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The Violence Inside

Submitted by,

Albert P. De Amicis, Faculty

University of Phoenix

Criminal Justice Administration

Executive Summary

This paper will address the violence that is documented throughout the prison system. It deals with super maximum institutions on the state and federal levels. It exposes the nature of the criminal, violent activity behind the walls by citing different studies and statistical data which deals with homicide and sexual deviance committed by prisoners.

It exposes the danger and risks that the correctional officers and staff experience on a daily basis.

Lastly, it defines the disciplinary process, and how this part of the system deals with the disciplining of these recalcitrant and violent predators within the confines of the correctional environment.

Introduction

The profession of corrections can be a very exciting and rewarding experience. Correctional professionals realize just how dangerous this profession can be. You are locked behind those doors with some of the most dangerous, violent, and recalcitrant prisoners everyday over a career that could span over a period of 20-30 years or more. Society is under a misnomer that the prisoners' contact with the correctional personnel is on a limited basis. They are not aware that correctional officers and staff are in constant contact with these individuals. When you walk into a correctional facility, you are at risk from the time your shift begins until it ends.

The old linear style design living units are among the oldest designs currently in use. The linear-design prison is the construction of linear-design living units where hallways lead to individual cells (two persons or more cells) or dormitories.

These linear-design prisons are based on the Auburn model where the inmates' cells are back to back. The inmates are able to look out of their cells onto the other buildings or prison walls (Mays, & Winfree Jr. p-130).

Some of the larger federal and state prisons have populations that might range from 1,000 to 6,000 or even more. These areas which house the inmates are where the officer performs his or her duties. They are armed with a pair of handcuffs, a canister of pepper spray and a two-way radio to communicate with Control. The officer has to deal with prisoners who are convicted of murder, bank robbery, kidnapping, rape, and assault, just to mention a few. Some of these convicts could be facing determinate sentences of life without parole. These individuals with these lengthy sentences have nothing to lose. Their only resolve is how their peers perceive them. In prison proper or jargon, being a "stand-up convict" means not to

inform (or rat on) other inmates, sticking it to the police and getting over on the system. This is what is important to these hard core individuals.

Super Max

Supermax prisons go beyond maximum security.

The term supermax is defined by Chase Riveland (1999) as:

A highly restrictive, high-custody housing unit within a secure facility, or an entirely secure facility, that isolates inmates from the general population and from each other due to grievous crimes, repetitive assaultive or violent institutional behavior, the threat of escape or actual escape from high-custody facility(ies), or inciting or threatening to incite disturbance in a correctional institution (Mays, and Winfree Jr. p-133).

Many of the nation's maximum prisons operate and maintain these areas which they refer to as supermax or administrative segregation (Mays, and Winfree Jr. p-133).

One of the most prominent Federal Super Max Prisons is the United States Federal Penitentiary (USFP) of Marion, Illinois. This Federal Penitentiary is located in rural southern Illinois and was the first dedicated Super Max Correctional Facility of its kind.

The prison opened in 1963 after Alcatraz was closed. The most violent and recalcitrant-type prisoners who were prone to escape and had committed murders in other prisons were transferred there.

In October of 1983, two correctional officers were murdered by prisoners in this institution. The authorities then ordered a complete lockdown of the entire institution which was still in effect until early 1999. The inmates remained in solitary confinement 23.5 hours a day. In 1985, a citizens' group formed an organization to end restrictive prison conditions

in Marion. This group protested against conditions and lobbied to end the Marion lockdown (Prison 2005).

San Quentin Prison, which is located on the San Francisco Bay, just 20 miles north of the city of San Francisco, has one of these supermax administrative segregation units. This unit basically holds individuals that prison administrators can't place anywhere else. These prisoners could be doing a stint in administrative segregation (AdSeg) for punitive reasons. Also, some prisoners are placed in AdSeg for protective measures or gang affiliated members are also isolated in this unit. This term lost its meaning along the way when the description described the unit where you simply locked these individuals in a hole within a hole (Kupers, 2005, p-3).

In the "Adjustment Center" at San Quentin back in the 1970's, a bloody event occurred on August 21, 1971 precipitating the San Quentin Massacre. An inmate smuggled a 9-mm automatic handgun into the unit and forced the officers to open the rest of the tier or unit (Liberatore, 1996, p-148-149).

What occurred next was the murdering of three correctional officers and the wounding of three other officers, as well as two inmates (innocent bystanders) who were also murdered in this massacre (Liberatore, 1996, p-161).

The prisoner who was responsible for this insurrection was shot and killed by an officer on the north block gun rail with his 30-30 Winchester Carbine while the prisoner was attempting to make his escape over the north wall of the prison (Liberatore, 1996, p-155).

In Somers, Connecticut on Bilton Road, sits the Northern Correctional Institute, a super-maximum security prison. This supermax is one of more than three dozen similar prisons that were constructed around the United States. These prisons incarcerate the toughest and most dangerous dregs the prison system spawns (Cienski 2001).

The Violence Inside

The Northern Correctional Institute houses 423 prisoners who spend 23 hours out of their days locked in their cells. Their exercise is initiated when they place their hands through the food port or slot in their heavy steel cell door. Correctional officers place handcuffs on their wrists; then the inmates shuffle forward and leg iron restraints are secured to their ankles. The inmates are escorted by two officers to a pie-shaped concrete yard with a small peek at the sky. This routine is one part of segregating problem prisoners. Most inmates who are incarcerated there are prohibited to watch television. The food slots are opened in their cell doors so the inmates can receive their meal trays. These inmates sit on bolted down furniture and yell to other inmates who they never see. The Northern Correctional Institution's lights are on 24 hours a day and 161 video cameras spy into every cell, shower, and exercise yard (Cienski 2001).

There are more than 20,000 inmates in other supermax facilities similar to (NCI) run by the federal government and in dozens of states. These supermax prisons are denounced by human rights groups. These groups claim that this type of prison dehumanizes and leaves prisoners warped and unfit to return to society. The only human touch comes from the correctional officers who supervise their medical examinations which are performed through cell doors. Even psychoanalysis is performed while the inmate is secured by a restraining device connected to a pole. Family visits are also viewed by video hook-up (Cienski 2001).

The American Civil Liberties Union (ACLU) filed a lawsuit against Ohio's supermax prison in Youngstown, Ohio.

Mr. Ray Vasvari, legal director of the Ohio ACLU, stated (2001):

The inhumane conditions at the supermax are not something that just happened because of bad management or neglect: They were part of the state's plan from the start. A prison like that belongs in the history of the Soviet Gulag, not in present-day America (Cienski 2001).

Prison officials are confident that by isolating these problem inmates such as rapists, abusers, drug smugglers, and inmates who assault correctional officers, the balance of the correctional system is indeed safer and more secure and manageable.

According to Mr. Larry Myers, (NCI) Warden (2001):

“This facility is reserved for the worst of the worst.” I'm sure this facility is a deterrent. Nobody wants to come to Northern” (Cienski 2001).

Overcrowding at Northern became a problem. The original concept was to secure inmates in their cells by themselves until the inmates had, in Mr. Myers' words, (2001) “settled down”. Group activities would be incorporated back for the inmates. The influx of so many inmates into the institution created double bunking. Even Mr. Myers (2001) acknowledges “inmate-on-inmate violence has ratcheted up since double bunking was brought in. Despite the elaborate security provisions, the threat of violence never lifts” (Cienski 2001).

When inmates refuse an order to vacate their cells, force must be used to remove that prisoner. Prisoners are known to shower the officer with noxious cocktails consisting of urine and feces which they throw out of their open cell door slots (Cienski 2001).

In these supermax facilities, it has been reported that when the inmates can't get to the officers, the inmates turn on themselves by smearing their cells with feces. Some prisoners even resort to self-mutilation and even some individuals commit suicide. In the state of

Arizona it was documented that one prisoner used an eating utensil called a spork, to castrate himself (Cienski 2001).

Lastly, these supermax institutions serve a vital function for the safety and security of the correctional personnel and inmates alike.

Homicide

In 1973 a study was conducted on homicides which occurred in prisons throughout the United States. The prisons that were sampled housed adult male felons with populations of a minimum of 200 or more inmates. The extent of this study dealt with homicides in correctional institutions for felons that were adult males. Some of the settings were homogenous, such as the standardization of the reception and diagnostic centers, pre-release centers, halfway houses, and the local lockups were excluded. Additionally, these institutions were larger, permanent, and long standing. The only institutions which were considered in the final analysis were under state and federal control (Nelson, & Reed, & Sylvester, p-XVIII).

The findings of this study needed to stress that it was based on data which was taken from records that the criminal justice system routinely maintains. The criterion that was selected was procured from a directory which was published from such facilities. A preliminary list of 198 institutions yielded this population information and their homicidal behavior. The National Prisoner Statistics Program compiled prisoner statistics from individuals who were responsible in the department of corrections for naming these individuals. In 1973 there were three mailed questionnaires sent to the Department of Corrections which provided an initial view of prison homicides. One questionnaire determined a significant number of homicides with demographic data. Questionnaires provided checks on other data by sending them to the district attorneys' and coroners' offices. This established a

major general data base which was maintained for the correctional system. This survey involved the inspection of those records of the homicides and the participants of those homicides (Nelson, Reed, & Sylvester, 1977, p-XVIII).

Homicides committed by inmate-on-inmate single assailants, more than one assailant, and those homicides that were committed by unidentified assailants were determined that three related motives varied considerably. In the single assailant category, homosexuality, arguments, and debts accounted for 65% of those homicides committed. In regard to multiple assailants, the act of retaliation caused by snitching was the highest target objective. Gang circumstance, drug altercations, and homosexuality consisted of 67% of all 4 causes of these homicides.

Lastly, in the unidentified assailant category, the causes of the homicides committed were altercations over intoxicants. This was determined to be the most common. Secondly, snitch management, and lastly, property dispute, accounted for 68% homicides committed by unidentified assailants (Nelson, Reed, & Sylvester, 1977, p-34).

According to: Nelson, Reed, and Sylvester (1977) conclusions:

Our studies have shown that mortality from all causes is lower among prison inmates than the mortality of a male population of similar age composition on the outside. The probability of a prisoner dying from natural causes is about three-fifths of what it would be on the outside and about one twentieth of what it would be from accidental causes. On the other hand, there are twice as many deaths by suicide as would be expected in terms of the general population. The actual number of homicides is about what would be expected in terms of the general population but twice what would be expected in terms of the proportion

of prison deaths expected from homicide. In general, it seems reasonable to conclude that prisoners are safer from the natural causes of death and accidents than men outside the walls (p-73).

Nelson, Reed, and Sylvester (1977) Some Policy Recommendations:

Size, security status and - to a much lesser extent – density are important correlates of prison homicide. Size undoubtedly obscures a number of social processes. In the light of budgetary constraints, it is probably naive to think in terms of significantly decreasing the size of prisons, although this appears to be desirable. Rather, attention and resources might more profitably be focused on control. Maximum security prisoners should be isolated and treated differently from prisoners of other security statuses. Different operating procedures and schedules should correspond to different levels of security (p-79).

In Wolfson's (1978) study, it was determined that prison homicides were corroborated by the most common root of murder in prison - economic retaliation. Wolfson also found, through the literature, that prison homicides were often premeditated and the claims of racial warfare were seldom the result (Wright, 1994, p-107).

According to the Bureau of Justice Statistics, the homicide rates dipped significantly in state prisons from 1980 (54 per 100,000) to 1990 (8 per 100,000). By the year 2002, prison homicide rates were declining even further. They were down to 4 per 100,000. Of the homicide victims in state prisons, 67% had served at least 2 years; 37% had served 5 years. 61% of the homicides which took place in these State prisons were against violent offenders.

In local jails, the homicide rates were even more stable. Local jails had a slight decline from 5 per 100,000 in 1983 to 3 per 100,000 in 2002 (Mumola, 2005, p-1).

Local jails averaged each year fewer than 20 inmate homicides. There were 59 jail inmate homicides that spanned over a 3-year period from (2000-2002). This was reported nationwide. This resulted in a rate of 3 jail inmate homicide deaths per 100,000 inmates. It was also reported that the violent offenders were the most likely ones to be killed in local jails (5 homicides per 100,000 inmates). Also reported, property and public-order offenders followed (3 for both). The drug offenders were (1 per 100,000) which rated the lowest victimization rate of all the offenders (Mumola, 2005, p-7).

The offenders with the highest rate of jail inmate homicide (15 per 100,000 inmates) fit in the kidnapper offender category; which was 5 times the rate for all inmates, followed by inmates held for rape (9) and violation of parole and probation (7). These offenders were among the highest homicide rates which combined for a total of eight homicides over a three year period which took place nationally (Mumola, 2005, p-7).

Sexual Violence

President George W. Bush signed into law the Prison Rape Elimination Act of 2003 (P.L. 108-79) on September 4, 2003.

According to Beck, and Hughes (2005) of the Bureau of Justice Statistics (BJS):

This legislation requires the Bureau of Justice Statistics (BJS) to develop new national data collections on the incidence and prevalence of sexual violence within correctional facilities. This report fulfills the requirement under Sec. 4 (c) (1) of the act for submission of an annual report on the activities of the Bureau with respect to prison rape (p-1).

The correctional systems and facilities are able to report that two thirds of sexual violence is the most serious form. Corrections administrators and prison rape researchers classified the following and these definitions were uniformly developed by BJS on sexual violence. Incidents of sexual violence by contact of inmate-on-inmate were classified by nonconsensual sexual acts and abusive sexual contacts. Staff-on-inmate sexual violence was split off into staff sexual misconduct and staff sexual harassment, to the most severe, rape. This report's aim considered all such incidents of sexual violence (Beck, & Hughes, 2004, p-4).

Also, according to Beck and Hughes (2004):

Males comprised 90% of victims and perpetrators of inmate-on-inmate nonconsensual sexual acts in prison and jail. In State prisons 69% of victims of staff sexual misconduct were male, while 67% of perpetrators were female. In local jails 70% of victims of staff sexual misconduct were female; 65% of perpetrators, male (p-1).

Correctional authorities sampled two-thirds of the prison system. The sample indicated that more than three quarters reported that incidents of nonconsensual acts were defined in this survey. The data was inconclusive by the reporting of fewer abusive sexual contacts with the prison systems reporting 25%. The jails reported 14%, which included lesser forms of sexual violence amidst counts of nonconsensual sexual acts (Beck, & Hughes, 2004, p-4).

Recent research by Daniel Lockwood indicates that exaggerated claims of sexual harassment for some prisoners seems to be a punishment with major proportions which has really added confusion to this issue. Homosexual rape that focuses on much discussion on prison sexual violence is rare; the topic that is neglected and affects more men is that of sexual

harassment. The oneness is placed squarely on the shoulders of prison administrators to deal with this problem. Prisoners who are targeted by sexual aggressors should have the consideration of the administrators to remedy the problem; but it is very unlikely that this problem will be solved (Lockwood, 1994, p-97).

The consensus of some writers regarding the high incidence of prison rape, which occurs throughout the nation, lacks such evidence to support their claims. These surveys reflect that a low rate of sexual assaults exists. Also indicated in these same surveys, large groups of men during their confinement were propositioned sexually. These sexual propositions were problematic and should be determined as the root of sexual violence that exists in prisons today (Lockwood, 1994, p-97).

According to Lockwood (1994):

One myth is that sexual aggressors tend to be successful, that targets of sex pressure, after enough threats or physical force, becoming willing “kids” of prison “daddies”. Even among prisoners, there is the belief that many partners in consensual relationships were at one time “turned out” by “booty bandits”. My research contradicts that notion(p-99).

According to Lockwood's (1994) findings:

Show targets coping with the experience by making demonstrations of violence that cause others to leave them alone or by developing protective lifestyles. In most cases, in my study, targets were only targets once. Then they managed to deal with the problem. Others, although pressured over time, did not give in to the urging of the aggressors. In no case was I able to document a change of

sexual behavior caused by aggression and encountered no consensual arrangements begun by aggressive overtures against heterosexual men (p-99).

Conclusion

As the literature has defined, prisons are very dangerous places. These hardcore individuals have no regard for authority, rules and regulations, and attempt to carry on their criminal activities on the inside as they did on the outside. The only individuals that stand in their way are the thin blue line. The officers and staff are sometimes assaulted, and even killed by these recalcitrant and violent prisoners.

The administrative segregation units or restrictive housing units house these core groups of individuals who are repeated disciplinary offenders. Usually, when the majority of these individuals are released from this custody, they re-offend and are placed right back into these units.

There is a process that is used by the correctional officers and staff in dealing with inmates who have no regard for rules and regulations. This is the only weapon that correctional officers can use. This process is a tool that can be used against inmates. The rules and regulations must be enforced. When there is an infraction committed by the prisoner, a misconduct report is then lodged against the inmate. The inmate is then placed in the restricted housing unit until a disciplinary board convenes and adjudges the inmate guilty or not guilty of the charges filed against them. If adjudged guilty by the board, the inmate is then sentenced and housed there until their sentence is completed. For example, in the state system, the inmate is afforded an appeal system. The first appeal can be filed 15 calendar days from the date of the disciplinary misconduct sentence. This appeal is sent to the Program Review Committee or

(PRC) which consists of department managers. If the PRC turns down this appeal, the inmate has 7 calendar days to file the second appeal. This appeal is then sent to the superintendent of the prison. If, at this level, it is denied, the final appeal process ends at the office of the chief counsel. The inmate then has 7 days from the date of the rejection of the second level. If the appeal at this 3rd and final level is denied, the appeal process is exhausted.

Lastly, after spending thirty years in the corrections field, I am aware of certain decadent inmates who are incarcerated in the state system that will remain in administrative segregation for the duration of their sentences. These individuals are responsible for some of the most heinous crimes committed behind bars. Some of these convicts are homicidal killers who are responsible for taking the lives of correctional officers and staff. Also, there are repeated sexual predators that prey on weaker inmates who are newly arrived into the prison system. These inmates cannot function in the general population and the only housing units for these individuals are behind the doors of these segregation units in these supermax facilities.

References

- Beck, A. J. and Hughes, T.A. (2004). Sexual violence reported by correctional authorities, 2004, Bureau of Justice Statistics, Retrieved September 15, 2005, <http://www.ojp.usdoj.gov/bjs/pub/pdf/svrca04.pdf>
- Ciensi, J. (2001, July) Hard time in supermax jails (Brief Article).
Indian Life v22 i1 p10
- Kupers, T. How we got the security housing unit in conversation with Trevor Paglen, Retrieved September 17, 2005, from http://paglen.com/carceral/interview_kupers.htm
- Liberatore, P. (1996). The road to hell, The Atlantic Monthly Press, New York, New York
- Lockwood, D (1994). Issues in prison sexual violence. In M.C. Braswell & R.H. Montgomery, Jr. & L.X. Lombardo, Prison violence in America, (2nd ed. pp. 97 and 99). Cincinnati, Ohio: Anderson Publishing
- Mays, G.L. and Winfree Jr. L.T. (2002), Contemporary corrections, 2nd Edition
Copyright Wadsworth / Thomson Learning
- Mumola, C.J. (2005, August) Suicide and homicide in state prison and local jails, Bureau of Justice Statistics Special Report, Retrieved September 15, 2005, from <http://www.ojp.usdoj.gov/bjs/pub/pdf/shsplj.pdf>
- Prison, (2005)" Microsoft® Encarta® Online Encyclopedia <http://encarta.msn.com>
© 1997-2005 Microsoft Corporation. All Rights Reserved.
- Nelson, D.O., & Reed, J.H., & Sylvester, S.F. (1977). Prison homicide, Spectrum Publications, INC. New York, London
- Wright, K.N. (1994). The violent and victimized in the male prison. In M.C. Braswell & R.H. Montgomery, Jr. & L.X. Lombardo, Prison violence in America, (2nd ed. pp. 107). Cincinnati, Ohio: Anderson Publishing