12
PRISON LIFE AND
LIFE AFTER PRISON
LEARNING OBJECTIVES
After finishing this chapter, you should be able to:

12.1 Describe the conditions and attitudes influencing prison subcultures.

12.2 Identify the five pains of imprisonment and explain how they shape inmate behavior.

12.3 List the advantages and disadvantages of solitary confinement.

12.4 Identify and propose measures that can be used to control prison violence.

12.5 Discuss challenges faced by inmates and prison staff.

12.6 Evaluate the methods through which successful reentry might be achieved.

INTRODUCTION: LIVING IN PRISON

When the state incarcerates someone, it becomes responsible for the safety and well-being of the person in jail or prison. The mission of many correctional institutions is to protect the public, ensure the safety of personnel, and provide care and supervision of offenders. An emphasis on reentry also is included in the majority of correctional mission statements, which note the importance of offering services and programs for successful life in the community after release. The prison environment presents a wide variety of challenges that are difficult to mitigate and overcome. Some prisons often are violent, hostile places plagued with inappropriate sexual behavior and gang activity. Many prisons are overcrowded and understaffed, and many have tight resources that limit the most realistic of rehabilitation goals. Ted Conover, author of Newjack: Guarding Sing, noted in the quotation at the beginning of the chapter that we have few alternatives to prison, and the environment gives rise to unique subcultures with mores and rules distinct and distant from our everyday lives.

More than 2.4 million Americans are incarcerated in state and federal prisons (see Figure 12.1). Spending time in prison achieves the goal of incapacitation and, in some cases, rehabilitation, and although recidivism rates for ex-convicts are high, attempts to facilitate reentry are a top priority in the criminal justice system. The prices of incarceration, without treatment and education, are high both in financial terms and regarding quality of life. Housing one inmate in federal prison costs an average of $21,000 annually in a minimum-security facility and $33,000 in a maximum-security institution. Prison comes at a high
cost for everyone, including inmates, correctional officers, and administrators, and the chances for incarceration are high (see Figure 12.2).

Correctional officers and administrators face many behavior and ethical issues when confronted with controlling an inmate population. Like police officers, correctional officers take an oath to protect and serve. Behavior that is beyond reproach is required both on and off duty (the American Correctional Association’s Code of Ethics can be found at www.aca.org). A DUI offense, for example, may result in demotion, loss of pay, or firing.\(^1\) Correctional officers also must resist any temptations to introduce contraband at the request of an inmate. Prisoners become well adept at coercion and manipulation, and often new or poorly trained officers may fall prey to “easy money.”

---

**Figure 12.1** Map of U.S. Incarceration Rates

The United States has one of the highest incarceration rates in the world. To see an interactive map of prison populations for your state, visit [http://www.sentencingproject.org/the-facts/#](http://www.sentencingproject.org/the-facts/#).

Source: The Sentencing Project.

**Figure 12.2** Likelihood of Incarceration by Gender and Race

<table>
<thead>
<tr>
<th>Gender/Group</th>
<th>Likelihood</th>
</tr>
</thead>
<tbody>
<tr>
<td>All Men</td>
<td>1 in 9</td>
</tr>
<tr>
<td>White Men</td>
<td>1 in 17</td>
</tr>
<tr>
<td>Black Men</td>
<td>1 in 3</td>
</tr>
<tr>
<td>Latino Men</td>
<td>1 in 6</td>
</tr>
</tbody>
</table>

Life in Prison

Not only are there enormous difficulties in effectively operating a prison, but the experience of incarceration changes the inmates’ worldview. Offenders entering prison are required to alter their behaviors, attitudes, and language to conform to official prison and unofficial convict rules and regulations. Inmates must make behavioral changes to adapt to the prison environment and adopt and understand the prison argot, or slang. Some of the prison slang may be familiar because of television or movies, but many of the terms are unlikely to be heard in our daily conversations. Table 12.1 provides examples of a few words and phrases, although these terms vary among prisons. Dictionaries and website glossaries offer extensive lists of this facet of prison subcultures.

In the 1940s, Donald Clemmer developed the concept of prisonization. As a prison ethnographer, Clemmer devoted his career to researching and understanding the social and psychological effects of prison life and coined the term in his book *The Prison Community*. Prisonization describes the socialization process distinct within prison subcultures that mandates accepting different values, customs, and consequences. Inmates must adapt behavior to a system with norms that exist only in the prison environment. “Prisonization is the assimilation process in prison where inmates take on in greater or less degree,” according to Clemmer, “the folkways, mores, customs, and general culture of the penitentiary.” Research has discovered that an inmate’s level of prisonization may vary during the course of incarceration and is lowest during the first 6 months and last 6 months. Prisoners likely are adapting to the environment during the initial portion of their sentences. Similarly, as they prepare for reentry they begin to consider societal expectations of behavior and how to achieve community reintegration.

**Table 12.1 Prison Argot**

<table>
<thead>
<tr>
<th>Term</th>
<th>Definition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bone</td>
<td>A shank (knife-like weapon)</td>
</tr>
<tr>
<td>Brake fluid</td>
<td>Psychiatric medications</td>
</tr>
<tr>
<td>Cakero</td>
<td>A convict who rapes weaker inmates</td>
</tr>
<tr>
<td>Car</td>
<td>Prison gang</td>
</tr>
<tr>
<td>Catch my fade</td>
<td>Fight</td>
</tr>
<tr>
<td>Catching the square</td>
<td>Challenge to fight by one prisoner to another</td>
</tr>
<tr>
<td>Convict</td>
<td>A prisoner who is experienced in crime and prison life; used as a term of respect</td>
</tr>
<tr>
<td>Mud</td>
<td>Coffee</td>
</tr>
<tr>
<td>Punk</td>
<td>Homosexual or weak inmate</td>
</tr>
<tr>
<td>Soda</td>
<td>Cocaine</td>
</tr>
</tbody>
</table>

New prisons continue to be built, despite the high costs of maintaining and operating the facilities. Private prisons have gained popularity, though critics suggest they offer less adequate facilities and care. What arguments would you present to support private prison use?
Total institution is a concept developed by Erving Goffman, who is often referred to as the most influential American sociologist of the 20th century, to describe isolated, closed social systems designed to control people. Goffman first used the term in his book *Asylums* (1961) for prisons and mental institutions; other total institutions include military schools, monasteries, and concentration camps. Imagine waking up in the morning without responsibility, making no decisions, and having no choices. Virtually everything you wear, eat, and do is determined and scheduled by someone else. Imagine every day getting up and following the exact same schedule with perhaps an hour outside (or an enclosed area with limited view of the sky); there are no weekend trips to the mountains or the beach, only the drudgery of the same events 24 hours a day, 7 days a week. Sleeping in an 8-by-10 cell with little or no privacy worsens this existence. The strictly regimented routine and isolation represent only some of the difficulties associated with serving time in prison. Total institutions also remove individuality, erase dignity, and are inescapable.

Danny Madrid retold a poignant story about his time in prison. He described the experiences as traumatic and monotonous—year after year doing the same thing every day. In fact, he still has nightmares about the confined space. Outside prison life he requires windows and is outside at every opportunity. Ironically, one of the lifelong consequences of being in prison was Danny’s feeling of becoming a victim of the system. He also explained that federal prisons, compared with the state prisons he experienced, have better exercise yards, tennis courts, good food, and clothing.

While prison may serve as a deterrent up to a point, according to Danny, one turning point was an incident that occurred in Chino prison in the outside showers. While in the yard, Danny saw an older, wrinkled, white inmate with long gray hair in the shower. Danny described this scene as a “glimpse into the future.” “Will that be me in the future?” His decision, after many years of believing he would either be dead or spend life in prison, was to take control of his life. Part of his coping mechanism was to begin drawing and creating art work that represented a potential for something better. Once Danny was released from prison, this became a turning point in his life was the opportunity to build social capital by leaving the gang life and relying on positive experiences and family.

### Subcultures of Prison

Three models are commonly used to explain inmate subcultures: deprivation, importation, and situational. Research shows that all three models may work together to explain violent prison incidents and inmate behavior. The deprivation model relies on the idea of a total institution where prisonization occurs as inmates adapt to being deprived of basic rights and needs. In other words, the prison environment shapes the inmates’ society, and outside influences are soon forgotten. This deprivation may include, for example, the loss of heterosexual relationships. Gresham Sykes first identified the poverties associated with incarceration in the five pains of imprisonment in his famous book *The Society of Captives*:

1. The deprivation of liberty
2. The deprivation of goods and services
Deprivation of liberty refers to the inmate’s loss of freedom, which, according to Sykes, creates feelings of being a social outcast. Although basic needs such as food, clothing, and medical care are available, the standards of living are far below what we are accustomed to having in our daily lives. Without conjugal visits, Sykes described prisoners as being figuratively castrated by involuntary celibacy. The deprivation of autonomy is related to the total control of a prisoner’s behavior, which may result in feelings of weakness and helplessness. Finally, the deprivation of security comes from living in a population of inmates and correctional officers whose actions, at times, may be intimidating and violent. As a result of the deprivations, the subculture is one of negativity, aggression, and resentment toward correctional administrators and officers, as well as other inmates.

The importation model proposed by John Irwin and Donald Cressey asserts that experiences and socialization from the outside are brought into prison. In other words, the characteristics and social backgrounds of inmates determine how they act in prison. Important in this model is the idea that different subgroups with different beliefs exist in a prison rather than it being a total institution with one subculture. Inmates may, for instance, introduce their own special codes of behavior or subculture.

John Irwin’s contributions to sociology and convict criminology offer a special perspective because, in addition to his research, he served time in prison. Reflecting on his pathway in life, Irwin described himself as a “thug, a drug addict and then—after being convicted of armed robbery—a convict,” who later received a PhD at the University of California, Berkeley. His work with Donald Cressey in the 1960s exploring prison culture and criminal subculture identified types of deviant prison subcultures: thief and convict. The thief subculture includes professional thieves and career criminals who are “right guys” focusing on values such as in-group loyalties and being trustworthy and reliable. The convict subculture imports values from the outside and follows the inmate code. In most cases, these inmates have spent a great deal of time incarcerated. The other identified subculture is the group of prisoners Irwin and Cressey called legitimate. These inmates are one-time offenders who tend to identify with correctional officers and staff and take advantage of educational and rehabilitation opportunities.

Joshua Paul Benjamin clearly aligned with the idea of a “legitimate” prisoner. In prison, he took advantage of educational and rehabilitation opportunities. He volunteered to assist other inmates with their own education and worked in the prison library. Not only did these activities align with his own interests and need to accept responsibility for his actions but they also protected him from the harsher elements of prison life. He was not as exposed to gang interactions, violence, and sexual assault (although he did not escape it entirely).

John Irwin also identified four methods of adapting to being in prison. Inmates may be doing time by accepting and following the rules. Doing time means that an inmate is working toward possible early parole or completing his or her jail sentence without any additional penalties for rule infractions or misbehavior. Some inmates engage in jailing. These individuals tend to be more comfortable in prison and have likely spent a substantial part of their lives in some type of institution. The gleaning group takes advantage of opportunities that may help change future behavior, such as treatment and education. Finally, disorganized prisoners suffer from mental illness issues and/or low IQs. These inmates have severe difficulties adjusting to prison culture.
The situational model focuses on three factors connected to the context of the event: place, time, and person. First, where does the behavior occur? Second, when does the behavior occur? Third, who engages in the behavior? Inmate behavior, according to this model, is dependent on situational factors, such as the type of facility, the time of year, the time of day, staffing, and the involvement of other inmates.

Female Subcultures

Increases in female criminality and incarceration created a niche for a new area of study. The majority of female inmates (54%) are incarcerated for drug and property offenses (see Figure 12.3). Since 2000, the incarceration of black women for drug offenses has increased at an alarming rate. In state and federal prisons women of color represent over half the population. Among female inmates, 25% are black, 18% are Hispanic, and 49% are white. This increase may be associated with some type of victimization and the tendency for women to abuse drugs as a coping mechanism. Overall, the “typical” female inmate is 30 to 35 years old and the primary caregiver to two children.

Far less research has explored subcultures in women’s prisons, although initial studies conducted in the 1960s focused on social structures, such as family, traditional sex roles, and same-sex relationships. Early work found that women coped with the pains of imprisonment differently than men and that their so-called natural tendencies of neediness, passiveness, and domestication continued in a prison setting. In the 1980s, research focused on the pseudofamily structure and homosexual relationships, and identified a female tendency to alleviate the pains of imprisonment by creating relational ties. The subculture of women’s prison appears to be based primarily on relationships.

Contemporary research finds that men and women experience many of the same pains of imprisonment. Still, findings show that female inmate experiences and history are vastly different from those of men and that women experience the pains of imprisonment in a harsher way. In keeping with past research, current findings indicate that in response to deprivation and importation, women build pseudofamilies to ease feelings of loss, establish trust among the inmates, and help ease emotional and/or physical deprivations. By establishing these close personal ties to one another, female inmates import female characteristics and gender roles from the outside.

Figure 12.3 Women Incarcerated in the United States

Another reason female inmates experience prison differently than men is that they are frequently the primary caretakers of children. The separation of mother and child resulting from incarceration enhances the pains of imprisonment for both mother and child.19

Compounding these relational problems is that there are fewer women’s prisons, meaning that the distance needed to travel to visit incarcerated women is greater compared with male prisons. This distance, along with transportation and economic issues, means that female inmates are more likely than male inmates to be deprived of familial contact while incarcerated.

An obvious difference in male and female inmate experiences centers on pregnancy: Many women enter prison pregnant, and an increasing number give birth in prison. Fewer than 10 prisons in the United States are equipped to handle births. Additionally, health problems may be more complicated than in a male population because of the female reproductive system; breast and cervical cancer also are prevalent in prison populations.

In prison, in part because of the factors discussed here, female inmates suffer from higher levels of emotional distress, mental illness, and engaging in self-harm than their male counterparts.20 Mental illness is a major issue in correctional facilities. Work at the Bureau of Justice Statistics demonstrates that women are more likely to present with mental illness in correctional facilities. Research indicates that among state prisoners, mental illness is present in 73% of female and 55% of male inmates; among federal prisoners, mental illness is present in 61% of female and 44% of male inmates; and among local jail inmates, 75% of female and 63% of male inmates are mentally ill.21 Past research suggests that coping skills for women are more likely to involve drug or alcohol abuse, eating disorders, or self-mutilation. Men are more likely to cope outwardly through aggression.22 Mental illness, substance abuse, and victimization are common among female inmates.

Though much about prison is similar for women and men, differences like those discussed above show the methods for dealing with female prisoners cannot necessarily be adopted directly from the male prisoner model.

**White-Collar Criminals in Prison**

White-collar criminals are incarcerated with other types of criminals. As such, the notion that they are sentenced to a special country club-type environment is simply fantasy. Prisons—even those with white-collar criminals—are devoid of privacy. The environment is stark. Inmates have no power to even turn lights on and off. Wake-up time is 6 a.m. Lights are out at 11 p.m. Guards can and do wake up prisoners throughout the night to ensure that all are accounted for. Like all prisoners, white-collar criminals do not escape the pains of imprisonment. Given the relative deprivation experienced by white-collar criminals, some may think that they suffer more in prison. In contrast, research finds that white-collar criminals do not find the transition to prison any more difficult than other criminals.23 Stadler and colleagues investigated whether white-collar criminals were more sensitive to pains of imprisonment than other criminals and discovered that, in some cases, white-collar criminals coped better. They report fewer issues in terms of overall problems, feeling safe, and cell mate problems. In addition, research shows that white-collar criminals are more likely to make friends in prison compared with other inmates. Stadler and
colleagues speculate that white-collar criminals adjust with greater ease because they understand how bureaucracies operate, appreciate the importance of rules, and have the support of family. Other inmates do not necessarily enter prison with these advantages. Still, while the transition may be the same, in the words of white-collar criminal Alfred Porro, prison is a “hellish place” and sentencing lengths have increased because of major financial scandals (see Figure 12.4).

CLASSIFICATION SYSTEMS AND SOLITARY CONFINEMENT

Classification systems are used to ensure staff and inmate safety. Prison administrators must accommodate a wide variety of offenders, including those who are violent, white-collar criminals, pedophiles, and the mentally ill. Grouping or separating certain types
of offenders provides one method of control. Prison populations also can be controlled by incentives such as work, special privileges, or reduced sentences. Another method is the use of segregation to isolate problem inmates.

Often violent and mentally ill prisoners are placed in solitary confinement, also referred to as administrative segregation (see Chapter 11). These prisoners are isolated 23 to 24 hours a day. Many of the mentally ill suffer from schizophrenia and depression. The increased use of solitary confinement for mentally ill inmates occurs in some prisons because of the scarcity of psychiatrists and psychologists who are available to provide treatment. Solitary confinement, however, often exacerbates preexisting conditions. In 2012, the American Psychiatric Association noted that lengthy segregation (more than 3 or 4 weeks) causes serious harm to ill prisoners and should be avoided. Investigations by the American Civil Liberties Union (ACLU) have documented cases of mentally ill inmates in isolation attempting suicide, eating feces, and banging their heads against the wall. From an administrator’s or a correctional officer’s perspective, keeping the mentally ill in the general population is problematic because of the disruptions, and without in-house special treatment facilities there are few alternative placements aside from solitary. Overcrowding and underfunding contribute to the lack of viable options, though the extended use of solitary confinement is detrimental to inmates’ mental and physical health.

Numerous arguments are made against the use of solitary confinement. The practice, especially in a super-maximum facility, is expensive. The prisoners suffer from higher suicide rates, depression, decreased cognitive abilities, and sometimes hallucinations. A 2011 United Nations report noted that the practice is tantamount to torture and should be limited to 15 days. Often, gang-affiliated prisoners are routinely placed in solitary confinement to avoid outbreaks of violence. All citizens should care about the plight of those in prison and those in solitary confinement, as many of these inmates are released back into the community. In 2013, after spending most of his 8 years in prison in solitary confinement, Evan Ebel was released on parole in Colorado. While in prison, he became affiliated with the racist 211 Crew gang. Almost immediately, he obtained a firearm and murdered a pizza deliveryman named Nathan Leon. Then, taking his pizza delivery uniform, he went to the home of Tom Clements. Clements was the Colorado prisons director. When Clements answered the door, Ebel assassinated him. Ebel was eventually found in Texas and died in a shoot-out with police. In his car, authorities found a hit list with 20 names of officials he intended to kill. Ebel’s family contends that his long stay in solitary contributed to his increasing violence and erratic behavior. As a result of this incident, in 2014, Colorado banned the use of solitary confinement for mentally ill inmates and reduced the number of inmates released from solitary directly to the community (see Figure 12.5).

PRISON VIOLENCE

Prison Gangs

Prison gangs have a long history, with their presence being traced back to the 1950s. Gangs represent serious problems for prison administrators and correctional officers. Members of gangs are a higher security risk and tend to be less compliant. Gangs in prison are known to engage in trafficking contraband (e.g., drugs, cigarettes, pornography) and running protection rackets. Many inmates use race or ethnicity to establish an identity,
Gender and Correctional Officers

Historically, male officers worked in men’s prisons and female officers worked in women’s prisons. Currently, correctional officers of both genders work in all types of institutions, though the practice remains controversial. Opponents of hiring female correctional officers for male prisons argue that they face greater danger. In the 1970s, for example, the incidence of violence resulted in restricting female officers to work in minimum-security prisons. This policy changed in the 1990s, though some female officers still experience harassment by male correctional officers and inmates. Critiques of the practice suggest that inmates are more likely to sexualize and fantasize female officers. Other arguments include lack of the physical strength needed to control violent inmates and contain confrontations. Female officers in men’s prisons often report higher levels of stress compared with their male counterparts.

At the other end of the spectrum are problems related to male officers working in female prisons. A Department of Justice investigation of an Alabama prison discovered that male officers were forcing women into sexual acts and watching women shower and use the bathroom. Though widespread scandals are rare, any incident may suggest the need to restrict hiring based on gender.

Women work in many male-dominated fields, including policing. Though anecdotal instances of wrongdoing by correctional officers hint at possible problems, research shows that work performance is similar, and courts have determined that inmate and officer gender is superfluous to correctional work. In fact, several studies show lower assault rates in men’s prisons with female officers, who tend to rely more on verbal skills to control tense situations.

Think About It

1. As a policymaker, what position would you take regarding gender and correctional officers?
2. What are some of the legitimate concerns about having male staff supervising female prisoners and female staff supervising male prisoners?
3. How would the exclusion of male or female officers be considered discrimination? Should this be a concern? Why or why not?

Figure 12.5 Paroled From Solitary Confinement

Source: Data from Colorado Department of Corrections.
and gang affiliation mirrors the world outside. Known prison gangs include the Aryan Brotherhood, the Bloods, the Crips, La Nuestra Familia, the Latin Kings, and the Mexican Mafia. Each prison gang has unique characteristics and histories, and many were first formed to ensure protection.

The Aryan Brotherhood is believed to have formed in 1967 in California’s San Quentin State Prison. Members of the gang are typically white supremacists and subscribe to a neo-Nazi ideology. These inmates spend their time in prison “getting high and getting over.” The Mexican Mafia was created in the late 1950s in California. The racial makeup of the gang is Mexican American/Hispanic, and it is known as one of the most active gangs in the Federal Bureau of Prisons. The Mexican Mafia emphasizes ethnic solidarity and controls drug trafficking. La Nuestra Familia is the chief rival, and the two gangs are rumored to have a “kill on sight relationship.” The Black Guerrilla Family (BGF) is believed to be the most politically oriented prison gang, formed as an antigovernment group. Becoming a member of BGF includes taking a death oath of lifetime loyalty to the group. The Barrio Aztec gang, with an estimated 2,000 members, is believed to be the most violent and active group in Texas prisons. Members are linked to the Mexican drug cartels and involved in smuggling, arson, extortion, kidnapping, and weapons violations.

Violence

Violence in prison takes many forms, including inmate on inmate, inmate on guard, and guard on inmate. Violence is common and may occur for a number of reasons:

- understaffing
- excessive or unreasonable force by correctional officers
- overcrowding
- poor living conditions
- gang activities
- physical design of the prison

Different types of violence may occur in prison related to fear, anger, acting out, and extortion. Fear of violence can result in a prisoner turning the tables and becoming the aggressor before being harmed. Anger often occurs when an inmate perceives an injustice of some sort. Prisoners also act out in tantrum-like behavior to vent their frustrations. Finally, extortion occurs when a violent inmate threatens another inmate to obtain something of value. Prison violence includes incidents of bullying, physical and sexual assaults, stabbings, and murder.

Riots occur when violence among inmates is beyond the control of prison staff and administration. The Attica Prison riot in 1971, one of the most famous and deadly incidents, lasted 5 days. More than 1,000 inmates held some 40 correctional officers hostage while the inmates negotiated for rights and better living conditions. At the time, the prison was horribly overcrowded and housed more than 2,000, despite the maximum capacity of 1,200. Inmates complained, probably rightly so, about being able to shower only once a week, allocations of one roll of toilet paper per month, destruction of mail, bug-infested food, and abusive treatment. The riot finally ended when New York State Police troopers stormed the facility. A total of 39 inmates died and 88 were wounded. On the positive side, the riot and events stemming from the tragedy resulted in prison reform.
Sexual Violence

The exact amount of sexual violence that occurs in prison is difficult to ascertain, but the experiences of many inmates and empirical research suggest that it is a frequent and serious problem. In fact, as noted in the previous chapter, prison rape was perceived as important enough to warrant legislation and as early as the 1980s was labeled an epidemic. In 2003, President George W. Bush signed the Prison Rape Elimination Act (commonly known as PREA), which was applauded by civil rights groups and inmate advocates. The act mandates that the Bureau of Justice Statistics (BJS) gather data on incidents and effects of rape each year. As noted in the last chapter, the most recent BJS report estimates that in 2011 and 2012, 4% of inmates housed in state and federal prisons were sexually victimized by another inmate.

Inmates, not surprisingly, fail to report rapes out of concern for their own safety because they fear retaliation. Reporting a rape may result in the victim being labeled a snitch. Also, the shame and humiliation victims feel prevent them from reporting. Additionally, rapes may be ignored or the harm minimized by correctional staff or administrators, particularly when an officer is involved and responsible for reporting. Remember, not all rape is inmate on inmate, and women in prison are sexually assaulted by male correctional staff members. One early research study noted that vulnerable targets in prison populations have also been identified and labeled according to prison argot: fags (homosexuals), queens (transsexuals), kids (young sex slaves), and punks (resistant but eventually give in) (Figure 12.6).

A research project that surveyed 441 prison wardens explored the incidents of coerced and consensual sex. Wardens were asked three questions: What percentage of inmate sexual assaults do you believe you personally know about? In the past 12 months what

![Figure 12.6](https://www.bjs.gov/content/pub/pdf/sraca0911.pdf)


Note: Most recent data available.
percentage of the inmates in your institution do you believe have engaged in sexual activities with other inmates because of pressure and/or force? What percentage of inmates in your institution do you believe have engaged in sexual activities with other inmates consensually? The results showed that prison wardens do not believe that a high percentage of the inmates in their facilities engage in sexual activity, and they believe that only a few experience rape.

In 1994, in Farmer v. Brennan, the U.S. Supreme Court ruled that a prison’s failure to protect inmates from sexual assault is a violation of the Eighth Amendment (cruel and unusual punishment). Prison rape is difficult to eliminate because of the cycle of violence. Security-based methods to stop rape include controlling and restricting even consensual homosexual activity (a questionable method at best), using better classification to identify vulnerable inmates, offering victim treatment, prosecuting known incidents, and providing increased training for staff. Experts also believe that the number of incidents can be lowered by screening inmates for high-risk factors for aggression and vulnerability: physical size, age, offense history, disability, sexual orientation, and prior sexual abuse.

**PRISON CHALLENGES**

**Medical Care and Death**

Inmates enter prison with many physical and mental health issues. Though the majority of prisoners are young, during the 1990s an increase in older inmates occurred because of get-tough laws and mandatory sentencing. The increased elderly population also may be attributed to younger prisoners who are released and, without effective transition to the community, commit other crimes and return to prison. Prisoners over the age of 55 represent the fastest growing segment of the prison population. An ACLU report estimates that by 2030 the population of elderly prisoners will approach 400,000. The aging prison population requires greater medical care and supervision as well as special geriatric wings.

Prison costs increase exponentially for elderly, ill inmates. State and federal prisons spend about $16 billion from taxes annually to house elderly convicts. Human Rights Watch reported that Georgia’s annual average cost of medical care for prisoners over 65 years old is about $8,500, compared with $4,600 for younger inmates. In North Carolina, the ACLU found that medical care costs for elderly prisoners were four times higher. Older prisoners are more susceptible to health problems such as cancer, hypertension, asthma, hearing loss, and vision impairment. Often, lawsuits by prisoners are filed for substandard medical treatment. Some elderly inmates remain in prison in vegetative states even after their sentences, when outside placements are unavailable and they are no longer eligible for Medicaid or Medicare.

The number of inmates with HIV/AIDS who succumb to death from AIDS has dropped because of advances in medical treatment. The Centers for Disease Control and Prevention reports, however, that the prevalence of HIV infection in prison is nearly five times higher than in the general U.S. population. These prisoners pose a risk for other inmates and correctional officers, but rights of privacy prohibit public identification of infected inmates. Female inmates are at a high risk for having or contacting HIV because of histories of prostitution.

Billions of dollars are spent on the costs of medical care for older, ill prisoners. Should parole boards give special consideration to elderly prisoners? Why or why not?
ETHICAL ISSUES

**Shackled While Giving Birth**

Women often are incarcerated while pregnant. A major controversy ignited when news reports emerged that women giving birth were shackled to their hospital beds. Over 30 states allow this practice. In 2012, California became widely recognized after officially banning this practice. The new law prevents the use of “leg irons, waist chains and handcuffs behind the body” on women undergoing labor, delivery, and recovery. Although some states may discourage shackling or have laws banning the practice, pregnant inmates continue to be shackled during delivery. A class action lawsuit in Illinois filed by 80 female inmates in Cook County Jail resulted in a $4.1 million settlement.

Prison officials fear that without restraints, women may escape from custody or may be violent prisoners who will harm others. Critics of the practice argue shackling women at any point during a pregnancy is dangerous. The American Medical Association also stated that the practice is “medically hazardous” and “barbaric.” Other commentators suggest that shackling is a violation of the cruel and unusual punishment clause in the Eighth Amendment to the Constitution.

**Think About It**

1. Identify other reasons why pregnant inmates should or should not be shackled.
2. What arguments would you make for the discontinuation of shackling pregnant inmates while being taken to the hospital and while giving birth? What about recovery?
3. Describe a scenario in which a woman giving birth may attempt to escape from the hospital.

**Sources:**

and injection drug use, and a disproportionate number of racial minorities are infected.

Special populations are a challenge for prison administrators and correctional officers. In addition to HIV/AIDS, elderly, and female populations, prisons house many offenders who are mentally ill and physically disabled. Mentally ill inmates are often treated using short-term goals, which means controlling bad behavior and relying on medication, rather than developing long-term comprehensive management plans. An estimated 3% to 11% of the jail and prison population experiences co-occurring substance use disorders and mental health issues, with high rates of depression, bipolar disorders, or schizophrenia.

**Prisoner Rights**

Until the 1960s, court interventions in prison cases were rare. In the case of *Cooper v. Pate* (1964) the U.S. Supreme Court began to take a closer look at prisoners’ civil rights. *Cooper v. Pate* represents the first case to give state prison inmates standing to sue in federal court under the Civil Rights Act of 1871. Thomas Cooper, an inmate in the Illinois State Penitentiary, argued that his religious beliefs were being denied. As a member of the Nation of Islam, he was denied permission to buy certain religious publications and denied other privileges, such as consulting with a minister and attending religious services. The Court determined that an inmate cannot be punished or disciplined based on religious beliefs; although some rights may be denied, an inmate does not relinquish all constitutional rights. In many cases, courts are faced with balancing the rights of the inmate with the security concerns of the facility.
In *Wolf v. McDonnell* (1974) inmates at a Nebraska prison argued that the disciplinary proceedings used by prison administrators, including a less than satisfactory legal assistance program and restrictive mail regulations, violated their due process rights. The U.S. Supreme Court determined that while prisoners are not entitled to full due process protections during disciplinary hearings, they must be given written notice of the charges, be provided a written statement of evidence, and be able to call witnesses and present evidence. A more restrictive ruling was issued in 1995, in *Sandin v. Conner*, increasing the standards under which an inmate could present witnesses during a disciplinary hearing. The Court determined any deprivation of liberty must be “atypical and significant.”

Prisoners are granted the right to freedom of speech and religion, though officials may still search mail and deny certain types of reading material. Cruel and unusual punishment related to disciplinary tactics and prison conditions are prohibited. A 1994 federal court ruled in one case that a 150-year-old prison “infested with vermin, fire hazards, and bad plumbing” constituted cruel and unusual punishment. Other rights include medical care for short-term and long-term conditions and adequate mental health treatment. Additionally, racial segregation is allowed only when necessary for prison security.

Prisoners, who have access to legal materials, may file appeals at the state and federal levels themselves or through attorneys. Inmates have access to courts, legal services, and legal representation. The proliferation of jailhouse lawyer lawsuits resulted in the 1996 *Prison Litigation Reform Act*, which addressed five major issues:

1. Grievances must be processed internally before lawsuits are filed in federal court.
2. Prisoners are responsible for court filing fees.
3. Courts may dismiss lawsuits as frivolous or malicious.
4. Any prisoner claim for mental or emotional injury must include physical harm.
5. Prisoners may lose credit for good time if a judge determines that a lawsuit was filed for purposes of harassing or for presenting false information.

**COMMON MISCONCEPTIONS**

**Convicted Felons and Voting**

There is a widely held misconception that while incarcerated, prisoners are not afforded the right to vote in elections. Two states allow voting while incarcerated, and the majority of states now allow convicted felons the right to vote once their sentences are completed. In the past 10 years, many states have reformed or repealed disenfranchisement provisions that limited voting, though some restrictions still exist. Kentucky and Virginia impose lifetime voting restrictions on almost all convicted felons. Maine and Vermont allow incarcerated felons to vote.

---

**Think About It**

1. Would you give inmates the right to vote? Why or why not?
2. Under what circumstances would you institute a nationwide rule on inmates voting?
3. If an inmate has finished his or her sentence, should he or she be able to vote, and how does denying this right constitute additional punishment?
Vocational programs, like computer training, can help prisoners successfully reenter society. What other types of programs may help inmates stay out of prison?

Access to Technology

Technology is a challenging issue for many correctional facilities. One current debate is over a prisoner’s right to have a Facebook page. The challenge for the courts is to determine if denial of social media, such as Facebook or Twitter, is a violation of an inmate’s First Amendment rights. A current case involves a Facebook page created by the family of Elmer Wayne Henley, Jr. Henley is serving six life sentences in Texas for the abduction, rape, and murder of 28 boys and young men. The Facebook page also offered Henley’s artwork for sale. Numerous problems are associated with these types of postings. First, families of Henley’s victim are likely to experience strong negative emotions about the postings. Second, these pages may increase the infamy of offenders, particularly serial killers. Finally, Facebook officials have cooperated with official requests to remove the posts. In some states and cases, Facebook can be used to claim that a miscarriage of justice has occurred. Thus far, a California U.S. district court has upheld the rights of prisoners to have access to printed messages from the Internet, and in Arizona a judge allowed people to post information for inmates, who are unable to access social media. Certain released felons may also face problems with using Internet technology. Joshua Paul Benjamin, after years of having a Facebook page, was forced to delete his because he was a convicted sex offender.

Correctional Rehabilitation

Extremely limited rehabilitation and treatment programs are available in some prisons. Rehabilitation efforts focus on reform and attempt to help inmates live crime free once released. Prisons that maintain budgets for rehabilitation may offer counseling, educational and vocational programs, and drug treatment. An increasing number of prisons are discovering the benefits of dog training programs. Colorado Correctional Industries (CCI) allows inmates to train rescued dogs for adoption. The CCI website provides success stories of dogs that have been abandoned and saved. It also offers profiles of dogs available for adoption.

Rehabilitation programs vary among institutions (some methods are atypical and have little empirical support related to effectiveness) and include, for example, transcendental meditation, victim and offender mediation, dog training, yoga, Habitat for Humanity, baby care in prison, faith-based programs, conjugal visits, physical therapy, and GED classes.

LIFE AFTER PRISON:
PAROLE AND REENTRY

It is estimated that approximately 65 million people currently have criminal records. This is an enormous number given that in the middle of 2013, it was estimated there were about 316 million people (of all ages) living in the United States. Being marked with a criminal record may mean great difficulty (and in some cases impossibility) in obtaining a job, securing housing, and even benefiting from educational or vocational training. The effects of this problem have worsened with the current “get tough on crime” sentiment, as restrictions and the stigma associated with a criminal record are more public and harsher than...
ever before. This “collateral damage” from a criminal record persists decades following the arrest or conviction, and in some cases even after the conviction is vacated. What to do about this and the difficulties presented by a criminal record create many complications for reentry and rehabilitation efforts. The National Association of Criminal Defense Lawyers (NACDL) offers several recommendations toward restoration:

1. The United States should embark on a national effort to end the second-class legal status and stigmatization of persons who have fulfilled the terms of a criminal sentence.

2. All mandatory collateral consequences should be disfavored and are never appropriate unless substantially justified by the specific offense conduct.

3. Discretionary collateral consequences should be imposed only when the offense conduct is recent and directly related to a particular benefit or opportunity.

4. Full restoration of rights and status should be available to convicted individuals upon completion of sentence.

5. Congress and federal agencies should provide individuals with federal convictions with meaningful opportunities to regain rights and status, and individuals with state convictions with mechanisms to avoid collateral consequences imposed by federal law.

6. Individuals charged with a crime should have an opportunity to avoid conviction and the collateral consequences that accompany it.

7. Employers, landlords, and other decision makers should be encouraged to offer opportunities to individuals with criminal records, and unwarranted discrimination based on a criminal record should be prohibited.

8. Jurisdictions should limit access to and use of criminal records for non—law enforcement purposes, and should ensure that records are complete and accurate.

9. Defense lawyers should consider avoiding, mitigating, and relieving collateral consequences to be an integral part of the representation of a client.

10. NACDL will initiate public education programs and advocacy aimed at curtailing collateral consequences and eliminating the social stigma that accompanies conviction.

Many inmates are released from prison on parole. Parole represents a provisional release of a prisoner, who is then expected to meet the expectations and conditions of the parole board. In most states, members of the parole board are appointed by the governor and confirmed by the senate. Initially, a parole hearing is held to determine if an offender has served the minimum terms of his or her incarceration and is ready for release. Not all inmates are released at parole hearings. Victims and relatives of victims have the option of attending the hearing and are allowed to make a statement. Also, victims or family members may offer statements through a representative, by video, in a written statement, or in person, and they have the right to be notified of the board’s final decision.
Inmates granted parole are required to fulfill conditions determined by the board, and any violations result in a parolee’s being sent back to prison. Conditions for parole vary but most commonly include gaining employment, obeying the law, remaining in the state, and paying any required restitution to victims or the community. Also, parolees are not allowed to have firearms or any other deadly weapons. Violations of parole conditions may result in warnings, intermediate sanctions, or revocation of parole.

Community Reentry

Prisons may offer some transition programs to help released prisoners succeed, although many of these efforts fall short. For example, 40% of women released from prison commit new crimes within 3 years.58 Many offenders exit prison with the best of intentions, but they face many challenges and hurdles. Prisonization often hinders reentry into the community because behaviors seen as acceptable in prison are seen by people outside of prison as offensive or strange. Prisoners face changes in society, technology, and economic trends. Released inmates must follow the conditions of parole. As with terms of probation, parolees must obey the law, maintain contact with parole officers, and avoid drug use. Any association with known felons is prohibited. Other conditions may be specific to the offender and the type of offense.

In 2011, the National Institute of Justice reported that 1,885 inmates per day were released from state and federal custody.59 According to the Bureau of Justice Statistics, 637,400 inmates were released from state and federal prisons in 2012. The large number of released prisoners makes reentry a top priority. Reentry includes any efforts to prepare and assist ex-convicts to reenter and live in the community.60 Partial funding for reentry comes from the Second Chance Act of 2007, which provides grants for programs and research on offender reentry. The Second Chance reentry program funds efforts such as California’s Prisoner Reentry Employment Program, which offers a wide range of services and training for parolees for job readiness training, housing and life skills programs, and mental health treatment.

Reentry programs and services can be found nationwide. Services include help with food, housing, employment, health care, and education. A program in Houston, Texas, trains offenders in the culinary arts and warehouse certification.61 The Colorado Criminal Justice Reform Coalition developed a comprehensive Go Guide that provides tips on working with case managers, guidelines for understanding parole, child support advice, and how to find medical and mental health treatment, employment, and financial assistance.62 The California Reentry Program offers a comprehensive website with available resources; it also arranges meetings with prisoners at San Quentin State Prison before release.63 National websites serve as clearinghouses for establishing and accessing successful programs (see http://csgjusticecenter.org/jc/category/reentry/nrrc and www.reentry.net).

The intensive case management approach represents an evidence-based practice that appears to be relatively successful. Programming includes low staff-to-client ratios; 24-hour coverage; and services and referrals for mental health treatment, housing, living skills, employment, and crisis intervention.64 Addressing co-occurring disorders such as mental illness and drug abuse, especially among women, is essential to facilitating reentry.

Employment

Employment is recognized as one of the most crucial elements of successful reentry. Ex-convicts face barriers to obtaining jobs because of the stigma of having been in prison, and potential employers review applications for criminal backgrounds. On most job applications, ex-convicts must disclose convictions. In a tough job market, many other qualified applicants without prison records are available for hire. The lack of job opportunities often results in reoffending.

Often, ex-convicts have problems finding employment because of the stigmatization associated with having spent time in prison. A successful movement has started in the
United States to “ban the black box.” The ban-the-box campaign argues that forcing convicted, recently released felons to check their status on a job application unfairly removes them from applicant pool. To date, 24 states and over 100 cities have adopted fair-chance policies, and the criminal history question is no longer included on job applications.65

Successful reentry requires job training, employment counseling, and placement programs.66 In the Returning Home study, the Urban Institute highlighted the importance of employment and its role in reducing recidivism:

- Prisoners acknowledge the importance of a job for reducing the chances of future incarceration, but only one in five has a job lined up immediately after release.
- Work release jobs while still incarcerated improve chances of full-time employment after release.
- Case managers and regular contact increase the chance of finding and maintaining employment.
- Substance abuse treatment, including Alcoholics Anonymous and Narcotics Anonymous, increases the odds of working full-time.
- Transportation challenges often interfere with employment.67

**Marriage and Relationships**

Often ex-convicts have few friends and family members to rely on once they reenter the community, though a surprisingly large number maintain some level of contact with their children.68 The lack of support and resources provided by family and friends makes successful transition difficult. The majority of former prisoners depend on family for housing immediately after release. As a result of spending time in prison, these relationships may be strained and often require major adjustments.

Maintaining family ties while still in prison can facilitate reentry. Families may represent the impetus to succeed in the community. In fact, as noted by criminologists John Laub and Robert Sampson, an investment in marriage (and work) represents a structural turning point that increases informal social control. A spouse and/or children are more likely to recognize deviant behavior, and stronger attachment bonds keep the offender from transgressing. Strong family relationships may result in “desistance by default” of criminal activities because offenders fear risking these connections.69 Numerous research studies suggest that emotional support, housing and financial assistance, and acceptance and encouragement by family are essential to success.70 Reentry is a stressful event for the released inmate, and ex-offenders with families benefit from programs or services to manage finances and secure employment.71

**Sex Offender Registries**

Sex offenders often face additional obstacles in reentry. Once these ex-convicts are released from prison, they are required to register as sex offenders. Sex offender registries track detailed information on offenders, including where they live and work. Finding housing is particularly difficult because of restrictions on living within a certain distance from a school and notices by law enforcement to neighbors (community notification laws). Many people believe that tracking the whereabouts of sex offenders is crucial to public safety because of the high risk of recidivism, though actual rates of reoffending are debatable.
A review of research studies suggests low rates of recidivism among sex offenders compared with other types of offenders, although accounting for the types of crimes, follow-up time frames, and underreporting undermines overall results. Also, a wide variety of offenders must register (e.g., pedophiles, exhibitionists, rapists, child pornographers), and depending on the offense, they reoffend at different rates, which complicates research on recidivism.

Get-tough legislation to reduce the number of sexual crimes has occurred at the local, state, and federal levels. Federal legislation includes the following:

- The **Jacob Wetterling Crimes Against Children Act and Sexually Violent Offender Registration Act** requires convicted sex offenders to register with local law enforcement.
- **Megan’s Law** requires registry information gathered in the Wetterling Act to be made public, including community notifications, photographs, names, and addresses of registered offenders.
- The **Adam Walsh Protection Act** mandates that states classify offenders based on type of offense; register sex offenders in jurisdictions where they live, work, or attend school; verify addresses according to yearly timelines; and make registries available on the Internet. Offenders may be registered for anywhere from 15 years to life.

States have passed legislation establishing safety zones (areas where sex offenders are not allowed), lifetime GPS monitoring, chemical castration using hormone injections, bans from the Internet, stamping “sex offender” on driver’s licenses, and residency restrictions. The collateral consequences of these laws produced fear in the community and protests in the yards of known offenders; harassment and evictions have become commonplace.

Joshua Paul Benjamin continues to experience firsthand the hardships associated with sex offender registries. Although he served his time in prison and was released almost a decade before any law required sex offenders to register, Joshua was nonetheless required to register. A result of this registration was his removal from his apartment, his inability to live at his mother’s home (her home was too close to a school), and the loss of his job. These events occurred, although he lived a crime-free life, had no issues at his apartment, and was considered a stellar employee. Many years later, his mother moved to a home in which Joshua would legally be able to live. Despite the completion of a PhD, he continues to be unable to secure work. Over the years, Joshua has received many excellent job offers, but when administrators of the organizations learn of his record, the jobs suddenly become unavailable.

Websites provide detailed information on sex offenders. MapSexOffenders.com and the U.S. Department of Justice’s National Sex Offender Public website (www.nsopr.gov) are nationwide sex offender databases. Anyone can select a state and search for sexually violent predators, offenders with multiple offenses, and individuals who failed to register, and check for felony convictions. Information for each person includes his or her date of birth, type of conviction(s), race, gender, description, last known address, and picture. Whether registries keep the community safe or reduce recidivism is unknown.

**Recidivism**

For many years, prisons were said to have revolving doors because of high rates of recidivism. Once released, ex-convicts committed additional crimes or failed to meet the requirements of parole and were sent back to prison. The large number of ex-convicts would mean high reoffending. In 2012, according to the Bureau of Justice Statistics, nearly 1 million persons were either on parole or released from parole. Since 2005, however, the United States has experienced a decline in the rate of reincarceration for new sentences and
revocations. Identifying specific factors for this reduction is difficult. Many offenders tend to age out of crime. Another explanation may be attributed to improved reentry methods such as intensive case management or an increase in legitimate employment opportunities for ex-offenders.

As noted above, recidivism among criminals is problematic. At least for our case studies, though, this has not been the case. Joshua Paul Benjamin continues to live a crime-free life (which is perhaps surprising given the hardships he continues to face). Chris Farias has been free of his work-release program and continues in therapy and refrains from drinking. Of course, Dennis Bradford, the offender in the Jennifer Schuett case, is not a recidivism risk given his suicide in jail while awaiting court proceedings. Danny Madrid returned to prison for 1 year after his release, though the incident was nonviolent and a parole violation. Using one definition of recidivism (i.e., committing any crime within a particular amount of time from release), Danny’s act that sent him back to prison would be considered recidivism. Using a definition of recidivism requiring one to commit the same type of crime that resulted in the original sentence within a specified time period, Danny did not recidivate.

The majority of people incarcerated in jails and prisons are released back into the community. This includes individuals who committed heinous crimes such as murder, attempted murder, and rape. Often these individuals are released back into the same communities where their victims live. In the past, when an offender was released, the victim was not informed. Today, victims’ rights have changed, and victim notification is a staple in the criminal justice system. Per 18 U.S.C. § 3771, crime victims’ rights include (among others) being reasonably protected from offenders and the right to be notified in a timely and accurate fashion of any public court proceeding. Thus, a victim has the right to learn when

---

**CONTEMPLATING CAREERS**

**Inmate Case Manager**

Are you organized and objective? Are you able to work with individuals who may be dangerous? Do you have excellent vision and hearing? Are you emotionally and mentally stable? Are you able to communicate well in writing and orally? Do you have the temperament to work with inmates to minimize the risk that they'll commit new crimes? Are you happy working in the field and in an office? If this type of work in a varied environment is enticing, you may be cut out to be an inmate case manager.

Case managers, also known as correctional treatment specialists, evaluate the progress of incarcerated inmates as they serve their time. Managers are responsible for coordinating inmate training programs and analyzing program needs. As part of their work, case managers develop inmate social histories and must objectively identify both the strengths and weaknesses of inmates in order to create release plans.

This position requires a minimum of 24 hours of college courses in a field such as criminal justice, sociology, political science, psychology, social work, or counseling. While 24 hours is the minimum requirement, you will be far more competitive with a 4-year degree in one of the mentioned disciplines. Salary varies based on education and experience, although the Bureau of Labor Statistics notes that the 2015 median pay was $49,360 annually, which corresponds to $23.73 per hour. According to the Bureau of Labor Statistics, correctional treatment specialist employment is anticipated to increase about four percent in the about the next decade.

**Career Video:** A case manager discusses his experience and current issues in the field.
an offender is released from incarceration, whether through legal proceeding or escape. Currently, all states have established victims' rights, although rights vary from jurisdiction to jurisdiction. Colorado’s constitution, for example, describes these rights in Article II, Section 16a: “Any person who is a victim of a criminal act, or such person’s designee, legal guardian, or surviving immediate family members if such person is deceased, shall have the right to be heard when relevant, informed, and present at all critical stages of the criminal justice process.” As has been noted throughout this text, one right of victims is to be treated with dignity, respect, and sensitivity. Another right pertinent to offender reentry is the right to be informed by the criminal justice system. This includes the right to be informed of probation or parole hearings as well as the release or escape of the offender. Victim notification is handled differently from jurisdiction to jurisdiction. For example, variation exists in the time between notification and release (e.g., 45 days, 60 days) and the type of notification. Manual notification occurs when a victim is called to receive updates. Automated notification includes automated calls or emails informing the victim of the change in status. Notification is vital in treating victims with respect, but also to allow them to prepare their own lives for changes in offender status.

CHAPTER WRAP-UP

This chapter presented an overview of prison subcultures and the many challenges faced by inmates in prison as they adjust to confinement. The losses associated with individuality, basic comforts, and relationships are unique and tragic, as exemplified in the pains of imprisonment. Prisons are necessary to protect the community from crime and for punishing offenders. Under the right circumstances, released inmates will emerge as “rehabilitated,” although serving a prison sentence may result in additional acts of violence or aggression, at times out of sheer boredom as program cuts continue. Whether prison subcultures have changed since early research focused on them is unknown, and there are specific areas related to female prisoners that are still in need of further research.

While many prisons offer programs to increase inmate skills, rates of reincarceration are high. Inmates with special issues such as HIV or other health problems strain scarce resources. The emphasis on reentry, however, is a giant step forward in reducing prison populations and assisting offenders with successful reintegration. The correctional component of the criminal justice system is an important area of study, which needs more attention by policymakers to bring about future reforms.

KEY POINTS

- The state is legally responsible for the safety and medical care of inmates.
- More than 2.4 million Americans are incarcerated in state and federal prisons.
- Prison socialization is unique, with varying values and customs.
- Total institutions are inescapable and diminish individuality.
- Prisoners feel the deprivation of liberty, goods and services, heterosexual relationships, autonomy, and security.
- White-collar criminals, like all criminals, suffer pains of imprisonment.
- Inmates adapt and “do time” in different ways.
- Classification systems are designed to ensure the safety of inmates and staff.
- Prisoners maintain some constitutional rights, and court decisions balance inmates’ rights with security concerns.
- Transition (reentry) to the community is a high priority.
- Many inmates are released on parole, which requires seeing parole officers and abiding by other conditions of release.
KEY TERMS

Adam Walsh Protection Act 334
Convict Criminology 319
Convict Subculture 319
Deprivation Model 318
Disorganized 319
Doing Time 319
Gleaning 319
Importation Model 319
Intensive Case Management 332
Jacob Wetterling Crimes Against Children Act and Sexually Violent Offender Registration Act 334
Jailhouse Lawyer 329
Jailing 319
Legitimate 319
Megan's Law 334
1996 Prison Litigation Reform Act 329
Pains of Imprisonment 318
Prison Argot 317
Prisonization 317
Pseudofamily 320
Situational Model 320
Solitary Confinement 323
Thief Subculture 319
Total Institution 318

REVIEW QUESTIONS

1. List the factors that contribute to the high cost of prisons.
2. How are the concepts of prisonization and total institutions related?
3. What are the three models used to explain inmate subcultures?
4. List the five pains of imprisonment.
5. How are the pains of imprisonment different for women?
6. What are the pros and cons of using solitary confinement?
7. What factors contribute to violence in prison?
8. What problems do ex-offenders face when they reenter the community?
9. What types of programs do released prisoners need in order to be successful?
10. How have get-tough approaches (e.g., sex offender registries) contributed to the overcrowding problems in prison?

CRITICAL THINKING MATTERS

1. **Sex Offenders in Prison.** What special challenges did Joshua Paul Benjamin, a sex offender, face in prison? As a prison administrator, what measures could you take to protect him? Are there measures needed to protect others from Joshua? If so, what measures would you implement? What would be the advantages and disadvantages of having separate prisons for different types of offenders?

2. **Recipes for Successful Reentry.** What are your thoughts about the NACDL recommendation for avoiding collateral consequences of criminal records? Do you agree with all, some, or none of its recommendations? Why or why not? How would you design a program to assist released offenders and guarantee their successful reentry into the community? Describe each step and component in detail (e.g., before and after release). What type of resources would be needed to make your program successful?

3. **Mass Incarceration.** Many scholars and experts believe we have entered a stage of mass incarceration. Why are prisons overcrowded and unsafe? What would you do to remedy the situation?

4. **White-Collar Versus Street Crime and Prison.** The majority of white-collar crimes are nonviolent, although the number of victims of one financial fraud may include hundreds of people. In contrast, street
crimes are more violent and typically involve less victimization. How should white-collar offenders be treated differently than violent offenders in prison? Who may be more likely to reoffend when released from prison? Explain why.

5. **Solitary Confinement Versus Prisoner Safety.** Imagine Dennis Bradford had survived and been sentenced to prison. Given his crimes against a child, he may have been a target of violence from other offenders. One strategy to keep him safe would be to place him in solitary confinement. Yet we know that solitary confinement is problematic for inmates. Placing someone like Dennis Bradford in the general population may get him seriously injured or killed. Placing him in solitary confinement may produce devastating emotional and psychology outcomes. Danny Madrid did get placed in solitary confinement multiple times. Initially it was for his own protection, since he was young. Does that warrant such harsh treatment? What would you do if you were an administrator? What other choices are there? What is the best way to proceed for individuals such as Danny Madrid and Dennis Bradford?