

Federal Probation

Federal Probation

A JOURNAL OF CORRECTIONAL PHILOSOPHY AND PRACTICE

Published by the Administrative Office of the United States Courts

VOLUME XXXVIII

MARCH 1984

APR 30 1984

NUMBER 1

This Issue in Brief

The Evolution of Probation: Early Salaries, Qualifications, and Hiring Practices.—Charles Lindner and Margaret R. Savarese review probation practices at the turn of the century and find that many concerns facing probation today, such as high caseloads and inadequate salaries, also existed in the past. The authors further explore early conditions of employment, including qualifications, compensation, and hiring practices. A 1910 civil service examination is included to allow the reader to test himself against the probation officer of the past.

His article presents the position that unqualified administrators, by virtue of institutional inexperience and lack of correctional expertise, have become an unstabilizing force within the correctional milieu.

CONTENTS

Focus for the Future: Accountability in Sentencing.—Author Thomas J. Quinn argues for a new dialogue, replacing the "in" versus "out" decision with assignment to 1 of 10 "Accountability Levels." In this broad range of increasingly restrictive options offenders would be adequately monitored at whatever level they are placed, with logical progression down the scale toward freedom over time and retrogression further up the scale for noncompliance. The private sector can be used to help fill the gaps in the middle levels and policy structured to offer decisionmakers the desired mix of offender slots in a jurisdiction.

The Evolution of Probation: Early Salaries, Qualifications, and Hiring Practices..... Charles Lindner Margaret R. Savarese	3
Focus for the Future: Accountability in Sentencing..... Thomas J. Quinn	10
The Need for a New International-National Criminal Justice Order..... Manuel López-Rey	19
Politically Appointed Administrators: An Empirical Perspective..... Salvatore Cerrato	22
Nonintervention: The Myth of Doing No Harm..... Lawrence F. Travis, III Francis T. Cullen	29
Alabama Prison Option: Supervised Intensive Restitution Program..... Freddie V. Smith	32
The Future Jail: A Professionally Managed Corrections Center That Controls Its Population..... Nicholas L. Demos	35
The Illusion of Success: A Case Study in the Infiltration of Legitimate Business..... Frederick T. Martens	40
Sex and Sexual Aggression in Federal Prisons: Inmate Involvement and Employee Impact..... Peter L. Nacci Thomas R. Kane	46
A Combination That Worked for Us..... David R. Busby	53
News of the Future.....	58
Looking at the Law.....	61
Reviews of Professional Periodicals.....	63
Your Bookshelf on Review.....	67
It Has Come to Our Attention.....	73

The Need for a New International-National Criminal Justice Order.—Crime is increasing everywhere, particularly under dictatorial regimes, and in democratic countries the penal systems are becoming more and more unable to cope with it, asserts Manuel López-Rey. The abuse of power plays a primordial role in the growth of contemporary crime, the main reason being that the penal systems are still, in spite of frequent reforms, rooted in the 19th century. The author stresses the need for a new international-national criminal justice order.

Politically Appointed Administrators: An Empirical Perspective.—In the wake of prison riots, serious doubts about the effectiveness of the correctional system have been raised by professionals and concerned citizens alike, according to Salvatore Cer-

The Evolution of Probation: Early Salaries, Qualifications, and Hiring Practices..... Charles Lindner Margaret R. Savarese	3
Focus for the Future: Accountability in Sentencing..... Thomas J. Quinn	10
The Need for a New International-National Criminal Justice Order..... Manuel López-Rey	19
Politically Appointed Administrators: An Empirical Perspective..... Salvatore Cerrato	22
Nonintervention: The Myth of Doing No Harm..... Lawrence F. Travis, III Francis T. Cullen	29
Alabama Prison Option: Supervised Intensive Restitution Program..... Freddie V. Smith	32
The Future Jail: A Professionally Managed Corrections Center That Controls Its Population..... Nicholas L. Demos	35
The Illusion of Success: A Case Study in the Infiltration of Legitimate Business..... Frederick T. Martens	40
Sexual Aggression in Federal Prisons: Involvement and Employee Impact..... Peter L. Nacci Thomas R. Kane	46
A Combination That Worked For Us..... David R. Busby	53

93994-94000

MARCH 1984

Radical Nonintervention: The Myth of Doing No Harm.—Authors Travis and Cullen offer three reasons why the call for liberals to withdraw from the policymaking process in the criminal justice system will cause more harm than an interventionist strategy: First, reform efforts have been one of the few humanizing forces in our correctional past. Second, nonintervention by progressives only serves to facilitate the get tough movement now sweeping the Nation. And third, nonintervention is a philosophy of despair, not of hope, and thus risks attenuating the will of practitioners to continue to do good in the face of daily obstacles.

Alabama Prison Option: Supervised Intensive Restitution Program.—Alabama Commissioner of Corrections Freddie V. Smith discusses an innovative restitution program which uses close face-to-face supervision, enforced curfews, required workloads in public service or contracted employment, offender family involvement, supervision fees, and other freedom restrictions. Incorporated provisions also require program officers to coordinate closely with law enforcement and judicial agencies.

The Future Jail: A Professionally Managed Corrections Center That Controls Its Population.—Antiquated methods of jail administration are no longer acceptable either to the criminal justice agencies they serve or the political officials responsible for their oversight. Nicholas Demos presents some basic principles for jail management, emphasizing a proactive role for social trial judges. He also summarizes the Washington State comprehensive strategy that transformed the jails of that State.

The Illusion of Success: A Case Study in the Infiltration of Legitimate Business.—Frederick

Martens examines and analyzes the systemic nature of organized crime with institutional structures within a lower socioeconomic community. Through the use of ethnographic collection and analysis techniques, the author delineates the structural arrangements between finance institutions, liquor wholesalers, vending companies and professionals (e.g., accountants and lawyers) and the "bar" or tavern. Employing a sophisticated pyramid scheme in which the tavern is the commodity, "unsuspecting" entrepreneurs are enlisted into this scam, only to be disillusioned by the ultimate death of their dream. The illusion of success is a classic case study in the convergence of organized crime with white-collar crime.

Sex and Sexual Aggression in Federal Prisons: Inmate Involvement and Employee Impact.—In the December 1983 issue of *Federal Probation*, Nacci and Kane focused on the incidence of homosexual activity and sexual aggression in Federal prisons. Analyses and discussions in the present report concern: profiles of inmates who have participated in consensual homosexual activity or have been targets of sex pressure; correctional officers' attitudes toward the protection of inmates, the prevention of homosexual activity, the danger of sexual assault in prisons, and job satisfaction; and factors that influence inmate participation in consensual homosexual activity.

A Combination That Worked for Us.—U.S. Probation Officer David R. Busby describes a drug after-care program which has proven successful in the Northern District of Alabama. The program combines intensive urine surveillance with intensive counseling, a wilderness experience (camping, rappelling, hiking), and a work detail experience.

All the articles appearing in this magazine are regarded as appropriate expressions of ideas worthy of thought but their publication is not to be taken as an endorsement by the editors or the Federal probation office of the views set forth. The editors may or may not agree with the articles appearing in the magazine, but believe them in any case to be deserving of consideration.

U.S. Department of Justice
National Institute of Justice

This document has been reproduced exactly as received from the person or organization originating it. Points of view or opinions stated in this document are those of the authors and do not necessarily represent the official position or policies of the National Institute of Justice.

Permission to reproduce this copyrighted material has been granted by
Federal Probation

to the National Criminal Justice Reference Service (NCJRS).

Further reproduction outside of the NCJRS system requires permission of the copyright owner.

Sex and Sexual Aggression in Federal Prisons

Inmate Involvement and Employee Impact*

BY PETER L. NACCI, PH.D., AND THOMAS R. KANE, PH.D.**

THE STATISTICS reported in Nacci and Kane (1983) suggest that Federal prisons are relatively free of problems associated with homosexuality and sexual aggression.¹ The present report examines inmate background characteristics that might be associated with becoming involved in homosexual acts in prisons, and plausibly, that explain why some inmates react so violently when solicited for sex. The results of these analyses are reported below, along with data recorded by correctional officers working in the 17 prisons where the inmates are housed. The final part of this report contains a discussion of the various remedial strategies used frequently to control inmate homosexual activities.

I. Profiles: Participants and Targets

It may seem puzzling that homosexual liaisons and sex pressure situations frequently produce violence given the common stereotype of male homosexuals as passive and effeminate. These data reveal that the participant is different physically and attitudinally from other prisoners and may help to explain the connection between prison sex and violence.

A. *The Participant*—The participant is physically thin and less muscular; he is tall but weighs about the same as the average inmate. He appears more effeminate to the interviewer. His attitudes about homosexuality are positive while the typical inmate opposes homosexuality. Race does not relate to participation. There is a tendency (nonsignificant) for participants to have been arrested for sex offenses; 9.2 percent of participants but only 3.4 percent of nonparticipants had been arrested for those crimes ($p < .09$).

The participant frequently is involved as a youth with the criminal justice system. Interestingly, if an inmate commits a crime as a youth and is diverted

rather than sent to a training or reform school, chances are greater that he will abstain from prison sex as an adult. This suggests that some participants learn maladaptive sexual habits when confined in youth institutions. The participant has also been in more foster homes, more training schools, more mental institutions and scores higher on a criminal history scale comprised of items like number of arrests, number of incarcerations, and total years confined.

Participants cluster in groups of friends who share information about others' sexual habits. They believe there is more homosexual activity in prisons than nonparticipants do. Along with membership in this "clique" of sex-oriented prisoners comes increased awareness that prisons are dangerous; the chances of inmates being sexually assaulted are perceived to be greater.

1. Conflict resolution—Vignettes, short stories that require the inmate to select a solution to an interpersonal conflict situation, were specially designed for the study. Each vignette contained either a sex-related or a nonsexual theme—alternative solutions were scaled according to the level of violence they contained. The hypothetical "actors" in the vignettes were other inmates from the institution. The results showed that participants expected other inmates to resolve conflict with greater levels of violence regardless of whether the theme was sexual or nonsexual. In other words, participants have a general predisposition to anticipate the use of violence in all types of interpersonal conflicts. The participant may expect more violence because he has more contact with prisons—it could be an overcompensation rooted in personal insecurities about being thin, effeminate, and a participant. The participant is an irritant to administrators because his willingness to use violence is actualized frequently. His appearance and attitudes focus attention on him—he is frequently in-

*This is the second article of a two-part report on sex in Federal prisons. The first article appeared in the December 1983 issue of *FEDERAL PROBATION*.

**Dr. Nacci is chief of research and Dr. Kane is senior research analyst, Federal Prison System. The opinions expressed in this article are theirs.

¹The reader should refer to Nacci and Kane (1983) for a fuller description of the salient defining characteristics of the study, including: 330 randomly selected Federal inmates, located in 17 Federal prisons (stratified to be representative of the entire system, were interviewed by a specially trained ex-offender with a specially created interview schedule. Subjects were volunteers—results were confidential—cooperation rates are acceptable. Survey results show a high degree of internal consistency.

volved with interpersonal conflicts. He may believe that if he does not strike hard and first, his physical shortcomings will work against him and he will be exploited.

B. *The Target of Sexual Assault*—According to reports by Davis (1968) and Lockwood (1980), at least 2 out of 10 prison inmates are sexual assault targets. The assault rate is low in the Federal system where about 2 of every 100 inmates must defend against assault and less than 1 out of 100 are actually victimized. What common threads link the targets of sexual aggression and what cues must these individuals send off to aggressors? One very important one is whether the prisoner is a passive participant in prison sex.

Sexual orientation (heterosexual or homosexual/bisexual), target status (target or nontarget) and participation in prison sex (participant or non-participant) are presented in table 1 below.

TABLE 1

	Participant		Nonparticipant	
	Target	Nontarget	Target	Nontarget
Homosexual/ Bisexual	7	3	—	—
Heterosexual	7	48	16	249

Self-definition as a homosexual/bisexual and target status are associated. Seventy percent of self-acknowledged homosexual/bisexual inmates were assaulted.² However, more targets are nonparticipants than participants (16 versus 14) and most targets are heterosexuals (7 + 16 versus 7)! Participation *per se* does not indicate likelihood of assault because many participants are considered (by themselves and other inmates) heterosexual; in prison, participation may not "count" toward sexual identity. Apparently, inmates can participate without drastically increasing the chance of assault. But identification as homosexual/bisexual is associated with targeting. Since homosexual/bisexual identification and insertee role are associated, the target must be perceived as one who is (or may be) willing to occupy passive female roles.

The assailant attacks tall, slender inmates who wear their hair longer, were less happy as children, have more broken marriages, have parents with heavy drinking problems, are more criminally sophisticated, and appear effeminate. Targets have

attitudes favorable toward homosexuality, evaluate prison participants in homosexual acts positively and, more importantly, *they discuss sex often with other inmates*. Any act of public endorsement may, more than anything else contribute to his selection. In prison, secrets are difficult to keep and choice gossip is valuable. A loose statement of endorsement for homosexuality may be quickly picked up by the grapevine. Corroborative and supplementary data from other research contribute to this target profile, indicating that these inmates come from small, rural areas; they are lighter in weight than average; they have been committed for nonviolent offenses, and show no unusual tendency toward prison violence; some attend special education classes; they have been institutionalized in mental health facilities and evidence a tendency toward self-destructiveness.

C. *The Assault*

1. *Motives*—In some assaults, the target must appear to be like a woman to the rapist. Othertimes, rapists may not intend a sex act but they eventually decide that rape is an appropriate act of degradation after a tough battle or insult—they also must think that the act will gain additional status among other inmates. By his act, the rapist communicates that he is powerful. Although targets are relatively accessible to researchers for interviews, assailants are known almost exclusively from targets' accounts. Nonetheless, a reliable composite has accumulated in several studies. Assaulters are average in weight but are larger than their target; they are younger than the average inmate, but are older than their victim; they have a history of violence, are likely to have been committed for a violent crime, and are likely to be among the small group of inmates who frequently break prison rules; they typically come from large urban areas, have had many juvenile commitments, but have received an average amount of education before incarceration; they are normal in mental stability and show no unusual tendencies toward self-destruction. Finally, assault events are as likely to involve white assailants as black assailants; however, overall, blacks predominate in numbers because they tend to assault in large groups.

Although most 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 assaults in prisons is easy for the inmate population to understand; they suggest that targets are raped because they are weak and attractive (i.e., a logical stand-in for a woman) and because rapists want to impress other prisoners. Prison rape *makes*

²Only one inmate changed sexual orientation while in confinement and so current sexual orientation can be substituted for sexual orientation at the time of prison sexual assault.

sense to inmates because the act sends off a valuable message: "Don't mess around with me!"

Although most inmates have "getting out" as a primary goal—a secondary motive for most inmates is "getting by." Rapists, like any other prisoner, could get sexual gratification easily with willing partners. Instead, the rapist tries to gain credibility for his future threats to other inmates. He may not be a formidable exploiter alone; if inmates are correct, the rapist singles out *weaker* inmates perhaps because of this. He may not be clever enough to run a good "game," and a crime of armed bank robbery, kidnapping, or even murder may not secure him a position of preeminence in a community of other robbers, kidnapers and murderers.

2. Violence in pressure cases—Federal prison officials attempt not to confine likely targets (young, white, slender, effeminate, imbalanced inmates) with hardened dangerous prisoners.

Rapists are found in more secure settings, and the targets were designated there because the inmates' criminal backgrounds led officials to believe that the target could stand up to the pressure and/or that the serious nature of their current offense warranted the level of institution security. Targets and rapists alike are a product of the American criminal justice system and it would be incorrect to think of targets as especially naive. The criminal history variables that constitute the FPS criteria for "Security Designation"—determination that the inmate requires a facility with certain physical security features—and for "Custody Classification"—the level of supervision assigned within the institution—have been validated as "predictors" of institutional violence (Kane, Janus, and Vanyur, 1981). The targets in the current study, when compared to nontargets, were found to have significantly more extensive criminal histories, including the same type of information as the FPS Security and Custody criteria. Hence, the target remains in population because he has greater freedom there and he probably is confident that he will be able to handle sexual confrontations. He may or may not know that his physical and attitudinal differences from other inmates will single him out. He may even see himself as a tough person. One thing is especially clear: Many targets believe that in prison, the best and expected response is *violence* when prepared for sex.

3. Conflict resolutions—The vignettes show striking differences between targets, participants, and other inmates. While the participant expects violence

and reacts violently, *no matter what the type of conflict*, targets expect nonviolent resolution to general (nonsex-related) interpersonal conflicts. This may be another cue aggressors use. Sex accounts for about 25% of conflicts in prison, and the target, because of his effeminate appearance, is likely to be drawn into *all types* of exploitation situations.³

Many targets are sophisticated criminally—they will be tested and usually they defend violently. Violent responses may make sense under the circumstances according to data reported by Lockwood (1980)—polite refusals terminated only 13 percent of all incidents Lockwood studied! Clearly, the target cannot usually get off by saying "no thank you" to a sex pressurer; a more assertive response is required.

II. Correctional Officers

Five hundred correctional officers in the 17 institutions completed a special survey with items measuring morale, knowledge about inmate sexual activities and motivation to protect inmates from sexual assaults and to deter consensual homosexual activity. The results are encouraging in that morale is consistently high and officers indicate the willingness to protect inmates from sexual assault and to deter inmates from participating in consensual homosexual acts. However, the data also reveal that the strength of their motivation to do this can be improved: on a 7 point scale with 4 as neutral, deterrence average ($X = 5.0$) and protection averaged ($X = 5.5$).

According to the Federal officers, all inmates should be protected regardless of the inmate's sexual preference, but a potential difficulty results in that officers are more willing to protect heterosexual inmates, when, actually, homosexual/bisexual inmates are quite likely to be targeted for assaults. This pattern is understandable. Officers equate homosexuality/bisexuality with participation and assume that inmates participate consensually in large numbers. Furthermore, the officers recognize validly that participants make prisons more dangerous, violent places and thus make officers' jobs more difficult: the respondents as a group revealed on one item their belief that "consensual homosexual activity in prison frequently leads to . . . violence."

There may be a way to improve this situation by intervening in the officer maturation sequence, since the data also reveal that greater experience on the job is associated with a diminished sense of responsibility for deterring homosexual acts. Apparently something happens to "switch off" some officers as they have more and more contact with inmates. Though officers believe that many inmates are involved in homosexual activity, in truth the number

³Bartollas, Miller, and Dinitz (1974) observed "exploitation hierarchies" in a training school they studied. Inmates would be tested to see how far they would permit exploiters to go. At the bottom of the hierarchy were individuals who would perform sex as insertees.

of participants is small. It is plausible that some officers become frustrated with their jobs over time and they displace their frustration to inmates because they have come to believe that, "they all mess around, and it's practically impossible to stop them."

Federal officers inevitably will develop personal theories about inmates and inmates' sexual habits as they gain experience, but the data unfolding here reveal that it can be potentially dangerous to let them do this alone; some officers may give up trying to keep inmates from sexual liaisons.

The next step in the sequence of discovering ways to correct the situation involved a sophisticated path analysis applied to the officers' survey responses. The results of the analysis are offered here in summary fashion because their derivation is too complex and is beyond the scope of this document.⁴ Taken altogether, the findings suggest that *officer motivation to deter and to protect would be improved if officers had more accurate information about homosexual activity and if they were more understanding about the processes that lead inmates to become involved in the first place.*

Unfortunately, "reductionism" or simplification of this nature invites readers to diminish the significance of the findings. Accordingly, table 2 below is presented as a summary of System applications—based upon significant relationships found among officers' attitudes—which would affect staff motivation and performance:

TABLE 2

Motivation to Deter and Protect

1. Have officers assume greater responsibility for acts of sexual aggression which do occur.
2. Strengthen officers' beliefs that consensual homosexual activity can lead to prison violence.
3. Foster beliefs that prison environments are potentially dangerous for all inmates and that means officers have a greater responsibility to deter consensual homosexual activity.
4. Explain to officers how correctional settings place pressures on inmates to become involved in homosexual activity.
5. Provide officers with accurate information about the actual levels of homosexual activity in Federal prisons.

III. Stress and Danger

The staff survey yielded measures of officers' satisfaction with their jobs, morale toward the prison system, baseline estimates about sexual assaults, deterring homosexual activity and protecting inmates. In one set of analyses, inmates' perceptions of danger in the institution (for sexual assault) were tested to see how they related to measures of the

physical environment. Officers' attitudes about these above topics can be thought of as a part of the inmates' prison environment as well.

Why would the judgments of inmates on their surveys relate to officers' beliefs? The answer is that both groups have a great deal of firsthand institutional knowledge and experience in common; the analyses showed some startling results.

A. *Officer Job Satisfaction*—When officers indicated greater job satisfaction, inmates were likely to say that their environment was more free from the danger of sexual assault.

B. *Officer Morale Toward the Prison System*—When officers showed higher morale toward the prison system, inmates indicated that the danger of assault in their institution was greater. Plausibly, employees who espouse stronger sentiments toward the system are perceived by inmates as stereotypic company men—the Frank Burns type ("MASH"), who spouts rules and regulations verbatim, but whose personal sentiments leave little concern about inmates and their problems. From the inmates' view, officers who are organization men are less likely to be sensitive to the real dangers in the institution.

C. *Officers' Misperceptions About Amount of Sexual Aggression*—Officers estimated the likelihood that the inmates in their institution would be pressured for sexual favors or sexually assaulted. Inmates made similar judgments on their surveys and difference scores were computed for each institution. The score shows the extent of difference between inmates and staff. When the staff estimates were very high relative to inmates, inmates sensed greater danger in the environment. Plausibly, staff produce the perception in inmates that they do not have knowledge of the environment and that they are unable to anticipate and control inmate violence.

D. *Attribution of Fault*—From the inmates' perspective, sexual aggression in prison is a social, not a sexual, behavior. Furthermore, the accuracy of an officer's knowledge about the causes of sexual assault would be taken by inmates as a good indication of the employee's ability to predict and control violence in general. Officers were asked to indicate to what extent victims of sexual assault in prisons are at fault for the incident. As inmates viewed the event, the assailant undertakes the assault to degrade the victim and to enhance his own status. Thus, staff who believe that the victim is at fault—presumably because of sexually stimulating behavior or appearance or negligence in self defense—would be viewed by inmates as naive and incompetent. The analyses showed that when officers attribute fault to a victim of sexual assault, inmates in the same institution sense greater danger in their environment.

⁴A more complete statement is found in the longer form of this manuscript available upon request.

In this case, the means to reduce danger-related stress are clear. Staff must be trained to understand that assaults are not usually precipitated by victims alone. Environmental pressures and social motives of the aggressor are also concerns for the prevention of assaults.

E. *Crowding, Racial Distribution, and Population Fluctuation*—It was expected that macro-level population parameters—social density (crowding), population flux, or racial distribution—would be related to inmates' judgments about danger because of the micro-level changes in relationships among inmates or between staff and inmates that would occur as the inmate population changes. *No effect of social density (crowding) was found, but both racial distribution and population flux were important to inmates.*

1. *Racial distribution*—Inmates and staff both believe that the likelihood of sexual assault is greater when the population is comprised by a greater proportion of blacks, relative to whites. This probably represents a general belief that black inmates are more aggressive and the data reveal that there are relatively more black assailants. There was a strong tendency for whites to be assault targets.

2. *Crowding*—It was hypothesized that increased crowding would increase perceived danger because it would be more difficult to supervise inmates and because there would be more fighting over limited (due to higher numbers) resources (like pool tables, gym equipment, etc.). This did not happen probably because crowding during the period of investigation did not reach intolerable limits as far as inmates were concerned.

3. *Population fluctuation*—Population flux (movement of inmates into or out of the institution) *did* influence perceptions of danger among inmates. Possibly, staff are more occupied with processing inmate arrivals or departures and they cannot attend to their normal duties of supervising inmates as well. This, plus the fact that there would be jockeying among inmates to fill the voids in the "pecking order" caused by movements and "testing" of new arrivals explains why fluctuation makes inmates feel more environmental stress.

IV. A Plan for Reducing Homosexual Activity in Prisons and Making Prisons Safer

A. Inmates

1. *Homosexual activity*—it simply makes sense that if a prisoner remains married or receives visits from a spouse frequently, he will be less likely to be involved in prison sex. Common sense frequently is wrong! Participants and nonparticipants do NOT differ on the following variables: 1) perceived likelihood of furlough receipt; 2) furlough eligibility; 3) frequency of furlough receipt; 4) visit frequency; 5) marital status; 6) romantic ties to a person in the community; 7) plans to live with a woman after release.

Another variable that seems as if it should (but actually did not) relate to participation was type of housing. Participants are likely to be housed in any type of living unit arrangement.

A path analytic model was used to test variables that could produce lower levels of participation.

FIGURE 1

Normalization Model

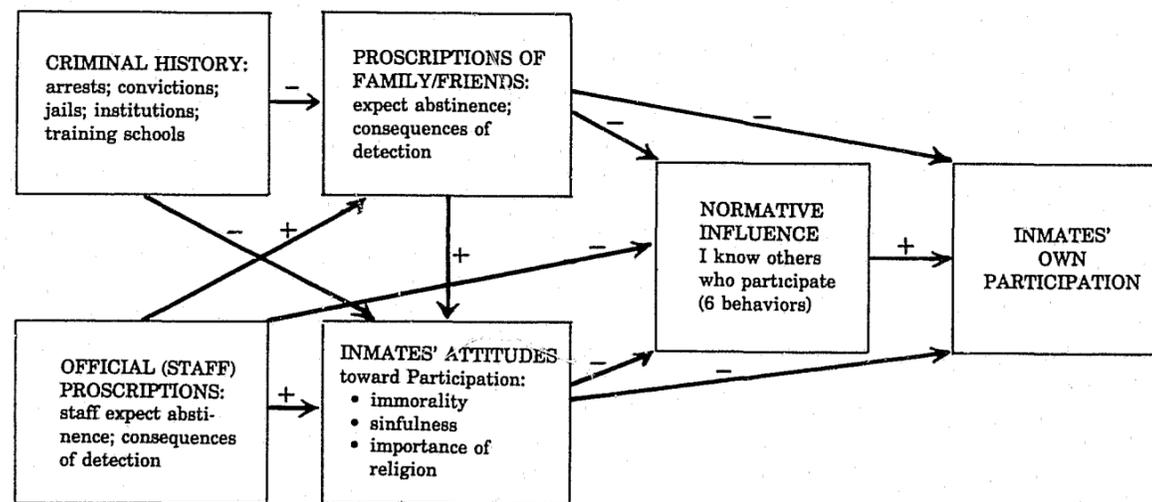


Figure 1 shows significant relationships only—a negative arrow between boxes means that low on one variable goes with high on the other and vice versa—a positive means that high goes with high and low goes with low. For example the negative line between criminal history and inmates' attitudes about the morality of participating indicates that inmates with a more extensive criminal history are less likely to think that participation is immoral. This is an interesting finding because prior criminal history is the *only* variable in the model that is fixed and managers are not able to control. According to the model, homosexual activity among inmates would be lower when inmates' beliefs changed toward: 1) sense of immorality and sinfulness regarding homosexuality; 2) greater concern that friends and family expect the inmate to abstain; 3) greater concern about sanctioning if caught, and 4) greater concern that staff expect inmates to abstain.

Inmates, therefore, need to know the truth about homosexual activity and institutions must be normalized. "Normalization" means that the same norms that check homosexual activity in free communities should check homosexual activity in prisons. An infusion of morality is required: specifically, knowledge that staff do not accept participation and contact with important social others who expect the inmate to abstain from prison sex would reduce homosexual activity in Federal prisons.

Normalization also means officers and inmates working in unison. No one should refer to a man by a female referent like "she" or "her" or with a female nickname. Although this may annoy a male inmate who is psychologically "female," the reference is confusing to many inmates who are struggling with homosexual feelings and who cast about their environment for cues about "normal" behavior. The truth is that most inmates abstain although some inmates undoubtedly profit by promulgating beliefs that the opposite is true. A male inmate is not to be accepted as a female surrogate in any sense for to do this is to invite problems associated with sexual aggression.

2. *Sexual aggression*—by minimizing homosexual activity among inmates, there will be concomitant reductions in sex-related and general aggression. Furthermore, inmates should minimize the cues that establish them as "appropriate" targets. Inmates should know that targets are perceived as effeminate and potential passive participants by their would-be attackers. Physical cues like long hair, or feminine gestures, articulations or clothing are sure to draw attention to an inmate. By all means, inmates should be advised to not disclose any prohomosexual attitudes to their peers. Similarly, inmates should avoid

any of the trappings that suggest that they may be interested in a sexual liaison (e.g., magazines or publications that contain explicit depictions of homosexual acts or circulars or newsletters advocating homosexual acts). Inmates should avoid places that are difficult for staff to supervise and their approach to handling interpersonal conflicts should be nonviolent but assertive.

B. Officers

1. *Officer awareness of the problem and personal sentiments*—The data reveal where staff interventions would be useful. Officers should be empathetic, satisfied with the routine aspects of their jobs and have accurate information about inmate sexual activities. But how do you accomplish all of this? A captain or lieutenant can order the officers to be considerate and caring, but this would not be likely to produce a genuine change in officers' attitudes. A prison system could retain "empathy trainers" but that is expensive, programs usually last only a few days and the results if they are positive may be short lived. Furthermore, too much of a good thing (empathy) may be counterindicated in some prison settings—the potential for the corruption of employees increases as the line separating personal and professional relationships becomes unclear.

A reasonable alternative is open discussion about, and dissemination of literature regarding homosexual activity and sexual aggression. It is when the officers are free to construct their own theories about inmate sexuality that problems can develop. Hence, widespread distribution of this document is needed. Furthermore, this paper is a condensation of a much longer version; the original contains an introductory section with a complete discussion about the pressures on inmates to participate in homosexual acts. That portion of the complete document should be distributed widely too.

This document could easily be incorporated into annual correctional training held at each prison. Institution training coordinators are urged to borrow liberally from this document if they develop a lecture for that purpose.

Changes that lead to job enrichment like alternating duty assignments and greater personal responsibility would be helpful, too.

2. *Officer as giver of advice*—The recent change to "functional units" has produced more frequent contact between staff and inmates and consequently staff are in an excellent position to influence inmate behavior. The results of analyses reported earlier reveal that inmate sexual behavior is influenced greatly by what inmates think staff expect them to

do! Staff should communicate with inmates about many of the issues discussed in this pamphlet.

To maximize the value of the communication, staff should be aware of the participant, target, and aggressor profiles. They should also know the salient features of assaults as well. Officers' actual ignorance about one critical cue aggressors use for selecting targets (newness to the institution) was highlighted earlier. In this regard, staff training has already informed over a thousand new correctional workers about data in this document in their special one hour lecture devoted to the topic of sexual behavior in prisons. Part of the information from that lecture is contained in the passage following.

3. Basic training material on how to manage pressuring situations. There is no good solution to the sex pressure situation. Only when danger is imminent and information about the situation is accurate can the officer take firm action with the knowledge that he has managed the situation correctly. In that case, of course, inmates should be separated, segregated and an investigation initiated. But more likely, the information the officer has is fuzzy and he must rely on intuition. The officer may have reason to dispute the "target's" claim that someone is pressuring him. Perhaps the inmate has cried wolf before and there is good reason to suspect he wants an individual cell for privacy or comfort, not for safety. Frequently, inmates will not divulge who their pressurers are (if they will discuss the event with an officer at all). In either case, any actions must be taken discretely. If an inmate's move to another cell or change in job assignment seems appropriate, this must be done without drawing attention to the inmate or he will be labeled a "snitch." As a general rule, any movement should be designed to add distance between pressurers and targets and to gain better supervision for both or either.

The target should be told what his options are, and what the cues are that produce the impression that he is "suitable" for targeting. *Under no circumstances should any Federal employee ever advise an inmate to arm for combat.* This constitutes a callous rejection of staffs' responsibility to manage their institutions.

In the event that a "pressure" attempt is interrupted, the officer should know that this is potentially the most dangerous conflict in prisons. An analysis of recorded pressure and rape events among Federal inmates by Nacci, Saylor, Kane, McGrory, and Blackwell (1979) revealed that: pressure cases involve the use of weapons, damage to either or both inmates and are frequently one-on-one attacks. (Rapes, by contrast, tend to involve multiple assailants and single victims, frequently there is no physical damage out-

side of the rape itself, and weapons are not likely to be used.)

C. *Programs*—The two most frequently discussed "programs" for reducing homosexual activity and sexual aggression are conjugal visitations (a variation is the unescorted furlough or family visit), and segregation of known or suspected homosexual inmates from known or suspected aggressor inmates. The Federal system operates an unescorted furlough program for inmates who qualify, but does not provide for institutional visits where inmates are permitted to have sex.

1. Family visits and furloughs—There are clear benefits to be derived from family visits and furloughs, but reduced sexual aggression and homosexual activity among inmates is not one of them. Participants did not differ from nonparticipants on the survey items that relate to romantic ties to someone in the community, marital status, or reception or likely reception of visits or furloughs. Programs that permit occasional sexual gratification are not supported by these findings, hence it is impossible to maintain the hypothesis that sexual gratification with someone in (or from) the free community would be likely to keep inmates from participating in homosexual acts while in prisons. These same kinds of programs would not affect sexual assault rates either because the act serves power and not sexual motivations.

2. Institution segregation — It would be futile to systematically separate known or suspected homosexual inmates from other inmates if the goal is reduced homosexual activity. Anyone can be a participant and furthermore, the state of the art techniques for identifying these actors do not warrant great confidence. Most likely, pulling out the "homosexuals" places greater pressure on other inmates who might be marginally inclined to participate or who may have participated before to become actively involved. Finally, administrative experience and the written record on inmate misconduct clearly indicate that sexual liaisons can occur any time and anywhere. It would therefore be unrealistic to ask staff, in effect, to operate several mini-prisons within a prison where inmates would have to be kept not only from escaping into the free world but also from escaping into the other "prisons" in the prison!

It would also be unwise to systematically segregate the known or suspected aggressors from the known or suspected targets. Many of the same problems mentioned above also apply here but in addition there is the problem of misclassification (placing a lamb in with the wolves or vice versa). Misclassification could also bring about a "self-fulfilling prophecy" where inmates come to match the expected behavior

of other inmates—because they are in a particular unit. Furthermore, the data reveal no association between time of day and sexual assaults and so unless there is total segregation assaults can still occur.

In some cases, because of a myriad of specific problems, there may be no way *but* to separate out the targets and to try to protect them. Lockwood reports that this is only a stopgap measure and that it has been applied in New York State facilities like Cox-sackie and Attica. Unfortunately, this is not a very good solution to problems of sexual assault, for as Lockwood pointed out, 28 problems of inmates in a random sample were assaulted; the rate of assault among men in the protected "weak companies" was much higher.

The inherent value of internal segregation for the Federal System, if a particular warden elects to separate inmates along some of these dimensions, is in the message that it undoubtedly communicates to staff and inmates—namely that sexual aggression and/or homosexual activity will not be tolerated—and consequently, we do not rule out the judicious application of the principle.

The need to know—What will pay dividends will be improvements in documenting presumed motives for assaults occurring in Federal prisons. All assaults should be reported to a central location and, following the investigation at the institution, assaults should be aggregated according to presumptions in-

vestigators made about the assailant's motives. As a post hoc analysis of the system's archive revealed, the rate of "known" sexual assaults in the system is about 2 per month. Assuming continuity in procedures for investigating and reporting assaults, the ratio of known to unknown sexual assaults should be constant and hence, if the rate begins to climb, it will be time to re-evaluate parts of the prison system with techniques and tools developed for this study. Other researchers will find it easy to replicate this Federal study; the procedures and calculations were carefully documented. Managers now have a yardstick they can use to interpret their findings.

BIBLIOGRAPHY

- Bartollas, C., Miller, S. J. and Dinitz, S. The 'booty bandit': a social role in a juvenile institution. *Journal of Homosexuality*, Vol. 1 (2), 1974, 203-212.
- Davis, A. J. Sexual assaults in the Philadelphia Prison System and sheriff's vans. *Transaction*, 1968, 8-16.
- Kane, T.R., Janus, M.A., and Vanyur, J.M. Actuarial data on inmate violence in the Federal Prison System. Unpublished manuscript, U.S. Federal Prison System, Office of Research, Washington, D.C., 1981.
- Lockwood, Dan. *Prison Sexual Violence*. Elsevier: New York, 1980.
- Nacci, P. L. and Kane, T.R. The incidence of sex and sexual aggression in federal prisons. *Federal Probation*, December, 1983.
- Nacci, P.L., Saylor, W. G., Kane, T. R., McGrory, C. A. and Blackwell, L. An analysis of sex related aggression in the Federal Prison System: The archives. Unpublished manuscript U.S. Federal Prison System, Office of Research, Washington, D.C., 1979.
- Reiss, I. L. *The Social Context of Premarital Sexual Permissiveness*. New York: Holt, Rinehart & Winston, 1967.