



## FROM THE EDITOR

### EDITOR

**Allan L. Patenaude, Ph.D.**

University of Arkansas at Little Rock

### ASSOCIATE EDITORS

**Cyndi Banks, Ph.D.**

Northern Arizona University

**Robert Burns, Ph.D.**

Texas Christian University

**Joan E. Crowley, Ph.D.**

New Mexico State University

**James W. Golden, Ph.D.**

University of Arkansas at Little Rock

**W. Wesley Johnson, Ph.D.**

Sam Houston State University

**Marilyn McShane, Ph.D.**

University of Houston-Downtown

**Mary L. Parker, Ph.D.**

University of Arkansas at Little Rock

**William E. Stone, Ph.D.**

Southwest Texas State University

**Prabha Unnithan, Ph.D.**

Colorado State University

**Janet A. Wilson, Ph.D.**

University of Central Arkansas

**Jeffrey T. Walker, Ph.D.**

University of Arkansas at Little Rock

Welcome to the inaugural issue of the *Southwest Journal of Criminal Justice (SWJCJ)*, the official publication of the Southwestern Association of Criminal Justice (SWACJ). It marks an important step in the evolution of our region and how both we and other persons regard our association.

As you can see, the *SWJCJ* is an electronic journal. There are three reasons for this choice of a format. First, it is far less expensive than the traditional, printed journals such *Justice Quarterly* and the *Journal of Criminal Justice Education* that we receive as part of our membership with our parent organization, the Academy of Criminal Justice Sciences. No one will be asked to increase his or her dues or pay a subscription fee to receive the *SWJCJ*. Second, an electronic format does not restrict authors to a specific number of pages (although the editor might do so) or to the use of grayscale images and maps. So, while you can include those color maps and graphs, please be realistic and keep the size reasonable. Third, both the Southwestern Association of Criminal Justice and the individual author will have worldwide circulation once the journal is assembled and posted on the World Wide web. For this reason, I haven't password-protected the *SWJCJ*, but I am willing to listen to your suggestions concerning this option.

The *SWJCJ* is a refereed journal and owes its success to the team of associate editors listed to the left side of this page. As a refereed journal, it will provide each of you with an opportunity to disseminate quality information about our field (while providing another venue for earning tenure and promotion).

In closing, I would be remiss if I didn't offer our thanks to Emily Johns and Sabra Horne at Wadsworth Publishing for agreeing to provide the journal with texts for our book review section. Their desire to see us succeed is greatly appreciated.

Take Care and Good Reading,

Al Patenaude



**Kamikazi Management:**  
**An Ignored Role in the Administration of Criminal Justice Agencies**

Marilyn D. McShane, Ph.D.

Frank P. Williams III, Ph.D.

University of Houston - Downtown

*Abstract*

*Law enforcement and corrections have often used “kamikazi” management practices to facilitate change within the organization. While a short tenure is often interpreted as a negative or undesirable occurrence, the truth is that the role of change manager may be critical for specific and often unpleasant missions within an organization. An ability to bring about necessary, yet painful, organizational change is a skill possessed by few professionals, particularly in the public sector. Though often practiced, the phenomenon of the temporary, change-oriented administrator is seldom discussed in the literature of management. This essay describes elements intrinsic to “kamikazi” management and discusses some of the uses of such management styles in the criminal justice field.*

**Introduction**

At one time, a Dilbert cartoon featured the introduction of a “Turnaround CEO” into the organization. The character’s actual job was uncertain, and he was feared and avoided by all, lest their own purpose and function be called into question. The “Turnaround CEO” made wild and drastic pronouncements and changes, producing an organizational experience to which all of us can, in some way, relate.

In his article on *Crisis, Culture, and Charisma: The New Leader’s Work in Public Organizations*, Valle (1999) argues that the chaotic environment created by changes in administrative structures, and responsibilities as well as increasing pressure to perform, has fueled the exodus of talented leadership. He asserts that supportive mechanisms must be enacted to allow for accomplishment, growth and productivity aimed at avoiding the depletion of supervisors. A counter argument is that perhaps this exodus is not as crisis oriented as it seems, but may be, at least in part, a more deliberate strategy of short-span change management. Moreover, we believe that such strategies require a recognition of the need for a specialized management style necessary to manage change which is responsive to immediate environmental conditions.

## The Change Manager Role

On the whole, the dizzying succession of ideas and fads in business management is only tangentially related to criminal justice management. The spontaneous and cataclysmic forces that are said to shape technology and industry today are, at best, a trickle-down force in the realm of public administration, which is more prone to slower cycles and pendulum-oriented shifts in paradigms. At the same time, there is a certain value to arguments that chaos and quantum dynamics characterize contemporary businesses, primarily because these dynamics place change, rather than static organization, in a primary role (Zohar, 1998; Werman, 2000; Yick, 2001). The problem is to ascertain how and in what ways change dynamics influence criminal justice agencies and, thereby, require management styles reflective of change.

As public agencies, criminal justice organizations are more traditionally hierarchal in structure, more linear in evolution and more incremental in approaching change. They have traditional functions and are tied into the organization structure of larger governmental entities. Their personnel are often protected as civil servants or by various union measures, thus abrupt changes in the structure, function and/or the nature of their employment are unlikely. Instead of the repositioning of a business model to ensure survival in direct competition with rivals, these agencies usually institute change to refocus service delivery, meet legal challenges or resolve fiscal problems. As is the case elsewhere, this change invariably results in conflict within the organization and, on a more personal level, between managers and subordinates. Keeping in mind the staid nature of public organizations, managers associated with change become the focus of internal conflict, universally decried as one of the characteristics of poor management practice. How, then, does one explain the association of effective change management with conflict?

Most of the management literature on change refers broadly to the function of an organization in changing times, in uncertainty, and times of social, environmental evolution (Bennis, 1993; Drucker, 1980; 1982; 1986; 1995; Hersey, Blanchard, & Johnson, 2001; Guest, Hersey & Blanchard, 1986). Some have also written on the function of change in an organization (Katzenbach, 1995; Belasco, 1991; Grievess, 2000); but less has been written on the role of the change agent, other than platitudes such as “good managers manage change.” Thus the traditional management literature simply incorporates change as one of the many leadership functions, and implies that life continues pleasantly for the executive once important organizational changes are made. There is little attention paid to the creation of conflict and threats to continued service on the job once significant changes are made.

Alternative literatures, those of business acquisitions and mergers and sports management, offer many different perspectives on change related to firing managers and hiring new ones that may be instructive for criminal justice and the problem of conflict creation (Lubatkin *et al.*, 1999; Fazel and D'Itri, 1999). The first is the hypothesis that management turnover is disruptive to the organization and, in the wake of firing a manager and hiring a new one, the company or team will continue to do poorly. The second theory is that managerial succession has no impact on the organization's performance; in fact many terminations are simply symbolic rituals where departing staff or coaches manage to find as good, if not better, jobs with other companies or teams. The third theory is that new managers will improve

performance either through their expertise or by some type of Hawthorne effect relative to employees' perceptions of the change.

Although most of the existing research looks at post-firing or post-acquisition effects on performance rather than on the role of the leader brought in to make changes, there are significant implications for the decision to switch managers. And, while there are very concrete measures of success for sports teams (number of wins and losses) and private companies (profits and stock prices), criminal justice organizations are much less clear on outcomes measuring successful management and dictating change.

A few nonprofit or public administration articles have examined leadership and change but do not address the realities of civil service and political appointments characteristic of criminal justice agencies. For example, Greenleaf's model of the servant leader (Teasley, 1999) applies to many criminal justice administrative positions, but does not inform us as to what happens after the needed "service" has been supplied. On the other hand, if change managers resolve conflict and remain in their positions, perhaps there is no need to discuss a potentially different management style. Unfortunately, as a brief history of top management positions in criminal justice will demonstrate, the issue is not that easy to resolve.

### **Leadership in the Criminal Justice System**

Historically, rapid turnover of criminal justice agency heads was attributed to scandals and the political patronage, or spoils, system where tenure changed with each cycle of elections. When the reformist warden of Sing Sing, Thomas Mott Osborne, resigned in 1916 after less than two years, he was the eighth man to leave that office in twelve years (Takagi, 1975). The prison histories of Missouri, Colorado and Arizona seem to reflect that no warden served over four years in the period from the late 1800s to the early 1900s, as they appeared to change with each governor (Schroeger, 1984; Whitmore, 1983). In Arizona, there were eleven changes of wardens in the twenty-one years between 1883 and 1909 (Trafzer & George, 1978). A study by Lunden (1957) of wardens in 43 states over a 50-year period found that 60 percent of the leaders held office for four years or less, with annual turnover rates averaging about 20 percent. In addition, twenty-seven wardens were in and out of office twice, 5 three times, and 1 four times.

Leadership patterns were similar for police. The Los Angeles Police Department had nine different chiefs in the ten-year period between 1876 and 1886. Even noted reformer August Vollmer was LA's chief for only one year (1923–1924). In fact, before Chief William Parker who served from 1950 to 1966, no chief served more than 3 to 4 years.

Short tenure of officials has often been identified as a source of risk by commissions investigating unrest and riots in correctional institutions, as well as corruption and citizen complaints within law enforcement. The movement toward professionalism in police and corrections agencies attempted to offset this problem. According to Greene (1989) the policing reform era (1910–1960) provided a progressive, professional ideology allowing the membership to distance itself from scandal and corruption and to emphasize administrative efficiency, scientific analysis and the use of developing technologies, as well as a new-found political independence. Ironically, however, corrections and police managers still have high rates of

attrition; the turnover rates among prison administrators remains at about 20 percent. Reacting to this issue, Baro (1988) notes that even while such rates among line staff are considered problematic, there is very little attention paid to the short-term service of administrative and middle-management.

The introduction of legal liabilities and accountability through open records and media involvement makes it economically and politically expedient for criminal justice agencies to respond effectively to demands for change. Over the past fifty years, change agents have been critical in reshaping and reforming criminal justice units throughout the country in what amount to very short-term assignments. The evidence, then, demonstrates that a managerial type has evolved that is change-oriented, short-term and conflict-driven. We argue below that such short-term assignments are both planned and necessary to critical change within criminal justice agencies. Further, this specialized role needs to be recognized and incorporated into traditional management theories of leadership.

### **Inside versus Outside Change Agents**

In the discussion to follow, we develop the rationale for the short-term manager. To begin, we observe that the concept of successful change is, ironically, not related to the longevity of a change agent's tenure. In fact, it may be inversely correlated. While political pressure and economic hardship are critical ingredients in initiating change (time limits and deadlines are also common ingredients), the resolution of those factors frequently obviates the need for the manager's presence. Moreover, the change process is traumatic and even embarrassing (the implication of having been doing it wrong resonates poorly with staff) and the continued presence of the change agent in the post-change period serves as a reminder. Hence his or her removal is almost therapeutic.

Utilizing an outside agent is one way to affect change and at the same time lessen the threat to careers of existing managers within the organization. For example, a Special Master often serves the role of a correctional agency change agent and the department often focuses their frustration on that office during the temporary leadership arrangement. The "temporary" nature of that position may allow change to take place as compliance becomes associated with the end of receivership and outside "interference." Consultants are also "outside" resources used to guide organizations through the process of implementing change; but their job is considered done once those changes are in place.

Another way to accomplish change is to hire someone to institute reform from within, frequently a charismatic or expert figurehead. However, the current complexity of organizational influences—unions, citizen boards, municipal government oversight and special interest groups—and the potential for conflict with each makes it difficult for a change agent to have an extended or popular reign no matter how charismatic or expert. Incremental change in successive administrations is more the norm. In fact, these short-term management "spurts" seem to be recognized by singular achievements: outside candidate Willie Williams was hired as Chief of the LAPD to increase diversity in the ranks (Newton, 1996) and Raymond Procunier was hired as the Director of the Texas Department of Corrections to bring resolution to the *Ruiz*

litigation. In fact, a singular mission administration seems to be a characteristic of criminal justice change management.

### **The Short-Term Change Manager**

At this point, there seems to be a sufficient number of characteristics associated with organizational change to describe an environment that may dictate a specific management type. Those characteristics are organizational reform, a critical need to change (resulting from scandal, corruption, legal problems, fiscal problems, etc.), an organizational reluctance to change, a singular assigned mission, a focus on short-term strategies, and conflict at the end of the process. These features or challenges may best be met by a short-term or change manager who is selected for and focused on the problem at hand and who will absorb the negative effects of resolving that problem, thus leaving the manager vulnerable to resulting conflict. Consequently, the job itself is akin to a suicide mission—a “kamikaze” management style. Such a manager is generally hired for the express purpose of making change in a reluctant agency and, once the changes are institutionalized, he or she is contaminated by the conflict created in the change process and leaves the agency.

The kamikaze manager is now familiar enough for us to identify a readily detectable pattern of events (a process) that have become common in today’s criminal justice arena. The elements of that process can be outlined as follows:

#### ***1. There is an immediate reason to change leadership.***

There are basically two models of the motivation to change leadership. The first model of change is scandal-based or inspired by frustration with a management style or strategy that has become problematic. Put another way, there is a need to clean house and bring in someone untarnished and uncontaminated who will restore public confidence in the office. Examples of these change agents in police agencies include Police Chiefs O.W. Wilson (Wichita and Chicago) and Lee Brown (Houston and N.Y.P.D.), and more recently in Los Angeles, a series of appointments that seem to alternate between high profile Chiefs from around the country and then from within ranks. For example, Willie Williams, was brought in after the removal of controversial LAPD Chief Darryl Gates, the Rodney King incident, and subsequent riots in 1992. Bernard Parks, who soon replaced Williams, was intended as the inside and permanent police chief, however, it was not long before he was sacrificed over the Rampart Division scandal within the LAPD and William Bratton (formerly of NYC) became the new reform chief.

Correctional examples include psychiatrist and reformer Dr. William Conte who was selected to head the Washington (state) correctional system after a series of violent riots at Walla Walla Prison in the 1970s and Thomas Merton whose mission as Warden in Arkansas was to clean up the scandal plagued Tucker Farm.

The second type of motivation is project- or goal-based. This is often seen where there is a need to bring in someone with expertise in implementing a new mandate or agency function that must be accomplished quickly, such as a deadline for a lawsuit, accreditation, correction of fiscal problems, or enactment of legal mandates. In 1970, Peter Bensinger was tasked with



professionalizing and modernizing state corrections as the first Director of the newly created Illinois Department of Corrections following the controversial tenure of Joe Ragen. As Jacobs (1977: 75) explains:

Bensinger took over a prison system that had been physically, fiscally, and organizationally deteriorating for a decade.... In the course of the next three years, the Bensinger administration created a powerful, active, central Springfield administration. Personnel assigned to the Springfield central office increased from 71 in 1965 to 191 in 1972. The fiscal base of the prison system increased from \$56 million to \$79 million. Salaries for guards rose almost 30 percent. Federal grants to the department multiplied from \$1.7 million in fiscal year 1971 to...\$10.6 million in 1976.

Bensinger lasted barely three years.

Texas Department of Corrections Directors Raymond Procnier (1984-1985) and Lane McCotter (1985-1987) were appointed successively after the consolidation of cases in *Ruiz v. Estelle* with the purpose of facilitating and quickly resolving the state's legal problems. Each remained in charge less than two years. At the end of 1999, Gregorio Zermeno, Director of the California Youth Authority was terminated after only ten months in the position amid continued system violations and charges that he was not making progress fast enough.

## ***2. An expert or specially-qualified person is chosen.***

The person hired to resolve the problem is seen as having special expertise in the issue or is a general expert in the area identified as the problem. These individuals are frequently seen as tough and demanding, and where special skills are involved may even be someone outside of the general expertise area, such as a former police chief to run a juvenile justice system or someone with a finance background to handle an agency's budget problems. This was the case in Philadelphia where an extensive FBI investigation of police operations resulted in the replacement of the police commissioner. The change was necessitated, in part, by the negative publicity following officers' controversial actions in the 1985 burning of buildings inhabited by the activist group MOVE where 11 people were incinerated and 240 residents left homeless, and to other alleged instances of corruption. To revamp the image of the department and reflect the spirit of change, a former Secret Service member was hired, the first non-Philadelphia police officer to hold the position of commissioner. As Greene *et al.* (1992: 193) explain:

He was touted as an effective administrator, politically savvy and visionary. Throughout 1986 and into 1987 he slowly instituted changes in policies affecting the internal investigation of police corruption. He formed internal committees to study virtually all of the department's operational and strategic systems, changed the symbol of the department, and sent many of the commanders in the department packing to Harvard University for police managerial training.

The incremental nature of change in criminal justice agencies and the use of successive change managers can be seen in the following example from corrections. Once the operational

problems related to inmate litigation were resolved, the Texas Department of Corrections replaced experts Procnier and McCotter with a system's chief who was formerly a state fiscal officer. Ironically, this appointment reflected the new priority placed on resolving the budget problems incurred with implementing the legal settlements that the previous administrators had helped to bring about.

***3. The process of change involves many painful adjustments for the organization.***

Because the kamikaze leader is focused on a singular mission, routine organizational tasks take on less importance. Routine organizational tasks are never the issue necessitating change, rather it is some special event and/or outside threat. As a result, the new mission is pushed onto employees who frequently have little to do with the original problem. For instance, LA Chief William Bratton issued these comments a day after being named the new chief: "This is an underperforming department. They know it. You know it." (Associated Press, 2002). Time in service and experience, at least for a while, tends to count for little, while those loyal to the new regime are rewarded. Using an example from Chief Bratton (Associated Press, 2002) again: "The department needs to clearly understand there's a new sheriff in town. If you aren't prepared to embrace (the federal consent decree), put your papers in, because you won't be part of my command staff driving change in this department." As is also typical in these instances, agency morale begins a downward spiral with new and often conflicting directions coming from the reform team.

***4. Conflict developed during the change process generates bad feelings and resentment toward the leader.***

Ultimately, the combination of conflict and lowered morale produces dissatisfaction with "outside interference," and all agency problems become identified with the kamikaze leader. Agency personnel, particularly those who are long-term employees, become openly resentful and frequently begin a campaign to find fault with the leader. According to Greene et al. (1992), the new commissioner hired to reform police operations in Philadelphia "was immediately faced with a hostile and turbulent internal and external environment." He resigned after two years. His replacement faced similar struggles as the first African American holding the position of Commissioner. He also struggled with perceptions that, once the reform commissioner had left, officers could return to the "old ways" of "business as usual." This made for a difficult leadership position, trying to distance oneself from the previous administration, but not allowing things to regress in terms of professional image.

***5. Despite the success of changes, the environment resulting from the change process is so contaminated, that the leader either feels the need to move on, or is counseled towards that move.***

By the time change and reform has taken place, the combination of painful adjustment, conflict, low morale and resentment begins to take on aspects of an agency-threatening issue. Assuming change has been successful in alleviating the original problem, there is little to detract from the new issues. Civil rights suits name the top administrator as respondent, the chain of command becomes the chain of blame and leadership becomes inextricably linked to the failures



and controversies of each individual throughout entire departments. Ultimately, there is only one person to whom all evidence points.

As with the coaches in the sports management literature, criminal justice administrators often are marketable and able to find another job in the field. After 18 months of being tasked with implementing a new legally-mandated and bitterly-opposed inmate disciplinary system during the *Ruiz* years of the Texas Department of Corrections, one of the authors left the position. Wardens throughout the department saw the new system as symbolic of their diminished power and resentment had boiled into open enmity. At that point, the better choice was to return to academia and leave the position to an uncontaminated, new director.

More generally, Shannon's 1986 study of top corrections officials found that most came to their positions from outside the state system. Most came from non-correctional state service or from another, outside, state correctional agency. It may be that part of the reward for coming in and doing the dirty work—and also perhaps for leaving—is the bestowing of good recommendations and the failure to cite problems in referrals to other agencies.

## Conclusions

While current business literature implies that effective human resource planning can facilitate succession management (Huang, 2001), in the field of public administration, political, social and economic forces beyond an agency's control often dictate the pace and style of leadership replacement.

Although a good manager is often discussed in terms of being able to guide organizational members toward the successful resolution of crisis, little is said about when leadership itself is part of that perception of crisis or is at the heart of low morale. Throughout the difficult cycles of scandal and reform, criminal justice agencies have struggled to distance themselves from unpopular administrations by utilizing a succession of leaders, an unending procession of blank slates upon which to dictate the next round of improvements. While practical and functional for the agency in some ways, it creates the side-effects of revolving door management and hop-scotch resumes that beg for the redefinition of a desirable career path.

Moreover, it appears that predictions of a top administrator's performance should be based less on his or her ability to implement change and more on the organization's ability to change. The process and the expected results should be framed in terms of performance goals that are independent of the leader and are fundamental enough to survive succeeding administrations. While a short-term or kamikaze role may be necessary for the organization, and a more natural arrangement given the difficulty of implementing change, agencies need to recognize and plan for that process and perhaps prepare candidates and staff for it as well. Perhaps, one day job announcements will even reflect the true nature of the position and advertise for a person with experience in "short-term management."

## References

- Associated Press. (2002). "New L.A. Police Chief Takes Off Gloves." in *Houston Chronicle*, Sunday, October 6: 10A.
- Baro, Agnes. (1988). "The Loss of Local Control Over Prison Administration." in *Justice Quarterly*, 5(3). pp. 457-473 .
- Belasco, J. A. (1991). *Teaching the Elephant to Dance: The Manager's Guide to Empowering Change*. New York, NY: Plume.
- Bennis, Warren (1993). *Beyond Bureaucracy: Essays on the Development and Evolution of Human Organization*. San Francisco, CA: Jossey-Bass.
- Drucker, Peter. (1980). *Managing in Turbulent Times*. New York: Harper & Row.
- Drucker, Peter. (1982). *The Changing World of the Executive*. New York, NY: Times Books.
- Drucker, Peter. (1986). *The Frontiers of Management*. New York, NY: Truman Talley Books
- Drucker, Peter. (1995). *Managing in a Time of Great Change*. New York, NY: Truman Talley Books.
- Fizel, John L. & Michael P. D'Itri. (1999). "Firing and Hiring of Managers: Does Efficiency Matter?" in *Journal of Management*, 25(4). pp. 567-585.
- Greene, Jack. (1989). "Police And Community Relations: Where Have We Been and Where Are We Going." in R. G. Dunham and G. P. Alpert (eds.), *Critical Issues in Policing: Contemporary Readings*. Prospect Heights, IL: Waveland Press. pp. 349-368.
- Greene, Jack R., Geoffrey Alpert, & Paul Styles. (1992). "Values and Culture in Two American Police Departments: Lessons From King Arthur." in *Journal of Contemporary Justice*, 8(3). pp. 183-207.
- Greenleaf, R. K. (1977). *Servant Leadership: A Journey Into The Nature Of Legitimate Power And Greatness*. New York: Paulist Press.
- Grieves, J. (2000). "Navigating Change Into The New Millennium: Themes and Issues for the Learning Organization." in *The Learning Organization: An International Journal*, 7(2). pp. 54-74.
- Guest, Robert, Paul Hersey, and Kenneth Blanchard. (1986). *Organizational Change Through Effective Leadership*. Englewood Cliffs, NJ: Prentice Hall.
- Hersey, Paul, Kenneth Blanchard, and D.E. Johnson. (2001). *Management of Organizational Behavior: Leading Human Resources*. 8<sup>th</sup> Edition. Upper Saddle River, NJ: Prentice Hall.

- Jacobs, James (1977). *Stateville*. Chicago: University Of Chicago Press.
- Katzenbach, J. R. (1995). *Real Change Leaders: How You Can Create Growth and High Performance at Your Company*. New York, NY: Times Business.
- Lubatkin, Michael, David Schweiger, and Y. Weber. (1999). "Top Management Turnover in Related M & A'S: An Additional Test of the Theory of Relative Standing." in *Journal Of Management*, 25(1). pp. 55-73.
- Lunden, Walter. (1957). "The Tenure and Turnover of State Prison Wardens." in *American Journal Of Correction*, Nov / Dec. p. 14.
- Palombo, Bernadette. (1995). *Academic Professionalism In Law Enforcement*. New York: Garland.
- Schroeger, D. (1983/4). *The Course of Corrections in Missouri, 1833-1983. Manual Of The State Of Missouri*. Jefferson City, MO: Office of the Secretary of State.
- Shannon, Douglas. (1986). *Correctional Executives: Climb to the Top*. Unpublished Doctoral Dissertation. Huntsville, TX: Sam Houston State University.
- Takagi, Paul. (1973). "Administrative and Professional Conflicts in Modern Corrections." in *Journal Of Criminal Law And Criminology*, 64. pp. 313-320.
- Trafzer, Cliff, and Steve George. (1978). *Prison Centennial*. Yuma, AZ: Rio Colorado Press.
- Valle, Matthew. (1999). "Crisis, Culture, and Charisma: The New Leader's Work in Public Organizations." in *Public Personnel Management*, 28(2). pp. 245-257.
- Werman, Victoria. (2000). "Business Measures in a Quantum World." in *IIE Solutions*, 32(10). pp. 39-45.
- Whitmore, Julie. (1983). *A History Of Colorado State Penitentiary, 1871-1980*. Canon City, CO.
- Yick, Liang Thow (2001). "Nurturing Intelligent Human Systems: The Nonlinear Perspective of the Human Minds." in *Human Systems Management*, Volume 20. pp. 281-289.
- Zohr, Danah (1998). "What Would A Quantum Organization Look Like?" in *Management Review*, 87(3). pp. 56-59.



## **Inmates with Physical Disabilities: Establishing a Knowledge Base**

**Jessie L. Krienert, Ph.D.**  
*Illinois State University*

**Martha L. Henderson, Ph.D.**  
*Southern Illinois University at Carbondale*

**Donna M. Vandiver, Ph.D.**  
*Illinois State University*

### *Abstract*

*This project comprises an initial assessment of the current state of disability information available in state prisons. Data is presented from a pilot study of 38 responding departments of corrections. Information was collected concerning data collection practices, numbers of physically disabled offenders, and services available to those with physical disabilities residing in state correctional facilities. Half of the responding states did not maintain information about the numbers or services relating to physically disabled offenders. This examination highlights the need for additional research in this area. Without accurate baseline data, programs and services for this population cannot be properly evaluated.*

### **Introduction**

Prisons in the United States are disproportionately filled with minority and low-income inmates. There were 1,187,322 inmates incarcerated in state prison facilities as of midyear 2001 (Beck, Karberg, and Harrison, 2002). African Americans and Hispanics made up 62 percent of this population. African Americans are incarcerated at a rate six times higher than whites and Hispanics are confined at twice the rate (Beck *et al.*, 2002). Those living below the poverty level are also disproportionately represented in state prison populations. In 1991, 53 percent of state prison inmates made less than \$9,999 in the year prior to incarceration, which compares to less than 25 percent of the general population (Beck *et al.*, 1993). In general, prisons contain the most vulnerable members of outside society in relation to race, ethnicity and social class. Add a physical disability to that snapshot and a truly vulnerable population emerges. In 1997, approximately 26 percent of state inmates reported a hearing, vision or physical disability (Marushack and Beck, 2001).

Most prisoners will return to communities outside prison walls where the stigma of being an “ex-con” creates difficulties in maintaining jobs, community ties, and relationships on the outside. The only prisoners who do not return to society are those who receive the death penalty and those who die while incarcerated, accounting for a very small proportion of offenders. Those with disabilities who have not had access to programs inside prison face even greater challenges upon release. Nearly 600,000 inmates are released from prison each year (Petersilia, 2000), which makes providing services to these inmates imperative.

As an already vulnerable population, inmates face additional problems living in an incarcerative setting with a physical disability. Limited access to programs and services hamper the ability for inmates with physical disabilities to function in a correctional setting. In 1990, the Americans with Disabilities Act (ADA) extended comprehensive civil rights protection to all individuals with disabilities, including prisoners. Since access to every major life function of a prisoner is dependent upon the prison administration, inmates with disabilities become a vulnerable group even within the prison walls. If a program or service is not available at one institution, the inmate cannot simply go somewhere else to receive that service.

### **Inmate Rights and the Americans With Disabilities Act (ADA)**

Historically inmates have had few rights. For instance, in 1871 (*Ruffin v. Commonwealth*) a Supreme Court Justice made the following statement when addressing the rights of the inmates, “He the convicted felon as a consequence of his crime not only forfeited his liberty, but his personal rights, except those which the law in its humanity accords to him. *He is for the time being the slave of the state*” [italics added for emphasis]. This stance towards inmates, however, began to change in 1944. A federal appellate judge stated that prisoners had “all the rights of an ordinary citizen except those expressly, or by necessary implication, taken from him by law” (*Coffin v. Reichard*, 1944). It wasn’t until 1964 (*Cooper v. Pate*), however, that inmates were given the right to file lawsuits under Section 1983, which imposes civil liability for government officials who deprive another person of their constitutional rights. This case opened the court doors to inmates; many lawsuits were filed by inmates claiming a variety of constitutional deprivations. Inmates were given limited First, Fourth, Eighth, and Fourteenth Amendment rights through various court cases. While inmates do not enjoy the same liberties of those in the free world, they have had many rights afforded to them. It appears that opening the courts to inmates did not, however, result in immediate relief for inmates with disabilities. The Americans with Disabilities Act (ADA) in conjunction with the Supreme Court led to the extension of rights to disabled inmates.

The ADA was developed to ensure that people with disabilities have an equal opportunity to participate in or benefit from public programs, services, and activities. Title II of the Americans with Disabilities Act is conceptualized as a policy that prohibits discrimination based upon disability within all state and local governments and their agencies. It requires government entities, including state and local correctional institutions, to make their facilities, programs, services, and activities accessible to both inmates and their visitors (Van Sickle, 1995). The Act compels state and local agencies to 1) modify their programs if there are policies or procedures on the record that discriminate on the basis of disabilities; 2) modify the architectural design of buildings to accommodate disabilities; and 3) make sure that inmates with visual, speech or

hearing disabilities have appropriate mechanisms for communication (Rubin, 1995). This includes housing, indoor and outdoor recreation, shower and toilet facilities, access to courts, medical services, disciplinary hearings, telephone and commissary privileges, visitation programs, education, vocation and counseling programs, as well as therapy, substance abuse treatment, and work release (Appel, 1995; Atlas and Witke, 2000; Morton and Anderson, 1996).

Prior to 1998, a legal battle ensued in the lower courts over whether or not ADA applied to correctional inmates. In 1998, the Supreme Court unanimously found that the ADA does in fact apply to prisoners. In *Yeskey v. Pennsylvania*, the Supreme Court directly addressed the issue of whether the ADA applies to prisons. In *Yeskey*, an inmate who had a history of hypertension was denied access to a motivational boot-camp program due to his physical disability. Completion of this six-month program allows inmates to be released on parole much earlier than prisoners who do not complete this program. The Supreme Court found that the ADA did apply to prisons and that the Pennsylvania Department of Corrections could not discriminate against inmates on the basis of a disability.

Since *Yeskey*, many states have lost ADA battles relating to the size of facility, programs, or services provided (Carnahan, 1999). Departments of corrections (DOC's) seem willing to comply with ADA on a case-by-case basis, many times settling out of court only after the problem has been officially addressed. For example, the New Jersey Department of Corrections recently settled out of court with an agreement to post sign-language interpreter notices in prisons and establish improved protocols (Goldstein, 2001). In a similar ADA suit in December of 2001, a Massachusetts district court ruled an inmate could sue on Eighth Amendment grounds for being denied use of his wheelchair (*Navedo v. Maloney*, 2001). Both cases include examples where DOC's are forced to enact new policy long after ADA set forth the requirements.

## Past Research

An overall lack of inquiry exists into the extent of inmates with physical disabilities in state prisons. Those with a physical disability require a great deal of resources, including special equipment (i.e., hearing aids, wheel-chairs, etc.), and services (handicapped accessible living areas and interpreters). The extent of existing information on available services to inmates with physical disabilities, however, is limited.

It is estimated that between 35 and 40 percent of all inmates suffer from some degree of hearing loss, including 13 to 20 percent with significant hearing loss (Russell and Stewart, 2001; Vernon, 1995). In 1983, Belenchia and Crowe found that hearing impairment in state prisons was five to six times higher than the general population. The ADA requires that public entities take necessary steps to ensure that communications with people who have disabilities are as effective as their communications with others (Van Sickle, 1995). Correctional administrators must ensure that inmates with hearing, vision, or speech impairments have effective communications-auxiliary aids and services; telecommunication devices, qualified readers or audiotaped texts (Rubin, 1995).

Deaf inmates are entitled to sign language interpreters for religious activities, educational programs, medical consultations, parole hearings, counseling and other services through the



American with Disabilities Act (Pines, 1995). Similarly, inmates who are blind or have vision impairments are entitled to access a facilities library, which means books on tape, qualified readers, or books in Braille must be provided (Perlin, 2000). Unfortunately, the extent of provided services in state correctional institutions is not known. The information that is available indicates the services provided to inmates are not adequate. For example, Miller (2001) surveyed 46 interpreters who provided sign language interpretation to inmates. Even though the largest percentage (37 percent) were not aware of the scheduling practices of the facilities, only 6.5 percent reported the correctional facilities provided interpreters on a 24-hour basis.

To date, little information is available on the number of institutions that maintain information on inmates with physical disabilities or the types of physical disabilities that exist among this population. In 1987, Veneziano *et al.* conducted a survey of state and federal correctional systems to identify the number of inmates who have physical disabilities. They concluded that exact numbers are not known due to differences in definitions and screening tools used by the different departments of corrections. A subsequent survey by the Illinois Department of Corrections found that very few states were systematically identifying, evaluating, and tracking patients with special needs (Hornung, Greifinger, and Gadre, 2000). In 1997, a preliminary inventory was collected to assess the reporting capabilities for state departments of corrections (Beck and Maruschak, 1998). Only 26 of the states surveyed maintained data about inmates with disabilities. Based on the preliminary data, little is known about the extent of disability programs offered in state prisons. Although individual states may collect or maintain information on disabled inmates, there is no widespread collection or national reporting program. Without documented information on inmates with disabilities, appropriate programming cannot exist.

Few studies have focused specifically on the needs of inmates with physical disabilities. Much of what exists has limited application. One of the most extensive reports on inmates with physical disabilities comes from the Bureau of Justice Statistics in 1997. A random selection of inmates was taken from a sample of state prison facilities. They were asked general background questions in addition to a variety of questions regarding their medical background during a one-hour interview. The survey concluded that 5.7 percent of state inmates had a hearing impairment, 8.3 percent reported vision impairment and 11.9 percent reported a physical impairment (Marushack and Beck, 2001). The key questions inquiring whether inmates had such disabilities are noted in Table 1.

**Table 1**  
**Key Survey Question in the BJS Survey**

Questions:	Response:
Do you have a physical, mental, or other health condition which limits the kind or amount of work you can do?	Yes / No
Do you have difficulty seeing ordinary newsprint, even when wearing glasses?	Yes / No
Do you have difficulty hearing a normal conversation, even when wearing a hearing aid?	Yes / No
Do you have a physical disability?	Yes / No
<i>Source:</i> Maruschak, L. M., and Beck, A. J. (2001) <i>Medical Problems of Inmates, 1997</i> . Washington, D.C.: Bureau of Justice Statistics.	

Marushack and Beck (2001) also noted that many states do not maintain adequate information on inmates. “Most State prison systems lack comprehensive and accessible data on the health status of their inmates” (Marushack and Beck, 2001). Most of the medical records are contained in a paper format, rather than an electronic format. This makes compilation of data for analysis much more difficult. Additionally, almost one-third of inmates self-reported a physical or mental disability. This is profound in that it shows a large proportion of inmates are affected by ADA standards.

While this survey provides a great deal of information, it only probed slightly into the problem of assessing a vulnerable and socially isolated population. These questions most likely under represent the number of inmates who fall into each category of physical disability. The questions that inquire specifically about visual and hearing impairments ask only if their current prescriptions of glasses and hearing devices do not meet their needs, rather than assessing if they do have a hearing/visual impairment. While one of the questions asks whether they have a physical disability, some inmates may not associate their visual, hearing, or physical immobility as a “physical disability.” This study may reveal only a small proportion of inmates who have physical disabilities.

This study was also completed in 1997, which may present outdated information. In 1997, 1,059,588 individuals were incarcerated in state prisons (Gilliard and Beck, 1998), and by the year 2000 that number grew to 1,178,433 (Beck *et al.*, 2002). Information beyond simple estimations of inmates who fall into broad categories of physical disabilities is simply not available. A need for the most up to date information on inmates with physical disabilities is required to provide appropriate services to inmates.

A review of the literature on inmates with disabilities in prisons reveals that there are acknowledged gaps in the information regarding the number of inmates with disabilities and the types of services provided to those who are recognized within institutional populations as having disabilities. The lack of information is surprising given the proportion of inmates that prior research indicates are affected. It also raises questions as to whether states are providing services to meet the needs of this special offender population.

As correctional populations have soared, Title II of the American with Disabilities Act is likely to have had a greater impact on correctional systems. As the courts have incarcerated

greater numbers of offenders for longer periods of time, such findings may undercount the true number of offenders with disabilities.

### **The Current Study**

In May of 2001, a pilot project was conducted for the purpose of exploring the adequacy of information maintained on inmates incarcerated in state prisons. There were three main goals of the project. First, the researchers were interested in finding out whether state departments of corrections maintain information on the number of inmates with physical disabilities. Second, if the departments of corrections did maintain records, how many inmates had disabilities and what were the most common types of physical limitations found within the inmate population. Finally, the researchers wanted to determine what types of services were available in the United States to address the needs of inmates with disabilities.

### **Methodology**

The data used to explore the number of inmates with disabilities known to departments of corrections were collected by the use of a survey questionnaire distributed to each state in the U.S. via email or the U.S. Postal Service starting in May of 2001 and ending in August of 2001. An initial email was sent to the public information officer for each of the 50 state departments of corrections requesting voluntary participation in a survey regarding inmates with physical disabilities. Thus, the survey was administered to one person in each state. Eleven states did not have email addresses listed. For those states without email addresses listed on the web, a paper survey was mailed to the state director requesting survey participation. A second wave of email and paper copies of the survey was sent in June of 2001 to all non-responding states. Thirty-eight of the fifty states (76 percent) responded to the survey.

To assess the policies and procedures regarding the number of inmates with physical disabilities and the programs available to such inmates across the United States a series of questions were developed. Each administrator was asked to list the total number of inmates within the state who were diagnosed as blind or visually impaired, deaf or hearing impaired, wheel chair bound, and other physical impairments. We, then, asked who was responsible for collecting and maintaining the information for the DOC. The administrators were then asked to list the specific services available within the state for each category of physical disability.

### **Findings**

The results substantiate the belief that a knowledge gap exists regarding inmates with physical disabilities. Fifty percent (19 states) of the state departments of corrections responding to the survey reported that they collected information on the number of inmates who had physical disabilities. The responsibility for tracking the number of inmates with disabilities varied. Six states reported that medical services units maintained the number of inmates with disabilities. Additional offices listed as responsible for collecting information included the Bureau of Planning and Research, the Division of Programs and Staff Development, and the Institution Standards and Operations Section. The method used for documenting information regarding the number of inmates with physical disabilities differed by state. Some states

indicated that information was simply recorded in each inmate's medical chart. In contrast, other state departments of corrections reported that information was maintained in electronic format in medical services databases

States also varied widely in the reported numbers of inmates with disabilities. When asked how many blind or visually impaired inmates existed within the state correctional system, the average number of inmates with this disability reported across the states was 181. There was a great deal of variation in the total number of inmates with disabilities. Values ranged from zero in two states to a high of 1,948 blind or visually impaired inmates in another state. The average number of inmates reported as deaf or hearing impaired was 120. The actual number of deaf or hearing impaired ranged from a low of two hearing impaired reported to a high in one state of 974 inmates with hearing impairments. Similarly, the number of wheelchair bound inmates ranged between 2 and 974 inmates. The number of inmates with other impaired physical mobility was significant in some states (1,949) and nonexistent in others.

The results also indicated inconsistencies in the types of services available to inmates with physical disabilities. Table 2 reveals the types of services provided to blind inmates or inmates with visual impairments. There appears to be little consistency in services provided across DOCs. The service provided most often was access to Braille and books on tape. Few of the responding states, however, indicated that they provided any other specialized services for visually impaired inmates, which would be required for full compliance with ADA standards.

<b>Table 2</b> <b><u>Specific Services Available for the Blind or Visually Impaired Inmate*</u></b>			
Services Provided	# States Providing	Services Provided	# States Providing
Braille Material	11	Special Housing	3
Books on Tape	10	Work Restriction	3
Inmate Buddies	8	Closed Circuit TV	2
Glasses	8	Talking Computer	1
Eye Examinations	5	Zoom Text Software	1
Canes	5	Scanner	1
Readers	4	Talking Watches	1
Access to Magnifier	4	Electronic Vending	1
Large Print Material	3	TDD Telephone	1
* This information is based on the 38 states that responded to the survey.			

A greater number of states provide basic services for inmates with deaf/hearing impairments (see Table 3). Fifteen departments of corrections report providing inmates with access to Telecommunications Devices for Deaf Persons/Text Telephone (TDD/TTY) phones and 14 made available hearing aids and sign language interpreters. Only a few states granted access to more specific programs such as shake awake alarms, inmate helpers, and special housing units for the deaf and hearing impaired.

<b>Table 3</b> <b><u>Specific Services Available for the Deaf or Hearing Impaired Inmate *</u></b>			
Services Provided	# States Providing	Services Provided	# States Providing
TDD / TTY Phones	15	Flashing Alarms	4
Hearing Aids	14	Inmate Buddies	3
Sign Language Interpreters	14	Shake Awake Alarms	2
Closed Caption	7	Pocket Talkers	2
Hearing Examinations	4	Work Restriction	1
Strobe Lights	4	Special Housing	1
* This information is based on the 38 states that responded to the survey.			

As shown in Tables 4 and 5, the results indicate that for wheelchair bound inmates and other physical impairments the services available for use are even more limited. Ten states reported providing accessible cells and five states list direct access to wheelchairs as a service option. Surprisingly, of this group, only three states listed the existence of wheelchair maintenance programs. The data also indicate that very few states listed providing basic access to shower chairs, ramps, and specialized bedding.

<b>Table 4</b> <b><u>Specific Services Available to Inmates Who are Wheel Chair Bound *</u></b>			
Services Provided	# States Providing	Services Provided	# States Providing
Accessible Cells	10	Ramps	2
Buddy System	6	Shower Chairs	1
Wheel Chairs	5	Lower Bunk	1
Physical Therapy	3	Meals in Housing Unit	1
Wheelchair Maintenance	3		
* This information is based on the 38 states that responded to the survey.			

<b>Table 5</b> <b><u>Specific Services Provided to Inmates with Other Physical Impairments *</u></b>			
Services Provided	# States Providing	Services Provided	# States Providing
Crutches	5	Bottom Bunk	2
Walkers	4	Shower Chair	2
Artificial Limbs	4	Physical Therapy	2
Special Housing	4	Grab Bars in Shower	1
Canes	3	Additional Clothing	1
Inmate Buddies	3	Special Bedding	1
Orthotics	3	Work Restriction	1
Special Footwear	2		
* This information is based on the 38 states that responded to the survey.			

## Conclusion

The results of the pilot study indicate the need for additional analysis on the topic of inmates with disabilities in corrections. There appears to be little consistency across states in the collection and maintenance of information detailing the number and types of disabilities found within institutional populations. At least half of the state departments of corrections that responded to this survey revealed that they did not keep figures with respect to how many inmates had disabilities.

Moreover, as the researchers attempted to increase the number of responses to the survey several problems were revealed. First, some states simply refused to participate in the survey yet, stated that they made accommodations for inmates with disabilities and were in compliance with ADA standards. Second, it also became clear that several states did not know who would have the information needed to complete the survey. Finally, several states did reveal that currently no data is available to determine how many inmates suffer from physical disabilities or what services are provided.

Consequently, the information revealed by the pilot study was quite limited and additional studies are necessary to obtain a clear picture of the number and types of services provided to inmates with disabilities. As some states indicated they were unable to determine how many inmates suffer from disabilities due to a lack of data at the state level, future research should focus on available information at the institutional level.

In sum, the fact that several state departments of corrections did not have the data on the number of inmates with disabilities and in fact, did not know where the data could be found or what programs were offered by institutions within their jurisdiction has tremendous implications for correctional policy. The results imply that many state departments of corrections might not be in full compliance with the mandates issued within the confines of the Americans With Disabilities Act. Therefore, some departments of corrections are likely to find themselves at a disadvantage when confronted by inmate lawsuits claiming violations of the Americans With Disabilities Act. Unfortunately, current data do not allow an assessment of this implication.

## References

- Appel, A. (1995). "Requirements and Rewards of the Americans With Disabilities Act." in *Corrections Today*, 57(2). pp. 84-86.
- Atlas, R. I., and L. Witke. (2000). "ADA: Proposed Final Regulations For Courthouse, Jails And Prisons." in *Corrections Today*, 62(2). pp. 126-131.
- Beck, A. J., D. Gilliard, L. Greenfeld, C. Harlow, T. Hester, L. Jankowski, T. Snell, J. Stephen, and D. Morton. (1993). *Survey of State Prison Inmates, 1991*. Washington, D.C.: US Department of Justice.



Beck, A. J., and L. Maruschak. (1998). *State and Federal Corrections Information Systems: An Inventory of Data Elements and an Assessment of Reporting Capabilities*. Washington, D.C.: U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Statistics.

Beck, A. J., J.C. Karberg, and P.M. Harrison. (2002). *Prison and Jail Inmates at Midyear 2001*. Washington, D.C.: US Department of Justice, Office of Justice Programs.

Carnahan, S. J. (1999). "The Americans With Disabilities Act in State Correctional Institutions." in *Capital University Law Review*, 27. pp. 1-28.

Gilliard, D. K., and A.J. Beck. (1998). *Prison and Jail Inmates at Midyear 1997*. Washington, D.C.: Bureau of Justice Statistics.

Goldstein, S. (2001). "Attorney for the Deaf Gains Three Victories." in *The New Jersey Lawyer*, May 21, 2001. p. 4.

Hornung, C. A., R. B. Greifinger, and S. Gadre. (2000). *A Projection Model of the Prevalence of Selected Chronic Diseases in the Inmate Population*. (National Commission on Correctional Health Care/National Institute of Justice's Report to Congress). Washington D.C.: National Institute of Justice.

Jensema, C. K. (1990). "Hearing Loss in a Jail Population." in *Journal of the American Deaf and Rehabilitation Association*, 24. pp. 49-58.

Marushack, L. M., and A. J. Beck. (2001). *Medical Problems of Inmates, 1997* (Special Report). Washington, D.C.: Bureau of Justice Statistics.

Miller, K. (nd). "Access to Sign Language Interpreters in the Criminal Justice System." in *American Annals of the Deaf*, 146. pp. 328-330.

Morton, J. B., and J. C. Anderson. (1996). "Implementing the Americans with Disabilities Act for Inmates." in *Corrections Today*, 58(6). pp. 86-91.

Perlin, M.L. (2000). Symposium: The American With Disabilities Act: A Ten-Year Retrospective." in *Alabama Law Review*, 52(193). pp. 1-49.

Petersilia, J. (2000). *When Prisoners Return to the Community: Political, Economic, and Social Consequences*. Washington, D.C.: US Department of Justice.

Pines, D. (1995). "Deaf State Prisoners Win Broad Reforms; Summary Judgment Granted in Federal Suit." in *New York Law Journal*, 1. np.

Rubin, P. N. (1995). "The Americans with Disabilities Act's Impact on Corrections." in *Corrections Today*, 57. p. 114.

Russell, M., and J. Stewart. (2001). "Disablement, Prison, and Historical Segregation." in *Monthly Review*, 53(3). pp. 61-75.

Van Sickle, D. (1995). "Avoiding Lawsuits: A Summary of ADA Provisions and Remedies." in *Corrections Today*, 57. pp. 104.

Vernon, M. (1995). "ADA and the Hearing Impaired: New Rights for Inmates With Hearing Loss." in *Corrections Today*, 57. p. 140.

### Cases

*Coffin v. Reichard*. 143 F.2d 443, 445 (1944).

*Cooper v. Pate*. 378 U.S. 546 (1964).

*Navedo v. Maloney*. 172 F. Supp. 2d 276 (2001).

*Pennsylvania Department of Corrections v. Yeskey*. 18 S. Ct. 1952 (1998).

*Ruffin v. Commonwealth*. 62 Va. 790, 796 (1871).



**Importing Aggression:**  
**An Examination and Application of Subculture Theories to Prison Violence.**

Kelly Ann Cheeseman  
Sam Houston State University

*Abstract*

*Theories of prison violence and behavior are often divided into the indigenous model or importation model. This paper utilizes Irwin and Cressey's (1962) importation model and integrates it with elements of Miller's (1958) theory of a lower-class subculture explain prison violence. The paper also examines other relevant theories of violent subcultures to enhance the argument that most prison violence is not indigenous to the prison but is brought to the institution as part of a pre-existing value.*

## **Introduction**

Most academics and criminologists do not argue with the contention that prisons are a unique environment that differs from mainstream society in language, norms, and behavior. Is this difference, however, a product of a deviant subculture that existed before incarceration or a product of adapting to institutional life? Violence in correctional institutions is an issue of great concern since it is not only an issue of inmate on inmate violence, but also aggressive behavior directed at institutional staff members. A careful examination of theoretical perspectives on violent behavior can offer insight into the subculture of the prison and the hatred and anger within its walls. It may provide us with beneficial and important strategies with which to reduce incidents of assault as well as an understanding of why this violence occurs.

The discussions that follow offer an example of the utility of integrated theory in the study of crime and delinquent behavior. Specifically, this paper integrates Irwin and Cressey's (1962) importation model with elements of Miller's (1958) theory of a lower-class subculture and applies the newly integrated theory to explain prison violence. Other relevant theories of violent subcultures are also examined to enhance the argument that most prison violence is not indigenous to the prison but is brought to the institution as part of a pre-existing value.

## **An Overview of Prison Violence**

Bowker (1983) believed that prison violence comes from a lack of internal social control and an imperfect and overburdening external social control. Those inmates who had well-developed consciences would have already been filtered out of the criminal justice system, so prisons are filled with inmates prone to violence and who have not been socialized to resist

violence (Bowker, 1983). Bowker (1983) also noted that prison violence may either be instrumental or expressive. Instrumental violence is a more rational violence, occurring to achieve power or control and having a tangible outcome or reward. Expressive prison violence is spontaneous and is not rational. It may serve to reduce stress or tension, but does not serve to produce any long-term goal achievement (Bowker, 1983).

Coinciding with Sykes (1958) discussion of the pains of imprisonment, Kratcoski (1988) argued that prison life is so barren and there are so few pleasures to be enjoyed, that any small interference of these privileges by guard or inmate may result in outbursts of violence. Toch (1977) reported an inmate's perceptions of prison violence whereby "a guy subconsciously, he inherits all of this in his mind. And he starts acting like this too. Not that he wants to, but he be around day and night, around people like this here, and he start acting like that too. Acting like an uncivilized people" (Toch, 1977: 17). Violence is the product of three interacting sets of variables:

- (1) the aggressor (personality, needs, concerns, perceptions),
- (2) the victim (personality, needs, concerns, perceptions, etc.), and
- (3) the situation (the human and physical environment in which the incident is taking place (Gibbs, 1981).

Light (1991) developed a preliminary set of categories to describe the interactional settings in which prisoners assault prison officers. The first category is known as "the unexplained." Over twenty-five percent of the assaults examined had no apparent reason or motive for the aggressive behavior (Light, 1991). Goffman (1961) also noted that prisoners in a total institution will attempt to hide the motives behind activities. Although unknown to the guard or officer these attacks may also serve the greater cause of unrest or unhappiness due to incarceration (Bowker, 1980). Another category offered by Light (1991) is that of "officer command." This category encompasses those situations in which an inmate reacted with violence when asked to perform a specific task. A "protest" assault occurs when an inmate believes that unjust or inconsistent treatment has been given to the offender by security staff (Light, 1991). Research suggests that inmates function better and are less prone to aggressive behavior when provided with consistent, predictable rules and enforcement patterns (Cheek and Miller, 1982; Lombardo, 1981).

Inmates are also more prone to assault staff members when being frisked or pat searched. This may be seen as a type of dominance or may be caused by the offender hoping to conceal a weapon or drugs. Correctional staff may also be injured when breaking up a fight. Light (1991) found that inmates would often stage fights to engage officers in fight situations. Another theme offered by Light (1991) is known as "movement". When inmates are being moved from one area of the prison to another there is a greater opportunity for violence. Inmates are also more likely to be assaultive or aggressive when being restrained or disciplined. According to Toch (1977), "It is significant that ranking abuses of authority cited by today's inmates revolve around 'petty' or minor circumstances of their daily lives" (1977: 99). The inmates have little respect for the authority of prison employees and the shift of this precarious power makes violence an institutional reality (Sykes, 1958; Toch, 1977). Silberman (1995) discussed that the social organization of prison life reflects and reproduces the social structure of the larger society. Social inequality based on race or class produces violence both in society and in prison (Silberman,

1995). Thus, prison subcultures as theorized by Irwin and Cressey (1962) and Silberman (1995) are reflections of attitudes and beliefs found in society outside of correctional institutions.

### **The Prison as a Social Subculture**

In his famous work, *The Society of Captives*, Sykes (1958) discusses many facets of prison life. Prisons by their very design create a feeling of separation from that of “free society.” It is a reminder that there is life on the inside and life outside. Prison is a place in which new norms are created, due to institutional pressures and old norms and values becoming impractical (Sykes, 1958). This paper will examine subculture theories of deviance, crime, and violence and employ the importation model to explain violent behavior exhibited in male correctional institutions.

### **Importation Model**

Irwin and Cressey (1962) contended that much of the inmate behavior exhibited in prison is not peculiar to the prison environment. Schrag (1961) studied the social backgrounds and careers of various types of inmates. This research found that anti-social inmates, also known as “right guys” in the prison culture “are reared in an environment consistently oriented toward illegitimate social norms” (Schrag, 1961: 329). Deviant subcultures exist outside of the prison. Specific elements of the “prison code,” such as “don’t inform or exploit another inmate,” are also prevalent in the “criminal code,” existing outside of prison (Irwin and Cressey, 1962). It is also important to note that many inmates come to an institution with many previous periods of incarceration. These men bring with them a ready-made set of patterns which they apply to new situations.

Bowker (1983) also noted that inmates who have participated in violence before incarceration continued to remain violent while in prison. Irwin and Cressey (1962) argued that one cannot look solely at the “inmate culture” as an isolated system, but as one which is influenced by elements and experiences outside of it. Becker and Geer (1960) also noted that behavior in general is not just influenced by conditions at the moment, but that, “members of a group may derive their understandings from cultures other than that of the group they are at the moment participating in” (1960: 305). This “latent” social identity or culture, has its origins in a subculture other than that in which the person is currently participating (Becker and Geer, 1960).

Irwin and Cressey (1962) argued that it was important to divide inmates into three categories: (1) those oriented toward a criminal subculture, (2) those oriented toward a prison subculture, and (3) those oriented toward a “conventional” or “legitimate” subculture. These rough categories provide a way in which to examine the influence of “latent culture” on prison experiences (Irwin and Cressey, 1962).

There is little emphasis or explanation given to those inmates who follow the “conventional” path. Irwin and Cressey (1962) found that these inmates were not a part of a “criminal” or “thief” subculture before entering prison and that these inmates reject both the “thief” and “convict” subculture while in prison. These men present few problems to

correctional administrators and tend to isolate themselves, or are isolated from “thief” and “convict” cultures (Irwin and Cressey, 1962; Bowker, 1983).

The “criminal” subculture is named the “thief” culture by Irwin and Cressey (1962) due in part to specific values that are inherent within the professional thief or career criminal community. This subculture follows the notion that criminals should not betray one another to the police and should be trustworthy and reliable (Sutherland, 1938; Irwin and Cressey, 1962). Imprisonment is an unfortunate part of life with which thieves must cope, and this subculture provides members strategies to help in dealing with periods of incarceration. Norms that apply to prison settings and how to do time with the least amount of suffering are provided. Long before the thief has come to prison, his subculture has defined proper prison conduct. (Sutherland, 1947; Irwin and Cressey, 1962).

In contrast, there are also men within prison who are oriented to the “convict” subculture. These inmates seek positions of influence, power and sources of information (Irwin and Cressey, 1962). Irwin and Cressey (1962) contended that “the central value of the subculture is utilitarianism, and the most manipulative and most utilitarian individuals win the available wealth and such positions of influence as might exist” (1962: 147). Irwin and Cressey (1962) concluded that even the “convict” subculture is not necessarily the consequence of a particular prison environment, but is in fact due in part to the value system of the “hard core” lower class in the United States, and that most incarcerated persons come from this class. The elements of this lower class subculture (Miller, 1958) will be discussed in depth.

The following discussions explore the subculture theories of crime and delinquency and their “importation” into the prison environment. In so doing, these theories will be integrated into the “importation model” and, thus, strengthen the argument that violence in prison is a product of forces outside of the institution.

### **Integrating Theory**

In order to better understand crime and delinquency many authors have attempted to integrate theories. Farnworth (1989) defined theoretical integration as: “the combination of two or more pre-existing theories, selected on the basis of their perceived commonalities, into a single reformulated theoretical model with greater comprehensiveness and explanatory value than any one of its component theories” (1989: 95). Integrating theories may stem from attempts to fuse closely related theories or those from competing theoretical models (Akers, 2000). Thornberry (1989) argued for “theory elaboration”, in which one begins with a particular theory and expands it as far as possible. Theory often draws from other previous theory and sources. Liska, Krohn, and Messner (1989) identified two main types of theory integration. The first is a *conceptual integration* where concepts from one theory are shown to have similar to those of another theory. The second is *propositional integration*, in which ideas and concepts from different theories are combined.

There are arguments against theoretical integration. Hirschi (1989) argued that many attempts at theory integration are oppositional theories in disguise. Akers (1989) also noted that integration of theories without regard to compatibility would result in a useless theory. Often



times, it is difficult to integrate theories utilizing different units of analysis. It can be complicated to combine theories that are examining a specific type of deviant behavior with theories that are seeking to explain all types of criminality. There can also be a tendency to read into a theory and misinterpret the intention of the original author (Burke, 2001). Regardless of the possible pitfalls of integrating theories, such integrated theories have and will continue to offer new explanations of criminal behavior and deviance. The current article seeks to integrate Irwin and Cressey's (1962) importation model with Miller's (1958) theory of a lower-class subculture and apply it to the phenomenon of prison violence.

### ***Delinquent Boys***

Cohen (1955) theorized that there is a delinquent subculture among juveniles. This delinquent subculture is "negativistic" and is therefore in a negative polarity with that of mainstream society. Although in opposition with the "norm" it is considered to be "right" by the standards of the newly created subculture (Cohen, 1955). This also coincided with Shaw and McKay (1931), who argued that groups of juvenile delinquents often engage in "conduct which result in personal degradation and dishonor in a conventional group, serve to enhance and elevate the personal prestige and status of members of the delinquent group" (1931: 241).

In prison culture, there are two distinctive groups: the "keepers and the kept." There is a natural disdain between them caused by the very nature of their antagonistic roles (Sykes, 1958; Marquart, 1980). It would therefore create the environment in which the inmates oppose the status quo of the guard regime and create standards and norms that they feel are legitimate and worthwhile. Bowker (1983) also pointed to the vast power difference between the staff and the inmates as a cause for prison violence. It is important to note that, "The crucial condition for the emergence of new cultural forms is the existence, in effective interaction with one another, of a number of actors with similar problems of adjustment" (Cohen, 1955: 59). Inmates are coping in a new world and in order to adjust will turn to one another to devise coping strategies. The subculture is continually being re-created and modified when group members experience circumstances that are not shared by members of the larger social system (Cohen, 1955). The inmate does not share in the same experiences as the rest of the world and experiences "the pains of imprisonment." The subculture of inmates may resort to violence or aggression to regain a measure of control they feel is lost to the "total institution" (Sykes, 1958).

Lower class subcultures legitimize aggression as a way to show disdain toward the middle and upper class value systems (Cohen, 1955). The delinquents are part of a world in which they will never truly reach acceptance or status attainment through legitimate means, so "innovations" are created to obtain society's goals (Merton, 1958). In Sutherland's (1947) essay on "Differential Association" he concluded that criminal behavior is learned from others. Therefore, violent behavior is learned through exposure to the criminal pattern or delinquent subculture. This continued exposure with persons who ascribe to violent and volatile behavior patterns induces learning and identification with violent subcultures. Once incarcerated this behavior does not suddenly become "unlearned," and persons who are prone to violence will remain violent because it is a learned and common response (Sutherland, 1947; Burgess and Akers, 1966).

Cloward and Ohlin (1960) also discussed the creation of distinct types of delinquent subcultures. The “conflict” subculture is centered around violence and fighting. Members of this subculture must act fearless in the face of danger and defend personal integrity at all costs. Wolfgang and Ferracuti (1982) constructed a theory of subculture violence drawing upon Sutherland’s differential association theory. Their research found that those individuals who participated in a violent subculture often deemed violence as necessary, appropriate, or even a required response. The theory is comprised of seven major points in which violent subcultures exist:

- (1) No subculture can be totally different from or totally in conflict with the society of which it is a part. There are interlocking values which are shared with the dominant mainstream culture.
- (2) To establish the existence of a subculture of violence does not require that the actors sharing in these basic value elements should express violence in all situations. These participants may carry knives as a symbol that they are willing to participate in violence.
- (3) The potential resort or willingness to resort to violence in a variety of situations emphasizes the penetrating and diffusive character of this cultural theme. Each culture may be more or less prone to violence dependent upon the amount of which a violent attitude has been assimilated.
- (4) The subculture ethos of violence may be shared by all ages in a sub society, but this ethos is most prominent in a limited age group, from late adolescence to middle adulthood.
- (5) The counter-norm is non-violence. If a member of the subculture chooses not to use violence when it is expected or required then that individual will usually be ostracized.
- (6) The development of favorable attitudes toward and the use of violence in a subculture usually involves learned behavior and a process of differential learning, association, or identification. Aggression and violence are learned responses.
- (7) The use of violence in a subculture is not necessarily viewed as illicit conduct and the users therefore do not have to deal with feelings of guilt about their aggressive behavior. Violence is a part of the lifestyle (Wolfgang and Ferracuti, 1982).

A more contemporary version of this theory was introduced by Anderson (1994), who termed this subculture the “code of the streets” and noted that there were a set of informal rules that governed interpersonal public behavior, including violence. Respect, also known as “juice,” is at the heart of the street code. Anderson (1994) concluded that children who grow up in “street” oriented families learn values of aggression, have superficial senses of community and family, and have little or no supervision. These children stay out late and “hang” on the streets, where the ability to stand up for and look capable of taking care of oneself is imperative. In order to have “manhood” on the street one must have “nerve,” the ability to throw the first punch or have no outward fear of dying (Anderson, 1994). Anderson (1994) postulated that the “street code” is an attempt for lower-class individuals to preserve themselves and their self-respect

because they feel alienated from society. By creating this oppositional culture, a street-oriented demeanor becomes a way in which one can express “Blackness” (Anderson, 1994).

The theories of a violent subculture discussed here also coincide with issues in correctional institutions and point to the importation model suggested by Irwin and Cressey (1962). Inmates do not always use violence, but do so when it is deemed appropriate or necessary to preserve an image or protect livelihood, either person or possession (Bowker, 1983; Light, 1991; Braswell and Miller, 1989). Bowker (1983) also noted that violence in prison is generally perpetrated by younger inmates, who are less likely to understand the social climate of the prison environment. This assertion coincided with both Wolfgang and Ferracuti (1982) and Anderson (1994). According to the Bureau of Justice Statistics (BJS) *Report on Prisoners for 2001*, the majority of inmates incarcerated were Black, specifically that of inmates from age 25-29 (United States Department of Justice, 2001). This could potentially explain how a violent code in prison came from a violent code of Black males on the street (Anderson, 1994). This does not imply that violence is generated solely by black inmates, but may give credence to Anderson’s (1994) theory of a “street code” or subculture, which is then imported into a new environment upon incarceration. Elements within the prison environment may also perpetuate violence-prone individuals (Welch, 2002).

A social climate for violence is created and perpetuated by the institution (Welch, 2002; Toch, 1985). This subculture creates an environment where violence is accepted and often rewarded. Toch (1985) identified a number of features that contribute to prison violence:

- Providing payoffs. Acting violently in prison has rewards (i.e. peer admiration)
- Providing immunity or protection. Violence in correctional institutions is perpetuated because victims generally adhere to a code of silence.
- Providing opportunities. Due to the institutional routines and architecture, there are many opportunities for attacks. The risk of being seen by staff is minimal as there are many places to conceal an attack.
- Providing temptations, challenges, and provocations. The climate of violence is abounding with opportunities to engage in violence against inmates who are regarded as deserving of an assault.
- By providing justificatory premise. Since prisons are known to be violent places, especially by the inmates, violence is justified because the norms permit it.

Does the institution create violent individuals, or do violent individuals bring with them their values and norms from a pre-existing subculture? This may in fact be a debate that may have no clear-cut answer. One could conclude that those who have less criminal training would be more likely to get caught and imprisoned, taking with them a set of violent norms (Cloward and Ohlin, 1960). Bowker (1983) suggested that inmates who are more sophisticated and better capable of controlling violent urges are not often incarcerated in prison, but are diverted out of the system, leaving prisons with “lower-class” criminals. Elite criminal positions are not accessible to everyone so “lower-end” criminals could resort to violent underdeveloped mechanisms instead of more highly evolved methods of criminal behavior (Cloward and Ohlin, 1960).

The following section examines Miller's (1958) theory of a lower-class subculture and delinquent behavior. Integral to this examination is an exploration of the applicability of Miller's (1958) theory to the violence found within modern correctional institutions.

### ***Lower Class Culture and Gang Delinquency***

According to Miller (1958) gangs that engage in delinquent behavior are generated within the lower class community. Miller (1958) contrasted Cohen's (1955) theory of delinquent groups by noting that delinquent behavior is stable and "ritualized." The behavior serves to support and maintain the basic features of the lower class way of life. Miller identified six major focal concerns which are given distinct priority. These six focal concerns are examined from the context of prison behavior and norms.

#### ***(1) Trouble***

Concern over trouble is an important feature of lower class culture. "Getting into trouble" and "staying out of trouble" represent major issues for all members of the lower class community (Miller, 1958). The desire to stay out of trouble may be less of a commitment to the moral or legal norms than a desire to avoid "getting into trouble." Within the concept of trouble, two perceived alternatives arise. One can either engage in "law-abiding" or "non-law abiding" behavior (Miller, 1958). In certain situations "getting into trouble" is recognized as prestige conferring and may give the individual an elevated status within the subculture. This is often seen in inmate behavior. Violence is often seen as a way to gain status and is sometimes the motivator behind it (Bowker, 1983; Toch, 1985). Miller (1958) also discussed how "trouble" is often a means to other valued ends.

Inmates are looking for ways in which to obtain goods and lessen the pains of imprisonment (Sykes, 1958). "Trouble" in the form of violence or aggression may be seen as a necessary way to protect what one has or to gain more of what one might like (Irwin and Cressey, 1962; Welch, 2002). "Trouble" both in lower-class culture outside of prison and in the prison itself has a variety of functions and achieves several valued ends (Miller, 1958).

#### ***(2) Toughness***

Toughness as a component of delinquent subcultures has been noted by a variety of theorists (Cohen, 1955; Wolfgang and Ferracuti, 1982; Anderson, 1994). For Miller (1958), "toughness" is a combination of physical prowess, shown by possession of strength and athletic skill, "masculinity," and bravery in the face of imminent danger (Miller, 1958). Central to this theory is the notion that most lower-class males are brought up in single parent homes, with predominantly female heads of household (Anderson, 1994). This lack of a male role to emulate causes an overcompensation to be "masculine," which leads to an increase in aggressive verbal and physical interactions with others (Miller, 1958).

Prison interactions are laden with aggressive roughhousing and kidding. Inmates are constantly under pressure to be "manly" and not to be perceived as weak or susceptible to being taken advantage of by prison officials and other inmates (Sykes, 1958; Lombardo, 1981). Light

(1991) argued that inmates have to “save face” in front of other inmates when challenged by guards or persons in authority positions. The very act of aggressive behavior in prison reinforces the notion that being tough, or having “juice,” is regarded highly and may be perceived as essential in institutional survival (Braswell and Miller, 1989; Anderson, 1994). Although clearly an important aspect of the lower class culture, it seems as though “toughness” to the inmate is almost an essential element of the prison personality.

### ***(3) Smartness***

The term “smartness” as defined in the lower-class subculture involves the ability to con or outsmart others. It also includes the ability of one to avoid being outwitted or “taken” (Miller, 1958). Knowledge of the street of innovative ways to attain material goods with little effort is highly valued. Education through school and books goes against the “masculine” identity innate to the lower class (Miller, 1958). Individuals practice these skills by gambling and exchanging insults with one another. The ability to be creative, inventive and quick-witted are afforded high prestige within the lower class (Miller, 1958).

The ability to “con” or manipulate staff members is afforded high status within the inmate subculture (Allen and Bosta, 1981; Cheeseman, Mullings, and Marquart, 2001). It is also important for inmates to maintain the image that they cannot be “taken,” and that their status in the inmate hierarchy will be protected, regardless of the level of violence necessary to do so (Bowker, 1983; Page, 2002). Page (2002) even explained that prison staff look down upon those inmates who are unable to protect themselves. This paralleled with research conducted by Braswell and Miller (1989) which found that correctional employees had little sympathy for inmates who could not protect themselves from inmate precipitated violence. “Smartness” was also noted by Bowker (1983) who discussed how inmates weighed the costs of violence and utilized it when it would be most effective in achieving the desired goal. Few scholars would argue that most inmates are much more educated in “street sense” than more traditional forms of education.

### ***(4) Excitement***

Miller (1958) inferred that one of the most characteristic features of lower-class life was the search for excitement or thrills. Those in the lower-class subculture often find these pleasures in a “night on the town” in which alcohol, music, and sex are sought. Fights often erupt, which frequently lead to “trouble” as previously discussed (Miller, 1958). The participants know that danger and risk are potential outcomes, but continue to engage in the activities because they counterbalance the boredom of typical lower-class life (Miller, 1958).

Prison life is a macabre existence, in which routines and schedules are prevalent (Sykes, 1958). Inmates may engage in behaviors that are “risky” to break up the monotony of institutionalization. Inappropriate relationships between staff and inmates have been found to be a way in which inmates will try to pass the term of their respective confinements (Worley, Marquart, and Mullings, 2003). The inmate not only receives forbidden goods and services, but is also “striking a blow” at the system and the prison administration (Allen and Bosta, 1981). Fights and riots can be seen as “new” and invigorating, at least in the beginning (Rolland, 2002).

An opportunity to participate in aggression or violence, especially when the chance of getting caught is minimal, can be an inviting opportunity (Toch, 1977). Irwin and Cressey (1962) pointed to the “convict” subculture as one that embraces utilitarianism. If violence or aggression is a way in which an individual finds pleasure it will be difficult to control such behavior in an environment which may in fact perpetuate violence (Page, 2002; Toch, 1985). Fighting is an element that the lower-class culture and the convict culture both find exciting and appealing due to its potential danger and risk (Miller, 1958; Wolfgang and Ferracuti, 1982; Anderson, 1994).

### **(5) Fate**

Many lower class individuals feel that their lives are subject to a set of forces over which they have little control (Miller, 1958). Participants in the lower-class culture are constantly engaging in “fantasy” play in which they dream of a big house, big car and roll of cash to spend (Miller, 1958). Prior research has found that delinquents utilized “techniques of neutralization” to rationalize their behavior or explain it away (Sykes and Matza, 1958). These techniques of neutralization include: 1) condemning the condemners, 2) denial of injury, 3) denial of victim, 4) denial of responsibility, and 5) appeal to higher loyalties.

Inmates also point to feelings of powerlessness, that they are pawns in the eyes of prison administrators (Baskin *et al.*, 1991; Montgomery and Crews, 1998). The correctional community is often noted to be one in which offenders daydream of a better life and better times, hoping that soon their luck will change (Sykes, 1958). The “fate” component may also be a way in which both members of the lower-class subculture and the “convict” subculture can justify or pacify feelings of condemnation over delinquent or criminal behavior.

### **(6) Autonomy**

In terms of autonomy, Miller (1958) pointed out that there is a discrepancy between what is overtly valued and covertly sought. On an outward level there is expressed resentment towards external controls, coercive authority and restrictions on behavior. This would also connect to feelings in the institutional environment, where inmates are seeking to be more than just numbers, and resent the multiple restrictions placed upon them by correctional personnel (Sykes, 1958; Goffman, 1961; Page, 2002). This lack of individuality may produce hostility towards staff and other inmates and may erupt in violence or aggression (Bowker, 1980; Light, 1991). Miller (1958) maintained that the desire for personal independence may bring members of the lower class to denounce any nurturance, care or protection. Inmates are dependent upon staff members for everything, from toilet paper to restroom breaks. This complete power imbalance and lack of choice for inmates can cause aggressive and volatile behavior (Marquart, 1986).

Interestingly, these overt expressions may in fact be in contrast with the covert desire to be “taken care of.” Miller (1958) noted that many individuals will knowingly seek out social environments with strict rules (i.e. institutions, military, mental hospitals). They may also in turn seek camaraderie from others through associations in “gangs” to find acceptance or feelings of family (Miller, 1958; Anderson, 1994). Prison is no exception to gang behavior and inmates who do time alone are often looked at suspiciously. Acceptance within a social group gains the



inmate protection, support and often status (Silberman, 1995; Rolland, 2002). The inmate may need to utilize violence in order to gain acceptance within the group or to protect the interests of the group (Wolfgang and Ferracuti, 1982). Autonomy is therefore more directed at institutional rules and personnel and less with actual members of the inmate population. The exception is that groups themselves may be autonomous entities and that disruption from other inmate gangs or groups is a violation of the “convict code” and violence may be justified (Irwin and Cressey, 1962).

In addition to the above focal concerns of the lower class subculture are two facets that Miller (1958) stated are part of adolescent street corner groups: (1) belonging and (2) status.

### ***(1) Belonging***

Belonging is closely tied with the previous discussion on group autonomy and cohesion. In instances in which norms of the conforming group violate the norms of other reference groups (i.e. middle class, prison administration), immediate reference group norms are much more compelling since violating the peer group norms may result in exclusion from the peer group itself (Miller, 1958; Cohen, 1995; Wolfgang and Ferracuti, 1982; Anderson, 1994; Rolland, 2002). Belonging to a delinquent subculture may bring the acceptance and “family” atmosphere lacking in an adherence to mainstream value systems (Cohen, 1955). As noted above, violence is seen as a legitimate and often necessary way in which to preserve a group or “gang” (Cloward and Ohlin, 1960). One merely needs to explore either the inmate or correctional officer subculture for examples of this concern within the prison environment.

### ***(2) Status***

Status in the lower-class culture is demonstrated by possession of valued qualities such as “toughness,” a willingness to stand up to authority, smartness (street wise), and ability to take risks (Miller, 1958). Members of the group are tested through a set of status-ranking tests, in which an intra-group “pecking order” is established. The prison subculture has a hierarchical system, in which some inmates are given higher status than others. This may be due to an inmate’s job that enables him access to privileged information or to goods desired by other inmates (Irwin and Cressey, 1962). Physical strength, an ability to “con” other inmates or staff members, and participation in certain groups may also award one status in the prison culture (Sykes, 1958; Allen and Bosta, 1981). Lombardo (1994) also noted that each prisoner maintains a public reputation to avoid being targeted by predatory inmates. Through the utilization of Miller’s (1958) lower-class subculture theory to explain prison violence one can easily see the similarities between the two groups and could theorize that importation of these ideals occurs when members of these subcultures are incarcerated.

## **Possible Hypotheses**

In order to assess if prison violence is imported from prior subcultures, a number of hypotheses need to be tested. One could consider the following hypotheses:



1. Inmates with previous violent convictions (i.e. assault or rape) will have higher incidents of prison violence,
2. Inmates who were or are involved in gang activities will have higher incidents of prison violence,
3. Inmates who had violent convictions as juveniles will have higher incidents of prison violence, and
4. Inmates will be more violent at the beginning of their incarceration.

Studies that could test these hypotheses might include an examination of inmate life histories. Inmates who show violent tendencies in prison may have a previous record of assaultive and aggressive behavior both as a juvenile and as an adult. Through the utilization of secondary data sources it may be possible to assess whether or not offenders with prior violent convictions also have incidents of violence while incarcerated.

A self-report survey could also be created to ask prisoners the type and duration of behaviors that they were involved in prior to their imprisonment and behaviors that they engage or did engage in while in prison. Although self-report studies have limitations, they remain an excellent tool in gaining information that may not be known through official documents and court records (Hagan, 2002).

### **Conclusions and Policy Implications**

If prison administrators desire to decrease violence in their correctional institutions policies may need to be altered to address violent behavior that occurs prior to incarceration. Programs that are designed to help offenders deal with issues that are related specifically to incarceration may not be effective. Policies that are designed to understand the roots of individual and collective behavior may in fact offer strategies that break violent behavior patterns. Inmates who have violent tendencies may benefit from treatment that focuses on new and effective coping strategies. Correctional systems that ignore the roots of violent behavior will find that violence does not decrease even after disciplinary and housing sanctions.

Inmates who are members of gangs or security threat groups need intervention programs that break their attachments to the criminal subculture. Although this may be a difficult and challenging task it could be a way in which to stop the cycle of violent behavior. The criminal justice system as a whole might benefit from programs that encourage positive behavior in childhood and early adolescence, which could possibly include parenting strategies and assistance for families in high-crime areas.

Violence in prisons occurs at both an individual and collective level. Violence may be caused by people who seek to solve personal conflicts or by people who are seeking a reputation as an intentional victimizer (Lombardo, 1994). Arguments could be made that this is in fact created by the deprivations created by the prison and is unique to the prison environment (Sykes, 1958; Schrag, 1961). This indigenous origin notion was noted by Garrity (1961:373) as “the axial values regarding shared problems or derivations that provide the basis for articulation of the broad normative system or ‘prison code’ which defines positions and roles.” Irwin and Cressey (1962) argued that elements of prison environments are not unique to the institution but are

imported by prior identification with delinquent subcultures. Other theorists have also pointed to the importation model in regards to prison aggression and violence (Cloward and Ohlin, 1960; Wolfgang and Ferracuti, 1982; Anderson, 1994). Although it would seem as though this “indigenous” versus “importation” argument has no winner, it is important to examine theories that suggest an importation of ideas and beliefs into institutions. A better understanding of subcultures outside of prison and the norms which exist within them may provide a wealth of information for planning and implementing prison policies.

## References

- Akers, R. (2000). *Criminological Theories: Introduction, Evaluation, and Application*. Los Angeles, CA: Roxbury Publishing.
- Akers, R. (1989). “A Social Behaviorist’s Perspective on Integration of Theories of Crime and Deviance.” in S. Messner, M. Krohn & A. Liska (eds.) *Theoretical Integration in the Study of Crime and Deviance: Problems and Prospects*. Albany, NY: State university of New York Press. pp. 23-26.
- Allen, B., and D. Bosta. (1981) *Games Criminals Play*. Susanville, CA: Rae John Publishers.
- Anderson, E. (1994). *The Code of the Streets: Decency, Violence, and the Moral Code of the Inner City*. New York, NY: W.W. Norton.
- Baskin, D., I. Sommers, and H. Steadman. (1991). “Assessing the Impact of Psychiatric Impairment on Prison Violence.” in *Journal of Criminal Justice*, 19. pp. 271-280.
- Becker, H, and B. Geer. (1960). “Latent Culture: A Note on the Theory of Latent Social Roles.” in *Administrative Science Quarterly*, Volume 5. pp. 305-306.
- Bowker, L. (1983). “An Essay on Prison Violence.” in *Prison Journal*, 63. pp. 24-31.
- Bowker, L. (1980). *Prison Victimization*. New York, NY: Elseiver.
- Braswell, M., and L. Miller. (1989). “The Seriousness of Inmate Induced Prison Violence: An Analysis of Correctional Personnel Perceptions.” in *Journal of Criminal Justice*, 17, pp. 47-53.
- Braswell, M., R. Montgomery, and L. Lombardo. (1994). *Prison Violence in America*. 2<sup>nd</sup> Edition. Cincinnati, OH: Anderson Publishing.
- Burgess, R., and R. Akers. (1966). “A Differential Association-Reinforcement Theory of Criminal Behavior.” in *Social Problems*, 14. pp. 128-147.
- Cheeseman, K., J. Mullings, and J. Marquart. (2001) “Inmate Perceptions of Staff Across Various Custody Levels of Security.” in *Corrections Management Quarterly*, 5. pp. 41-48.

- Cloward, R., Ohlin, L. (1960). *Delinquency and Opportunity: A Theory of Delinquent Gangs*. New York, NY Glencoe, IL: The Free Press.
- Cohen, A. (1955). *Delinquent Boys: The Culture of the Gang*. Glencoe, IL: Free Press.
- Farnworth, M. (1989). "Theory Integration Versus Model Building." in S. Messner, M. Krohn, and A. Liska (eds.), *Theoretical Integration in the Study of Crime and Deviance: Problems and Prospects*. Albany, NY: State university of New York Press. pp. 93-100.
- Garrity, D. (1961). "The Prison as a Rehabilitation Agency." in R. Cressey (ed.), *The Prison: Studies in Institutional Organization and Change*. New York, NY: Holt, Rinehart and Winston. pp. 372-411.
- Gibbs, J. (1981). "Violence in Prison: Its Extent, Nature, and Consequences." in R. Robert and V. Webb (eds.) *Critical Issues in Corrections*. St. Paul, MN: West Publishing. pp. 110-149.
- Goffman, E. (1961). *Asylums*. Garden City, NY: Anchor Books.
- Irwin, J. and R. Cressey. (1962). "Thieves, Convicts, and The Inmate Culture." in *Social Problems*, 10. pp. 142-155.
- Kratcoski, P. (1988). "The Implications of Research Explaining Prison Violence and Disruption." in *Federal Probation*, 52. pp. 27-32.
- Lombardo, L. (1981). *Guards Imprisoned*. New York, NY: Elsevier.
- Lombardo, L (1994). "Stress, Change, and Collective Violence in Prison." in M. Braswell, R. Montgomery, and L. Lombardo (eds.) *Prison Violence in America*. Cincinnati, OH: Anderson Publishing. pp. 291-305.
- Marquart, J. (1986). "The Use of Physical Force by Prison Guards: Individuals, Situations, and Organizations." in *Criminology*, 24. pp. 347-366.
- Miller, W. (1958). "Lower Class Culture as a Generating Milieu of Gang Delinquency." in *Journal of Social Issues*, 14. pp. 5-19.
- Montgomery, R., and G. Crews. (1998). *A History of Correctional Violence: An Examination of Reported Causes of Riots and Disturbances*. Lantham, MD: American Correctional Association.
- Page, J. (2002). "Violence and Incarceration: A Personal Observation." in L. Alarid and P. Cromwell (eds.) *Correctional Perspectives: Views from Academics, Practitioners and Prisoners*. Los Angeles, CA: Roxbury Publishers.
- Rolland, M. (2002). "Realities of Fear." in L. Alarid and P. Cromwell (eds.), *Correctional Perspectives: Views from Academics, Practitioners, and Prisoners*. Los Angeles, CA: Roxbury Publishers.

- Schrag, C. (1961). "Some Foundations for a Theory of Corrections." in R. Cressey (ed.), *The Prison: Studies in Institutional Organization and Change*. New York, NY: Holt, Rinehart and Winston. pp. 329-371.
- Silberman, M. (1995). *A World of Violence: Corrections in America*. Belmont, CA: Wadsworth Publishing.
- Sutherland, E. (1938). *The Professional Thief*. Chicago, IL: University of Chicago Press.
- Sykes, G. (1958). *The Society of Captives*. Princeton, NJ: Princeton University Press.
- Sykes, M. and D. Matza. (1957). "Techniques of Neutralization: A Theory of Delinquency." in *American Sociological Review* 22.
- Toch, H. (1985). "Social Climate and Prison Violence." in M. Braswell, R. Montgomery, and L. Lombardo (eds.) *Prison Violence in America*. Cincinnati, OH: Anderson Publishing. pp. 345-352.
- Toch, H. (1977). *Living in Prison: The Ecology of Survival*. New York, NY: The Free Press.
- Welch, M. (2002). "The Reproduction of Violence in U.S. Prisons." in L. Alarid and P. Cromwell (eds.), *Correctional Perspectives: Views from Academics, Practitioners, and Prisoners*. Los Angeles, CA: Roxbury Publishers.
- Wolfgang, M, and F. Ferracuti. (1982) *The Subculture of Violence*. Thousand Oaks, CA: Sage Publications.
- Worley, R., J. Marquart, and J. Mullings. (2003). "Prison Guard Predators." in *Deviant Behavior*, 24. pp. 175-194.