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## **Prisons Research at the Beginning of the 21st Century**

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This essay was the introductory chapter of *Prisons*, edited by Michael Tonry and Joan Petersilia, released in 1999 by the University of Chicago Press. The publication is volume 26 of *Crime and Justice: A Review of Research*, an NIJ-sponsored series that for 20 years has presented essays on topical issues in crime and criminal justice by prominent scholars in criminology and related fields.

The effects of America's contemporary experiment with mass imprisonment will be clearer 25 years from now. The answers to some important questions, however, including whether vastly increased use of imprisonment has substantially enhanced public safety, will never be clear. The problem is that changes in things that appear to be related to each other may not be related at all, but instead may both be causally related to something else. In some northerly regions, for example, robins return from their winter vacations in February, their eggs hatch in April, and apple blossoms appear in May. It happens every year. However, robins' vacation or reproductive predilections have nothing to do with apple trees. Both respond to changes in ambient temperature and climatic conditions. Apparent relations between crime and punishment may be similarly misleading.

Rising crime rates may affect imprisonment rates, or rising imprisonment may affect crime rates, or both may be caused by something else. If, for example, a broad-based, long-term change in social norms toward greater personal responsibility and respect for the interests of others were underway, it would be reasonable to predict that crime rates would fall (fewer people would choose to behave irresponsibly) and imprisonment rates would rise (many people would be more intolerant of wrongdoers and thus more inclined to punish them harshly). Observers might well infer that increased imprisonment reduced crime rates. They might be right, or wrong, or partly right and partly wrong. The absence of a causal relationship between the activities of robins and the blossoming of trees is well understood; we understand and know how to measure changes in temperature and climate. Unfortunately, we don't understand what makes crime and punishment patterns change.

The world keeps changing and it is often impossible to know why things happen when they do. The rapid increase in the 1990s in the numbers of people confined in prisons and jails coincided with falling crime rates. A cross section of lay people, public officials, and scholars believes that the deterrent and incapacitative effects of increased imprisonment caused crime rates to fall. Other cross sections of those groups believe that changes in policing strategies (e.g., community and problem-solving policing) and tactics (e.g., zero-tolerance and misdemeanor policing) deserve substantial credit. Still others credit the robust and record-length economic expansion of the 1990s and related low unemployment rates, or deeper, more fundamental, but more elusive social-structural changes that produced falling crime rates throughout the Western world in the 1990s irrespective of the content or severity of countries' penal policies (Mayhew and van Dijk 1997). There are plausible cases, and plausible refutations, to be made for each of these claims. Each, no doubt, has some merit but we will never know how to apportion credit among them, or which deserve primary credit.

Likewise, we are unlikely in 2025 to know how the coming quarter-century's imprisonment policies, whatever they prove to be, have affected crime rates. Imprisonment rates and numbers may continue to rise, or stabilize, or decline, or fluctuate. The current economic expansion will end, as all economic expansions do, and economic cycles will continue, as they always have. American social welfare policies will continue to be less generous than those of other Western

countries, or they will move more toward the mainstream, or they will move in each direction at different times. Criminal justice policies, practices, and laws will become harsher or less harsh or will alternate. The movement toward privatization of prisons will continue, or slow, or contract, and private prison operators and employees will or won't become effective lobbyists for creation or maintenance of high-prison-use policies. And if deeper social-structural changes in American (or Western) society are primary determinants of crime-rate trends in recent years, those changes may continue or may alter direction. And something will happen to crime rates, and thoughtful people will disagree deeply about what caused what.

Nor, looking backwards, is the relation between penal policy and crime rates and patterns any clearer. There is wide agreement among historians, for example, that crime rates, especially violent crime rates, fell steadily in many Western countries from early in the nineteenth century until the middle of the twentieth century, after which they began steep rises. Historians refer to this pattern as a "U-curve" or, sometimes, a "backwards J-curve," to make the point that twentieth century violence rates never regained their early nineteenth century heights. There is likewise wide agreement that crime posed vastly greater dangers to residents of early nineteenth-century cities than to residents of twentieth-century cities. But there the agreement ends.

There is no agreement on why crime rates fell for more than a century. Some argue that the increased bureaucratization of modernizing, industrializing, and centralizing countries changed socialization patterns and in effect trained people to conformity (Lane 1992; Gurr 1989). Some claim that religious revivalism and a moral reawakening in the nineteenth century affected basic beliefs and values and with them the socialization people received in families, schools, churches, and communities (Wilson and Hernstein 1985). Some claim that the decline was the result of a general, much longer-term, "civilizing process" that has affected at least all Western societies, and in which the increased crime rates of the 1960s–1980s are simply a short-term anomaly (Elias 1978). Most strikingly, virtually no one attributes the long-term decline to changes in sentencing policies or to criminal justice innovations, even though all the institutions of modern American criminal justice systems (professional police, imprisonment as the modal punishment, probation, parole, the reformatory, indeterminate sentencing, the juvenile court) were created between 1830 and 1900 and were ubiquitous by 1930 (Friedman 1993).

All this is a pity, because prison and jail populations of the past quarter-century result from conscious policy decisions by Federal and State law-makers, premised on propositions about the crime-preventive effects of harsher and more certain punishments. The validity of those propositions is the fundamental question to be answered about the wisdom of modern penal policies.

Even if the answers to first-order questions about aggregate behavioral effects of imprisonment policies on crime rates are probably unknowable, much more is knowable about second-order questions concerning effects of imprisonment in general, and of various prison regimes and programs, on prison staff, prisoners, their families, their communities, and public spending. Surprisingly little is known, but much is knowable.

Imprisonment policies beginning in the 1970s leapt far ahead of knowledge about prisons and prisoners. Until then, the largest bodies of systematic empirical research concerning prisons consisted of a sizable but highly variable body of studies on the effectiveness of correctional treatment programs (Lipton, Martinson, and Wilks 1975), a smaller body of recidivism studies (e.g., Glaser 1964), and a sociological literature on inmate socialization and subcultures (e.g., Sykes 1958). Since then, as a result of the proliferation of criminal justice and criminology programs in colleges and universities created in the wake of the Law Enforcement Assistance Administration, the number of researchers interested in prisons increased greatly, but the absence of sustained commitment of research funding from government agencies and foundations frustrated efforts to build a vital prisons research community. Foundations for many years exhibited little interest in research on the adult criminal justice system, including prisons and prisoners, and until recently federal research-funding agencies focused nearly all their attention on other subjects.

Important work nonetheless has been done on many prison and prison-related issues. On some topics, for example, the effectiveness of correctional treatment programs (Canada) and prison regimes (England), much of the most important recent work has been done outside the United States. Prudent policy makers and practitioners presumably want to make their decisions on the basis of evidence, and there are many areas where better evidence could aid in development of better policies.

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## **I. Collateral Effects of Imprisonment**

People are sent to prison and jail partly because of moral ideas about deserved punishments: people who do certain things, it is widely believed, deserve to be punished. However, utilitarian ideas about public safety provide at least as strong reasons for imprisonment: Sending people to prison enhances public safety, it is widely believed, by incapacitating them, by rehabilitating them, by deterring them and others, and by reinforcing basic social norms about right and wrong. Put differently, when “just deserts” ideas are set aside, people sent to prison are being used as means to achieve public ends. For both moral reasons (can using people in particular ways be morally justified?) and practical reasons (how much does using people in this way cost, does it do more good than harm, are there unintended side-effects?) we should want systematically to understand the effects of imprisonment practices and policies. Earlier we mentioned crime control effects of imprisonment. Here the subject is the collateral effects.

The literature on collateral effects is fragmentary. At least six kinds of collateral effects can be identified. First, what are the effects of imprisonment on prisoners' later lives? Sizable economic and smaller ethnographic literatures (Fagan and Freeman 1999) convincingly show that imprisonment reduces ex-offenders' subsequent incomes and employment. A policy literature shows that various State and Federal laws deny ex-offenders the right to vote or hold office in some places, the opportunity to engage in certain occupations in some places, and the right to receive various public benefits and services in some places (Fellner and Mauer 1998). Various

literatures show that imprisonment often leads to the breakup of families and social relationships and to less parental involvement with their children (Hagan and Dinovitzer 1999).

Second, what are the effects of imprisonment on prisoners' later physical and mental well-being? A psychological literature on coping and adaptation in prison concludes, probably contrary to many lay people's intuitions, that even long-term imprisonment appears to have few lasting mental health effects (e.g., Adams 1992), though some researchers doubt this (Liebling 1999). It would be surprising if established adverse effects on income, employment, and family functioning were unrelated to former prisoners' mental and physical health. However, a serious longitudinal study of ex-offenders' lives is needed to answer such questions, and none has been done.

Third, what are the effects of imprisonment on offenders' spouses or partners, and their children? On this subject, the literature is especially thin and fragmented, as Hagan and Dinovitzer (1999) show, and the most pressing task is to pull together existing knowledge in order to formulate plausible hypotheses and develop systematic research agendas. Hypotheses would presumably at least address the effects of imprisonment on the financial and social stability of prisoners' families while they were in prison and afterwards, on the maintenance of prisoners' relationships with families, and on the short- and long-term well-being and social functioning of prisoners' children. These would, of course, not be simple hypotheses. No doubt sometimes families and partners benefit from the removal of abusive, disordered, or dysfunctional parents and spouses. However, given the strong negative effects on children's well-being of being raised in disadvantaged, single-parent households (Loeber and Stouthamer-Loeber 1986), the effects of imprisonment on spouses and children often are likely to be negative.

Fourth, what are the effects of imprisonment on prisoners' later crime involvement? According to findings of criminal careers research (Blumstein et al. 1986), the negative effects on ex-prisoners' incomes, employment prospects, and family involvement predict increased offending probabilities. In addition, for centuries, at least since the time of John Howard, the great eighteenth century English prison reformer, the proposition has been put forward that prisons are "schools for crime," that younger and less experienced prisoners are socialized into antisocial and oppositional attitudes and as a result exit the prison more likely to commit crimes than when they entered. No informed person doubts that this sometimes happens, and at least partly offsets any crime-reductive effects of imprisonment. Many European scholars accept it as proven that prison is criminogenic and that prison terms should for crime-prevention reasons be avoided whenever possible (Albrecht 2000). American research on the effects of penalties typically focuses on crime-reduction, and only sometimes treats crime-enhancing effects as an offset. If the criminogenic effects of imprisonment are large, contemporary research may be overlooking an important part of the crime and punishment puzzle.

Fifth, what are the collateral effects of imprisonment on the larger community? Plausible hypotheses can be offered about effects of recent prison expansion on the allocation of public resources (which are transferred from higher education particularly, but also from other public programs and services, to prisons), on economic development (transferred from inner cities to the usually rural communities where prisons are built), and on community cohesion (in many disadvantaged minority communities, large proportions of the young men are or have been in prison and are thereby disabled from working, parenting, marrying, or otherwise becoming

contributing members of the community). Imprisonment may have become so common an experience in some communities that it may no longer carry a stigma, and thereby may lose whatever deterrent effects it would otherwise have (Nagin 1998), or may even cause prison styles and values to be exported to the outside community (Fagan and Wilkinson 1998).

Sixth, what are the immediate effects on prisoners while being confined in prison? This is the one collateral effect on which there are sizable literatures: on coping and adapting generally, measured in terms of prisoners' physical and mental health (Adams 1992) and in relation to housing arrangements (Gaes 1985), and specifically on prison suicide (Liebling 1999).

## **II. Crime Control Effects of Imprisonment**

Research on the collateral effects of imprisonment suggests that policy makers have been flying blind, making decisions costing billions of dollars and affecting millions of lives without adequate knowledge of the nature and costs of unintended side effects. A response might be that the primary goal has been to enhance public safety and, possibly regrettably but understandably, that single-minded concern has been the reduction of crime through the deterrent, incapacitative, and rehabilitative effects of increased imprisonment. The relevant literatures, however, are inconclusive, small, and for the most part old. Four questions appear particularly relevant.

First, has increased use of imprisonment reduced crime rates through deterrence and incapacitation? Presumably most people would conclude a priori that a quarter-century's quintupling of the prison and jail population must have reduced crime rates. There has, however, been relatively little research in recent years on deterrence and incapacitation, and most authoritative reviews of both subjects conclude that while such effects exist, they are probably modest (Nagin 1998). So also concluded the most famous examination of the subject, the 1978 report of the National Academy of Sciences Panel on Research on Deterrent and Incapacitative Effects (Blumstein, Cohen, and Nagin 1978). Similar conclusions were reached in successive decades by National Academy of Sciences Panels on Criminal Careers (Blumstein et al. 1986) and Understanding and Control of Violence (Reiss and Roth 1993), and by an exhaustive recent survey of research on deterrence effects commissioned by the Home Office of England and Wales (von Hirsch et al. 1998).

Second, can prisons deliver treatment programs that will enhance public safety by reducing prisoners' later recidivism? The pessimism associated with the "nothing works" findings (wrongly attributed to Robert Martinson's famous 1974 article [Martinson 1974]) appears to have dissipated, and there are grounds for cautious optimism about the positive effects, under some conditions, of some cognitive-skills, drug-treatment, vocational training, educational, and other programs in adult prisons (Gaes et al., 1999). The conditions, however, are stringent: most notably, program eligibility must be carefully matched to prisoners' needs and risks, programs must be well implemented and adequately funded, and compatible aftercare programs in the community must sustain treatment. The grounds for optimism concerning programs for young offenders and in the community are somewhat stronger.

Third, in the aggregate (without distinguishing among prison's deterrent, incapacitative, and rehabilitative effects), does increased use of imprisonment reduce crime rates in general, and have the increases of recent years in particular led to crime reduction? The most commonly accepted answer appears to be yes (Spelman 2000), but the literature, much of it by economists, is highly technical and inaccessible to nonspecialists, dates largely from the 1970s, and suggests that effects are much more modest than is widely understood.

Fourth, in cost-benefit terms, is increased imprisonment worth it? This is the smallest and most primitive of the prison crime-prevention effects literatures, and as yet provides few policy-relevant findings. Except for a small literature that tries to compare alternative crime-prevention programs in cost-benefit terms (e.g., Greenwood et al. 1996), the work to date is useful largely for methodological reasons, by showing how not to pursue such inquiries. For example, the most widely publicized recent work greatly exaggerates the costs of crime by means of inflated imputed costs of victim "pain and suffering," and takes no account whatever of suffering by offenders or pains of imprisonment borne by their partners, children, or communities. It may be that gross cost-benefit assessments of the effects of imprisonment require weighing inherently incommensurable values, and have reached a dead end. Recent efforts to compare the cost and benefits of alternative crime prevention policies may offer more promise (Welsh and Farrington 2000).

### **III. Prisoners and Prison Staff**

Thirty years ago, the largest and best-known body of scholarship on prisons was the sociological literature on prison subcultures and the socialization of inmates into prison life. That is no longer the case, as much because of the waning of that literature as because of the growth of others. Prisons have changed a great deal in the past 30 years, inmate and staff subcultures and interactions between them have changed, and the learning of earlier times may or may not still be valid but at least needs augmentation. Compared with earlier times, many prisons are much larger, inmate populations and staffs are more disproportionately black and Hispanic, many more line and management staff are women, gangs are larger and their influence more pervasive, more prison staff are unionized, a large and growing fraction of prisons is under private management, and the possibility of judicial oversight and intrusion is greater. The sentencing policy changes of the past quarter century and especially the past few years have produced larger fractions of prisoners serving very long sentences and with them have come increased demands for medical care and other services for the aging and elderly.

The direct causes of the past quarter century's increase in imprisonment are becoming clearer. Changes in sentencing and parole policies and practices, not changes in crime rates and patterns, are the principal cause of the vastly increased numbers of people in prison and of substantially increased percentages of members of minority groups among prisoners. Over the past two decades, drug policies premised on incarceration of drug dealers and increased probabilities of imprisonment of those charged with crimes have been the major contributors to prison population growth (Blumstein and Beck 1999). More recently, increased sentence lengths have become a major contributor. Changes in parole policies have also increased prison populations through the abolition of parole in some jurisdictions, tighter release standards that have the effect of

lengthening time served, reduced tolerance for parole condition violations, and greatly increased rates of revocation and readmission to prison (Petersilia 1999).

Behavioral, cultural, and social changes in society at large inevitably impinge on life inside prisons. AIDS and HIV, for example, are more prevalent inside the prisons than out. The proportions of mentally ill and defective prisoners, never small, have grown as a result of the 1960s and 1970s movement to deinstitutionalize many mentally ill people. The civil rights and women's movements have importantly affected prisons, as has the political conservatism of recent years. Programs premised on restorative justice ideas are beginning to appear inside prison walls.

The mission for scholars of prison life is to reinvigorate that once robust subject by examining new subjects, re-examining old ones, and incorporating new ideas and theoretical perspectives. Recent work in England (Sparks, Bottoms, and Hay 1996), for example, has focused on the effects of different management regimes from the procedural justice perspective, among others. In this perspective, people who believe themselves to have been treated fairly and their interests to have been fairly considered are more likely to perceive the involved institutions and processes as legitimate, and accordingly to be orderly in prison.

Studies of women prisoners and life inside women's prisons continue conspicuously absent. There is a small, quality literature (e.g., Zedner 1995), but the recent paucity of research on life inside prisons generally has had an even more impoverishing effect on traditionally understudied subjects. Although the ratio of women to men in State and Federal prisons remains small (men outnumbered women by 15 to 1 as of June 30, 1998), the number of women prisoners has for nearly 30 years been growing faster than the number of men, and the absolute number (82,716 as of June 30, 1998) is considerably larger than the entire prison populations of France, Germany, or England.

#### **IV. Prison Management**

Prison managers, like any other managers, need systematic knowledge if they are effectively, ethically, and sensitively to do their jobs. In an important sense, the sociological and other literatures on life inside prisons, and the psychological and other literatures on how people adapt to the experience of being prisoners, are management literatures. The English work on legitimacy and order maintenance in prison (Bottoms 1999), which deals with prisoners, prison staff, and their interactions, all in the interest of understanding how order can be maintained in prisons, for example, is centrally concerned with management.

In practice, however, writing on management tends to be done by professional managers and management consultants rather than by social and behavioral science researchers. Chase Riveland (1999) provides an account of the major challenges that prison managers have dealt with during the past 25 years and how they have changed over time. Contemporary prison managers have faced many important challenges in addition to those already mentioned. Examples include the growing privatization of institutional corrections; the maturing movement for professional accreditation of prisons and prison systems; oversight of the rapid expansion in the numbers of prisons, prison staff, and prisoners; and handling of the problems created inside prisons by modern



drug use patterns and policies. Douglas McDonald (1999) has examined the nettlesome problem of health care provision inside prison and illustrates the complex lattice of management, resource, and political frameworks within which prison managers must operate.

## **V. The Political Economy of Prisons**

No one can know what people 100 years from now will find interesting, important, or cautionary about prisons and punishment at the 20th century's end. From our chronocentric perspective, the most striking and distinctive feature of American punishment policies, both historically and comparatively, is the past quarter century's expansion in imprisonment. Older literatures attempted to explain the functions and purposes of imprisonment (Garland 1990), as have some works by historians, but only a small contemporary literature tries to explain why contemporary prisons policies have developed as they have (e.g. Caplow and Simon 1999).

The political economy of the American prison has changed enormously over the past 25 years. By and large outside partisan politics before 1960, prisons and punishment policies have been political staples since the middle 1960s. By and large immune from judicial oversight under the "hands-off" doctrine before 1970, nearly every detail of prison management has come under intense and often critical scrutiny by Federal judges. Almost entirely under the authority of public officials and employees (except for minor contracted services) before 1975, prisons are now often managed by private corporations that operate hundreds of institutions and provide comprehensive services, such as medical care systems. Although prison administrators needing to build new facilities were often before 1980 stymied by not-in-my-backyard movements, communities now compete for new prison construction as a local economic development initiative. Thirty years ago, there were no labor unions for prison guards; today in at least one State, the prison guards union is a major contributor to electoral campaigns and an active lobbyist for particular penal policies.

Private-sector analysts commonly speak of the stakeholders in private businesses—managers, employees, customers, sometimes the general public. In the prisons business, where a quarter century ago the stakeholders were principally public officials and employees, prisoners, and a nebulous sense of the public interest, the stakeholders today include these but also voters; labor unions; private for-profit corporations; communities housing prisons; and the politicians, lobbyists, and political organizations that represent all these interests.

We are too close to our own times to be able to look behind crime rates and punishment policies to explain why so many people are held in American prisons and why some of them are held for so long. Whatever the true explanations, they are much more complicated than allusions merely to rising crime rates, law-and-order politics, or a vengeful public might suggest.

Researchers from many disciplines using many methods study prisons, and many more of them should do so in the future. Adding up the numbers of people admitted to or held in prisons and jails, the people who work in those institutions, the members of both groups' families, and the residents of communities housing penal institutions, tens of millions of people are directly affected by prisons. Any social institution affecting so many people should receive much more attention from scholars than prisons now do. Norval Morris has often said that prisons are a microcosm of

society and that if we study them we will learn about ourselves. That is another, perhaps the best, reason for increased investment in prison research.

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