

Criminal Justice *in* America

EIGHTH EDITION



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11

Incarceration and Prison Society

LEARNING OBJECTIVES

- LO1 - Describe how contemporary institutions differ from the old-style “big-house” prisons.
- LO2 - Identify the three models of incarceration that have predominated since the 1940s.
- LO3 - Describe the organization of prisons and their staffs.
- LO4 - Explain how a prison is governed.
- LO5 - Summarize the roles of correctional officers in a prison.

LEARNING OBJECTIVES

- LO6 - List the characteristics of the incarcerated population.
- LO7 - Compare the prison cultures for men and for women.
- LO8 - List some of the programs and services available to prisoners.
- LO9 - Describe the nature of prison violence

PRISON LIFE

- At 7:30 a.m., it is time for breakfast, and 25 minutes later, it is time to report for work. After eating lunch at noon, inmates continue working with recreation time at 4:10 p.m., and dinner served at 4:40 p.m. Prisoners spend the evening in their cells. Lights out occurs at 9:30 p.m., and they are awakened at 6:30 a.m. the next morning. This is the same routine 365 days per year.
- What does incarceration mean to the inmates, the guards, the administrators, and the public?

THE MODERN PRISON

- Typical big house of 1940s and 1950s was a walled prison with large tiered cell blocks, a yard, shops, and industrial workshops.
- During the 1960s and 1970s, when the rehabilitation model prevailed, many states built new prisons, and converted others into correctional institutions.

THE MODERN PRISON

- During the past 30 years, the number of African American and Hispanic inmates has greatly increased
- More inmates come from urban areas, and more have been convicted of drug-related and violent offenses
 - Former street gangs, often organized along racial lines, today regroup inside prisons
 - Such gangs have raised the level of violence in many institutions
- Now the focus of corrections has shifted to crime control, which emphasizes the importance of incarceration
 - Not only has the number of people in prison greatly increased, but many states have removed educational and recreational amenities from institutions

GOALS OF INCARCERATION

- Three models of incarceration have predominated since the early 1940s: the custodial, rehabilitation, and reintegration models.
 - The custodial model
 - A model of incarceration that emphasizes security, discipline, and order
 - Prevailed in corrections before World War II, this model dominates most maximum-security institutions today

GOALS OF INCARCERATION

- The rehabilitation model
 - Developed during the 1950s
 - Emphasizes treatment programs designed to reform the offender
 - Few prisons conform to this model today
- The reintegration model
 - A model of a correctional institution that emphasizes maintaining the offender's ties to family and community as a method of reform
 - Recognizes that the offender will be returning to society
- Given the complex challenges facing today's prisons-increased racial diversity, greater likelihood of gang memberships, and state's need to reduce corrections budgets, which model of prison administration seems best suited?

PRISON ORGANIZATION

- Unlike managers of other government agencies, prison managers:
 - Cannot select their clients
 - Have little or no control over the release of their clients
 - Must deal with clients who are there against their will
 - Must rely on clients to do most of the work in the daily operation of the institution—work they are forced to do and for which they are not paid
 - Must depend on the maintenance of satisfactory relationships between clients

GOVERNING A SOCIETY OF CAPTIVES

- In theory, correction officers have absolute power
- In practice, there is need to elicit some degree of voluntary cooperation from inmates
 - Often the key is controlling inmate quality of life
 - Maintain order
 - Use amenities as a carrot
 - Provide some services for improving their lives

HOW DOES GOVERNING PRISONS DIFFER FROM ADMINISTERING OTHER PUBLIC INSTITUTIONS?

- Defects of total power
- Limitation on the rewards and punishments officials can use
- Co-optation of correctional officers by inmates through exchange relationships
- Strength of inmate leadership

REWARDS AND PUNISHMENTS

- Correctional officers often rely on rewards and punishments to gain cooperation
 - Instead of using force to ensure obedience, however, they reward compliance by granting privileges and punish rule violators by denying them
 - Such rewards are choice job assignments, residence in the honor unit, and favorable parole reports
 - Inmates who do not break rules receive good time
 - Informants may also be rewarded

EXCHANGE RELATIONSHIPS

- One way that correctional officers obtain inmate cooperation is by tolerating minor rule infractions in exchange for compliance with major aspects of the custodial regime
 - The correctional officer plays the key role in these exchange relationships
 - Correctional officers must take care not to pay too high a price for the cooperation of their charges
- Such exchanges present an ethical dilemma that correctional officers frequently face

CHALLENGE OF GOVERNING PRISONS

- Prisons can be governed, violence minimized, and services provided to the inmates if correctional executives and wardens exhibit leadership.



CORRECTIONAL OFFICERS

- Over the past 30 years, the correctional officer's role has changed greatly
 - Officers are expected to counsel, supervise, protect, and process the inmates under their care



AP Images/Elaine Thompson

RECRUITMENT OF OFFICERS

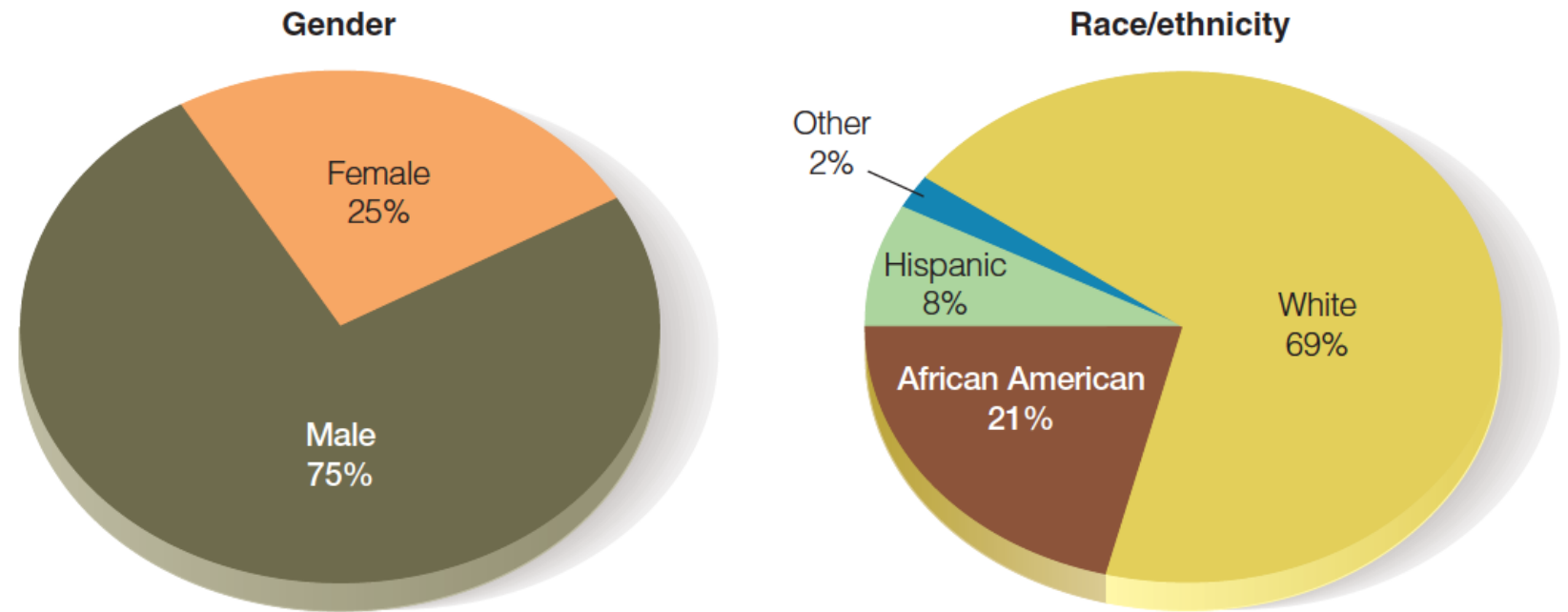
- **Employment as a correctional officer is neither glamorous nor popular:**
 - The work is thought to be boring, pay is low, and career advancement is minimal
 - Studies show that one primary incentive for becoming involved in correctional work is the security that civil service status provides
 - Most correctional facilities are located in rural areas, prison work often is better than other available employment
- **Correctional administrators have made special efforts to recruit women and minorities**
 - States have 25% of female officers, while in the Federal Bureau of Prisons, 27% of the correctional officers are women

CHARACTERISTICS OF CORRECTIONAL OFFICERS

FIGURE 11.2

Characteristics of Correctional Officers Compare these pie charts with the data found in Figure 11.3. How do correctional officers differ from those incarcerated in terms of sex and race/ethnicity?

Source: J. J. Stephan and J. C. Karberg, *Census of State and Federal Correctional Facilities, 2000* (Washington, DC: U.S. Department of Justice, 2003); J. J. Stephan, *Census of State and Federal Correctional Facilities, 2005*. Washington, DC: U.S. Department of Justice, 2008).



- How do correctional officers differ from those incarcerated in terms of sex and race/ethnicity?

USE OF FORCE

- There are five situations in which the use of force is legally acceptable:
 - Self-defense
 - Defense of third persons
 - Upholding prison rules
 - Prevention of crime
 - Prevention of escape

WHO IS IN PRISON?

- The Bureau of Justice Statistics reports that the majority of prisoners are:
 - Men
 - Aged 25 to 44
 - Minorities
- Approximately 40% of state prisoners have not completed high school
- Research shows that 44% of prisoners are rearrested within the first year after release
- Within three years, approximately 25% of all released inmates will return to prison

CHARACTERISTICS OF MALE AND FEMALE INMATES IN STATE PRISONS

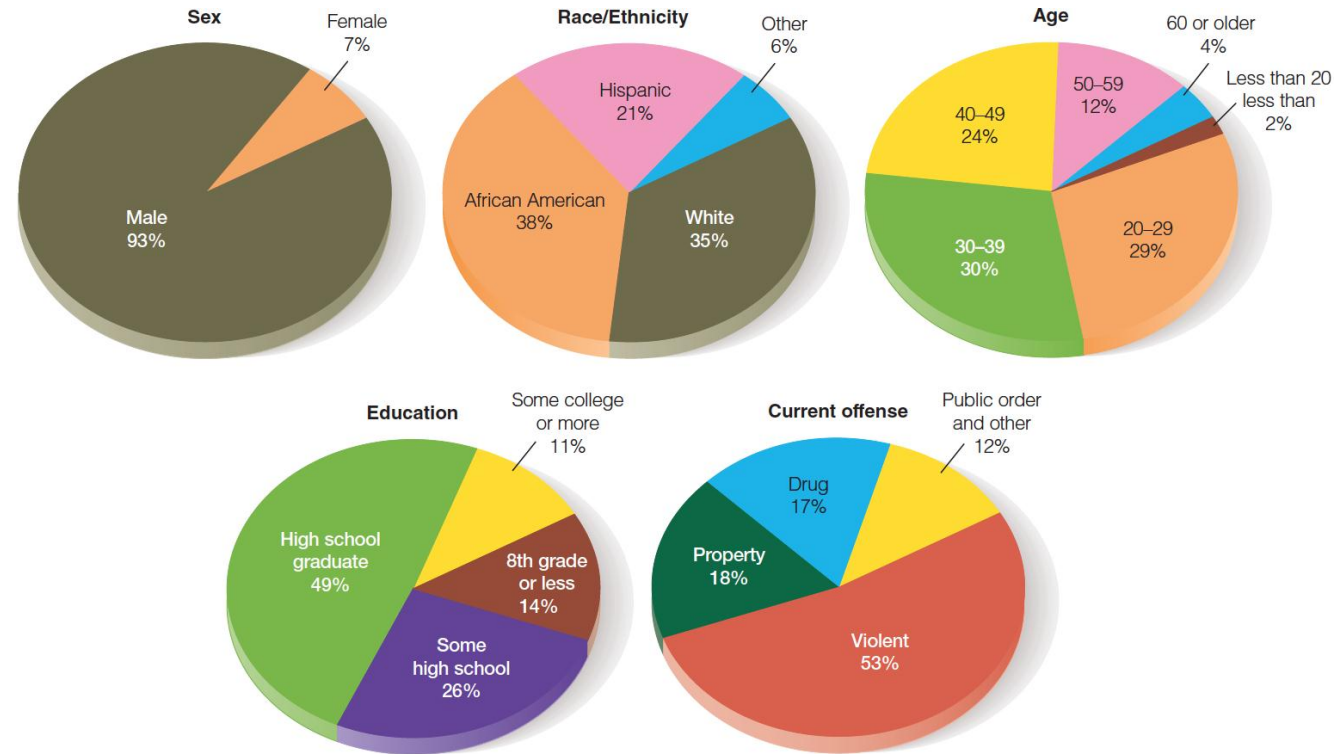


FIGURE 11.3

Characteristics of Male and Female Inmates in State Prisons These data reflect the types of people held in state prisons. Are any of the percentages surprising? Do these numbers provide any clues about whether too many people are held in prison or the specific challenges faced by corrections administrators?

Note: Totals may not equal 100% due to rounding.

Sources: E. A. Carson and W. J. Sabol, "Prisoners in 2011," *Bureau of Justice Statistics Bulletin* (Washington, DC: U.S. Department of Justice, 2012); E. A. Carson and D. Golinelli, "Prisoners in 2012—Advance Counts," *Bureau of Justice Statistics Bulletin* (Washington, DC: U.S. Department of Justice, 2013); E. A. Carson and D. Golinelli, "Prisoners in 2012: Trends in Admissions and Releases, 1991–2012," *Bureau of Justice Statistics Bulletin* (Washington, DC: U.S. Department of Justice, 2013); C. W. Harlow, "Education and Correctional Populations," *Bureau of Justice Statistics Special Report* (Washington, DC: U.S. Department of Justice, 2003).

ADDITIONAL FACTORS AFFECTING CORRECTIONAL OPERATIONS

- Increased number of elderly prisoners
- Many prisoners with HIV/AIDS
- Thousands of prisoners who are mentally ill
- Increase in long-term prisoners

ELDERLY PRISONERS

- In 2011 U.S. prisons held more than 121,000 offenders over 55 years old
 - A number of states have created “geriatric prisons” designed to hold older inmates classified according to need
 - The costs for maintaining an elderly inmate averages about \$69,000 per year, triple the average cost for a younger inmate



PRISONERS WITH HIV/AIDS

- In 2008 there were more than 20,000 HIV-positive inmates in state facilities (1.6% of the prison population) and 1,538 federal offenders (0.8%) with AIDS
 - Some states do not require mandatory HIV/AIDS testing, so the number is undoubtedly higher
- Prison officials can develop policies on methods to prevent transmission of the disease.

MENTALLY ILL PRISONERS

- Currently far more mentally ill live in the nation's jails and prisons than in state hospitals
 - Correctional workers are usually unprepared to deal with the mentally ill
 - Mentally ill prisoners often suffer as the stress of confinement deepens their depression, intensifies delusions, or leads to mental breakdown.
 - Many mentally ill prisoners live in general population due to lack of mental health units

LONG-TERM PRISONERS

- About 10% of all inmates are serving “natural life”
 - No possibility of parole
 - Each life sentence costs taxpayers \$1 million
- 310,000 inmates are serving at least a 20 year or greater sentence
- Long-term prisoners are generally not seen as control problems, receiving disciplinary infractions about half as often as do short-term inmates

THE CONVICT WORLD

- **The Inmate Code**
 - The values and norms of the prison social system that define the inmates' idea of the model prisoner
 - The code also emphasizes the solidarity of all inmates against the staff
- **A single, overriding inmate code probably does not exist in today's prisons**
- **Instead, convict society has divided itself along racial lines.**

THE CONVICT WORLD

- Contemporary prison society is divided along social, ethnic, and gang subgroups. There is no longer a single inmate code to which all prisoners subscribe.
- As a correctional officer, how would you deal with white supremacists and other gangs based on racial and ethnic divisions with the prison population?



ADAPTIVE ROLES

- **Doing Time**

- Men “doing time” view their prison term as a brief, inevitable break in their criminal careers, a cost of doing business

- **Gleaning**

- Inmates who are “gleaning” try to take advantage of prison programs to better themselves and improve their prospects for success after release

- **Jailing**

- Is the choice of those who cut themselves off from the outside and try to construct a life within the prison

- **Disorganized Criminal**

- A fourth role orientation describes inmates who cannot develop any of the other three orientations

THE PRISON ECONOMY

- In prison, as outside, individuals want goods and services
 - Prisons have a commissary from which inmates may purchase a limited number of items in exchange for credits drawn on their “bank accounts”
- An informal, underground economy acts as a major element in prison society
 - Economic transactions can lead to violence when goods are stolen, debts are not paid, or agreements are violated.

WOMEN IN PRISON

- Women constitute only 7.3% (about 101,000) of the entire U.S. prison population
 - From 2000 to 2010, the male population increased by 16%, whereas that of women increased by 25%
 - 37% of female prisoners are sentenced for violent offenses, compared with 54% of male prisoners
 - 25% of female prisoners are sentenced for drug offenses, compared with 16% of male prisoners
- Geographically remote, with few states operating more than one facility

DIFFERENCES BETWEEN MALE AND FEMALE PRISONERS

- Nearly 1/2 male inmates but only 1/3 female inmates are serving time for violent offenses
- There is less violence in prisons for women than in prisons for men
- Women show greater responsiveness to prison programs
- Men's prison populations are divided by security level, but most women serve time in facilities where the entire population is mixed
- Men tend to segregate themselves by race; this is less true of women
- Men rarely become intimate with their keepers, but many women share their lives with officers

ISSUES IN INCARCERATION OF WOMEN

- **Sexual Misconduct**
 - Assault and rape by inmates and guards
- **Educational/Vocational Training**
 - Lack variety of male training, more traditional 'female' jobs
- **Medical Services**
 - Gynecological needs and more serious health issues than men
- **Mothers and Children**
 - 60% mothers; 25% have children under 4

WOMEN PRISONERS AND CHILDREN

- Over 60% of women inmates are mothers. About 65% of incarcerated mothers were single caretakers of minor children before entering prison. Most states only have one female prison, averaging 150 miles away from their children, making contact extremely difficult. Some facilities have developed innovative programs which seek ways to help mothers maintain links to their children.
- To what extent should society worry about, pay attention to, and spend money on programs for children whose mothers are in prison?

CLASSIFICATION OF PRISONERS

- Classification is the process of assigning an inmate to a category specifying his or her needs for security, treatment, education, work assignment, and readiness for release
 - Classification decisions are often based on the institution's needs rather than on those of the inmates

EDUCATIONAL PROGRAMS

- Offenders constitute one of the most undereducated groups in the U.S. population
- Inmates frequently lack high school educations
 - 80% of prisons offer courses to earn GED
- Traditionally there were some college courses, but now this has declined to less than 35%
 - Comprehensive Crime Control Act of 1994 bans federal funding (Pell Grants) to prisoners for postsecondary education

VOCATIONAL EDUCATION

- Vocational education programs attempt to teach offenders a marketable job skill
 - Unfortunately, too many programs train inmates for trades that already have an adequate labor supply or in which new methods have made the skills taught obsolete
- Most prisoners need to learn not only a skill but also how to act in the work world

PRISON INDUSTRIES

- Many prisons contain manufacturing facilities that produce goods, such as office furniture and clothing, used in correctional and other state institutions
 - BOP and some states have developed industries, but generally their goods are not sold on open market



REHABILITATIVE PROGRAMS

- Seek to treat personal defects thought to have brought about the inmate's criminality.
 - Counseling and special programs are offered in 97% of public prisons, but only 74% of private institutions

MEDICAL SERVICES

- Most prisons offer medical services through a full-time staff of nurses, augmented by part-time physicians under contract to the corrections system
 - Prisoners often bring to the prison years of neglect of their general health
 - Most states spend about \$5,000 per inmate for health care, some spend up to \$12,000 a year

VIOLENCE IN PRISON

- Prisons provide a perfect recipe for violence
- Men are not allowed contact with women and live under highly restrictive conditions
- Sometimes these conditions spark collective violence
- Each year about 34,000 inmates are physically attacked by other inmates
- In 2002, 48 assault victims died

ASSAULTIVE BEHAVIOR

- **Age**
 - Young men are more aggressive; often culture of machismo
 - Average age in prison 27
- **Race**
 - Racial conflict is common and a factor in violence
- **Mental Illness**
 - More likely to be victim than perpetrator

PRISON GANGS

- Racial or ethnic gangs (AKA “security threat groups”) are now linked to acts of violence in most prison systems
 - Gangs make it difficult for wardens to maintain control
 - By continuing their street wars inside prison, gangs make some prisons more dangerous than any American neighborhoods
- The American Correctional Association found more than 46,000 gang members in the federal system and in the prisons of at least 35 states

RAPE AND PROTECTIVE CUSTODY

- Rape statistics are difficult to get or trust
- Assaults by and on officers also occur
 - Women being most vulnerable
- Protective Custody is an option
 - Essentially solitary incarceration for victim

ISSUES DECREASING VIOLENCE

- Inadequate supervision by staff members
- Architectural design that promotes rather than inhibits victimization
- Easy availability of deadly weapons
- Housing of violence-prone prisoners near relatively defenseless people
- General high level of tension produced by close quarters