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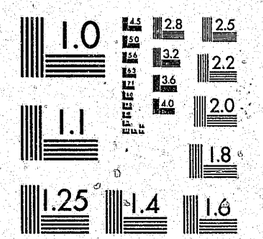

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National Institute of Justice | *Issues and Practices*

The Special Management Inmate

- Who is the Special Management Inmate?
- How many such inmates are there in the medium- or maximum-security prison?
- Which kinds of Special Management Inmates present the most serious management problems?
- What choices must be made in designing programs and facilities for these inmates?

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- Providing better and more cost-effective methods for managing the criminal justice system
- Assessing the impact of probation and parole on subsequent criminal behavior
- Enhancing Federal, State, and local cooperation in crime control

James K. Stewart
Director

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U.S. Department of Justice
National Institute of Justice

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The Special Management Inmate

by
Richard A. McGee
George Warner
Nora Harlow

March 1985

Issues and Practices in Criminal Justice is a publication series of the National Institute of Justice. Designed for the criminal justice professional, each *Issues and Practices* report presents the program options and management issues in a topic area, based on a review of research and evaluation findings, operational experience, and expert opinion in the subject. The intent is to provide criminal justice managers and administrators with the information to make informed choices in planning, implementing and improving programs and practice.

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The following individuals provided information and assistance in the conduct of this study:

Advisory Panel

Fred A. Butterworth
Deputy Commissioner
Massachusetts Department of Corrections
Boston, Massachusetts

Herman G. (Gus) Moeller
Professor Emeritus
East Carolina University
Greenville, North Carolina

Don M. Gottfredson
Dean
School of Criminal Justice
Rutgers University
Newark, New Jersey

E. Kim Nelson
Professor
School of Public Administration
University of Southern California
Sacramento, California

W. Walter Menninger
The Menninger Foundation
Topeka, Kansas

Program Monitor

Tom Albrecht
National Institute of Justice
Washington, D.C.

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George Warner, Acting Project Director
Nora Harlow, Research Associate

Institutions visited on-site:

Auburn Correctional Facility, Auburn, N.Y.; California Medical Facility, Vacaville, Calif.; California Mens Colony, San Luis Obispo, Calif.; Center for Forensic Psychiatry, Ann Arbor, Mich.; Central Correctional Institution, Columbia, S.C.; Federal Correctional Institution, Butner, N.C.; Huron Valley Men's Facility, Ypsilanti, Mich.; Kirkland Correctional Institution, Columbia, S.C.; Massachusetts Correctional Institution, Norfolk, Mass.; Massachusetts Correctional Institution, Walpole, Mass.; Maximum Security Center, Columbia, S.C.; Oregon State Correctional Institution, Salem, Ore.; Oregon State Prison, Salem, Ore.; Riverside Correctional Facility, Ionia, Mich.

ABSTRACT

This volume reports on a nationwide study of issues and practices in dealing with the Special Management Inmate. Results of a questionnaire sent to 105 state and federal medium- and maximum-security institutions are summarized, revealing a general profile of staffing, staff training, crowding, ways of identifying special needs inmates, programs for special inmates and how they differ from the general population, and legal constraints on the management of special groups.

Three chapters address the major issues and management responses to three categories of special inmate: the vulnerable (those often found in protective custody); the troublemaker (those often in administrative segregation or disciplinary detention); and the mentally abnormal (both the mentally ill and the retarded). Strategies for minimizing the use of segregation in each case are described.

A final chapter suggests major directions in which the management of special inmates is likely to move in the next five or ten years. These include: the creation of more specialized settings; more program-relevant classification; more training for staff in specialized units; and greater sharing of information and programs between and among prison systems.

An annotated bibliography is appended.

EXECUTIVE SUMMARY

This study sought to identify issues and practices related to the handling of Special Management Inmates --those prisoners who, though few in number, consume a disproportionate share of the human and physical resources of the prison system.

The focus of the study and of the report is on three general categories of Special Management Inmate, each with different needs: that rapidly growing group of inmates who require additional protection in order to survive in the prison setting; those inmates who must be subjected to additional restraints in order to protect other inmates, staff, or the security of the institution; and those inmates who, because of emotional or mental problems or retardation, cannot function in the general population without assistance or need professional treatment or medication.

Questionnaires were sent to 51 directors or commissioners of corrections and to 105 managers of medium- and maximum-security correctional institutions. Information on 63 of these facilities and their systems was used both to gain a nationwide perspective of issues and practices and to identify institutions for on-site study.

Fourteen institutions were selected for site visits, and project staff spent up to three days at each, talking to management, staff, and inmates and observing programs in operation. These 14 sites are not necessarily representative of nationwide practice; nor are they necessarily the most innovative or progressive in their handling of Special Management Inmates. They do represent a good mix of institution size, geographic location, management style, and correctional philosophy. Similarities in their experiences suggest that they are dealing with common problems.

The report emphasizes both programs for inmates in segregation and ways of minimizing segregation of special needs inmates. Our concern is with management strategies and general program operations rather than specific policies or procedures. The latter vary so widely, and are so dependent on local resources, laws, and management goals, that no general prescriptions would be useful even if they could be developed.

The purpose of the report is to share the experiences of state and federal institutions with the Special Management Inmate, and to suggest general directions in which the field may be starting to move. Neither the study nor the report was designed to be "the last word" on the management of special inmates. The study was exploratory, and the report reflects current and emerging practices in the field.

Major Themes

Although our study sample was not designed to be representative of the nation's prisons as a whole, the size of the Special Management Inmate population in these facilities was surprising. When we began this study, we assumed that perhaps 15 percent of all inmates would fall into one or more of our categories of Special Management Inmate. Yet the survey produced a figure twice this high: close to 30 percent of state and federal inmates in this sample were classed by management as needing special treatment, special protection, or special controls.

The inmate "troublemaker" was most numerous, but ranked second to the psychotic inmate in the management problems he presents. These two groups were followed in seriousness by the mentally unstable, vulnerable personalities, escape risks, inmates with a history of assaults on staff, and witnesses and informers.

The lack of psychiatric or mental health staff (the smallest staff group in our survey sample), the inadequacy of in-prison treatment facilities, and the difficulty in transferring inmates for specialized care probably contributed to the perceived seriousness of the problems presented by the mentally ill. Some prison systems have their own psychiatric units or facilities, and a few have good working relationships with state or local mental hospitals. But too many are struggling to meet the most basic needs of these

special inmates with the limited resources of the correctional institution.

Other common problems involve the provision of programs to segregated inmates --now increasingly required by courts and correctional standards-- and the due process requirements surrounding transfers, segregation decisions, and changes in custody level. In addition, half of our sample of institutions are overcrowded.

Well over half our sample have no special programs for segregated inmates, although most use various strategies to minimize the need for segregation of Special Management Inmates. For example, vulnerable inmates in some institutions are protected primarily by modifying supervision patterns or controlling activities that lead to victimization --gambling, weapons, transferable tokens or available cash, and the accumulation of personal property. Staff-inmate communication is stressed as a means of anticipating and heading off problems that otherwise might escalate into a need for segregation. Incentive systems also are effective in some institutions in reducing idleness and minimizing troublesome behavior. Staff are trained in alternatives to disciplinary reports and in identifying and counseling or referring inmates with emotional problems. Some inmates are even involved in crisis recognition and prevention.

In addition to these more informal measures for reducing reliance on segregation, there are several broad trends that augur well for the management of troublesome, vulnerable, or mentally abnormal inmates:

- More specialized settings --Specialized units or facilities allow inmates who cannot function in the general population to be maintained in settings that resemble mainline living. One institution we visited consists of four semi-autonomous quads that allow complete separation of the different types of inmates assigned to them. There also are specialized facilities for the long-term management of mentally ill or disruptive inmates, and entire institutions are maintained as "safe houses" for the vulnerable. Any prison system that can support more than one medium- to maximum-security facility for the adult male offender would do well to provide more than one kind of prison environment.

- More purposeful classification --The availability of diversified subsettings implies a good classification system and regular reclassification to move inmates from one specialized setting to another or from specialized settings back to the mainline. Where more variety in placements is available, there must be more purposeful or program-relevant classification.

- Transitional programs --Whether halfway in or halfway out, transitional programs are increasingly common adjuncts to segregated housing for special inmates. Some of these programs avoid the total separation of conventional segregation by establishing protected but not isolated settings for less serious cases. Others smooth the transition from long-term lockup or acute care by preparing formerly segregated inmates for return to the mainline.

- More targeted staff training --Staff who work in housing units for the Special Management Inmate can benefit from additional training to prepare them for the specialized demands that work in these units can impose. Special training for staff in general population units also can help to reduce the number of inmates who must be placed in segregation. Crisis intervention, human behavior, interpersonal communication, and recognition and referral of inmates displaying abnormal behavior are especially important training topics.

- Increased sharing of information and resources --Prison systems nationwide are grappling with the problems of housing, protecting, treating, and programming inmates with special needs. Interjurisdictional cooperation can work to the benefit of all. Increased use of interstate transfers, regional special-purpose facilities, and greater sharing of information on successful management strategies are especially promising.

CHAPTER 1: OVERVIEW

"You have three choices," said the prison administrator when asked how the Special Management Inmate should be handled. "You can pitch your program to the majority of inmates, in which case the needs of special groups will not be met. You can tailor your efforts to the minority of special inmates, which means that the majority will suffer. Or you can run two separate programs."

Many prisons today are running two or more separate programs for the Special Management Inmate. In addition to the general population there are at least three major categories of special inmate, each with different needs:

- The vulnerable --that rapidly growing group of inmates requiring some form of protection in order to survive in the prison setting;
- The troublemaker --those who must be subjected to additional restraints in order to protect other inmates, staff, or the security of the institution;
- The mentally abnormal --those who, because of emotional or mental problems or retardation, cannot function in the general population without assistance or need professional treatment and medication.

Simply in being atypical, the Special Management Inmate poses problems for the prison administration. Prisons must handle large numbers of people in standardized ways if they are to stay within their budgets and if equity issues are not to be raised.

The needs of special inmate groups also may compete directly with those of the general population --efforts to meet the needs of special groups may have costs for the majority of

prisoners, even if these are only "opportunity costs" of programs or services that otherwise could have been provided. Prison administrators must decide just how much attention will be paid to special needs and problems.

WHO IS THE SPECIAL MANAGEMENT INMATE?

The term Special Management Inmate generally is applied to those inmates in segregated housing --that is, in disciplinary detention, administrative segregation, or protective custody. As we use the term here, however, its meaning is somewhat broader. Special Management Inmates are those who pose special management problems or require special handling in order to assure their own health and safety, the well-being of others, or the security and order of the institution. They may or may not be in segregated housing, but they tend to absorb a disproportionate share of management's time and resources.

Inmates in the first group --those requiring special handling for their own protection-- include inmates whose physical, mental, or personality weaknesses make them likely targets of more aggressive inmates, as well as those whose past actions or behaviors have left them open to revenge. In the former category are the mentally retarded, the passive homosexual, the physically small or effeminate, and the socially inadequate; in the latter are witnesses and informers, former police or former correctional officers, inmates with gambling or narcotics debts, gang dropouts or members in trouble with the gang; and inmates whose crimes are particularly offensive. Especially notorious offenders (those spotlighted by the media) also may need to be protected from inmates hoping to gain some fame of their own through an attack on a prominent individual.

Inmates whose special management needs arise from their threat to the safety of others include those who have committed a specific in-prison offense or rule violation, as well as those who have demonstrated a more general tendency to endanger others or disrupt institutional order. In the latter category are habitual troublemakers, racial agitators, gang leaders, traffickers in drugs or other contraband, sexual aggressors, inmates with a history of assault or possession of weapons, and high escape risks.

Mentally ill or abnormal inmates may be found in either of the above categories, since they often are victimized by other inmates and their mental or emotional problems may lead them to threaten others. But even if they do not endanger themselves or others, those with mental problems may require special treatment if they are to function in the general population, and at least for short periods they may need to be separated from the mainline.

THE SEGREGATION DILEMMA

Segregation is a common response to the problems presented by the Special Management Inmate. Whether for punishment, for treatment, or for their own or others' safety, those who present special problems commonly are handled separately from the general population. The separation of special inmates may simplify their management and minimize their impact on the general population. In the short run at least, segregation seems to benefit everyone.

But segregation itself can be a source of problems for the prison administration. First, separate handling is costly --not only do staffing ratios tend to be higher in segregated housing, but special line movements, separate feeding and exercising, increased security measures, and the like add directly to the costs of running the institution. Based on staff costs alone, it has been estimated that segregation is seven times as expensive as a general population unit.[1]

Separate handling of special groups also tends to deprive the general population. The operation of segregated housing has opportunity costs in terms of increased security, programs, or amenities that otherwise could have been provided on the mainline. And the need to restrict the general population while segregated inmates are moved or afforded special access inconveniences the majority of inmates for a few.

Recent judicial developments add new costs to the decision to segregate the Special Management Inmate. The current trend, at least for certain classes of segregated inmate, is to require conditions and services essentially equal to those available in population.[2] In most prisons this great-

ly complicates the management of both mainline and segregated populations, who often must share facilities without coming into contact with one another. Generally also, this places further strains on the prison budget.

These costs may be acceptable where the number of special inmates is small. But in most jurisdictions today, all three categories of special inmate seem to be increasing. The shift in mental health policy to one of more open institutions and greater reliance on community treatment has been blamed for the rise in mentally ill inmates in recent years.[3] The growth of the drug culture, increased gang activity in prisons, and prosecutor and police practices that make heavy use of informers are said to contribute to the vulnerability of certain classes of inmate within the prison population.[4] The influx of younger, more violent offenders into crowded institutions where traditional forms of discipline are breaking down is seen as responsible for the increase in rule-breaking and criminal behavior.[5]

Whatever the reasons, prison administrators throughout the country report that the proportion of inmates needing special handling is increasing, and that existing facilities for the segregation of these inmates are inadequate to meet current and future needs.

In most jurisdictions, the dilemma remains: How can the need to segregate the dangerous and vulnerable in the interest of order and safety be reconciled with the desirability of mainlining special categories to both reduce disparities and optimize resource use?

THE HIGH COSTS OF LABELING

Prison managers must identify the special inmate if his needs and those of the institution in general are to be met. But in so doing they invoke a phenomenon commonly associated with labeling in other areas: The act of naming the problem often makes it worse.

Inmates assigned to protective custody present the most obvious example. Once officially labeled as unable to protect themselves, or confirmed in their status as "faggot" or "snitch," many inmates find it difficult or impossible to return to the mainline. For most prisons the result is a growing population of inmates in protective custody and a continual search for suitable housing for them.

Labeling has similar costs for other special inmate categories. The mentally ill may be seen by staff and other inmates as more "crazy" after a stay at the state mental hospital than before. The individual coming out of disciplinary segregation may find it hard to avoid both further conflicts with other inmates and additional terms in segregation once he has been defined as a troublemaker.

Unfortunately, it is often much easier to have a special label applied than it is to remove it, in part because it is easier to admit an inmate to a special program than it is to send him out again. As the chief psychiatrist of one departmental treatment unit observed, "It takes a phone call to get a man in here and an act of Congress to get him out."

What this means for the prison administrator is that the benefits of special handling, especially when it applies negative labels that are difficult to remove, must be weighed against the costs of special handling. If the problem is not to be perpetuated and magnified, ways must be found to soften the effects of special labels without sacrificing the ability to distinguish those with special needs.

THE CONTEXT OF DECISION-MAKING

It belabors the obvious to say that decisions about the management of special inmates are influenced by forces both within and outside the prison. However, it may be useful to review some of the many constraints on prison administrators as they consider the alternatives in this area. No one is completely free to choose from a menu of policy, procedural, and programmatic options, no matter how promising a given alternative may seem.

The state prison is embedded within a political and bureaucratic system that includes not only the corrections apparatus, but the rest of the state government, from the courts,

legislature, and elected executives to related departments such as mental health and regulatory agencies dealing with finance, personnel, or public works. Decisions made in all of these settings will help to determine what the prison administrator can do in dealing with the Special Management Inmate.

Transfer of mentally ill inmates to state hospitals, for example, depends to a large degree on state laws and the commitment policies of the mental health department. A new staff training program may require the approval of the corrections director, the legislature, and the state personnel office. A plan to alter or move the disciplinary detention unit may run into problems with the law, the courts, or the department of finance.

A few of the more important constraints on decision-making at the institutional level are departmental goals and policy, correctional standards and case law, plant design, budget, institutional role, and institutional "climate."

Departmental Goals and Policy

Any prison administrator must work within parameters set by the corrections department. With respect to the Special Management Inmate, this may mean that procedures such as those governing the operation of segregation units are essentially dictated by policy handed down by the department. In other cases, policy may be phrased to allow variation at the institutional level. For example, in Oregon, where departmental policy permits officers to informally discipline inmates in less serious cases, officers at the Oregon State Correctional Institution are allowed by institutional management to do so, while those at Oregon State Prison are not.

Departmental goals and policies also will determine whether and how easily an inmate may be transferred from one institution to another. Inter-institutional transfers generally must be approved by a departmental classification committee, which takes into account not only the ways in which the department chooses to handle problem inmates, but also a variety of more general considerations involving bed space, staffing, and other resources throughout the department.

Correctional Standards and Case Law

In combination, standards and case law influence prison policy and procedure in many areas affecting segregation. These include not only conditions of confinement, but also the ways an inmate can be placed in and removed from special housing; by whom and how often his status must be reviewed; and how staff assigned to segregation units will be selected, trained, and supervised. Court intervention in disciplinary procedures and housing and programming requirements over the past decade or so, plus the more than 40 standards affecting Special Management Inmates in the American Correctional Association manual alone, suggest the extent to which prison managers are constrained in the handling of these types of inmates.

A prison may be operating under a court order that greatly restricts what management can do. (An injunction occasionally may have the opposite effect, freeing up the system and enabling innovation where change of any kind had been difficult to push through.) But even where no court order is currently in effect, decision-making will usually be influenced by what departmental lawyers believe to be safe and correct.

Disciplinary procedures and conditions have come under the most scrutiny by courts and state legislatures, and restrictions in this area have affected the handling not only of inmate troublemakers, but also of other categories of special inmate. For example, since it is no longer a simple matter to lock up an aggressor for disciplinary purposes, it is now more common to segregate the victim of inmate assault or harassment.[6]

Case law also has tended to require that conditions in protective custody and administrative segregation be demonstrably different from those in the disciplinary unit and/or that they be similar to those provided the general population. ACA and Justice Department standards reflect this orientation,[7] and prison systems hoping to avoid litigation are well advised to heed them.

Standards, court decisions, and state statutes also directly or indirectly limit options in dealing with the Special Management Inmate through their impact on more general prison operations. Restrictions on prison industries,

rulings on the use of force, mechanical restraints, or involuntary medication, constitutional protections affecting search and seizure, even standards governing the handling of inmate grievances, all have implications for the management of special inmate groups.

Plant Design

The physical plant is not the most important limiting factor, since some very good programs have been run out of shockingly inadequate facilities. With good staff, some prison managers claim, virtually anything is possible.

But plant design is an enabling or constraining influence on many aspects of prison life. The existence of several housing units with their own yards and mess halls permits incompatible inmates to be handled safely in the same institution without resort to segregation. California Mens Colony has this capacity; New York's Auburn Correctional Facility does not. The difference in safety, at least as perceived by staff and inmates, can be striking.

Plant design also influences the adequacy of programming for special inmate categories (e.g., whether they can work, how often they can exercise outside) and the amount of inconvenience imposed on the general population by efforts to serve these special groups. Resentment of segregated inmates tends to rise where mainline activities must be regularly restricted to accommodate special needs.

A well-designed, small facility also enables prison management and staff to know inmates well, to anticipate problems before they escalate into crises, to regulate and monitor inmate movement and activities, and to maintain a level and kind of staff-inmate communication that contributes to a positive institutional climate. There is no doubt that plant design is, in all but the most exceptional cases, a critical component of successful handling of Special Management Inmates.

Budget

Fiscal resources available to the institution and the prison system are a fundamental determinant of a manager's options in dealing effectively with special needs. Virtually any

new program or policy will have costs reflected in some line item --costs that will have to be absorbed through cuts in other areas or by increases in the overall budget. Occasionally, a program has been implemented with minimal or no new fiscal costs (as when inmate activity groups meet "after hours" in unused space with volunteer staff supervision), but such opportunities are uncommon. More often, some hard decisions must be made, involving choices between existing programs for one group and new programs for another.

Staff training is an area that is often sacrificed when the budget tightens. More than one corrections department has turned to the training budget for funds to maintain programs or functions considered more critical or to meet more urgent needs. Training is an investment in the future, and fiscal pressures tend to force an orientation, however shortsighted, to the here and now. Ways must be found to protect and even expand funds for training staff who work with Special Management Inmates.

Institutional Role

A great deal depends on the role a particular institution plays in the prison system. If there are no other medium- or maximum-security prisons in the state, there will be no opportunity for an institution to specialize and little opportunity to transfer problem inmates. Where there are two or more institutions, management is likely to have more options in the handling of special groups.

In Oregon, for example, the State Correctional Institution (OSCI) is able to exist as a "sanctuary" for more vulnerable inmates in part because the State Prison (the "big house") is there to accept those individuals who cannot or will not adapt to the relatively open setting of OSCI. In California, with 12 facilities, the Medical Facility at Vacaville is designed to handle the medically and psychiatrically abnormal; Folsom and San Quentin routinely take the "heavier" cases; and the Mens Colony accepts onto its mainline those inmates who elsewhere would have to be locked up for their own safety. The number and variety of facilities within the California system even allows the separation of warring gangs into their "own" institutions.

The ability to transfer inmates from one institution to another can simplify management of both (or all) populations. But once institutional role has been established, it is often difficult to change. Other components of the system come to depend on the institution to perform its accepted function, and an institutional climate develops that tends to perpetuate itself. Management may nudge the institution in one direction or another, as sometimes occurs when a new administrator succeeds in "loosening up" the prison or "tightening it down." But, to some extent, management options are defined --for better or for worse-- by the culture and historical traditions of the institution.

Institutional Climate or Character

There is an undeniable character associated with any prison that is hard to define and even more difficult to control, yet it importantly affects what can be done within the institution. Climate and role are closely, perhaps indistinguishably, related. It is not clear whether certain institutions come to play certain roles because they are suited by climate, or whether a particular character develops as a result of the role the facility plays within the prison system.

Whatever the source of institutional character, most prison administrators acknowledge that some of their most successful policies, procedures, and programs might not work in an institution whose climate does not support them. Few would expect, for example, to create a "safe house" or sanctuary in a strife-torn prison dominated by gangs. The flagrant homosexual or transsexual can walk the mainline only in very special settings. In a medically-oriented facility, the therapeutic atmosphere clearly increases staff and inmate tolerance for abnormal behavior.

ELEMENTS OF AN EFFECTIVE RESPONSE

The problems presented by Special Management Inmates and the approaches taken in dealing with them vary from one institution or prison system to another. Some prison populations include a large number of inmates with mental abnormalities, while others have relatively few. The flight to protective custody is a huge and growing problem in some prisons; in

others, for all practical purposes, protective custody does not exist.

There are, however, some general commonalities among jurisdictions that seem to influence, if not the size of the initial problem, at least how effective the response will be. When asked to explain their success in dealing with special inmate problems, prison managers and staff often list the same few factors: good management, a competent and committed staff, a well-designed physical plant, and something that is variously referred to as an institutional tradition or culture that, even under conditions of overcrowding or high inmate idleness, somehow makes things work.

Good management and a high-quality staff are probably the most important, and each without the other will be frustrated in its efforts to do a good job. In one prison with both, the superintendent and his staff pointed to each other when asked where credit should go for their success in handling the Special Management Inmate.

Plant design is important, but according to some not critical. Prison managers we talked to were divided on the subject, though most felt they could do more if the physical plant allowed it. Certainly the huge, multi-tiered facility, with a single mess hall, no separate yards, and one undifferentiated segregation unit is distinctly disadvantaged in dealing imaginatively with special inmate groups.

Institutional climate, tradition, or culture came up time and again when people were asked what could account for their success, especially in those institutions where segregation is used only sparingly. These facilities, for the most part, were established with the expectation that they would be "a good place to do time," and management, staff, and inmates all work hard to keep it that way. Inmate cooperation, we were told, is critical; peer pressure to work within the rules and to cooperate with staff is what makes it possible to maintain control without obvious restraints or the excessive use of force.

With some oversimplification of a very complex area, our observations suggest that an institution and/or system dealing effectively with the Special Management Inmate is characterized by the following:

- There is room within the prison system for some functional specialization at the institutional level and sufficient cooperation among units to permit inmate transfers in appropriate cases.

- The mission of the individual institution is clear (management has articulated a distinctive purpose for the facility, which is reflected in a coherent body of policies and procedures and a consistent and widely understood set of goals).

- Top management provides strong, clear, but not overbearing leadership of the entire institution.

- Responsibility is delegated (the institution "runs itself" because middle managers are given significant latitude within the areas for which they are responsible).

- Management has sufficient control over staff selection, assignment, training, and discipline to insure competent handling of special-needs inmates.

- Inmate complaints or grievances are heard and dealt with effectively and in a timely fashion; the system is one that inspires their confidence.

- Lines of communication are multiple, varied, and two-way (inmates as well as staff can easily and effectively make themselves heard, and management knows what is going on everywhere in the institution).

- Management and staff visibility on the yard and in inmate housing and work areas is high; staff and inmates talk to each other.

- Incentives and rewards motivate the kinds of behavior (both staff and inmate) that management wants to encourage.

- Rules may be strict and expectations for behavior high, but people are treated fairly and with respect, and management is perceived as caring about those who live and work there.

- A range of disciplinary options is available, and management is flexible enough to devise appropriate punishments in individual cases without excessive

resort to segregation; staff are trained in the use of alternatives to disciplinary reports.

- There are written guidelines for the use of force, mechanical restraints, and medication; formal criteria and procedures for assignment to any kind of segregation; and regular reassessment of status for inmates placed in special categories.

- There are varying levels of structure for inmates who require temporary or transitional control or care.

- Custodial officers are recognized as human service providers and work cooperatively with professional staff, expanding mental health and program resources.

- Inmates are involved in meaningful work and/or other activities --idleness is low.

- Activities that lead to victimization --e.g., contraband, gambling, homosexual behavior-- are controlled.

- Plant design allows for effective supervision of all inmate activities and all areas used by inmates, and vulnerable inmates are not assigned to less supervised areas.

- Institutional climate is relaxed enough to allow some inmate responsibility and self-determination, and some "normalization" of the prison experience, at least to an extent compatible with security and other institutional needs.

In other words, effective handling of the Special Management Inmate assumes effective management of the institution generally, a high-quality staff, and a facility that, if not ideal in physical layout, is at least not totally inadequate or so dilapidated and obsolete in design that nothing but "warehousing" of inmates is possible. It also assumes that the institutional climate or culture is amenable to reasonably normal relationships among inmates and between inmates and staff.

OVERVIEW OF THE REPORT

The remainder of this volume summarizes the findings of a year-long study of programs and policies for the Special Management Inmate. Chapter 2 adopts a nationwide perspective, looking at aggregate information obtained by questionnaire from 63 maximum- or medium-security institutions. This chapter profiles practices, procedures, and problems nationwide, based on a selective sample of state prisons and prison systems.

Chapters 3, 4, and 5 report on programs and procedures observed in 14 of these institutions, and outline the major issues and alternative responses to problems presented by three Special Management Inmate groups: the vulnerable, the disruptive inmate or "troublemaker," and the mentally abnormal. Each of these chapters begins with a brief discussion of several major issues related to the management of these inmate groups. Suggestions then are offered for minimizing the use of segregation in each case, drawn from questionnaire responses and from our on-site observations.

Chapter 6 sets forth some recommendations for policy development and program design, building on information and ideas gained from the literature and from the most promising practices observed in the field.

NOTES TO CHAPTER 1

1. George Sullivan, "Challenge: Abort Protective Custody," unpublished paper, Salem, Oregon State Correctional Institution, 1983.

2. Courts have held that inmates in protective custody must be provided programs and services roughly equivalent to those available on the mainline (e.g., Blaney v. Commissioner, Mass. C.A. No. 43373), and standards for administrative segregation require that conditions of confinement be substantially similar to the general population, with restrictions only for demonstrable security or health reasons. American Correctional Association, Model Correctional Rules and Regulations, College Park, Md., ACA Correctional Law Project, 1979.

3. Rob Wilson, "Who Will Care for the Bad and the Mad?" Corrections Magazine, 6(1):5-17, 1980.

4. American Correctional Association, Protective Custody in Adult Correctional Facilities, College Park, Md., 1983.

5. David C. Anderson, "The Price of Safety: I Can't Go Back Out There," Corrections Magazine, 6(4):6-15, 1980.

6. Ibid.

7. Supra note 2.

CHAPTER 2: A NATIONAL PERSPECTIVE

To obtain a national perspective of the issues and practices related to the Special Management Inmate, we sent questionnaires to over a hundred federal and state penitentiaries and correctional institutions; responses were received from 63.[1]

Responses came from all major regions of the country, from multi-facility systems and those with only one high-security institution, and from institutions ranging in capacity from less than a hundred to several thousand inmates. Most of the inmates in these facilities were classed as medium or maximum in custody level. As a group, these institutions represent a total rated capacity of close to 70,000 beds, with an inmate count of 75,000.

This chapter briefly summarizes the major findings of our survey. While responding institutions may not be representative of the nation's prisons as a whole, their responses do provide a broader context for the programs described in Chapters 3, 4, and 5.

GENERAL INFORMATION

Crowding

Half of the responding institutions were over capacity, and all of these were state institutions. Crowding ranged from a low of 100.1 percent of capacity to a high of 210 percent. About one-quarter of the overcrowded institutions were operating at between 100 and 120 percent of capacity, and one-fifth were between 120 and 180 percent of capacity. Two institutions were above 180 percent of their rated capacities.

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Staffing

In these institutions, custodial staff are the most numerous (15,700), followed by professional and technical staff (2,000) and medical staff other than mental health (1,200). Mental health staff comprised the smallest category (430), with administrative staff the next smallest (625). There were 1,600 staff classed as "other."

Staff in Specialized Units

In the majority of these institutions, staff in units housing Special Management Inmates reportedly receive some special training, although this may not go much beyond informal training on the job. Examples of special training provided to these employees are: use of force, handling of psychiatric and mentally deficient inmates, behavioral psychology, first aid, use of chemical agents, policies and procedures related to special inmates, suicide prevention, crisis intervention, inmates' legal rights, self-defense, communications skills, stress management, reality therapy, behavior modification, and the uses and effects of psychotropic medications. Several respondents mentioned that they currently meet or are attempting to meet the American Correctional Association standard of 40 hours of training per year.

Close to half of the responding institutions reported that they have a formal system for staff selection for work in special housing units that takes into account such factors as personality, emotional stability, and special training. Of those responding that no formal system is used, most reported that these positions, like others in the facility, are entitled bid positions that are largely outside the control of management. Others said that these positions are simply filled by the warden or the shift commander as they become vacant.

More than half of these institutions reported that they have a formal system for moving staff in and out of special housing units. Time on the job before rotation ranged from three months to two years, with most movement occurring at either six months or one year. Some move staff out at their own request or when job stress becomes apparent to management.

INMATES IN SPECIAL CATEGORIES

The total number of inmates reported as falling into one or more of our categories of Special Management Inmate -- whether or not they are in special housing units-- was close to 22,000. This means that almost 30 percent of inmates in this nationwide sample are considered by prison managers to require special protection, special controls, or special professional treatment.

By far the largest general category is the inmate who presents a threat to the peace and order of the institution. Such inmates include habitual troublemakers, in-prison "hijackers", gang leaders, traffickers in drugs or alcohol, sexual aggressors, inmates with a history of assaults on staff, hostage takers, and high escape risks. Inmates requiring special professional treatment (the mentally ill or medically disabled) and those requiring protection (witnesses and informers, the retarded, former police officers, and those with debts or in trouble with gangs) were much less of a problem, at least numerically.

Severity of Problems Presented

Interestingly, the numbers of inmates in each special category did not always correspond with the severity of the problems they presented for management. While troublemakers and dangerous inmates were the most numerous, the group perceived as presenting the most serious problems for the institution was the psychotic inmate. As shown in Table 1, this group was more often seen as a serious management problem than any other category of Special Management Inmate. Psychotics were followed by habitual troublemakers or "group disturbers," the mentally unstable, vulnerable personalities, escape risks, inmates with a history of assaults on staff, and witnesses and informers.

Within the general category of inmates representing a threat to institutional order, the habitual troublemaker is considered the most serious problem, followed by escape risks, inmates who assault staff, inmates with a history of stabbings, and racial agitators.

Within the general category of inmates requiring special protection, first place is taken by the vulnerable person-

TABLE 1: SEVERITY OF PROBLEMS FOR MANAGEMENT
Categories and Subcategories of Special Management Inmate

	# Insts. Rating Category*		
	A	B	C
Threats to Institutional Order			
Habitual troublemakers/ group disturbers	37	13	1
In-prison "hijackers"	29	13	7
Racial agitators	30	12	4
Gang leaders/members	21	13	4
Drug/alcohol traffickers	29	18	2
Sexual aggressors	26	19	4
Active homosexuals	16	25	7
History of stabbings	31	12	4
History of weapons	24	21	4
Hostage takers	20	6	8
Escape risks	33	12	4
Assaults on staff	32	9	6
Other	16	6	3
Inmates Requiring Protection			
Witnesses/informers	32	14	9
Severely retarded	17	11	6
Vulnerable personality	33	16	6
Gambling/narcotics debts	21	24	6
Former police officers	11	11	8
Gang dropouts	22	12	3
Other	15	19	3
Inmates Requiring Professional Care			
Psychotics	42	12	9
Former mental patients	29	16	12
Mentally unstable	35	11	4
Medically disabled	14	16	20

*A = most serious problem; B = average; C = least serious

ality, but the witness/informer received almost as many mentions. Gang dropouts and inmates with gambling or narcotics debts were the next most often mentioned. The severely retarded[2] and former police officers are less often seen as presenting serious problems.

Within the general category of inmates requiring special professional treatment, the most serious is the psychotic, followed by the mentally unstable and the former mental patient. The medically disabled were much less often rated as serious management problems.

Provisions for Transfer

Almost all responding institutions have transfer alternatives available to them, such as mental hospitals, general hospitals, or acute care facilities within the corrections department. Three institutions reported that they are the facility to which inmates are transferred for professional treatment. Of those that reported transfer alternatives, more than half used local, state, or a combination of local and state hospitals, and the remainder relied primarily on departmental resources --a unit in the same or another institution or a special departmental treatment facility.

Several respondents commented that transfer to specialized facilities was difficult, even though procedures for it exist. Lack of bed space, both in departmental units and in outside hospitals, limits the number of even acute psychotics who can be treated, and state laws and hospital commitment policies restrict or slow down transfers.

IDENTIFYING THE SPECIAL MANAGEMENT INMATE

The most frequently reported sources of information for identifying the Special Management Inmate are staff observations, psychological evaluations, initial interviews by classification personnel, prior prison records, and inmate requests for help.

Other sources of information were arrest, presentence, and probation reports, medical examinations, diagnostic unit reports, disciplinary reports, and informers.

Who Makes the Decision?

The official decision that results in segregation or other special treatment is made most often by the classification committee or the warden. Next most frequent is the associate warden, followed by the disciplinary committee, the chief psychiatrist, and the watch commander.

The classification committee and the warden also are the most common sources of decisions to remove an inmate from any special status. The classification committee in this case was more often mentioned than the warden, suggesting that inmates placed in segregation or other special statuses by the warden often must be removed from that status by the classification committee.

Almost all respondents said that a written procedure for removal of inmates from special statuses did exist.

Frequency of Review

In over half of all institutions the classification committee reviews the cases of Special Management Inmates anywhere from every three days to every six months. Monthly review by the classification committee was most common, although institutions reported reviews at 45, 60, 90, or 120 days. Several institutions said they review on a variable schedule; e.g., weekly for the first two months, then every 90 days.

DEALING WITH THE SPECIAL MANAGEMENT INMATE

Capacity and Count in Special Units

There are many different arrangements for housing Special Management Inmates. Some institutions have separate units for disciplinary detention, protective custody, and administrative segregation; others house two or more of these groups together. Some very secure facilities holding problem inmates from other institutions house these "special" inmates in the general population. This variability complicates analysis of capacity and count in special units.

From the analyses that could be completed, counts were not over capacity for the total sample of 63 institutions in any instance. However, in 19 of these institutions disciplinary units were at or over their rated capacity. Twenty-one protective custody units were full or overcrowded, as were 18 administrative segregation units and 19 psychiatric units.

Clearly, the problem of crowded segregation units is not uniform throughout this nationwide sample. If the capacities of the total group are slightly underutilized, units in quite a few institutions are full or overflowing.

Programming for Segregated Inmates

Respondents were asked to indicate how various kinds of programming for Special Management Inmates compared with that for the general population (GP). A five-point rating scale was used to rate ten aspects of institutional programming for three categories of Special Management Inmate:

1 = the category is precluded from the function
2 = significantly restricted
3 = somewhat restricted as compared with GP
4 = same as GP but separate
5 = same as GP

Table 2 shows the number of respondents who assigned each function the rating indicated. For all three categories, the most often precluded program was vocational education, followed by work assignments. Some institutions, however, do manage to provide work and/or vocational education opportunities for inmates in these categories.

The programs most often significantly restricted (but not precluded) are housing and recreation for both the mentally ill and management problems, and housing and work for protection cases. Visits are somewhat restricted for the mentally ill, while academic education and recreation are most often somewhat restricted for both inmates in protective custody and those who are classed as management problems.

Food service and mail were most often mentioned as separate but equal to the general population. Those functions most often listed as the same as general population were tele-

TABLE 2: PROGRAMMING FOR SEGREGATED INMATES
Comparisons with General Population

	Mentally Ill Cases					Protection Cases					Management Problem Cases				
	1	2	3	4	5	1	2	3	4	5	1	2	3	4	5
Housing	2	26	10	12	8	1	29	11	16	4	3	34	7	7	8
Voc. Ed.	25	12	6	0	11	32	13	7	2	5	30	13	3	0	11
Acad. Ed.	13	11	13	7	11	6	16	21	10	7	10	16	16	6	10
Work	21	13	12	2	8	17	28	8	6	2	22	22	6	2	7
Food	2	6	6	22	20	3	5	6	34	14	1	7	7	24	20
Mail	0	1	3	13	28	0	1	3	23	34	1	2	4	11	41
Visits	0	5	17	10	25	0	7	18	13	24	2	14	7	4	23
T.V.	8	6	8	7	29	8	8	10	5	30	15	9	7	4	23
Recreation	1	15	19	9	12	0	22	22	13	4	2	27	14	5	11
Parole	1	5	6	5	35	0	2	3	6	45	2	16	8	3	25
Other	0	0	0	0	2	1	1	0	2	3	2	1	1	0	0

NOTE: Figures refer to the number of respondents who assigned each function the particular rating in the columns 1 - 5. For example, two respondents said mentally ill inmates are "precluded" from housing, while 25 preclude them from vocational education. In eight institutions the mentally ill are housed the same as the general population.

vision privileges, mail, and discharge or parole decisions (e.g., good time accumulation or forfeiture).

Innovative Programs for Segregated Inmates

Less than half of reporting institutions had programs they felt were worth sharing with others. Program descriptions clustered around several themes: special units that allow more programming than is generally available in segregation; incentive programs, usually based on progressive responsibilities and privileges; special arrangements for work assignments; and transitional units that partially remove inmates from population or reintroduce them slowly to the mainline.

The federal prison system operates "control units" to separate the most assaultive and dangerous inmates without unduly restricting their programming opportunities. Inmates assigned to these especially secure units are provided education, work assignments, industry jobs with pay and good time credits, recreation (including outdoor and group if requested), and counseling, as well as the usual food, visiting, mail, and medical services.

Special units also are provided for mental health and protective custody cases. Separation of inmates needing protection allows normal recreation, work, and training opportunities for this typically isolated group. The chronically mentally ill and the retarded also may benefit from separation into a special unit if this means that conditions resembling life on the mainline can be maintained. Several institutions reported units of this kind.

Transitional programs were described by a number of respondents. These programs, which may be for any of our categories of Special Management Inmate, offer semi-segregation or modified mainline housing either for inmates whose problems are less severe or as a decompression setting for inmates returning from hospitals or segregation units. One institution reported a special intermediate treatment unit providing psychiatric monitoring and close custody supervision for inmates returning from psychiatric lockdown to general population status. Another has a special unit for protective custody cases from any institution in the state that monitors inmates' progress and tries to place them in general population settings. A third reported a

transitional unit for the marginally functional who do not fit any of the categories handled by specialized units or facilities but who need temporary protection as well as some form of counseling or social skill-building to help them function on the mainline. One institution described a transitional unit for inmates returning from long-term disciplinary or administrative segregation.

Another form of transitional program also was reported -- conditional release to the mainline. Segregated inmates who exhibit good behavior may apply for probationary release to the general population for a specified period of time. Inmates in protective custody also may "get their feet wet" by going out to the mainline during the day to participate in school or other programs.

Incentive programs also were reported. Time reduction for good behavior in segregation (including mid-point release for "excellent" behavior) is one used by several institutions. Other institutions use a system of progressive levels for segregated inmates, with incentives to advance from one level to the next.

Miscellaneous interesting programs included institutional maintenance jobs (mainly laundry) and industry (including one in a trailer, another in a protected basement area) for inmates in protective custody; sheltered workshops for the mentally retarded and the mentally ill; "home-bound" education courses for protection cases and for inmates in the psychiatric unit; stress reduction and relaxation training for protective custody inmates; and temporary placement in administrative segregation to give inmates requesting protection a chance to decide whether segregation is desirable.

Alternatives to Segregation

Transfer was the most common alternative to segregation of the problem inmate. A majority of institutions reported using this alternative. Sharing second place were increased surveillance and support counseling.

Special work assignments are used in half of the reporting institutions, and one-third reported using loss of privileges, staff intervention, clubs, monitoring systems, medical control, physical restraints (especially upper-body

restraints that do not immobilize), and intermediate care or semi-segregation. Progressive housing or level systems for the general population also are used to discourage behaviors that might otherwise lead to segregation.

LEGAL CONSTRAINTS ON MANAGEMENT OF SPECIAL INMATES

A final question asked respondents to indicate whether court decisions had affected management's ability to deal effectively with special inmates. About one-third reported that court decisions had had "no real impact," half reported "moderate constraints," and a small but significant minority said that legal constraints had "severely limited" their ability to manage problem inmates.

One respondent said that, rather than constraining management, court decisions had "helped to break archaic traditions without the administration's having to be the bad guy." Another noted that implementation problems are resolved at the departmental level so no particular difficulties had been experienced by institution management.

The two most commonly mentioned areas in which problems have been experienced were the provision of programs and services comparable to the general population and the due process requirements surrounding transfers, custody level changes, and placement in segregation.

Other problems included the provision of full programming to segregated inmates (opportunities for work, outdoor exercise, and access to legal materials were described as especially difficult). One institution reported having to allow assaultive inmates to exercise with other segregated inmates, resulting in an immediate increase in violent incidents. Another had to undertake a major reconstruction project to provide safe outdoor recreation opportunities. Providing access to legal materials is requiring one institution to build a duplicate law library.

Some institutions also reported problems with due process requirements. Hearings and appeals on transfers and custody level changes and hearings to document dangerousness before lockup were seen as limiting management's ability to deal

with problem inmates in a timely and effective manner.

Transfer of the mentally ill to specialized facilities also was mentioned as especially problematic, largely because of laws that restrict involuntary commitments. As with violent but not mentally ill inmates, a propensity to dangerousness is not enough in some jurisdictions to effect a transfer to mental hospitals; the inmate must have already committed a documented dangerous act.

Disciplinary procedures and requirements for housing segregated inmates cause problems for several institutions. One explained that Prisoner Legal Services was "constantly challenging our disciplinary procedures in court." Others said that new procedures or housing requirements outlined by the court were complicating management of troublesome inmates and presenting security problems.

A few institutions have experienced difficulties as a result of prohibitions or restrictions on double celling in segregation. One respondent said that many inmates had to be transferred "to equally overcrowded facilities" and that day rooms and workshops had been converted to dormitories to make space for segregated inmates.

A number of miscellaneous problems with statutes and court decisions also were noted. One institution has been required to provide good time credits to inmates in protective custody, with the result that "lazy inmates now go into PC to avoid work and programming." Another mentioned that a requirement that male and female inmates be given equal treatment had resulted in a co-ed facility with a number of unusual management problems. Frivolous inmate lawsuits, closing of the disciplinary unit, a requirement that every segregated inmate be inspected by staff every half hour, and a limit on the time solid doors may be secured in isolation units were other problems listed.

NOTES TO CHAPTER 2

1. One or more facilities responded from the following jurisdictions: Alabama, Arizona, Arkansas, California, Colorado, Connecticut, Delaware, Georgia, Idaho, Indiana, Iowa, Kentucky, Massachusetts, Maine, Maryland, Michigan, Minnesota, Mississippi, Missouri, Nebraska, New Mexico, New York, North Carolina, North Dakota, Ohio, Oregon, Oklahoma, Rhode Island, South Carolina, South Dakota, Tennessee, Virginia, Vermont, Washington, West Virginia, Wisconsin, Wyoming, and the federal prison system.

2. One respondent noted that in eight years as intake psychologist he had never encountered a "severely" retarded inmate, which he defined as inmates with I.Q. scores between 20 and 34. Another respondent said that the corrections department in that state was prohibited from accepting individuals deemed severely retarded. We probably should have labeled this subcategory "moderately retarded."

CHAPTER 3: PROTECTING THE VULNERABLE

Inmate demands for protection have increased so dramatically in the past decade that many prisons are unequipped to deal with the problem. Few have adequate policy or procedures for determining the need for protection, and some have no space or program especially for this diverse group.

The young, the weak, the elderly, the emotionally disturbed or socially inadequate, and the passive homosexual are among the easily victimized, but those seeking protection also include some otherwise "heavy" types who have gotten into trouble through harassment of other inmates or failure to pay debts. In some systems, most notably the federal Bureau of Prisons, individuals who have given testimony against others prior to incarceration make up an important part of the protective custody population.

There is a surprising degree of consistency in the responses of prison administrators to this complex problem. Most seem to be institutionalizing protective custody (PC) as a fixture in the prison setting. From handling protection cases informally as a subset of the administrative segregation (AS) population, generally mixing the two indiscriminately in a single unit, many prisons are moving to establish separate PC units, and some prison systems are planning or considering separate PC facilities.[1]

Some capacity to provide special protection must be available in every prison, if only as a temporary measure while a case is being investigated. And every prison system must have some means of insuring the long-term security of particularly vulnerable inmates. But there are alternatives to a continually expanding PC population, and there are alternate ways of providing protection to those inmates who require it.

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Some of the major issues facing any prison system with a substantial demand for protective custody are outlined below. These are followed by a brief description of various strategies used by the institutions we visited for minimizing the use of segregation to protect the vulnerable inmate.

Issue: Minimize Protective Custody or Provide on Demand?

This is the basic philosophical issue that is addressed, consciously or unconsciously, by every prison administration faced with any significant demand for inmate protection. Whether by tacit agreement or by written policy, management chooses either to provide segregated housing for virtually every inmate who claims to need it or to restrict access to protective units --even to the point of attempting to provide no segregated PC housing at all.

Interestingly, this is less of an issue with respect to other special inmate groups. In the better established areas of discipline and mental health, there are legal and professional constraints that tend to restrict the use of segregation. As yet there are few such restrictions on the segregation of inmates for protective reasons, although this has recently begun to change.[2]

Most of the prisons we visited seem to provide protective custody (i.e., segregated confinement) on demand. Oregon State Prison, Riverside Correctional Institution, and Huron Men's Correctional Facility, for example, said they "cannot refuse" a request for protective custody, largely because of the liability that might be incurred. Although case law tends to refute the claim that failure to segregate a fearful inmate constitutes negligence[3], many prison administrators apparently are taking no chances. Some try to bluff the inmate by telling him that he cannot lock up without identifying the source of his concern, but if the inmate refuses he generally will be segregated anyway.

Three of our site prisons had a policy of either discouraging or not providing protective custody. Oregon State Correctional Institution (OSCI) and California Mens Colony (CMC) have no PC unit and do not place men in segregation for protective purposes except in short-term emergencies. Management at OSCI is particularly adamant that inmates will not be locked up for protection; vulnerable inmates are told

to defend themselves, while predators are informed that they will be held responsible for anything (including an "accident") that happens to an inmate they are suspected of harassing. Both OSCI and CMC are used by their prison systems as "sanctuaries" or "safe houses" for vulnerable inmates, and because of this, both generally can transfer intractable predators elsewhere with departmental support.

Issue: Segregate the Predators or the Prey?

This is related to the issue described above. Those institutions that do not encourage segregation of the vulnerable tend to be quite restrictive with their predator populations. Troublemakers are segregated more readily, and those who persist in threatening others may be transferred. The three institutions rated most safe by those inmates we talked to (OSCI, CMC, and the Federal Correctional Institution at Butner) all operate with a policy of transferring predatory inmates if they cannot be otherwise controlled.

The superintendent at Oregon State Correctional Institution expressed a point of view that may be representative of those who believe in focusing on the predator. "You probably will have the same number of inmates in segregation," he observed, "but at least you've got the right ones locked up."

The situation at Riverside Correctional Facility in Ionia, Michigan, however, is probably more common. There the superintendent admitted that they "should be dealing with the predators," but that they often found themselves segregating the victims instead.

The difficulties associated with isolating the troublemaker remain a major obstacle to a focus on the predator. Vulnerable inmates may refuse to identify those who threaten them, especially if they know they will not be afforded official protection when they do. And there are limits, however broad, to the length of time an inmate can be kept in disciplinary or administrative segregation. The predator may be soon released; the inmate needing protection can, legally at least, be locked up indefinitely.

California Mens Colony, because of its unique design, has the capacity to separate predators and their prey without

resources by limiting the use of segregation and moving more people back to population.

Reducing the Need for Protective Custody

The following are a few ways in which prison managers control their PC populations by reducing the need for vulnerable inmates to be physically segregated from the general population. The overall goal of these strategies is to make the mainline safer for everyone by reducing opportunities for victimizing behavior.

- Classify by Victim Potential

Classification is used at the system level, to assign certain types of inmates to certain facilities, or at the level of the institution, to aid in custody and programming decisions. Some institution-level classification systems have been designed specifically to separate the more aggressive inmates from their likely victims. Some courts have ordered the use of classification systems that, if nothing else, separate the potentially violent from weaker prisoners.[5]

MCI-Walpole uses a system developed by H.C. Quay for the federal Bureau of Prisons to separate inmates at orientation into three categories: passive, aggressive, and "average" or middle-range inmates. A version of this system was tested at the Federal Correctional Institution in Tallahassee, a medium-security facility for young adults.[6] Using this approach, the prison population is divided into inmates judged most likely to act out aggressively (Predators); those likely to be acted out against (Victims); and those not likely to be in either category (Average). Predators and victims are assigned to separate housing units, with average inmates making up the bulk of each special unit and also assigned to their own housing area.

Evaluation of the Tallahassee experience showed that the overall rate of violence within the institution declined significantly after the classification system was introduced. More than two-thirds of the assaults occurred in the units housing inmates classified as predators. Less than one-third occurred in the unit housing "victims," and none occurred in the unit reserved for average inmates. The reduction in assaults recorded during the first year was maintained through the second year.[7]

System-level classification also can be used to reduce the number of inmates who are placed in protective segregation. California's new classification system,[8] which resulted in the redistribution of inmates from one institution to another all over the state, has cut protective custody cases in half, apparently by making the mainline safer in most of the state's 12 institutions. The problem with this approach is that the system's most dangerous cases are now concentrated in two institutions, with little or none of the leavening that a mixture of high- and lower-risk cases may provide. The advantages are that localizing problem cases in two institutions means fewer days of lock-down (and more days of full programming) in the rest of the state's facilities.

- Control Activities Leading to Victimization

At several of the institutions we visited, management stressed the control of activities that encourage victimization instead of focusing on protecting the potential victim. Oregon State Correctional Institution, for example, does not allow inmates to accumulate personal property, thus facilitating cell searches and the control of weapons and contraband. In comparison with many other institutions, where cells are crammed with personal belongings, OSCI is spartan in appearance, but management believes that this helps to maintain a safe environment.

Victimization (and the need for protection) also arises as a result of gambling debts and homosexual liaisons, both of which are dealt with preventively at OSCI. Questionable property found during cell searches is confiscated to make gambling less profitable. Visitors caught bringing in contraband may be forbidden ever to return, a harsh deterrent for members of an inmate's family. Packages coming in and going out also are closely monitored and regulated. The many rules and their strict enforcement, management believes, make it possible to run a safe institution without resort to protective custody.

Allowing inmates to have money or transferable tokens also can contribute to predatory activities. Practice varies widely on this point. Inmates at Central Correctional Institution in South Carolina are permitted to carry up to $50. in cash, while those at Huron Men's Correctional Facility in Michigan do not even have tokens (theirs is a system of canteen accounts that does not allow for trans-

fers). At Virginia's Mecklenburg Correctional Center, an inmate must submit his commissary request to an officer, who has it filled, and the inmate's account is debited. Neither funds nor items purchased may be transferred to another inmate or consigned to anyone on another inmate's approved visiting list.

One inmate at Huron observed that where the use of money or tokens is well established it would be difficult, even dangerous, to change; but that when opening a new institution management ought to consider forbidding the circulation of anything so closely associated with victimization and violence.

There are no hard data regarding the effectiveness of these preventive approaches, but the subjective judgments of management and staff suggest their value and importance. This is an area in which research and appropriate follow-up are needed.

- Investigate Potential Problems at Reception

Most prisons do some file-checking and investigation before releasing an inmate into population, but some institutions place more emphasis on this preventive measure. California Mens Colony keeps new inmates for two weeks in an orientation unit that is locked down at 6 p.m. for extra security (most of the institution is locked down at 10 p.m.). During this period, staff work intensively with the inmate to determine whether he has any enemies in the institution or if he expects trouble for any other reason. By the time an inmate is assigned to a housing unit, management and the inmate are confident that he can make it on the mainline.

Ideally, a similar effort to identify potential problems occurs before an inmate is assigned to the institution. Departmental investigations at the reception center should have established that there are no obvious reasons why an inmate should not be sent to the institution to which he is assigned. Further checking at the institution is a second, but highly important, line of defense.

The Wyoming Board of Charities and Reform, the agency responsible for oversight of all penal institutions in the state, has established policy and procedures whereby the

sentencing court completes a form specifying any reasons why protective custody is warranted and forwards it to the institution with the sentencing order. The form is reviewed by the unit manager, the reception supervisor, the classification supervisor, the security lieutenant, and the warden, and a suitable plan for protective custody is developed at the time an inmate is received.

- Encourage and Reward Staff/Inmate Communication

Management at several institutions stressed the need for regular communication between staff and inmates in order to anticipate and deal with inmate concerns before they escalate into crises. "Where inmates and staff communicate freely," we were told, "there will be a minimum of problems."

Staff/inmate communication is best where the top administrator sets expectations and rewards appropriate staff behavior. Administrators themselves are seen frequently on the yard, talking to both staff and inmates. The deputy superintendent at California Mens Colony spends about a third of his time out in the institution, and top staff in other facilities where communication is unusually good do likewise. The institutional culture, of course, must allow inmates to deal with staff with little or no pressure from peers to avoid cooperating with "the man."

Communication between staff and inmates also may be enhanced where a small institution and/or unit management allows personal relationships to develop. FCI Butner and Huron Men's Correctional Facility both benefit from a small inmate population, as well as from a tradition that says "it's OK" to talk to staff. Unit management (in place at Butner, MCI-Walpole, Riverside Correctional Facility at Ionia, Kirkland Correctional Institution in South Carolina, and our two California sites) enables, but does not guarantee, more frequent and more normal interactions between inmates and staff. Together with expectations set by top management and an inmate code that allows relationships with staff, small unit size may promote the communication needed to forestall much victimizing behavior.

- Provide Special Programs for Vulnerable Inmates

Courts are beginning to require some programming for inmates

in protective segregation, and many institutions now provide segregated inmates at least some education and recreation opportunities and a limited number of jobs. What is recommended here, however, are programs designed to help vulnerable inmates to stay out of segregation or segregated inmates to return to population. For inmates who seek protection not because they are in real danger but because they are weak and easily intimidated, assertiveness training, stress reduction, counseling --even weight lifting and group sports-- can be effective in reducing reliance on protective segregation.[9]

California Mens Colony offers a special program for physically and socially inadequate inmates who normally would be embarrassed or afraid to participate in any group activities. Called Adaptive Health Education, and taught by a young, energetic member of the recreation staff, this program consists of group and individual training in matters of physical conditioning, mental health, and social adaptation.

Inmates in this class are not assigned to other education or work programs, but the course qualifies under California's Work Incentive Program, so participants earn credit toward early release from prison. At a minimum, participating inmates are expected to take part in the daily toning and stress reduction routines and to follow their individually negotiated program of exercise and study of health-related topics.

The goal of this program is to keep these inmates' minds and bodies active and to help them become more socially capable and self-fulfilled people. In the process they build self-confidence and learn social survival skills that directly aid their functioning in the institution. Most of these individuals would qualify as potential victims of inmate aggressors. While such training alone cannot protect them from harassment or assault, it does help them to blend in better with the rest of the prison population.

- Encourage Vulnerable Inmates to Defend Themselves

This is a controversial strategy. Most prison managers probably would not feel comfortable advising potential victims to fight if necessary to protect themselves, but this is what management does at two of our site prisons. At Oregon State Correctional Institution and Auburn Correc-

tional Facility in New York vulnerable inmates are told that they should not let other inmates bully them, even if it means that they cannot avoid a fight. ("Fighting will only get you a week on keeplock," Auburn inmates are told.)

The superintendent at OSCI, convinced that potential victims must learn to protect themselves, tells incoming inmates likely to run into problems that they will do better in the long run if they establish the fact early that they will not be victimized. "Try to avoid trouble, but don't back down," he advises them. "You have a right to full participation without fear, and you have a right --in fact, a responsibility-- to protect yourself."

The OSCI superintendent observes that this strategy makes sense only in combination with various other efforts to protect the vulnerable. You cannot just turn an inmate loose in the institution and tell him he is on his own. OSCI also cracks down hard on predators, controls activities that lead to victimization, and deals with potential problems at or before reception/orientation. Nonetheless, at Oregon State Prison, also a security-oriented institution, the philosophy is that inmates must rely on staff to protect them ("You can't just give them a license to fight.")

- Institutionalize "Niche" Development

Prison staff and managers have long been doing informally what is now being recommended as a formal strategy for helping inmates to function safely and comfortably in the prison environment. There have always been attempts to steer certain inmates toward particular housing or work assignments --for example, an inmate likely to be victimized without some official protection may be assigned to a clerical or other job where staff supervision is high.

Hans Toch calls these special assignments "niches," or sub-environments within the prison.[10] Pointing out that some inmates "arrange" disciplinary infractions in order to be put in solitary where they will feel safe, Toch recommends a more concerted effort to place inmates in specific settings within the prison that match their needs for privacy, safety, or structure. His concern is for all inmates, not just those who feel threatened by life on the mainline, but the approach has special meaning for the vulnerable.

Many inmates can cope in the general population only so long as the conditions and routines of their particular assignments make them feel safe. Transferred to another housing unit or given a new job, they may lose the confidence they need to stay out of segregation. Institutionalizing "niche" development requires that management acknowledge that the prison is a differentiated environment --that there are some shops that are more supervised, some housing units that are less threatening-- and that routinely placing inmates in appropriate sub-settings is likely to benefit everyone.

In our sample of state and federal prisons, California Mens Colony comes closest to a formal attempt at niche development. The four semi-autonomous quads, each with a different character, and management's concern for keeping even vulnerable inmates on the mainline, encourages efforts to place every inmate in a situation where they can function without problems. Inmates may be moved from one quad, cell area, or program assignment to another until they find a suitable niche; in this way most inmates can be absorbed without transfer.

Institutionalizing niche development is not a simple matter, as Hans Toch has pointed out. "The task," he says, "introduces unfamiliar criteria of classification, requires staffing flexibility that boggles the civil service mind, and means creating program options for settings we now view as residual." But the strategy is not new, and the main requirement is an enhanced awareness of what inmates need and what prison sub-settings can offer them.[11]

- Modify Use of Less Supervised Areas

Victimization is highest in those areas of a prison that are physically less open to view by staff or that, because of staff assignment patterns, are more difficult to supervise. Analysis of victimization patterns can reveal locations within the facility where structural modifications or changes in staff assignment might reduce opportunities for victimizing behavior, often with no major costs.

Lee H. Bowker suggests that a covered walkway might have the roof removed so that inmates could be watched by tower guards, or a cul-de-sac can be walled off or monitored by remote camera.[12] Where physical alterations are too expensive, he notes, use patterns can be modified --a recreation area can be closed during hours when staff supervision is inadequate, or inmates can be locked out of their cells when staffing is insufficient to monitor both housing units and day-use areas at the same time.

Particularly vulnerable inmates should not be assigned to less supervised areas in any case, but the entire institution may be made safer with some alteration of those areas and activities that lend themselves most often to predatory behavior.

- Train Staff

Staff may inadvertently contribute to inmate vulnerability through communication of their own attitudes toward those who typically end up in protective custody. Comments made to other inmates, behavior that encourages dependency, or labels that imply incompetence, weakness, or undesirable personal traits can aggravate those problems that cause an inmate to need to be locked up. Our own observations and those of other researchers[13] suggest that many staff members share the negative feelings toward PC inmates that are expressed by inmates in the general population.

Staff training programs have been cut back in many institutions as a result of fiscal shortages. But where training can incorporate some effort to modify staff attitudes toward vulnerable inmates, some impact on the size of the PC population may be expected. Staff training at Massachusetts' Norfolk Reintegration Unit (NRU) emphasizes the discrepancies between actual traits of the PC inmate and popular assumptions about them. Changes in staff attitudes toward such inmates reportedly have spread from NRU to other PC units in the system, and a gradual decline in protective custody placements has occurred.

- Counsel/Train Inmate Targets

A study of prison sexual violence[14] found that many incidents of victimization are aggravated by the reactions of victims to provocative behavior by the aggressor. This phenomenon has been well documented in society outside the prison, and citizens are being trained to respond in ways that decrease their chances of becoming targets of violent crime.

Daniel Lockwood suggests that such techniques could be adapted to the correctional setting in an effort to reduce prison violence.[15] Training inmate targets in nonviolent responses to aggression, he claims, could help some inmates to learn ways of defusing the escalating chain of events that often leads to victimization. Ideally, such training would be based on an analysis of actual incidents so that inmate targets will learn to handle the kinds of confrontations that they can expect to experience.

At this time such training, when it occurs, is offered only informally by staff in counseling selected inmate victims. Prison administrators should consider whether such training, more widely provided and officially sanctioned, might be worthwhile. There are models, taken from other settings, that could be adapted for use in training inmates.[16]

- Use Inmates to Help Other Inmates

During the course of our study we heard various reports of a "buddy system" that supposedly was used in one jurisdiction or another, but on following up these leads we invariably found that if such a system did exist it operated only informally.

Inmates helping inmates to make it on the mainline --the idea has a certain logic to it. As the manager of the Norfolk Reintegration Unit observes, a major difference between inmates in protective custody and those in population is that PC inmates are not as well connected. They come from small towns not well represented in the prison population, and they make fewer friends while incarcerated. Helping vulnerable inmates to find support among the general population could enable at least some to stay out of segregation.

The elements of a "buddy system" exist in various efforts to connect segregated inmates to individuals and groups within and outside the prison. Inmate clubs at Oregon State Prison sometimes "adopt" an inmate out of segregation (usually a member of the club's ethnic group) and help him to readjust to life in population. More mature and self-assured inmates at Shelton, Washington, are designated "peer leaders" and instructed to look after more vulnerable inmates in that prison's PC unit.[17] Inmates at Norfolk Reintegration Unit may join the local branch of a statewide "fellowship program," which offers a network of support from other inmates and community volunteers. Where PC inmates participate in other groups, such as Alcoholics Anonymous or religious organizations, these too can provide the beginnings of a social network for the unconnected.

Rationing the Use of Protective Custody Resources

A second and more direct means of controlling the growth of PC populations is to be more conservative in deciding who will be placed in segregation and more liberal in moving people back to population. Changes in both policy and programming usually are required.

- Develop Guidelines for PC Use

Most prisons today are far more casual in their approach to protective custody than they are in respect to other forms of segregation. Protective custody has mushroomed without much attention to written policy or procedures that might control or guide its use. Typically, an inmate is placed in protective custody when he or some staff member feels he needs it and released when his presence on the mainline no longer seems to present a problem. There may be formal procedures to follow (including due process protections) when an inmate is segregated involuntarily and waivers to sign when protection is refused. But there often are no guidelines and no special procedures if an inmate requests protective segregation.

If the growth of PC populations is to be controlled, management policy should be clearly spelled out, staff should be well informed of management's intent, and formal procedures should be developed for determining the need for protective segregation and for placing an inmate in and removing him from this special status.

Of the prisons we visited, several had a definite policy to avoid protective custody entirely, but only one had developed an instrument for assessing the need for segregation. The Massachusetts Correctional Institution at Norfolk operates a reintegration unit that serves the entire state prison system, taking protection cases from other institutions and preparing them to return to population. A PC Rating Scale developed to assess changing needs for special protection weights negative factors (prior PC placements,

time in PC, reason for PC, degree of victimization, social relationships, predatory activities) and positive factors (change in status, improvement in peer adjustment, reduction in general security rating). As problems are resolved and an inmate's score decreases, he is encouraged to consider alternate placements in one or another of the state's institutions.

Wyoming has established written policy to guide decision-making related to protective custody. Noting that court decisions such as Wolff v. McDonnell (418 US 539 1974) apply to protective custody as well as disciplinary segregation, the State Board of Charities and Reform requires that due process safeguards be followed in placing an inmate in and removing him from protective segregation.

An inmate at Wyoming State Penitentiary who requests special protection, or is deemed by staff to need it, may be temporarily placed in administrative segregation while the matter is investigated. A report detailing the issues is prepared, and a classification hearing, with the inmate present, is held within three days. If the inmate does not want protective custody, the committee must prove beyond a reasonable doubt that such an assignment is required; if the inmate is willing, he signs a waiver agreeing to PC assignment. A classification hearing and an inmate waiver also are required before an inmate can be released from segregation.

Written procedures at the Minnesota Correctional Facility at Stillwater specify not only how an inmate may be admitted to protective custody (voluntarily or involuntarily) but how he may be forced to return to population if it is determined that he is no longer in danger. Any inmate requesting protection is placed initially in administrative segregation while his case is being investigated. At the end of three days his case is reviewed by a committee consisting of the caseworker, the housing unit director, and the director of the PC unit. The inmate is present. If the committee at this point believes that the inmate does not need protective custody (and the inmate does not agree), a recommendation for involuntary return to population is forwarded to the associate warden for action.

Stillwater procedures also specify regular review of the segregated inmate's circumstances and provide for involuntary return to population at any time that a combination of the inmate's repeated refusal to substantiate claims of danger and independent staff investigations suggest that no substantial danger exists. The nine-step procedure for involuntary return to population includes three levels of review (plus approval by the warden) and at least three opportunities for the inmate to substantiate his claim.

- Offer Varying Degrees of Protection

Some prisons make use of different levels of protective custody or provide avenues of retreat for inmates who feel they need it without actually locking them up. This is not a new idea, but it is one that may merit wider application.

At Massachusetts' Southeastern Correctional Complex at Bridgewater, inmates in protective custody go out during the day to program in population, then return to segregated housing at night. Such limited exposure allows them to keep in touch with inmates and activities on the mainline, and helps them to make the transition back to population. This form of "institutional parole" also is in use in Shelton, Washington, where inmates in the protective custody unit can attend classes in the main prison, and a large proportion of the inmates choose to do so.[18]

Oregon State Correctional Institution, with a policy of not providing protective custody, does place especially vulnerable inmates in single cells (with 100 percent overcrowding the rest of the institution is doubled up). Two tiers of one housing unit are reserved for these inmates, who then may decide how much programming they will participate in. They are not locked in, and must eat and exercise with the rest of the inmates, but they can choose to remain in their cells as much as they feel they need to.

California Mens Colony, with its semi-autonomous quads and separate floors instead of tiers, is designed to allow physical separation without segregation. Various policies supplement this effect. Rules prohibiting inmates from visiting other cells or floors and requiring that the door be closed when an inmate is in his cell allow inmates to retreat without being seen as cowardly. The increased privacy, combined with the physical separation, lends a feeling of safety that probably keeps many inmates from asking for further protection.

- Don't Let PC Become Too Attractive

This is another controversial strategy, one that many administrators would object to and few would admit to using. Yet this advice was heard in some places where protective custody is being rationed. Some inmates we talked to did confide that they had asked for protective custody "because it is an easy place to do time," but most probably are in segregation because they genuinely fear for their safety. It seems unfair, if not unethical, to add to their burdens by making confinement any less comfortable than it has to be. For such reasons, most managers, the courts, and correctional standards disapprove of or disallow this strategy.

The manager of the reintegration unit at Massachusetts Correctional Institution at Norfolk points out that you really don't need to generate disincentives. "What you've got to do is to get them thinking about what the disadvantages of PC actually are." Protective custody may sound like "easy time" to an inmate who has not experienced the isolation and boredom of life off the mainline. For some inmates at least, it may be sufficient to counsel against a choice that may not be reversible if they change their minds.

- Aid/Encourage Inmates to Return to Population

The reintegration unit of Massachusetts' Norfolk Prison (NRU) was established to aid the return to population of protective custody inmates systemwide. This unit, a close custody section within the administration building, has its own yard, visiting room, and mess hall, as well as a small tailoring industry (housed in a trailer) specifically for PC inmates. Inmates are referred here from protective custody units of other facilities in the state with the express purpose of preparing for their reintegration back to the mainline.

Formerly housing up to 60 men in single cells, the Norfolk Reintegration Unit now has a capacity of about 30 and a staff of six. With the entire Massachusetts system now more conscious of the possibilities for avoiding protective segregation (largely through the sharing of NRU's success), assignments to protective custody have decreased enough to allow a reduction in NRU capacity.

Clinical, classification, and custodial staff at NRU work as a team to identify and help resolve individual problems that keep an inmate off the mainline. Occasionally, the problem is a simple one; for example, a bed-wetter ashamed to live in population was put on medication that controlled the problem, then gradually eased back to general housing. More often, staff are involved in sometimes lengthy inmate counseling to help resolve interpersonal or practical problems, and in investigation of possible placements for an inmate preparing to return to population.

Through such efforts more than 300 inmates have been moved through the NRU in two years, with a 75 to 80 percent rate of successful (i.e., lower custody) placements. To supplement departmental classification, which tends not to address the important PC issues, a PC Rating Scale and Problem Checklist developed specifically for the unit are used to assess and reassess inmate needs for protective housing and readiness to return to population. The unit manager points out that this instrument, which has proven very effective at NRU, would need adaptation for use in other jurisdictions, since inmates in protective custody and the problems that place them there differ from one facility to another.

ELEMENTS OF A SUCCESSFUL PROGRAM FOR THE VULNERABLE

Based on our observations in the field, the following can be identified as characteristic of more successful efforts to deal with those inmates typically found in protective custody.

- The protective custody unit, where one exists, provides a safe, well-supervised sanctuary physically separated from the rest of the institution but situated so that management is in daily contact with its operations (e.g., in or near the administration building).

- Varying degrees of protection are offered so that vulnerable inmates need not choose between full participation on the mainline and complete isolation from it.

- Protective custody is distinguished from disciplinary segregation --it is physically separate as well as

different in conditions of confinement and programming.

- Classification procedures stress the identification of special needs inmates generally and of needs for protective custody in particular.
- There are written policies and procedures for placement in and removal from protective segregation and formal periodic reviews.
- Policy and procedures restrict the use of protective custody to those who genuinely need it; it is not a place to do "easy time."
- Staff in and out of PC units are trained to avoid reinforcing characteristics that promote the flight to protective custody.
- Inmates in protective custody are encouraged to return to general population if possible, and every effort is made to smooth the way.
- The PC program supplements but does not replace efforts to make the mainline safer for all inmates; part of the overall effort involves reducing the need for protective segregation.

NOTES TO CHAPTER 3

1. A recent American Correctional Association publication notes a "trend" toward establishment of totally separate PC facilities. ACA, Protective Custody in Adult Correctional Facilities, College Park, Md., 1983.

2. Courts and the framers of correctional standards are beginning to apply to protective custody the restrictions and requirements pertaining to administrative segregation. Generally, these restrictions apply only to involuntary PC, but courts have required proof of difficulty in population before segregating homosexuals (ACA, supra note 1); and the American Correctional Association's Model Rules are presented as largely applicable to protective custody (ACA, Model Correctional Rules and Regulations, College Park, Md., ACA, 1979, p. 6).

3. The court in Parker v. State, 282 So. 2d. 483 (La. 1973) observed that "an absolute requirement of isolation or reassignment to avoid liability would create chaos in prison administration."

4. Supra note 1, p. 10.

5. American Correctional Association, Correctional Law Project, An Administrator's Guide to Conditions of Confinement Litigation, by William C. Collins, College Park, Md., ACA, 1979.

6. The Tallahassee system uses the MMPI, with procedures developed by E. I. Megargee, as the primary basis for distinguishing inmates types. Martin J. Bohn, Jr., "Inmate Classification and the Reduction of Institution Violence," Corrections Today, July/Aug, 1980, pp. 48-9, 54-5.

7. Ibid.

8. The system is described in Norman Holt, Gary Ducat, and H. Gene Eakles, "California's New Inmate Classification System," Corrections Today, May/June, 1981, pp. 24-30.

9. David C. Anderson, "The Price of Safety: "I Can't Go Back Out There," Corrections Magazine, 6(4):6-15, 1980.

10. Hans Toch, "Prison Environments and Psychological Survival," Paper presented to the First Bi-Annual Law-Psychology Research Conference, University of Nebraska, October 1975.

11. Ibid.

12. Lee H. Bowker, "Victimizers and Victims in American Correctional Institutions," in Robert Johnson and Hans Toch (eds.), The Pains of Imprisonment, Beverly Hills, Calif., Sage Publications, 1982.

13. Supra note 1.

14. Daniel Lockwood, "Reducing Prison Sexual Violence," in Robert Johnson and Hans Toch (eds.), The Pains of Imprisonment, Beverly Hills, Calif., Sage Publications, 1982.

15. Ibid.

16. Ibid. In a related effort, though not specifically for vulnerable inmates, the programs department of the prison at Bismarck, North Dakota, offers a "positive assertiveness" workshop to help inmates understand the differences between non-assertive, aggressive, and assertive behaviors and the sources of troublesome adult behavior patterns in childhood experiences.

17. Supra note 9.

18. Ibid.

CHAPTER 4: DEALING WITH TROUBLEMAKERS

Both the punishment of rulebreakers and the administrative segregation of inmates who present a more general threat to institutional order have received much attention from the courts and the framers of correctional standards. As a result, most prison systems have relatively well developed policy and procedures governing the management of these special groups, especially when compared to those for inmates in protective custody.

Overcrowding and increased violence in some prisons, however, have put pressures on segregation units and on general disciplinary and security measures. In many prisons segregation units are almost always full, and some institutions regularly hold inmates in their cells awaiting space in segregation. In some institutions turnover in disciplinary segregation, simply to make room for new admissions, is faster than prescribed by policy or considered desirable by the administration.

Because of court decisions mandating due process for disciplinary segregation and limits placed on disciplinary terms, many prisons are relying more heavily on administrative segregation as an alternative or as a follow-on to segregation for manifestly punitive purposes. But the inadequacy of most segregation units means that prison managers also must look for alternatives, including the promotion of an institutional climate that encourages law-abiding behavior.

This chapter begins with a few of the major issues related to the management of disciplinary problems. This is followed by a brief discussion of some strategies used by our site prisons to minimize reliance on segregation of inmates who pose a threat to institutional order.

Issue: Tighten Down the Institution or Loosen Up?

There are two schools of thought regarding the best way to reduce disciplinary incidents in prison. One advocates restricting movement, increasing security, and generally tightening down to reduce opportunities for aggressive or criminal behavior; the other suggests loosening up, humanizing, or "softening" the environment, allowing greater freedom, more participation in decision-making, improved communications with staff, and generally more normal living conditions.

Each of these approaches seems to have validity in different prison settings and with different prisoner populations. Oregon State Prison, while humane and attentive to prisoners' needs for constructive programming, is focused on containment and maintenance of order. A maximum-security institution with a population of "heavies," OSP succeeds with this orientation in keeping disruptive incidents to a minimum.

In sharp contrast, the Federal Correctional Institution at Butner adopts an open model, with significant freedoms for inmates inside a secure perimeter. There are no bars inside the institution and no checkpoints or passes to monitor inmate movement. Prisoners wear civilian clothing; the institution is structured to resemble community living; and participation in a wide range of academic, vocational, social, and recreational programs is voluntary. In this relaxed atmosphere, a population of serious offenders is managed with a lower rate of prisoner-on-prisoner violence than comparable populations.[1]

Management at Butner believes that the responsibility and respect accorded inmates encourage good behavior and make it possible to handle hard-core inmates in an open setting. Several other institutions (California Mens Colony, Huron Valley Men's Correctional Facility, and Riverside Correctional Facility) emphasize the need to treat inmates as responsible people if you want them to behave responsibly. As one writer suggests (in describing Butner): To control disciplinary problems, "try softer."[2]

Issue: Segregate Freely or Only as a Last Resort?

While all institutions have some form of segregation for the most troublesome inmates, some institutions avoid heavy reliance on long-term segregation through resort to various alternatives. Transfer of incorrigibles is one that has obvious appeal, assuming that another institution can be convinced to accept a known troublemaker. On the positive side, it is well known that troublesome inmates often settle down after transfer to another institution. As one administrator put it: "A shark in one institution often becomes a minnow in another." (The opposite, of course, also may be true.)

Transfer of troublemakers is a more feasible option for some institutions than for others. First, there must be other institutions in the system equipped to accept inmates requiring medium or maximum security; and second, these other institutions must be motivated to accept such transfers. Institutions that serve as sanctuaries or "safe houses" for the prison system generally find it easier to transfer problem inmates with departmental support. California Mens Colony and Oregon State Correctional Institution are able to transfer troublemakers largely because there is a system-wide interest in maintaining an institution with a safe climate to which vulnerable inmates can be assigned.

Although transfer to the federal system or exchanges with other states is sometimes possible, institutions with no place within the state to transfer intractable inmates generally must rely on segregation to a greater extent. Those that are the only maximum-security facility in the jurisdiction, or, as in California's San Quentin and Folsom prisons, those that are designated the only appropriate assignment for high-risk inmates, may find themselves having to segregate more liberally than do institutions with more options for inmate transfer.

Some prisons use long segregation terms as a strong deterrent and a means of concentrating their most difficult inmates in one controllable location. Oregon State Prison, with some of the longest disciplinary terms in the country, credits their remarkable success in controlling violence in part to a policy of segregating troublemakers for many months or years.

Issue: Separate Facility or Unit within the Institution?

Most prisons have a disciplinary segregation unit of some kind within the facility, and these sometimes serve departmental as well as institutional needs. Massachusetts' Correctional Institution at Walpole has both a 30-man institutional disciplinary unit and a 60-man departmental segregation unit. At the time of our visit, both were full (some inmates in the institutional unit were awaiting space in the departmental unit), and inmates were backed up in population both at Walpole and at other state institutions pending disciplinary assignment.

California has departmentally designated Security Housing Units (for the most serious disciplinary cases) and Management Control Units (for less serious cases and as transitional settings for inmates coming out of SHUs). These units, found in only a few of the state's twelve institutions, are a resource for the entire system.

Some systems have a separate facility for the most dangerous or incorrigible inmates. South Carolina's Maximum Security Center (on the grounds of Central Correctional Institution but separately administered), the Michigan Intensive Program Center at Marquette, and Virginia's Mecklenburg Correctional Center are designed to take the most difficult cases from the segregation units of other institutions. The purpose of these special facilities, which are staffed and equipped to handle high-risk inmates, is to make the other institutions safer and to take some pressure off their segregation units.

There are some cost-benefits associated with the separate facility serving several institutions. Such a facility can specialize in the management of the most severe cases, with high-security construction, a specially trained staff, and procedures tailored exclusively to the violent and dangerous inmate. Mecklenburg's physical plant, staffing, and restrictive procedures for inmate management enable the safe and effective handling of some of the most troublesome inmates in the Virginia system. Other institutions then can concentrate on less serious disciplinary problems and on the less demanding custodial needs of the general population.

MINIMIZING LONG-TERM DISCIPLINARY SEGREGATION

Even in prisons with very long segregation terms, lack of space itself will dictate some effort to control the number of inmates in disciplinary and administrative segregation. Fairness and humane inmate management also require that alternatives to segregation be used whenever consistent with institutional order and safety.

The following are some ways of reducing reliance on segregation for these special inmate groups. As with the preventive and protective strategies in the previous chapter, the suggested alternatives are divided into (a) strategies for reducing the need for disciplinary segregation, and (b) strategies for rationing the use of segregation resources.

Reducing the Need for Disciplinary Segregation

Management strategies designed to reduce disruptive behavior and promote adherence to the rules can relieve the pressures on crowded segregation facilities by reducing the need for isolation of troublemakers.

- Classify Inmates and Facilities

Inmate classification, especially at the departmental level, can be used to control and contain troublemakers, if not to reduce the incidence of disruptive behavior systemwide. Classification for this purpose identifies and separates the dangerous from the non-dangerous, concentrating behavior problems in facilities designed to handle them.

Controlling violence has not been the prime motivation behind the recent overhaul of classification systems in several states. Overcrowding and the high costs of constructing new maximum-security beds, as well as lawsuits dealing with conditions of confinement, have been more prominent incentives to change.[3] Although these new systems have not yet been formally evaluated for their impact on disruptive behavior,[4] some prison administrators are already convinced of their positive effects on some institutions.

There are both philosophical and practical problems associated with the development and use of predictive classification systems. First, there is little agreement regarding the items that should be used to classify inmates according to risk. For example, of three models --those developed by the National Institute of Corrections, California, and the federal Bureau of Prisons-- NIC's considers severity of offense but not sentence length, California's uses sentence length but not offense severity, and the Bureau of Prisons' uses both. Any prison system planning to make use of "point-based" classification must decide for itself what items in an offender's file will be considered indicative of dangerousness.

The second major problem with classification arises as a result of severe overcrowding. For classification to make sense there must be opportunities for appropriate placements. If a jurisdiction has very few options, or if available bed space takes priority over most other considerations, classification will lose its usefulness and may not be taken seriously.

Nonetheless, especially in crowded conditions, a good classification system can be used to ration scarce resources, and it can reduce tensions by letting inmates know where they stand. Managers in California report that with more objective classification, inmates know exactly what they must do to be moved to lower custody levels, and for those motivated to do so, this seems to promote the kinds of behavior that management wants to encourage.

- Reduce Idleness

Oregon State Prison has an unusually good industries program, and this reportedly contributes to the stability of this institution. FCI-Butner employs about one-third of its inmates in a highly productive mail-bag factory, with piecework incentives that keep inmates working at an impressive pace. But these institutions unfortunately seem to be the exception. Most prisons have too few industrial or maintenance jobs to occupy more than a fraction of the inmates they are forced to absorb into increasingly crowded facilities.

Idleness is often blamed for violence and disruption in prison, yet idleness alone apparently is not enough. Oregon

State Correctional Institution, operating at more than 100 percent over capacity, has so far managed to avoid trouble although half of the population at any one time has nothing to do. The deputy chief at OSCI credits their success at least in part to good luck: "We're like an airplane that has had hundreds of passengers dropped onto it while it is in the air. We're OK now, but if we ever had to land we probably couldn't get off the ground again."

In some facilities the official word is that most or all inmates "have an assignment," yet a visitor sees large numbers of inmates standing around in the halls or the yard or sleeping in their cells in the middle of the day. On further checking it is found that many assigned inmates actually are on a waiting list, or assignments are part-time, keeping inmates occupied for only an hour or so a day.

In an effort to reduce idleness, California requires that every prisoner have an assignment, usually combining work and program participation. Under the Work Incentive Program, assigned inmates (as well as those who are medically unassigned) receive time credits that reduce their sentence lengths. Technically, all inmates receive an assignment, but severe overcrowding means that some jobs are little more than make-work types of maintenance tasks, and many inmates spend at least the early months of their sentences on waiting lists.

There is no obvious solution where crowding and budget cutbacks have more men competing for fewer assignments, but prisons and prison systems that make a major effort to keep inmates productively occupied not only have a better chance in conditions-of-confinement suits;[5] they also may be better able to control the kinds of disruptive behaviors that fill the segregation unit.

- Provide Incentives for Good Behavior

With determinate sentencing having removed a major incentive for good behavior, many prisons are relying more heavily on other mechanisms. Time reduction schemes --good time credits or credit for work performed-- are the most common.

South Carolina has a system of Earned Work Credits that takes from one day in seven to one day in two off of a man's

sentence for various categories of work performed. An inmate must be on the job for six months before time credits are granted. The type of work and the amount of responsibility determine the rate at which time is reduced.

California's Work Incentive Program gives time credits for program assignments as well as work. Every inmate capable of participating in work or other programs is required by departmental policy to do so. Inmates are assigned to a program or combination of programs at the initial classification interview or are placed at that time on a waiting list. Failure to perform assigned work or refusal to participate in a program assignment are grounds for withholding time credits. The California system provides for positive as well as negative incentives to encourage participation and good behavior. Inmate workers and program participants are given preference over non-participating inmates in such matters as access to recreational activities and entertainment events, canteen, and use of the telephone.

Some prison managers believe that the threat of transfer is sufficient to keep most inmates in line. This incentive works best at institutions considered a good place to do time, or where freedoms and privileges are valued by inmates. At Huron Men's Correctional Facility in Michigan, a small, attractive, uncrowded facility with good staff-inmate communication, a major sanction for misbehavior is transfer out. The structure of this institution implies an attempt to depart from the traditional institution and at this it seems successful. Management feels that "you communicate something with a place like this, and most inmates behave."

The opportunity to live in preferred housing is another incentive to good behavior. Massachusetts' Walpole has three special housing units that are reserved for inmates who avoid disciplinaries and participate in prison programs. At California Mens Colony, inmates who work and program, and who also have one year free of disciplinaries, qualify for housing in the 100-bed honor unit. Typically there are privileges associated with preferred housing; CMC's honor unit is not deadlocked until 2 a.m., inmates can watch television from 8 a.m. to deadlock, and the unit is released first to all meals.

The behavior modification program at Mecklenburg Correctional Center in Virginia offers an unusually complete

package of incentives and rewards. Inmates in Mecklenburg's general population have been transferred here for assaultive or rule-violating behavior at other institutions, and the goal is to prepare them to return to less secure facilities. Inmates undergo a phased program of increasing privileges and responsibilities. In phase one, for example, an inmate is allowed three one-hour non-contact visits a month, group activities with up to six people, and 40 cents a day for work performed. By the time an inmate has progressed to phase three, he is earning 90 cents a day, is allowed group activities every evening with up to 12 people, and can serve on grievance panels or help to lead groups. Promotions and demotions within this level system are tied directly to behavior and program participation, with individual goal-setting and progress reviews an integral part of inmate evaluation.

In sharp contrast to other institutions, FCI-Butner is premised on the separation of inmate behavior from external rewards. Established to test the theories of criminologist Norval Morris,[6] the Butner program gives inmates a fixed release date that is not modified for good behavior or for program participation. Evaluation of the Butner experiment has shown that neither voluntary participation nor the lack of good time negatively affects inmate behavior. Not only are disciplinary infractions lower than expected for this population, but participation rates are nearly twice as high as those in comparable institutions.[7]

- Respond to Inmate Complaints

An accumulation of unresolved grievances, or the widespread feeling among inmates that management is not listening, can promote disruption and violence and certainly does not encourage cooperative behavior. Most corrections systems today have some sort of formal complaint mechanism, usually involving a procedure with several levels of appeal.[8] But the the existence of a grievance system is not enough; inmates must believe that their complaints will be given serious and impartial consideration. Ultimately, it may not be the grievance system itself that makes a difference, but the perception by inmates that management is accessible.

A study funded by the National Institute of Corrections concluded that the most effective and credible grievance systems are those that provide for (a) inmate and line staff participation, and (b) outside review by an entity separate

from the corrections department.[9] Standards developed by the U.S. Department of Justice temper these recommendations slightly: inmate and employee participation may be advisory, and outside review may be non-binding and only for grievances challenging departmental policy. Periodic evaluation to determine the kinds of complaints and how they were handled also is required by the Department of Justice model.[10]

All of the prisons we visited have formal, multi-level grievance mechanisms, and three of these --Massachusetts, New York, and South Carolina-- provide for both inmate participation and outside review. In South Carolina a central feature of the grievance procedure is the use of inmate mediators, known as grievance clerks. This role is a full-time work assignment, involving aid to inmates with a grievance to file. Clerks try first to obtain informal resolution of the problem, then arrange for movement of the grievance to the next stage. The multi-level appeals process leads from the warden to the regional administrator to the assistant deputy commissioner for institutions to the corrections director. Final appeal is to the division of inmate relations, whose director contacts an outside (non-binding) arbitrator associated with a private organization.

- Enforce Rules Consistently and Fairly

Fairness in prison discipline is required by the U.S. Constitution (Wolff v. McDonnell, 418 U.S. 539 1974), but it also is seen as useful in preventing unrest and maintaining institutional harmony.[11] Prison administrators often credit the handling of inmate discipline for their success in de-escalating troublesome behavior.

Some prison managers claim that consistently enforcing seemingly petty rules of inmate dress, housekeeping, and behavior "gets their attention" and "shows we care." Inmates at Oregon State Correctional Institution and at California Mens Colony complain of staff "harassment" over minor deviations from the rules, but close attention to such details gives staff an edge in anticipating and preventing more serious infractions. Management at OSCI maintains that, under conditions of severe overcrowding and understaffing, it is unwise to ask staff to relax their control as this is likely to cause the pendulum to swing in the other direction.

Officers at OSCI can informally apply a restricted range of punishments for minor rule-breaking, but disciplinary reports are handled by the deputy superintendent. This not only gives top management a line of communication into the institution; it also helps to insure that sanctions will be consistently applied. "Enforce a rule or else don't have it," advises the OSCI deputy, who personally interviews each inmate on whom a report has been filed. It is also important, he says, to give the inmate a chance to tell his version of what happened and to be sure he understands why a particular rule is needed. High-handed treatment of those accused of breaking the rules is certain to cause resentment and likely to result in further misbehavior.

Of course, effective discipline depends more on the strict adherence to principles of good disciplinary practice than on the individual or position responsible for carrying it out. Punishments should fit the offense and be recognized as a common and reasonable administrative response. Written guidelines should indicate the severity of punishment appropriate for specific offenses, but these should allow decision-makers some discretion in designing individual sanctions.

- Increase Internal Security

Increased efforts to control contraband and investigate illegal activities can pay off in reduced rates of violence, whether this is associated with reduced or increased use of segregation. As part of an overall effort to "take back control of the institution," the new management at Walpole Correctional Institution established an Inner Perimeter Security (IPS) Team of specially trained custodial staff to do body searches, cell searches, and investigations. A number of inmates also were transferred to federal prisons, and inmate power structures were broken up, but the shift to a security orientation itself is believed responsible for the dramatic reduction in homicides (down from eight a year to one in two years). The IPS, management says, has allowed them to "stay on top of the situation."

Other institutions also stress the control of contraband and violence-producing activities through strict regulation and monitoring of personal property, visits, incoming packages, inmate accounts and pay, group activities, and movement within the institution. An increased emphasis on security is found not only in facilities that house the most serious

and troublesome inmates, though these (e.g., Virginia's Mecklenburg Correctional Center, South Carolina's Maximum Security Center) tend to be more restrictive than most. Rather, the key determinant seems to be the particular management philosophy and style that pervades an institution. Some managers argue that tightening controls, especially in very crowded facilities, can increase tensions and cause behavior problems. Any increase in security thus must be implemented slowly, carefully, and with full preparation of inmates and training of staff.

In apparent contradiction to this strategy are those instances when management may decide to use a general increase in inmate movement and programming and a loosening of restrictions as a pressure valve to improve the climate and keep the institution calm. The characteristics of the inmate population, physical plant, culture and traditions of the institution, and available resources all help to determine whether increased security or increased programming will be most effective in controlling disruptive behavior, but management style may be most important in determining which strategy is tried.

- Maximize Staff Visibility and Staff-Inmate Contact

Most administrators recognize the relationship between anonymity and misbehavior. In those institutions that are perceived as most safe, management and staff are highly visible on the tiers, in the yard, and in all inmate activity areas. Top management gets out into the institution every day; middle managers do so even more often. Counseling staff are out among the inmates rather than isolated in their offices. Custodial staff spend more time talking to inmates than to each other. All staff address inmates by name.

There has been a general retreat from staff-inmate contact throughout the country, as prison staff and their unions demand more safety measures and less direct contact with the source of their fears. Such precautions may be justified in special housing areas for particularly dangerous prisoners or in situations where staff are especially vulnerable. But in less obviously dangerous circumstances --on the mainline in the average prison-- the increased distance from inmates can result in a spiraling need for staff protection as inmates become increasingly alienated. More bars and

grills, more control points, more guns, and more security personnel all tend to discourage staff-inmate communication.

Small institutions are better able to maintain high contact between staff and inmates, although even here management must set appropriate expectations. Huron Men's Correctional Facility is small enough for staff to know inmates well, but management also aggressively pursues open communication with inmates. Top staff are all around the institution every day, and line staff are encouraged to keep in close touch with what is going on wherever they are assigned.

Unit management divides the institution population into smaller, more manageable groups, the members of which are more likely to develop closer relationships with each other and with unit staff. Because of the small group size and stable staffing this decentralized approach increases the frequency of contacts and the intensity of interactions between staff and inmates. The results may include better communication, more individualized classification and program planning, closer observation of inmates and early detection of problems, and improved accountability and control.

Unit management is now in place in many state prisons (including six of our sites) and institutions throughout the federal system. The U.S. Bureau of Prisons has led the move to implement the concept, beginning with its correctional institutions and youth facilities and then, convinced of the benefits for both programming and control, expanding into its six penitentiaries.

Lewisburg was the first federal penitentiary to adopt unit management, and in the first year of operation there was a noticeable decrease in tension and a dramatic reduction in the homicide rate.[12] The system devised for this population establishes seven different units: a drug abuse program, admission and orientation, two units for inmates working in industries, and three "management units." The drug program unit and the two industries units are assigned to preferred housing. Inmates are classified using the Quay system; elements of the population most likely to have conflicts are separated, and inmates are assigned to units that fit their needs for control and security.[13]

Unit management was developed primarily as a mechanism for improving program delivery, but through more frequent and more personal staff-inmate contacts and an improved institutional climate, it has been able to decrease disciplinary incidents in some institutions as well.[14]

- Increase Inmate Responsibility, Self-Determination

The experimental program implemented at the Federal Correctional Institution at Butner was not designed primarily to reduce violence and disciplinary incidents, but the results there have implications for the control of a violence-prone population. Based on a model of imprisonment proposed by Norval Morris[15], the program attempts to provide a humane and secure environment in which inmates are encouraged to acquire self-knowledge and self-control.

Inmates with a history of repetitive, violent crimes are given substantial opportunities to choose the kinds of programming in which they will participate. Individual responsibility, self-determination, and normalization are stressed at Butner, where inmates wear civilian clothes, move freely within a secure perimeter, and live in individual rooms in a facility designed to resemble community living. Programming differs little from that available at other federal institutions, but inmates can choose whether and how they will participate --after an initial test period they can even opt to leave Butner entirely. Voluntary participation is insured by inmates' fixed release dates, which are not affected by program participation.

Research has found that Butner inmates have lower rates of assault than those of inmates at institutions with prisoners of a similar security level. Despite much greater freedoms, Butner inmates receive no more incident reports than their counterparts in other federal institutions. Although programming is voluntary, inmates at Butner also enrolled in, and completed, more programs than did inmates in the control groups.[16]

Based on the positive results obtained at Butner, it has been recommended that prison programming be designed to enhance inmates' self-esteem and that program administration provide for the maximum possible level of choice. To the extent compatible with security needs, the research suggests, prisoners should be given as much discretion as possible regarding their day-to-day activities.[17]

Rationing the Use of Disciplinary Segregation

Some strategies reduce reliance on disciplinary or administrative segregation not by decreasing the frequency of disruptive incidents but by directly limiting the use of segregation as a means of control and punishment. Other strategies in this category aid the return of segregated inmates to population.

- Provide a Range of Disciplinary Options

There should be an array of punishments broad enough to encompass the full range of prohibited acts without excessive resort to segregation. This also implies the flexibility to devise appropriate punishments in individual cases.

All of our site prisons make use of a two- or three-tiered disciplinary process that encourages resolution at the lowest and least formal level. Oregon State Correctional Institution, like many other institutions, has an informal hearing for less serious infractions and a formal hearing for major offenses. An inmate accused of a minor infraction at OSCI can insist on a formal hearing, but the incentive to agree to an informal settlement is that no record is entered in the inmate's file.

At the lowest level of Auburn's three-tiered system a sergeant can impose sanctions involving loss of privileges (up to 13 days) or extra work duty (up to seven days). At level two an officer with a rank of lieutenant or above can order an inmate into "keeplock" for up to 30 days. Up to this level no loss of good time is involved. Level three, involving a captain or higher officer, generally brings a term in the disciplinary unit (up to two years for a single offense) and may include a commensurate loss of good time.

The most flexibility in punishments generally is found at lower levels of the disciplinary procedure, especially the informal sanction. The deputy superintendent at Oregon State Correctional Institution has a highly developed sense of fair play and an imaginative approach to the design of

sanctions. In a series of informal hearings he will impose a variety of short restrictions (e.g., no radio, no television, no access to day room or yard), extra work duty, restitution, or brief cell confinement. In appropriate cases he gives only a warning and reprimand, dismisses the charges, or suspends a sentence if the inmate refrains from misbehavior for thirty days.

The West Virginia Penitentiary maintains a warning and counseling file for less serious offenses and rule violations. An index card file is maintained in each housing unit, with a card for each inmate assigned to that unit. If an inmate commits a "class III" offense, the charging officer submits an incident report to the unit supervisor. The supervisor, after discussion with the inmate, either dismisses the charge or counsels and warns the inmate, indicating the disposition on the inmate's card. Four warnings during one month may bring a disciplinary report on the cumulative charges for which the inmate received earlier warnings.

- Provide for Degrees of Segregation

Options for disciplinary action may include varying degrees of segregation, such as cell confinement for short "cooling off" periods. Known by a variety of names (e.g., keeplock, toplock, celling in), confinement to cell is sometimes simply an emergency measure when isolation units are full. But, with clear guidelines and adequate management oversight, it can add flexibility to the disciplinary system and actually reduce the number of inmates in long-term segregation.

Transitional units also may be useful as less restrictive settings for those who do not need the degree of control offered by the high-security segregation unit. California's management control units are used as decompression settings for inmates coming out of security housing, and also serve as segregation units for less serious disciplinary cases. South Carolina's Central Correctional Institution (CCI) is planning a transitional care unit that will take inmates from disciplinary and administrative segregation as well as from the mental health unit.

CCI's transitional care unit will provide a structured environment and intensive programming for a maximum of 35 inmates. Inmates volunteer for the transitional program,

which includes ward or dormitory living, inmates as peer counselors, negotiated contracts, a level system, self-awareness and skill-building components, and unit management. The goal is to prepare problem inmates for return to the mainline.

- Aid Return of Segregated Inmates to Population

Inmates who have spent a great deal of time in segregation often have difficulty adjusting to life in population, and if released may quickly be returned for new infractions. Transitional units may be useful in preparing inmates who have long been isolated for a more permanent return to the mainline.

The California Medical Facility at Vacaville has a Special Housing Decompression Unit that takes carefully selected inmates from long-term lockup at other California institutions. This unit is in general population housing, opening onto the main third-floor corridor. Five six-man dorms and 18 (mostly doubled) cells provide a capacity of 60. All participants have been identified by the sending institution as fitting the general criteria of the program: a violent background but no serious disciplinaries for a year; no gang involvement; not a racist or overt homosexual; motivated to change.

When candidates for the decompression unit arrive at Vacaville they are placed first in regular lockup for 90 days. During this period they are evaluated for their suitability for the program. Those who do not fit the program's strict requirements are returned to the sending institution after the 90-day observation period. A third level of review, screening by the program administrator and psychologist, completes the selection process.

The primary program thrust for these inmates involves a combination of group sessions (two hours a day four times a week) and individual goal-setting. Inmates learn what an antisocial personality is and what probably is in store for them if they do not decide to change. Every inmate is helped to set goals for himself, which may be simple and short-range at first. They also learn how to solve problems, how to deal with people, and how to avoid or handle conflict without violence. The program is short -- six months is the average stay-- but some inmates are asked to

stay on for up to 18 more months as "culture carriers," to provide continuity and to work with new residents.

This program has been quite successful in moving high-risk inmates back to population, but there is some understandable resistance from staff and management outside the unit. After the 90-day evaluation in lockup these inmates are on the institution's mainline; only their distinctive programming separates them from the rest of the population. There have been a few violent incidents, mostly after participants have left the unit, but the number is surprisingly small, considering the kinds of inmates this program routinely handles.

- Train Staff in Alternatives to Disciplinary Reports

Much of the apparent difference among prisons in rates of disciplinary incidents may be attributable to differences in the way staff interpret inmate behavior and in the tendency to either handle minor incidents informally or write up a report. We found only one site where staff actually are trained in alternatives to disciplinary reports, but the practice may be much more widespread.

At Oregon State Prison new staff receive training in alternatives to disciplinary reports at orientation, and sergeants are involved in disciplinary committee hearings. Exposing sergeants to the hearings process teaches them how and when to write up an incident and when to handle it informally; sergeants then teach other staff. Through these and other measures (including evening yard), this institution has been able to halt the increase in disciplinary reports and has begun to turn the trend around.

In well-run institutions, says the American Correctional Association, line staff can prevent minor disciplinary problems from becoming more serious through counseling and verbal reprimands rather than involving disciplinary committees and administrators.[18] With training and management oversight, staff can handle many infractions informally, reducing the load on the formal disciplinary process and minimizing resort to segregation.

- Establish Clear Policy and Procedures for Segregation

If segregation is to be used economically as well as legally, there must be clear policies and procedures governing its use, and these must be translated into practice through staff training and supervision. If only to protect against legal attack, most prison systems have developed policy and procedural statements indicating when an inmate may be placed in segregation; who can make the decision to segregate and how that decision will be reviewed; how often a segregated inmate must be reconsidered for release; how he may be removed from segregation; what special security measures will be taken; what records must be kept; and what services, programs, and amenities will be provided.

Many prisons have written guidelines specifying segregation terms for different kinds of offenses. Some also set upper limits for any one offense or for any one period of confinement. Federal prisons, for example, limit disciplinary terms to a maximum of 60 days. An ACA standard suggests 15 days per violation, and 30 for multiple violations in a single incident.[19]

Disciplinary terms in segregation must be long enough to serve as both an appropriate punishment and a potential deterrent, but not so long that an inmate has difficulty returning to the mainline. It is equally important to develop guidelines and rules for administrative segregation, since this indeterminate form of segregated confinement may be experienced by inmates as little different from punitive detention. Without a top management commitment to controlling the use of segregation generally, upper limits on detention for disciplinary purposes are likely to produce a heavier reliance on administrative segregation as a follow-on or back-up once punitive segregation terms have been exhausted.

ELEMENTS OF AN EFFECTIVE DISCIPLINARY PROGRAM

Based on experience in the field, the following can be identified as characteristic of more successful efforts to deal with those inmates typically found in disciplinary segregation:

- A major part of the disciplinary program is oriented toward eliminating or controlling the most common sources of tension, conflict, and illegal behavior, whether by increasing security, increasing programming, or both.

- There exists, within the institution or within the prison system, a unit or facility sufficiently secure and supervised to safely and humanely house those inmates who are a genuine threat to the rest of the institution; the location of this unit or facility permits daily direct supervision by top management.

- The disciplinary process, and especially the use of segregation, is well defined and documented in written policy and procedures; staff training and management oversight insure that procedures are followed.

- Classification enables the initial separation of inmates believed to be dangerous into appropriate facilities or units, as well as the periodic reassessment of need for such housing.

- A range of disciplinary options is available and used, minimizing the need for segregation; options include short periods of segregation, partial segregation, and transitional settings.

- There are upper limits to segregation terms and strict controls on the use of indeterminate segregation, especially if the program available to inmates confined for long periods is substantially different from the general population.

NOTES TO CHAPTER 4

1. Craig T. Love and Gilbert L. Ingram, "Prison Disturbances: Suggestions for Future Solutions," New England Journal on Prison Law, 8(2):393-426, 1982.

2. Robert B. Levinson, "Try Softer," in Robert Johnson and Hans Toch (eds.), The Pains of Imprisonment, Beverly Hills, Calif., Sage Publications, 1982.

3. Stephen Gettinger, "'Objective' Classification: Catalyst for Change," Corrections Magazine, 24-29, 32-37, 1982.

4. The federal system is now conducting research to validate the Bureau's security designation and custody classification systems. The research will assess the ability of the items used to predict involvement in institutional misconduct. U.S. Bureau of Prisons, Monday Morning Highlights, October 17, 1983. California has had to postpone plans to assess the impact of its classification system on disciplinary problems and inmate behavior, due to the overwhelming need to concentrate on the department's severe overcrowding problems.

5. Some courts, in ruling on conditions of confinement suits, have ordered that idleness be reduced. American Correctional Association, Correctional Law Project, An Administrator's Guide to Conditions of Confinement Litigation, College Park, Md., ACA, 1979.

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7. Supra note 1.

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14. U.S. Bureau of Prisons, "Preliminary Evaluation of the Functional Unit Approach to Correctional Management," Washington, D.C., 1975.

15. Supra note 6.

16. Supra note 1.

17. Ibid.

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19. American Correctional Association, Commission on Accreditation for Corrections, Manual of Standards for Adult Correctional Institutions, 1977, #2-4354.

CHAPTER 5: MANAGING THE MENTALLY ABNORMAL

Estimates of the numbers involved vary, but it is widely believed that mentally ill and retarded inmates in prison are a growing problem.[1] The reasons for this are not clear. The shift in mental health policy to a greater reliance on community treatment may be partly responsible for the increase in disturbed inmates who must now be retained in prison. Prison overcrowding also plays a role: the mentally abnormal become much more visible as resources are stretched and as living conditions deteriorate.

In the past, there was a strong tendency to send mentally abnormal inmates to state hospitals or to otherwise segregate them on a long-term basis. Today, in prisons as in the outside world, the trend is toward handling in this manner only the most severely retarded or acutely ill. In the world outside, special residential centers and sheltered workshops have brought the retarded out into the community; halfway houses and expanded outpatient care now handle the disturbed in partial remission. In prison, a similar shift is occurring. There is more emphasis today on managing the mentally abnormal in settings not far removed from population, with isolation and hospital treatment used only intermittently and for short periods.

Unfortunately, many prisons are not equipped to diagnose and treat the mentally ill or to recognize and handle the retarded. In many places, except for the most severe cases, the mentally abnormal are managed largely as protective custody or disciplinary problems. They do appear frequently in such contexts, provoking victimization by stronger inmates or breaking rules they may not even understand. Some also seek out the safety of segregation units to escape the rigors of population.

In a few jurisdictions there are promising developments in the treatment of the mentally ill offender, although the

retarded still seem to receive low priority. Even with the mentally ill, some shifting of patients back and forth still occurs as corrections and mental health staff sort out their differences regarding the offender with psychiatric problems. But there are signs of change, and a few guideposts for those planning change in their own systems.

This chapter looks at some of the major issues surrounding the management of the mentally abnormal inmate, then briefly describes some strategies used by our site prisons to minimize segregation of this special inmate group.

Issue: Treat On-Site or Transfer?

This is the fundamental issue in the correctional management of the mentally abnormal inmate, but it is often decided by forces outside the control of institution managers. Developing on-site capabilities for treating the acutely ill or disabled requires a considerable investment of money and time, and the decision will be strongly influenced by the availability of existing alternatives within or outside the prison system.

A policy of transferring the mentally ill requires a good diagnostics capability at the institution and ready access to outside hospital beds. These outside beds may be located in a secure building within a state mental hospital, or they may be found in a psychiatric facility or unit attached to or run by the corrections department. Many prison systems make use of more than one of these arrangements.

A policy of treating these inmates on-site requires staff, space, and program resources sufficient to handle the kinds and numbers of problems that arise. Over time, an institution may move from a policy of transferring the mentally ill to one of handling most cases in-house. As staff are hired and gain experience and as facilities expand or are converted, a prison may find itself transferring less often, especially if capabilities and commitment policies of other units or systems change.

Michigan prisons treat in-house inmates with personality and psychosexual disorders, anxiety, and other less serious mental problems. Those with more serious illnesses may be transferred to the psychiatric center at Riverside Correc-

tional Facility or to the mental health department's Forensic Center for diagnosis and treatment. Transfers to the Forensic Center must be voluntary or court-probated, and Center staff must concur that the inmate is psychiatrically ill, but those inmates that are accepted receive hospital-style care in a close custody environment.

Oregon legislation mandates cooperation between the mental health department and corrections, but corrections makes little regular use of the state hospital, preferring to treat mentally ill inmates in the psychiatric unit at Oregon State Prison. This unit serves as a mental health resource for the entire department, so Oregon State Correctional Institution has no need to develop its own acute care capability. Patients in remission are handled in population at OSCI, with weekly visits from the OSP center's psychiatrist under contract and short-term returns to the psychiatric unit as needed.

The California Medical Facility at Vacaville serves that state as the medical and psychiatric facility for the acutely ill inmate. California Mens Colony handles the system's emotionally disturbed, retarded, and less seriously ill prisoners, and also accepts transfers from other state institutions which are placed in the nearby state hospital for treatment. Between one and two hundred beds at Atascadero State Hospital are retained on contract to the corrections department.

South Carolina's Central Correctional Institution employs social workers in-house to provide intermediate care, using nearby Kirkland Correctional Institution's mental health unit for short-term crisis treatment. The mental health unit is expanding and decentralizing its mental health services by setting up satellite units in CCI and other state prisons. Inmates requiring, but refusing, treatment are temporarily committed to the department of mental health for probate hearings and, after disposition, are returned to the mental health unit at Kirkland for treatment.

Issue: Corrections or Mental Health Management?

There is some disagreement over the appropriate locus of responsibility for even the corrections-based psychiatric unit. The disagreement stems from a basic uncertainty about the patient who is also a prison inmate. Especially when a

disturbed prisoner also presents management problems, it is not easy to decide whether mental health or custodial concerns should take precedence.

When mental health and corrections cannot agree who should handle the mentally ill offender, the result is frequently a shuffling of inmates back and forth, with adequate treatment provided nowhere. Prison staff may see severe management problems as indicative of mental disorder and a need for hospitalization, while mental health staff see the same behavior as requiring primarily containment.

Yet when a psychiatric unit or facility is established within the correctional system, and transfer outside the system is no longer an issue, the tension often remains. Mental health staff may feel that the custodial emphasis of the prison administration requires them to compromise their professional standards. Prison managers, in turn, object to the division of effort that results when the mental health unit is free to follow its own agenda.

The issue is decided differently in different jurisdictions. The Oregon State Prison psychiatric unit is run by a psychiatrist under contract to both OSP and Oregon State Correctional Institution. An intermediate care program at Auburn Correctional Facility has ten full-time staff who work for the department of mental health. At Michigan's Riverside Correctional Institution, staff of the psychiatric center report to the corrections department's Division of Health Care.

The mental health programs of the South Carolina Department of Corrections are the shared responsibility of headquarters and institutional management. Shared responsibility gives the institutional manager control over administrative aspects of the mental health programs, while programmatic and clinical concerns are departmental responsibilities. The department of mental health has supported the corrections department's efforts to obtain funding and facilities for an expanded mental health program as an alternative to turning this function over to the mental health department. When in full operation, this system will include three levels of care: counselors and social workers at individual institutions; a centralized inpatient psychiatric facility (already in place but being expanded); and eight transitional care units located at major institutions throughout the state.

Issue: Special Facility or Unit of a General Institution?

This is an issue only for systems large enough to have more than one option for housing medium- and maximum-security inmates, since only these can afford to devote an entire facility to psychiatric care. Most states must manage all such prisoners in the same few institutions, and no special psychiatric correctional facility is feasible.

A separate facility shared by several institutions may be more efficient, though even the unit within a general institution often serves other facilities as well as its own population. The Oregon State Prison psychiatric unit handles cases from other state institutions, as does the departmental psychiatric center on the grounds of Michigan's Riverside Correctional Institution.

A separate facility also may be better able to maintain a hospital atmosphere, or at least the more neutral environment needed for accurate diagnosis and the early stages of acute care.[2] The California Medical Facility at Vacaville and the Southeastern Correctional Complex at Bridgewater, Massachusetts, both have a therapeutic character that promotes treatment goals and provides a retreat for highly stressed patients.

Whichever route is followed, the psychiatric unit or facility must be well integrated into the larger system through policies and procedures that aid the transfer, treatment, and return or relocation of inmates needing professional care. The unit or facility also must be capable of safely handling violent, suicidal, or otherwise dangerous inmates. The physical plant must be secure, and staffing and other resources must be sufficient to contain and control as well as to treat the severely disturbed offender.

Issue: Long-Term Care or Treat and Return?

Some inmates are disturbed enough to require long-term care, and some facilities are equipped to handle mentally ill inmates for the duration of their terms. Among the prisons we visited, long-term care was provided more often in protected general population units. With a few exceptions, acute care facilities were oriented more to short-term treatment with rapid return to population as the goal.

The California Medical Facility at Vacaville recently shifted, under departmental orders, from a short-term orientation to long-term care. Whereas patients referred by other institutions used to be returned when their conditions had stabilized, they now must be retained in the CMF population. This is forcing a change in the role of the facility within the California system, one that institutional management views as not entirely desirable. As CMF-Vacaville fills up with patients in remission, it has fewer beds for acute care, which management and treatment staff see as their central mission.

The psychiatric centers at Oregon State Prison and Riverside Correctional Facility and the mental health unit at Kirkland Correctional Institution treat acute crises and return inmates to the sending institution as quickly as possible. To keep down admissions to the mental health unit, Kirkland is planning to set up transitional satellite units in the sending institutions both for less serious cases not needing hospital care and for patients returning from Kirkland.

A policy of treat-and-return has some advantages over the orientation to long-term care. Where a facility must accept permanent transfers of inmates from other institutions, it may come to be used as a "dump" for problem inmates. Procedures and policies must be especially designed to protect the resources of such a facility from inappropriate assignments.

A prison system needs some long-term care options for chronically ill inmates, but a large proportion of the mentally abnormal population can be handled in a somewhat protected general population with only occasional hospitalization. Short-term programs ration the use of a scarce mental health resource, making intensive care available to more inmates by cycling patients through, rather than retaining them in, the psychiatric unit or facility.

MINIMIZING LONG-TERM SEGREGATION OF THE MENTALLY ABNORMAL

There are good reasons to focus on helping most mentally abnormal inmates to function most of the time within some kind of general population. Treatment resources can be reserved for crisis care, costs can be kept down, and more

inmates will be able to take advantage of whatever benefits exist on the mainline. As long as they are not exposed to the worst aspects of prison living, the mentally abnormal may get well faster and function better in a general population setting.

The following are some ways of minimizing the long-term segregation of the mentally abnormal.

- Identify and Channel Inmates with Mental Problems

Early efforts to identify the mentally abnormal and channel them toward specialized settings and programs or professional help can reduce the need for crisis care later on. Most institutions or prison systems do some admissions testing for IQ, and many require that every new inmate be interviewed by mental health staff and referred for psychiatric evaluation if illness is suspected.[3] Testing at reception, however, may be perfunctory and superficial, surfacing only the most obvious cases.

Group IQ testing is particularly inadequate for the purpose of identifying the retarded. Experts in diagnosing mental retardation recommend that those who score 70 or below on group tests should be retested individually by a psychologist, then tested with measures of "social IQ" as well.[4] Such tests give a more realistic picture of how an inmate will function in prison and thus what special supports he may need. Of course, where no special programs are available, any testing will be of little use --and may actually be harmful, since a negative label will be unnecessarily applied.

Assessment at reception may also include identification of those inmates who, while not acutely ill or retarded, display emotional states or personality deficiencies that may lead to problems in population. Depression, anxiety, maladjustment, inability to cope, or other evidence of inadequacy, whether or not accompanied by psychiatric illness or retardation, may indicate a need for protective or therapeutic placement.

Where such units or facilities exist, inmates identified at reception as having special needs should be placed in specialized settings. A full range of options would include

CONTINUED

1 OF 2

a combination of programs and facilities we saw in the field and describe in this chapter: an acute-care psychiatric facility, such as that at Riverside Correctional Facility or Oregon State Prison; low-key or protected general population units, such as are found at the Federal Correctional Institution at Butner and at California Mens Colony; "halfway house" or transitional settings, such as Auburn's intermediate care unit; and special programs such as California Mens Colony's class for the socially inadequate or Kirkland's unit for the mentally retarded.

- Develop Special Programs

In addition to specialized settings and treatment for the mentally abnormal, a full range of options for this group will include programs designed to keep inmates busy and involved and help them to adapt to life in prison. In general, programs such as remedial education or vocational training cannot simply be scaled down or adapted for the mentally abnormal.[5] The most effective programming is specially designed to take into account their strengths as well as their weaknesses.

California Mens Colony's Adaptive Health Education class is designed for the mentally and socially inadequate. Inmates who cannot compete in regular prison recreation or education programs and who are afraid to participate in groups are given an opportunity to build skills and self-confidence gradually within a protected setting. Working at their own pace, they learn to participate in and even to lead group activities, and they are taught acceptable behaviors and interpersonal skills that may help them to survive in population.

CMC also offers occupational therapy on D Quad for inmates who cannot work or attend school. Twice a week participants meet to work on their own projects, learning self-respect and respect for tools while developing new skills.

The Federal Correctional Institution at Butner has a sheltered workshop for the mentally abnormal, whose work dovetails with that of the regular institution factory. Inmates in this shop perform simple repetitive tasks, learning at the same time good work habits and the mechanics of cooperative effort. Contrary to initial expectations, the sheltered workshop has turned out to be self-supporting, and

more than twenty of its inmates have been able to move on to the regular factory.

Kirkland Correctional Institution is one of very few prisons that operates a special program for the mentally retarded. The Special Learning Unit, which serves about twenty-five inmates at a time, teaches basic living skills and basic academic education skills. The emphasis is on helping the retarded to understand what is expected of them and what is required to live in prison and in the community outside.

- Provide Levels of Care

Several of the prisons we visited had treatment programs offering different levels of care and varying degrees of separation from the general population. This approach conserves acute care resources and minimizes the number of inmates who must be isolated.

The intermediate care program at Auburn Correctional Facility provides short-term treatment in a fifty-bed unit oriented to the recycling of inmates back to population. This unit uses reality therapy and the principles of a therapeutic community to treat sub-acute psychiatric and emotional problems that interfere with normal functioning. The program also provides day treatment for inmates housed in population and outpatient care for those needing only medication or other specific therapies. At the other end of the continuum, inmates who display symptoms of acute illness may be committed to Marcy State Hospital or the Central New York Psychiatric Center for diagnosis and treatment.

In Michigan, psychiatric staff located in the various correctional institutions handle personality or psychosexual disorders, impulse control problems, anxiety, and mental retardation, referring more serious cases to the departmental psychiatric center at Riverside Correctional Facility. The center at Riverside, which uses a level system of decreasing controls, is the end of the line, departmentally, for psychiatric cases. Anyone who cannot be handled at Riverside may be transferred, voluntarily or by court order, to the mental health department's Forensic Center.

A recent addition to the battery of options in Michigan is the "protective environment." Inmates released from either

the Riverside psychiatric center or the Forensic Center are routed through this specialized housing unit, which provides transitional care primarily for those expected to return to population. These inmates participate in institutional programming, but live in a richly staffed unit equipped to meet their special needs. The unit was created to overcome the tendency of former psychiatric patients to get into trouble without follow-up care, and often to require further segregation.

The California Medical Facility at Vacaville provides six different levels of care within the same institution. Two wings of the psychiatric treatment unit house acutely psychotic patients and patients in partial remission. Newly received acute psychotics are placed in close custody until evaluated by the unit psychiatrist and classified. They then may proceed to lower floors of the receiving wing, depending on the degree of remission. Those requiring long-term psychiatric segregation may remain in close custody on the top floor of the unit for patients in partial remission.

CMF-Vacaville patients in partial remission are placed initially on cell-feed and lockup in Q-2. After classification they may go on day parole, a program for inmates in transition from inpatient care to mainline programming. From there an inmate may move into population housing, remaining on outpatient status until treatment is no longer needed.

Four new programs have recently been added to the level system at CMF-Vacaville. An intensive treatment unit provides psychiatric care and occupational therapy for weak and dependent patients who cannot make it on the mainline. A management control unit provides closed wing housing for patients in remission whose behavior endangers others. And a "psychiatric safekeeper" program provides medium-custody housing for the vulnerable patient. In addition, three wings have been set aside for the mainline integration program, which gradually exposes formerly isolated patients to life in population. This array of treatment alternatives is designed to furnish a continuous supportive environment from reception through recovery and reintegration.

- Recruit and Train Special Staff

Line staff, if recruited for sensitivity to inmate problems and trained to recognize and deal with crises, can anticipate and de-escalate many situations that otherwise might require more substantial responses.

The unit manager of California Mens Colony's D Quad, which houses the mentally ill, retarded, and socially inadequate, recruits staff specifically for their interest in working with these kinds of inmates. She has greater freedom than other unit managers to select her own staff, and she uses it to draw from other units and from new-hires the kinds of people this unit needs.

Most of the specialized training D Quad staff receive is informal and on the job. Each year there is an all-day session led by institutional psychiatrists, in which staff learn about the types of inmates on the quad, the medications they receive, and the behaviors to expect both on and off medication. Staff also are rotated through the various assignments, including sick call and classification, learning from more seasoned workers and from experience.

Staff of the special learning unit at Kirkland Correctional Facility provide training for all of South Carolina's correctional officers, designed to help them to identify and deal with the retarded. The training is brief, but it makes officers aware of the problem and of what can be expected of retarded inmates. Instead of disciplining these inmates in the usual manner, trained officers are likely to make more appropriate referrals when problems arise.

Most managers of special housing units agree that more could be done to prepare staff for work with special inmates, but in most places training budgets are restricted or have recently been cut. Especially useful, we were told, would be specific new-post assignment orientation and more intensive training in behavior management and the management of inmate stress.

Some prison managers also are limited in their ability to assign staff by union contracts or seniority arrangements that allow staff to bid for assignments they want. In other systems, staff can request a specific post but not an assignment. Where management has more control over staff selection for the most sensitive jobs, the result may be an increased sense of community, greater acceptance of responsibility by staff, and better staff morale.

- Involve Custody Staff in Treatment

Professional mental health staff are rarely numerous enough in the prison setting, so involving custody staff in "human service" kinds of work can significantly expand mental health resources. Correctional officers also have the most frequent contacts with inmates and thus are ideally positioned to help in managing inmate stress.

Central Correctional Institution's transitional care unit, now in the planning stages, will train correctional officers in intervention techniques and actively involve them in inmate programming. As a member of the unit management team, the correctional officer also will work with psychologists and social workers in developing and evaluating inmate contracts and treatment plans.

Riverside Correctional Facility's "protective environment" for the patient returning to population is staffed not with mental health professionals but with correctional officers. This has required a modification of the traditional custodial role, which restricted correctional officers to observing and reporting inmate behavior. In this specialized setting, officers are expected to serve as active change agents.

Correctional officers at Butner are rotated through the mental health units, working with mental health staff in a supportive role. They attend weekly case conferences and keep a log of their observations, which mental health staff use in evaluating patient progress.[6]

Training all staff together can help make the team concept a reality by discouraging the creation of elite groups and making different kinds of staff aware of one another's concerns and responsibilities. Staff are trained jointly at the Federal Correctional Institution at Butner. All staff receive a two-week orientation and three weeks at an academy. The institutional committee on continuing education, staffed by a psychiatrist, provides refresher training, again for all staff.

Custody staff on D Quad at California Mens Colony are part of a custody-treatment team that is trained together and works cooperatively in dealing with inmate problems. "Anything we do on this quad," says the unit manager, "involves counselors, custody staff --everybody." The blending of roles works both ways; counselors are expected to play custody roles whenever custody staff are called away.

- Involve Inmates in Crisis Recognition

In the right environment, inmates themselves can be involved in helping other inmates, primarily by alerting staff to developing crises or problems experienced by other inmates.

The prison at Bismarck, North Dakota, has created a crisis intervention team composed of inmates trained to recognize and deal with acutely depressed or suicidal inmates. About 20 inmates receive ongoing training in crisis intervention. They then are called upon in pairs to provide 24-hour monitoring of disturbed or highly stressed inmates, reporting their observations to treatment staff so that follow-up counseling can be more effective. The team also helps to prevent crises by escorting psychiatric patients to recreational areas and supervising them while they are there. The team concept has been associated with a reduction in repeat suicide attempts and in an improvement in behavior and attitudes of depressed inmates.

- Emphasize Normalization

Acutely ill, suicidal, and violent patients must be segregated and contained until their condition improves, but patients in various stages of remission may be better managed in as normal a situation as possible. This includes returning to the mainline those who can handle it and exposing others to appropriate elements of institutional life.

Normalization for inmates with mental problems is provided more safely and with less disruption if these inmates are housed in a specialized facility. The hospital atmosphere of Massachusetts' Southeast Correctional Complex at Bridgewater and the California Medical Facility at Vacaville enables many such inmates to remain in population, with only brief time-outs in more restrictive settings. Some live in special units within the institution, but participate, to the extent they can, in regular institutional programming.

California Mens Colony offers a protected mainline environment in D Quad for the mentally retarded and disturbed patients in partial remission. Management encourages their participation in normal activities, and half of these inmates have work or educational assignments outside D Quad. Others work, attend school, or participate in occupational therapy on the quad. Supporting this effort to keep inmates involved are various therapies emphasizing reality testing, responsibility, self-motivation, coping skills, and institutional adjustment.

FCI-Butner also stresses normalization in its handling of the mentally abnormal. There is an isolation unit for acute cases and new arrivals, but the bulk of the mental health population lives in the same community-style housing as the rest of the institution. They use the same dining and recreation facilities, and even those with severe psychiatric problems are held accountable for their behavior. The disciplinary committee takes individual competence into account, but the mentally ill are subject to the same disciplinary process as any other Butner inmate. "Our goal," says the unit manager, "is to have them functioning as in the general population."

- Medicate to Allow Functioning

Antipsychotic and antidepressant drugs enable other forms of treatment and may cause symptoms to subside enough to allow a mentally ill inmate to function fairly normally. But these and other drugs also can be used to control troublesome behavior, reducing the urgency of problems the inmate presents for institutional management. Especially where staff are in short supply, drugs may be used more often or in larger doses than absolutely necessary for treatment purposes.

The medicate-to-manage philosophy was rejected by all we talked to, but there was some variation in actual use of drugs with disturbed inmates. A few institutions prescribe very little medication. Oregon State Correctional Institution, with a population of 1,000, had only six inmates on psychotropics at the time of our visit. This institution may have relatively few mentally ill inmates, but there is also a strong preference for drug-free inmate management.

Michigan's Forensic Center, which has a secure ward for 30 inmate transfers, often discontinues medication prescribed by the sending institution. The rich staffing (300 custodial and treatment staff for 200 patients) and the variety of other forms of therapy allow less frequent medication at lower levels.

Psychiatrists at many prison-based facilities also try to avoid chemical restraints, experimenting with dosages until they find the lowest level at which a man can function. But one or two people candidly admitted that because of the special strains of life in prison, a disturbed inmate may need more medication, simply to function, than would a similar patient in the community.

The most controversial use of medication in prison involves its involuntary administration. Most institutions have review procedures to monitor and control the forcible administration of drugs.[7] At the California Medical Facility at Vacaville, all medication orders are valid for no more than 30 days. The chief psychiatrist can renew the order once; after that, the matter goes before a special treatment board for review and decision. The special treatment board, which includes outside medical consultants, also must approve extension of emergency three- or seven-day medical orders when these are involuntary.

Management policy and review procedures can help to limit and control the use of medication, but the most important determinant of drug use may be the availability of sufficient staff and other resources. Where a large population of mentally ill inmates must be managed with very few staff, prescriptions may increase to fill the gap.

ELEMENTS OF AN EFFECTIVE PROGRAM FOR THE MENTALLY ABNORMAL

Based on experience in the field, the following can be identified as characteristic of more successful efforts to manage the mentally abnormal inmate.

- The prison system has, or has access to, a variety of specialized settings for the mentally abnormal, ranging from somewhat protected mainline housing to a secure facility providing professional psychiatric

care; transitional or "halfway" units help to conserve acute care resources and smooth the transition back to population.

- The institution, as well as the prison system, has an effective means of identifying and diagnosing mental abnormalities; mentally ill and retarded inmates who need protected settings or specialized treatment are screened out at reception, and ongoing efforts are made to identify problems that develop while an inmate is in population.

- Staff are trained to recognize and handle the mentally abnormal and to refer those who need professional help; custody staff are recognized as human service providers.

- Long-term care is available for those who require it, but most mentally abnormal inmates are maintained in population or handled in a manner resembling life on the mainline; hospital-style resources are rationed through an emphasis on periodic and short-term crisis care.

- Negative labels are not attached unless they have important treatment or programming implications.

- Programming for the mentally abnormal recognizes their strengths as well as their weaknesses; treatment is oriented not only to symptom relief but to overcoming behavioral and social deficits that work against these inmates in population.

- There is a systematic effort to place the mentally abnormal in formal or informal prison "niches" that provide protection and meet at least some of their special needs.

- The mental health program includes preventive measures as well as treatment for the identified abnormal; stress reduction for the entire prison population is given high priority.

NOTES TO CHAPTER 5

1. Estimates of the number of mentally retarded in prison range from nine percent nationwide to as high as 30 percent in some states (U.S. Department of Justice, The Handicapped Offender, by W. Donald Pointer and Marjorie Kravitz, Washington, D.C., National Criminal Justice Reference Service, 1981). Inmates with serious mental disorders are estimated at between ten and 35 percent of the state and federal prison population, and many prison administrators believe that the numbers are increasing (Rob Wilson, "Who Will Care for the Mad and Bad?" Corrections Magazine, 5-9, 12-17, 1980).

2. Paul J. Wiehn, "Mentally Ill Offenders: Prison's First Casualties," in Robert Johnson and Hans Toch (eds.), The Pains of Imprisonment, Beverly Hills, Calif., Sage Publications, 1982.

3. An American Medical Association guideline for prison psychiatric care specifies that every new inmate should be interviewed by a psychologist and referred for psychiatric evaluation within 14 days if mental illness is suspected.

4. Bruce DeSilva, "Some Advice on Identifying and Treating Retarded Offenders," Corrections Magazine, 6(4):28-29, 1980.

5. President's Commission on Law Enforcement and Administration of Justice, Corrections Task Force Materials, Vol. 11, "Special Offender Groups," unpublished paper prepared for the Corrections Task Force, 1966.

6. Experience has shown that mental health workers must take officers' contributions seriously, or the latter may give up trying to help. John Hagel-Seymour, "Alleviating Inmate Stress: Contributions from Correctional Officers," in Robert Johnson and Hans Toch (eds.), The Pains of Imprisonment, Beverly Hills, Calif., Sage Publications, 1982.

7. Rob Wilson, "Doing the Shuffle," Corrections Magazine, 6(1):10-11, 1980.

CHAPTER 6: DIRECTIONS FOR CHANGE

No prescriptions can be offered nor conclusions drawn that will be applicable to all of the varied circumstances in which prison administrators find themselves. Even prison overcrowding --the notorious villain of American corrections— affects only one-half of our nationwide sample of federal and state prisons. The basic issues in the management of special inmates are decided in quite different ways in different jurisdictions. What can be said to apply to even most of them?

First, the numbers and proportions of inmates requiring special handling are much larger than one might expect. When we began this study, we assumed that perhaps 15 percent of all inmates would fall into one or more of our three categories of Special Management Inmate. Yet the survey produced a figure twice this high: close to 30 percent of state and federal prison inmates in this sample were classed by management as needing special treatment, special protection, or special controls. Of course, our sample included only medium- and maximum-security facilities, and these were identified by their corrections directors as housing Special Management Inmates. They cannot, therefore, be assumed to be representative of all prisons nationwide.

The inmate "troublemaker" was seen as most numerous, but ranked second to the psychotic inmate in the management problems he presents. Inmates with a history of assaults on staff and witnesses or informers were the third and fourth most serious problems for management, with most other categories somewhat or substantially further down the list. Taking the top two seriousness ratings (A and B) together, the mentally unstable also ranked among the five most troublesome inmate types.

The lack of psychiatric or mental health staff (the smallest staff group in our survey sample), the inadequacy or absence

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of in-prison treatment facilities, and the difficulty in transferring inmates for specialized care probably all contribute to the perceived seriousness of the problems presented by the mentally ill. Some prison systems have their own psychiatric units or facilities, and a few have good working relationships with state or local mental hospitals. But too many are struggling to meet even the most basic needs of these special inmates with the limited resources of the correctional institution.

Other common problems involve the provision of programs to segregated inmates --now increasingly required by courts and correctional standards-- and the due process requirements surrounding transfers, segregation decisions, and changes in custody level. Half of the institutions in our sample also are feeling the pressures of overcrowding, and in some prison systems crowding shapes or determines virtually every decision.

Well over half of our sample have no special programs for segregated inmates, or at least none they felt were worth sharing with others. Some stated plainly that no such programs were available, or that programs had been abolished because of population or fiscal pressures. A few mentioned plans or hopes for programs in the future, or interest in the plans and programs of others.

There are signs that the handling of Special Management Inmates will change over the next several years, a process that is already underway. What directions will, or should, be taken? Based on developments now occurring in the field, we can anticipate at least a few of these.

- More Specialized Settings

Some inmates respond to the structure and predictability of traditional prison settings; they find "open" institutions with more freedoms and responsibilities either threatening or naive, preferring the "big house," where they are treated "like men." Other inmates can barely function in the conventional prison, but flourish in a setting where privacy and trust are maximized and the impact of authority is subdued. It makes no sense to prescribe one or another approach for all inmates. Any prison system that can support more than one medium- to maximum-security facility for

the adult male offender would do well to provide more than one kind of prison environment.

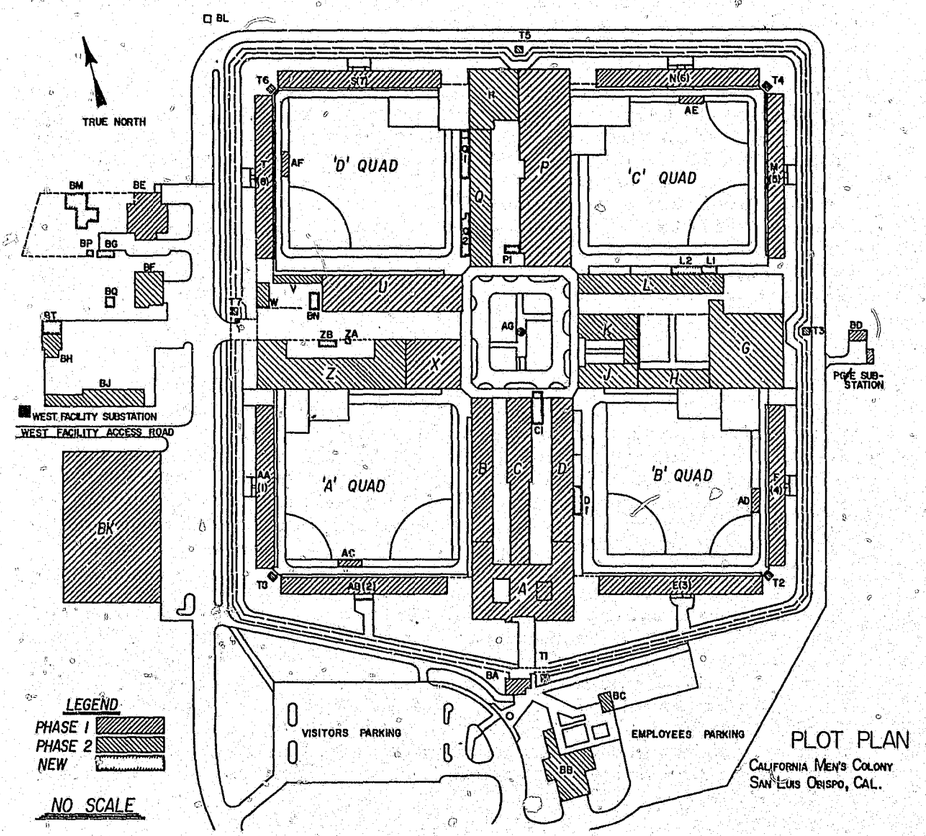
Specialized settings also can be offered within the same facility if this capacity is built into the plant design. The figure on the following page illustrates one plan that provides this capacity. This 2400-man facility may be considered too large by today's construction standards, but its design enables it to function as four semi-autonomous 600-man "institutions" for four different inmate types. As the quads share the same power, plumbing, maintenance, and general administration, the design is more cost-effective than several separate institutions. This facility, in fact, has the lowest unit cost in the California prison system.

Each of the four quads in this institution has its own yard, dining, and classroom facilities, enabling inmate subpopulations to be handled separately with full programming for all. Except in the gym, chapel, industrial shops or other work areas, inmates from the four quads never have to mix. Programs and controls can be tailored to the needs of the inmates in each quad, and movement outside the quads can be monitored and restricted.

Specialized settings for the different kinds of segregated inmates also will become more common in the next five or ten years. Special institutions or separate units for protective custody inmates are especially likely. Separate areas also may be developed within the PC unit for inmates classified differently or to keep potentially conflicting inmates apart.[1] Such arrangements enable the kinds of programming now being recommended or required for inmates in protective segregation.

The control unit programs of the federal system offer a model for the management of inmates who present a threat to institutional order. These inmates must be contained for more than the short periods typical of disciplinary detention, and their disruptive behavior precludes their transfer to another institution population. The separation of troublesome inmates into special housing units, rather than their containment in conventional segregation cells, can enable the provision of work, recreation, education, and other programming from which this group is typically excluded. Some federal control units even offer opportunities

FIGURE 1: PLANT DESIGN WITH CAPACITY FOR MAINLINE SEPARATION, California Mens Colony, San Luis Obispo



AA(1),AB(2),E(3),F(4),M(5),N(6),S(7),T(8) = Inmate Housing
AG = Central Plaza Tower (with control of access to quads)
P,U = Industries, laundry
B,D,L,Q = Classrooms and dining separate for each quad
C = Hospital and segregation
G = Gym
C1 = Plaza Watch Office
A = Administration
Q1,Q2 = D Quad psychiatric unit, dispensary
Z = Vocational shops

to work in industry jobs, with the associated industrial good time and pay.

The Mecklenburg Correctional Center at Boydton, Virginia, represents another model for the chronically aggressive or disruptive inmate. Mecklenburg uses a combination of restrictive custodial controls and a structured treatment program to manage problem inmates transferred from other institutions. Plant design and security procedures allow tight controls to be placed on these inmates, but the nine-month (minimum) phased program also includes reality therapy and behavior modification with regular progress reviews. The focus of the program is on behavioral change, and inmates who complete the program successfully are returned to a general population setting.

The mentally ill also may benefit from a variety of specialized settings, if these are designed to meet their changing needs. The diversified program at the California Medical Facility at Vacaville offers a potential model here. CMF-Vacaville recently expanded its treatment program in an effort to match sub-types of mentally ill and recovering inmates to varying degrees of control and kinds of programming. In addition to levels of decreasing control for acute and chronic patients, there now are protected mainline settings for weak and dependent inmates, a management control unit for the disruptive, and a mainline integration program for recovered patients being eased back to population.

The departmental psychiatric center at Michigan's Riverside Correctional Facility represents another good model for professional mental health treatment within the correctional system. Although some acute cases (especially those needing involuntary medication) are transferred to the mental health department's Forensic Center, the fully licensed psychiatric inpatient unit at Riverside gives Michigan corrections the uncommon capacity to avoid heavy reliance on outside resources for the mentally ill. With transfers and court-ordered commitments becoming more difficult, more prison systems may be looking to establish a corrections-based capacity such as this.

- More Purposeful Classification

The availability of diversified subsettings implies a good classification system and regular reclassification to move

inmates from one specialized setting to another or from specialized settings back to the mainline. Where more variety in placements is available there must be more purposeful or program-relevant classification.

Classification of special inmates goes beyond security or custody level to include many special needs for protection, control, or treatment. Identified needs may include physical handicaps, illnesses, or conditions; mental disorders or emotional problems; social inadequacies; learning deficiencies or communications problems; chemical dependencies; needs for special equipment, medication, or diet; enemies in the institution or vulnerability to attack; and chronic disruptive or dangerous behavior. Every institution should have the capability to diagnose such special needs and a range of appropriate placement alternatives within or outside the facility.

The classification system can be very simple, but it should be tied directly to available resources and the planning process. It will do little good --and may do harm-- to identify needs or deficiencies if there are no program or control implications or if the information collected is not compiled for use in program planning. If the finer points brought out at classification result in no action or are put to no use, the classification system may be too sophisticated for the institution or system in which it is employed.

To be useful in programming, the classification process should draw on the observations of those who work closely with inmates, both treatment professionals and other staff. Classification criteria and procedures for review must be clearly defined, and staff should be trained in their use. If crowding makes timely placements or transfers impossible, there must be some way of maintaining the integrity of the classification system.[2]

Records should be kept of the number and types of special needs inmates and the dispositions made in each case. Periodic analysis of these data can aid in refining the classification system and in evaluating and modifying programs to fit the current needs of special populations. Records also serve accountability purposes, documenting system responses to known inmate needs and demonstrating equity in the management of similar inmate types.

- Transitional Programs

Transitional programs --whether halfway in or halfway out-- are increasingly common adjuncts to segregated housing for special inmates. Some of the these programs avoid the total separation of conventional segregation by establishing protected but not isolated settings for less serious cases. Others smooth the transition from long-term lockup or acute care by preparing formerly segregated inmates for return to the mainline.

The reintegration unit at Massachusetts Correctional Institution at Norfolk offers a model for aiding the return of protective custody inmates to population or to other less restrictive settings. This unit takes PC inmates from anywhere in the Massachusetts system, working intensively with them to prepare them for mainline living. Using a PC Rating Scale that gauges changing needs for protective custody, staff of this unit have been able to move from 75 to 80 percent of the cases referred to them to lower custody levels.

The segregated housing "decompression unit" at the California Medical Facility at Vacaville takes inmates from long-term administrative or disciplinary lockup and helps them to adjust to the general population. Participants in this six-month program come from the segregation units of other institutions in the California system, but they live on the mainline at CMF-Vacaville. Of 121 men who have gone through the program in a little over two years, only 14 have been returned to lockup for serious offenses or rule violations --a surprisingly low rate considering the violent histories of these men. The program is still being evaluated, and there is some resistance to it among CMF staff concerned about the potential impact on the CMF population; but it does represent a promising model for prison systems hoping to reduce the numbers in long-term lockup.

Riverside Correctional Facility's "protective environment" resulted from a state law authorizing specialized housing units for inmates released from the departmental psychiatric unit or from the mental health department's Forensic Center. These transitional units (there is also one at the institution at Kinross) provide routine medical care in a secure but supportive environment. They are halfway-in as well as halfway-out or transitional programs, since some patients are retained on a long-term basis rather than returned to

population. Such programs add to the options available for treating the mentally ill, providing a protected setting for those who do not at the moment require acute care.

- More Targeted Staff Training

Staff who work in housing units for the Special Management Inmate can benefit from additional training to prepare them for the specialized demands that work in these units can impose. Some kinds of training also can help in reducing the number of inmates who must be placed in special housing units; staff can learn to de-escalate crisis situations that, without skilled intervention, might lead to segregation.

Much of the training that is now provided occurs informally on the job. Staff assigned to special units often receive only a brief orientation, then "learn the ropes" from their supervisors and co-workers or gain knowledge and skills directly from experience. This kind of learning is not necessarily less effective than a formal training program. Hans Toch believes that the best training is problem-centered learning on the job.[3] Training is most relevant, he says, when it grows out of direct experience, and when different kinds and levels of staff work and learn together as a team. According to Toch, the settings in which people work are so varied that, while learning can be structured or systematized, no standard prescriptions for training content areas can be offered.

It is undoubtedly true that no "cookbook" approach to training would be useful. Staff learning experiences, whether they are formal training sessions or informal meetings or case conferences, must be tailored to local realities -- e.g., plant, procedures, policies, laws, resources, and inmate types. But formal training opportunities should be provided to all prison staff, and staff should be encouraged and aided in enrolling in relevant college courses.

There are a number of general topic areas that may be widely applicable, if the training format and content allow for local variation. Some of these general areas are:

stress management

crisis intervention techniques

discipline policy and procedures (agency, institution, and unit)

interpersonal communications (as a first-line alternative to physical contact) and informal counseling or problem resolution

legal liabilities (varies with state law)

inmates' legal rights

basic first aid (varies with type of unit)

use of restraints (including force, medication, physical measures)

unarmed self-defense (to build staff confidence as well as skills)

recognizing and referring inmates displaying abnormal behaviors and mental conditions (including sources of professional help and programs available)

suicide prevention (including how to recognize inmates at risk)

procedures for hostage situations (basic principles, not how to negotiate)

styles of management and their different effects on inmates

handling contraband (special concerns and procedures for different units)

inmate program planning and review

ways of avoiding "burnout" (what to expect from working in a stressful environment, how to handle it)

Some learning experiences may be oriented primarily to changing staff attitudes or breaking down stereotypes that do not reflect reality. What are special inmates in a particular unit really like? What can realistically be expected of them? Are staff too accepting of inmates' own values and attitudes toward those who do not fit the mold?

Working from live case materials, those generated by the unit itself, will be especially useful here.

Role-playing exercises also may be helpful in alerting staff to the phases that inmates in crisis go through and the special problems they experience. Case conferences offer a productive medium for learning, as do other staff meetings if some structure is provided to keep the discussions from dwelling too long on "war stories" that relieve tensions but do not instruct. In some situations, such as when mental health and custodial staff are trained together, learning can focus less on inmate problems or program options and more on ways of working cooperatively as a team.

In jurisdictions where staff are rotated through institutional assignments, or where assignment to special units is by seniority bid, it is important to provide some special training for all institutional staff. Such training may cover the basic procedures in special housing units, along with some instruction in crisis intervention, problem resolution, and interpersonal communications. Inmate rights and legal liabilities of institutional staff are other widely applicable topic areas.

- Interjurisdictional Cooperation and Information Sharing

Prison systems nationwide are grappling with the problems of housing, protecting, treating, and programming inmates with special needs. The nature of these problems differs from one jurisdiction to another, but there is much overlap and a number of ways in which cross-jurisdictional sharing of problems and solutions could help.

One of the most obvious areas for expanded cooperation involves the transfer of inmates across jurisdictional lines. There is already some cooperation here, both among states and between states and the federal system, under the Interstate Corrections Compact or its regional counterparts. Much greater use could be made of these interstate agreements, especially in the management of special populations. Regional institutions can be established where special populations in individual states are too small to make specialized housing economical. Regional mental health facilities especially, whether privately operated, administered by one state, or run by a corrections consortium, can serve state

systems that lack the resources to develop their own psychiatric capability.

Interstate compacts are available for ratification by state legislatures, or compacts can be developed specifically for the states involved in a regional agreement. The idea of regional cooperation in corrections has been around for a long time, and relatively few examples of its effective use exist. Better information on participating states' capacities and needs, a cooperative solution to the problem of inmate transport, and some changes in law and regulations (such as those requiring cash payment for out-of-state housing or prohibiting the transfer of the mentally ill) undoubtedly would encourage broader use of this potentially powerful vehicle for cooperation.[4]

The sharing of successful management strategies and programs also should expand in coming years. Regional or national conferences, seminars, and workshops, technical assistance provided by program managers, and publications on topics of widespread interest can help to spread success. There are bright spots in the management of special inmates that contrast sharply with the generally dismal picture of long-term lockup with minimal programming and crowded or substandard conditions.

Such strategies keep special inmates busy and involved, treat the ill, or help the dysfunctional back to population. They reduce the need for segregation or they offer ways of segregating without unnecessary deprivation. Greater sharing of ideas and experiences should help to make these pockets of success more widely available.

NOTES TO CHAPTER 6

1. The American Correctional Association states that individual rooms in PC units "should be grouped in a manner that will allow similarly classified individuals to be housed in the same area and should accommodate, with some flexibility, numerical groups of individuals requiring separation." ACA, Protective Custody in Adult Correctional Facilities, College Park, Md., 1983.

2. An alternative to the typical "wait list" is offered in an article describing the classification system used in Illinois, which also discusses ways of matching inmate types with available resources and integrating management considerations. Linda Adams and John Henning, "Illinois' Adult Classification System Design," in American Correctional Association, Classification as a Management Tool: Theories and Models for Decision-Makers, College Park, Md., 1982.

3. Conversation with Hans Toch, State University of New York at Albany, December 16, 1983.

4. Standard 16.6 of the Corrections Report of the National Advisory Commission on Criminal Justice Standards and Goals recommends that every state adopt legislation ratifying interstate agreements, including the Interstate Compact on Corrections and the Mentally Disordered Offender Compact. A recent study by the American Justice Institute, funded by the Office of Legal Policy of the U.S. Department of Justice, recommends the wider use of the Interstate Corrections Compact and suggests ways in which this could be achieved: American Justice Institute, Joint Federal/State Administration of Prisons, An Exploration of Options, report to the Office of Legal Policy, April 1984.

APPENDIX A: THE SPECIAL MANAGEMENT INMATE AN ANNOTATED BIBLIOGRAPHY

LITERATURE ON THE SPECIAL MANAGEMENT INMATE

A search of the literature surfaces two central facts about the topic of the Special Management Inmate. First, the special prisoner is not so much a class or several classes of offender as it is a concept representing a management point of view. Whether or not a type of inmate presents special problems depends less on the characteristics of the class or individual than on the goals and resources of the institution; the attitudes, behaviors, and capabilities of staff; and the policies and expectations of management with regard to the orderly functioning of the prison organization.

Mentally retarded or disabled inmates, for example, are not inherently problematic for prison managers. In a facility designedto handle them, they may present no special management problems. Even certain amounts and kinds of inmate "intractability" may be absorbed and dissipated without undue difficulty in an institution prepared to deal routinely with reasonable levels of hostility and aggression. The inmate presenting special management problems thus must be defined in terms of any extraordinary demands placed on the normal functioning of a <u>particular</u> institution or prison system.

The second fact that emerges from a search of the literature is that, because of the emphasis on the "special" inmate as a management concept rather than an inmate type, the topic overlaps with virtually every other major problem area of concern to contemporary prison managers. Overcrowding, prison gangs, racial conflict, riots, prisoners' rights, drugs, and the disaffection of prison guards all impinge on the question of how to handle the inmate presenting special management problems.

In no instance, however, is the overlap complete. The issue of overcrowding, for example, is of interest not in its entirety, but only in specific ways --e.g., as crowding

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increases the need for segregation while making such special handling difficult or impossible. Similarly, the issue of prison riots is of concern primarily because of the observed relationship between mismanagement of inmate complaints or incidents and the occurrence of collective disturbances or violence.

The literature on the Special Management Inmate reflects both the diversity of related topics and the importance of maintaining an organizational perspective of the problem. It would be easy to adopt the view that certain classes of inmate present management problems and that these can be dealt with in relatively well-defined ways. However, while the literature does suggest some programmatic guidelines for the handling of special inmate categories, it also makes clear that both the existence of inmate management problems and the effectiveness of responses to them are a function of such organizational facts as type of prison, correctional goals, behavior of staff, and management style.

The references annotated below represent a selection of the literature on topics related to the Special Management Inmate. The themes are varied, indicating the project's concern with such wide-ranging subjects as mental retardation and mental illness, drug abuse, victimization and violence, inmate discipline, disobedience and misconduct, suicide, long-term and elderly inmates, and other special problem areas.

Two overarching themes are apparent: (1) the utility (and limits) of classification in identifying and responding to special inmate categories; and (2) the enduring tension between the need to segregate the dangerous and vulnerable in the interest of order and safety, and the desirability of "mainstreaming" special categories both to reduce unwarranted disparities and to optimize resource use.

A SELECTED BIBLIOGRAPHY

Adams, Linda and John Henning, "Illinois Adult Classification System Design," Corrections Today, May/June 1981, pp. 54-56, 58.

The classification system adopted in Illinois scores inmates on violence potential and "stability" (institutional performance, escape potential) to arrive at a security designation. Facilities are classified in relation to the same factors (supervision and structure in response to inmate instability, restraint for inmate dangerousness). Special needs and administrative concerns are added to the equation to determine placement.

Akers, R.L. "Homosexual and Drug Behavior in Prison: A Test of the Functional and Importation Models of the Inmate System," Social Problems, 21(3):410-22, 1974.

This study revealed that the amount of drug and homosexual behavior among inmates is more a function of the type of prison they are placed in than the social characteristics they bring with them from outside.

American Correctional Association, Classification as a Management Tool: Theories and Models for Decision Makers, College Park, Md., 1982.

A collection of articles on the theory and practice of classification, this book reviews some of the most recently developed models --California, Florida, Illinois, New York, Wisconsin, and the Bureau of Prisons-- and examines some of the moral, legal, and statistical problems in classification decision-making.

American Correctional Association, Correctional Law Project, An Administrator's Guide to Conditions of Confinement Litigation, College Park, Md., 1979.

Conditions of confinement lawsuits may challenge virtually any practice or condition affecting an inmate. The primary issue in such suits is often overcrowding, but crowding is not necessary to get a case before the court. Other issues in conditions suits have included medical care, sanitation, inmate safety, hiring and training of staff, idleness, and exercise.

American Correctional Association, Correctional Classification and Treatment: A Reader, College Park, Md., 1975.

This volume on contemporary classification and treatment in correctional settings covers the history of classification, the uses of reception and diagnostic centers, the therapeutic community, matching of offenders with treatment, and the diagnostic techniques in use in corrections today. Also examined are methods of handling the severely recalcitrant inmate, treatment of the sex-

ual deviant, problems in dealing with homosexuals, and discipline problems.

American Correctional Association, Correctional Law Project, Model Correctional Rules and Regulations, College Park, Md., 1979.

The model rules and regulations contained in this booklet provide correctional officials with up-to-date, constitutional procedures which can be implemented without fear of legal attack. Among the topics dealt with are administrative segregation, disciplinary procedures, and the use of force.

American Correctional Association, Protective Custody in Adult Correctional Facilities, College Park, Md., 1983.

Based on a survey of 31 state and federal institutions, this report documents the size and nature of the problem of protective custody in adult correctional facilities. Legal issues related to protective segregation are outlined and design concepts for a protective custody unit are specified. Relevant ACA standards and sample procedures and policies are appended.

American Medical Association, "Recognition of Jail Inmates with Mental Illness, Their Special Problems and Needs for Care," Chicago, Ill, 1977.

This handbook is designed to aid police and jail personnel in distinguishing mental illness from medical conditions producing similar symptoms and to guide the handling of persons with special problems.

Anderson, D.C., "The Price of Safety: 'I Can't Go Back Out There," Corrections Magazine, 6(4):6-15, 1980.

Gang activity, drugs, informers, rules relaxation, and inmate damage suits have forced a trend toward protective custody to safeguard certain inmates. Yet the problems of overflow and unconstitutional restriction in these special units have generated new litigation. Whether or not they face lawsuits, prison administrators in some states (e.g., California, Washington, Minnesota) are looking for ways of dealing with the problems raised by protective custody.

Atlanta Association for Retarded Citizens, Inc., Georgia's Criminal Justice System as It Relates to the Mentally Retarded, i.e., Law Enforcement, Judicial, and Incarceration --A Study, Vol. 1, Atlanta, Ga., 1975.

As many as 39% of inmates in Georgia's correctional institutions could be classified as mentally retarded, with IQs of 79 and below. Of retarded offenders in Georgia, 56% come from rural or small-town settings, 83% are black, most are males under 25 years of age. Burglary, robbery, and theft are the most common crimes, followed by manslaughter. Correctional institutions have no significant programs for the retarded offender.

Barak, I. L., "Punishment to Protection: Solitary Confinement in the Washington State Penitentiary, 1966-75," Doctoral dissertation, Ohio State University, 1978.

A study of disciplinary and administrative segregation documented impacts of internal and external variables (including management style and changing correctional goals) on the use of solitary confinement as a management tool. A typology of prisoners in solitary is presented.

Baum, Maureen S. "Effectiveness of the Megargee Typology in Predicting Violent Behavior," Doctoral dissertation, Ann Arbor, Mich., University Microfilms, 1981.

The use of the MMPI-based Megargee typology as a predictor of inmate violence during incarceration was empirically tested. The major findings do not support its use for this purpose. Variables found significant in predicting violence during incarceration were age and conviction for a violent offense.

Benjamin, T. B. and K. Lux, "Constitutional and Psychological Implications of the Use of Solitary Confinement: Experience at the Maine State Prison," New England Journal on Prison Law, 2(1):27-46, 1975.

The use of solitary confinement leads to dehumanization, hostility, aggression, and serious mental illness. Relating psychological data to court decisions implies that this prison's use of solitary violates prisoners' constitutional rights.

Bennett, L.A., "Study of Violence in California Prisons: A Review with Policy Implications," in Albert Cohen, et al., Prison Violence, Lexington, Mass., D.C. Heath, 1976.

Research on the causes of violence in correctional institutions has shifted from a focus on the individual and his motivations and characteristics to a concern with the structural, physical, and psychological environment of the institution itself. Some implications for policy to control violence include altering the mix of people with certain characteristics in a given institution, involving the inmate in developing rules and procedures, developing a device to predict inmate behavior, and expanding opportunities for inmates to express their individuality.

Bidna, H. "Effects of Increased Security on Prison Violence," Journal of Criminal Justice, 3(1):33-45, 1975.

A study of the effects of stricter security measures instituted in California institutions revealed a significant decline in total stabbings and significant changes in stabbing patterns within institutions. However, there was no significant decrease in rates of either fatal stabbings or assaults by inmates on staff. Population increases, crowding, lack of exercise, changing characteristics of the inmate population, attachment of the violent label, and the nature of security housing are discussed as possible influences on institutional violence.

Birkenshaw, P., "Control Unit Regime: Law and Order in Prison," Howard Journal of Penology and Crime Prevention, 20(2):69-80, 1981.

An inmate's lawsuit against use of the segregation or control unit was not supported by the court, which ruled that the discretion of prison administrators should not be interfered with where internal grievance procedures exist.

Blackburn, J.D., "Prison Discipline and the Eighth Amendment: A Psychological Perspective," University of Cincinnati Law Review, 43(1):101-132, 1974.

Methods of maintaining prison discipline, psychological research on punishment, and judicial treatment of mental cruelty in eighth amendment claims are examined.

Blumer, A. H., Jail Operations, A Training Course for Jail Officers Programmed Instruction, Book 6, Special Prisoners, Washington, D.C., Bureau of Prisons, 1973.

This volume discusses ways to recognize and handle those whose physical disabilities or mental conditions require special treatment and care.

Bogan, J. B., "Relationship of 'Time,' Management, and Treatment in the Prison," New England Journal on Prison Law, 2(2):139-154, 1976.

This article examines the use of the indeterminate sentence as an incentive in inmate control. Participation in treatment and the influence of the prison environment on rehabilitation also are discussed. The dual objectives of control and treatment can be integrated by careful blending of positive and negative reinforcements.

Bohn, Martin J., Jr., "Inmate Classification and the Reduction of Institution Violence," in American Correctional Association, Proceedings of the 109th Annual Congress of Corrections, College Park, Md., 1979.

The Federal Bureau of Prisons has established a new custody classification procedure to aid in assigning inmates to institutions according to their need for security. This paper describes a management classification system introduced in the Federal Correctional Institution at Tallahassee. The classification system combines MMPI scores with information from a behavior rating check list and a review of inmate records to distinguish inmates most likely to act out aggressively (Predators) from those likely to be acted out against (Victims). Those not likely to be in either extreme category (Average) also are identified. Results after two years of separation of the two extreme groups showed a significant reduction in institutional violence.

Bolte, G. L., "Institutional Disobedience in a Maximum-Security Prison," Offender Rehabilitation, 3(1):19-31, 1978.

Inmates most vulnerable to disobedience in a military prison tended to be younger; disobedience in the facility was unrelated to time in confinement. The interpersonal (guard-inmate) nature of the infraction was evident in the fact that well over half the cases included an additional infraction, usually disrespect.

Bonta, James L. and Geoff Nanckivell, "Institutional Misconducts and Anxiety Levels among Jailed Inmates," Criminal Justice and Behavior, 7(2):203-14, 1980.

Variables associated with institutional misconduct were studied. There was no relationship between the total institutional population and daily number of infractions. Inmates who had previously committed infractions were more likely to misbehave; and younger persons and those with longer sentences were at greater risk of misconduct.

Bowker, Lee H. Prison Victimization, New York, Elsevier, 1980.

A comprehensive review of prison victimization is presented, including physical, economic, psychological, and social victimization between and among prisoners and staff. Causes of victimization are classified into the variables of importation, individual background, subcultural institutional, situational, structural institutional, and general policy factors. Solutions are suggested, beginning with those that can be implemented immediately with minimal expense and moving to more radical alterations of the correctional system.

Boyd, J. L., "Race of Inmate, Race of Officer, and Disciplinary proceedings at a Federal Correctional Institution," FCI Research Reports, 8(1):1976.

A study of racial bias in reporting and handling disciplinary proceedings at a federal institution for youthful offenders found black and white inmates to be treated essentially the same.

Brick, B.L., "Right to Be Free from Assault," Columbia Human Rights Law Review, 9(2) and 10(1):285-311, 1977-78.

The eighth and fourteenth amendments to the Constitution guarantee prisoners freedom from cruel and unusual punishment, interpreted by the courts to include violent prisons and assault by prison guards and fellow inmates. Many state statutes also protect prisoners from assault. Although courts are reluctant to hold prisons responsible for sexual assaults by prisoners on other prisoners, recent cases give prisoners injunctive relief by forbidding conditions that lead to assaults, such as overcrowding.

Brown, B.S. and T.F. Courtless, The Mentally Retarded Offender, Washington, D.C., National Institute of Mental Health, 1971.

A survey of 90,477 inmates found about 20,000 to have IQ scores below 70. Most had committed property offenses. Follow-up data on 964 inmates in 26 institutions with IQ scores below 55 found that 57% were convicted of crimes against persons. Most frequent management problems included the need for constant and individual attention from staff and the tendency toward victimization by other inmates. There is a need for both more accurate diagnosis and improved treatment programs.

Brown, V. J., "A Study of Selected Factors Associated with Formal Normative Inmate Behavior at the Maryland State Correctional Institution," Doctoral dissertation, Ann Arbor, Mich., University Microfilms, 1978.

A study of factors associated with inmate rule infractions found no differences for race or socioeconomic status. Higher infraction rates were associated with incarceration for property crimes rather than personal crimes, shorter sentences, lower educational level, single rather than married, and lower participation in voluntary inmate organizations.

Burns, H., Jr., "Prison Reform: To Minimize the Damage," Carbondale, Ill., Southern Illinois University Center for the Study of Crime, Delinquency, and Corrections, 1977.

Freedom from physical and mental brutality is a standard below which no civilized penal system can allow itself to fall. Minimizing the damage done by prisoners to prisoners through sexual assault must be given top priority by the prison administration.

Burtch, Brian E. and Richard V. Ericson, The Silent System: an Inquiry into Prisoners Who Suicide and Annotated Bibliography, Toronto, Canada, University of Toronto School of Criminology, 1979.

An analysis of suicide cases in four maximum-security institutions found suicides likely to occur outside of general population conditions: in psychiatric wings, prison hospitals, punishment areas, and protective custody.

California Youth Authority, Institutional Violence Reduction Project: the Impact of Changes in Living Unit Size, Final Report, Sacramento, Calif., 1980.

Reduced living unit size produced more positive and less violent behavior among residents, fewer escapes, fewer time adds and more time cuts, and an improvement in ward-staff relationships. Reduced population size also was accompanied by an improvement in social climate, including more clearly defined program expectations and less need for staff controls.

Canadian Penitentiary Service, Report of the Study Group on Dissociation, by J. A. Vantour et al., Ottawa, Ontario, 1975.

Study of segregation practices in Canadian prisons found a lack of adequate records on dissociated inmates and a tendency to treat inmates placed in segregation for non-punitive reasons in a punitive manner. Changes in regulations, training for staff, and changes in administrative philosophy are recommended.

Carriere, Colin C., "The Dilemma of Individual Violence in Prisons," New England Journal on Prison Law, 6(2):195-230, 1980.

Courts have declined to make prison authorities absolutely liable for the safety of inmates, but have formulated a standard of reasonable care in determining liability. Broad actions challenging the constitutionality of conditions of confinement have fared much better than individual actions.

Cavior, H.E. "Utilization of the Special Housing Units at Federal Correctional Institution, Pleasanton (Calif.)," Washington, D.C., NCJRS, 1976.

Study of the use of special housing units showed women were less likely to be placed in segregation than were men, and that the special units were used more often with an increase in the overall prison population.

Cheek, Frances E., "Some Reflections on the State of Forensic Psychiatry," Proceedings of the 109th Congress of Correction of the American Correctional Association, Philadelphia, Pa., 1979.

Following a discussion of the history, current state, and problems of forensic psychiatry, this article outlines various promising approaches for the management of mentally ill offenders at the state and local level. At the state level, the author recommends establishment of a strong department of forensic mental health within the corrections department, headed by a psychologist or psychiatrist. A training program to sensitize correctional staff to mental health issues is described.

Clark, N.T., "Behavioral Indicators of Longitudinal Inmate Change in a Maximum Security Prison," Doctoral dissertation, Northwestern University, 1976.

Study of inmate records at Fort Leavenworth showed a strong tendency for long-term inmates in both high- and low-risk custody classifications to commit rule infractions at midpoints in their institutional careers. Interactions between custodial personnel and inmates in individual institutional settings exercised a strong effect on this pattern.

Clements, C.B., "Crowded Prisons: A Review of Psychological and Environmental Effects," Law and Human Behavior, 3(3):217-225, 1980.

Prison overcrowding has multiple negative effects on prisoner adjustment. Organizing into protective groups, aggressive behavior, interpersonal friction and violence all are magnified by crowding. Systematic offender classification is a desirable management tool, but overcrowding both prevents its use and exposes its deficiencies.

Connecticut Correction Department, "The Impact of Increased Population on Disciplinary Incidents," by James P. Harris and Donald M. Parker, Hartford, Conn., 1980.

No strong evidence was found that the number of disciplinary incidents among inmates increases or decreases with movements in the average daily population of the prison.

Conrad, J. P., "Who's in Charge? Control of Gang Violence in California Prisons," in M. R. Montilla and Nora Harlow (eds.), Correctional Facilities Planning, Lexington, Mass., Lexington Books, 1979.

California's approach to prison gang control (separation through classification and transfer) has reduced hostilities, but legitimized gang power and increased gang control within the institution. Three means of reducing

violence while returning power to the administration are recommended: increasing work opportunities, reducing unit size, and expanding staff size and visibility.

Conrad, J. P. and S. Dinitz, In Fear of Each Other: Studies of Dangerousness in America, Lexington, Mass., Heath Lexington, 1977.

Included in this analysis of the identification, treatment, and control of the dangerous offender is a review of solitary confinement and protective custody practices and problems in the traditional prison and the ethical issues raised by the prediction and treatment of dangerousness.

Conrad, J.P., and S. Dinitz, "Position Paper for the Seminar on the Isolated Prisoner," Rockville, Md., NCJRS, 1977.

Findings of a study of the dangerous inmate are related to changing management models and their influence on prison discipline, changing sentencing patterns, influences from the street, due process and civil rights. Available remedies are explored, including full employment, smaller units, more and better trained staff, incentives and disincentives, classification, medical management, and the lawful prison.

Conrad, John P. and Simon Dinitz, "The Prison within a Prison: Discipline at the Impasse," Report to the National Institute of Corrections, March 1978.

A study of violence control in three states with widely differing approaches to prison discipline --Texas, Washington, and California-- revealed that, to some extent, administrative policies and programs can influence both the level of violence and the need for segregation. Three themes are prominent: (1)Prison violence reflects street violence and is traceable to the same causes. (2)Prison administration is changing in both procedures and locus of authority. And (3) authority in prison, once relatively unchallenged, has been limited by a series of prisoners' rights decisions in the federal courts.

Cook, A., N. Fenton, and R. A. Heinze, "Methods of Handling the Severely Recalcitrant Inmate," in Leonard J. Hippchen, Correctional Classification and Treatment, Cincinnati, Ohio, Anderson, 1975.

Purposes, facilities, programs, administrative considerations, and release procedures of the prison adjustment center are described. The goal of the center is said to be return of residents to the general prison population. The center is viewed as psychiatrically oriented, with release ordinarily determined by the disciplinary committee.

Courtless, T.F., Jr., "Analysis of the Impact of Correctional Treatment on Committed Mentally Abnormal Offenders Viewed in Terms of an Offender Typology" (Doctoral Dissertation), Ann Arbor, Mich., University Microfilms, 1966.

Analysis of defective delinquents at Patuxent Institution found that a portion of this population consists of conformist offenders whose delinquency is anchored in a cultural milieu that is in conflict with the larger society. That these offenders are not emotionally disturbed casts doubt on the validity of the institution's classification methods.

Crouch, B. M., "The Book Versus the Boot: Two Styles of Guarding in a Southern Prison," in B. M. Crouch, Prison Guards and Contemporary Corrections, Springfield, Ill., Charles C Thomas, 1980.

Different styles of guarding in the field and in the prison building reflect different conceptions of social order. New inmates assigned to field labor are conditioned to dominating guard styles, stimulating an internalized obedience in the building even though guard dominance is lessened through lower inmate-staff ratios. This internalized obedience then allows greater inmate freedom and contributes to prison order.

Cull, W.H., G. L. Reuthebuck, and N. Pape, Mentally Retarded Offenders in Adult and Juvenile Correctional Institutions, Frankfort, Ky., Kentucky Legislative Research Commission, 1975.

Kentucky statutes mandate rehabilitation and noncriminal handling of mentally retarded offenders, yet this study found no consistent effort to segregate the retarded or provide them with treatment services. The study concludes that incarceration under present circumstances denies the retarded their right to treatment and constitutes cruel and unusual punishment.

Danto, B. et al., Crisis Behind Bars: the Suicidal Inmate, Warren, Mich., Dale Corp., 1981.

Among factors predisposing to suicide behind bars is placement in an isolation cell.

Davidson, R.T., "The Hole," in Norman Johnston and Leonard D. Savitz, Justice and Corrections, Somerset, N.J., John Wiley, 1978.

Routine activities in the adjustment center and B section ("the hole") at San Quentin prison are described.

Davis, A. J., "Sexual Assaults in the Philadelphia Prison System and Sheriff's Vans," in Clifton D. Bryant, Sexual Deviancy in Social Context, New York, Franklin Watts, 1977.

This study revealed substantial nonreporting of sexual assaults in the prison system. Most assaults involved black aggressors and white victims, but this may be explained by the fact that blacks were in the majority in this system and it is safer for a member of a majority to assault a minority member. It is suggested that prison officials could reduce sexual assaults by limiting wide disparities in economic power among inmates.

Dauber, E. and D. Shichor, "Comparative Exploration of Prison Discipline," Journal of Criminal Justice, 7(1):21-36, 1979.

Comparison of disciplinary practices at Rhode Island State Prison with those at an Israeli prison suggested that discipline can be effected without rigid standards or harsh punitive measures. Careful exercise of custodial staff discretion, incentives for good behavior, and positive relationships between inmates and top-level staff are associated with less alienation among inmates in Israel. Differences, however, may be associated with environmental factors unique to the setting.

De Silva, Bruce, "The Retarded Offender: a Problem without a Program," Corrections Magazine, 6(4):24-33, 1980.

In general, the retarded in prison are a problem without a program. Exceptions are found in Washington, Virginia, and North Carolina.

De Wolfe, R. and A. S. De Wolfe, "Impact of Prison Conditions on the Mental Health of Inmates," Southern Illinois University Law Journal, (4):497-533, 1979.

The high stress generated by continuous pressure from the prison environment over a period of years must be expected to cause marked mental, emotional, and behavioral disturbances in inmates. Rage toward staff and displaced violence toward self and other inmates are predictable outcomes.

Dickson, F. R., "Discipline in a Correctional Institution," in Leonard J. Hippchen, Correctional Classification and Treatment, Cincinnati, Ohio, Anderson, 1975.

Institutional discipline can be improved through changes in attitudes and systems of belief and corresponding adjustments in methods of handling incidents requiring discipline. Officer discipline is part of a total approach to institutional discipline, and supervisors should be responsible for effective management of employees under their control.

Dillingham, David D. and Linda R. Singer, Complaint Procedures in Prisons and Jails: An Examination of Recent Experience, Washington, D.C., National Institute of Corrections, 1980.

A survey of state corrections departments and local jails showed that the overwhelming majority have some sort of formal complaint mechanism. Inmate satisfaction, however, varied with the kind of procedure used. The two features most often distinguishing procedures seen as effective were inmate and staff participation in complaint resolution and the availability of outside appeal.

Edinger, J.D. and S.M. Auerbach, "Development and Validation of a Multidimensional Multivariate Model for Accounting for Infractions in a Correctional Setting," Journal of Personality and Social Psychology, 36(12):1472-89, 1978.

The study noted a greater likelihood of inmates committing infractions in free time than in highly supervised subsettings and of committing infractions when pardoned than when punished. These findings suggest that institutional discipline is most effective when a strict and systematic policy is maintained so that few infractions go undetected and all infractions are likely to lead to punishment.

Faily, A., G.A. Roundtree, and R.K. Miller, "Study of the Maintenance of Discipline with Regard to Rule Infractions at the Louisiana Correctional Institute for Women," Corrective and Social Psychiatry and Journal of Behavior Technology Methods and Therapy, 26(4)151-55, 1980.

Inmate profiles showed that rule violators tended to be younger and single, but no significant relationship was found between rule infractions and the number of previous incarcerations or the kind of criminal offense committed.

Farrington, David P. and Christopher P. Nuttall, "Prison Size, Overcrowding, Prison Violence, and Recidivism," Journal of Criminal Justice, 8(4):221-31, 1980.

Contrary to widespread belief about the undesirability of large prisons, a review of the literature yields no empirical evidence that prison size influences offender behavior inside prison or after release. Reducing overcrowding should receive higher priority.

Flanagan, T.J., "Time Served and Institutional Misconduct: Patterns of Involvement in Disciplinary Infractions among Long-Term and Short-Term Inmates," Journal of Criminal Justice, 8(6):357-67, 1981.

This study found disciplinary infraction rates of long-term inmates to be significantly lower than those of short-term inmates, even during the early years of confinement. Long-term subjects, however, committed more serious offenses.

Florida, House Corrections, Probation, and Parole Committee, Ad Hoc Committee on Management Oversight, Final Report, Tallahassee, Fla., 1980.

Brutality and violence in the form of physical attacks, many of them rapes, are common in Florida prisons. Perpetrators appear to be reacting to the pervasive racism of the prison system. Reports of assault are ignored, and little is done to protect inmates who have been victimized.

Gardner, M.R., "Defense of Necessity and the Right to Escape from Prison --A Step toward Incarceration Free from Sexual Assault," Southern California Law Review, 49(1): 110-152, 1975.

This article examines the implications of allowing a justificatory defense to a prisoner who escapes under threat of imminent sexual assault. The 1974 case of People v. Lovercamp implies a "right" to escape and may imply a corresponding "duty" on the part of the state to insure confinement free from assault.

Gettinger, Stephen, "'Objective' Classification: Catalyst for Change," Corrections Magazine, June 1982, pp. 24-29, 32-37.

Point-based or "objective" classification systems developed by the National Institute of Corrections, the Bureau of Prisons, and several state corrections departments are described and some basic principles of classification are outlined. Prison overcrowding, it is noted, can cause classification systems to break down.

Glaser, D., "Institutional Disciplinary Action and Social Psychology of Disciplinary Relationships," in Robert M. Carter, Daniel Glaser, and Leslie T. Wilkins, Correctional Institutions, Philadelphia, Pa., J. B. Lippincott, 1977.

Disciplinary procedures, hypotheses underlying disciplinary policy, the social psychology of disciplinary relationships, and means of reducing inmate violence are discussed in this article.

Gobert, J.J. and N. P. Cohen, Rights of Prisoners, Colorado Springs, Colo., Shepards/McGraw-Hill, 1981.

Among the many areas of prisoners' rights discussed in this book are included law and case reviews governing disciplinary proceedings, prisoner classification, transfers, and issues related to cruel and unusual punishment under the eighth amendment.

Hart, W., "Warning --Prison Medical Care May Be Hazardous to Your Health," Corrections Magazine, 5(3):4-11, 1979.

Following Newman v. Alabama, the federal decision marking the end of judicial tolerance of inadequate prison medical care, attorneys for the ACLU report that eight states have lost or settled lawsuits related to

inadequate prison health care, with another eleven states currently facing such suits. Three contrasting state systems are described: Minnesota, Virginia, and Michigan.

Held, B.S., D. Levine, and N.D. Schwartz, "Interpersonal Aspects of Dangerousness," Criminal Justice and Behavior, 6(1):49-58, 1979.

A comparison of guard and inmate perceptions of inmate dangerousness showed that guards perceive black inmates as more aggressive and dangerous than do inmates themselves. In line with the theory that dangerousness is a function of perceptions within an interpersonal context, rather than a stable personality trait, guards translated their ratings of aggressiveness into action: black inmates had substantially more rule infractions on their records than did whites. Further, the infractions for which blacks were disproportionately cited were those involving the most personal discretion on the part of guards.

Holt, N., G. Ducat, and H.G. Eakles, "California's New Inmate Classification System," Corrections Today, 43(3):24-30, 1981.

California's new classification system incorporates inmate behavior in the institution into custody assignment, with regular reclassification and transfer as inmate scores change. Detailed evaluation of the new system's impact on disciplinary problems and inmate behavior is in the planning stages.

Howarth, J.W., "Rights of Gay Prisoners: A Challenge to Protective Custody," Southern California Law Review, 53(4):1225-1276, 1980.

This article focuses on the issues raised by the traditional method of dealing with homosexuals in prison: isolation from the general prisoner population. At the same time, it highlights constitutional and other questions related to any involuntary assignment to segregated custodial settings.

Idelberger, C.T., "The Mentally Retarded Criminal Offender: Finding Some Solutions for a Lost Cause," Offender Rehabilitation, 3(2):161-170, 1978.

Labels serve a useful purpose when they identify special needs, but when this purpose is not served labels only

stigmatize. In the case of the mentally retarded offender, double labeling takes place, but no special needs are identified. There has been a tendency for mental health and corrections to shuffle the mentally retarded offender back and forth. There is a need to determine whether the treatment needs of mentally retarded offenders differ from those of non-retarded offenders, as well as from mentally retarded non-offenders.

Irwin, John, Prisons in Turmoil, Boston, Mass., Little, Brown, 1980.

Contemporary prisons are characterized by a complex and fragile social order based on racial divisions and the formation of small, hostile inmate cliques. The situation is inherently dangerous and often violent. New control systems, involving input by all parties (prisoners and guards) into the rules and conditions of work and confinement, will be needed to bring about an acceptable level of stability.

Johnson, E.S., "Dissensus in Corrections: A Paper in Support of a Bill of Rights for Correctional Officers," in Vernon Fox, Annual 22nd Southern Conference on Corrections, March 1977, Rockville, Md., NCJRS, 1977.

Custodial security and effective rehabilitation require that the rights of correctional officers be protected as well as the rights of inmates. Adequate health care for officers in recognition of the strains of the work environment, clear rules of conduct and punishment for infractions for both inmates and officers, and unrestricted power to bring grievances are among the recommended provisions.

Johnson, Robert and Hans Toch (eds.), The Pains of Imprisonment, Beverly Hills, Calif., Sage Publications, 1983.

A number of the articles in this collection on prison stress and ways to reduce it are especially relevant to the management of special inmates, including: Victimizers and Victims in American Correctional Institutions, by Lee H. Bowker; Lifers and Long-Termers: Doing Big Time, by Timothy J. Flanagan; Mentally Ill Offenders: Prison's First Casualties, by Paul J. Wiehn; Try Softer, by Robert B. Levinson; Reducing Prison Sexual Violence, by Daniel Lockwood; Alleviating Inmate Stress: Contributions from Correctional Officers, by Lucien X. Lombardo; and Management Strategies to Reduce Stress in Prison:

Humanizing Correctional Environments, by Ronald I. Weiner.

Jones, J.A. and R.C. Rahn, "The Cornell Index: Relationship of Psychological Maladjustment to Institutional Behavior," Washington, D.C., NCJRS, 1979.

Cornell Index scores have been found to have predictive value with regard to adjustment or maladjustment of new inmates to a correctional setting.

Kalmanoff, Alan, "Double Trouble: The Alienation of Disabled Inmates," Corrections Today, December 1982, pp. 34, 36, 38-39, 41.

Mainstreaming of disabled inmates seems a promising means of reducing the costs of overclassification. Disabled inmates, like their counterparts on the outside, can benefit from training in independent living.

Kentucky Legislative Research Commission, The Mentally Retarded Offender, by C. Helm, Frankfort, Ky., 1977.

This study of mentally retarded offenders in Kentucky examines the legal, judicial, and correctional problems they encounter. The definition and diagnosis of mental retardation is seen as involving a deficit in adaptive behavior as well as a low IQ score. Easily persuaded and manipulated, and prone to violence when frustrated, these offenders rarely make satisfactory institutional adjustments. Nonetheless, given appropriate treatment and training, the chances for rehabilitating mentally retarded offenders are good because their personality characteristics lend themselves to positive developmental programs.

Krajick, K., "Profile, Texas: 'They Keep You In, They Keep You Busy, and They Keep you From Getting Killed,'" Correction Magazine, 4(1):4-7, 1978.

Although its critics call it dehumanizing and repressive, the Texas prison system is considered by many to be the most efficient in the country. It operates on a system of strict discipline, close supervision, and work. Texas prisons are clean and safe, and there are few inmate disturbances.

Lee-Jan, Jan, "Overcrowding and Inmate Behavior; Some Preliminary Findings," Criminal Justice and Behavior, 7(3):293-301, 1980.

The results in general confirmed previous findings that overcrowding is positively related to disruptive behavior, but the strength of the relationship varied with different types of institution.

Levinson, R.B., "Security Designation System: Preliminary Results," Federal Probation, 44(3)26-30, 1980.

A pilot test of a new inmate classification system in the Federal prison system showed either no change or a decrease in escapes and assaults, a reduction in transfers, and better use of system resources. However, the number of inmates seeking protective custody was not reduced. Documentation of decisions as required by the system is expected to reduce inmate litigation and to aid management in handling problem situations as they arise.

Lindquist, C.A., "Disciplinary Offense Patterns of Male and Female Inmates," in Vernon Fox, Conference on Corrections, Tallahassee, Fla., Florida State University School of Criminology, 1978.

Personality scores of inmates convicted of major disciplinary offenses revealed that most disciplinary problems occurred within recognized clinical groupings. Race was not significant with regard to overall severity of offenses, but it was important in distinguishing assaulters, providing some support for the notion that a subculture of violence exists.

Lindquist, C.A., "Prison Discipline and the Female Offender," Journal of Offender Counseling, Services and Rehabilitation, 4(4):305-18, 1980.

A survey of female and male disciplinary offenders from same-sex institutions compared background and disciplinary sanctions, finding that offense frequency was greatest during the first year of incarceration. It is suggested that prison rules and regulations should be based on the view that some acting-out behavior can be expected during the first year of incarceration. Correctional officers also should be trained to understand and not overreact to nonviolent expressions of frustration and hostility from inmates.

Lockwood, D., "Sexual Aggression Among Prison Inmates," Doctoral dissertation, State University of New York at Albany, 1977.

This study of sexual aggression in New York prisons revealed a rate of sexual assault approximating the rate of heterosexual rape on the street. Targets tended to be young, white, nonviolent offenders from nonurban areas who had higher rates of mental health residency and in-prison suicide attempts. Recommended reforms include training for targets in manipulative and self-defense skills.

Mabli, Jerome et al., "Age and Prison Violence: Increasing Age Heterogeneity as a Violence-Reducing Strategy in Prisons," Criminal Justice and Behavior, 6(2):175-86, 1979.

The impact of merging older and younger inmates in two Oklahoma institutions on assault rates was studied with no definitive results. Violence declined, but other changes during the study period may have affected the results.

Massachusetts Correction Department, The Institutional Experience of Major Violators in Massachusetts, by Ellen Chayet, Boston, 1979.

The needs and problems of prisoners incarcerated in MCI-Walpole as a result of the Suffolk County district attorney's Major Violator program were assessed. The similarity of institutional experience of major violators and other inmates cautions against applying a potentially damaging label in the form of special programs without greater evidence of need.

McCain, Gavin, Verne C. Cox, and Paul B. Paulus, The Effect of Prison Crowding on Inmate Behavior, Arlington, Texas, University of Texas, 1980.

A study of six federal correctional institutions found high degrees of sustained overcrowding to have a variety of negative psychological and physiological effects, including increased rates of complaints of illness, death and suicide, and disciplinary infractions. Large institutions produced much more severe negative effects than small ones. There were substantial individual, racial, and ethnic differences in responses to overcrowding.

McCain, J.A. and R. B. McNally, "Social Programs and Correctional Control in a Maximum Security Environment: The Case of Attica," paper presented to the Academy of Criminal Justice Sciences, Philadelphia, Pa., March 1981.

A study of the impact of selected correctional programs on inmate behavior in a maximum-security setting hypothesized a positive relationship between organized social programs and a decrease in inmate infractions. Although the honor housing program did appear to influence inmate behavior positively, the various social programs at Attica did not seem to produce the expected results. Their cost-effectiveness is therefore questioned.

Megargee, E. I., "Population Density and Disruptive Behavior in a Prison Setting," in Albert Cohen, et al., Prison Violence, Lexington, Mass., D.C. Heath, 1976.

This study showed that where crowded conditions are chronic rather than temporary, and where people prone to antisocial behavior are gathered together, there is a clear association between restrictions on personal space and the occurrence of disruptive and aggressive behavior. However, changes in available space correlated more strongly with disruptive behavior than did changes in number of residents, suggesting that there are different effects associated with reducing space and increasing the number of individuals in a given space.

Megargee, Edwin I. and Martin J. Bohn, Classifying Criminal Offenders: a New System Based on the MMPI, Beverly Hills, Calif., Sage Publications, 1979.

This empirically derived system differentiates ten types of offenders which differ significantly in their subsequent patterns of behavior and adjustment in prison, in their propensity for violence, and in their response to institutional programs.

Minnesota Department of Corrections, "Race and the Disciplinary Process," Washington, D.C., NCJRS, 1978.

A study of racial bias in inmate discipline at two Minnesota prisons found the possibility for biased decision-making at each of four decision points.

Monahan, John, Predicting Violent Behavior: An Assessment of Clinical Techniques, Beverly Hills, Calif., Sage Publications, 1981.

The author examines the ethical dilemmas and scientific problems in predicting dangerousness, then suggests in what situations prediction techniques can be effective. Ways of increasing the accuracy of prediction are suggested.

Morton, J. B. and J. C. Anderson, "Elderly Offenders: The Forgotten Minority," Corrections Today, December 1982, pp. 14-16, 20.

People over age 50 comprised only 5 percent of the U.S. prison population in 1979, but this proportion may increase with the trend toward longer prison sentences. The elderly in prison have special needs, but in most places few resources are devoted to them.

Moss, C.S., R.E. Hosford, and W. R. Anderson, "Sexual Assault in a Prison," Psychological Reports, 44:823-828, 1979.

A study of rape in a federal correctional institution suggested that it may be possible to differentiate potential rapists from nonrapists on the basis of information routinely recorded in inmate files.

Myers, Louis B. and Girard W. Levy, "Description and Prediction of the Intractable Inmate," Journal of Research in Crime and Delinquency, 15(2):214-28, 1978.

The intractable inmate is defined as an inmate who presents a chronic disciplinary problem within the prison. Among variables predictive of intractability were percentage of adult life incarcerated, extent of alcohol use (before incarceration), MMPI depression scale score, and number of police contacts as a juvenile.

National Advisory Commission on Criminal Justice Standards and Goals, Corrections, Washington, D.C., U.S. Government Printing Office, 1973.

Among the topics covered in this volume are the history and current status of offender classification, with several recommended standards for its use. A section on correctional institutions includes a discussion of and standards for the management of special offender types --the addict, the recalcitrant offender, the emotionally

disturbed, and those associated with organized crime. One standard states that each institution should "make special provisions other than mere segregation for inmates who are serious behavior problems and an immediate danger to others." There is no mention of inmates in protective custody.

National Association of Attorneys General, Administrative Segregation of Prisoners: Due Process Issues, Raleigh, N.C., 1979.

Due process requirements applicable to prison disciplinary actions may not apply to inmates segregated for administrative reasons, especially where state law provides for such transfers at the discretion of correctional administrators. Classification committees must carefully document preventive and control reasons for transfer and differentiate clearly between punitive and administrative actions.

National Center on Institutions and Alternatives, National Study of Jail Suicides, Final Report, by Lindsay M. Hayes and Barbara Kajdan, Washington, D.C., 1981.

The study found a strong relationship between isolation and suicide in jails.

North Carolina Department of Correction, "Assaults and Assaultive Victimization within Ten North Carolina Correctional Institutions," Raleigh, N.C., n.d.

This study of the extent, nature, and immediate causes of assault and victimization in North Carolina institutions found rates of assault to vary widely by institution. Assault also varied inversely with the risk of getting caught and amount of supervision and directly with amount of inmate-to-inmate contact. It is suggested that, given budget restraints limiting increases in supervision, the most promising approach would be reorganization of the inmate population according to their propensity to commit assault.

Pennsylvania, Correction/Mental Health Task Force, A Study of Mentally Ill Adult Inmates in Pennsylvania 1980-81, Harrisburg, Pa., 1981.

In Pennsylvania, as elsewhere, two custodial service systems exist side-by-side: the involuntary mental health treatment system and corrections. With increasing frequency, a prison inmate's needs may extend to both

systems, especially as overcrowding exacerbates the problem of mental illness. In Pennsylvania the two systems have agreed to divide treatment for mentally ill inmates between emergency treatment in prison and long-term treatment in the hospital and to cooperate in designing a program for correctional mental health.

Petersilia, J., "Career Criminal Concept: Its Applicability to Prison Management," Corrections Today, 43(3):42-43, 1981.

A study of inmates with prior prison commitments in California, Michigan, and Texas found no evidence that this group had unique treatment needs or problems. Career criminals also were not found to be the greatest source of prison violence. It is concluded that correctional treatment should be based on actual behavior while in prison, without reference to criminal history.

Pinti, M.A., and J. A. Jones, "London Correctional Institution: The Cornell Index as a Predictor of Adjustment," Washington, D.C., NCJRS, 1976.

Used in combination with a subject's disciplinary record and commitment offense classification, the Cornell Index was found to be a significant aid in discriminating between nonviolators and infrequent violators on the one hand and frequent violators on the other. The index is not intended as a diagnostic or labeling tool, but only as a means of highlighting problems that may affect institutional adjustment.

Poole, Eric D. and Robert M. Regoli, "Role Stress, Custody Orientation, and Disciplinary Actions: A Study of Prison Guards," Criminology, 18(2):215-226, 1980.

A study of the impact of role stress, custody orientation, and background variables on disciplinary actions of prison guards found that the longer the correctional experience of a guard the fewer disciplinary reports he filed.

Pope, P., "Prisoners in Maximum Security Prisons: Perspectives upon Management and Management Problems," Prison Service Journal, 22:2-5, 1976.

Research on the control of maximum-security prisoners who present "management problems" in Great Britain found that, during normal times, no more than one-seventh of

the population fell within this category. Smaller units based upon wings or halls are recommended.

Porter, Bruce, "California Prison Gangs: The Price of Control," Corrections Magazine, December 1982, pp. 6-19.

Gang leaders and active gang members are locked down in special units in California. This article reviews the growth of gangs in California prisons and the history and effects of efforts to control them. Gang violence has been contained, but there have been costs to the prison system.

Powitzky, R. J., "Programs for the Mentally Ill or Retarded Offender," in Proceedings, American Correctional Association, 108th Annual Congress of Correction, 1978, College Park, Md., ACA, 1978.

The federal system differs from most state systems in that mentally ill or retarded inmates are cared for by the same system in which they are incarcerated; many states use separate mental health departments to treat such inmates. It is estimated that about 2% of federal inmates are psychotic, 8% are neurotic, 14% suffer from depression, and 50% have some sort of personality disorder.

Priestly, Philip, Community of Scapegoats: the Segregation of Sex Offenders and Informers in Prisons, Oxford, England, Pergamon Press, 1980.

An English prison designated for the housing of prisoners in need of segregation for their own or others' protection is described.

Prigmore, C.S. and R.T. Crow, "Is the Court Remaking the American Prison System? A Brief Overview of Significant Court Decisions," Federal Probation, 40(2):3-10, 1976.

This article reviews selected court decisions dealing with prison discipline, medical and mental health care, protection from violence, classification, and living conditions.

Rappeport, Jonas R. (ed.), "Patuxent," Bulletin of the American Academy of Psychiatry and the Law, 5(2):116-267, 1977.

This special issue focuses on a study of Maryland's Patuxent Institution, its philosophy, programs, and

cost-effectiveness in dealing with a hard-core offender population.

Richards, B, "The Experience of Long-Term Imprisonment," British Journal of Criminology, 18(2):162-69, 1978.

The management of long-term prisoners is becoming increasingly important as penal policy shifts toward fewer and longer prison sentences. This study examined long-term prisoners perceptions of the stresses they experience and their methods of coping with them.

Robitscher, J. "The Retarded Offender," Prison Journal, 49(1):13-23, 1969.

Few states have laws to cover the retarded criminal offender, and most make little effort to separate this group from the general prison population. Research also has shown that many systems for determining who is and who is not mentally retarded are unreliable. The success of "defective delinquents" in the educational and training programs of Maryland's Patuxent Institution suggests that many of these offenders are erroneously classified. Psychotherapy also has been effective with many of these inmates, 70 percent of whom receive this therapy. A study of retarded and non-retarded offenders showed that the former were involved more often in serious personal offenses.

Rockoff, E.S. and R. J. Hofmann, "The Normal and the Retarded Offender: Some Characteristic Distinctions," International Journal of Offender Therapy and Comparative Criminology, 21(1):52-56, 1977.

A study of 2,227 mentally retarded (IQ 79 and below) and normal offenders in the adult correctional institutions of Iowa during the period 1963-69 found retarded inmates to have committed more violent crimes and to have been arrested more frequently than expected, but it was the normal offender who had had more convictions. It is speculated that the retarded are more amenable to the types of rehabilitation programs offered in prison, while the normal offender is not benefitted by existing programs.

Santamour, M. and B. West, Prescriptive Package: The Mentally Retarded Offender and Corrections, Washington, D.C., NILECJ, 1977.

A review of the state-of-the-art in correctional management of the retarded offender, this volume also sets forth guidelines for planning, implementing, and evaluating programs for the retarded in correctional settings.

Santamour, M.B. and B. West, "The Retarded Offender and Corrections," in Paul Friedman, Mental Retardation and the Law, Washington, D.C., President's Committee on Mental Retardation, 1978.

Because they are disadvantaged in the criminal justice process, at least three times as many retarded persons are found in U.S. prisons as are found among the general population. Retarded offender programs are either entirely lacking or are ill-suited to the special needs of individual offenders. Retardation may be viewed as a problem of dependency, with physical, social, economic, and residential aspects.

Scacco, A.M., Jr., Rape in Prison, Springfield, Ill., Charles C Thomas, 1975.

This book examines the varieties of sexual aggression that occur in prison and develops theories to explain the impact of race or ethnicity and of characteristics of the institutional setting on the types and amounts of these kinds of behavior.

Schermer, R.L., "From Lovercamp to a Prisoner's Right to Escape: an Inescapable Conclusion," Buffalo Law Review, 26(2):413-434, 1977.

The California Court of Appeals held in People v. Lovercamp that a prisoner who escapes under threats of violent sexual assault can raise a limited defense of "necessity" under certain conditions. However, this does not imply a right to escape or that the custody was unlawful.

Selo, Elaine R., "Inmate Misconduct in Juvenile Correctional Institutions: a Comparative Study," Doctoral dissertation, Ann Arbor, Mich., University Microfilms, 1979.

Significant differences were found in the amount of inmate misconduct in 16 different institutions, which varied according to styles of securing compliance and managing inmates. Custodial programs had the highest rates of misconduct directed against other residents and staff. Utilitarian programs had the highest rates of expressive rather than aggressive misconduct (e.g.,

drugs). Youths in participatory programs had the lowest rates of misconduct in general.

"Sexual Assaults and Forced Homosexual Relationships in Prison: Cruel and Unusual Punishment," Albany Law Review, 36(2):429-38, 1972.

Exposing prisoners to sexual assault and forced homosexual relationships may be defined by the courts as cruel and unusual punishment.

Shah, Saleem A., "The Mentally Disordered Offender: A Consideration of Some Aspects of the Criminal-Judicial-Correctional Process," Report to the President's Commission on Law Enforcement and Administration of Justice, Washington, D.C., 1967.

This paper examines the flow of individuals through the criminal sanctioning process and the various points at which decisions may be made to divert the person into some other process, with special emphasis on the mentally disordered offender. No clear distinctions can be drawn between social deviance and psychiatric deviance, or between offenders with marked psychopathology and those with less. In dealing with offenders along a continuum, therefore, the first concern must be to screen out those with such severe mental disturbance that they cannot be handled in the regular correctional setting. Programs for other disordered persons within the institution would be based on evaluation of overall treatment needs, not just on psychopathology.

Sitterson, C. H., "Constitutional Law: Conditions of Confinement for Administratively Segregated Prisoners," North Carolina Law Review, 55(3):473-83, 1977.

A Federal court ruling in Sweet v. South Carolina Department of Corrections (1975) held that inmates in protective custody should, as far as possible, be treated like the general population, and without regard to expense. It is argued that further judicial scrutiny in this area will require the courts to become familiar with resource allocation within prisons.

Skinner, L. J., "Sexual Assault in Institutions," in Stanley L. Brodsky, et al., Sexual Assault: A Literature Analysis, University of Alabama Center for Correctional Psychology, 1977.

The reported rate of sexual assaults in prison is believed to be an underestimate, for many of the same reasons that nonreporting occurs on the outside. The institutional culture also fosters aggression and ethnic hostility, which are expressed in sexual assaults.

Smith, Carol F.W. and John R. Hepburn, "Alienation in Prison Organizations: a Comparative Analysis," Criminology, 17(2):251-262, 1979.

Inmate alienation was found to be related to, and possibly a cause of, inmate opposition to the prison organization. Alienation also was related to anti-staff attitudes, identification with the inmate subculture, and negative attitudes toward prison programs.

Smith, Dale E. and Richard M. Swanson, "Architectural Reform and Corrections: an Attributional Analysis," Criminal Justice and Behavior, 6(3):275-92, 1979.

A study of the impact of architectural reform on frustrations and animosities that arise within the facility found that with a move to a new institution the attributions of both inmates and staff to other people became more negative, even as feelings about the environment became more positive.

South Carolina Department of Corrections, Mentally Retarded Adult Offenders in the South Carolina Criminal Justice System --A Proposed Program, Columbia, S.C., 1974.

A study to determine whether the State should institute specialized treatment programs for incarcerated retarded offenders or divert this group of offenders found that the present legal framework is insufficient for the formal early diversion of the retarded from the justice system. Though a diversionary program should eventually be developed, present goals include improved diagnosis and specialized treatment within the system.

Southeastern Correctional and Criminological Research Center, Four State Feasibility Study of Regional Programs for Special Offenders, Final Report, Washington, D.C., LEAA, n.d.

This study sought to determine the feasibility of establishing a regional (Georgia, Florida, North Carolina, South Carolina) facility for women, the criminally insane, the hard-core offender, and the mentally retarded offender. It was concluded that it would be possible to establish regional institutions for these groups, but

that such an approach may not be desirable. Any such institution would be very large, and there are sufficient numbers in each category in all four of the states to justify a facility within each state.

Suedfeld, P., "Solitary Confinement as a Rehabilitative Technique: Reply to Lucas," Australian and New Zealand Journal of Criminology, 11(2):106-112, 1978.

Research has established that solitary confinement may be a highly useful technique in a number of clinical situations, but there is little information on its actual effects in prison. Confusion arises from the association with various other treatments sometimes applied in conjunction with isolation but just as easily and often used in its absence.

Texas Department of Mental Health and Mental Retardation, Project CAMIO (Correctional Administration and the Mentally Incompetent Offender), Vol. 1, Strategies for the Care and Treatment of the Mentally Retarded Offender, Austin, Texas, 1973.

It is assumed that the vast majority of mentally retarded offenders are in the borderline and mildly retarded range. Recommendations are presented for legislative, administrative, and procedural changes to improve the care and treatment of retarded offenders.

Texas Department of Mental Health and Mental Retardation, Project CAMIO (Correctional Administration and the Mentally Incompetent Offender), Vol. 4, The Mentally Retarded in an Adult Correctional Institution, Austin, Texas, 1973.

The incidence of mental retardation in the Texas Department of Corrections inmate population varies from 5 to 23% depending on the measure of intelligence used. The high incidence of retardation in prison is said to be due to administrative defects in the criminal justice system.

Tennenbaum, D. J., "Dangerousness within a Juvenile Institution," Journal of Criminal Justice, 6(4):329-345, 1979.

Staff perceptions of inmate dangerousness negatively affected their inclination and ability to work with these youths.

U.S. Department of Justice, The Handicapped Offender: A Selected Bibliography, by W. Donald Pointer and Marjorie Kravitz, Washington, D.C., National Criminal Justice Reference Service, 1981.

This annotated bibliography includes citations dealing with the mentally retarded and physically handicapped offender at all stages of the criminal justice and correctional process.

Unkovic, Charles M. and Judith A. Klingman, "The Continued Neglect of the Mentally Retarded Offender," Correction Today, 42(3):38-9, 1980.

It is estimated that about 10 percent of the nation's prison population is mentally retarded. In most states the retarded are housed with the general population, and prison staff are not specially trained to deal with this group.

Ward, D. and A.K. Schmidt, "Last-Resort Prisons for Habitual and Dangerous Offenders: Some Second Thoughts About Alcatraz," in David A. Wood and Kenneth F. Schoen (eds.), Confinement in Maximum Custody, Lexington, Mass., D.C. Heath, 1981, pp. 61-68.

Until its closing in 1963, Alcatraz housed those Federal prison inmates considered the most recalcitrant and dangerous. In Alcatraz, infractions were observed, written up, and punished with greater certainty than in other prisons. Despite their records of prior misconduct in other prisons, Alcatraz inmates showed a far lower rate of disciplinary infractions.

Wardlaw, Grant, "Are Long-term Prisoners a Management Problem in Australian Prisons?" Australian and New Zealand Journal of Criminology, 13(1):6-10, 1980.

Wardens in Australia report that long-term inmates, as a group, are not a management problem, but tend to be a stabilizing influence on the institution.

Weiss, C. and J. D. Friar, Terror in the Prisons: Homosexual Rape and Why Society Condones It, New York, Bobbs-Merrill, 1974.

Prison guards were found to be a major force in perpetuating sexual assaults in prison both by ignoring the problem and by actively contributing to it.

Wiles, D.K. and E. Rockoff, "Problems of Achieving Rehabilitation and Punishment in Special School Environments," Journal of Law and Education, 7(2):165-76, 1978.

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