions. However, there is a slight trend which suggests that inmates serving shorter terms are denied more than those serving longer terms. When Blacks and Whites serving the same time periods are compared, striking differences occur at the more custodial institutions. At the medium custody institution, significantly more Blacks than Whites are denied parole despite the length of time served. The same pattern exists for the races at the maximum custody institution, however, the differences are only significant for inmates serving shorter prison terms.

Multiple classification analysis reveals that parole is primarily a function of misconduct, type of offense, and to some extent, institutional adjustment. However, being Black decreases an inmate's chances of being paroled. Of the twelve percent difference found between the races on parole outcome, eight percent of the difference cannot be accounted for by the nonracial characteristics of inmates. The same difference occurs when the expected vs. the actual outcomes of Blacks and Whites are compared. It cannot be conclusively determined from the data whether this eight percent difference represents an underestimation or an overestimation of racism. However, evidence from records and interviews suggest that the extent of racism may be underestimated by these data.

The results suggest the need for more research on the relation between race and parole outcomes in order to ferret out the precise causes of these differences. Although it is important to determine whether differential outcomes are the result of intentional racial bias or institutionalized practices, it is more important to pinpoint the mechanisms that produce this phenomenon. When the nature of this relationship is ascertained, then specific strategies for change can be devised to reduce the incidence of parole inequities between racial groups.

<sup>1</sup>Marvin Wolfgang, "Measuring Prison Adjustment", in Johnston, op. cit., p. 165.

<sup>2</sup>David Street, "The Inmate Group in Custodial and Treatment Settings", in Hazelrigg, op. cit., pp. 199-228.

<sup>3</sup>Studies finding differentials between Black and White juveniles are: Sidney Axelrad, "Negro and White Institutionalized Delinquents", American Journal of Sociology, 57, 1951-52, pp. 569-74; Irving Pilivian and Scott Briar, "Policy Encounters With Juveniles", American Journal of Sociology, 70, 1964-65, pp. 206-14; D. J. Black and A. J. Reiss, "Police Control of Juveniles", American Sociological Review, 35, (1970), pp. 63-67.

<sup>4</sup>Studies which look at time served in prison as a variable influencing prison adjustment are: Staton Wheeler, "A Study of Prisonization", in Johnston op. cit., pp. 152-64; Marvin Wolfgang, "Measuring Prison Adjustment", in Johnston op. cit., pp. 165-176; Lloyd Ohlin notes that frequency of family visits is a predictive measure for success on parole in "Predicting Parole Behavior", in Johnston, op. cit., pp. 282; similarly, as a member of a parole board, Hayner also states that frequency of family visits is related to parole success among the inmates he reviewed in "Parole Boards Attitudes Toward Predictive Devices", in Johnston op. cit., p. 292.

<sup>5</sup>Zald notes that eligibility for parole is a decision to be made with respect to the rehabilitative progress of inmates: see Mayer Zald, "The Correctional Institution for Juvenile Offenders", in Hazelrigg, op. cit., p. 239.

<sup>6</sup>Zald, ibid., p. 239.

<sup>7</sup>In addition to Hayner; for public reactions to various offenders see Jessica Mitford, "Kind and Unusual Punishment in California", in Burton Atkin and Henry Glick (Eds.), Prison Protest, and Politics, Englewood Cliffs, N.J.: Prentice Hall, 1972, p. 161.

<sup>8</sup>See Ronald H. Beattle, California Male Prisoners Released on Parole, 1946-48: A Study of the Parole Experiences of this Group as of January 1, 1953, Sacramento:

The Director of Corrections and Adult Authority, 1953, p. 19. Also, the low violation rates for murderers is confirmed by Lloyd Ohlin, Selection for Parole, New York; Russell Sage Foundation, 1951, p. 52.

<sup>9</sup>Don C. Gibbons, "Some Notes on Treatment Theory in Corrections", in Hazelrigg, op. cit., pp. 329-48.

<sup>10</sup>Gibbons, ibid., p. 343.

<sup>11</sup>See Robert Derbyshire, "Children Perceptions of the Police" in Reasons and Kuydendall, op. cit., pp. 144-55; also Mozell Hill, "The Metropolis and Juvenile Delinquency Among Negroes", Journal of Negro Education, 28, 1959, pp. 277-85.

<sup>12</sup>Reasons and Kuydendall, op. cit., pp. 259-60.

<sup>13</sup>As noted in the statistics of this states 1972 annual report on the characteristics of prison commitments.

<sup>14</sup>A regular parole is release from custody at the time of the parole hearing. A deferred parole is a release action that is delayed until more information is obtained, a medical clearance is given, or an educational program is completed. The parole is said to be delay only for two to four weeks.

<sup>15</sup>We have no statistics to corroborate the claim of overcrowded conditions during this period, however this state-ment was made numerous times by officials at the Reception Diagnostic Center and at the institutions.

<sup>16</sup>In cases where the institution and parole board recommend release prior to the expiration of the minimum term, the sentencing judge or his successor must given written consent for parole. It is reported in documents that in at least two-thirds of such cases, consent is obtained from the courts of this state.

<sup>17</sup>Johnston, op. cit., p. 248.

<sup>18</sup>Hayner, op. cit., p. 293.

<sup>19</sup>Erik Wright, The Politics of Punishment, New York: Harper and Row, 1973, pp. 113-19.

<sup>20</sup>Marvin Wolfgang, Crime and Race: Conceptions and Misconceptions, op. cit., p. 32.

## CHAPTER VI

## CONCLUSION

Intraprison outcome was defined in this study as the documented judgement of an offender's behavior or character, and the recorded administrative actions which determine the probability of success and alternative processing of inmates for parole. Primarily, the foregoing analysis has focused on the extent to which intraprison outcomes vary according to the racial characteristics of young first offenders during their first experience in three adult correctional institutions. The institutions, characterized as more or less custodial, provided a crucible in which to further explore characteristics which might be an additional source of variation in the outcomes of Black and White offenders. The original sample consisted of 547 first offenders who were incarcerated between 1969 and 1972. This number was reduced as additional variables were introduced for analysis, since complete data were not available for each case.

The findings are presented with the reservation that, since they are based on large amounts of missing data on some variables and represent the outcome experiences of a select group of offenders in one state, generalization to

other types of offenders in other localities may not be justified.

The two questions which were considered throughout this analysis are: Does race, as a measurable factor, differentiate the outcomes of first offenders in prison? Is there evidence that institutional differences influence the degree of variation in the outcomes of Black and White offenders? The following findings provide partial answers to these questions.

#### Overview of the Findings

- I. There is no significant association between race and the adjustment outcomes of first offenders. However, there are differences in the average adjustment ratings at various institutions and in the outcomes of Blacks and Whites at these institutions.
  - A. Inmates at the medium custody institution were more often rated well adjusted compared to inmates at the minimum and maximum custody institutions. There are weak tendencies suggesting that more Blacks than Whites are rated well adjusted at the minimum and maximum custody institutions, while more Whites than Blacks are rated well adjusted at the medium custody institution.
  - B. The findings suggest that there is a differential perception of the institutional adjustment of Black and White first offenders with similar background

characteristics.

For White inmates, juvenile incarceration and poor school adjustment appear to be detrimental to perceived adjustment in prison. For Black inmates, these characteristics make little difference in prison adjustment. The biographies of Blacks appear to be meaningless predictors for adult behavior, while for Whites they provide a basis for predicting future behavior.

- C. There is a strong relation between misconduct in prison and adjustment ratings for both races at the more custodial institutions. There is no extent relation at the minimum custody institution.
  - D. To some extent and other things being equal, Blacks are more likely to be well adjusted than Whites in prison.
- II. There is a consistent relationship between counselors' recommendations and race at the institutions.
    - A. White inmates are more often recommended than Blacks who are eligible for parole. Although the degree of difference between recommendations for the races appear to vary according to custody level, the relation cannot be conclusively determined by these data.
    - B. The relation between counselors' recommendations and adjustment appear to vary according to race and institution.
      1. For Black inmates, adjustment seems to make more of a difference for parole than for White inmates: Well adjusted Blacks are significantly more often recommended than maladjusted Blacks.

The trend is similar for White inmates, however, the relation is weak by comparison.

2. Differences are slight at the minimum custody institution, however, at the more custodial institutions, there is apparently more caution exercised by counselors in predicting the parole success of maladjusted Blacks than maladjusted Whites.

C. The relation between parole recommendations and type of offense is not monotonic. Although the recommendations of least serious offenders could not be usefully explored with these data, differences were notable between the property and serious offense categories.

1. First offenders convicted of serious crimes were more often recommended for parole than first offenders convicted of property crimes. This may be related to the more antisocial attitudes exhibited among property offenders compared to serious offenders.
2. At the more custodial institutions, Whites convicted of property crimes were more often recommended than Blacks convicted of the same offense, and significantly so at the maximum custody institution. Since the seriousness of the offense is more related to recommendations for Whites than for Blacks, the differential treatment of the races in this offense category provides a basis for the perception of racism.

D. Prior juvenile history has a differential effect on parole recommendations for the races.

1. At all institutions, Whites with prior juvenile incarceration experiences were more often not recommended and less likely to be recommended than Whites with no juvenile incarceration experiences.
2. For Blacks, there appears to be no relation, and the relation that exists seems to be the inverse of that for Whites.

3. Racial comparisons show that more Blacks than Whites with prior juvenile correctional experiences were recommended at the minimum and medium custody institutions. At the maximum custody institution, more Whites than Blacks are recommended, despite juvenile correctional history.

III. There is a differential processing of Blacks and Whites for parole.

A. Overall, Black offenders are denied parole more often than White offenders at all institutions, however, differences are statistically significant only at the medium and maximum custody institutions.

B. With the exception of one race and one institution, parole recommendations do not appear to be strongly related to parole outcomes:

1. At the maximum custody institution, non-recommended Blacks are denied parole about five times more often than Blacks who are recommended for parole. At the other institutions, at nearly all inmates are recommended for parole and recommendations do not appear to make much difference in parole outcomes.
2. Race appears to be related to the parole outcomes of inmates with the same counselor recommendation: At the medium custody institution, recommended Blacks are significantly more likely to be denied parole than recommended Whites. The same pattern appears at the maximum custody institution, however, the relation is stronger among non-recommended inmates: Here non-recommended Blacks are significantly denied parole more often than non-recommended Whites.

C. The relation between adjustment and parole outcomes varies according to the institution of confinement and race.

1. There is no relation between adjustment and parole for either race at the minimum custody institution.

2. At the medium custody institution, there are racial differences between adjustment and parole outcomes: maladjusted Blacks are five times more often denied parole than well adjusted Blacks. For Whites, there is little difference in the proportions denied parole between maladjusted and well adjusted inmates.
  3. At the maximum custody institution, adjustment has an effect in the expected direction for both races, but the effect is stronger for Blacks.
- D. There is no relation between type of offense and parole outcomes for first offenders. However, there are indications that property offenders may be denied more often than serious offenders.

Race is significantly related to the parole decisions of property offenders: Blacks are more often denied parole than Whites in this crime category. Since property offenders are more often denied parole than serious offenders, there appears to be a perceived need to retain these inmates for more resocialization services than the latter inmates. Thus, more Black than White property offenders appear to be singled out for this process before actual release from custody.

- E. Time served in prison has no significant relation to the parole outcomes of either race. However, there is a trend suggesting that inmates serving shorter terms are denied more than inmates serving longer terms.

At the more custodial institutions, striking differences occur between Blacks and Whites serving similar terms: At the medium custody institution, significantly more Blacks than Whites are denied parole despite the length of time served. At the maximum custody institution a similar pattern exists, but is significant only for inmates serving shorter sentences.

The interpretations drawn from these findings are, at best, only suggestive. From the statistical evidence presented, race appears to be less important than is commonly assumed by observers of correctional practices. However, as Jones<sup>1</sup> candidly states, one of the many pitfalls that sabotage the efforts of social science is that "statistics lie." During this investigation, reports of data forgery at the institutions were frequently alleged by prison officials and inmates alike, and was said to be common in prisons where many individuals have access to records (and, perhaps, reasons to alter them). Thus, reliance on qualitative data, as well as quantitative data, must be equally if not more important in the broader interpretation of these findings.

Moreover, there is evidence revealing that as the processing moves from value judgements about adjustment to administrative decisions about release, the outcomes become progressively disparate between the races. Institutional variations revealed a similar shift in the evaluation and processing of the races. For example, even though the minimum and maximum custody institutions are more positive in their judgements about Black adjustment than White adjustment in prison, their decisions are reversed at the point of recommending inmates for parole. At this point, the pattern reveals that: a) Blacks are more often placed at a disadvantage than Whites in the assessments made about parole

success in the PERs submitted to the parole board; b) Although differences are slight at the minimum custody institution, they become increasingly important as institutional custody increases from medium to maximum custody status.

Finally, the analysis of the parole administration process reveals that race becomes more prominent in decisions made by the parole board. Other things being equal, the net effect of being Black reduces an inmate's chances for parole. Although the difference is partially explained by the fact that more misconduct is reported for Blacks than for Whites, there is still the question of whether these reports represent the actual or the perceived behavior of inmates by staff. Furthermore, when the expected and actual probabilities for parole are computed for the races, Blacks are still denied more often than Whites. Whether or not this represents racism is open for question. However, it is clear that these data do not refute the idea that Blacks are more disadvantaged for parole than Whites. It is at this stage in the processing of inmates that considerable doubt can be cast on the proposition that there is no racism within the correctional system.

#### Discussion

The quality and quantity of data available for this study do not permit a more refined analysis, but on the basis of the data available, it appears that the lack of coherence

in the judgements of counselors, and in the decisions of the parole board reflect institutional practices which result in differential processing of first offenders in prison.

As noted above, prison officials indicate that manipulation or misrepresentation of some data by staff and inmates tends to distort the validity of the data that is recorded in institutional files. These disclosures accompanied indications that there is a history of institutionalized racism in the system that was studied which can only be detected by staff who have had a long work association in the institutions.

Racism was most often pointed out in interviews as being a dynamic in the interpersonal relations and in the operations of the medium and maximum custody institutions. Although the findings of this study are inconclusive, they suggest that factors other than objective criteria enter into judgements and decisions made by prison officials. This is best illustrated by the analyses of the more objective data in this study, parole recommendations and parole outcomes.

There may be many factors obscured by the data, in the aggregate, however, there are both substantive and statistically significant evidence to support the speculation that Black and White offenders do not receive equal treatment in adult institutions. A case in point is the lack of consistency in the adjustment ratings and recommendations of inmates at the open and close custody institutions. More

Whites tend to be rated less well adjusted than Blacks at both the minimum and maximum custody institutions, however, White inmates are more often recommended for parole. To carry this a step further, we find that while the majority of both races at the minimum custody institution are released by the parole board, more Whites than Blacks are paroled at the maximum custody institution among inmates who are less well adjusted and who are not recommended for parole.

These findings beg the question of how equity operates in the processing structures of the adult correctional system? Furthermore, are we to assume that Black inmates adjust better to institutional living yet are comparatively less eligible for parole than White inmates? How important is adjustment to the recommendations that are submitted to the parole board, and in turn, how important are these recommendations for parole? The present study shows that those factors (e.g. adjustment, recommendations) that are believed to be integrally related to a conditional parole from prison do not necessarily operate in the same way for Black and White inmates. Are there factors that haven't been accounted for in this analysis or is this finding a reflection of the discretionary abuse that is attributed to correctional staff and parole boards in the American correctional system? These questions have the following implications for research and correctional policy.

#### Implications for Research

These findings have several implications for future research in the exploration of differential treatment in correctional systems. First, there is a need for studies specifically focusing on the more objective data to determine the nature of the linkage between race and the differential outcomes for inmates. Whether racism is intentional or unintentional, the differential selection of inmates for alternative experiences requires more understanding about how and under what conditions these processing disparities occur.

It is difficult to conclude from documentary evidence that individual racism is the key factor in the disparities observed in various outcomes. However, for organizations such as correctional institutions, systematic explorations of the fairly stable social arrangements and practices often reflect the collective actions of institutional staff. Prewitt and Knowles<sup>2</sup> note that these actions underscore the institution's power to reward and punish those members over which it has control...." They reward by providing opportunities for some people and foreclosing them for others."<sup>3</sup> More research may be able to determine precisely how the mechanisms that differentiate the distribution of benefits operate in correctional institutions.

Second, continued research should be undertaken to determine the effect of race on outcomes in institutions with varying compliance structures. These findings indicate

that, depending on custody level, a more complex relation between race and outcomes can be anticipated from future research. Moreover, outcomes that are influenced by extramural units, such as the parole board, should be investigated thoroughly to determine the crucial role they play in the differences found between the races in the final outcomes observed prior to release from custody.

Third, future researchers should be acutely aware of the problems they face in trying to analyze racial differences from data in correctional records. Missing data and misrepresented information in these files present numerous difficulties in trying to rationally interpret the results of these data. Given these problems, generalizations may be highly suspect from such evidence. However, it might be that the analysis of the relation between race and these problems (missing data etc.), along with the more official outcome data, could reveal important insights into the differences observed in the processing of racial groups in prison.

Finally, the focus of future investigations should be narrow in scope. A more thorough analysis of any one of these outcomes might have produced more evidence precisely specifying the nature of how race is actually related to the outcomes that were observed.

#### Implications for Correctional Policy and Practice

The findings indicate that there are several areas of concern that should be seriously addressed by those in the position to make and change correctional policy and practice.

First, a periodic audit focusing on the equity of processing practices and procedures should be undertaken by audit units that are internal and external to the system. External auditors should be responsible to the governor of the state or an agency designated by the governor. This practice would ensure that the integrity of nondiscriminatory policies are in fact preserved.

Second, similar to the Race Relations Education and Training Branch of the U.S. military, a mandatory race relations training program should be established and conducted annually as a refresher course for all correctional employees who have direct contact with inmates. This would reinforce the Departmental policy of nondiscrimination between inmate groups, and would also permit the introduction of new ideas and strategies for handling race relations, particularly in prison environments.

Third, since institutional assessments have some influence on decisions rendered by the board, the entire Classification Committee should review and endorse judgments and recommendations that are submitted to the parole board. This policy should be mandatory, since presently many Classification Committees abrogate responsibility for

these decisions to one individual - the counselor - who neither has the time nor the objective facts to make adjustment and parole eligibility decisions that are important to parole consideration. These committees must include minority group personnel to increase the likelihood that decisions have the highest degree of credibility among inmate, as well as public, observers of the crucial stages of correctional processing (e.g. recommendations and parole decisions).

Fourth, each facility should be required to report to the Department statistics by race on certain decision data (e.g. number of misconduct reports per month; type of parole recommendation) that are often left to the discretion of individual staff members. Furthermore, staff should be required to report misconduct in behaviorally specific terms in records. The practice of reporting misconduct in terms such as "insolence" and "insubordination" should be discontinued. This would facilitate (and make staff more accountable) the thorough investigation of disciplinary reporting practices if statistics reveal an overrepresentation of one race in monthly reports.

Fifth, it should be the policy of correctional departments to investigate and reduce disproportionate interracial differences in parole-related decisions. A careful review of the entire parole board structure and its practices is strongly indicated by the findings of this study. The greater use of objective predictive measures appear to be

in order. More importantly, the impanneling of a board with professional expertise in the area of parole behavior and one that is racially representative of the inmate population may reduce the influence of criteria such as race on parole decisions.

Finally, correctional systems should consider the effects of different compliance structures on the adjustment of young offenders. In addition to equalizing the dispersion of races within institutions, a closer look should be directed towards the effects of open and closed vs. the more moderate compliance structure of prisons. It may be that the younger offender requires a structure midway between excessive control and individual freedom which complements the needs of this more reactive stage of adult maturation.

## NOTES

<sup>1</sup>James M. Jones, Prejudice and Racism, Menlo Park, California: Addison-Wesley Pub. Co., 1972.

<sup>2</sup>Louis Knowles and Kenneth Prewitt (Eds), Institutional Racism in America, Englewood, N.J.: Prentice-Hall, 1969.

<sup>3</sup>Ibid., p. 5.

## APPENDIX: TABLES

TABLE I: PRIOR SCHOOL ADJUSTMENT BY RACE AND INSTITUTION

Inst/Race	Well Adjusted	Less Well Adj.	N*
REHAB			
Black	56.3%	43.8%	64
White	54.2	45.8	48
		$X^2 = .05$ p = .82	
TRAINING			
Black	64.8	35.2	54
White	56.9	43.1	65
		$X^2 = .76$ p = .38	
TRADITIONAL			
Black	58.3	41.7	60
White	62.2	37.8	45
		$X^2 = .16$ p = .68	

\*Excludes 211 cases with MD on prior school adjustment.

TABLE II: FREQUENCY OF FAMILY CONTACT BY RACE AND INSTITUTION

Inst/Race	Frequent Visits	Infrequent Visits	N*
REHAB			
Black	71.0%	29.0%	31
White	91.3	8.7	23
	$X^2 = 3.4$ $p = .06$		
TRAINING			
Black	87.5	12.5	32
White	87.5	12.5	48
	$X^2 = .77-30$ $p = 1.0$		
TRADITIONAL			
Black	61.7	38.3	60
White	79.5	20.5	44
	$X^2 = 3.8$ $p = .05$		

\*Excludes 308 cases with MD on family contact.

TABLE III: TYPE OF OFFENSE BY RACE AND INSTITUTION

Inst/Race	Serious	Moderate	Least Ser.	N*
REHAB				
Black	30.4%	64.7%	4.9%	102
White	14.8	76.5	8.6	81
	$X^2 = 6.5$ $p = .04$			
TRAINING				
Black	43.0	49.4	7.6	79
White	24.7	59.8	15.5	97
	$X^2 = 7.5$ $p = .02$			
TRADITIONAL				
Black	45.0	50.0	5.0	100
White	15.9	76.8	7.3	82
	$X^2 = 17.6$ $p = .001$			

\*Excludes 6 cases with MD on type of offense.

TABLE IV: INMATE PROPORTIONS WITH MISCONDUCT REPORTS BY RACE AND INSTITUTION

Inst/Race	None	1-2	3 or more	N*
REHAB				
Black	34%	43%	23%	102
White	47	37	16	81
TRAINING				
Black	47	29	24	80
White	54	35	11	97
TRADITIONAL				
Black	14	30	56	101
White	26	38	36	82

\*Excludes 4 cases with MD on misconduct.

TABLE V: TOTAL TIME SERVED IN PRISON BY RACE AND INSTITUTION

Inst/Race	1-18 mos.	19-36 mos.	37+ mos.	N*
REHAB				
Black	53.6%	44.0%	2.4%	84
White	73.5	23.5	2.9	68
	$X^2 = 6.9$ $p = .03$			
TRAINING				
Black	63.5	33.3	3.2	63
White	54.3	44.4	1.2	81
	$X^2 = 2.2$ $p = 3.2$			
TRADITIONAL				
Black	74.3	23.3	2.3	86
White	74.4	24.3	1.4	70
	$X^2 = .18$ $p = .91$			

\*Excludes 95 cases with MD on time served in prison.

TABLE VI: PAROLE OUTCOME BY RACE AND EXPECTED PAROLE PROBABILITY\*

Race and "Expected Parole Probability"	Parole Outcome		
	Paroled	Denied	Total
Black:			
1.00+	43	2	45
.90 - .99	88	9	97
.80 - .89	30	10	40
<.80	22	20	42
Total	183	41	224
White:			
1.00+	42	--	42
.90 - .99	114	1	115
.80 - .89	32	7	39
<.80	7	5	12
Total	195	13	208

Note: This table is based on 432 cases with data on type of offense and parole outcome and excludes 10 cases serving over 36 months in prison.

\*The expected parole probability is based on MCA of white inmates (Table 43).

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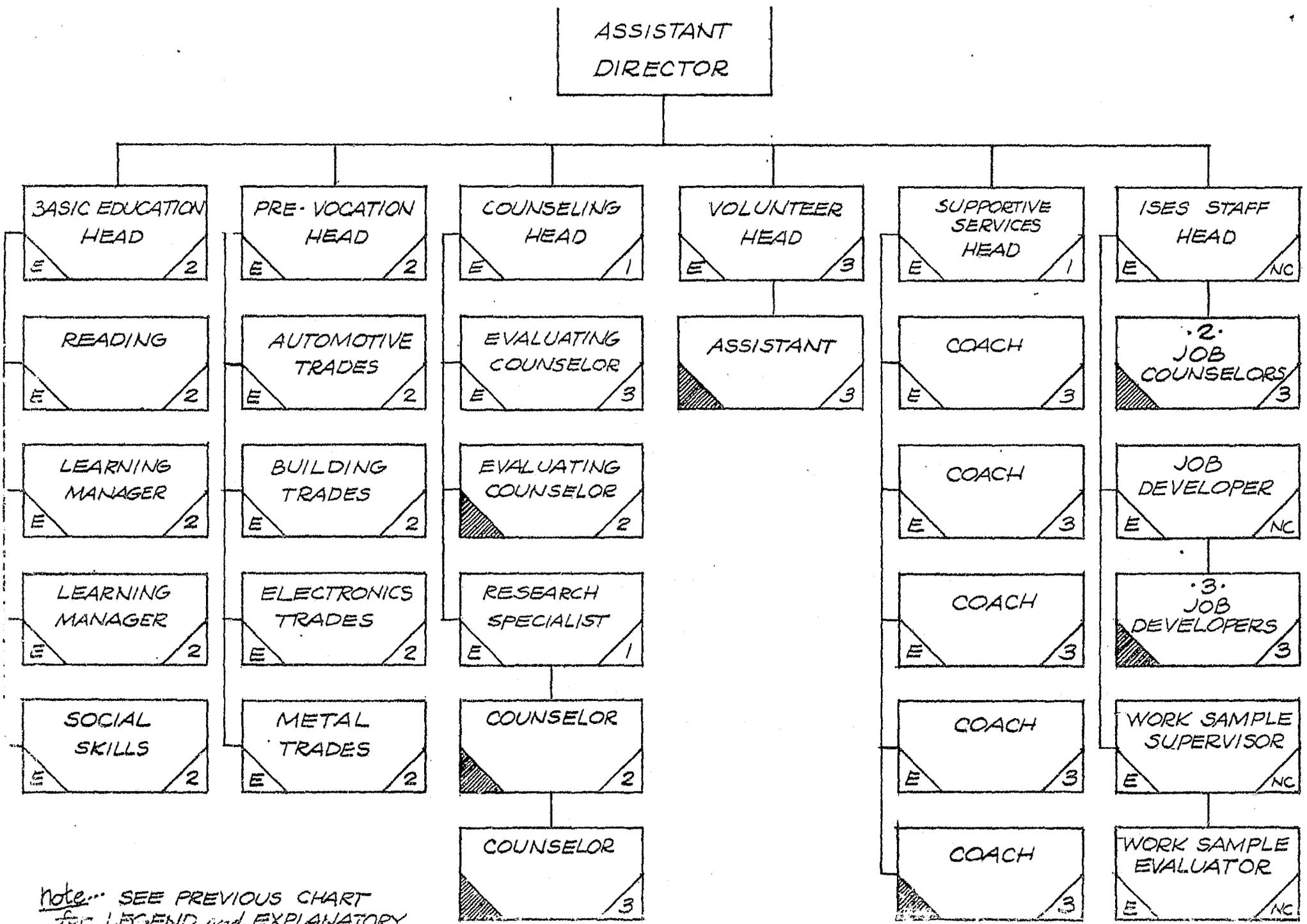
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ASSISTANT  
DIRECTOR

BASIC EDUCATION  
HEAD  
E 2

PRE-VOCATION  
HEAD  
E 2

COUNSELING  
HEAD  
E 1

VOLUNTEER  
HEAD  
E 3

SUPPORTIVE  
SERVICES  
HEAD  
E 1

ISES STAFF  
HEAD  
E NC

READING  
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AUTOMOTIVE  
TRADES  
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EVALUATING  
COUNSELOR  
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ASSISTANT  
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COACH  
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COUNSELORS  
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LEARNING  
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BUILDING  
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COACH  
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JOB  
DEVELOPER  
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LEARNING  
MANAGER  
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ELECTRONICS  
TRADES  
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RESEARCH  
SPECIALIST  
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SOCIAL  
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METAL  
TRADES  
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COUNSELOR  
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COACH  
E 3

WORK SAMPLE  
SUPERVISOR  
E NC

COUNSELOR  
E 3

COACH  
E 3

WORK SAMPLE  
EVALUATOR  
E NC

Note... SEE PREVIOUS CHART  
for LEGEND and EXPLANATORY  
NOTES.

**END**