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Editorial

This issue of *The Prison Journal* on Prison Violence has been planned over a period of years. It has turned out to be one of the longest issues ever in terms of the number of pages, and we expect it may rank as one of the most provocative issues we have published. The contents range from analyses of prisons and various forms and causes of violence to the philosophies in correctional thought, and finally to a look into the future of corrections in an attempt to assess their social value to the community, the nation, and to the world. We have been fortunate in assembling among the writers some of the finest minds in corrections today.

One of the themes that emerge from the essays in this issue revolves around the axiom which is becoming more and more apparent to psychologists and social observers: violence begets violence. The whip is not the answer to incorrigibility; rejection is not the answer to delinquency; abused children become child abusers. And yet in the course of administering a prison, it is not always apparent that the axiom is accepted; it is not clear that the lesson has been learned. We continue to act as if our measures of control and oppression are a defense rather than a cause of the violence we fear and sometimes experience in our institutions.

There are many forms of violence. We recall Gandhi's statement that "poverty is the worst form of violence." I remember hearing Robert Kennedy, speaking at a memorial on the day after Martin Luther King's assassination, say that social ills and racism constituted the most raw kind of violence. And in this issue, Paul Keve speaks of the "violence fostered by the prison itself in those inmates who have not been particularly violence-prone on the outside." Thus, he says, "we sustain the correctional quicksand . . . and the prison's criminogenic character."

If this issue of *The Prison Journal* can somehow persuade the correctional world that our developing understanding of violence and its causes has deep implications for how we should run our prisons, then we will have done what we set out to do.

R.A.D.

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The Anatomy of Another Prison Riot

*Israel L. Barak-Glantz**

One sunny Spring morning in 1981, there was trouble at the 5,500-inmate institution of the State Prison of Southern Michigan (SPSM). Hundreds of officials and employees rushed to the prison that Friday before Memorial Day. They were too late. By late in the morning of May 22, 1981, mattresses and desks were burning, and hundreds of prisoners were in the central yard. Guards against supervisors, then prisoners against guards, had erupted within the concrete recesses where some of Michigan's dangerous offenders are shut away. Inmate uprising, apparently unplanned and leaderless, destruction, and violence swept through the State's three largest and toughest prisons during the subsequent five days. News of the disturbance at SPSM reached prisoners at the Michigan Reformatory in Ionia the afternoon of May 22, 1981, through the media, from personal phone calls, and by word of mouth. At 7:00 p.m. that evening, J Bloc's residents, comprising about half of the prison population, were released into the yard. Shortly thereafter, several warning shots were fired and the prisoners in the yard, as is standard procedure, began returning to their cells. Once in the cell block, inmates overpowered a guard, took his keys, and released the balance of the inmate body. A group of about 75 white inmates fled for an area of relative safety. A number of prisoners were assaulted. Several guard platoons systematically swept the institution, returning inmates to their cells. Nearly 60 inmates and 26 staff members were injured.

About an hour after the SPSM had been secured, the branch prison at Marquette erupted. Shortly before the end of the evening yard time, an officer stopped two inmates to shake them down for weapons. One inmate fled, the other physically assaulted the officer. At this point inmates seized the initiative and began a display of destruction, causing injuries to ten officers and 14 inmates. Officials secured the institution about 12:30 a.m., on May 26, 1981.

Luckily no one died; a few of the thousands of guards and prisoners involved were seriously injured. Arson and vandalism destroyed prison properties valued at over \$10 million at Jackson, Ionia, and Marquette. The disturbance at Jackson later revealed a bitter rift between guards and the Administration who, together, supervise the men who have been banished from their communities (**Report of the Joint Legislative Executive Task Force on Overcrowding**, 1980). This particular wave of prison disorders illustrates a spontaneous uprising by inmates who took advantage, among other things, of the open conflict between their custodians to vent their own rage.

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This major wave of disturbances in Michigan's system, like the one preceding it at New Mexico State Prison, represents inter alia the complete failure of the political process by which prisoners attempt to alter their daily reality. When rhetoric failed,

the dreams become nightmares. Anarchy within the walls replaces unity, atavism replaces ideology; prisoners destroyed their own. In the New Mexico convulsion, and since then in Idaho, no hostages were taken, except incidentally. No grievances were aired; no mediators requested; no manifestoes issued (like in the Attica situation); no appeal to the media or the public made; no cries for help heard (Dinitz, 1980:13).

Something happened at the New Mexico Penitentiary that drastically changed the face and course of prison riots as we know it. The Michigan prisoners learned the lesson. They learned what prisoners can do to other prisoners (which incidentally they did not do to guards), when both the administration and guards' forces are "confused."

It is the purpose of this paper to briefly review the history of prison riots, to examine and analyze the conditions and circumstances that generate or elicit collective prison disorder, to examine them in light of the disorders in the Michigan correctional system, and to draw the lessons from the Michigan experience and provide some ideas for future directions in corrections. To these ends, we begin our analysis with an examination of the historical patterns in connection with riots and disturbances in this troubled total institution — the American prison.

The History of Prison Revolt in America

Interpersonal, one-to-one violence is endemic to prison life. However, group action precipitated chiefly by internal changes in prison structure and organization and by the intrusion of outside conflicts beyond the walls is much more spectacular, deadly, destructive, and "attractive" to the world outside. It is not surprising that there has been at least one major prison riot in the United States each year. These riots occur coast to coast and, more often than not, involve the taking of guards as hostages, and nearly always include arson and vandalism (DesRoches, 1974). Ironically, the usual targets of destruction have been prison schools, shops, infirmaries, counseling centers, chapels, and recreational facilities — the very programs and institutions designed to aid inmates during their period of confinement. Another irony has been pointed out by Huff (1982) who argues that the penitentiary, an American invention, was conceived as an alternative to violence. He argues, like Rothman (1971), that the prison was originally introduced to substitute executing the offender. In advancing the new ideology of the penitentiary, the Quakers attempted to establish a place

where the criminal could be penitent, remorseful, and have an environment where he could reflect on his sins. The intention was to build institutions which would transform and reform these wayward transgressors, argues Huff (1982). In reality, however, institutions soon became overcrowded, the unqualified personnel became overworked, and the institutional resources gradually diminished to a point where adequate care and humane living conditions were impossible to provide. Thus, the institution which was invented as an alternative to violent punishment became the context within which individual violence became a way of life.

An examination of institutional disorders and disturbances reveals not only a cyclical pattern of periodic flare-ups every decade or so, but also a steady increase in occurrences of disruptive behavior and a change in the seriousness of the riots in terms of injuries and damage to property. Prisoner revolt historians identify several major waves of riots and disorders in the twentieth century. The first one coincided with the First World War. Although information on these earlier prison riots is relatively sketchy, we know that violence was usually brief, it cost few lives, and involved a relatively small number of hostages. This first riot lasted some 24 months and led to the introduction of some of the proposals which were originally set forth in the American Prison Congress meeting in Cincinnati in 1870. These programs included education, the introduction of counseling services, declining emphasis on regimentation, and harsh disciplinary approach to management, as well as some improvements in prisoners' living conditions. This wave ended in 1915 (Garson, 1972:535).

Another wave of prison disorders and disturbances came in America in 1929 and lasted for about two years (Garson, 1972:536; Dinitz, 1980:8). This wave of riots coincided with the old "new criminology." This brand of criminology was associated with the doctrines of the rehabilitation model and all its derivatives, i.e., diagnosis, testing, differential psychiatric treatment and counseling, indeterminate sentencing, and parole. This philosophy was clearly therapeutic in nature and thus undermined the existing *modus vivendi* which existed in American prisons at that time. Some students of prison riots (Dinitz, 1980; Huff, 1982) feel that this state of affairs may have served as a trigger for the coast-to-coast prison revolts of the early years of the great depression. This second wave of riots produced an atmosphere within which prison reforms, such as the right to possess radios, extended inmate interaction with the world outside the prison, and visiting privileges were implemented. It can be argued that these prison disorders created the first fissures in the walls around many American prisons, thus paving the way for outsiders to become more involved with prisoners.

The next series of serious riots came after 20 years, with the Korean War in 1951.* This wave began in Utah (May and August 1951)

involving the usual complaints of poor food, brutal treatment by guards, inhumane sanitary conditions, and capricious parole board decisions. Like epidemics of any kind, destruction spread to West Virginia, Illinois, Kentucky, Michigan (April 1952), New Jersey (April and October 1952), Pennsylvania, Washington, and Oregon, before it subsided. The years 1952 and 1953 saw more than 45 riots involving over 21 states. Most of these prison riots were specifically directed and motivated by dissatisfaction with the way in which the rehabilitation was implemented (**Prison Riots and Disturbances**, 1953; **Riots and Disturbances**, 1970; Carter, McGee and Nelson, 1975; Flynn, 1980).

Since 1953, the number of outbreaks had declined —until 1968 when violence and injuries increased in severity with each consecutive year. Dinitz holds that the 1960's in the United States were "the most riotous years of the century." He states that:

Group conflict theories became the rage and real or alleged differences were magnified, embellished, and accepted as part of the post-industrial stage in the evolution of capitalist society. Americans, traditionally apolitical, adopted a new vocabulary featuring words and phrases —justice, equity, human rights, affirmative action, participatory democracy, conflict, identity, awareness, raised consciousness, which were or had either been 'taken for granted,' to use an ethnomethodological phrase or were distinctly alien to the American ethos (Dinitz, 1980:9-10).

As is normally the case, the revolution in the streets rapidly penetrated behind prison walls, and "burn, baby burn," and "down the pigs," were slogans imported into prison lingo, and another wave of unrest in prisons was ushered in (Dinitz, 1980:10). This wave began at the Oregon Penitentiary with 22 hostages taken, five prisoners killed, 61 wounded persons, seven destroyed buildings, more than \$1 million in property damage, and one warden fired. The prison was retaken by the National Guard after blowing a hole in the wall (Huff, 1982:6). At the Holmesburg Prison in Philadelphia, 86 men were injured in 1970. At the Cummings Prison in Arkansas, two hostages were taken.

Of all years, 1971 led to the bloodiest riot wave in the history of prison unrest and disorders, culminating at the State Prison at Attica, New York, which exploded late that year. After the prison at Attica was taken over, 32 inmates and 11 guards were dead. All but three were killed by the state forces (Martinson, 1972; also see: **The Official Report of the**

* Garson argues that during the two decades (1930-1950), there had been a sharp decline in prison riots, which he attributes to: (a) "learning the lesson" from the 1920-1930 riots, (b) prison overcrowding remaining relatively stable, and (c) retreating from maximum-security concepts of the 1930's (Garson, 1972:539-540).

New York State's Special Commission on Attica, 1972). During the same year we witnessed two additional major prison riots at the Idaho State Penitentiary and at the Rahway State Prison in New Jersey. While the Idaho and New Jersey riots were quite severe, the Attica riot would stand out in the eyes of American citizens as the worst riot in American prison history, particularly because it was televised daily across the United States.

This wave of riots did not completely end in 1971. In 1973, riots took place at Holmesburg Prison as well as at the Oklahoma State Penitentiary at McAllister. In 1974, a riot broke out at the Texas State Penitentiary at Huntsville. The next year Rikers Island, N.Y., inmates experienced a major disturbance. In 1976, Carson City, Nevada, inmates were involved in two riots within three weeks. Three guards were stabbed to death in 1978 at the Pontiac State Penitentiary in Illinois, an institution that, at that time, housed eight times the number of prisoners it was built for (Huff, 1982).

Perhaps the most serious of all prison riots, in terms of its level of violence and brutality, is the one which took place at the New Mexico State Penitentiary in 1980. Students of the prison, its critics, journalists, and others tend to compare the New Mexico riot with the one at Attica. However, there are several fronts in which these two major prison riots are distinguishable (Huff, 1982), and these must be considered before comparison becomes useful.

First, demands in the case of the Attica situation were presented to the management and specifically to New York's Commissioner of Correctional Services, Russell G. Oswald, before the riot began (Wicker, 1975:311). By contrast, in the New Mexico State Prison situation, it was clear that the riot occurred in a prison where "inmates certainly had serious grievances but the riots seemed to take place within an overall context of poor conditions, rather than as a protest directed against those conditions" (Huff, 1982:8). In other words, in the case of the New Mexico situation, the grievances emerged later and were then presented to the prison management as the riot was already in progress. This was not so at Attica (**Report of the Attorney General on the February 2 and 3, 1980, Riot at the Penitentiary of New Mexico**, 1980).

Second, from an examination of the events in these prison riots, it is evident that, in the case of Attica, force and revolt was used as a means to other ends, rendering the Attica riot instrumental in nature. One might argue that it was designed to achieve specific goals. Those goals were expressed by prisoners in the Attica Manifesto of demands set forth by the Attica Liberation Faction. In the case of the New Mexico situation, however, force and rebellion were clearly used in a rather hedonistic fashion. This can be seen in that 33 inmates of the penitentiary were killed by their fellow inmates, rather than by the National Guard or any other external force that was called in to intervene with what was going on at the penitentiary.

It is obvious from this account that prison violence is not a relatively recent phenomenon. Rather, it has always been with us, even though some of its elements and characteristics have undergone considerable change (**Prison Riots and Disturbances**, 1953; **Riots and Disturbances**, 1970; Flynn, 1980). We turn now to a consideration of an etiological framework in connection with prison riots and disturbances.

Why Do Prisoners Riot?

An examination of official reports and the literature on the subject of the causes of prison riots reveals a relatively consistent melange of the following reasons: poor, insufficient and/or contaminated food, overcrowding, excessive size and obsolete physical plants; insufficient financial support and public indifference; lack of professional leadership, substandard personnel, inhumane prison administration, and brutality of prison officials; inadequate treatment program or none at all; idleness and monotony; political interference with personnel and programs; and groups of unusually refractory hard-core inmates. Some more recent studies include conspiracy theories which attribute etiologic significance to agitators originating both inside and outside of the prison (Irwin, 1980). These conditions which precipitate riots or prison disorders are present in many prisons. In fact, they are present in nearly all large maximum security institutions. The question that must be raised is why only some prisons experience riots? What are the specific conditions in the specific prison context which promote and/or trigger the disturbance or the disorder? It is apparent that none of the standard complaints of administrators and inmate grievances can, in themselves, be considered sufficient to explain prison riots and disorder, although they may be necessary accompanying conditions. The explanation of riotous behavior, therefore, must go beyond what is obvious and simple, and examine the deeper fabric of the prison's social milieu vis-a-vis a study of the fundamental structures and functions of the prison social system and their interrelationships.

The American Correctional Association's volume titled **Riots and Disturbances in Correctional Institutions** (1981) provides a systematic exposition of what it perceives to be major causes of riots and disturbances in correctional institutions. It divides the causes of riots into the following categories: institutional environment (substandard facilities, overcrowding, and idleness and lack of programming); characteristics of the inmate population (antisocial inmates, mentally ill inmates, racial/ethnic minorities, prison gangs, revolutionary organizations, fear, principles of collective behavior); administrative practices (frequent turnover of management, frequent turnover of staff, frequent recruitment in hiring, inadequate staff training, breaches of security); and noninstitutional causes (public apathy, punitive attitude, social unrest, inadequate funding, inequities in the criminal justice system). While this long list serves the practitioner very well, it may be

useful to outline some of the major sociological theoretical approaches which have been applied to this subject.

The following analysis concentrates primarily on social organizational characteristics of the prison which become important, necessary, but not sufficient, causes of prison disorders. These include: (a) the prison as a solidary-opposition social system; (b) racial, political, and ideological tensions in the prison; (c) the relative deprivation thesis; and (d) the prison as a mixed-goal institution of treatment and custody.

The Prison as a Solidary-Opposition Social System

One of the most significant aspects of any prison system is that it runs by the implicit and tacit consent of the inmates (Clemmer, 1940; Sykes, 1958; Mattick, 1972; Irwin, 1980). Few will dispute the fact that inmates could seize control over an institution at any given moment should they wish to take that risk. This is a possibility inherent in those institutions in which large numbers of inmates are managed by small numbers of supervisory staff, and it results in the development of an informal social organization among the inmate population, complete with a value system, stratification, and informal social controls. Clemmer (1940) referred to this informal organization as the inmate social system which is characterized by its evolving inmate code (Sykes, 1958; Cloward, 1960). These controls contribute to the maintenance of the institution. The prime mechanism of control, therefore, is not so much the use of force as it is an intricate web of informal and symbiotic social relationships between inmates and staff motivated by the administration's desire to maintain order. Conformity to the rules of these relationships on the part of the inmates assures a predictable atmosphere for all concerned. It also facilitates such daily operations as the exchange of goods and services between inmates, and sometimes even staff, and also assists certain custodial aims.

While the existence of this network of relationships is generally not sufficiently recognized by the official structure of the correctional system, it is tacitly acknowledged by most of those practitioners working in the system. It is here that one of the primary sources of prison disorder is to be found. To be sure, we are arguing that drastic changes in administration, which affect and alter these delicate relationships or disrupt the routine, can upset this precarious balance and enhance the probability of violence and disruptive behavior. It is important to note at this juncture that this tendency to disrupt prevails in prison regardless of whether the institutional changes are for the better or for the worse from the standpoint of the inmates, a fact frequently misunderstood by the public as well as by some prison administrators. Prison reforms —visiting privileges, easing or removal of censorship, improved health and recreational facilities, and the like— are as likely to be followed by a riot as are the imposition of

additional deprivations. As a matter of fact, some argue that the most destructive and costly riots have been tied to rapid improvements, not deprivations (Dinitz, 1980).

Another important point that needs to be made is the fact that the actual outbreak of violence and disorder tends to be delayed reactions because changes require time to reverberate throughout the entire system. As a result, spontaneous violent outbursts often seem unfounded and irrational, frequently concealing the actual or predisposing causes under the facade of superficial precipitating factors. It is argued, then, that when the existing uneasy truce in the prison has been disequibrated, conditions become ripe for disorders to ensue.

Racial, Political, and Ideological Tensions

While the requirement for inmate cooperation in running institutions is just as true today as it was some decades ago, the experience of the past several years indicates a dramatic change in the ground rules by which prisons function. There appear to be some new realities in contemporary American prisons. In fact, there emerges the sociology of the "new prison" (Huff, 1982). Prisoners are less willing to exercise a controlling effect over other inmates, which is accompanied by an increasing toleration of the use of violence on the part of fellow inmates. There are other important factors as well. Cumulative social and economic changes, reflecting increased political and racial tensions of society-at-large, have established conditions for revolt and unrest in our prisons at an unprecedented scale. While our institutions have always contained disproportionate numbers of minority groups, the growth of black and other ethnic populations within our prisons and jails is adding a special dimension to an already difficult situation (Jacobs, 1977; Conrad, 1977; Barak-Glantz, 1978; Irwin, 1980).

First, the prison environment tends to exacerbate and magnify problems of race relations by pitching together diametrically opposed groups. On the one hand is the sophisticated urbanized black or minority group member, keenly aware, through the influence of the mass media and literature, of racism, of differential opportunity, and of the civil rights movement of society. On the other hand is the lower echelon correctional officer who is characteristically rural, white, conservative, and reluctant to change. It is easy to see that such vast ideological and sociopolitical differences not only preclude the formation of the necessary formal relationships but also present a potentially explosive mixture. Second, prison populations reflect the general growth of militancy in the black prison community. For example, there is evidence showing that blacks increasingly view themselves as being capable of taking action on their own behalf (Conrad, 1977; Barak-Glantz, 1978; Irwin, 1980). In addition, due to the

relatively recent dramatic and militant politicization of minority groups, many exhibit a readiness to accept the concept of physical force. This latter phenomenon is rooted, of course, in the raised hopes of the early progress of the Civil Rights Movement and the subsequent disillusionment with a "dream" that did not materialize. This sense is even more so emphasized among prison inmates. Frustrated aspirations give rise to full-scale riots and provide, in addition, the motive for large-scale mobilization, especially of black youth. Since 1965, riots have had increasing political overtones which, in fact, may serve to mask nonpolitical issues.

Of growing importance in the politicization of prison life, however, are militant separatists and racial ideologists of leftist and rightist persuasion. An analysis of the "profile" of the militant prisoner based on available research has relevance for the correctional system not only because it holds this type of prisoner in increasing numbers but also because he represents a new breed of a prisoner with whom administrators now must deal (Barak-Glantz, 1981). Stated briefly, racial militants are most often found among male youths and they are more likely to be urban, better educated, and more politically sophisticated than comparative groups of black conservatives (Tomlinson, 1968, 1970a, 1970b). They tend to report higher rates of abusive reactions from police, are considerably more disenchanted with whites, and they are far more likely to assign full responsibility for changes in race relations to whites. Finally, they are more likely than nonmilitants to endorse the advancement of their cause by any method necessary, including violence as a legitimate last resort, and to engage personally in radical regress strategies that involve force. It is interesting to note that none of these characteristics are particularly anti-White. They are a far cry from the inveterate pronouncements of true radical revolutionaries whose primary goal is the total destruction of the American way of life.

While there can be no doubt as to the disruptive existence of radical ideologists and politically motivated agitators in our prison system, they are probably few in number and, hence, less likely to be a significant problem in terms of control. However, when one considers the causes of prison riots and disorders, one cannot ignore this delicate racial, political, and ideological balance associated with a highly explosive population found in today's American prisons.

The Relative Deprivation Thesis

There can be little doubt that the rhetoric of the 1960's promising reform of our prison system has contributed to the rising expectations of prisoners only to disappoint them by token improvements or delays in implementation. A major precept of the relative deprivation theory suggests that the degree of dissatisfaction among persons is not so much

determined by the absolute level of their achievement or deprivation as it is determined by the perceived discrepancy between their achieved status and some important goal. Relative deprivation thus plays a major role in inciting ghetto riots whenever raised aspirations are not or cannot be fulfilled, or when they are fulfilled too slowly (Berkowitz, 1968; Conant, 1968; Houser, 1968; Kerner, 1968). Since prisoners experience similar conditions, the hypothesis can be made that relative deprivation not only increases the general propensity for violence, but it plays a significant role in prison violence and riots (Flynn, 1980).

Relative deprivation theory appears to have particular relevance for understanding prison riots. Prison administrators and wardens attest to the fact that prisons are being extensively studied, while sufficient funding for the implementation of the recommended reforms rarely materializes. Inmates observe legislators, investigative teams, task forces, and the press come and go only to see real or perceived gains fade into psychological losses when compared with the harsh realities of their existence. Therefore, a third major factor in our pursuit of sources that can and do generate collective prison disorder is the need to recognize that a fair number of prison riots are generated by the frustration of inmates whose expectations have been raised too often for too long without being given the means to achieve such legitimate goals as a decent level of existence, the satisfaction of basic human needs, and a minimum of programs.

The Prison as a Mixed-Goal Institution of Treatment and Custody

In the pursuit of improved correctional practices, researchers frequently point to an alleged inherent conflict between the objectives of treatment and reform and the correctional institution's demand and reliance on control (Cressey, 1958; Galtung, 1958; Berk, 1966). Basically a dichotomy exists between the concepts of treatment and punishment. This latest conflict emerges whenever the professional ideology of treatment staff clashes with that of the custodial and administrative personnel. Role conflicts between treatment and custody staff are not so much the result of the incarceration process as such; rather, they are due to the particular environmental setting characteristic of large-scale institutions. The effects of size upon institutional climate are well known. The central features of total institutions, as epitomized by rigid schedules, mass movement, batch living, depersonalization, and self-mortification (Goffman, 1961), all function to produce an atmosphere antithetical to the goals of resocialization, thereby precluding effective rehabilitation. As a result, institutionalization of environmental changes, smaller facilities in urban locations, and modular treatment units which facilitate individualized program approaches appear to be one solution to an otherwise insoluble problem.

A closely related point in light of the previous discussion is the fact that smaller facilities would preclude the need for excessive reliance on

inmate labor for the running of institutions, which has been clearly identified as the primary cause of staff corruption. Reduced services and maintenance needs, along with the employment of rehabilitated offenders, would go a long way toward alleviating this perennial problem. Any considerations of the traditional role conflict between treatment and custody personnel would be remiss if we did not attempt to go beyond the question of the environmental and social changes required to avoid staff corruption and into an analysis of the importance of the attitudes, relationships, and experiences of staff in the performance of their duties. It appears that whenever the staff acts oppressively, or when it becomes obsessed with custodial containment, the foundation has been laid for violent retaliatory behavior by the inmates. The manner, therefore, in which staff resolves its own hostilities becomes vital to a well-functioning total institution, i.e., the prison.

Not all of these four factors need be present in a riotous situation. At times when only some of them are evident, the riot still results. It is clear, however, that prison managers and administrators have to continually monitor for the development and emergence of conditions which precipitate riots and disturbances. As will be seen below, the Michigan system was unable to view and predict events in the system by looking at its historical patterns in the state from a macrosystemic perspective. There were several developments which occurred in Michigan that could have been seen as leading to a potentially explosive situation. These are not factors which relate to basic "bread-and-butter" issues. Rather, they deal with what we feel to be the most important question of power and control in the running of total institutions. As will be seen below, the riots in Michigan were basically an inevitable result of the state of the system, triggered by the power vacuum created mainly by the disobedient Michigan guards.

We now turn to a brief case-study analysis of some significant events and developments in Michigan corrections which we view as significant precipitating factors in the 1981 Memorial Day riots.

Why Did Michigan Prisoners Riot?

The 1981 Memorial Day weekend is certainly one that will be remembered, especially by the State's correctional officials. It was during that weekend in which three Michigan prisons experienced major disturbances resulting in mass destruction. How can this be explained? What are the etiological factors relevant to the onset of the riots? We advance the argument that beyond the usual causes of prison riots, perhaps the most critical one is the presence of anomie in the prison system. An anomic correctional system reveals also a state of powerlessness and/or the presence of a power vacuum which the inmates rush to fill. We argue that the movement of the Michigan

system toward anomie began as early as the mid-seventies as will be seen below.

A. **The "Trivial" Issue of Overcrowding:** While there is consensus that overcrowding is not in itself a sufficient cause to explain prison riots and disturbances, it is nevertheless an important factor. The Michigan prison system has had a massive prisoner increase over the last decade. Michigan prison inmate population soared from 8,000 in 1974 to over 15,000 in 1980, with a Department of Correction's projection of 19,000 prisoners by 1990, if drastic measures are not taken to reduce the population (**Report of the Joint Legislative/Executive Task Force on Overcrowding, 1980; American Friends Service Committee, 1980**). This increase is due primarily to harsher sentencing practices, with the average time served in prison increasing by 45 percent during the last decade from 22 months to in excess of 32 months. The system has been overcrowded continuously since 1975, sometimes by as many as 2,000 prisoners, because of several reasons: (a) Judges are handing out longer sentences. As in the rest of the country, judges have consistently imposed longer sentences on prisoners in Michigan, with little effect on the reduction in crime rates. (b) In 1977 the Michigan Legislature enacted what is known as the **Michigan Mandatory Sentencing Law**. This law provides that a mandatory two-year prison sentence be imposed upon individual offenders who are convicted of using a firearm in the commission of a felony. (c) Under the leadership of L. Brooks Patterson, the Oakland County prosecutor, Michigan voters approved Proposal B in November of 1978. This proposal limits the use of "good time" early release, resulting in more prisoners staying incarcerated for longer periods of time.* All of these factors, which are clearly beyond the control of the Michigan Department of Corrections per se, merged to produce severe overcrowding in Michigan's correctional system. Overcrowding alone does not produce prison disorders, but it does have a profound effect that is detrimental to the onset of riots.

B. **The Shaking of the Solidary-Opposition Social System and Relative Deprivation.** The overcrowded prisons gradually began to experience heightened tensions resulting primarily from having to force a greater number of people to occupy limited available space. In an effort to solve the serious problems resulting from jammed institutions, Governor William G. Milliken, Bobby D. Crim—the Speaker of the House, and William Faust—the Senate Majority Leader, appointed, early in 1980, a joint legislative/executive task force to study the situation and offer feasible remedies.

Two of the recommendations of this task force are especially important in explaining why the solidary-opposition based social stability of the Michigan prison has been shaken.

* Similar legislation recently has been passed in Pennsylvania (A. Blumstein, 1982).

In its report dated June 1980, the Task Force recommended, among other things, that:

I. The Legislature, with the support of the governor, place a proposal on the November 1980 ballot to provide one-tenth (1/10) of one percent income tax increase . . . The revenue from this increase (approximately \$52 million per year) shall be earmarked for the construction of four regional prisons and other state and local correctional purposes. The proposal shall also mandate the demolition of the Michigan Reformatory by the year 1990 (**Report of the Joint Legislative/Executive Task Force on Prison Overcrowding, 1980: III**).

This recommendation was placed on the November 1980 ballot in the form of Proposal E, which represented one means of coping with the overcrowded conditions in Michigan prisons. The Michigan voters turned this proposal down. It can be argued that to the prisoners doing time in Michigan institutions, this meant that their condition would not be changed soon. Further, it meant that the voters were not too terribly "impressed" with their deteriorated situation.

In the legislative sphere the Task Force (1980) also recommended that:

I. To protect the interests of the state and to prevent major disruptions or federal court intervention in our prison system, the Task Force recommends the enactment of a series of "last-resort" statutory mechanisms that would reduce the prison population to its rated capacity upon a gubernatorial declaration of a state of emergency in the prisons (p. III).

This resulted later in the enactment of the **Prison Overcrowding Emergency Powers Act (POEPA)** early in 1981 which basically provides the Governor with the power to declare the system in a state of emergency if its population exceeds its rated design capacity for 30 consecutive days. At that time, the minimum sentences of all prisoners who established minimum terms will be reduced by 90 days, and those eligible will be released. Again, under the leadership of the Oakland County prosecutor, this act had been challenged in the Michigan courts during a period of several weeks just prior to the onset of the riots. Its constitutionality was to be decided in the court. However, the effect of the ambiguities and doubts in the matter of the Act's constitutionality, we argue, was felt, at least by the prisoners who were release bound, under this new law. Their fate and chances for earlier release were tossed back and forth between the courts until the courts finally decided that

the Act was constitutional, and it has been activated since then several times.

A third important development which may have some bearing on the Michigan prisoners' state of mind is connected with the initiatives to reinstitute the death penalty in Michigan. These efforts took on serious dimensions early in 1981. It can be argued that although prisoners currently in the system would not be affected by capital punishment being brought back to Michigan, they do nevertheless have a stake in this matter. Uncertainty about how voters would feel on this issue, especially in an age of rising conservatism, was clearly not a very comforting state of mind especially for prisoners while incarcerated and under penalty already.

These developments, we argue, should be viewed as significant factors contributing to the shaking of the Solidary-Opposition basis of stability in a prison. They can also be interpreted in light of the relative deprivation hypothesis. Prisoners appreciate their routine and their relative security. There is a natural and unavoidable tension between captives and their custodians. If prisoners are not to rebel at any time, there must be established in the system some sense of real hope, fairness, and lawfulness. If, however, prison sentences and the prison's rules and regulations have become markedly ambiguous, unclear, arbitrary, harsh, and capriciously applied, those subject to them become active in seeking a change in their condition, and a riot is not excluded from the range of possibilities—however spontaneous it can be in terms of its timing.

C. Mixed-Goals. Most American prisons are mixed-goal institutions; they encompass the two disparate, and often diametrically opposed, functions and ideological-professional orientations of custody and treatment. The Michigan correctional institutions are no exception in this regard. Some claim that this dialectics is in fact the prison's source of order and stability. The issue becomes especially problematic, however, when it is time for change in the top management and the administration of a prison. When there is ideological continuity in the succession of leadership, it is less likely that problems threatening the prison's social order will emerge. However, when a warden with one type of a professional orientation and background is succeeded by one who espouses significantly different ideas about punishment and corrections, there is a greater probability that problems will arise, and especially when and if the staff (at all levels) and inmates are not adequately prepared for this shift. The effects of these kinds of management shifts have been studied and demonstrated elsewhere (Barak-Glantz, 1978, 1982).

At this juncture it is sufficient to note that a shift in the top leadership at the State Prison of Southern Michigan took place effective June 22, 1980. Mr. Charles E. Anderson was succeeded by Dr. Barry

Mintzes in the capacity of Regional Director and Warden of the Jackson facility where the May 1981 disturbance started. It appears that there are some differences in the backgrounds and training of these two men which may have had an impact upon the smooth running of SPSM. On the one hand, SPSM had a warden—an "old timer" perhaps—who had come up through the ranks. He had been in the correctional system in various capacities and positions for 21 years prior to taking over the SPSM in 1977 following the death of Charles Egeler. Based upon conversations with inmates and staff, it seems that Mr. Anderson had a reputation of being a fair, safety, and security minded warden. He had had extensive experience at the various levels of penal confinement with an official academic degree in sociology and economics. Dr. Barry Mintzes, on the other hand, holds a Ph.D. degree in Counseling Psychology with an actual corrections experience of about only a decade. It appears that his rise to power and to the position of superintendent occurred in a period of seven years (Superintendent at Kinross Medium Security, 1977-1980). From there he moved to what is perhaps the most prestigious warden's position in the Michigan system, the top administrative job at SPSM (*Dialogues* #41, 1980). His movement up the administrative ladder was quite unprecedented, and might account in part for the reasons why he did not command the utmost respect and confidence of the guards and their unions. In addition, it would seem logical that with his professional background, he would espouse a more therapeutic ideology often known to be resented by the guards' forces. There is some evidence that the guards and the warden did not see eye-to-eye and that there were several occasions when the guards expressed discontent with the state of their security in the prison. The implication is that the administrative succession at the SPSM may have produced, over time, a state of mixed-goals and dissatisfaction with the somewhat "new" goals of the prison now under the leadership of Dr. Mintzes. It seems to us that a shift from primarily custody-oriented goals to more treatment-oriented goals took place without the strong support of the custodial staff and with little preparation of the infrastructure for this type of a shift. A correctional institution cannot run without the fullest cooperation of the guards, and this state of affairs became conducive to the prison riots and disturbances in Michigan.

D. Power Vacuum. Perhaps the most important and most difficult aspect to explain in a riotous situation is its timing. The question is why did the riot take place when it did? What specifically "sparked" it? What was its "triggering" mechanism? It seems to us that the explosion in Michigan was "sparked" primarily by the action of the guards who began to conduct an unauthorized shakedown and threatened to lock down the institution for the long Memorial Day holiday weekend. The prospect of being locked in a small cell for three full days without the warden's consent was viewed by the prisoners as a provocative act. More

importantly, the inmates' perceptions were that if the guards carried out their wishes, they would become subjected to the mercy of an out-of-control force. This factor is perhaps the most compelling one in our analysis of riots in general and of the Michigan riots in particular. The subjective perception of prison inmates that a state of power vacuum has been created in the system, when intertwined with all the other existent factors, provides a predisposing configuration against which prison riots can set in. All the factors which we discussed above concatenate into a pattern that produces a sense of powerlessness of the administration in the running of significant prison affairs.

On the macrosystemic level of analysis, the prison and its policies were out of control. Significant developments impacting directly upon the prison as an organization, as well as upon its population, had been taking place both inside and outside the walls, without the prison being able to provide much input into the shaping of its own future direction. This power vacuum was mainly created by the guard's blatant and disrespectful actions toward the administration, a symbolic act perhaps, which resulted in the gross widening, if not the bursting, of the already existing fissures in SPSM's stability.

An analysis of the individual inmate's perceptions yields a state of mind full of desperation, hopelessness, anxiety, fear, insecurity, and uncertainty about the future. In short, inmates were in a condition in which perhaps many felt that there was little to lose. Consider the following view which could have been painted from inmates' perspectives in connection with their condition: sentences in the state had considerably increased in length; "one with a gun gets you two" was in effect; in whatever little way prisoners could affect, by their own behavior, the length of their confinement, was taken away from them, i.e., "good time"; the public was perceived as indifferent and apathetic to the prisoner's plight in their rejection of the prison construction proposal; uncertainty about the constitutionality of the Prison Overcrowding Emergency Powers Act and the prospects for the return of the death penalty to Michigan; a relatively new (less than one-year-old) top prison administration which hadn't completely found the "right" course with both the inmates and even more so with the custodians—the guards; and finally, the effect of the now open conflict between the guards and the administration which culminated in the guards' attempt to lock-down the prison for alleged reasons of their own security. All of these factors converged to produce a highly volatile situation in which the relevant question becomes, what are the factors which explain the absence of — rather than the onset of — a prison riot and prison violence?

Can Prison Riots Be Prevented?

There are two fundamental questions; the first deals with the prevention of riots and the other with controlling them. It appears that

all theories of prison riots assume that riots are inevitable in a social institution that confines a large human mass, often consisting of dangerous men and/or women who are primarily "outer-directed."

Prison riots vary in seriousness. They may range from the most violent all out riot involving close to the total prison population all the way to minor outbursts among a few inmates. They may be passive or relatively organized with a definite attempt to take over the institution. The latter is directed at bringing about significant change in prison policies and practices.

Clearly the most effective approach to riot control is riot prevention. To that end, the ACA's publication, **Riots and Disturbances** (1981), offers a whole array of techniques, methods, plans, instruments, and hardware equipment for the practitioner, geared to dealing with riot situations. Others like Montgomery (1982), for example, propose a similar approach and argue that:

. . . four major procedures should be involved in the process of preventing riots: inmate grievance mechanisms to hear inmate complaints; use of inmate councils to verbally communicate with prison officials; use of an **Inmate Inventory** for inmates to communicate nonverbally their concerns; and staff training in the recognition of tension indicators in the prison (p. g).

The underlying principle in these approaches to handling prison disturbances is to maintain a reliable system that closely and constantly monitors events in the prison in general and in the "big yard" in particular. However, the Michigan experience has taught penologists searching for the etiology of prison riots to look more seriously beyond the prison walls.

Beginning with the early 1970's when the courts first broke with the hands-off doctrine, and following the opening of correctional institutions to outsiders, it became even more apparent that developments outside the prison per se have a profound effect upon the lives of the inmates behind the walls. Clearly, the same holds for the activities of both the legislative and executive arms of government, i.e., their activities and initiatives are closely observed and monitored by the inmates. What we are arguing in this context is that one should examine prison riots within the sociolegal context in which they occur. An analysis that looks only at the immediate causes of prison riots from the perspective of the specific prison's confines ignores a whole range of external relevant factors, and thus renders the explanation incomplete and inadequate. It is within a **macrosystemic framework** that one can more clearly identify what Smelser (1973), in his analysis of collective behavior, called: "1. structural conduciveness, . . . [and] 4. precipitation of factors . . ." (p. 36).

In the final analysis, the macrosystemic and microsystemic levels are both important and complement one another. We know that in the long run riots are inevitable and normally quite spontaneous (Hartung and Floch, 1957; Fox, 1971). The question is how can we minimize their occurrence? Perhaps the answer lies in the **humane prison concept** which, according to some, can be found in an environment that is lawful, safe, industrious, and hopeful (Conrad and Dinitz, 1980; Dinitz, 1980). Others, like Alvin Bronstein, state similar conditions under which prisoners' and outsiders' discontent can be kept at a minimum. In his address at the national **Isolated Prisoner Seminar**, Bronstein set forth the following propositions which aptly depict these issues: He argued that:

1. The state has the right to incarcerate people as a consequence of a violation of society's rules;
2. As instruments of the state, prison officials have absolute responsibility to protect people in their custody from harm. There can be no moral or legal qualifications to this responsibility;
3. Responsibility to protect may not morally or legally be discharged in a manner which punishes the person protected or causes injury to that person;
4. There is at the present time no known method of achieving proposition 3;
5. Therefore, morally or legally a state should not be permitted to retain in its custody any person it cannot protect without punishing or injuring him. The choice is between a system which is just and fair or one which is oppressive and indifferent to the welfare of those confined.

Can corrections in America meet these elusive criteria?

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An Essay on Prison Violence

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The purpose of this brief essay is to set out my thoughts on the nature of prison violence using a typological approach to categorize violent phenomena in correctional institutions according to their controls, participants, and goals. The essay is based on my reading of the scientific literature on prison violence, my own observations of prison life (mainly in the Washington State Penitentiary at Walla Walla), and my extended musings about why prisons are so thoroughly permeated by violence.

Controls for Prison Violence

We may begin our examination of prison violence by asking why there is not more violence instead of the usual question about why there is so much violence in correctional institutions. More specifically, what are the controls for prison violence, and how do they function?

The most important difference between violence in prison and violence in the free society lies in the balance between internal and external sources of control. Violence in the free society is largely controlled through internalized norms (standards for behavior); values (desired states), and beliefs (ideas about reality). Norms, values, and beliefs are part of the culture of a society. They are learned and eventually internalized to some degree through the process of socialization. Although there are pockets of a masculine subculture of violence in the United States, the dominant culture embraces norms of violence avoidance, values a violence-free personal environment, and fosters the belief that violence leads to negative consequences for the aggressor as well as the victim.

Despite the considerable cost of the criminal justice system, formal external control of violence in the free society is much less important than internal controls, which are constantly reinforced by friends, relatives, and such major social institutions as religion and the communications media. Most people may drive just a tad faster when there is no police car in sight, but they do not speed up to 80 miles per hour. Many parents know they could assault their children without detection, and are at times angry enough to do so, yet their internal controls enable them to resist the urge to violence.

In prison, the relative influence of internal and external social controls is reversed. Internal controls are far weaker than they are in the free society. Although external controls are considerably stronger, they

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are imperfect. The result is that violence is much more common behind the walls than on the streets.

Why are internal controls relatively weak in prison environments? First, most of the offenders with well-developed consciences have been filtered out by the criminal justice system before reaching prison. What is left is a group of individuals who are violence-prone in that they have not generally been socialized to reject violence as a way of solving problems. They may also have participated in a criminal subculture of violence in the free society and have committed many acts of violence in the years before their incarceration (or in previous incarcerations).

A second reason for the relative weakness of internal controls against violence in prisons is the emergence of a sociocultural structure variously referred to as the prisoner society or the prisoner subculture. The continuous interaction among hundreds or thousands of violence-prone individuals stuck against their will in a situation of great unpleasantness and tension produces norms, values, and beliefs favorable to the use of violence in certain situations. For example, violence is the prescribed punishment for "snitches" and "baby rappers," is considered necessary to defend one's honor after suffering a nonviolent insult from another prisoner, and is widely recognized as the way one assures that debt payments will be made on time. In large part, these proviolence cultural elements parallel norms, values, and beliefs found in subcultures of violence in the free society. They may therefore be thought of as being imported into the prison by violent subculture members (the importation theory of prisoner subcultures) as well as being generated by the massing together of violence-prone individuals suffering the deprivations of prison life (the indigenous origin theory of prisoner subcultures).

Not only do prisoners fail to reinforce antiviolence norms, values, and beliefs in each other as strongly as do citizens outside the walls, but staff also follow in this tradition at most institutions. They value "macho" masculinity, physical toughness, and fighting ability. Moreover, they accept the inevitability and appropriateness of both violence and the threat of violence as the dominant organizing principles of prisoner life. As a result, they do not always enforce institutional regulations and laws prohibiting violence, and on those occasions when they do enforce them, their actions are not accompanied by the moral condemnation of violence that is common in the free society. In sociological terms, one might say that violence prohibition in prison is often more of a folkway than a more.

Some Types of Controls for Prison Violence

The preceding discussion might lead readers to believe that external physical control is the only factor standing in the way of the primeval war of all against all in correctional institutions. This is

happily not the case, for we might otherwise despair of ever significantly improving the prison environment. Brief descriptions of seven types of controls illustrate the richness of controls over violence that exist in this most violent of all American settings.

1. **Physical control.** Physical control of violent behavior ultimately rests on the legalized application of force by the state troopers or national guards on the prison wall. Practically every architectural feature of a prison emphasizes its controlling function. Although this is based primarily on fear of escapes, it also serves to limit violence (in part because uncontrolled violence leads to escapes). Consider the perimeter walls, electrified fences, armed guards in towers, gates and doors controlling movement within the prison compound, cells and bars everywhere, and the constant physical presence or line-of-sight observation of correctional officers. The architectural equipment of most prisons is fully consistent with the overcontrolled, lock-step, silent system prisons of previous decades which have been abandoned in all modernized nations. As rules for behavior have become liberalized over the years, there has come to be more leeway in the system for violence to occur. This should not diminish our appreciation of the role that physical control plays in limiting prison violence.

2. **Antiviolence norms, values, and beliefs.** No prisoner believes that violence is appropriate to every situation. Norms, values, and beliefs favoring violence in certain situations conversely specify its unacceptability in other situations. A prisoner who ignores these cultural prohibitions on violence runs the risk of becoming an outlaw among outlaws and being disabled or murdered by fellow prisoners who wish to maintain the status quo and a reasonable degree of stability in prison life.

3. **Fear of reprisals.** Many violent incidents are avoided because prisoners believe that they will be unable to protect themselves from reprisals by other prisoners or guards. These beliefs are buttressed by stories of guard brutality and prisoner counterviolence that constantly circulate among prisoners. A violent reprisal may thus function to decrease the future incidence of violence in an institution at the same time that it increases the level of violence in the short run.

4. **Legal and administrative sanctions.** Prisoners want to be released from confinement as soon as possible. Violent aggressors run the slight risk of being tried in court and given a sentence or the more substantial risk of losing "good time." Good time is primarily and routinely awarded in many states for conformity to prison regulations. The administrative determination by a classification committee to remove a certain portion of a prisoner's good time allocation can be an immediate and effective sanction against prisoner violence. Other possibilities are execution if a prisoner is brought to trial for homicide, administrative reclassification to a less desirable living area, program, or job within the institution, and transfer to another prison.

5. **The profit motive.** Violence, particularly expressive violence, is not generally good for business. It is useful only if carried out rationally in the service of business goals. Prisoner entrepreneurs often go to great lengths to persuade fellow prisoners to avoid violent confrontations so there will be no interruption in the flow of profits from protection rackets, homosexual prostitution, sales of illegal drugs and other smuggled commodities, and many additional forms of illegal economic enterprise that have developed in the sub rosa prisoner economy.

6. **Social acceptance.** Prisoners, like people in the free world, need to engage in meaningful social relations and to feel good about themselves. Social acceptance for the middle class requires limiting violence to hunting and competitive sports such as football and ice hockey. In most American prisons, it requires limiting violence to approved circumstances rather than eliminating it. Still, that is an important reason why prison violence is so often avoided in explosive situations.

7. **Housekeeping considerations.** The prison is a place of work for staff, but it is a home for prisoners. Most prisoners seem to have a sense of housekeeping about the institution. They want to keep things tidy so they can effectively stay out of trouble, predict when and where problems will arise (thus avoiding them), and do easy time with a minimum number of disruptions. It is common to see prisoners talking each other out of rash actions that would tend to make the prison a less safe and stable environment.

It is an inescapable fact that prisoners in most American correctional institutions would leave if not physically restrained from doing so. In this sense, it is proper to think of the prison social order as resting on force rather than internal behavioral controls, but this is an oversimplification of reality. As concentration camp studies have shown us, human nature is such that even the most demeaning conditions cannot completely suppress creativity in the spontaneous emergence of complex systems of behavioral expectations and controls. The upshot of all this is that prison administrators have a number of nonviolent strategies available to them which if systematically pursued will prove effective in significantly reducing the incidence of prison violence.

Violence Goals

Violence has instrumental and expressive components. For the purpose of analysis, these will be taken as ideal types rather than as the mixture of motives and intentions that empirically occur in violent incidents. Instrumental prison violence is rational violence carried out in an attempt to achieve some goal in the external environment, while expressive prison violence is the nonrational, spontaneous release of tension through assaults on other human beings.

Instrumental Prison Violence

Instrumental prison violence has the general goal of garnering power and status for the aggressor. The power sought may be over individuals in the aggressor's immediate social environment or it may be broad political power and influence that extends beyond the micro-sociological life sphere —perhaps as far as the free society. Personal power translates into dominance in interpersonal relationships. Dominance acquired through the instrumental use of violence allows the aggressor to gain a more desirable living environment, a disproportionate amount of consumer goods and services, and sexual satisfaction upon demand. At the level of the psychological system, the aggressor gains a sense of freedom, competence, and involvement. Most importantly, the aggressor's self-image is improved, an effect that is much sought after in correctional institutions. Prison rape, the most specialized form of institutional violence, is apparently committed more for its effects on self-image and demonstration of dominance than for sexual pleasure.

Expressive Prison Violence

Expressive violence is nonrational in that it has no goals with respect to the external environment. Its only goal is tension reduction, and that internal goal is not necessarily consciously felt. In some cases, expressive violence is so far removed from any discernable connection with the external social environment that the aggressors are judged to be mentally ill.

The range of expressive violence found in correctional institutions runs from individual outbursts of limited duration to massive riots lasting for days and involving hundreds of prisoners. The psychological tension released in individual incidents is overlaid in group incidents with emergent social system phenomena that follow the laws of collective behavior. The result of this interplay of psychological and social factors is an extremely high degree of instability in incidents of mass expressive violence. A single action can divert the attention of the group from one target to another or can turn a nonviolent event into a major uprising. Individuals caught in collective behavior tend to lose their ability to make discriminating judgments based on their personal self-interest, thus being caught up in mass violence in which they would never normally choose to participate.

Staff cannot predict riots with any precision, but they are able to sense when tensions are high in the prison and to take steps (such as placing the entire institution on lockup) to head off disturbances. It is unfortunately not always possible to do this with individual prisoners. Few prisoners are observed closely enough for staff to notice the subtle changes in behavior that are an indication of a coming violent explosion. Many prisoners are so careful to cover their emotions that

even their close friends have no warning that violence is imminent. Because expressive violent behavior requires both a psychological readiness on the part of the aggressor and a conducive situation (often conceptualized as the spark that sets off the incident), prison life is a continuing series of close calls in which violence is narrowly avoided. From my personal familiarity with prisons, I can venture a guess that half-a-dozen violent incidents are avoided for every one that comes to fruition and that prisoners are responsible for a much larger proportion of the total amount of violent suppression than staff.

The Interplay Between Expressive and Instrumental Violence

In the everyday world of prison events, expressive and instrumental violence are often blended together. A prisoner I knew quite well carefully cultivated his reputation as a crazy loner who would fight against impossible odds if challenged and who had a long string of unprosecuted prison murders to his credit. Although he exhibited clinical indications of paranoid schizophrenia, his crazy reputation was actually a myth that he had created to protect himself from attack. In his case, a reputation for nonrational, expressive violence was nurtured as a rational policy intended to suppress violence.

A much more serious example of the interplay between expressive and instrumental violence is the prison riot in which hostages are taken. A riot may be rationally encouraged over a period of time by a group of prisoners who feel they are being disadvantaged under present conditions and that they could benefit from a shakeup of the prisoner social structure or by having the warden fired. Having whipped up emotions over an issue such as race relations, oppressive regulations, or guard brutality, the group may lose control of the situation when a critical incident unleashes pent-up tensions into a torrent of expressive destructive behavior. It is usually during this developmental period of a riot that guards are overcome and taken hostage. They may suffer extensive abuse as prisoners take out their accumulated frustrations on them. Their safety is all the more precarious when competing factions of prisoners are struggling for leadership.

Once the emotional energy that fueled the riot has been spent, prisoners begin to rationally consider their situation. How can they put the best face on what they have done? They usually do so by formulating a series of complaints and demands calculated to have some appeal to the media and the general population-at-large. What should they do with the hostages? There is always the chance that expressive behavior will break out again and result in harm to the hostages. Should rationality prevail, prisoners may still decide to kill the hostages so they cannot be used as witnesses against them. More commonly, the hostages will be held as chips in the negotiations for an end to the riot, or at least to ensure against an Attica-like assault on the prisoners by the

authorities. We see in this example how rational considerations can lead to expressive violence, which is in turn reinterpreted by prisoner leaders as rational in order to maximize the political gains made possible by the disruption. Moreover, this example illustrates the danger that rational control may give way to new waves of expressive violence, with dire consequences for hostages.

Violence and Prison Guards

This essay has used the model of prisoner-prisoner violence in setting out types of controls and goals for violent behavior in correctional institutions. However, a similar commentary applies to other aggressor-victim pairings: staff-prisoner and prisoner-staff. Staff-staff violence is usually limited to minor cuffs delivered in a joking manner to enforce the norms of the staff subculture, so it will not be discussed further here.

Prisoner-staff victimization differs from the general model of prison violence because of the vast power difference between the keepers and the kept. The range of victimizing behaviors that is found among prisoners has the heart cut out of it in prisoner-staff victimization. All that is possible is victimization at the two extremes. On one hand, myriad subtle psychological manipulations are possible, particularly where prisoners are more sophisticated than staff members. On the other hand, we have extreme violence of an individual or group nature. Sometimes a prisoner will deliberately assault a hated guard, but it is more common for assaults to arise spontaneously in confrontations or to be directed at any guard who happens by when a prisoner is highly agitated and hostile toward anyone in authority. Less serious violent incidents, which are common in prisoner-prisoner victimization, rarely occur in prisoner-staff interaction. The punishment for striking a correctional officer is swift and severe. The fear of reprisals is great. Prisoners willing to risk these sanctions are usually so out of control that they do not stop with a single punch.

Staff-prisoner violence was until recent decades one of the expected punishments accompanying a prison sentence. It still is in many parts of the world. Accounts of this systematic violence written by ex-prisoners, corrections staff, and social scientists suggest that it had both expressive and instrumental components. Guards used aggravated and simple assaults to keep prisoners in line, and the slightest disrespect or deviation from the rules was met with violence. Expressive elements were present in the violence in that the guards enjoyed administering the beatings more than some other aspects of their work, and many were not above assaulting prisoners just for the fun of it. After all, they shared in the masculine subculture of violence with their charges and therefore gloried in the exercise of violence to achieve dominance and enhance their self-images.

Staff-prisoner violence steadily decreased with the move from primitive correctional systems to professional, custody-oriented systems. Historical data are scanty, but it is fairly certain that this decrease in staff-prisoner violence has been accompanied by an increase in prisoner-staff violence. This is not necessarily a direct cause-and-effect relationship. Changes in the composition of prisoner populations, including decreasing average age, fewer professional criminals, more highly violent criminals (most particularly drug abusers and gang members), increasing numbers of prisoners from racial and ethnic groups different from the almost totally white staff, and proportionately more prisoners subscribing to militant and radical ideologies, all favor increased prisoner-staff violence. It is also possible that closing or decreasing the size of mental hospitals, along with changes in laws governing the institutionalization of the mentally ill, has increased the number of prisoners who are both violence-prone and highly unstable, thus increasing the risk of individual incidents of unpredictable expressive violence against staff.

Staff-prisoner violence is now at what is undoubtedly an all-time low in the United States. It is limited in most correctional systems to self-defense by guards in threatening situations and the use of force to enforce prison rules, such as occurs when prisoners refuse to follow orders. There is an expressive element that creeps in when members of "goon squads" (who specialize in physical rule enforcement and are on call institution-wide for this purpose) clearly enjoy a violent encounter and have perfected their assaultive techniques into a kind of art. Even in this case, the violence is essentially instrumental in character. The only truly expressive staff-prisoner violence that one hears about these days is the occasional mass reprisal following a prisoner uprising. These reprisals are analogous to the police riots that have been described in the free society. In both instances, professional criminal justice system personnel who have been extensively provoked show that they too are subject to the laws of collective behavior as they temporarily lose control of their behavior and inflict much more violence than is necessary to reestablish control over the situation.

Conclusion

In this essay, I have discussed three dimensions of prison violence. The first of these consists of the internal and external controls that are responsible for keeping violence rates from rising still higher (and which have potential for depressing violence rates well below current levels). Second, there are the diverse goals which inspire aggressors to commit violent acts. The essay concluded with a consideration of the role of staff in violent incidents, both as aggressors and victims. Although the basic model of prisoner-prisoner violence also applies to prisoner-staff and staff-prisoner violence, differences occur in the distribution of types of violence because of the significant power imbalance that exists between prisoners and staff members.

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Prison Riots: A Corrections' Nightmare Since 1774

Steve D. Dillingham and Reid H. Montgomery, Jr.*

Since the first recorded American prison riot, which occurred in 1774 inside a primitive institution built over an abandoned mine shaft at Simsbury, Connecticut, the fear of recurring riots has plagued American correctional systems. Prison riots have become not only a nightmare for wardens and administrators, but as evidenced by the catastrophic events at Attica, New York, and Santa Fe, New Mexico, inmates have reason to share in this fear as well. Though many challenges facing the nation appear to lend themselves to rapid resolution through technological advancements and enhanced resource allocation, riotous prison behavior has not been among them. Whether current technology and resources alone will be able to substantially impact upon this growing problem has yet to be determined. What is known, however, is that successful programs must be established within the nation's correctional systems which will utilize present resources and available knowledge in preventing and limiting the horrendous tragedies experienced to date. The design and implementation of a successful program will rely upon an accurate appraisal of the serious nature of prison riots, the identification of the known causes of riotous behavior, and an understanding and application of effective preventive and diagnostic techniques for potentially riotous environments.

Seriousness of Prison Riots

The seriousness of prison riots is becoming increasingly recognized by correctional professionals and the public. Much of this recognition probably emanates from media coverage of the more sensational riots, conjuring images of burning prisons and mutilated bodies. While these extreme consequences may not be present as often as some reports infer, riots undeniably pose continuing and serious problems which have been woefully neglected. The enormity of the problems and the dimensions of their severity deserve close examination, rather than the casual and fleeting attention often provided.

One comprehensive study on national prison violence was undertaken in 1973 by a federally sponsored research team coordinated by the South Carolina Department of Corrections.¹ The research documented more than 200 riots between 1900 and 1970, with riots defined as incidents involving 15 or more inmates and resulting in property

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damage or personal injury. To date, prison riots probably number 300 or more.

Without question, the magnitude and dangerousness of more recent riots have increased with the ever-growing and ever-crowded conditions in most state correctional facilities. Recent data on prison populations indicate more than 407,000 persons are currently incarcerated in prison, and the number is increasing by 45,000 a year.² This increased prevalence of prison riots is accompanied by staggering costs. Costs can be broken down into three areas: loss of life, loss of property, and loss of time.

Loss of life, fortunately, does not always occur in prison riots. Many riots result in no physical injury to correctional officers or inmates. However, it is probable that psychological damage (e.g., nightmares and trauma), if not physical injury, affects some participants in prison riots, although rigorous research of this problem has yet to be undertaken.

Financially, prison riots can be extremely costly to a prison administrator and to taxpayers. For example, various agencies' pre-audit estimate of immediate costs during the New Mexico riot in 1980 (e.g., law enforcement, medical service, and out-of-state housing for inmates) amounted to more than \$2.5 million for the three-month period during 1980.³ This figure did not include consequential expenses flowing from the riot, such as renovations to the prison, various investigations, public defense attorney costs, prosecution costs, the cost of defending the state in civil suits, nor the increase in salary for correctional officers at the penitentiary.

Direct property costs may be quite substantial. After the New Mexico riot, Governor Bruce King acknowledged that the total costs of the riot and riot-related expenses would reach an estimated \$28.5 million.⁴ The damages from the Attica riot, in comparison, were estimated at nearly \$3 million. In 1970, a riot at the Auburn Correctional Facility in New York involved 400 inmates and damaged \$100,000 worth of property in only seven hours.⁵

Loss of time is another significant outcome of prison riots. Some riots consume the work time of prison officials for days, even though they are over in minutes. For example, a riot that took place at the Green Bay Reformatory in Wisconsin in 1971 involved several hundred inmates, but lasted only 30 minutes. In contrast, a riot at the Columbus (Ohio) Penitentiary in 1952 involved 1,200 inmates and lasted four days.⁶ Riots of this magnitude require a response involving a large number of employees and frequently outside assistance. Today, when employee salaries already constitute major financial expenditures, unnecessary loss of time and commitment of personnel are special costs to be avoided.

Causes of Riots

Some of the causes underlying prison riots, like those underlying criminal behavior in general, remain unknown. Still, recent research into this particular phenomena has provided much insight and valuable empirical evidence which should promote an improved understanding of the factors associated with riotous behavior. A brief examination of the findings of several prominent researchers in this field, along with the findings of a major empirical study, should reveal some common and primary causes underlying prison disturbances, in addition to providing insightful perspectives.

Studies by three researchers —Fox (1971), Smith (1973), and Smelser (1973)— have suggested three different causative theories to explain the dynamics of prison riots.

Fox theorizes that prison riots are spontaneous.⁷ He considers prisons as time bombs, detonated by spontaneous events. Fox explains his theory in five stages —four during the riot and one following the riot:

First, there is a period of undirected violence like the exploding bomb. Secondly, inmate leaders tend to emerge and organize around them a group of ringleaders who determine inmate policy during the riot. Thirdly, a period of interaction with prison authority, whether by negotiation or by force, assists in identifying the alternatives available for the resolution of the riot. Fourthly, the surrender of the inmates, whether by negotiation or by force, phases out the violent event. Fifthly, and most important from the political viewpoint, the investigations and administrative changes restore order and confidence in the remaining power structure by making "constructive changes" to regain administrative control and to rectify the undesirable situation that produced a riot.⁸

Smith proposes a "conflict theory of riots." He believes that prison riots are a result of unresolved conflicts. Conflict exists, according to Smith, when one person wants another to exercise power in a specified manner but the other person, for whatever reasons, does not exercise that power. Accompanying the conflict is a conflict declaration, which is a verbal or written specification of how one person wants the other to exercise power. Four possible reactions to a conflict declaration (or possible riot), according to Smith, are the following: "(1) the participants may bargain with each other; (2) one participant may withdraw from the conflict; (3) the participants may engage in physical combat; or (4) a third party may be called in to mediate the conflict."⁹

Smelser takes a third approach to prison riots. His "theory of collective behavior" identifies conditions (in sequence) that must be present to increase the probability of a riot. The six conditions or determinants of a riot are:

1. Structural conduciveness
2. Strain or tension
3. Growth or spread of a generalized belief
4. Precipitation factors
5. Mobilization and organization for action
6. Operation of mechanisms of social control.¹⁰

While these three approaches to causative theories of riotous behavior emphasize differing variables, they are not mutually exclusive, but may be viewed as being supplementary and compatible. Observers of prison riots would generally agree with Fox that eventually prison riots are "spontaneously" ignited by some triggering event and that various stages of riot progression and resolution are experienced. Smith's emphasis on conflict alternatives is similarly accurate, and points to riot occurrences emanating from unrecognized alternatives (a likely precondition of Fox's spontaneous event). Finally, Smelser's identification of numerous social and physical preconditions highlights the overall environment within the prison and focuses upon additional important variables. As a result, the combined approaches provide a valuable matrix of considerations for defining causative factors.

Empirical research has served to verify the importance of these three studies, as well as to identify specific variables for further investigation. For example, a Select Committee on Crime, formed in 1973 to study rioting, listed the following problem areas as contributing to prison riots: poorly trained staff, rural prison location, inmate overcrowding, lack of rehabilitative educational programs, meaningless employment, and insufficient vocational training.¹¹ The South Carolina Department of Corrections' Collective Violence study explained the differences between prisons experiencing riots and those without riots from 1900 to 1970. This study suggested that the following variables or conditions are associated with prison riots:

1. There is a higher incidence of riots in maximum security prisons. Nearly 56 percent of the reported riots took place in maximum security prisons.
2. The larger a prison's planned capacity, the higher the incidence of riots. Of prisons reporting riots in this study, 82 percent were designed for more than 300 inmates.
3. The older a prison is, the higher the incidence of riots. Many older buildings resemble warehouses rather than places to live and work.
4. As the amount of contact time between the warden and inmates decreases, the incidence of riots increases. Of those wardens who

spent more than 25 hours per month in direct contact with inmates, the incidence of riots was generally 15 percent lower.

5. In prisons with more highly educated inmates and correctional officers, there is a slightly higher incidence of riots. Nearly 50 percent of the correctional officers in riot prisons had technical school or some college education, while only 40 percent of correctional officers in nonriot prisons had reached this educational level. Almost 6 percent more inmates in riot prisons had at least eleventh- or twelfth-grade educations than inmates in nonriot prisons.
6. In medium and minimum security prisons, absence of meaningful and productive job assignments increases the incidence of riots. In those institutions that provided meaningful and productive work assignments, there were approximately 10 percent fewer riots.
7. In prisons where inmates feel that active recreational programs are inadequate, there is a 10 percent higher incidence of riots.
8. In prisons with administrative punitive segregation facilities, there is a higher incidence of riots. The greater availability of administrative segregation suggests that the prison tends to punish for wrong behavior more frequently than it rewards inmates for correct behavior.¹²

The conclusions to be drawn from this empirical investigation can be used, to some extent, to support, if not to expand, each of the previously described causative theories. Spontaneous events are logically more prevalent in overcrowded coercive environments where tensions are great and confrontation alternatives nonexistent. Similarly, deleterious and denigrating social and environmental conditions serve to magnify the propensity for violent conduct. Combined with hostile perceptions, these factors provide the conditions likely to promote riotous behavior.

Perceptions of Riots

Any analysis of the observed or hypothetical causes of riotous behavior would be incomplete without an assessment of the perceptions of the participants involved. Recent studies have sought to measure and prioritize the factors felt to be most significant in causing riots by both inmates and staff. Further research has sought to document whether perceived problems are in fact resolved, or at least addressed, by decision makers.

One major study, the Collective Violence Research Project, included nationwide surveys of inmates and correctional officers.¹³ A total of 904 inmates responded to the following question: "What do you

feel is behind most riots in correctional institutions?" The responses are presented below:

CORRECTIONAL OFFICERS' RESPONSES

RESPONSE	PERCENT
Lack of Communication	14
Militants	12
Poor Conditions	11
Outside Influence	10
Boredom/Frustration	10
Racial Conflict	8
Food	6
Discipline	5
Incompetent Officers	4
Leniency Toward Inmates	4
Agitators	3
Overcrowded Conditions	3
Aggressive Leaders	3
Publicity/News Media	2
Program Limitation	2
Other	3
TOTAL	100

When asked the same question, correctional officers participating in the same study responded with similar, but not identical, concerns. A total of 704 correctional officers responded as shown.

As can be readily observed, inmates and correctional officers place a different emphasis on factors contributing to prison riots. But a comparison of both sets of responses reveals shared perceptions on many related concerns, and also pinpoints specific problem areas to be remedied.

In evaluating the response of correctional authorities to perceived sources of dissatisfaction, a case study of the 1980 prison riot in Santa Fe, New Mexico, provides an example not atypical of the approaches adopted by most correctional authorities. Following the prison riot at

INMATES' RESPONSES

RESPONSE	PERCENT
Guards	17
Racial Conflict	12
Lack of Communication	10
Administration	10
Frustrations	8
Conditions	8
Not Applicable	7
Unjust Treatment	5
Boredom	4
Prejudice/Favoritism	4
Aggressive Inmates	3
Inmate Power Struggle	3
Instigators	3
Food	2
Suppression	2
Parole System	2
TOTAL	100

New Mexico State Penitentiary, inmates pressed the following demands and received the following verbal responses:

1. **End overcrowding at the prison.** Prison officials' answer: About 288 beds will be ready in July (1980), and we have asked for an additional 200 from the legislature.
2. **Improve visiting conditions at the prison.** Prison officials' answer: This has been in effect for two weeks as worked out with the American Civil Liberties Union's negotiating committee.
3. **Improve prison food.** Prison officials' answer: We will hire a nutritionist to oversee the food operation.
4. **Improve recreation facilities.** Prison officials' answer: We are now negotiating with the American Civil Liberties Union.
5. **Improve the prison's educational facilities.** Prison officials' answer: This is being discussed with the legislature, as well as raising inmate wages from the present 25 cents per hour.

6. **Appoint a different disciplinary committee.** Prison officials' answer: We will take a long, hard look at that.¹⁴

As a result of these studies, the conclusion may be reached that both inmates and staff share many perceptions regarding factors underlying riotous behavior (with some differences of emphasis) and that both groups are probably willing to make concessions to overcome these perceived ills. Yet, as social scientists and practitioners both can attest, unresolved requests and symbolic relief will not satisfy pressing concerns for an extended period of time or eliminate the sources of discontent. Ultimately, pressures for substantive relief reappear. These pressures, which are not amenable to resolution through improvements in communication or correctional management policies, emerge in nearly all correctional systems. When this situation occurs, even though communication lines are open and shared perceptions of both inmates and staff are evident, solutions may be entirely dependent upon variables beyond the control of the correctional authority. For example, an outdated, poorly designed institution may have severe structural ills which can only be remedied through capital improvements and increased resources. In these situations, the only available avenue for reform may be through legislative action, or, more probably, litigation and judicial intervention.

Preventive and Diagnostic Techniques

Research into rioting reveals three important procedures that can assist in preventing riots: inmate grievance mechanisms to hear inmate complaints; use of inmate councils to verbally communicate with prison officials; and use of an attitudinal survey instrument for inmates to nonverbally communicate their concerns. Additionally, the incorporation of indicators of prison unrest into the training curriculum of correctional practitioners is deemed important.

A grievance mechanism is a device for resolving inmate grievances—usually through administrative means.¹⁵ A grievance usually involves a complaint about the substance or application of a written or unwritten policy or regulation; about the absence of a policy, regulation, or rule; or about any behavior or action directed toward an inmate. The grievance process may be handled by an ombudsman, who hears the complaints of inmates who feel aggrieved by the conditions of incarceration or the institution's management.¹⁶ An ombudsman performs in a capacity similar to an inspector general and requires substantially the same degree of authority to stimulate changes, ameliorate problem situations, and render satisfactory responses to legitimate problems.

A second process that may be instituted to prevent prison riots is the use of inmate councils.¹⁷ Arrangements are typically made for representatives to discuss with other inmates their major concerns and

anxieties. Inmates who have suggestions, problems, complaints, or grievances are able to communicate them to the inmate representative, who in turn relays the information to the inmate council. Ultimately, the major concerns reach the warden for resolution.

In addition, an attitudinal survey instrument may be used to measure inmate satisfaction. Research pinpoints ten areas of major concern to inmates. They include: food, legal help, medical services, personal privacy, education, censorship, work, visitation, correctional officers, and administration. Such an instrument was administered to inmates in South Carolina at the beginning and end of a five-year period. The major findings were as follows:

1. The older the inmate, the greater his/her satisfaction in most areas.
2. The higher the institution's security classification, the greater the inmate dissatisfaction.
3. The longer the inmate's confinement, the greater the dissatisfaction.¹⁸

Similarly devised instruments may be used to determine if conditions are favorable for future prison riots or if conditions exist that merit administrative attention. An advantage of this instrument is that inmates are free to express their opinions without retribution from the administration, as anonymity is assured.

An example of an instrument administered within one state's correctional system to detect riot-prone conditions is presented below. The "inmate inventory," utilizing a Likert scale of measurement, can be used to determine if conditions exist for possible prison riots, or if conditions exist which require inmate administration amelioration. An advantage of this instrument is that an inmate is free to express his opinions without retribution from the administration. No identifying information is required in completing this inventory. An inmate simply expressed his/her satisfaction or dissatisfaction with specific and general concepts. The "inmate inventory" can be administered by a warden to a random sample (e.g., 100 inmates) at an institution each month. If, for example, 90 percent of the inmates prove dissatisfied with medical treatment, the warden would have a definite need to investigate and correct the perceived problem area. The following instrument and rating guide, devised by one of the authors, have been tested and found successful.

Rating Guide

- A. When inmate marks a No. 5 blank, this indicates he is **very dissatisfied** with the stated item.
- B. When inmate marks a No. 4 blank, this indicates he is **somewhat dissatisfied** with the stated item.

- C. When inmate marks a No. 3 blank, this indicates he is **neutral** in his response to the stated item.
- D. When inmate marks a No. 2 blank, this indicates he is **somewhat satisfied** with the stated item.
- E. When inmate marks a No. 1 blank, this indicates he is **very satisfied** with the stated item.

KEY TO INMATE INVENTORY (Specific Concepts)

- | | | |
|------|-------------------------------------------------------------------------------------|------------------------------|
| I. | Meat | |
| 1. | Enough : <u>1</u> : <u>2</u> : <u>3</u> : <u>4</u> : <u>5</u> : | Not Enough |
| | Forks, Spoons, Trays | |
| 2. | Dirty : <u>1</u> : <u>2</u> : <u>3</u> : <u>4</u> : <u>5</u> : | Clean |
| | Taste of Food | |
| 3. | Well Seasoned : <u>1</u> : <u>2</u> : <u>3</u> : <u>4</u> : <u>5</u> : | Poorly Seasoned |
| II. | Lawyer | |
| 1. | Available : <u>1</u> : <u>2</u> : <u>3</u> : <u>4</u> : <u>5</u> : | Not Available |
| | Law Books | |
| 2. | Available : <u>1</u> : <u>2</u> : <u>3</u> : <u>4</u> : <u>5</u> : | Not Available |
| | Talks with Lawyer | |
| 3. | Private : <u>1</u> : <u>2</u> : <u>3</u> : <u>4</u> : <u>5</u> : | Not Private |
| III. | Doctors | |
| 1. | Hard to See : <u>1</u> : <u>2</u> : <u>3</u> : <u>4</u> : <u>5</u> : | Easy to See |
| | Emergency Care | |
| 2. | Fast : <u>1</u> : <u>2</u> : <u>3</u> : <u>4</u> : <u>5</u> : | Slow |
| | Medical Treatment | |
| 3. | Adequate : <u>1</u> : <u>2</u> : <u>3</u> : <u>4</u> : <u>5</u> : | Inadequate |
| IV. | Ward | |
| 1. | Safe : <u>1</u> : <u>2</u> : <u>3</u> : <u>4</u> : <u>5</u> : | Dangerous |
| | Bed Linen | |
| 2. | Dirty : <u>1</u> : <u>2</u> : <u>3</u> : <u>4</u> : <u>5</u> : | Clean |
| | Sleeping Hours | |
| 3. | Quiet : <u>1</u> : <u>2</u> : <u>3</u> : <u>4</u> : <u>5</u> : | Noisy |
| V. | Education | |
| 1. | Good : <u>1</u> : <u>2</u> : <u>3</u> : <u>4</u> : <u>5</u> : | Bad |
| 2. | Exciting : <u>1</u> : <u>2</u> : <u>3</u> : <u>4</u> : <u>5</u> : | Boring |
| 3. | Enough : <u>1</u> : <u>2</u> : <u>3</u> : <u>4</u> : <u>5</u> : | Not Enough |
| VI. | Mail | |
| 1. | Is Always Censored : <u>1</u> : <u>2</u> : <u>3</u> : <u>4</u> : <u>5</u> : | Is Never Censored |
| 2. | Adequate Postal Services : <u>1</u> : <u>2</u> : <u>3</u> : <u>4</u> : <u>5</u> : | Not Adequate Postal Services |
| 3. | My Mail is Frequently Lost : <u>1</u> : <u>2</u> : <u>3</u> : <u>4</u> : <u>5</u> : | My Mail is Never Lost |
| VII. | Work | |
| 1. | Good : <u>1</u> : <u>2</u> : <u>3</u> : <u>4</u> : <u>5</u> : | Bad |
| 2. | Satisfying : <u>1</u> : <u>2</u> : <u>3</u> : <u>4</u> : <u>5</u> : | Unsatisfying |
| 3. | Meaningful : <u>1</u> : <u>2</u> : <u>3</u> : <u>4</u> : <u>5</u> : | Meaningless |

- VIII.
1. Good : 1 : 2 : 3 : 4 : 5 : Bad
 2. Quiet : 1 : 2 : 3 : 4 : 5 : Noisy
 3. Well Organized : 1 : 2 : 3 : 4 : 5 : Poorly Organized
- IX.
- Most Correctional Officers
1. Good : 1 : 2 : 3 : 4 : 5 : Bad
 2. Treat You As : 1 : 2 : 3 : 4 : 5 : Treat You As
A Person An Inmate
 3. Always Keep : 1 : 2 : 3 : 4 : 5 : Never Keep
Their Word Their Word
- X.
- Institutional Administration
1. Good : 1 : 2 : 3 : 4 : 5 : Bad
 2. Treat All : 1 : 2 : 3 : 4 : 5 : Play Favorites
Inmates Alike
 3. Responsive to : 1 : 2 : 3 : 4 : 5 : Not Responsive
Inmate Needs to Inmate Needs
- Officers' Attitude Toward Inmates
2. Positive : 1 : 2 : 3 : 4 : 5 : Negative
- Treatment of Inmates by Officers
3. Fair : 1 : 2 : 3 : 4 : 5 : Unfair
- X.
- Chance to See Warden
1. Easy : 1 : 2 : 3 : 4 : 5 : Difficult
- Treatment of Inmates by Institutional Administration
2. Fair : 1 : 2 : 3 : 4 : 5 : Unfair
- Prison Rules
3. Clearly Understood : 1 : 2 : 3 : 4 : 5 : Too General
- (General Concepts)
- I.
- Food
1. Good : 1 : 2 : 3 : 4 : 5 : Bad
 2. Hot : 1 : 2 : 3 : 4 : 5 : Cold
 3. Much : 1 : 2 : 3 : 4 : 5 : Little
- II.
- Legal Help
1. Bad : 1 : 2 : 3 : 4 : 5 : Good
 2. Available : 1 : 2 : 3 : 4 : 5 : Not Available
 3. Needed : 1 : 2 : 3 : 4 : 5 : Not Needed
- III.
- Medical Services
1. Good : 1 : 2 : 3 : 4 : 5 : Bad
 2. Slow : 1 : 2 : 3 : 4 : 5 : Fast
 3. Personnel are : 1 : 2 : 3 : 4 : 5 : Personnel are
Concerned Unconcerned
- IV.
- Personal Privacy
1. Good : 1 : 2 : 3 : 4 : 5 : Bad
 2. Available : 1 : 2 : 3 : 4 : 5 : Not Available
 3. Important : 1 : 2 : 3 : 4 : 5 : Unimportant

- V.
- Education
1. Qualified : 1 : 2 : 3 : 4 : 5 : Not Qualified
- Institutional Library
2. Adequate : 1 : 2 : 3 : 4 : 5 : Inadequate
- Vocational Training
3. Meaningful : 1 : 2 : 3 : 4 : 5 : Meaningless
- VI.
- Mail Service
1. Fast : 1 : 2 : 3 : 4 : 5 : Slow
- Mailing List
2. Restricted : 1 : 2 : 3 : 4 : 5 : Unrestricted
- Letters to Outside
3. Always Sent : 1 : 2 : 3 : 4 : 5 : Never Sent
- VII.
- Pay
1. High : 1 : 2 : 3 : 4 : 5 : Low
- Prison Job
2. Meaningful : 1 : 2 : 3 : 4 : 5 : Meaningless
- Job Supervisors
3. Helpful : 1 : 2 : 3 : 4 : 5 : Not Helpful
- VIII.
- Visiting Time
1. Not Long Enough : 1 : 2 : 3 : 4 : 5 : Long Enough
- Visiting Room
2. Quiet : 1 : 2 : 3 : 4 : 5 : Noisy
- Visit with Family
3. Private : 1 : 2 : 3 : 4 : 5 : Not Private
- IX.
- Most Correctional Officers
1. Consistent : 1 : 2 : 3 : 4 : 5 : Inconsistent

The advantages to each of the preventive and diagnostic techniques, as explained, are numerous. Each measure serves to diffuse potentially volatile situations by channeling energies and attention in more rational and productive directions. Most importantly, these techniques are within the control of the correctional authority. By exercising them properly, some riots may be prevented, delayed, or at least contained, while the search for additional remedies continues. Current efforts are underway to incorporate riot research into the training curriculum of correctional professionals.

A course entitled "Containment of Prison Violence," created by the National Institute of Corrections, trains correctional personnel to recognize signs of tension in their prisons. The following twelve general signs of tension among inmates are addressed:

1. Restlessness among inmates
2. Quiet or subdued actions of inmate groups
3. Avoidance of visual and/or verbal contact with staff
4. Increase in commissary purchases
5. Increase in the number of requests for assignment changes (both work and housing)

6. Unusual inmate gatherings
7. Increase in the number of incident reports
8. Appearance of inflammatory written material
9. Absence of inmates at popular functions
10. Increase in the number of complaints
11. Disturbances at other institutions
12. Assault upon an individual of another race or group.¹⁹

This form of training should become more prevalent as further research on riots is conducted. By operationalizing current theories and research results into job requirements and responsibilities, proper training assumes a vital role in correctional administration as an agent of both institutional stability and desired change.

A similar menu of indicators of prison tension has been included in a recent publication at the American Correctional Association devoted to riots and disturbances.²⁰ The indicators highlighted in this study are far more specific, numbering almost 30 behavior patterns. Again, they are intended to encompass and augment known precursors of institutional violence.

Lessons for Management

The preceding overview of some of the major costs, causes, and preventive/diagnostic measures associated with prison disturbances is intended to reduce the confusion felt by many correctional administrators. As advocated in a recent major study on managing the costs of corrections, a myriad of options and the best long-term strategies are to be favored over simplistic and ineffective short-term strategies.²¹ This advice is never more appropriate than in dealing with riot-prone prisons. While prison riots are not going to be prevented in a simple cookbook fashion, a better understanding of their nature will certainly benefit correctional administrators in properly managing their institutions and implementing preventive measures.

The future prognosis on prison riots is not all rosy. The costs of riots, however measured, are likely to continue to spiral upward. Still, the causes of prison riots, while not universally agreed upon, are becoming better understood than ever before —and revolve around identifiable ills found in most environments. Further optimism can be felt because the techniques of riot prevention (involving the effective use of grievance procedures, inmate advisory councils, and attitudinal surveys) are likely to gain acceptance as their potential benefits are realized. With an improved understanding of riots and the ability to initiate the necessary preventive measures, future correctional administrators will be prepared to meet many of the challenges posed by recurring riots. Inevitably, inmates, correctional professionals, and society will benefit —the sooner these lessons and innovations are

understood and accepted by management —and the sooner corrective actions are implemented.

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The Quicksand Prison

Paul W. Keve*

In an article she wrote on the operation of hospitals, Florence Nightingale made a very simple and astute observation: "It may seem a strange principle to enunciate as the very first requirement in a hospital that it should do the sick no harm."¹

The remark is, of course, unsettling in its sharp implication that such an admonition was actually necessary, for it pointed up the potential of hospitals for the spread of infection and the defeat of their essential mission. And what may be true of hospitals may be even more true of other social institutions; it requires no great stretch of the imagination to extend the same concern to the operation of prisons. Even though the idea of rehabilitation as a major purpose of imprisonment is now heavily discounted, it still should be possible for all prison administrators to agree that at the very least, prison should not make its inmates worse. It seems a tragic commentary on the state of the art that in the necessity of discussing the repetitively disruptive prisoner, we are implicitly recognizing the tendency of the prison to promote its own discords, to do some degree of harm to certain ones, perhaps many, among its inmates.

This is not to deny that some persons arrive in prison with prior histories of violent conduct, well prepared to continue such behavior inside. In fact, some states find their prisons in chronic turmoil with ethnic gangs that have brought their street warfare with them inside.

Some of these groups establish themselves by age or regional affiliation and come to assert so much influence in the prison environment as to controvert efforts of a prison administration to provide a correctional climate favorable to a positive value change.²

Today this is becoming a massive problem, much more vicious in effect than suggested by the dignified language above. But it is an area of prison violence not to be addressed in this particular discussion which instead is concerned with the violence fostered by the prison itself in those inmates who have not been particularly violence-prone on the outside. It is with such inmates that the prison displays its quicksand effect—the prison's talent for drawing many of its prisoners deeper and

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deeper into a round of misbehaviors followed by punishments that in turn generate still more resentment and rebellion —and still more punishment. Where normal persons can tolerate or sublimate frustrations in ways appropriate to their social context, some who come to prison tend to be self-defeating in their reactions to frustrations. For them, their pattern of hostile reactions combines with the provocative prison milieu to make a destructive condition that feeds on itself.

As it is, prison life would seem to be best designed for the sedentary, compliant, and meditative person who, monk-like, can content himself with regimented, restricted movement and quiet retreat in small, assigned spaces. But those who come to prison are to a large extent from action-oriented cultures. Many have a macho style energy, with inherent resistance to the excessive curtailments upon movement which the prison necessarily imposes. More ominously, prison requires of them a restraint upon the particular expressions or evidences of masculinity which are essential to their egos. With such curtailment of freedom, certain prisoners react with those forms of rebellion that are needed for support of their own satisfying self-images. It is, after all, an altogether normal human need, however inept or even self-destructive the prisoner's means of gratifying it. Necessarily, official response from the custodians is to impose still more repression (time in punitive isolation, perhaps) which further promotes the prisoner's hostility. And so we sustain the correctional quicksand —and the prison's criminogenic character.

The Costs of Adapting to Prison Life

Fortunately for the administrators, most prisoners manage to keep their hostile reactions within manageable limits, but this is not without cost. One former prisoner comments:

One of the most amazing things about prison is the seemingly successful suppression of enormous frustrations and destructive urges; it is a very unhealthy but very necessary suppression . . . There is no real way in prison to work out one's frustrations and anger . . . The better part of these emotions must be swallowed whole. This phenomenon strikes us as being one of the primary destructive aspects of prison in terms of warping and embittering inmates' personalities . . . Prisoners get on one another's nerves. Even if one likes some of his fellows, they are ever present —the lack of privacy grates at the insides month after month, year after year. The inmate would like to shout and kick and beat someone's head in, but he can't do that.³

Gresham Sykes, an observer with a wider perspective, has

commented that "the significant hurts lie in the frustrations or deprivations which attend the withdrawal of freedom . . . The individual's picture of himself as a person of value —as a morally acceptable adult male who can present some claim to merit in his material achievements and his inner strength —begins to waver and grow dim."⁴

Any such deterioration in self-esteem can become a contributor to the inmate's deterioration in behavior, for he has less and less to lose by additional rebellious acts. One author, assessing the similar problem in respect to the **victims** of prisoner aggression comments:

All of the forms of prison victimization are related so that each becomes a causal factor in the other, forming an insane feedback system through which prison victimization rates are under constant pressure to increase. A similar feedback phenomenon occurs when prisoners feel constrained to take revenge for past victimizations and to defend themselves in current victimizations.⁵

Although overcrowding, per se, probably does not cause prison violence, there seems little doubt that it can contribute at least indirectly, as it tends to heighten the effects of all the other deleterious prison characteristics. For instance, the discomfort and irritation resultant from the packed-in living conditions may be related to the question of who one is crowded with. One student of the clinical aspects of the problem comments that, "It is not crowding as such, but the social, psychological, cultural and economic conditions under which it occurs that are responsible for aggression."⁶

These factors obviously are most complex, as can be seen by studying reactions of family groups in certain unusually compressed, though nonpenal, situations. A poignant example was recorded in day-by-day detail by Anne Frank whose diary told of the life of a close knit, loving, eight-person family group in which harsh, continual bickering developed while they lived together in hiding from Nazi authorities in Amsterdam.⁷ Another example was detailed by Pearl Buck who described the festering daily irritations of an American missionary family and their co-workers in a mission enclave in a Chinese city.⁸ Unlike the Franks in their Amsterdam loft, these Americans were presumably entirely free to go about in the city as they wished. And yet their cultural refuge in the tight mission compound, surrounded by a great population of a different culture, carried some of the characteristics of imprisonment; and, like a prison, it produced daily resentments, frustrations, and abrasive behavior.

If normal, well-endowed people are subject to such stresses when too tightly forced into each other's company, it is not to be supposed

that prisoners would be any less provoked. It is the special talent of the prison to exacerbate all the normal abrasions of communal living.

John Irwin, after extensive research into the prison culture, has commented that the prison situation "is arbitrary, somewhat isolated, somewhat cruel, and tends to push people into the internal, violent social worlds that abound in prisons."⁹

Prison-Promoted Aggression

Probably every prison can produce anecdotal accounts that illustrate how the prison itself generates a type of pathology that would not be found in the same prisoners when on the outside. An example from my own experience, no more remarkable than many others, was a brief rebellion at Minnesota's St. Cloud Reformatory, where prisoners from one cell block went out of control after being angered at an episode on the ball field. Instead of returning to their cells as ordered, they ran wild through the cell block, broke into an adjoining office area, and set it on fire. In the course of doing so, they gained access to a locked storage cabinet containing part of the institution's supply of medicinal drugs. These inmates, when on the street, would in most cases have used drugs, but it would have been with some selectivity and some regard to a calculated rate of ingestion. Here in the prison, however, they contended for the bottles without regard to the labels; they grabbed pills and capsules by the handful and indiscriminately swallowed whatever kind and number they managed to snatch. Even for inmates who were into the drug culture, this was a gross distortion of their accustomed style. It could only be a prison-engendered caricature of their outside behavior. (No fatalities resulted, but only because the disturbance was controlled soon enough for emergency medical attention to be given to the comatose inmates.)

Studies by Daniel Lockwood of sexual violence reveal how the threat of sexual victimization not only promotes violence by prisoners who are the aggressors, but also by those who are the threatened victims.

When otherwise peaceful men live with prisoners who are dangerous or perceived to be dangerous, they become distrustful and fearful. These feelings of vulnerability cause those who have not been violent before to arm themselves and prepare themselves psychologically for fighting.¹⁰

It seems that if men bring with them to the prison any potential for violence in their approach to problem solving, the prison environment is clearly a stimulant or catalyst in turning that potential into action. Indeed, the prison tends in many cases to force a degree of violence in accord with the old military dictum of an attack being the best defense. A recent study of the problem by Federal Bureau of Prisons' researchers confirms this view in analyzing sexual assaulters and sexual "targets."

To the researchers it seemed quite evident that this type of violence was prison-engendered. "Targets and rapists alike are a product of the American criminal justice system."¹¹ In the course of the study a substantial sample of both inmates and correctional officers in the federal system was queried and the peculiar effect of the prison milieu was well recognized by them.

Although personnel might think assaulters are crazy, inmates do not —and this is a critically important finding. The sample stated that the primary reason for sexual assaults by males on females in free society is mental instability of the rapist. However, the reason for sexual assault in prison is because targets are weak and attractive (i.e., a stand-in for a woman) and because rapists want to impress other prisoners. Prison rape makes sense to inmates because the act sends a valuable message: "Don't mess around with me!"¹²

Corrections administrators have long been aware that the amount and severity of such sexual aggression varies considerably from one prison to another, or from one time period to another, but the factors affecting the variations are extremely elusive. Identifying the causes of greater or less degrees of viciousness in a prison usually is a matter of conjecture, though in some of the more extreme examples the factors may become convincingly apparent. An example was the experience of the Philadelphia prison system in the 1960's when sexual assaults became so rife that they led to an extensive investigation and formal analysis of the problem. The investigators documented the assaults as far as possible and projected from them the probable real rate, with a conservative estimate of 2,000 sexual assaults in the 26-month period studied.¹³

It was found that the causal factors presented a mix of personal psychological characteristics, prison architectural features, and management factors related to the prison's primary use as a pretrial facility that provided very little program activity.

Most of the aggressors appear to be members of a sub-culture that have found closed to them most nonsexual avenues of proving their masculinity. Job success, raising a family and achieving the social respect of other men have been largely beyond reach. Only sexual prowess stands between them and a feeling of emasculation. When the fact of imprisonment and the emptiness of prison life knock out from under them whatever other props to their masculinity may have existed, they become almost totally depen-

dent for self-esteem on an assertion of sexual potency and dominance.¹⁴

A factor of a more mechanical sort, but no less serious, was the use of closed vans for transportation of prisoners to and from court. During the hour's ride in the unsupervised, windowless vans, there was a perfect opportunity for assaultive activity.¹⁵

At the same prison two years later an exceedingly vicious, destructive riot erupted, and a subsequent analysis revealed that the same factors were present, plus the depressing effects of the idleness while waiting through the exasperating impersonal processes of the court cases.

Inmates, defense attorneys, prison authorities, social workers and impartial observers alike have concluded that the prime source of the frustrations which fed the violence at Holmesburg Prison is the prolonged, uninformed uncertainty which faces detentioners there.¹⁶

If idleness and uninformed uncertainty are provocative conditions, the average large prison is well equipped to make this quietly insidious contribution to its own problems. A large maximum security prison is likely to have a sizable part of its population withdrawn from general activities for confinement in isolation, administrative segregation, or protective custody categories. Except for the few inmates with specific time to spend in punitive isolation, the majority of these segregated inmates face considerable uncertainty about the length of this special confinement, while the physical plant almost invariably provides no opportunity for work or constructive other activities. Segregated prisoners almost never go to the shops, the school, or the ball field. In some prisons, outside recreation for this group is available but limited to one or two hours per week in a miniscule space.

The Value of Openness

Such problems were considered by Norval Morris when he defined a new concept for the imprisonment of the persistently disruptive prisoner.¹⁷ One of the primary qualities in which Morris' proposed prison setting would be very different from the usual confinement for this type of prisoner would be in its openness. Where the average prison warden is constrained by the architecture he has inherited to confine his problem inmates in tight and tiny spaces without activity, Morris prescribed a setting that would offer the opposite character. The maximum possible opportunity should be given for movement, variety, activity, with an absolute minimum of the usual annoyances of passes, pat-downs, gate checks, etc. The prescription was for a very open institution within a tight perimeter, permitting a generous freedom of

movement inside. Such proposals provided the basis for the design of the federal correctional institution at Butner, North Carolina.

The concept of openness is not just architectural; it is composed of other, equally important elements. At a seminar on the subject, Lloyd Ohlin commented:

We have to open our institutions to the outside world . . . Closed institutions mean keeping in those we do not want to let out; it does not mean keeping out those that we ought to let in. Shutting off inmates from the outside community entails serious costs and disrupts future adjustment possibilities that we clearly do not want to rule out.¹⁸

Seeming to confirm a viewpoint of this sort was some recent research of my own into the history of one unique prison, the McNeil Island Penitentiary. For more than 100 years this federal institution was operated on an island in Puget Sound, about three miles out from its mainland dock. I had been particularly struck by the evidence that through most of its latter decades, this prison was quieter, less stressful than other federal penitentiaries; it experienced only about half as many murders as the others had, for instance. The reasons, though impossible to prove, seemed to lie in the nature of its physical setting, the high quality of its staff, and the remarkable openness of all aspects of its operation.

The physical setting was a substantial contributor to the open quality; the prison was situated on an island of nearly 4.5 thousand acres, offering serenely beautiful views in all directions. No wall had ever been built, and even the fencing was minimal and unobtrusive. The surrounding water was not an absolute preventive to escapes, but it was a sufficient impediment to enable the institution to operate with a more relaxed attitude toward custody than was true of most other penitentiaries. Inmates who thought back on their experiences there were surprisingly appreciative of the openness and beauty of the setting. Wardens and other staff members in many independent interviews talked to me of the contribution made by the general island setting to the easy comradeship of the staff which enabled them to approach the daily work with resilient good nature. A specific element in this, which was noted by many of the staff, was the relaxing 20-minute boat ride they shared together in getting to work each morning.

Ohlin's comments, above quoted, about allowing the outside world to come in, have special application to the McNeil Island history. During its last two decades, when the institution was achieving a remarkably vital rapport with the outside community, it maintained a substantial variety of self-help or special interest programs for the inmates—and these were aided by an astonishing number of citizen

volunteers. The most conservative and reliable estimate I could obtain of the volume was that at least 9,000 volunteer visits were made annually. Former inmates were inclined to tell me that it was a mistake for the Bureau of Prisons to close this prison, and one point they tended to agree upon was the value of the many contacts with outside persons. They felt that it helped them keep a realistic orientation to "the street."¹⁹

The conjectures concerning the calm and resilience of the McNeil Island staff as contributors to the safety of the prison is only just that—conjecture. And yet there was an impressive body of belief in it as an effective ingredient. My own interviews there made it clear that the institution did enjoy good staff morale and a sense of community. Other observers have also seen this condition as essential to prison safety. For instance:

You may construct the most advanced regimen of prisoners' rights to be found anywhere, but what chance do you give those plans if you have a prison staff that is disaffected, unsympathetic or hostile? Without 'rights' for **prison officers**, there is no hope for **prisoners'** rights. A prison staff to whom prisoners' rights are anathema can make nonsense of it all.²⁰

Contrary to the concept of openness, there has been in recent years increased interest in tight-custody responses to the problem of the disruptive, high-risk prisoner; special "maxi" prisons of last resort have been developed or planned in several states. Perhaps these represent the best state of the art at present for prisoners whose violence is not so much prison engendered as it is a long standing, culturally entrenched characteristic. But it is a peculiarly tantalizing thought that perhaps the rock-hard maxi prison may be just the wrong environment for rebellious inmates at the same time that it is still essential as the only ultimate protection we have from this group. The experience at McNeil Island and the experience at Butner, in their very different ways, suggest that the principles upon which they have operated could be adapted far beyond the level of such practice currently. This kind of open, therapeutically oriented institution can never be a last resort prison. Butner, for instance, must have available a back-up institution where certain prisoners can be transferred when they will not use or adapt to the Butner program. Yet there is every reason to hope that some prisons could be adapted, at least in part, to a regimen that would be less provocative of violence in order to reduce appreciably the number of violence-prone prisoners who eventually can be dealt with only by surrounding hardware.

Search for Better Ways

The prison environment that would seem to promise the best hope of meeting the challenge of prison-engendered violence would, I think,

still be described much as Norval Morris envisioned it, with generous openness within a wide perimeter and with generous amounts and variety of activity.

It seems especially important to design the setting to avoid use of punishments as far as possible. Here is a beguiling contradiction. We are talking about a prisoner group that has always brought on itself the most severe and persistent punishments that correctional systems have to offer. So much so that sometimes we seem to approach the issue as being mostly, if not only, a question of what combination of controls and punishments will be effective with these inmates. It becomes a painful challenge to have to reverse that accustomed approach and study instead to provide a regimen that will largely stake its success on its ability to avoid punishments.

The sense in this is manifest in the need to defeat the insidious quicksand effect. If we can maintain the inmate in a type of custodial setting that does not provoke his rebellion unduly in the first place, we will then not be fueling his hostility further by so much resort to punishment. The dilemma for the custodians is that at the same time that punishment seems necessary for control of violence, it also contributes to violence by helping to make it a regular, expected aspect of prison life. Particularly this is seen when the reaction to violence is to transfer the prisoner either to a segregation unit where others guilty of violence are also housed, or to a special control, maxi prison. Thus we create and sustain a distillate society of violence-prone individuals, and thus we bestow upon each a label which he may care to live up to, even after returning to the general prison population.

Again, Lockwood comments: "As violence behind the walls becomes acceptable behavior, prison itself becomes a 'subculture of violence'."²¹ A concomitant of that effect is that in the context of the resultant prison culture, the punishments may no longer be punishment. The authors of a report on the Alcatraz history offer, "a small point that may be worth considering in discussions of last-resort prisons—transfer to them may provide, for some inmates, not a threat but an incentive for further misconduct."²²

Another author presents a similar, insightful comment on the point:

The trouble with punishment is not that it does not work, because it does. Punishment can effectively suppress undesirable behavior, but unfortunately it may also suppress highly desirable behavior in the process. If it sometimes appears not to work, it may be that what the person administering it believes is a punishment may be considered by the punished person as a

rewarding experience, or he may choose not to change his behavior because alternative behaviors do not seem to be possible, or they are perhaps met with even stronger punishments.²³

And to note a relevant argument that Morris had in mind in offering his design of a very open institution for this prisoner type:

The institution must also avoid the "machismo" image. The prisoners must not see themselves, and certainly the staff must not see them, as the most dangerous offenders. If the self-image is that of the toughest, the most dangerous, then there is no possibility of creating a supportive, peaceful milieu.²⁴

Realistically, there is no hope of eliminating the need for the last-resort custodial unit. We must have it available when all else fails. But it also seems realistic to believe that techniques of prisoner management can be refined to permit a satisfying reduction of the number of prisoners who must be so confined. Each prison, or each correctional system, must devise its own programming for this purpose in relation to the architecture, the staffing, the funding, and the many other pertinent characteristics of its own resources. But a most helpful and appropriate starting point is a willing recognition that a certain substantial amount of prison violence is prison-engendered. That simple recognition is crucial, for it can then be followed by an analysis of the milieu of the particular prison of concern, to identify not just its violence-prone inmates, but more importantly, the ways in which that prison may be unnecessarily inciting their rebellions.

The altogether natural reaction to such a suggestion is to insist that if our rules and practices provoke our inmates, that is not our fault; it is for us to establish the rules and for the inmates to obey. True. But this is not a matter of proving who has the power. This is a matter of admitting that even if our practices are in every way legitimate, it is still in our own interest, as a very practical matter, to reshape them more to the inmates' level of tolerance if by doing so we give us all an environment a little calmer and a little safer.

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Crime Site Selection for Assaults in Four Florida Prisons

Randy Atlas*

Introduction

The incarceration of convicted offenders for long periods of time is a very stressful situation, and violent, destructive behavior by inmates is not a new phenomenon. Before the 1950's, however, prison violence was sporadic. Sommer (1976) states that there is very little precedent for the noncollective stabbings and assaults plaguing American prisons today. Both the frequency and contagious nature of lethal inmate assaults are recent (American Correctional Association, 1970; Irwin, 1979; "The Price of Safety," 1980; Sommer, 1976). Another distinguishing characteristic of the new violence is the use of weapons rather than fists. Fights that used to end as beatings now escalate to stabbings and murder (Sommer, 1976).

This individual violence has not been extensively studied, and the lack of reliable data is a serious handicap to prison administrators. Corrections texts written before 1970 gave very little attention to individual assaults, actions which were viewed as personal aberrations or the results of feuds brought in from the streets. Moreover, fist fights were regarded as safety valves for discharging tensions that might otherwise be directed at staff (Sommer, 1976). Most research on prison violence has concentrated on group or collective violence, but riots differ from individual assaults in many aspects. While research in collective violence has provided a foundation for research into the causes, prevention, and control of violent disturbances, the changing nature of prison violence warrants investigation of noncollective violence.

In correctional institutions, as in the community-at-large, the exact causes of violent, disruptive assaults are elusive. Violence in prison is a complex phenomenon for which simple explanations do not exist. However, the American Correctional Association (ACA) (1970:1) has identified one or both of the following variables as strong influences in most major disturbances: the unnatural environment of a correctional institution and the antisocial characteristics of the inmates.

The purpose of this study was in some measure to provide the empirical documentation Farrington (1980) requests by investigating the relationship between architectural factors and the incidence of inmate violence within four correctional institutions in the South-

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eastern United States. The prisons selected for the study were: Dade and Union Correctional Institutions, Florida State Prison, and Tallahassee Federal Correctional Institution. Florida State Prison and Union Correctional Institution are close custody (maximum) security prisons, and Dade Correctional Institution and Tallahassee Federal Correctional Institution are medium security prisons. These two medium and two close custody (maximum) security prisons are different structurally and architecturally. A representative sample of inmates was surveyed from each institution to acquire sufficient data to test the research question.

The data for the study included official disciplinary reports of violence and inmates' perceptions of violence and safety. A violent environment questionnaire (VEQ) was developed and administered to inmates and key members of the correctional staff; it was designed to elicit their perceptions of the degree of violence, privacy, and safety within the prison. The questionnaire was modeled after Farbstein, Wener, and Gomez's (1979) National Institute of Corrections' Jail Environment Study. A format for staff interviews was also developed which provided familiarization with the prison's administration and physical plant during initial site visits. Statistical analysis of the collected data was performed using cross-tabulation, frequencies, and analysis programs of the *Statistical Package for the Social Sciences* (SPSS) (Nie, Hull, Jenkins, Steinbrenner, & Bent, 1973).

Discussion

Newman's "defensible space" theory (1973), Brantingham's "crime site selection" model (1977), and Brill's "site security analysis" manual (1979) suggest that specific physical components generate areas of opportunity for certain crimes. For example, Newman (1973) predicted that opportunities for particular types of crimes are present in different parts of the building; he predicted that rape and muggings would occur more frequently in stairwells and on fire escapes. Brantingham (1977, p. 3) elaborates the basic proposition for a crime site location:

1. Individuals exist who are motivated to commit specific offenses. Sources, strength, and character of motivations vary.
2. Given the motivation of an individual, the actual commission of an offense is the end result of a multistaged decision process which seeks out and identifies, within the general environment, a target or victim positioned in space and time.
3. The environment emits many signals or cues about its physical, spatial, cultural, legal, and psychological characteristics.
4. An individual motivated to commit a crime uses cues (learned via experience or social transmission) from the environment to locate and identify victims/targets.

The data of Paulus, McCain, and Cox (1980) suggest that privacy or territoriality may be important factors in perception of spatial and social density. Their findings suggest that partitions in open

dormitories significantly, and sometimes completely, reduce the adverse reactions associated with such dorms. Incidences of illness complaints, disciplinary infractions, and suicide and self-mutilation attempts in dorms are statistically significant compared to those in single-cell environments. Double cells and dorms also had measurably greater negative effects than single unit housing. McCain found complaint rates in double cells were substantially higher than in single cells.

Sylvester, Reed, and Nelson (1977), in a study of nationwide prison homicide, found that 25 percent of the homicides occurred in the participants' cell. One-third occurred in the cell block or dormitory. Outside the cell block, homicides were most likely to occur in recreation areas such as TV rooms, gyms, inmate canteens, or libraries. Ten percent of the homicides tended to occur throughout the prison, which may be related to the possible spontaneity of the incidents. Multiple assailants seemed to seek out their victim in the victim's cell rather than in the common areas outside the cell block. Homicides by unidentified assailants occurred most frequently in living and recreational areas.

The present study predicted that assaults (armed and unarmed) would occur more frequently in areas of poor surveillance. It was therefore suggested that prison stairwells, bathrooms, and architectural "blind spots" would have a greater frequency of violent incidents. Brantingham (1977) and Brill (1979) suggest the selection of a site for a crime is a conscious and deliberate process. If the assaults were found to occur in physical locations where surveillance was blocked by design features, such as grillwork, walls, or dead end corridors, then the architecture was a factor in the selection of a site to commit a violent act. On the other hand, if the assault or fight occurred under the direct surveillance of staff, then the design features played little or no role in the incident.

It was predicted further that sexual assaults would be more frequent in open-dorm housing, such as that at Union Correctional Institution (UCI) and Federal Correctional Institution (Tallahassee) (FCI), than at the Florida State Prison (FSP) and Dade Correctional Institution (DCI), which have primarily single-man cells or two-man cells.

Several research questions were generated by the issue of location of the incident of violence: (1) Are there areas in the prison perceived as dangerous by inmates? (2) Are there actually areas in the prison that are more dangerous or more likely to be the setting for assaults? and (3) Do certain prison layouts increase the likelihood of an assault occurring? These research questions were answered through the data acquired from the VEQ (Violent Environment Questionnaire), staff interviews, site visits, and archival records. An analysis was made to compare the characteristics of the assault events. Some selected control variables were introduced to try to explain the relationship that geographic location may have to the assault incidence and were then used to construct simple

aggregate percentage profiles for each of the desired comparisons. The variables were: (1) the age of the prison, (2) number of inmates in maximum security status, (3) the number of inmates in disciplinary or administrative segregation, (4) staff inmate ratio, and (5) single assailant or multiple assailants. It was assumed that if these variables did not explain the relationship, an association would be established between the physical location and the assault. Cross-tabulation and percentage tables were used to illustrate these results.

TABLE 1
% LOCATION OF INCIDENTS

LOCATION	DCI	FCI	FSP	UCI
Cell	27%	27%	44%	37%
Dorm	6%	31%	*	5%
Dining	23%	6%	3%	8%
Hallway	7%	2%	30%	7%
Shower	2%	9%	8%	10%
Outside	11%	3%	2%	7%
Subtotal	76%	78%	87%	74%
Other	24%	22%	13%	26%
TOTAL	100%	100%	100%	100%
	n=102	n=201	n=495	n=717

*FSP has no dorm-type housing

Results

It was predicted that assaults would occur more frequently in architecturally provided areas of poor supervision or "blind spots." Blind spots were defined as showers, bathrooms, corridors, stairways, outside paths blocked by shrubbery, etc. Table 1 shows where the incidents at each prison occurred by general topographic areas. It was apparent that there were different problem areas at different prisons. At DCI, the cells and dining room accounted for 50 percent of the incidents. At FCI, 58 percent of the incidents occurred within the dorm and confinement cells. At FSP, 44 percent of incidents occurred within the cell, which is logical since 35 percent of inmates are locked in cells all day. What is surprising is that 30 percent of the incidents occurred in the hallways. As evidenced by responses on the VEQ, 76 percent of the inmates at FSP felt the main corridor and hallways connecting all the housing units were unsafe. The handcuff rule, which was reinstated after an officer was murdered and several other officers were assaulted in October 1980, may be responsible for this. The handcuff policy stipulates inmates on death row and in confinement housing are to be

handcuffed whenever they are moved from their cells. Yet, a handcuffed inmate who is being moved is unable to defend himself against attack and is most vulnerable to inmate assault. Several brutal stabbing attacks of inmates under staff escort occurred in the main corridor. UCI had the highest "blind spot" assault rate (24 percent) among the study prisons. Although FSP showed a combined rate of 40 percent for hallways, showers, and outside areas, the 30 percent for hallways at this institution must be discounted because the escort procedure precludes considering this area as a "blind spot."

Table 2 illustrates the location and type of incidents. Armed assaults occurred more frequently in the housing units, while unarmed assaults and fights occurred in circulation areas or areas of supervision. The unique patterning at each prison is apparent. Fifty percent of the armed assaults at DCI occurred in the dining room directly under staff supervision. Another 18 percent occurred in other areas of direct supervision. There was no attempt to hide or cover up the activity. Architectural design played a minimal role in these assaults. Likewise, at FCI, 25 percent of the unarmed assaults occurred in areas of direct supervision, including the dining room. Eighty-five percent of the armed assaults and 65 percent of the unarmed assaults at FSP occurred in the cell or hallway. UCI had 14 percent of the armed assaults occurring in areas of limited supervision. However, UCI experienced 18 percent of armed assaults in areas of direct supervision by staff. Some particular areas of interest at Union Correctional Institution are labeled territorial areas of danger such as "mugger's alley" and "sniper's alley." From this "alley," next to the furniture factory, inmates have shot homemade zip guns at unsuspecting officers as they passed between buildings. One officer was robbed and beaten by three inmates in an unsupervised area near the laundry building; his watch and wallet were taken. Many robberies occurred in broad daylight by the sidewalk near the steam plant.

Table 3 examines the location of sexual assaults by victim. Inmate-to-inmate assaults were most frequent in a cell or dorm, the hallway, shower, or dining room. Inmate-to-staff assaults were most frequent in cells, dining, medical, and day space areas. Sexual assaults were few in number and were probably grossly underreported. Sexual assaults occurred in the cell, dorm, shower, or secluded outside areas. UCI was the only study prison reporting enough sexual assault data to make inferences. At UCI, if rape occurs, it is most likely to take place in the cell or shower. The rate of sexual assault was slightly greater in dorms than in cells, when controlling for population. The rate of sexual assault in dorms was 2 per 100 inmates for 1979/1980, while for cell-type housing, it was 1.85 sexual assaults per 100 inmates. Dorms are slightly more dangerous in reality and as perceived by inmates responding to the questionnaire. Thirty-two percent of responding inmates at UCI felt

TABLE 2
% OF ARMED ASSAULTS (A) & UNARMED ASSAULTS/FIGHTS (U) BY LOCATION

LOCATION	INSTITUTION							
	DCI		FCI		FSP		UCI	
	A	U	A	U	A	U	A	U
Circulation Area	8%	14%	3%	7%	32%	31%	15%	13%
Shower, Bath	8%	2%	12%	8%	9%	8%	4%	3%
Cell	8%	23%	18%	17%	53%	34%	36%	37%
Dorm	0%	7%	38%	33%	N/A	N/A	10%	4%
Limited Supervision (Outside)	8%	23%	8%	10%	1%	6%	14%	14%
Dining	50%	22%	8%	7%	2%	5%	3%	10%
Direct Supervision (Dayspace, Office)	18%	9%	13%	18%	3%	16%	18%	19%
TOTAL	100%	100%	100%	100%	100%	100%	100%	100%
	n=12	n=56	n=61	n=77	n=197	n=218	n=100	n=390

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TABLE 3
% LOCATION BY VICTIM BY INSTITUTION

	Inmate to Inmate		Inmate to Staff		Victim of Sexual Assaults	
DCI	Conf. Cells	14%	Cells	21%	Outside	50%
	Dining	33%	Dorms	10%	Dorms	50%
	Outside	14%	Dining	16%		
	Other	39%	Outside	11%		
			Hallway	10%		
			Dayospace	10%		
			Other	12%		
		n=43		n=19		n=2
FCI	Dorm	42%	Conf. Cells	38%	Shower	23%
	Shower	13%	Dorm	19%	Dorm	44%
	Conf. Cells	10%	Medical	10%	Outside	11%
	Dayospace	10%	Dayospace	20%	Courtyard	11%
	Other	25%	Other	13%	Dayospace	11%
		n=110		n=21		n=13
FSP	Hallway	32%	Cell	58%	Cell	100%
	Shower	7%	Hallway	14%		
	Cell	38%	Shower	11%		
	Other	23%	Medical	8%		
			Other	9%		
		n=248		n=118		n=5
UCI	Cell	39%	Cell	27%	Cell	77%
	Hallway	10%	Dining	12%	Shower	17%
	Dorm	6%	Supv. Ofc.	27%	Dorm	6%
	Dining	8%	Other	24%		
	Outside	8%				
	Other	29%				
		n=446		n=83		n=48
Total		n=847		n=241		n=68

that most sexual assaults occurred in dorms as compared to 22 percent who felt that the majority of sexual assaults occurred in cells.

Controlling for level of supervision in terms of armed, unarmed and direct limited supervision revealed some changes in the relationship (Table 4). There was a 19 percent greater incidence of armed assaults against staff in areas of limited supervision. This would suggest that although the level of supervision has very little relationship to inmate-on-inmate assaults, staff members may derive more protection in better supervised areas. There is some inherent logic in this finding, and if further study were to confirm this finding, the results would be useful in determining procedures to provide more safety to the prison staff.

**TABLE 4
CROSSTAB OF ASSAULT TYPE CONTROLLING FOR
LEVEL OF SUPERVISION**

	UNARMED ASSAULT		ARMED ASSAULT	
	Direct Supervision	Limited Supervision	Direct Supervision	Limited Supervision
Inmate Assault	24 (77%)	267 (79%)	67 (60%)	510 (79%)
Staff Assault	7 (23%)	71 (21%)	45 (40%)	135 (21%)
TOTAL	31 (100%)	338 (100%)	112 (100%)	645 (100%)

Availability of a given site might be an important factor at all prisons. Access to areas of inmate traffic permits the opportunity to commit an assault. At FSP, for example, inmates who are usually in lockdown do not have access to areas except hallways or the bathroom/shower. Yet the greatest percentage of assaults, 44 percent (Table 1), occurred in the cell block. One issue that may have architectural design implications is the spontaneity or prior planning of an assault. Spontaneity may have a relationship to the assault site. Often assaults involving single assailants are more spontaneous than those incidents involving multiple assailants (Sylvester, et al., 1977). Table 5 reveals that the vast majority of incidents were committed by a single assailant: 98 percent, DCI; 65 percent, FCI; 70 percent, FSP; 86 percent, UCI. A contention of Nacci (1977) was that most single assailant attacks were spontaneous and unplanned, and, therefore, a target location out of view was not important; multiple assailant attacks were often planned and required a specific target location.

Single assailant assaults, which comprised the majority of incidents, occurred most frequently in cells and dining areas at DCI, confinement cells and dorms at FCI, cells and circulation areas at FSP,

and cells and circulation areas at UCI. There appears to be a tendency for single assailant assaults to occur in areas of poor or limited surveillance: DCI, 18 percent; FCI, 11 percent; UCI, 11 percent. Areas of heavy inmate traffic, such as hallways and stairways, make good target areas and had a higher percentage of assaults. However, what is surprising is the high frequency of incidents that occurred in areas under direct supervision. It was as if the inmate were trying to get in the first punch and be quickly apprehended before retribution could take place. Between 10 percent and 15 percent of the incidents occurred in the supervisor's office or day space with an officer present. Of course, assaulting an officer in his own office might be perceived as an image enhancer to establish a tough guy reputation. Another explanation of why so many assaults occur in areas that are under staff supervision may be the element of provocation. Often the officer challenges the inmate on rules violations or the inmate challenges the officers' authority on an issue. The discussion can often lead to an argument, and soon what started as mental provocation quickly becomes physical confrontation. Poor coping skills, quick tempers, and difficult work conditions (stress, noise, heat) escalate a small issue into an assault. Officer interactions with inmates need to be fully recognized as a possible point of intervention in reduction of assaults.

**TABLE 5
SINGLE & MULTIPLE ASSAILANTS BY PRISON**

	INSTITUTION			
	DCI	FCI	FSP	UCI
Single Assailant	90 (98%)	121 (65%)	334 (70%)	573 (86%)
Multiple Assailant	1 (1%)	42 (23%)	77 (16%)	97 (14%)
Unknown	1 (1%)	22 (12%)	67 (14%)	0 (0%)
TOTAL	92 (100%)	185 (100%)	478 (100%)	670 (100%)

Multiple assailant attacks were relatively infrequent. At FCI, 38 percent of the attacks happened in the dorm and another 14 percent in corridors. It is in contrast with defensible space principles that 19 percent of the assaults happened in areas of direct supervision and were quickly stopped. Not surprising was the 11 percent occurring in the shower. DCI only had one multiple assailant attack. At FSP, most multiple attacks occurred in the main corridor (35 percent). Other areas were the cells and areas of limited supervision. Yet, 15 percent of multiple assailant attacks happened under direct supervision at FCI. UCI's multiple assailants chose assault sites with limited surveillance. Forty-two percent of attacks were in cells, while 18 percent occurred in areas of poor surveillance at UCI. Another 10 percent of assaults at UCI were in the shower, which is one of the most feared places in the prison. It appears that the layout, large number of inmates, and limited number

of staff at UCI permit assaults to occur with relative ease at the discretion of the predator. On the evening of the site visit, there were only six officers to control 980 men in the "rock" at UCI. During that night there were several attempted assaults in the showers and cells. One officer to 140 men would seem to put severe strain on supervision capabilities.

Certain interior layouts appeared to aggravate the frequency of assault. The design of interior cells makes surveillance difficult or impossible. The design of the dining room appears to be influential in the movement or lack of movement of inmates in the food lines. Waiting in line, bumping into others, and people cutting into the line appear to be sufficient stimulation for a food fight. The dining rooms at all four prisons did not easily accommodate proper circulation patterns. The overall layout of the prison is important in trying to reduce circulation conflicts. At UCI, the Southwest unit inmates had to cross several acres of walkways and paths, covered by landscaping and brush, to get to medical, administrative, or recreational facilities. As a result, many assaults occurred in the "no man's land" between buildings. The housing design appears to have some influence. The dorms at FCI have privacy cubicles that are treasured by inmates in order to secure belongings in "their" space. Locker space in DCI and UCI cells was inadequate. Theft was frequent and grounds for murder if the thief was caught. FSP inmates seemed to enjoy their single cells, and many inmates expressed the sincere desire to stay at FSP rather than move to UCI, which is more open and less confining. They felt the openness made them vulnerable to attack.

The initial analyses of data showed the level of supervision not to be a strong influence on assault rate. When further controlled for number of assailants, inmate/staff assault, and staff shift, a possible pattern began to appear. Although the changes were not always large, there appears to be a pattern of effect, at least in terms of armed assaults and limited supervision.

VEQ Results vs. Reality

The questionnaires revealed that over 85 percent of the inmates at FSP and UCI did not feel safe, while approximately 50 percent felt somewhat safe at FCI and DCI. The safety of the hallways was perceived very differently at FSP and UCI than at DCI and FCI. Three-fourths of the inmates perceived the hallways as unsafe.

The questionnaires' results regarding inmates' perceived location of assaults were not consistent with the actual location of reported assaults. Inmates at DCI thought most incidents (43 percent) occurred outside, while actually only 11 percent occurred outside. Only 14 percent of respondents thought dorms were the most frequent location of assaults, and none thought cells were a frequent location. Yet cells had 27 percent of the assaults and dorms 6 percent. The dining area at

DCI was perceived as a safe area, yet this was the second largest area for assault (23 percent). At FCI, dorms were rated the single highest location for assaults (47 percent), yet dorms actually accounted for 31 percent. Twenty-seven percent of assaults occurred in confinement housing, but the perceived risk was only 2 percent. At FSP, the most frequent response by inmates for location of assault was in the cells (40 percent), which was close to the percentage of actual occurrences in the cells (44 percent). The results at UCI were surprising. The questionnaire revealed the dorms and cells to be the perceived sites 34 percent and 49 percent, respectively. Actually, 37 percent of assaults occurred in cells and only 5 percent in dorms. Outside areas accounted for 7 percent of the assaults, but 13 percent of the inmates rated the outside as the most frequent location.

Discussion and Implications

Privacy, surveillance, defensible space, and architecturally provided opportunity were all the basis of the investigated research issue. If assaults were a function of architecture, it was expected that a greater proportion of assaults would occur in areas of poor surveillance and nondefensible territories or "no man's land." In fact, it was found that, at all four prisons, the prime site for assaults, particularly armed assaults, was the housing area. Whether dorms, six-man cells, or two-man cells, or single cells, housing was the biggest contributor. Support spaces such as showers, baths, and dayrooms had the next largest number of assaults. Circulation areas such as corridors, stairwells, and lobbies had 7 percent-30 percent of the incidents. The outside areas had fewer incidents of violence than expected, with 2 percent-11 percent of the incidents occurring in these areas. The dining room, without fail, seemed to invite more assaults than would be expected.

The Department of Correctional Services of New York State (1981) conducted a survey of inmate incidents over a 12-month period (September 1979-August 1980). There were 1,641 incidents for the 2,266 inmates, or an average of 137 incidents per month. Of the 1,641 incidents, 20 percent were assaults ($n = 328$). The larger, maximum security facilities accounted for 67 percent of the total inmate-on-inmate assaults. Forty-six percent of the assaults occurred in the cell, while 10 percent occurred in disciplinary confinement housing. The exercise yard had 8 percent, while visiting areas had 5.4 percent, dining had 5 percent, and the hospital, 4 percent. Table 7 compares the New York Prison Study (1980) to the results of this study.

Three of the four study prisons (DCI, FCI, and UCI) had housing cells and dorms as the highest source/location of assaults, with confinement housing being the next highest. Dining and medical areas were both strong site locations for assaults. Contrary to common logic, there does not appear to be a strong trend toward being discrete while

committing crimes in prison. But, the level of supervision (direct/limited) does appear to affect the percentage of armed assaults on staff, which decrease in areas of direct supervision. Also there was some decrease in the percentage of armed assaults during the 8 a.m. to 4 p.m. shift. This time period is the most staffed. Since the level of supervision has some effect, although slight, on armed assaults, this may indicate an area for future research. Even though most prison assaults are unarmed, any reduction in the assault rate would be beneficial.

**TABLE 6
COMPARISON OF LOCATION OF ASSAULTS:
NEW YORK VS. STUDY PRISONS**

	NY	DCI	FCI	FSP	UCI
L Housing	45.0%	32%	68%	27%	53%
O Confinement					
C Cells	10.0%	*	15%	51%	15%
A Dining	8.0%	32%	6%	4%	7%
T Outside	8.0%	6%	3%	4%	14%
I Hospital	4.2%	N/A	4%	7%	2%
O Visiting	5.4%	N/A	1%	1%	N/A
N Other	19.4%	3%	3%	6%	9%
	n=328	n=55	n=143	n=389	n=605

*DCI has no separate confinement housing

N/A Information Not Available

Other factors will need to be investigated to determine the reason for the high percentage (20 percent) of assaults that occurred under direct surveillance. This seemingly high percentage might reflect the spontaneous nature of the great majority of assaults which are primarily unarmed, single assailant assaults. The more serious (armed assaults) seem to occur in areas of limited supervision, which implies that these assaults are planned. In addition, planning is implied in multiple assailant assaults, which tend to occur in low density, limited supervision areas. Careful design of movement areas, e.g., hallways, may be indicated to eliminate the problem of blind spots and increase surveillance capabilities. Overall this data reveals that the inmates' fears are generally not supported. Often areas low in frequency of assaults are overestimated as high risk areas. It would be expected that inmates would feel safe in their housing areas since they are most familiar and the inmates can exercise the most control over their environment. Yet 68 percent of the inmates perceived their housing areas as being unsafe. This would suggest that assaults are spontaneous rather than pre-

planned. This is supported by only limited use of planning for the opportunity to commit an assault and discrepancies of areas of perceived violence and actual areas of assault.

In summary, the location of assaults in the study prisons vary almost as greatly as do the styles of architecture within each prison. However, the most frequent location consistent within each prison is the housing area. When inmates are in their housing area, the opportunity for assault is immediate. It is, therefore, no surprise that most assaults occurred in the housing units. What is surprising is the frequency of assaults under direct staff supervision. It was as if the inmates' actions were almost a dare for official action. There appears to be no ideal type of prison design that solves the problem of violence, but reducing the "blind spots," such as deadend corridors and stairwells, and increasing good sight lines will help in the more efficient supervision and control of those spaces.

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Issues in Prison Sexual Violence

Daniel Lockwood*

Introduction

Although exaggerated claims have confused the issue, recent research indicates that sexual harassment is a major punishment for some prisoners. While discussion of prison sexual violence has focused on homosexual rape, a rare event, sexual harassment, affecting far more men, has been a neglected topic. In contemplating such decisions as sentencing and release from confinement, in weighing the suffering of imprisonment in a particular case, the stress associated with being the target of sexual aggressors should always be considered. While, indeed, prison managers should carry out measures to reduce the problem, it remains a strong possibility that sexual harassment, an inherent situation in the American prison of today, is not likely to be much reduced by administrative measures.

In the last few years, research has allowed for accurate estimates of the extent of this problem in the New York State and Federal prison systems (Lockwood, 1980; Nacci, 1982). Contrary to the claims of some writers, who have claimed, without much evidence, that high rates of prison rape prevail throughout the nation, these studies show that low rates of sexual assault exist in the prison systems examined. These same surveys, however, have indicated that large numbers of men have been sexually propositioned in confinement. Sexual approaches perceived as offensive, thus, should be seen as the most important basis of the problem of prison sexual violence. Peter Nacci, a researcher with the Federal Bureau of Prisons, carried out a large study of prison sexual behavior, following a rash of sex-related murders at the Lewisburg Penitentiary. While the Nacci study found that .6 percent of federal inmates surveyed, or 2 out of 330, had been compelled to perform undesired sex acts, 29 percent of these men had been propositioned in their institutions (Nacci, 1982). Similarly, the random survey I carried out in New York showed that 28 percent of the men selected had been targets of aggressively perceived approaches at some point in their institutional career. One man among these 76 had been the victim of a sexual assault. Thus, one may conclude that to the degree this situation prevails in other prisons, the problems created by sexual propositions in prison affect far more men than those suffering the devastating consequences of sexual assault.

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The impact of sexual approaches on targets has been described in my previous work (Lockwood, 1980). To summarize these findings, sexual harassment, that is, sexual approaches perceived as offensive by their targets, leads to fights, social isolation, racism, fear, anxiety, and crisis. Others report the same. Sylvester (1977) claims that homosexual activity is a leading motive for inmate homicides. Nacci and Kane (1982) report that of twelve murders occurring during a 26-month period among a population of federal prisoners, five had a sexual basis, that is, sex pressuring, unrequited love, or jealousy. Hans Toch (1969), among others, describes similar findings. One can conclude, therefore, that of all the sources of prison violence, sexual pressuring, as Nacci and Kane state, can be "potentially the most dangerous conflict in prison."

In 1968, a government investigation was described in the "Report on Sexual Assaults in the Philadelphia Prison System and Sheriff's Vans" (Davis, 1968). This report, receiving widespread media coverage at the time, has influenced popular and scholarly writing on the topic. Often, as writers have generalized the finding of this report to other prison systems, we can trace errors in the criminological literature to reliance on this single source. Prison and jail conditions vary widely over place and time. Concerning rates of victimization, it is quite improper to extrapolate findings from one prison system to another.

Another source of error has been misinterpretation of the definition of sexual assault used in Davis' report. While writers defined "sexual assault" to mean "prison rape," in actuality the Philadelphia Report included in its definition of sexual assault "solicitations accompanied physical assaults or threats, and other coercive solicitations" (Davis, 1968, p. 2). The high rate of sexual assault in the Philadelphia Report was thus defined as prison rape, and, used as a basis for estimating rates of homosexual rape in other prisons, resulted in a false picture of the actual situation in many places.

Individual case studies in the prison literature have also been used to generalize about the dynamics of sexual pressuring in prison. In reviewing these accounts, and attempting to use them as primary sources to examine prison sexual violence, one should always be cautious. Popular writers, prison reformers, and even prisoners themselves, such as those in "Scared Straight," the film made in Rahway that attracted the nation's interest in 1978, have been perpetuating certain ideas about prison sexual violence that are not supported by systematic research on the topic. Let us review some of these.

One myth is that sexual aggressors tend to be successful, that targets of sex pressure, after enough threats or physical force, become willing "kids" of prison "daddies." Even among prisoners, there is the belief that many partners in consensual relationships were at one time "turned out" by "booty bandits." My research contradicts this notion.

My findings show targets coping with the experience by making demonstrations of violence which cause others to leave them alone or by developing protective life styles. In most cases, in my study, targets were only targets once. Then they managed to deal with the problem. Others, although pressured over time, did not give in to the urging of the aggressors. In no cases was I able to document a change of sexual behavior caused by aggression and encountered no consensual arrangements begun by aggressive overtures against heterosexual men.

Another unfounded inference is the notion that victims of sexual harassment, embittered by the experience, commit crimes upon their release as they turn their hate and hostility toward the public. In actuality, there is little reliable data about the effects of any specific prison experiences on subsequent behavior in the free world and no empirical information about the postrelease criminal behavior of former targets of sexual aggression. To claim, without evidence, that prison victimization results in increased recidivism is a disservice to former prisoners seeking acceptance by employers, neighbors, and family members. Especially when combined with the fantasy of high rates of sexual assault, the claim that many men leave prison with strong motives for antisocial behavior is a damaging myth.

Another popularly held notion, also unfounded, is the idea that targets of sex pressure in prison are primarily sex offenders against children or other "low status" criminals, according to the convict code. In reality, at least according to my research, the crime one commits has little to do with one's selection to be a target. Other factors are far more important in target selection, especially race, nature of the home neighborhood, and other indicators of subculture. The nature of the commitment offense per se is a poor predictor of victim selection in prison.

Having examined some of the myths regarding sex pressuring in prison, let us look at some of the realities. Fear is the most common emotion accompanying the target experience. Fear can be a general feeling or a specific apprehension of being physically harmed, sexually assaulted, or killed. Fear can shift from the arena of the incident and its players to encompass feelings about the entire prison milieu. Such fear often becomes intensified by inability of targets to easily remove themselves from the presence of aggressors. Regardless of force in an incident, fear can be an intense emotion, persisting over time and governing subsequent lifestyles. For example, here are some typical comments from men interviewed:

ARE 4: I would live in apprehension. Every time I would unlock that door or lock out till the time I went back in it was constant pressure of watch out for this man.

ARE 36: Whenever I see him around I am consciously aware of it. No matter what I am doing I have to keep in

the back of my mind where he is. Not that he would try anything out there in the yard or anything, but the thing is, you never know . . . I have always got it in my mind whenever he is around to be well aware.

Not all men emerge from incidents feeling fearful. About 50 percent of our targets said they did, although we do suspect underreporting because men in prison do not readily admit to feeling fearful. The shape of the target's fear differed from man to man, depending more on personal characteristics than on incident characteristics. We rated the severity of incidents looking at the level of force. We also rated the intensity of the psychological reaction. When compared statistically, it was shown that a prisoner's individual reaction to victimization has as much to do with personal factors as it does with the level of force deployed.

Anger is also a common reaction and includes accumulated frustration venting from persistent unwanted approaches. Men who have trouble controlling feelings are particularly sensitive to this response. Other prisoners are vulnerable because confinement causes frustration, to which the feelings about the sexual approach must be added. Anger can result in explosive reactions or can be narrowly held in check, contributing to the prisoner's tensions and anxiety.

Anxiety was reported for about one-third of the incidents in my study. The stress accompanying this tension frequently was signaled by physical indicators. Fear was the primary feeling bringing on anxiety, which could persist far beyond the end of the incident. Men with previous mental health problems seemed particularly vulnerable.

Crises can follow from sexual approaches as men react to these feelings. These crises are commonly signaled by emotional upset, along with requests for medication or isolation. Suicidal thoughts and gestures sometimes accompany these crises when men feel their fate as future victims is sealed or when men wish staff to move them to a safe area. The following excerpt from an interview with a prisoner who cut his wrists with broken glass following an aggressive sexual approach illustrates this possibility:

CR 26: I was just so confused and everything because of that I just didn't care anymore and I felt to myself if they are going to rip me off for my ass, I am going to cut up and go over to the hospital and they can't get me over there. I just didn't care. I had been put away most of my life and half of my life was ruined anyways so why should I live with the pain and all.

There is also an impact on social relations. Targets, or those who believe themselves to be potential targets, become suspicious, avoid making friendships (which are a way of coping with prison aggression), and often isolate themselves in their cells, coming out only when

necessary. Sexual aggression is also a cause of racial polarity, as whites band together in their fear of black aggressors. The impact of sexual aggression on men's lives seems to be accentuated by inmate beliefs that sexual assault leads to permanent identity change, that aggressors are successful, and that homosexual activity is reprehensible. These beliefs add to the intensity of the target experience.

Planned Change to Correct the Problem

In considering policy to alleviate the situation, Nacci and Kane (1982) have proposed a plan of "target hardening," in which inmates are advised to change mannerisms that attract aggressors, e.g., avoiding "feminine" hair styles, gestures, and clothing and staying away from others, especially homosexuals, who may suggest to others that they are available for sexual activity. Such an approach, based on the factors in target selection, is logical and can be recommended. However, one should also consider that this approach may lend itself to "blaming the victim" and may place an unfair burden on potential victims for altering life habits and styles.

Nacci and Kane (1982) have also suggested, quite correctly, that "an infusion of morality is required" to correct the basis of the problem. Since prison sex aggression, ultimately, is caused by values and attitudes, this plan could be successful. In brief, what is called for is the moral reform of the prison, with special regard to "normalizing" sexual relations and attitudes. For example, prisoners would not be allowed to refer to other men by female referents, it would not be permitted for males to be accepted as female surrogates, and consensual homosexual activity would not, as it now is, be condoned. This may be a good plan for making institutions safer. However, from the view of prisoner's rights, there may be some difficulty in implementing the coercion to virtue implied by such a program. One must also consider the difficulty of creating a moral community among men with histories of immoral and predatory behavior.

Following my own field research, I have recommended the violence-reduction plan of AVP, or the Alternatives to Violence Project, of the American Friends (Lockwood, 1980). In addition, I have suggested that properly applied notions of the therapeutic community, carefully tied to the dynamics of the situation, would also be helpful (Lockwood, 1982). However, even though one applies all available methods of planned change available today to the problem, the position I took in the mid-seventies, when my research on prison aggression began, is a tenable one: the causes of prison sexual aggression are fundamentally the same as the causes of sexual aggression and sexual harassment in the free world. Both behaviors spring from male values and attitudes regarding women (or, as is the case of prison, men placed in female roles). Since it is unlikely that such conduct norms, so widely ingrained throughout our culture, will change, sexual aggression and

sexual harassment must be viewed as a permanent factor in the sentence of imprisonment. While, indeed, some men within our society exhibit little sexual aggression, it is also true that members of such subcultures are not as likely as others to end up in prison. The most violent peoples among us, who tend more than others to end up in prison, are also the most sexually abusive. When confined, they will continue to harass weaker men.

As for research implied by the studies undertaken in the last few years in the field of prison sexual aggression, we must consider that the types of men who commit acts of sexual aggression in prison are the same men who commit acts of criminal violence on the street. To examine big city mugging, armed robbery, and rape is also to study the behavior of sexual aggressors in prison. Thus, general studies of violence, applied to the portrait now in existence of prison sexual violence, should prove to be useful.

Additionally, one should also bear in mind that criminal behavior continues when criminals are sent to prison. Prison populations are a laboratory for the study of violent behaviors of all types. Findings about the specific topic of sexual aggression, thus, should make a general contribution to criminology. At the current time, for example, I am examining patterns of interaction that typically develop in incidents marked by sequences escalating to violence. While the research sites are institutions, the findings are generally applicable. In conclusion, prison sexual violence should be seen as a manifestation of more general forces in our society, and as we progress toward understanding and correcting violence among us, we shall progress toward a more thorough understanding of prison victimization.

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The Sexual Victim in a Coeducational Juvenile Correctional Institution

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Although the fear of being a sexual victim (a victim of oral or anal sodomy) in a correctional institution begs a novelist's touch, sexual victims attracted little attention from criminologists until the mid 1970's. The classical studies of the prison describe the sexual roles within institutional life, but they generalize about the number of sexual victims (Clemmer, 1940; Sykes, 1958). The actual process of becoming a sexual victim, or "breaking down" someone, as prisoners would say, is described only in inmates' writings. For example, the play, "Fortune and Men's Eyes," which later became a motion picture, does an excellent job of demonstrating the pressures placed on a first-term offender in an adult correctional institution. It depicts the personal and physical skills that inmates must develop to handle these pressures.

In the mid and late 1970's, sexual victims in adult prisons received considerable attention from researchers. A number of studies show that naive white inmates are too often the sexual victims of streetwise, black prisoners (Davis, 1968; Irwin, 1970; Carroll, 1974; Scacco, 1975; Toch, 1977; Feld, 1977; Conrad and Dinitz, 1977; Bowker, 1978; Jacobs, 1978; and Lockwood, 1979). In his study of prisons in New York State, Toch (1977) writes that four out of five sexual victims are white. Furthermore, he finds that an equal proportion of sexual aggressors are white also. In another study of inmate aggression and disciplinary offenses at the Rhode Island Adult Correctional Institution, Carroll (1974) observes the extent of interracial and intraracial assaults. Based on participant observation and interviews, he concludes that 75 percent of the sexual assaults involve black aggressors and white victims, although blacks only made up 25 percent of the inmate population.

Various explanations are given for this sexual victimization of white inmates. Scacco (1975) postulates that blacks use sexual victimization to take out their frustration and feelings of exploitation. Carroll (1974) also sees the sexual exploitation of whites as a means by which blacks retaliate against white privilege, domination, and exploitation on the outside. In other words, the incarcerated black is "getting even" with the white man. Davis concludes that the conquest and degradation of the victim is the chief factor behind the victimization of whites: whites are weaker and, therefore, they are the ones who hear

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such comments as "we're going to take your manhood," "you'll have to give up some face," and "we're going to make a girl out of you" (1968:15).

The extent of sexual victimization has received some documentation. In their study of sexual victimization within the North Carolina prison system, Fuller and Orsagh conclude that the occurrence of rape is exaggerated. In fact they claim that the proportion of males raped in this state's prisons is at least equal to but not higher than the proportion of female rape victims in the free community (1976). The most extensive documentation of sexual victimization has been conducted by Nacci, Saylor, and Kane (1979) in their examination of the federal prison system. In this 1979 study, 17 of the federal prison system institutions were sampled by interviewing 330 randomly selected prisoners. The data reveal that about 10 percent of the inmates in the federal prison system must defend themselves against a sexual attack at some time during their incarceration in a state or federal institution.

The violence of sexual victimization is also receiving some attention. Weiss and Friar document the brutality of rape: they report that rapists brand their victims with burning cigarettes, slash and tear victims' clothing, and even mutilate them (1974: 139-140). In a study conducted in the New York State correctional system, Lockwood (1979) reports that some potential rape victims occasionally respond to sexual propositions with counterthreats. If these threats are not heeded by the aggressor, the targeted inmate replies with violence.

However, sexual victims in juvenile institutions have received scant attention. In one study of juvenile victimization, Bartollas, Miller, and Dinitz (1974) describe the behavior of a sexual scapegoat in a maximum security training school for boys in the midwest. They find that once a youth participates in oral or anal sodomy, and this event becomes public knowledge, the inmate is looked upon as a social pariah and is subjected to a "public degradation ceremony." He is scapegoated and placed on the bottom of the cottage pecking order. Throughout his confinement, the inmate receives considerable pressure to remain engulfed in his lowly role. This study further identifies the career stages of a scapegoat, how the scapegoat feels about his institutional role, and what is involved in escaping from this role. Bartollas, Miller, and Dinitz later examine psychological scores of chronic sexual victims; they find that the healthier a youth is psychologically, the greater chance he has of being sexually victimized (1976).

The purpose of this paper is to examine the plight of the sexual victim in a juvenile correctional system in a southeastern state. By examining residents in six training schools, this study offers information on the attitudes, behaviors, attributes, and sexual and racial differences of sexual victims in a triracial coeducational correctional system. This research will determine the extent of victimization

among members of three racial groups in a juvenile correctional system located in the southeast.

Methodology

The original sample (N=561) consists of male and female residents, ages 7-17, assigned to the six training schools in one juvenile correctional system located in the southeast. All residents are included in the survey except for those who had special appointments with other personnel or agencies or were unavailable for security reasons, illness, or other personal matters. The residents were asked to complete a self-administered questionnaire reporting a number of factors including their age, sex, race, height and weight, amount of time spent in institutions, length of current stay, and runaway activity. The residents also answered a series of questions regarding their own attitudes toward institutional life, staff, other residents, and their concern with victimization. Staff members also completed a self-administered questionnaire which reports residents' attitudes, roles, and behaviors within the context of the institution. On this survey staff members identified youths involved in sex games (manipulation of others through the use of sex or sexual contacts with members of the same sex).¹

The attitude questions in the resident survey are presented in a Likert scale format. The analysis is based on 20 Likert questions taken from the list of 65 questions asked during the survey. Three of these questions are removed from the list to identify youths faced with acts or threats of victimization during their period of confinement.² This composite scale measures self-reported victimization and intimidation perceived and experienced by the subject as a result of peer interaction.

The independent variable, sexual victim, is identified by intersecting two variables: the victimization index identified above and the staff-reported variable, sex games (involvement in sexual contacts with members of the same sex). Staff members were asked to report residents' involvement in episodes of sexual contact during the survey, and these reports are matched with those completed by residents. A total of 276 (49 percent) youths are not subject to sexual games or victimization by other residents. These youths are identified as nonvictims (neither victimized nor victimizers) and form one dimension of the independent variable. The other dimension of the independent variable is the sexual victim. Just over nine percent (N=51) of the residents are identified as persons who play sex games and score high on the victimization index. These youths are involved in sexual contact and victimization.

A third of the resident population report that they feel the threat of victimization even though it is of a nonsexual nature. These residents are beaten, intimidated, and degraded by more dominant inmates, but they do not become sexual victims. These cases are dropped from the

analysis. The remainder of the youths who do not fit the criteria of sexual victim or nonvictim are deleted from the analysis. This cohort includes victims for reasons other than sexual matters and residents who are involved in sex games with other residents, but are not sexual victims. Subsequently, a sample of 327 youths (51 sexual victims and 276 nonvictims) is submitted to analysis.

The seventeen scales in Table 2 measure the attitudes and perceptions of sexual victims and nonvictims during confinement. These scales indicate the respondents' adjustment and their perceptions of staff and peer relations. Finally, interviews with staff and residents, as well as participant observation, are helpful in identifying the pattern, extent, and consequences of sexual victimization.

Analysis of Data

The findings show that 51 (9.1 percent) of the 561 surveyed residents confined in the six institutions are identified as sexual victims. Sexual victims are distributed in roughly equal proportions across sex and race categories (race: $\gamma=.065$; sex: $\gamma=-.119$). Although no sexual or racial category is more likely than the general inmate population to be a sexual victim, the proportion of American Indian male victims is extremely low when compared to blacks and whites.

Surprisingly, physical size and age are not good predictors of victimization (size: $\gamma=-.099$; age: $\gamma=.019$). Fourteen- and fifteen-year-olds, who make up the majority of youth in the six facilities, experience the highest rates of sexual victimization, but they are not the youngest or smallest residents. The over fifteen-year-old youth and the black and male inmate under age fourteen are less likely to be sexually exploited by other residents.

Sexual victims also have several prior commitments and the longest cumulative period of incarceration in training schools. The amount of time a youth is confined in an institution is one of the strongest social and legal background variables correlated with sexual victimization during confinement (length of current stay: $\gamma=.356$; total cumulative time spent in institutions: $\gamma=.126$). See Table 1.

The sexual victim is more likely to run away from training school than any other youth ($\gamma=.209$): 41 percent of these youths abscond from the institution during their current stay. By contrast, only 30 percent of the nonvictims run from the institution. Most youths who escape from these training schools elect to run within the first weeks of confinement, apparently as a way to cope with sexual pressure from others. The sexually aggressive juvenile is the inmate least likely to run from the institution, and over 75 percent of the sexual exploiters—who are primarily sixteen- and seventeen-year-old low income blacks—have never absconded during their current stay.

TABLE 1
CORRELATION MATRIX (Gamma)

	Sexual Victim	Race	Sex	Age	Size	Total Time	Length of Stay	Run- away
Sex Victim	1.000							
Race	.065	1.000						
Sex	-.119	.006	1.000					
Age	.019	-.058	.077	1.000				
Size	-.099	-.067	.401	.563	1.000			
Total Time	.126	.097	.042	.124	-.055	1.000		
Length of Stay	.356	-.131	.111	-.039	.039	.649	1.000	
Runaway	.209	-.396	.363	-.104	.007	.361	.383	1.000

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Although sexual victims show a strong interest in maintaining inmate solidarity and in keeping their affairs away from staff view, they are constantly being harassed and intimidated by their peers. For example, they disagree with the statement that other inmates "leave them alone and mind their own business." The victims feel more strongly than nonvictims that one must learn quickly "to stand up for yourself in the institution because no one is going to stand up for you." The victims learn that they must be willing to fight in order to defend themselves. They strongly agree with the statement that if you are "once a punk, you are always a punk"; only 15 percent of the sexual victims disagree with this statement. One form of testing behavior among inmates is a tactic called "palming" (when a resident grabs another on his buttocks). Sexual victims are more likely to elicit strong agreement with the statement, "it bothers me when guys palm me"; only 8 percent of the sexual victims disagree with this statement. See Table 2.

However, not all sexual victims are passive and unable to defend themselves against predatory peers. Staff report that a plurality of sexual victims are ranked in the lower third in aggression (39 percent) and dominance (47 percent), but they also place approximately one-third of the sexual victims in the high aggression category. Indeed, it is these sexual victims who test other residents to see if they will back down during a confrontation, and if they do, will sexually victimize these weaker peers.

Sexual victims do not generally have good relations with staff. They support the notion that the staff "gives them a lot of static." Staff, in turn, report that sexual victims are more verbally resistant than other inmates and are the most likely to deny fault for wrongdoing within the institutional context. Sexual victims enjoy playing staff off against each other. Almost half (45 percent) derive pleasure from playing "mind games" with the staff regarding privileges, property, and regulations; only a quarter of the other inmates become involved in such harassment of the staff. Their poor relations with staff probably explain why sexual victims receive little protection from staff. Staff in these institutions, as in other correctional settings, also believe that the sexual victim provokes sexual assaults and, therefore, deserves the consequences.

Finally, sexual victimization is an important variable in determining role behavior and peer acceptability. Sexual victims are ranked on the bottom rather than on the top of the social hierarchy of these institutions. But the social rejection found in other sexual victimization studies is not nearly as intense among the training school residents in this study; neither are the residents of these training schools engulfed in victim roles to the extent found in other studies. The targeted victims often will fight to stay off the bottom of the inmate hierarchy.

CONTINUED

1 OF 2

TABLE 2
ATTITUDES OF SEXUAL VICTIMS AND NONVICTIMS

Attitude Scale	T Value	(Mean) Sexual Victim	(Mean) Non- Victim
1. You can always expect someone to rat on you here.	2.29*	1.88	2.28
2. Other people here usually talk about you behind your back.	4.23*	1.71	2.44
3. I would never rat on a friend here.	2.00*	2.26	2.66
4. The other students here will leave you alone if you don't mess up.	-2.35*	3.06	2.54
5. I can easily get privacy if I want it.	0.93	3.02	3.24
6. If you are too honest with people you can get burned by them.	1.65	2.10	2.40
7. This isn't such a bad place once you get used to it.	0.85	2.00	2.15
8. The staff gives me a lot of static.	2.57*	2.92	3.46
9. I trust the staff more than I trust the students here.	-0.42	2.28	2.18
10. Sometimes I like to see how far I can push other students.	1.97*	3.26	3.69
11. Fighting is usually a pretty good way to get people off your back.	2.38*	2.75	3.27
12. You have to stand up for yourself in here because no one is going to stand up for you.	3.26*	1.71	2.21
13. It is easier to give in to some students rather than fight with them.	1.14	2.31	2.51
14. I prefer being around younger or smaller students.	1.28	3.41	3.66
15. Most of the students here are punks.	3.08*	2.57	3.25
16. It bothers me when guys palm me.	1.20	1.82	2.03
17. Once a punk, always a punk.	2.89*	2.26	2.83

* Significant at the .05 level.

Discussion

This study compares 51 sexual victims with 276 nonvictims confined in six juvenile institutions. This figure is much higher than the study of sexual victimization in adult prisons in this same state (Fuller and Orsagh, 1976). It is also higher than Nacci et al.'s study of prisoners in the federal prison system (1979). Nacci's study reveals that about 10 percent of the population had to defend themselves against a sexual attack at some time during their incarceration in state and federal prisons. It is approximately the same percent of sexual victims that Bartollas et al. (1976) find in the maximum security juvenile training school for boys in the midwest. Yet, the extent of sexual victimization in this state system appears to be much lower than when the training schools were unisexual. At that time, a girl who was raped by several other residents during her orientation period in the training school reserved for girls related to a participant observer: "They raped me with a piece of metal my third day in the reception cottage, but I didn't report them to staff. I think that kind of thing goes on about here a lot, and I didn't want to be known as a snitch."

When it is remembered that one out of every ten youths who is supposedly protected by the paternalistic doctrine of the juvenile justice system is sexually victimized in a training school, it then becomes a matter of grave concern. If the juvenile justice system is unable to rehabilitate or reintegrate juveniles into community living and, obviously, it cannot in institutions permeated by all forms of exploitation, it owes these youths a safe environment where they can "serve their time" without danger of sexual victimization. In other words, a humane institution is first of all a safe institution for both residents and staff.

Females are also victimized in institutional settings. (See Giallombardo's study of three training schools for girls (1974), and Ward and Kassebaum's (1965), Giallombardo's (1966), and Heffernan's (1972) studies of victimization patterns in adult female institutions). Each study shows that the female inmate subculture is integrated by substitute families. Homosexual behavior is extensive throughout this substitute family as prisoners play male and female roles. But these researchers do not identify inmates as sexual victims; rather, they suggest that part of socialization into the inmate subculture is the acceptance of the sexual norms of the subculture.

Although the one account of sexual rape is the only one identified in this study, female residents do feel subtle and, at times, coercive sexual pressure. In other words, some girls do feel like sexual victims; they have not only been approached, but have committed sexual acts that make them feel like victims. White and American Indian girls, especially, feel like sexual victims.

Furthermore, this study finds that black residents are sexually

victimized to the same extent as white inmates, although whites receive significantly more nonsexual victimization than blacks. The lack of rage against whites and the cultural effect of southern society both play a part in suppressing the amount of sexual victimization of whites. That black juveniles outnumber white youths two to one in these training schools also contributes to the sexual victimization of blacks. Instead of keeping away from blacks, as Bartollas et al. find in the Ohio study, older black males frequently victimize other blacks. This, of course, is a social phenomenon found in adult prisons that are predominantly populated by black inmates. In these settings, both white and black inmates experience sexual victimization.

Interviewed staff relate that "sex play" among residents is distasteful to deal with and difficult to prevent. The large size of the cottages, as well as residents' ability to keep secret what goes on backstage, are key ingredients in preventing the official recognition of victimization. Although perceptive staff can identify the sexual victims in their cottages and can predict reasonably well when a youth is ready to be sexually victimized, they usually feel impotent to do anything about it. They can talk with a youth and warn him or her. "Hey, man, they're going to get over you if you don't start standing up for yourself." If the youth complains that he or she is too fearful to stand up for himself or herself, all that the staff can do is warn the juvenile what may happen if the youth does not defend himself or herself against more aggressive peers.

Summary

In this study of six training schools in a southeastern state, almost 10 percent of the residents are identified as sexual victims. They are usually fourteen- or fifteen-year-olds; they include both males and females as well as equal proportions of blacks and whites. Simply in terms of their numbers, sexual exploiters in these training schools are frequently older black youths. Furthermore, approximately one-third of the sexual victims exploit other residents. All evidence—including attempts to escape at every conceivable opportunity—indicates that sexual victims find their institutional experience very painful. They do not feel close to staff, and, indeed, use every chance to express manipulative behavior toward the "keepers" who are anything but good "keepers" for them. Some sexual victims are able to earn some degree of respectability for themselves and to get off the bottom of the inmates pecking order by becoming aggressive toward weaker peers. This coeducational state system is better in many ways than most juvenile correctional systems, but inmates do not feel safe and, in fact, are not safe from sexual victimization. The rhetoric of the juvenile justice structure which promises protection, care, and stability for youths under its care turns out to be a mockery in reality.

Footnotes

1. "Sex games" is one of nineteen games identified by staff that are employed by residents as a means of coping with confinement. Involvement in sex games is one dimension of the independent variable.
2. The questions forming this index are (1) People here take advantage of you, (2) I am nervous or scared almost all of the time in this place, and (3) People are always trying to break me down in this place. These three 5-point scales are combined to form a victimization index which is used to form one dimension of the independent variable.

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91665

Inmate Ethnicity and the Suicide Connection: A Note on Aggregate Trends

Richard H. Anson*

Introduction

It is generally accepted by correctional observers that the deprivations of imprisonment threaten the psychological and physical well-being of inmates. Loss of significant others, depression, and the fear of homosexual rape combine in producing significant pressures toward the breakdown in human spirit and physical survival.

A large number of empirical studies have sought to understand inmate adjustment to incarceration by focusing on self-inflicted injuries (Danto, 1971; Rieger, 1971; Beigel and Russell, 1972; Fawcett and Mars, 1973; Heilig, 1973; Esparza, 1973; Toch, 1975; 1978; Johnson, 1976). Some of these investigations have presented a profile of self-destructive inmates and have demonstrated how suicide victims compare to inmates engaging in nonlethal forms of self-mutilation. There is evidence to suggest, for example, that inmates attempting suicide are younger than actual prison suicide victims and frequently use the attempt in manipulating jail personnel (Esparza, 1973; Fawcett and Mars, 1973; Biegel and Russell, 1972). At least one study compared mutilators with inmates in a hospital ward and concluded that mutilators came from larger families, had unstable work histories, and demonstrated greater degrees of sexual maladjustment than nonmutilators (Claghorn and Beto, 1967).

The literature on successful inmate suicides has found that they are more frequent in local jails than in prisons (Rieger, 1971; Esparza, 1973; Andrews, 1982) and occur most often during the first four weeks of confinement (Danto, 1971; Helig, 1973; Beigel and Russell, 1973; Fawcett and Mars, 1973; Andrews, 1982).

The relationship between sociolegal background variables and the tendency to commit suicide has not risen to the level of empirical clarity. One set of data has demonstrated that suicides tend to occur disproportionately among inmates evidencing violent histories (Danto, 1973; Esparza, 1973). These findings have been challenged by more recent studies, however, which have indicated that first-time youthful offenders incarcerated for alcohol-related offenses are most prone toward life-taking behavior (Toch, 1975; Johnson, 1976; Andrews,

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1982). Perhaps these disparate findings can be explained by the fact that some studies were executed on inmate jail populations (Danto, 1973; Esparza, 1973; Andrews, 1982), whereas others were completed in maximum security state prisons (Rieger, 1971; Toch, 1975; Johnson, 1976).

The most consistent finding in the research literature is the strong relationship between ethnicity and inmate self-destruction. A general assessment of the literature suggests contrasting racial adjustments to the pains of incarceration. Breakdown rates are higher for white and Hispanic inmates than for their black counterparts (Danto, 1971; Fawcett and Mars, 1973; Rieger, 1971; Andrews, 1982). These findings have led some researchers to conclude that inmate ethnicity is the strongest predictor of inmate survival in prison (Toch, 1975; Johnson, 1976). Explanations of this phenomenon have been grounded in the socialization experiences of inmates before arriving in prison.

Blacks, the argument holds, have strong peer group relations in prison. These homogeneous relations offset the effects of the weakened family structure endemic to ghetto living. These peer group relations act as an important buffer to the deprivations of imprisonment. Johnson (1976:18) observes:

Pressures of the ghetto life, it may be argued, encourage social isolation as a means to avoid trouble. But the feeling that threat is endemic and unscheduled may more often leave a person feeling that safety can be found in numbers. Though distrust toward strangers and police is rife, a strong peer orientation among urban low income blacks results. There is a romantic loyalty to street buddies, who can be counted on in times of crisis.

Almost every piece of scholarship that focuses on Hispanic people underscores the familial nature of this ethnic group (Carlos and Sellers, 1972; Gilbert, 1978; Grebler, et. al., 1970; Rubel, 1966; Raymond, et. al., 1980; Padilla, et. al., 1975; Morales, 1970; Keefe and Casas, 1978). The family organization of Latin culture has been observed to soften the blow of stress and psychosis in the nonprison community (Jaco, 1957; Madsen, 1959). Once these family ties are disrupted, Latin inmates fall prey to the deprivations of imprisonment, and this negative influence has been attributed to high rates of jail and prison suicides. Johnson (1976:15) explains the high rates of Hispanic prison suicides in the following way:

A Latin background seems to create susceptibilities to problems of confinement. The Latin male's difficulty in handling confinement suggests a lack of fit between his family centered dependency orientation and survival requirements of prison.

White inmates are drawn from comparatively heterogeneous

cultural backgrounds with little emphasis on strong family ties. Furthermore, there is no single peer group which buffers the effects of imprisonment. Hence, rates of self-mutilation and suicide for white inmates are predictably higher than for their black counterparts. It should come as no surprise, then, that single white inmates have the highest rates of breakdown once the prison experience begins (Danto, 1973; Toch, 1975; Johnson, 1976).

The Problem

Elementary characterizations of the criminal justice system have suggested that it is a fragmented, disjointed, and interdependent patchwork of agencies having little functional relationship to each other. Overlapping authority, rival elements, and duplication of effort have led some writers to critically refer to criminal justice as a "nonsystem" (Duffee, et. al., 1978; Robin, 1980; Cole, 1980). Therefore, it would seem that the search for system predictors of inmate suicide is no insignificant matter and is worthy of empirical analysis.

The "ecological fallacy" refers to errors in generalizing from studies conducted on one unit of analysis to processes or causal forces operating on qualitatively different ones. To conclude from the studies cited above that ethnic system variables necessarily correlate to levels of inmate suicide reported by the states would be a flagrant example of the fallacy. In a nutshell, the relationship between inmate ethnicity and rates of prison suicide reported by state Departments of Corrections must be independently demonstrated and evaluated.

The overwhelming number of suicide studies reported in the literature have been conducted within local jails in large part because the highest rates of self-inflicting injury have been connected to the early stages of the sentencing process. We know comparatively little about prison rates of suicide and even less about the effects of aggregate variables on the probability of its occurrence.

Finally, the suicide literature at the individual level of study has largely ignored American Indians and Oriental prisoners and how these ethnic groups relate to levels of suicide. This oversight is understandable since psychiatrists and prison doctors (Claghorn and Beto, 1967; Danto, 1971; Rieger, 1971) have not observed significant numbers of jail or prison suicides by inmates of these ethnic backgrounds. The states in which these studies were conducted did not have sufficient numbers of these inmates to influence the findings of the study and because of this did not show up among personal records examined by researchers. Hence, we must broaden our conceptions of prisoner ethnicity by including Indian and Oriental prisoners at an aggregate level of analysis.

This paper searches for the presence of ethnic correlates of state rates of suicide by drawing on the previous findings of prison

physicians and by translating the ethnicity argument at the individual level of analysis into an analysis of 51 (N = 51) separate ongoing state prison systems. An analysis of aggregate data indicates the degree to which generalizations uncovered from individual inmates may be made to the broader network of state prison systems as a whole.

Procedure

The data which follow were taken from the 1981 **Sourcebook of Criminal Justice Statistics** published by the U.S. Department of Justice. Numbers of white, black, Hispanic, Indian, and Oriental prisoners in each state prison system and Washington, D.C. (N = 51) were recorded and converted into percentages of the average inmate population. Calculating bulk suicide rates is straightforward and were obtained by dividing the number of suicides in each state by the total number of inmates in each prison system.

Several state prison systems are sparsely populated and have few prison inmates under their care. Inmate ethnicity for these states is comparatively homogeneous in that prisons contain few Oriental, black, Hispanic or Indian inmates. Therefore, we present the analysis for all states taken together and partitioned on the magnitude of the inmate population. In this way, the statistical interaction between population size, ethnicity, and suicides may be observed and evaluated for the state prison systems under examination.

More dynamic time lag analysis is not possible because of disparities in reporting on the distributions of inmate ethnicity between different years. At best, we must satisfy ourselves with an isolated glimpse of relationships uncovered for the year 1979.

Findings

A total of 84 inmate suicides occurred during the reporting period in state and federal institutions. The majority —89 percent— occurred in state prison systems. Prison systems having the largest number of inmate suicides were in the following order: Florida, 23; California, 8; South Carolina, 5; the District of Columbia, 5; and North Carolina, 4. Surprisingly, comparatively populous states (e.g. New York, Texas, and Illinois) reported no suicides.

Data appearing in Table 1 present the zero order correlations between inmate ethnicity and rates of suicide for all state prison systems and the District of Columbia. The data are arrayed for all states together and for high, medium, and low inmate population areas. Moderately positive correlations between the numbers of white, black, Hispanic, Indian and Oriental inmates can be explained by the common sense relationship between the bulk number of inmates in each ethnic category and the number of suicides expected to occur.

TABLE 1
CORRELATIONS BETWEEN RATES OF SUICIDE IN STATE PRISONS AND INMATE
ETHNICITY FOR LOW, MEDIUM, AND HIGH POPULATION STATES

Ethnicity	Number	Suicide	Number	Suicide	Number	Suicide	Number	Suicide
	Suicides	Rate	Suicides	Rate	Suicides	Rate	Suicides	Rate
	(N=51 States)		(Low)		(Medium)		(High)	
Blacks	+0.39 ^a	-.15	+0.50 ^b	+0.03	+0.38 ^b	+0.09	+0.24	.00
%	+0.21	-.10	+0.54 ^b	+0.16	+0.37 ^b	+0.20	-.32	-.26
Whites	+0.42 ^a	-.14	+0.43	.00	-.17	-.33	+0.33	+0.13
%	-.16	+0.17	+0.21	+0.28	-.42 ^b	-.24	+0.32	+0.26
Indians	+0.10	.00	-.37	-.30	+0.25	+0.22	+0.14	+0.07
%	-.12	-.04	-.42	-.31	+0.22	+0.30	+0.09	+0.05
Asian	+0.05	-.09	-.21	-.19	-.03	-.06	+0.23	+0.11
%	-.06	-.09	-.22	-.19	-.06	-.03	+0.20	+0.08
Hispanic	.00	-.13	+0.46	+0.01	+0.07	-.17	-.11	-.22
%	+0.02	-.08	+0.62 ^a	+0.20	-.18	-.19	-.03	-.16

^a Significant at 1 percent level

^b Significant at 5 percent level

A more penetrating analysis, however, focuses on the relationship between percentages of inmates in an ethnic category, the number and rate of suicides calculated as a percentage of the total inmate population. Returning to Table 1, the proportion of black inmates present in each state prison system has an inverse relationship to the rate of suicides reported. This finding replicates previous studies based on individual inmates within jails and prisons (Danto, 1973; Toch, 1975; Johnson, 1976).

States with disproportionately high rates of suicide tend to have greater percentages of white inmates ($r = +.17$; $r^2 = .03$), and this finding clearly suggests that at a collective level of analysis, the ethnicity literature holds firm in predicting the polarity of relationship to the probability of inmate suicide.

The relationships between the percentages of the inmate population which are Indian, Oriental, and Hispanic to the rates of reported suicide nationwide are negligible and fail to surface to the level of explanatory power as collective attributes.

Decomposing states into low ($N = 13$), medium ($N = 23$), and high population ($N = 15$) areas reveals the presence of considerable statistical interaction in drawing generalizations about rates of suicide on the basis of inmate ethnicity. In extreme instances, the relationship between ethnicity and suicide completely reverses polarity due in part to an attenuated number of observations. In low population states, the greater the percentage of white inmates, the greater the rates of inmate suicide; the greater the proportion of Indians, however, the lower ($r = -.31$; N.S.) the rates of suicides.

In medium populated prison systems, the relationship between blacks, whites, and suicides completely reverses direction, so that the following ethnic groups may be ordered from the highest to the lowest on self-inflicted injuries: Indians, blacks, Orientals, Hispanics, and whites.

The data presented in Table 1 also indicates the magnitude and direction between aggregate measures of ethnicity and bulk rates of suicide. The direction of the correlation coefficients generally replicates the literature, which draws upon individual inmate records, and clearly indicates that rates tend to rise in prison systems with large percentages of white inmates.

Discussion

Literature on inmate suicides has consistently observed that inmate ethnicity is related to the probability that a given prisoner will succumb to self-inflicted injuries. At least one researcher has concluded that ethnicity is the single most powerful predictor of self-inflicted death (Johnson, 1976).

The results presented here attempted to extend this generalization

to aggregate data in performing simple correlation analysis on portions of the 1981 *Sourcebook of Criminal Justice Statistics*.

We are limited in generalizing from these data to broader time dimensions which possibly increase or in other ways curb rates of inmate suicide. Dynamic time series analysis was not performed on the data reported here. Data taken from one time period, however, seems to suggest that the strong relationship between ethnicity and suicide uncovered in the psychiatric literature has limited explanatory power when converted into the proportions of black, white, Hispanic, Oriental, and Indian prisoners within each state prison system. Correlations between the proportions of white or black inmates and rates of self-inflicted fatalities were in predicted directions and lend supporting evidence to data mustered from official inmate records. State penal systems with comparatively large proportions of white prisoners manifest higher rates of suicide. Conversely, heavy concentrations of black inmates lower the probability that states will experience high rates of prisoner breakdown.

The generally negative relationships between the number and percent of Hispanic inmates and rates of suicide are in an opposite direction than expected from the ethnic literature. In a sense, this finding may be symptomatic of deep-seated changes in the direction of relationship at the individual level of analysis. It is conceivable that Hispanic prisoners may be less vulnerable to the deprivations of imprisonment than previously believed, which may suggest theoretical revisions in the logic of the ethnicity connection. Along this line, some scholars of the ethnicity literature have argued that Latin culture has experienced considerable disorganization, and the detrimental effects of urbanization have led to the demise of close-knit family organization (Padilla and Ruiz, 1972; Raymond et. al., 1980). The demise of Hispanic family organization may be offset by strong peer group relationships which counteract the stresses and strains of prison adjustment. Contemporary prison works, for example, have verified the presence of highly organized Hispanic gangs in California and Illinois prisons (Park, 1976; Jacobs, 1974; 1975; 1977).

A significant methodological consideration comes to the fore and merits discussion in the context of aggregate data. The vast majority of investigations have focused on suicides in local California jails (Esparza, 1973; Danto, 1973; Fawcett and Mars, 1973). Moreover, the few prison studies appearing in the research protocol were conducted in maximum security institutions. These geographical and spatial limitations possibly explain the presence of statistical interaction between type of prison, state, ethnicity, and subsequent rates of inmate suicide. An overriding implication of this observation and the findings presented here seems to suggest that the relationship between inmate ethnicity and vulnerability to self-inflicted fatalities depends in large part on the type of prison and state in which the study is conducted.

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91666

The Effects of Determinate Sentencing on Inmate Misconduct in Prison*

Martin L. Forst
and
James M. Brady**

A substantial body of literature has emerged in the past decade addressing the move toward determinacy in sentencing. Most of the debate surrounding the adoption of determinate sentencing—at least that discussed in the scholarly literature—has been philosophical in nature. Advocates of determinacy want a sentencing system based on “justice” or “just deserts”—one that treats people facing the criminal sanction equitably and fairly (von Hirsch, 1976; Fogel, 1979; *Struggle for Justice*, 1971).

In addition to the philosophical issues, the move toward determinate sentencing has practical implications. A major concern among correctional officials is the effect determinate sentencing will have on the behavior of prison inmates. Proponents of determinate sentencing claim that increased determinacy will reduce prisoner misconduct, while opponents maintain that determinacy will erode correctional officials' control over prisoners and thereby increase prison rule violations. To date this debate has been devoid of empirical evidence. This article seeks to fill that void by analyzing prison rule violations in California and Oregon, two states that recently enacted determinate sentencing laws. Data on the number and types of prison rule violations were gathered before and after 1977, the year both determinate sentencing statutes went into effect. During 1978 and 1979, numerous interviews were also conducted with prison administrators at four of California's twelve main correctional institutions and all three of Oregon's prisons.

The Move Toward Determinacy in California and Oregon

Originally passed in 1917, California's indeterminate sentencing statute provided the possibility of extremely long periods of incarceration with enormous ranges between the minimum and maximum term.

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The term for many offenses—even relatively minor ones—was from one year to life imprisonment.

At the end of the 1960's and the beginning of the 1970's, prison unrest in California was approaching crisis proportions: Prisoners voiced many grievances during this period, but the issue that aroused the greatest passion and intensity was the abolition of the indeterminate sentence. Prisoners—later joined by activist lawyers and social reformers—complained that the maximum terms were too long, that the ranges were too wide, and that parole board members acted capriciously and arbitrarily. This system, it was claimed, resulted in anxieties and tensions among prisoners which were in turn manifested in various forms of misconduct—individual and collective violence and general prison unrest. If the indeterminate sentence were abolished and replaced by a determinate sentencing system, the argument went, the frustrations and tensions, as well as prison unrest and rule violations, would be reduced (Mitford, 1971; Irwin, 1970).

Most administrators were initially skeptical of this line of reasoning. They thought prisons could be run most effectively if the parole board had the discretion to set and modify a prisoner's term based in large part on his institutional behavior. Eventually, however, many key prison administrators came to accept the validity of the prisoner's complaints. These administrators agreed, for example, that not setting parole release dates until well into the prisoners' term contributed greatly to prison unrest. They came to believe that substantially reducing the parole board's term-setting discretion (i.e., increasing determinacy) would decrease tensions among prisoners and promote the effective administration of the prisons. Eventually, this position was expressed in a report to the State Board of Corrections (Task Force on Violence, 1974). The move toward determinacy culminated in the passage of the California Uniform Determinate Sentencing Act of 1976, which went into effect on July 1, 1977. Although the political and social reasons for the enactment of this law were complex (Messinger and Johnson, 1978), it is clear that the legislation was at least in part motivated by the desire to quell the turmoil in the prisons.

The situation in Oregon's correctional system was substantially different from that in California at the end of the 1960's and the early 1970's. Oregon's two main facilities for male felons were troubled by routine prisoner misconduct, but major violent incidents were quite rare. Although prisoners often groused about the parole board and the term sets they had received, these complaints were relatively few in number and caused correctional officials and parole board members little concern. The paucity of complaints in the 1960's and early 1970's can be explained in large part by the fact that the majority of prisoners were not paroled but were discharged at their statutory good time dates. Since most prisoners did not face years of parole supervision and possible parole revocation, the strident attacks on the parole board

heard so often in California were largely absent in Oregon.

Beginning in 1975, however, the state's correctional institutions were confronting more serious problems. The commitment rate of convicted felons was increasing, and there were projections of prison overcrowding. In September 1975, the governor appointed a special Task Force on Corrections to survey the entire correctional system and "... to find ways to reverse that shameful and counterproductive process . . ." of high incarceration rates (Governor's Task Force on Corrections, 1976). One year later, the Task Force produced a sizable report which discussed ways to improve all segments of the correctional system. Included in the report were the rudiments of a determinate sentencing system—a system in which the parole board's discretion would be greatly reduced and terms would be based on articulated durational standards. It should be noted that prison unrest was such a minor issue that it was not addressed in the Task Force Report.

In 1975 Oregon's prisons faced a new problem. The parole board, on its own initiative, made several informal policy changes: It made a conscious effort to parole a higher proportion of prisoners; it set parole release dates early in the prisoner's term; and it determined the prisoner's length of incarceration by a newly devised set of termsetting guidelines. Soon after the parole board's policies were implemented, prison administrators found it increasingly difficult to influence the length of a prisoner's period of incarceration. Prisoners were routinely released at their parole release dates even if they had violated prison rules or had not participated in institutional programs. Prison officials believed that their control over prisoners was being eroded by the board's new release policies; prisoners were less motivated to comply with prison rules since institutional conduct no longer seemed to be an important criterion for release. Officials feared that a move toward more determinacy in sentencing, at least as a continuation of the parole board's new policies, would result in increased prisoner misconduct.

Oregon's determinate sentencing bill was introduced in the legislature at the beginning of 1977. The espoused goals of the bill were to achieve greater justice in sentencing and to structure the discretion of the parole board. None of the debate in the legislature centered on the effects the determinate sentencing law might have on prisoner misconduct and disciplinary procedures. Prison officials, unhappy with the recent parole board policy changes, opposed the bill, but they did not lobby actively against it. The bill was passed with relative ease and went into effect in October 1977.

Changes in Disciplinary Procedures in California and Oregon

Under their respective indeterminate sentencing systems, prison officials and parole board members in both California and Oregon used

essentially the same two general types of sanctions to control prisoners: sanctions that affected the **quality** and the **quantity** of time prisoners were to serve. Prison officials could affect the quality of a prisoner's term in a variety of ways; sanctions ranged from loss of privileges, to confinement to quarters, to isolation (solitary confinement). If a prisoner exhibited poor institutional performance, including but not limited to the violation of prison rules, the parole board could also affect the **quantity** of time the inmate spent in prison. Prisoners were subject to the written evaluations of prison staff—correctional counselors in California and a correctional counseling team in Oregon. Refusal to participate in prison programs and other forms of undesirable behavior were reflected in these written reports, which were read by the parole board before the prisoner's parole consideration hearing. Copies of all disciplinary reports were also placed in the prisoner's central file and examined by the parole board. If the prisoner's institutional performance was deemed unsatisfactory, the parole board hearing panel could affect the length of the prisoner's term in several ways: defer setting a parole release date, set an unusually long parole release date, reset a parole release date, or deny parole.

The change from an indeterminate to a determinate sentencing system had a substantial impact both on the way prison terms are set and on the manner in which sanctions can be imposed on prisoners who violate prison rules. In California, for example, parole release was abolished for almost all offenders. (Parole release was retained for murderers and a few other serious offense categories.) The legislature specified a relatively narrow tripartite range for each felony (e.g., a term of 2, 3, or 4 years for burglary); the sentencing judge is required to impose the middle term unless aggravating or mitigating circumstances exist. The prisoner therefore knows his term of imprisonment from the time the sentence is imposed in court.

In abolishing parole release, however, the legislature was concerned that prison officials would lose one of their most effective methods of controlling prisoners—namely, the ability to alter the length of the prisoner's term. The legislature therefore enacted a series of good time provisions as part of the determinate sentencing legislation. The new good time law specifies those offenses for which good time credits can be forfeited as well as the specific amount of time that can be forfeited for each rule violation. Assault with a deadly weapon, for example, can result in a forfeiture of good time of up to 45 days. If a prisoner earns all of his good time credits, his term would be reduced by one third. In short, prison officials have at their disposal a means to influence substantially the length of imprisonment of inmates who violate specified rules. The new determinate sentencing law did nothing to modify those sanctions that affect the quality of the prisoner's term of imprisonment.

Oregon adopted a different strategy of determinate sentencing. The new legislation retained the parole board, but required it to structure its termsetting discretion. The law requires that terms be set within six months of the prisoner's reception at the correctional institution and that the terms of imprisonment be proportionate to the seriousness of the criminal conduct. A sentencing commission, composed of five parole board members and five circuit court judges, determines the standards of proportionality for each felony in the penal code.

Because the new determinate sentencing law requires that terms of imprisonment be proportionate to the seriousness of the criminal conduct, the relative importance of other term-setting criteria, including institutional conduct, was left somewhat in doubt. As mentioned previously, the parole board adopted an unofficial policy before the determinate sentencing law was passed of setting terms early and not resetting them unless the prisoner's institutional conduct was particularly poor. Correctional officials were concerned about the board's termsetting policies and they became even more concerned after the enactment of the determinate sentencing law. To make their concerns known to the board, correctional officials arranged a series of meetings and informed the board that its policies were undermining the authority of the prison administrators and were causing an increase in prisoner misconduct. As a result of these meetings, the parole board and the Corrections Division adopted a set of joint rules governing the resetting (i.e., extending) of prisoners' parole release dates. A prisoner's term can now be extended a specified period of time for engaging in specified forms of misconduct. Life threatening behavior, such as an attack with a weapon, can result, for example, in a reset of up to double the initial term. Prison officials, in sum, have regained substantial control over determining the length of time misbehaving prisoners will spend in prison. They have also retained all sanctions that affect the quality of the prisoner's term of imprisonment.

The Effects of Determinacy on Prisoner Misconduct in California

Correctional officials in California had hoped that a move toward determinacy would reduce prisoners' frustrations with parole decisions and thereby reduce violence and prison turmoil. Contrary to expectations, determinate sentencing has not been the answer to prison unrest. Abundant data exist which show that serious rule violations of all types have continued to rise since the determinate sentencing law was passed. Table 1 indicates the number and rate of serious incidents by year, 1970 through 1980, in all twelve correctional institutions. During those eleven years, the rate of incidents per 100 average institutional population has increased dramatically—from 1.36 to 12.17. From 1976 (the year the determinate sentencing law was passed) to 1980, the rate of incidents per 100 average institutional population has almost doubled

**TABLE 1
NUMBER AND TYPE OF INCIDENT
BY YEAR, 1970-1980**

Year	INCIDENTS											
	Total		Type of Incident									
	Number of Incidents	Rate Per 100 Avg. Inst. Pop.	Assault With Weapon*	Rate Per 100 Avg. Inst. Pop.	Fights	Rate Per 100 Avg. Inst. Pop.	Poss. of Weapon	Rate Per 100 Avg. Inst. Pop.	Nar-cotics	Rate Per 100 Avg. Inst. Pop.	Other	Rate Per 100 Avg. Inst. Pop.
1970	366	1.36	79	.29	66	.25	89	.34	80	.30	52	.19
1971	445	2.00	124	.56	49	.22	103	.46	105	.47	64	.29
1972	592	3.04	189	.98	69	.36	132	.69	144	.74	58	.30
1973	777	3.67	197	.92	92	.43	200	.94	230	1.08	58	.27
1974	1,022	4.30	220	.93	121	.51	262	1.10	347	1.45	72	.30
1975	1,089	4.73	212	.92	110	.48	249	1.08	430	1.87	88	.38
1976	1,385	6.84	204	1.01	131	.64	193	.95	776	3.83	81	.39
1977	1,815	8.79	241	1.16	177	.86	302	1.46	951	4.60	144	.69
1978	2,060	10.07	270	1.31	247	1.21	374	1.82	1,034	5.05	135	.65
1979	2,427	10.90	309	1.38	389**	1.74	420	1.89	1,099	4.94	210	.94
1980	2,848	12.17	339	1.45	436	1.86	498	2.12	1,367	5.84	208	.89

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* Includes fatal incidents.

** Includes 66 less serious attacks on staff by men. Due to reporting irregularities, total fights this year included a disproportionately high number of less serious fights.

Note: These data are based upon incident reports submitted to Central Office, and as interpreted by Management Information Section.

Source: Management Information Section, Policy and Planning Division, California Department of Corrections.

—from 6.84 to 12.17. The bulk of that increase can be attributed to the tremendous rise in narcotics incidents. However, violent incidents have also steadily increased since the determinate sentencing law was passed: assault with a weapon incidents rose from a rate of 1.01 in 1976 to 1.45 in 1980; fights increased from a rate of .64 in 1976 to 1.86 in 1980; and possession of weapon incidents increased sharply from a rate of .95 in 1976 to 2.12 in 1980.

The aggression inmates exhibit is not directed solely at other prisoners. The number of assaults by prisoners on staff has also risen dramatically, as is evident in Table 2. In 1975, there were 65 assaults on staff by inmates in the California prison system—a rate of .28 per 100 average institutional population. By 1980, the number of assaults rose to 303—for a rate of 1.29.

Only one category of violence has decreased since the determinate sentencing law went into effect—fatal injuries (of both staff and inmates) resulting from assaultive incidents. Table 3 shows that there has been a decrease in fatally injured persons since the high in 1972 of 36 killings. The number of fatalities has continued to decrease since 1976, with a low of fourteen in 1980. The rate of fatalities per 100 average institutional population decreased from .13 in 1972 to .06 in 1980. However, correctional officials believe the decrease in fatalities cannot be accounted for by the operation of the determinate sentencing law. Rather, there has been tighter security and greater reliance on custody classifications (i.e., segregation) for violent prisoners.

Most of the correctional administrators interviewed in California claimed they have now changed their minds about the relationship between prisoner misconduct and “indeterminacy” or “determinacy” in sentencing; they now believe that the type of sentencing structure is generally unrelated to prisoner misconduct and rule violations.

The Effects of Determinacy on Prisoner Misconduct in Oregon

The data from Oregon are more difficult to interpret, particularly since they are incomplete. As a result of a U.S. District Court order, records of all disciplinary matters between December 6, 1977, and October 22, 1979, were expunged. It was therefore impossible to collect information on specific types of incidents during this crucial period. We were able to gather only the most general statistics—the number of disciplinary reports written at the two main facilities for male felons by year from 1974 through 1979. The disciplinary reports included in these data consist of write-ups for all rule violations, even the minor infractions.

Table 4 presents the number of disciplinary reports and the rate per 100 inmates by year at the Oregon State Prison, which houses primarily older or repeat offenders. Table 5 presents the number of disciplinary

reports and the rate per 100 inmates at the Oregon State Correctional Institution, which houses primarily younger or first-time offenders. No clear pattern is discernable from either table. Table 4 reveals that at Oregon State Prison the rate of disciplinary reports increased in 1975 and 1976, decreased in 1977, and increased again slightly in 1978 and 1979. Table 5 shows that the rate has also fluctuated at the Oregon State Correctional Institution. The rate decreased in 1975 and 1976, increased in 1977, and then decreased again in 1978 and 1979. The officials at the Oregon State Correctional Institution attribute the decrease in the last two years to their vigorous use of parole release date reset recommendations. However, it is not clear from the data what has caused these fluctuations at either institution. Based on available data, we cannot discern any relationship between prisoner misconduct (as measured by number of disciplinary reports) and the change from an indeterminate to a determinate sentencing system.

TABLE 2
NUMBER OF ASSAULTS BY INMATES ON STAFF
1970 through 1980

Calendar Year	Total N	Rate per 100 avg. Inst. pop.
1970	59	.22
1971	67	.30
1972	55	.28
1973	84	.39
1974	93	.39
1975	65	.28
1976	94	.46
1977	110	.53
1978	182	.89
1979	323	1.45
1980	303	1.29

Source: Management Information Section, Policy and Planning Division, California Department of Corrections.

TABLE 3
NUMBER OF PERSONS FATALLY INJURED DUE TO ASSAULTIVE INCIDENTS
1970 through 1980

Calendar Year	Total N	Rate Per 100 Avg. Inst. Pop.	INMATES						STAFF
			Total	Stabbed	Beaten	Strangled	Shot	Poisoned	Stabbed
1970	13	.03	11	7	—	1	3	—	2
1971	24	.11	17	13	2	—	2*	—	7
1972	26	.13	35	32	1	2	—	—	1**
1973	20	.09	19	15	1	2	1	—	1
1974	23	.09	23	20	2	1	—	—	—
1975	17	.07	17	15	—	1	1	—	—
1976	20	.09	19	17	1	1	—	—	1**
1977	18	.08	18	16	1	—	1	—	—
1978	16	.07	16	13	1	2	—	—	—
1979	16	.07	16	15	1	—	—	—	—
1980	14	.06	13	13	—	—	—	—	1

* Inmates fatally shot while attempting to escape: 1 in 1971, and 1 in 1973.

** In 1972, officer fatally shot outside institution during the escape of inmate en route to court; and in 1976, one staff beaten.

Source: Management Information Section, Policy and Planning Division, California Department of Corrections.

TABLE 4
NUMBER AND RATE OF DISCIPLINARY REPORTS
AT OREGON STATE PRISON, ¹ BY YEAR
1974-1979

Year	Number of Disciplinary Reports ²	Rate Per 100 Inmates ³
1974	1574	116.9
1975	3200	195.7
1976	4744	264.2
1977	3817	215.5
1978	3649	216.3
1979	4120	226.1

1 Population figures include inmates at the main facility, the annex, and the camp. They do not include Oregon State Prison inmates transferred to the Corrections Division Release Center.

2 Includes all disciplinary reports, both major and minor infractions.

3 Based on year-end inmate population.

Discussion

During our interviews with prison officials in Oregon and California, we heard many explanations for the continuing prison unrest: increased activities of prison gangs, racial hatred, dealings over narcotics and sex, increased political sophistication of prisoners, "outside" agitation, lack of professional prison administration, and prison overcrowding. Although the explanations were many and varied, there did seem to be emerging agreement on one thing—that prison violence and unrest have a dynamics of their own and, whatever the causes, they are not directly related to the type of sentencing structure.

Correctional administrators in both California and Oregon suggest one possible **indirect** effect of determinacy on prison misconduct—that determinate sentencing may contribute to prison overcrowding which in turn contributes to misconduct. In California, for example, the proportion of convicted felons committed to state prison has almost

TABLE 5
NUMBER AND RATE OF DISCIPLINARY REPORTS
AT OREGON STATE CORRECTIONAL INSTITUTION,¹
BY YEAR, 1974-1979

Year	Number of Disciplinary Reports ²	Rate Per 100 Inmates ³
1974	2388	501.6
1975	2439	434.7
1976	2893	339.0
1977	2936	436.9
1978	2878	424.4
1979	2484	332.0

1 Population figures do not include Oregon State Correctional Institution inmates transferred to the Corrections Division Release Center.

2 Includes all disciplinary reports, both major and minor infractions.

3 Based on year-end inmate population.

doubled since the determinate sentencing law was passed (from 18 percent in 1976 to 33 percent in 1978). The prison population continues to increase, and several institutions have been forced to double-cell prisoners. Matters are likely to get worse. Correctional planners are anticipating a significant increase in prison population over the next several years. From an inmate population of 20,629 in 1978, officials project a population of 28,845 in 1984 and 32,050 in 1988 (Program and Facilities Planning Report, 1979).

Oregon's correctional officials are also worried about prison overcrowding. At the time the determinate sentencing law was passed in the summer of 1977, the prison population was at an all-time high of 2,954. Initially, the prison population decreased slightly after the board fully implemented its guidelines system because under those guidelines minor offenders received shorter terms than they had under the board's previous termsetting policies. However, prison officials are very concerned about the future. Pursuant to the new release guidelines, the parole board is now meting out longer terms to prisoners convicted of serious offenses. Although these long terms did not have an immediate

impact on the prison population, within a few years there will be a build-up of "long-termers," which will in turn contribute to prison overcrowding.

Correctional administrators in both states believe that overcrowding in prison leads to increased misconduct. However, it is not simply that more inmates mean proportionately more incidents. Prison officials believe that the tensions and frustrations resulting from double-celling, increased competition for scarce resources, and less living space for inmates leads to disproportionately more misconduct. There appears to be mounting empirical evidence to support that position (Megargee, 1976; Nacci, Teitelbaum, Prather, 1977).

In addition to overcrowding, we believe serious attention should be paid to other variables which might be contributing to increases in violence in many prison systems. One critically important variable is age. The median age of the inmate population in the United States is dropping significantly, and this shift seems to be related to increases in violent behavior both in and out of prison (Newman, 1969).

Antagonism between racial groups, we suggest, is also related to rule violations, especially violent incidents. In many correctional systems, the racial composition has changed significantly during the past few decades, and administrators believe this change is directly related to prisoner misconduct. As one prison administrator in California stated in an interview, "Although we [officials] still control these places from the convict standpoint, there is a battle going on for domination and control of the illegal marketplace. This battle for the bottom, while not exclusively, is more often than not along racial lines." Our research confirms Jacobs' conclusion that racial divisions may well "set the background against which all prisoner activities are played out" (Jacobs, 1979).

Finally, we wish to note that prison administrators expressed a fear that determinate sentencing may, in some cases, lead to feelings of hopelessness and despair among prisoners, which may in turn lead to prison unrest. This fear was especially prevalent in Oregon, where the parole board, utilizing its new guideline system, metes out rather long-term sets to prisoners convicted of serious offenses (crimes against the person), especially to those with substantial prior records. At the prisoner's termsetting hearing, which takes place within six months of his reception at prison, the parole board sets a parole release date, which may be 10, 15, or 20 years into the future. The board tells the prisoner that his parole release date may be extended if he commits a serious disciplinary infraction (or a series of minor ones). But the prisoner also learns from the board (as well as from other sources) that a positive attitude, hard work, and self-improvement will not reduce his parole release date. Prison officials are now saying that they sense a mood of hopelessness and despair among some determinately sentenced

prisoners who realize there is nothing they can do to change their fate. Most long-termers seem to have preferred the indeterminate sentencing system because there was always hope that with hard work and sufficient self-improvement they could convince the parole board that they deserved an early release. It would be ironic if the inmates' feelings of hopelessness and despair that in part motivated legislators to abolish the indeterminate sentence surfaced again under the new determinate sentencing system.

Conclusion

In the 1960's and early 1970's, prison administrators sought to determine the causes of the increasing prison unrest they were witnessing. Some corrections officials came to believe that the indeterminate sentence was in large part the source of prisoner discontent and misbehavior. These officials hoped that if there were greater determinacy in sentencing, the tensions in prison would be reduced, as would prisoner misconduct. Other prison administrators believed that a move toward determinate sentencing would increase prisoner misconduct, on the theory that prisoners would be less motivated to participate in prison programs and obey institutional rules. This article presents empirical data on the extent of prisoner misconduct, as measured by rule violations, in California and Oregon before and after those two states enacted determinate sentencing laws. The data suggest that prisoner misconduct is not directly associated with the transition from an indeterminate to a determinate sentencing system. To understand the complex nature and causes of prisoner misconduct more fully, prison officials and researchers must examine a variety of other factors, including: prison overcrowding, racial tensions, the declining median age of the prison population, gang activities, and the variation in forms of prison administration.

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Empty Bars: Violence and the Crisis of Meaning in the Prison

Peter Scharf*

Introduction

John Dewey wrote in 1896 that in education there are two central questions that must be addressed if the profession is to progress beyond the "rule of thumb" phase: (1) What should be taught? and (2) How do children learn? Corrections, it can be argued, must also address two central questions if it, too, is to progress beyond the "rule of thumb" phase: (1) Who should be sent to prison or receive other criminal sanctions? and (2) What should be the educational, rehabilitative, or other social purposes of the prison?

This paper deals primarily with the second question, and I will argue that the correctional profession during the past decade has virtually abdicated dialogue on this key question. Chastized by criticism of medical model rehabilitation, it has failed to develop any concept of what purposes the prison is to serve. I will further argue that this failure affects virtually every aspect of prison life and that the only salvation of the prison lies in a rediscovery of some coherent meaning system to guide interactions with inmates.

While prison treatment programs of the 1960's and early 1970's faced major psychological and ethical as well as empirical contradictions, they resulted in prisons quite different from those one might visit today, anywhere. A visitor to a California treatment prison might have encountered scenes implausible today in almost any prison in the United States. Using transactional analysis (T.A.) or rational emotive therapy (R.E.T.), inmates would gather in groups to discuss their relationships with staff members, parents, or themselves. Inmates would be assigned counselors and meet with them on a regular basis. Staff members would commonly express genuine concern regarding inmates (at least some staff members and some inmates) and engage in weekly analyses of their progress.

While it is not my intention to express nostalgia or to bring back the therapeutic prison, it is useful to compare it with the prison reality one encounters roughly a decade later. In virtually no prison in the country is there anything analogous to a treatment philosophy which structures staff member and inmate relationships and goals. While in 1968, one might have expected the "Transactional Analysis" or "Daytop" prison to evolve into another set of purposes, it is disturbing

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to consider that the treatment philosophy of the late 1960's, in fifteen or so years, has resulted in a doctrinaire (and absurd) notion that the prison should serve no social purposes whatsoever.

This rejection of any purpose for corrections is evident at all levels of the penal enterprise. The prison directors of most state systems (with some exceptions—for example Ellis MacDougal of Arizona) have largely rejected the notion that prisons have the capacity to positively reform the inmates under their charge. The public discussion of prisons has revolved around such issues as new prison construction, the prevention of riots, and the rejection of the "liberalism" of previous administrations. The tone set at the top permeates all levels of the system. Prison wardens, counselors, and guards express little, if any, confidence that anything they might do has any impact upon the prisoners in their charge. A comment by a warden colleague of mine well expresses the climate of the day:

We are in the business of babysitting, warehousing, or whatever you prefer to call it. I think that the public is pretty well fooled if they think anything goes on here besides keeping the meat cool. Programs are fine if it keeps them busy. The best days we have are during the football season. That's when they are busy . . .

The Malaise of the Prison

The reality of the failure in the prison is a common theme for reforms in almost all eras. Rather than delay the argument with a long rendition of failure, let me simply list the most obvious realities of the prisons of 1983:

1. **The prisons are hopelessly overcrowded.** Since 1974 prison populations in more than 40 states have doubled. Prison institutions in most states are filled beyond their maximum emergency capacities.
2. **Prisons are largely unable to protect the physical safety of their inmates.** Rapes, beatings, knifings, and killings are common occurrences in many prisons.
3. **Prisons have abandoned systematic efforts at rehabilitative, educational, and vocational training.** In many states coherent efforts at rehabilitation (of whatever variety) are simply nonexistent.
4. **There has been an almost complete divorce of interaction between professional correctional and academic disciplines.** At the last (1982) American Correctional Association meeting, there were fewer than a dozen academic professors of criminology or corrections in attendance. Practitioner presence at academic criminology meetings (e.g., the American Society of Criminology meeting) has been similarly negligible.
5. **There has been an obvious decrease in the quality of correc-**

tional practice, evidenced in public discussion of technique used in correctional management. It should be obvious that few correctional professionals claim, use, or can describe any skills unique to the profession.

6. *There has been an almost total abandonment of experimentation in corrections. While in the late 1960's there were literally dozens of experiments to innovate new methods of correctional care and rehabilitation, one is hard pressed to name a single experiment in a given state which proposes some new form of correctional treatment.*
7. *There has been an increased unwillingness to consider corrections as a social invention in which the premises of the institution must be subjected to ongoing review and reinvention. There is almost no correctional philosophy under debate and review at any level of the profession; nor is there any concern to initiate correctional dialogue on other than the most pragmatic level of professional practice.*
8. *There is almost no consensus as to a rational correctional purpose. In a real sense, the profession seems to have lost its moral defense —its sense of purpose. Corrections appears to have become an institution without an ideal —a set of practices without purpose or direction.*

The causes of these trends are less than obvious. Many contend that corrections' decline may be traced to such factors as the loss of LEAA funding, the wave of critiques from Jessness (1972) to Martinson (1974) which shed doubt upon the efficacy of efforts at prison rehabilitation, and the movement to formalism (e.g., fixed sentencing) in sentencing, paroling, and other correctional decisions. However, there are more spiritual causes as well. (See Fogel, 1975.)

Following the reaction to 1960's style correctional progressivism emphasizing medical model and behaviorist treatment programs, there was a failure by the corrections profession to conceptualize anything other than the warehouse model of corrections as an alternative to the treatment prison. The medical model treatment prison was, as almost all correctional professionals realized, riddled with both moral and psychological contradictions. The demise of simplistic treatment models should have yielded a spirit of inquiry in which new purposes of the prison were sought and developed.

The response by the profession, however, was reactive and almost vindictive. Academic criminologists abandoned any concern with rehabilitation, treatment, or education as quickly as they had embraced it ten years earlier. The practitioners followed by abandoning any active search for new program models, aided of course by politicians concerned with the costs of correctional programs and a public

convinced that inmates were being coddled by psychiatrists and prison liberals.

The Consequences of This Malaise

The failure to define any rational purposes in the prison may be seen in every aspect of prison life:

The loss of purpose dominates all social processes within the prison. While the prisoner of the 1960's might feel that the therapeutic prison was a sham and that he/she was being manipulated by its treatment agents, there was in the treatment ideology a mutuality of goals which might bind the staff member and the inmate. In Maxwell Jones' (1953) therapeutic community or in the reform program proposed by the author and Joseph Hickey (see **Prison Journal**, Winter 1971 and Winter 1977), there was an ideological commitment to the inmates' and staff members' mutual betterment and hope for every inmates' personal growth —if not rehabilitation. Similar mutuality is evident in any program which seeks the improvement of the inmate — e.g., prison education programs, vocational training, etc.

The prison of today offers no basis for virtually any mutual goals which both the inmate and the prison might mutually seek. The inmate is simply to be (to exist) and to obey. There is nothing expected of him other than cooperation and good behavior. There is no reason for him to adhere to the regime of his captors other than the threat of more time or the loss of privileges.

Further absent are many of the prison sacraments which have, in the past, made prison endurable for the inmate. The "silent" system of the eighteenth century Quakers held open the notion that through penitence and prayer, salvation might result. Maconochie's mark system held open the notion of release based on effort. The Auburn prison sought a form of Calvinist redemption through work. In the prison of today, there is virtually no form of redemption possible.

The loss of common values and of the possibility of social redemption have profound consequences for both inmate and staff member. The inmate, psychologically, is given no reason to identify with the authority of the prison other than in terms of instrumental interest or fear. As evidenced by recent prison literature (for example, Jack Abbott's 1981 book, the haunting, **In the Belly of the Beast**), there is an almost absolute polarization of the world view of the prisoner and the prison and larger society. In earlier prison literature, there is always some part of the prison which makes some bond with the inmate. In Cleaver's **Soul on Ice** (1968), similarly, there is described a teacher who cries when the inmates fail to understand a literary point. This almost complete alienation from the prison is evident to almost anyone who has visited a prison in the past several years and can compare it with the prison culture of a decade earlier

The failure of the prison to ritualize redemption in any form means psychologically that inmates must seek their own meaning for imprisonment. At times inmate manufactured meaning systems may be disturbing. An inmate on work release in Washington recently sought out his victim from an earlier crime and killed her along with her child and a neighbor. One wonders about the private meaning system this inmate found for himself in prison.

The failure to define any rational meaning for imprisonment has consequences for staff members as well. In many states the "best and brightest" staff members have simply left the field. Those who have entered the field of corrections as a form of social service, of course, find the greatest disappointment. In many prison staffs stress levels are evident in high blood pressure, obesity problems, and use of drugs and alcohol. One hypothesis to explain the high rates of staff burnout and health problems might relate to the inherent meaninglessness of the job.

Politically, the failure to define rational purposes for the prison has become a major political liability. In several states during the past year legislatures have insisted that the prisons institute rehabilitation programs—a novel twist from legislative hearings a decade earlier where prison administrators had to beg for funding for a variety of programs. Rather than seeking to convince a skeptical public about its programs, in the past several years prison officials have been—if anything—more cynical about their ability to implement meaningful programs than the public. This is ironic in that institutions which have no faith in their ability to impact the persons they work with rarely inspire faith from the public. While educators are obviously optimistic about their ability to teach, the police usually confident in their ability to catch criminals, the medical doctor sure of his ability to cure disease, it is the corrections profession which is most convinced of its inability to impact the inmates in their charge.

Violence and Meaning in the Prison

A special consequence of meaninglessness may be found in the case of prison violence. A close analysis of many cases of prison violence may be related to the phenomenon of loss of purpose we have described.

Gang violence is on the increase in virtually every large prison and may be interpreted as an effort to create a meaningful community in an anomic prison environment. As Toch (1977) points out, one of the most important functions served by therapeutic communities or programs in prison is to provide social cohesion and support for inmates. In the absence of organized efforts at community, ersatz groups such as the prison gang emerge. Faced with other prison gangs in the context of the prison, the result is an almost relentless cycle of violence and vengeance.

Another type of violence results from prison "horseplay," almost

always because of efforts by adolescents to combat the hopeless boredom of the prison. A dorm wrestling match may literally be the major diversion of the day for many inmates. The intensity of this type of horseplay—sometimes resulting in injury on hard concrete floors—is related both to the absence of any other channels to vent energy and the absence of immediate privileges (such as a good educational or rehabilitative program) which might be lost through the result of such activity.

Baiting by guards—at times resulting in altercations (at times physical)—might be seen as the result of the meaningless of the prison experience. Prison guards, themselves without role or purpose, will at times effectively and intentionally seek to frustrate or irritate a particular inmate—at times simply because there is no other realistic mode of relating and also because the prison guard is almost as bored as the inmate. Often "tickets" will be delivered in the most humiliating fashion or inmates will be left waiting for many minutes simply because the staff member is bored and wants to see the inmates "react."

In maximum security sections (e.g., administrative segregation), one often sees almost pathetic efforts to define meaning in a context devoid of common social value. In one prison an inmate serving a 99-year sentence for multiple murder would every day throw his excrement at the guards, who, in turn, would mace him or throw it back. When this observer once asked the inmate why he did this, he replied quietly: "Hell, there ain't nothing else in here to do."

Often suicidal behavior has an element of socially intelligible meaning to it in terms of the anomie of the prison of 1983. In one prison, an inmate swallowed two razor blades, explaining to the author and a physician that he "thought it was a way to get out of the prison for awhile."

This type of violence is far from atypical. A cycle exists in many prisons where the warehouse prison creates frustrations which Toch (1977) and Sykes (1956) suggest creates psychological deprivations, fears, and frustrations which make violence more likely. Fearing assault, inmates group in protective dyads, friends' "homes bands," and gangs. Beginning as defensive groups, these groups often eventually initiate violent attacks against others. A recent Ph.D. thesis by Abdul Mu'Mn (1981) suggests that such collective groups are most common among inmates who fail to involve themselves among other task, religious, or educational groups in the prison.

Violence in the prison, of course, becomes an obstacle to the discovery of meaning, as well as a result of the anomic reality of the prison. Abraham Maslow, for example, suggests that when safety is a personal reality for a human being, higher order psychological functioning is impossible. Concerned with safety (rape, beatings, or killings), long-term problem solving, life planning, or program

development become improbable or impossible. Thus, violence as it becomes an institutionalized reality of prison life hinders the type of conscious evolution of purpose which would make life in prison livable, if not productive.

Hope and Alternatives

What is the hope for the prison? What new metaphor might emerge to restore some useful social meaning to the prison —its inmates and staff members? The history of corrections is the history of social metaphors of the prison emerging and asserting themselves. (Metaphor is used as a general concept; the specific cases are posed as similes.)

Prison as Monastery

The creation of the American prison in Pennsylvania (The Walnut Street Jail) presented a metaphor of the prison as monastery. As the monk retreated from the world into the private experience of prayer and silence, so, too, the first prison "rehabilitation program" assumed a retreat from the world in an antinomian Quaker search for redemption and the return of grace. In this sense, the first metaphor of the prison was that of penitence set in the context of the monastery.

Prison as Workshop

The congregate work prison (Auburn prison model) assumed a notion of the prison as workshop. As portrayed in Ignatieff's **Just Measure of Pain** (1979), the metaphor of the congregate prison approached the reality of the cottage and workshop industry of the era. The regulation of work and discipline used to enforce work approached in many respects the types of work conditions "free labor" experienced in the mid-nineteenth century nonmechanized workshop —hence the metaphor of prison as workshop.

Prison as Schoolhouse

During the 1850's clergy began visiting the prison in a systematic manner, with the goal of teaching inmates to read and discuss the Bible. By the end of the century, some form of school was common in most prisons. During the past five years, the prison as school metaphor has been revived with the Alaskan University Within Walls program and the Canadian University of Victoria prison education program. Two distinct versions of the prison as schoolhouse exist. There is the metaphor of prison as liberal arts academy with a full curriculum in philosophy, literature, and often the social sciences. A vocational/technical version of the schoolhouse exists —with the well-known Chino (California) Diving Program as an example. What unifies the metaphor is the notion that the goal of the prison should be to educate the inmate in either liberal arts perspectives or vocational skills.

Prison as Hospital

The dominant metaphor of the prison reform era of the 1950's/1960's was the medical model version of prison as "hospital." As

Adolphson, a 1950's reformer reasoned, the inmate should be treated much as one who has a physical disease. If we treat a man with infected adenoids by placing him in a hospital, he reasons, so, too, we should treat a person with a criminal disease by placing him in a hospital for criminals —the treatment prison. Ideas such as differential treatment, case management, prescriptions, etc. —common in this reform era— all in effect derive from the metaphor of prison as hospital with treatment being administered for specific criminal problems and release being determined by the degree of the inmate's "cure."

Prison as Commune

Another metaphor exists in the gemeinschaft image of the prison commune. In Maxwell Jones' (1953) therapeutic community and perhaps in Joseph Hickey's and the author's **Toward a Just Correctional System** (1980), there is the notion that the prison should reflect many of the communal values found in the nineteenth century communes. Inmates are expected to feel a sense of bond with one another and make sacrifices for the group; and there is an attempt to create a community within the prison itself which will have greater harmony, communal spirit, and order than the outside society. This metaphor also may be found exemplified in many drug programs which existed in prisons, at least through the 1970's, such as Synanon and Daytop.

Prison as Polis

Reformers Thomas Mott Osborne (1916) and W. E. George (1904) conceived of the prison as a democratic state. In the Osborne Mutual Welfare League (see **Prison Journal**, Winter 1977), inmates constituted a republic with 56 representatives elected from the inmate population-at-large. In the George Junior republic, a minisociety was created to mirror the major legal institutions of the larger society. Murton (1975) and others have recently attempted to reimplement this civic metaphor of the prison finding, as did Osborne, that such efforts, perhaps hopelessly, conflicted with the bureaucracy of the prison and correctional system.

Prison as Enterprise

It is perhaps the sign of the times (i.e., the Ronald Reagan era) that the newest metaphor of the prison and the one most "in vogue" is that the prison should become a capitalist enterprise. Labeled "free venture" programs, this metaphor assumes that the inmate should learn capitalist values by participating in entrepreneurial business ventures housed in the prison. The key assumptions include the notion that the inmate should "pay his way" in the prison and that participation in such programs (which are "seeded" by outside capital sources) will teach inmates capitalistic entrepreneurial work values.

The Evolution of a New Metaphor for the Prison

The question which should be asked is, of course: what metaphor might guide the prison during the coming decade? It might further be asked: what process needs to be undertaken if an alternative to the warehouse is to be found?

An answer to the first question requires a sense of correctional reform revolutions in the past—and, perhaps, a bit of clairvoyance. As Weber (1948) has suggested, most organizational changes begin with a charismatic vision of an alternative mode of operation. Maconochie, Osborne, and Jones, for example, share in common a passionate commitment to what might be called "correctional" prophesy or the ability to move from "what exists" in prisons to the "what could be." What is needed to revive corrections at this juncture is a new correctional vision—an idea with which to restructure the terrible monstrosity of an undifferentiated warehouse, which we have allowed to dominate our correctional agencies.

As to the content of the next correctional revolution, it will certainly mirror larger political and cultural realities. Much as Alexander Maconochie reflected the spirit of the European revolution of 1848, the democratic prison reform movement of Osborne (1916) was rooted in American progressivism, and the prison therapy movement was contexted by the analytic "couch culture" of the 1960's, so, too, the next correctional revolution will be grounded in the politics and culture of the larger polity.

In the short term, the pragmatism, austerity, realism, and apoliticism of the day will surely be reflected in any new correctional metaphor which emerges. Viewed from this perspective, the prison metaphor of the year 1990 will probably be politically palatable, inexpensive, and provide clear and immediate benefits to the inmates.

Less important, however, than the specific metaphor which will evolve is the restoration of creative thinking, vision, and imagination in corrections. Critical, I suspect, will be the infusion of new personalities into corrections—the present leadership in the field appears to be both morally and intellectually bankrupt. The specific malaise of corrections—violence, overcrowding, boredom, etc.—is inherently related to the fact that in words of a friend of mine (a clergyman and former member of a state parole board), "there is not an honest principle (or fact or number) in the whole field." Unless a new principle and vision comes into being, the prisons will become worse and the people they house will emerge damaged and embittered from their incarceration. The present mentality of "keep the lid on" will reap a horrendous cost to society both in terms of violence within the prison and from those creatures who will emerge without purpose and goals from confinement. The cost of almost any rehabilitation program will appear to be a bargain compared with the costs of controlling the graduates from

the 400,000-person human "warehouse" system we have created. A true "cost" model is needed to understand the price of keeping people in human suspension for endless periods of time.

The alternative to this vision of the future is obvious. Only by creating an alternative to drift can the present inertia be reversed. Society must have the courage to admit it has failed and to reinvent the future. From this perspective, the "first client" of corrections must be corrections itself. Much as the criminal who drifts into crime and the criminal justice system, corrections itself has sleepwalked itself into its present plight. It must reawaken if it is to survive.

Any change given this perspective begins with a serious self-analysis by the corrections profession and also requires what Weber (1948) called a sense of charisma on the part of the correctional reformer. In many ways corrections in its present state is a prime candidate for the emergence of a new charismatic vision to guide it (hopefully, sensibly) over the next decades. My best guess, of course, is that this vision will be a quiet, stoic one, but hopefully a vision which weighs such considerations as the responsible balance of risk to citizens with the cost (both financial and human) incurred by the maintenance of the prison system. Critical in the emergence of this charismatic vision are effective educational and vocational models which will restore a sense of dignity and purpose to both correctional staffs and inmates.

The biggest obstacle to any reemergence of a new metaphor of the prison is corrections' poor self-image. In this sense, corrections' image of itself is much like its image of the prisoner. Much as the corrections professional of 1983 does not believe the inmate can change, so, too, it does not believe it, as an institution, can change. Once the prison believes it can create itself, perhaps it will have the faith that it can reform the inmate.

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The Society of Lifers

John P. Conrad*

It is time to reconsider our understanding of the experience of incarceration. For more than a generation, scholars have leaned on the work of Clemmer¹ and Sykes² for a theory of social relations in the American prison. The community of captives that these observers described was not a comfortable place, nor has it ever been intended that incarceration should be anything but austere and constraining. Its pains, so eloquently described by Sykes, were mitigated by processes of accommodation whereby prisoners made the best of their bleak and deprived world by "corrupting" the guards. Submission to the regime of the cell-block would be at the expense of the guards' willingness to overlook, to make allowances —to take it easy with the failings of their charges. The guards could never be in more than partial control. Performance of their official duties in a manner that satisfied their superiors depended in large part on their recognition that peace in the prison could only be maintained by accommodations.

In spite of all these accommodations and concessions, it was a hard prison in which to do time. The notion that it had any resemblance to a resort hotel or a country club was a figment of the unhealthy imaginations of the vengeful. Sometimes a guard would turn a blind eye to the predator; sometimes he would indulge the strong in their attacks upon the weak. Less frequently than is commonly supposed, I think, some guards would bring contraband into the prison in return for some kind of payment from the convicts. The accommodations that each side made to the other were always tacitly negotiable. Indifference in the Captain's office might lead to a system of prisoner control of events within the perimeter, always to the advantage of the stronger few and at the expense of the weaker many. From time to time unwise wardens and their front office staffs would decide that indulgence had gone too far, and rules would have to be strictly enforced from that time forth. Once such decisions were made, it would often be a matter of days or weeks before all hell would break loose.

No one could contend that prison administration under this kind of informal control was a tidy or admirable regime. Nevertheless, under these conditions the prison was a reasonably safe place in which to live and work. A convict could expect that he would survive his term if he

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kept his nose clean. Attacks on prison employees happened rarely, and they could usually be traced to the employee-victim's own unwise conduct. The terms of accommodation never included permission for prisoners to lay hands on any staff member. It was understood on both sides that a prisoner who took such liberties was fair game for a beating severe enough to deter him from ever doing it again —and to remind everyone else of the dread consequences of such folly.

That was the kind of prison I knew when I worked at San Quentin back in the late forties. It had been a much more raffish place during the thirties and especially during World War II years. Untrained and underpaid guards kept to the walls. If the tales that I heard were generally true, they intervened in the life of the prison community only in the case of riots and major personal violence. Indeed, it was generally believed that elite convicts controlled not only the assignment of prisoners to work but also of the guards to their shifts. Obviously in this kind of prison, bad would lead to worse and worse, and steps had to be taken to restore a level of control that would be acceptable on both sides and to the newspaper-reading public as well. That was the sequence of events that led to the establishment of the California Department of Corrections and to the administrative control that has been so well described by Richard McGee, the director who imposed it.³ No longer were the California prisons housing communities of subterranean scandals with loose controls permitting almost any kind of behavior except escape. The rules were gradually tightened and, although enforcement was sometimes selective, there were well-publicized rules —and they were enforced. Further, the development of a statewide Department of Corrections created opportunities for transfer to prisons with less onerous security requirements and more pleasant living conditions, as well as the attractive incentives of transfer to forest camps where a man could earn a real stake for his postrelease needs. The traditional prison community of accommodations began to break down. There were realistic incentives to compliance; it was worth a convict's while to do as he was told. Just as in the traditional prison, he had to mind his own business and do his own time, if he wanted to stay out of trouble. But trouble was increasingly unattractive to the majority of convicts. The "Hole" was seldom fully occupied and the famous "Adjustment Centers" at Folsom and at the Deuel Vocational Institution were quite adequate to house those who chose trouble in spite of all the good reasons to stay out of it.

It would be foolish to claim that this fairly satisfactory equilibrium could be entirely attributed to the wisdom of McGee and the administrative sagacity of his staff. Those were the days when most prisoners served less than five years before parole. The median time served before release hovered around 30 months. Even the lifers and those serving sentences for heavy offenses had a lot to lose. A man doing Murder First could conceivably be released in seven years, and the fact that this

minimum stretch sometimes sufficed gave encouragement to those for whom much longer sentences were called for.

Those were also the days when white prisoners were in a substantial majority. About 20 percent of the San Quentin population was black, and very few of this minority were inclined to make trouble. The Chicano population was negligible. There were no gangs, no convict organizations that had not been specifically authorized by the administration. There were predators, but they were mainly interested in cigarettes, candy bars, and the payment of debts incurred by gambling on the dominoes and payable in cartons of cigarettes. Their activities were individual enterprises, carried out at the risk of retaliation by the victim's friends as well as a stretch in punitive isolation. Not many men were assigned to protective custody —a few incautious snitches and a homosexual population that had to be discouraged in the light of the standards of conduct that prevailed in those more puritanical days.

Memories, memories . . . In retrospect from penological times like the present, the prisons of California in the late forties and early fifties seem far more halcyon than they really were. I recall them in these pages because of my observations of San Quentin and Folsom in more recent times, no longer as an official but rather as an occasional visitor. Only the architecture is the same. The quality of life for both prisoners and staff is almost unrecognizable. What is the prison community in the "Big House" of the eighties? How can it be safely and lawfully managed? These are urgent questions, and may be expected to become even more pressing as the hard line in criminal justice hardens further. I will not pretend that readers of this article will be presented with infallible solutions to these unprecedented problems. I can only contribute my reflections as a spur to more thought about a topic that will not go away and is unlikely to respond well to improvisation.

The Long Way to Go

Not long ago, I spent a day at Folsom, always the end of the line in the California system, a prison for older recidivists with long terms to serve and disciplinary records that underline their unsuitability for any but the most severely controlled conditions of confinement. The poorly lighted old cell-blocks were as gloomy as ever. Very few convicts were working. There were hundreds milling around in the yard, even though the weather was drizzling. Their appearance was unkempt and grungy. I kept hearing from the staff that these were men with **long terms** "staring them in the face." Most of them, it was said, had more than ten years to do before they could hope to emerge from the system.

It was the same at San Quentin, except that the convicts looked and were younger. They, too, however, had those long terms to do —ten, twenty years to get out of the way before they could realistically hope for release. At both Folsom and San Quentin, an increasing number had

been sentenced to Life Without Possibility of Parole. These were not prisoners who had any reason to expect that they could be transferred to a forest camp, to a minimum security prison, or to conditions much less harsh than those they were enduring in maximum custody.

Those conditions are simple enough to describe. A few hundred prisoners at Folsom and San Quentin are employed in prison industries; a few more are assigned to various maintenance chores, very few exacting much from the talents and energies of the fortunate men to be so occupied. Others were at school or in vocational training—optional assignments for which a prisoner could apply. Idleness was the lot of hundreds of others. Some would be serving their time in Security Housing Units, where total idleness was the norm. Others would be idle in the yard. There has been established a Work Incentive Plan, under the terms of which prisoners with good disciplinary records and full-time work assignments can earn a day off their terms for every day of participation in the plan. Make-work and overassignment prevail because there really is nowhere nearly enough real work to do, and to make the system work at all the Department has to guarantee a job to everyone who wants one. Work has been spread around and so has idleness.

But that is only a part of the total picture in these famous old joints. A far-reaching management decision has concentrated all the most refractory prisoners at these two prisons. Based on a classification study, both San Quentin and Folsom are limited to "Level IV" prisoners—men whose disciplinary records, long terms to serve, and past recidivism place them in the most ominous category of convicts. No longer can it be said that the typical San Quentin prisoner is serving a term of 30 months or so, and the Folsom counterpart somewhat longer—but not grievously longer. As of the most recent tabulation, the San Quentin population was 78 percent Level IV, and the Folsom population was 72 percent Level IV. Looking at these populations by the amount of time to be served, an old prison statistician like myself is struck by the preponderance of lifers. At San Quentin there are 1,075 men serving life terms, with 112 more who are serving Life Without Possibility of Parole, in a total population of 3,081. The situation is about the same at Folsom; there are 820 lifers, and 124 Life Without Possibility of Parole convicts, in a total population of 3,276. No one can compute a median time-to-be-served for such populations. Under new California laws, murder in the first degree requires a life sentence with parole eligibility beginning at year 16 after commitment. Life Without Possibility of Parole is supposed to Mean Life Without Possibility of Release, and in past years it has meant just that.

Can prisons be safely managed with populations consisting of men with decades of time to serve and bad disciplinary records? This is the great California experiment, and only time can tell what measures will have to be taken to maintain comparative peace. There is a fairly

optimistic conjecture to comfort the administrator: after all, in most prisons lifers are docile fellows, only too anxious to do all their time as peaceably as they can in the hope that they will have to do as little of it as the board will allow. With some imaginative accommodations of the regime, and some informal understandings among both prisoners and guards, life may be lived in the style that used to be the case in the days of Clemmer and Sykes. If prisoners behave rationally, they will see that it is to their advantage to work out arrangements that will assure order in return for concessions in the rigors of incarcerated life.

But prisoners, like anyone else in the world-at-large, are never wholly rational. With many years ahead before release can even be considered, some will be desperate, some will be hopeless, and many will decide that they have nothing to lose by acting on any vagrant impulse. The prison community of the sixties and seventies has seen narcotics imported in increasing volume all over the country, and San Quentin and Folsom have not been exceptions. Newspapers, magazines, and learned journal articles have given a lot of attention to the notorious prison gangs that have flourished for years in some California prisons. The second conjecture, and a pessimistic one, too, is that the clock cannot be turned back. The relatively benign processes of accommodation so carefully described by Sykes cannot be revived. In the society of lifers a different prison community has come into being. If we must accept the prison community of lifers and "bad dudes" as the price to be paid for more constructive activity at other prisons in a large system, we shall have to learn how such potentially turbulent penal establishments are to be managed for acceptable control. It will not be easy. Indeed, it may not be possible.

What Must Be Done

The dreary scenes I have brought to you from my California observations could be replicated in most of the larger states. Prison officials are generally obsessed with the consequences to be foreseen from the overcrowding projected for the years ahead. In Texas, with traditions of strict management, the population now stands at about 35,000 convicts, and predictions are made that this total will swell to well over 50,000 within the next decade. California statisticians exceed even this alarming prospect; the total population is now hovering at 35,000, but the worst case projection calls for 59,000 in 1988—five years hence.

Projections that far in the future are almost always wrong in the event. What is certain is that under present legislative trends throughout the nation, the overcrowding we now experience will get worse. There will be more building in California, and in many other states, too, but construction will not keep pace with population increases that follow the present framework of criminal justice. The all too foreseeable

overcrowding will bear most heavily on the administration of maximum security prisons. By definition, minimum security prisoners can be expected to tolerate a few more beds in their dormitories, and double-celling for the medium security prisoner should not present serious hazards if the men so housed have been rightly classified.

If they deserve the classification, maximum security prisoners must be managed along different lines. They are presumably men with a penchant for violence, men with a long time to do, irritable and volatile men who will be difficult to assign to full-time work in the prison. They will spend more than the hours of sleep in their cells — often more than half of each 24-hour day. They must not be assigned to dormitories, (although I have seen this done —often with disastrous results— in states other than California in recent years), and they should not be kept in double cells.

All that should be elementary wisdom, and I doubt that any warden in the land would like to depart from the principles so far enunciated. Unfortunately, they often find themselves with little or no choice in the matter. Sound management is no match for rigid legislation.

What to do? Until legislatures can be persuaded to modify the statutes so that prisons can be managed with populations that match their capacity, extraordinary measures must be taken. More guards will facilitate safer movement and effective control. More guards must therefore be hired. More metal detectors will reduce the risk of homemade weaponry. More metal detectors therefore must be installed. Make-work is better than no work at all. Hand lawnmowers must therefore replace the powermowers that most prisons now use. Expedients of this retrograde kind must be adopted until ways can be found to put men to normally productive work.

Of course, these measures will be insufficient. The maximum custody population must be screened continuously to find men who can be transferred to conditions that will be less costly to maintain. A system of incentives —like the California Work Incentive Program— will help to identify those men who are ready for facilities of lesser security. They must be transferred; some of the transfers will backfire, but this is a system that must be under constant test.

Transfers will not be enough. The custody personnel must be prepared to carry out irregular surprise lockdowns for the purpose of sweeping the prison of all contraband —weapons, money, narcotics. The prisoners must understand that such lockdowns will take place, and they must be given reason to appreciate that their own safety, as well as that of the staff, will be thereby enhanced. To carry out a program such as this, an adequate and well-trained staff is necessary. To attempt it with a skeleton crew of poorly supervised guards is at best futile —and at worst another occasion for a penal catastrophe.

But strict and well-executed custodial measures will not be enough, either. Sooner or later, the taxpayers who support prisons must be faced with the choices. A large population of prisoners cannot be maintained under the most rigorously austere conditions without great investments in facilities and personnel. Wholly apart from the humanitarian considerations that still animate penology, no one with an informed concern about his personal safety could wish to work in overcrowded maximum security prisons if he could find any other work at all. Prison guards should not sign on to the payroll out of hunger.

The Legislative Task

For years prison reformers have harped on the necessity of limiting prison confinement to the violent offender only. For reasons that all readers of **The Prison Journal** know, this objective is not likely to be strictly achieved. There are plenty of nonviolent burglars, thieves, dope-peddlers, white-collar criminals, and other community nuisances who cannot be managed in any community correctional program. Nevertheless, more could be done than most states are now doing. Annually, the National Prisoner Statistics Bulletin publishes the rate of sentenced prisoners per 100,000 civilian population. The range is enormous. North Dakota incarcerates 19 per 100,000; the District of Columbia swallows up 433 per 100,000.⁴ Those are atypical jurisdictions; the argument must be based on states that are more representative. Minnesota confines 51 per 100,000; California, 93; New York, 120; Texas, 196; and Georgia, 224. It is not reasonable to suppose that Californians are twice as wicked as Minnesotans, nor do the crime rates bear out this invidious distinction. Nor are Georgians more than three times as depraved as Pennsylvanians, of whom only 67 per 100,000 are locked up.⁴ The problem is that unwise statutes require the prodigal use of costly prison space in these high-incarceration states. Some violent offenders are kept far beyond the years when they could carry out a violent act, even if so inclined. And many nonviolent offenders can and should be managed in the community, if legislators and judges had the requisite confidence in community correctional programs.

Under these circumstances, it is imperative that prison reformers turn their attention from the chimera of a moratorium on prison construction and other utopian measures. We can and must focus our attention on the design and administration of strong community controls for every offender who can be managed in the community. Probation supervision must be a realistic control of movement and activity. That cannot be done by superficially trained personnel carrying unwieldy caseloads of 100, 200, and sometimes far more. The profession of probation must be subjected to a revolution of both ends and means. Probation must be first and foremost a sanction, a fairly unpleasant control that impresses on the offender that he is really being punished. He must report to the probation officer often and on time. He

must be prepared for frequent visitations to assure that the information given to the probation officer is true and complete.

This kind of program is not going to be pleasant or therapeutic, and it certainly should not be administered in that spirit. The probationer will have to accept his status as a lot better than incarceration, but by no means a grant of leniency.

In most states, I think, a program like this can substantially reduce the prison population —probably not in North Dakota or Minnesota, nor will the gains be as great as they should be in Pennsylvania or Texas or Florida or North Carolina. But carried out intelligently and purposefully, probation supervision will reduce the numbers of men and women subjected to the most miserable experience this country has to impose on its citizens.

Many prison reformers will read this article with dismay, perhaps with a certain disappointment in the adoption of a hard line by one whose credentials as an exponent of compassionate penology have always been in fairly good repair. They must join me. There is no correctional system in the State of Utopia, but there will always be prisons and probation and other social controls in the jurisdictions in which we must all live. It is up to us to see to it that those necessary controls are compassionately and decently managed. If we do not accept this assignment, who will?

Not long ago I found in *The Economist*, of all places, a quotation from the works of the great American theologian, Reinhold Niebuhr. No theologian myself, I am unable to trace the context in which Niebuhr wrote, but what he had to say is precisely relevant to the moral predicament facing the prison reform movement today:

"There are both spiritual and brutal elements in human life. The perennial tragedy of human history is that those who cultivate the spiritual elements usually do so by divorcing themselves from or misunderstanding the problems of collective man where the brutal elements are most obvious. The problems therefore remain unsolved, and force clashes with force, with nothing to mitigate the brutalities or eliminate the futilities of the social struggle."

"The history of human life will always be the projection of the world of nature. To the end of history, the peace of the world, as Augustine observed, must be gained by strife . . ."⁵

Crime is the breaking of domestic peace. It is well enough known that its causes are often, if not in a sense always, beyond the control of the criminal. The measures we must take to control the criminal once he falls into the state's hands must be far more rational than we now employ. Rationality is all we have to make possible the compassion that belongs in American society.

Footnotes

1. Donald Clemmer, *The Prison Community* (New York: Rinehart, 1958).
2. Gresham Sykes, *The Society of Captives* (Princeton: Princeton University Press, 1958).
3. Richard A. McGee, *Prisons and Politics* (Lexington, Mass.: D.C. Heath, 1981).
4. U.S. Department of Justice, Bureau of Justice Statistics, *Prisoners in State and Federal Institutions on December 31, 1979* (Washington, D.C.: U.S. Government Printing Office, 1981).
5. *The Economist*, 5-11 February 1982, p. 22.

Random Thoughts on the Treatment of the "Dangerous Offender"

Over the years, as a prisoner advocate, I have often received complaints from or concerning inmates being kept in long-term isolation (the "hole," B.A.U. — Behavior Adjustment Unit, R.H.U. — Restricted Housing Unit, or other euphemisms). These are situations which go beyond punishment under disciplinary procedures. They are the result of a prison administrator's subjective judgment that this is a dangerous person whose release to the general population would threaten the security of the institution and would jeopardize the safety of both staff and other inmates.

There is already the beginning of a case law whereby the courts have ordered the release into population of certain persons when the administration was unable to give objective reasons for keeping them locked up. Perhaps in time the courts will set very specific guidelines for such decisions. In the meanwhile, the dilemma remains for any conscientious warden or superintendent. On the one hand, one holds the responsibility for the safety of many others in the institution. On the other hand, it is simply not fair to punish someone for what the warden feels that person might do in the future. And let there be no mistake — isolation is punishment in the extreme. From the days of the silent and separate system in Pennsylvania, we have known that isolation can produce psychosis for some people. Even where the environment of isolation is not punitive, the loss or reduction of privileges such as visiting, telephone calls, law libraries, religious services, and other programs is often devastating. We are currently having to reconsider this entire matter as inmates under the death penalty are forced into very restrictive environments.

I do not have an easy solution for this dilemma, but a remark by Chuck Holmes, when he was Commissioner of Correction in Kentucky some years ago, started my thinking. Mr. Holmes' objective was to avoid litigation in these cases, so he made a special effort to give such persons as many comforts as possible —including color television, carpeting, books, etc., and the promise to interview them at frequent intervals.

I think that if I were a warden and reluctantly had to put an inmate in the R.H.U. for the safety of the institution, I would talk to the inmate somewhat along the following lines:

"I'm going to have to lock you up because I'm afraid that you might hurt someone in general population. And I know that that is not fair! You have been sent to this prison for punishment, and it is not my job to intensify that punishment regardless of what you did outside. I

do retain the right to discipline those who break the rules of this institution, but I know that that is not what we are talking about in your case (or if an infraction has been committed, 'I'm keeping you here longer that I would for another with the same offense!)).

"So, it's not fair! And because it's not fair, I'm going to try to make it up to you in a number of ways. First, I'll try to make you comfortable in double the size of a usual cell, and install equipment for your comfort —if you'll take care of it— indoor-outdoor carpeting, color t.v., innerspring bed, an easy chair, good lighting, all the books you want or need, and the best food I can get the chef to make. Next, you will get services as you wish them: daily visits from the chaplain and other staff, as many visits as anyone else in the institution, as much access to telephones as other inmates get, indoor and outdoor exercise and attendance at religious services. And I will come down here to see you every Monday morning (or my Deputy will, in my absence) to hear personally whatever specific grievances you have, and to get to know you better and to talk about when we can release you. If there is anything we can do for your comfort, let me know, and I'll try to respond."

Is this too much? I think not! Whenever we exercise discipline, I believe there must be reconciliation operating simultaneously. Whenever we exclude persons, some effort must be made to lay the groundwork for re-integration. Wherever we must put someone down, there must be an effort to help them up. As all of us have always said, sooner or later they will get out; and how they come out will depend in great measure on how we treat them while they are in. And finally, in our nation, whenever we let a subjective reason or intuition abridge the normal rights of an individual, we are under an extraordinary obligation to do as much as possible to make up for such an act.

Too much of our discipline in corrections is built on negative responses; too little of our program includes positive reinforcement. We spend incredible sums on security, in terms of personnel, construction, and equipment. A little more to express that we care might bring out positive responses beyond our dreams.

Rendell A. Davis
Executive Director
The Pennsylvania Prison Society

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