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Federal

Probation

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Interagency Issues *John S. Dierna*

The Presentence Report, Probation Officer Accountability, and
Recruitment Practices: Some Influences of Guideline Sentencing *Harry Joe Jaffe*

Prison "Boot Camps" Do Not Measure Up *Dale K. Sechrest*

The Greatest Correctional Myth: Winning the War on Crime Through
Incarceration *Joseph W. Rogers*

Probation and Parole Malpractice in a Noninstitutional Setting: A Contemporary
Analysis *John C. Watkins, Jr.*

The Utilization of Technology in Correctional Institutions *Lawrence F. Travis III*
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Justice *Mark S. Umbreit*

U.S. Department of Justice
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This Issue in Brief ^{ACQUISITIONS}

Guideline Sentencing: Probation Officer Responsibilities and Interagency Issues.—The recent decision by the U.S. Supreme Court to uphold the constitutionality of the sentencing guidelines system has provided the impetus for further legitimization of the Federal probation profession; yet problematic issues and difficult guideline decisions confront probation officers as they carry out the guideline presentence investigation. This article by U.S. probation officer John S. Dierna focuses on the important, challenging responsibilities placed upon the Federal probation officer conducting guideline presentence investigation and introduces a three-step process to assist probation officers assigned to these investigations.

The Presentence Report, Probation Officer Accountability, and Recruitment Practices.—Under guideline sentencing, the probation officer has become the “fixer of punishment,” according to Federal probation officer Harry J. Jaffe. This new role affects the drafting of the presentence report, heightens the degree of accountability, and argues for a change in the hiring protocol of new officers. As punisher, the probation officer must now function as an evaluator of knowledge rather than as a presenter of simple facts. This untraditional role requires a diversity of analytical skills and competencies, extending beyond the vistas of the social sciences.

Prison “Boot Camps” Do Not Measure Up.—This article by Dale K. Sechrest is about prison “boot camps,” or shock incarceration programs, which are proliferating in the United States and have generated great interest from the public and media. Typical programs provide a 90- to 120-day period of military-style recruit training designed to instill discipline and improve the self-respect of the individual participants, thus leading to improved future behavior.

System goals include reducing prison populations, reducing costs, and perhaps reducing recidivism rates for these offenders. Recidivism evidence to date, however, shows little improvement over national norms for these offenders. In fact, they may be doing worse.

The Greatest Correctional Myth: Winning the War on Crime Through Incarceration.—Reiteration of the futility of trying to win the Nation’s war on crime through overreliance on incarceration is essential, asserts author Joseph W. Rogers. Taken to extremes, the imprisonment solution has become

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The Greatest Correctional Myth: Winning the War on Crime Through Incarceration

BY JOSEPH W. ROGERS, PH. D.

*Professor, Department of Sociology and Anthropology,
New Mexico State University, Las Cruces*

“WHEN the time comes, will there be room enough for your child?” (*Quarterly Journal of Corrections*, Summer, 1977: Front Cover).

Since this poignant inquiry appeared in 1977, this country's prison population has more than doubled from 265,000 to a historic high exceeding 600,000. By the end of 1989 (with turnover), over one million persons will have been incarcerated during the year—1 in 240 Americans, triple the total just two decades ago (*U.S. News and World Report*, November 14, 1988:11; also see Walker, 1989:3-5). To gain some idea of pace, we need go no further than a recent governmental report which shows a 1985 imprisonment growth rate of 8.7 percent (Bureau of Justice Statistics, December 1987:52). Were we to continue at this annual growth, the prison population would double in less than 9 years! The implications of such acceleration simply cannot be ignored.

Unfortunately, the recent presidential campaign provided little relief from either party or candidate. So many volleys were fired, we can hardly expect any serious attempt to win the “war on crime” by means other than through more concrete, mortar, and metal of additional penal institutions. Indeed, our political leadership seems second to none in seeking “room at the inn” of imprisonment for the Nation's criminal offenders. On the one hand we have long-standing belief in the powers of imprisonment, no matter how futile; on the other, we have the public's escalating fear of victimization, which seems to turn alternative approaches into perceptions of unforgivable “softness” on offenders. While we could hope this approach will succeed, honesty requires expression of doubt.

The contemporary *wave* of punitiveness is traceable to the mid-sixties. When Garrett Heyns (*Federal Probation*, 1967) wrote that “the ‘treat-em-rough’ boys are here again,” little did he realize they would continue to dominate our justice system for more than two decades. What this former Michigan warden and Washington State director of corrections saw was only the tip of an iceberg. It has since merged as a punishment glacier, composed of the hard ice of fear, hardened further in the cold atmosphere of deterrence and vengeance.

We must not make light of such fear, or the public's motives, for that matter. We have every right to want and seek security in our person and our property. Nor is it useful to advocate “tearing down the walls” or the abolition of maximum-security institutions. The position here concerns the narrowing focus and dependency on imprisonment to the neglect of a larger front in our battle against criminal victimization. Frankly, I am concerned lest the overwhelming success of the Willie Horton campaign waged against presidential candidate, Massachusetts Governor Michael Dukakis, makes cowards of us all. Differences in viewpoint notwithstanding, be assured all of us are in this thing together.

The Myth of the Imprisonment Solution

From the outset we must realize the fundamental weaknesses in an extreme incarceration approach, which must take into account at least several basic factors.

First, 99 percent of those entering prison eventually return to society to become our neighbors in the communities where we live and work. Among the half-million inmates housed in state and Federal prisons in 1985 (not including another quarter million in jails), there were only 1,175 recorded deaths (1,148 males, 27 females). Of these, 731 were attributed to natural causes; 112 to suicides; 33 to accidents; 18 to executions; 105 to another person; and 176 to unspecified reasons. These deaths represented less than three-tenths of one percent of the population, not taking into account either turnover or length of stay (Bureau of Justice Statistics, December 1987:71). With few exceptions we can count on those persons entering prison to come out again better or worse for their experience.

Second, the median stay in prison varies from state to state within a range of 15 to 30 months (Bureau of Justice Statistics, June 1984:3). Actual time served (including jail and prison time) is generally much less than the maximum sentence length. For example, while the 1983 admissions reveal a median sentence length of 36 months, the median time served by releases that year was 19 months (Bureau of Justice Statistics, September 1987:7).

Third, there is a yearly turnover involving approximately a half-million prisoners. While 234,496 individuals were exiting state or Federal jurisdictions in 1985, even more, 275,366 were taking their places (Bureau of Justice Statistics, December 1987:61-62).

Fourth, as striking as these data are, a crime-prevention policy based primarily on increased imprisonment is at best inadequate; at worst, a clogged pipe of human beings. The problems for criminal justice personnel exist at several junctures in the system, of course; but here our "trouble shooting" must be directed back to the community where the flow begins. Upon so doing, we discover an estimated 40 million victimizations for 1983 alone. In 1982, an estimated 3.2 percent of the Nation's population were victims of rape, robbery, or assault—the equivalent of about 6 million persons (Finn, n.d.:1). Viewed somewhat differently, according to the respected National Crime Survey (NCS), more than 22 million households were victimized during 1985 by at least one crime of violence or theft. Their estimated total of 35 million individual victimizations is staggering when one considers the possibility of underreporting (Bureau of Justice Statistics, March 1988:11-12).

Fifth, the bulk of offenders are never caught, much less convicted or imprisoned (Ennis, 1967; Clark, 1970; Van den Haag, 1975). During the period 1973-1985 only about one-third of all crimes were reported to the police (Bureau of Justice Statistics, March 1988:34). Further, a review of *Uniform Crime Reports* covering the same time period will reveal an index crime clearance rate approximating 21 percent. In a compelling reanalysis of the President's Crime Commission Task Force Data, Charles Silberman (1978: 257-261) provides a reasonable guide beyond this point. Of some 467,000 adults arrested (using rounded figures), 322,000 were punished in some way, with 63,000—about 14 percent—going to prison (Walker, 1988:36-39).

Sixth, prisons can hardly claim any great success when it comes to restoring criminals to law-abiding citizens. Assessments vary from about one-third to two-thirds for recidivism rates of released inmates. In his classic study, Daniel Glaser (1964:13-35) considers the latter figure as mythical, the former as more on target. While I agree with Glaser's cogent analysis, there can be little joy over even this positive claim. For example, Steven Schlesinger (1987:3), Director, Bureau of Justice Statistics, recently asserted their studies indicate about half of those released from prisons will return. He also points out that more than two-thirds of the burglars, auto thieves, forgers, defrauders, and embezzlers going to prison have been there before. Half of all the recidivists studied have been out of prison less than 23 months (Schlesinger, 1987:2).

Consider, then, the implications of these six propositions which show that while we keep 600,000 adults locked up, some 35 to 40 million crimes are being committed annually. While all those incarcerated men and women were unable to engage in crime, who were these other people preying upon the public? Many were repeaters, and the Uniform Crime Report Program has been trying to learn more about them and about careers in crime. Doubtless, some were under some alternative form of correctional supervision. For example, in 1985, 254,000 were in jail; 1,870,000 were on probation; and 277,438 were on parole (Bureau of Justice Statistics, December 1987: Front Cover). Some were juveniles, of whom almost 50,000 were in some sort of custodial facility on February 1, 1985 (Bureau of Justice Statistics, September 1987:43).

The above statistics, fragile though they are, underscore the importance of the "war on crime" being waged outside of institutions, not in them. But to the extent we believe in prisons as our justice centerpiece, we must recognize the crucial importance of what we do with (or to) persons during whatever time period they are in custody. Simply put, postrelease failure rates are not acceptable.

Byproducts of Contemporary Prison Policy

The current emphasis on incarceration should take into account at least eight major prison issues: (1) overcrowding; (2) cost; (3) litigation; (4) race/ethnicity; (5) long-term stays; (6) AIDS; (7) officer stress, and (8) the war on drugs.

Institutional Overcrowding

American prisons have come to resemble bloated sponges. As extra sponges are added, they too become glutted. There are over 700 state and Federal prisons (Innes, December, 1986:3; also see Gottfredson and McConville, 1987). The Federal Government, almost all of the states, and many countries have embarked upon prison and jail construction programs that will remain a legacy of dubious merit from the 1980's. As one observer sees it, "While this expansion will permit incarceration of more people, it is unclear whether the additional facilities will succeed in relieving crowding; there seems to be almost limitless demand for prison beds" (Jacobs, n.d.:1).

One clear indicator is the population density of state prisons which are struggling to keep abreast of national standards. Both the American Correctional Association and the U.S. Department of Justice call for 60 square feet per single cell, provided inmates spend no more than 10 hours per day there; at least 80 square feet when cell confinement exceeds 10 hours daily (Innes, December, 1986:4). As of June 30, 1984, an assessment of 694 prisons revealed an average of

57.3 square feet per inmate; an average of 11.3 hours per day in unit confinement; and 66.5 percent of the inmates in multiple occupancy. This census also disclosed that 33.4 percent were in maximum security; that 11.8 percent of the facilities were over 100 years old, another 22.7 percent 50 to 99 years old; and that 50.8 percent of the institutions held more than 1,000 prisoners (Innes, December 1986:2).

Some jurisdictions are desperate. New York City, for example, is now housing 400 inmates on a five-story barge anchored in the Hudson river. Reminiscent of 18th century England, authorities are planning to add two more barges, one with berths for 800 convicts. Their sense of urgency is conveyed by one official, who says bluntly: "We don't have the luxury of waiting five years to build from the ground up" (*U.S. News and World Report*, November 14, 1988:11).

Newspaper releases from the State of Texas have reached near ludicrous proportions with a cycle of prison "openings" and "closings," as their facilities exceed the allowable 95 percent capacity. Texas prison capacity expanded by 50 percent from 1980 to 1987, while the number of new prisoners increased by 113 percent. During the same period a Federal court ordered the State to ease overcrowding through reducing its prison population by 6,500 inmates! Texas is constructing prisons at a pace to increase their capacity by more than 65 percent in just 4 years—a stopgap measure at best. According to their criminal justice director, Rider Scott, the addition of some 26,500 beds will be overly filled by the end of 1990 to the point of again shutting down the institutions, and backing up the overflow in county jails. Even as this was being stated, Texas held 38,500 persons in 28 institutions, while another 4,000 state prisoners were serving time in county jails awaiting a prison bed (*El Paso Times*, April 4, 1988:4B).

A third illustration comes from the District of Columbia where prison overcrowding reached a state of crisis in responding to court-imposed population caps by closing the District's prisons to newly sentenced inmates. Imagine a situation (after October 5, 1988) in which some arrivals were distributed to police precinct holding cells; some to the D. C. Superior Court cell block which was never designed for feeding people or for overnight incarceration; some to Federal prisons outside the District; and some to institutions across the country, e.g., already crowded facilities in Washington State (*Criminal Justice Newsletter*, November 1, 1987:7, also see Joan Mullen, 1987).

Cost of Imprisonment

Criminal justice is big business, as indicated by its "top 10" status among all government expenditures. Federal, state, and local spending for all such activities in fiscal 1983 was \$39.7 billion—almost 3 percent

of all government spending in this country. Approximately \$23 billion was spent at the local level, \$12 billion by the states, and \$5 billion by the Federal Government. Police protection accounted for the highest amount spent, 52 percent, followed by corrections with 26 percent, and judicial/legal services with 22 percent (Bureau of Justice Statistics, June 1988:front cover).

Among types of justice spending, corrections increased the most—by 15.1 percent from 1982 to 1983; by 50.9 percent from 1980 to 1983 (Bureau of Justice Statistics, September 1987:23). And although estimates vary widely, prison construction costs typically range from \$50,000 to \$100,000 per cell. The "capital investments," are supplemented by a yearly operating/maintenance expenditure ranging from \$10,000 to \$25,000 per inmate (Blumstein, n.d.:3; Jacobs, n.d.:1). The Criminal Justice Institute counts 130 prisons for some 53,000 inmates now being constructed at a cost of \$2.5 billion, with still another 75,000 convict beds in the planning stage. Moreover, President George Bush is said to favor doubling the current Federal prison budget to a new high of \$2 billion, about three and one-half times the 1983 figures (*U.S. World and News Report*, November 14, 1988:11).

In short, we are talking big bucks here in an era of budget deficits, and fears of tax increases, and as Clear and Harris (1987:51) point out proposals often seriously underestimate eventual correctional expenditures. The money being poured into incarceration makes probation, parole, and college education look like great buys, at least on a cost-per-person basis. You can send your son or daughter to your choice of some of the finest private universities in the land—Cornell, Harvard, Stanford—for less! And if you are not too choosy, their entire 4 years of college tuition will cost less at a good state university than will housing a single inmate for 1 year in a typical state prison! And make no mistake, public education must compete for these dollars, just as do public welfare, housing, environment, hospitals, health, highways, and others (Bureau of Justice Statistics, September 1987:22). Given the recent concern with the quality of our public school system, where do you think an extra one billion dollars a year might be well spent to fight crime?

Litigating Prison Conditions

Litigation has become such an American prison way of life that by the end of 1983 8 states had their prison systems declared unconstitutional; 22 had facilities operating under either a court order or consent decree; and 9 more were engaged in litigation. By December 1985, only 8 states (Alaska, Minnesota, Montana, Nebraska, New York, New Jersey, North

Dakota, and Vermont) had remained unencumbered by judicial intervention (Taggart, 1989).

Prison litigation is both intriguing and complex, but prior to the 1960's had been subject to a "hands-off" policy by the Federal courts (Bronstein, 1985; also see, Conrad, 1987). However, with the advent of the Warren court, this posture was abandoned through a series of decisions enlarging the Federal court's role in prison administration. The stage was set with two key cases: (1) *Jones v. Cunningham* (1963) in which the Supreme Court ruled that the state prison inmates could employ a writ of habeas corpus to challenge not only the legality of their imprisonment, but also to contest the conditions of incarceration; and (2) *Cooper v. Pate* (1964) in which the Court held that prisoners possessed standing to sue in Federal court under the Civil Rights Acts of 1871 (see Taggart, 1989).

These were quickly followed by several other cases expanding inmate legal rights, with filings by state prisoners increasing in the Federal courts over 120 percent between 1970 and 1983. Arkansas became the initial state impacted by this new "hands-on" stance when its entire prison system was found in violation of the cruel and unusual punishment prohibition of the Eighth Amendment (*Holt v. Sarver*, 1969). The district court found constitutional deficiencies in such major areas as facilities, safety, medical services, staff practices, and security. Within the next 5 years Mississippi and Oklahoma were to be found similarly deficient and under court orders (Taggart, 1989). For two instructive state histories, see Hopper, 1985 on Mississippi; Mays and Taggart, 1985 on New Mexico. For a focused discussion of eighth amendment litigation, see Ingraham and Welford, 1987.

In a very carefully constructed study of the first 10 states subject to Federal court intervention, Taggart (1989) employed a longitudinal model to examine the impact of court-ordered prison reform on state expenditures for corrections. Controlling for the state's prison population, previous expenditures for corrections, and total state expenditures, he found the greater impact on the capital side of the budget than on the operating side. This has significant implications according to Taggart (1989):

Although the construction of new facilities may function to redress certain problems identified by the courts (e.g., inadequate cell sizes or dormitory living conditions), it is by no means a panacea for compliance. It does not ensure changes in administrative practices or employee behaviors which many times are of equal importance to the bench. Moreover, if capital expenditures are made in response to overcrowded prisons, the lack of concurrent expansion in operating budgets may suggest that some other problem areas are only growing substantially worse (e.g., inmate/staff ratios). It is entirely possible that a capital intensive reform program has helped to make some inmates worse off (Horowitz, 1983).

Certainly, some of these capital outlays would have been spent just as wisely for improving the everyday conditions and programs of existing prisons as for building still more institutions.

Race and Ethnicity

Prisons have long been known for their disproportionate housing of blacks and Hispanics. In 1986 the proportion of blacks in state prisons was 47 percent, almost four times the 1980 proportion of 12 percent in the general United States population; the proportion of Hispanics in these facilities was 13 percent, over twice the 6 percent of the 1980 census (Bureau of Justice Statistics, March 1988:41; Innes, January 1988:3). The *lifetime* estimates of incarceration is six times higher for blacks (18%) than for whites (3%). After the initial confinement, probability of further commitments is similar for both races: about one-third of each group who have ever been incarcerated will have been confined four times by age 64 (Bureau of Justice Statistics, 1988:47).

Causes are multiple and controversial (e.g., see Hawkins, 1986; Bridges, Crutchfield, and Simpson, 1987; and Palley and Robinson, 1988). Nevertheless, genuine concern must be expressed about minority youth being incarcerated in juvenile correctional facilities at rates three to four times that of whites. Their numbers are growing even though overall rates of serious youth crime are declining, with minority youth more likely to be arrested and charged than comparably delinquent white juveniles. As Barry Krisberg and his associates (1987:173) see it, "Although further research on these issues is imperative, it is also crucial that public officials begin testing out new strategies to reduce the tragic trend of ever more minority children growing up behind bars."

Long-Term Incarceration

Deborah Wilson and Gennaro Vito (1988) observe that society's response to crime has contributed to several trends resulting in longer prison terms for convicted felons. Determinate and mandatory sentencing, modifications in parole eligibility criteria, enhanced sentences for recidivists, and longer terms for violent offenders have resulted in increased time served plus a subsequent increase in the proportion of long-term inmates in state facilities. These changes result in programmatic and management concerns to correctional administrators which must be addressed.

These authors define a "long-term" inmate as "one who has or will be continuously confined for a period of seven years" (Unger and Buchanan, 1985), given a 1986 average time served of 24.8 months. Survey data from 23 correctional agencies reported the percentage of men serving sentences of 7 years or more

in state correctional facilities increased from 20.4 percent in 1979 to 24.8 percent in 1984. Some states reported proportions of long-term prisoners as high as 68 percent for males and 55 percent for females (Unger and Buchanan, 1985, cited in Wilson and Vito, 1988:21). Moreover, the percentage of inmates serving sentences of 20 years or more increased from 13.4 percent of all state inmates in 1983 to 15.7 percent in 1987 (Camp and Camp, 1987 cited in Wilson and Vito:22).

Wilson and Vito (1985:23-24) invoke a vast literature (e.g., Sykes, 1958; Clemmer, 1958; Fox, 1985; Jacobs, 1977) to demonstrate the negative effects of long-term incarceration. They then identify at least eight "demands" which will be created by growing numbers of long-term inmates (Wilson and Vito, 1988:24-25):(1) the need for more bed space; (2) increased financial cost for extended duration of confinement; (3) higher, more costly levels of security; (4) structured activities to fill time voids; (5) specialized mental health services to promote personal adjustment and reduce disciplinary problems; (6) institutional financial assistance to replace diminished outside help; (7) specialized housing and medical services for those becoming elderly; and (8) enhanced prerelease and postrelease programs to facilitate readjustment into a changed community after extended absence.

AIDS in Correctional Facilities

Perhaps no one has made a more forceful statement on this issue than National Institute Director, James K. Stewart (Hammett, April 1987:iii):

For corrections agencies, the problem of AIDS is a formidable challenge. A substantial percentage of inmates fall within identified high-risk groups for AIDS. The presence—or potential presence—of AIDS within the prison is more than a simple health problem: correctional administrators are faced with tough decisions about prevention; institutional management, the best and most equitable means of identifying and treating inmates with AIDS, potential legal issues, and the costs of medical care.

Although data are still lacking, Stewart's concerns are real. As of October 1, 1986, there had been 784 confirmed AIDS cases in 31 state and Federal correctional systems—up 72 percent from 455 cases reported as of November 1, 1985, the time of the original survey. This is a large increase in cases, but is actually smaller than the 79 percent national increase from 14,519 cases to 26,002 cases during the same relative time period (Hammett, April 1987:4).

The foregoing figures are *cumulative* totals covering the recordkeeping period. Twenty-three state and Federal systems reported 174 *current* cases of AIDS. Further, they reported a cumulative total of 463 prisoners have died from AIDS while in custody. One study of 177 inmate deaths from AIDS in the New York

correctional system revealed the following: 97 percent were males; 76 percent between 25 and 39 years old; 40 percent were Hispanic; 39 percent were black; 86 percent came from New York City; and 92 percent *admitted* to intravenous drug abuse (Hammett, April, 1987:4-5).

On the good news side, neither the 1985 nor the 1986 survey identified any AIDS cases among correctional staff attributable to contact with inmates. Ninety-six percent of the Federal and state systems have instituted some type of education or training for staff; 86 percent for inmates (Hammett, April, 1987:6). This is especially important in view of fears (some false) of contamination through biting, spitting, knives, inmate wounds, body searches, disposition of deceased persons, etc.

In sum, AIDS has added still another negative factor to diminish the quality of prison life for both inmates and staff through fear, HIV antibody testing, and a host of lawsuits, some of which are already pending.

Correctional Officer Stress

In summarizing the lot of correctional officers, Peter Kratcoski (1988:27) recently asserted:

The fear of experiencing assaults from prisoners is part of the daily mindset of a prison guard. Morris and Morris (1980:51) state that the prison officer knows only too well that violence is seldom far below the surface of prison life, and Jacobs and Retsky (1977:61) characterize the guard's world as increasingly pervaded by fear and uncertainty. Fogel (1975:70) stated that a guard performs in a world of fear of the unanticipated.

In his study of one Federal institution, Kratcoski (1988) found four particular factors related to assaults against staff: (1) more than 70 percent of the assaults occurred in the detention/high security areas; (2) the majority of all assaults occurred during the day shift (8 a.m. to 4 p.m.); (3) staff with less than 1 year received a disproportionate number of assaults (15% of the staff, yet 35% of assaults; and (4) the majority of assaults were committed by inmates age 25 and younger. These, observes Kratcoski, suggest problems of high staff turnover, inadequate training, and questionable staff support.

Gerald Gaes and William McGuire (1985:41-51), in their comprehensive examination of 19 Federal prisons over a 33-month period, found crowding by far to be the most influential variable for predicting both inmate-inmate and inmate-staff assaults (without a weapon).

Cullen, Link, Wolfe, and Frank (1985) advocate separate measurement of work and life stress among correctional officers. In their study of a Southern correctional system, they found that role problems and perceived danger were related to life stress

among the officers. These variables plus six others (being female, location in maximum security prison; more experience as a C.O.; and lack of peer, family, or supervisory support) were related significantly to work stress.

Such studies and the excellent literature review by Susan Philliber (1987) underscore the importance of stress factors to both staff and inmate welfare. Other than their peers, the guard is said to be the most important person in the inmate's world. If true, their safety, morale, and even their careers are intimately linked together with a society of captives and keepers (Sykes, 1958).

The Escalating War on Drugs

It was recently announced that William J. Bennett, the former Secretary of Education, has been selected as the new administration's first "Drug Czar." It seems quite certain that drug use, abuse, and distribution will loom larger as incarceration factors as we step up the war of those fronts. A recent signal to this effect was given by the first charges filed under a new Federal antidrug law which requires Federal judges to impose life sentences without parole on defendants convicted of drug trafficking under certain circumstances (*El Paso Times*, January 5, 1989: 6A; also see Inciardi: 1987).

Drug use is far greater among prison inmates (78%) than in the general population (37%). Moreover, 2 out of 5 prison inmates reported they were under the influence of drugs or were very drunk around the time of their incarceration offense (Bureau of Justice Statistics, March 1988:50-51). Yet we have to wonder to what degree drug abuse receives adequate attention in prison. The recent news from Texas is not encouraging when it is reported 67 percent of their drug-abusing inmates are released from prison without receiving any treatment. Reportedly, in 1988 Texas provided only one drug-abuse counselor for 1,667 addicted prisoners; those receiving help averaged only 10 hours of treatment during their confinement. Only 75 inmates received "intensive treatment" during the year (*El Paso Times*, December 19, 1988: 4B). The Governor of Texas is asking the 1989 Legislature to authorize drug testing of inmates in prison and before they are released on parole (*El Paso Times*, January 9, 1989:4B). Governor Clements is also seeking an additional \$343 million for new prison construction to provide 11,000 more prison beds (*El Paso Times*, January 13, 1989:4B). The pressure for space continues.

Conclusion

Stephen D. Gottfredson and Sean McConville (1987:9) have recently described this state of affairs

as "America's Correctional Crisis," where far-reaching decisions are made with uncertainty and compromise. Instead, they hope, "for more informed and balanced debate and for the encouragement of productive and acceptable solutions to problems that can be neglected only at some considerable risk to our nation's future (1987:10)." We should be listening to such counsel which, if anything, seems understated, requiring added emphasis and urgency.

Accordingly, two broad proposals are offered.

First, it is time to convene another President's Commission on Law Enforcement and Administration of Justice (1967). President Lyndon B. Johnson established his Commission on July 23, 1965, almost a quarter century ago. President Bush could initiate the largest scale "brain trust" this Nation has ever known to plan the most comprehensive strategy for crime prevention, treatment, and control in history. So doing is no panacea, of course, for many difficulties are attached to such task forces (e.g., see Allen, 1973). But somehow, a concerted collective effort must be made to bring together the vast reservoir of knowledge and ideas accumulating in various disparate forms and places, both here and abroad, during the past three decades.

It would be presumptuous to suggest an agenda here, but no issue should be sacrosanct or beyond debate. From the start it must be recognized that corrections is a component of an interdependent but uncoordinated system of justice which must be understood in relation to the wider structures of social control in American society. This means we must examine criminality in a multilayered fashion—from inception and process to change; from societal ills and malfunctioning to social reform; from community roots to community return. Criminality and delinquency are not unrelated to conditions and problems of other social institutions—family (e.g., domestic violence, runaways); economy (e.g., poverty, unemployment, homelessness); education (e.g., dropouts, drugs); and government (e.g., mismanagement, inadequate funding).

Each of us probably possesses favored issues. For instance, one central probe could (should) be directed at what Shover and Einstadter (1988:204-206) call the "ironies of correctional reform," wherein promising proposals and programs such as diversion or halfway houses become perverted into the much criticized widening effect (Lemert, 1981). Is it possible to prevent a similar fate and abuse of, say a technologically feasible notion such as home incarceration through electronic monitoring (Ball, Huff, and Lilly, 1988)? This would also be an excellent forum to sweep aside numerous myths about crime, delinquency, and corrections (for example, see Bohm 1987; Pepinsky and Jesilow, 1984, 1985; Walker 1989; Walters and White

1988; and Wright 1987). The crime crisis is bad enough without being haunted by widespread misconceptions held by the public, criminal justice practitioners, and professional criminologists.

Second, it would be appropriate to seriously consider William G. Nagel's (1977) advocacy of a moratorium on prison construction. Imagine such a joint state and Federal policy effective from, say, 1991 through 1995. The 5-year "savings" could be well invested in the Commission's work; to improving existing prisons; to upgrading community-based corrections; and to fundamental programs involving the health, education, and welfare of the Nation's youth.

This last point is particularly important in light of Lamar Empey's (1974:1096) fear that a war on crime could be waged against our country's youth, with a severe loss to basic humanitarian values. Indeed, we must take exception to a social control policy based primarily on measures of exclusion (e.g., isolation, segregation) rather than inclusion (e.g., resocialization, integration) (Cohen, 1985). Shover and Einstadter (1988:208), have stated well the implications:

... precisely those conditions which prevent persons from becoming productive, socially conscious members of society, conditions which exclude and cast them out, are the conditions which create the dangerous crime potential we wish to prevent.

The current direction corrections is taking is exclusionary. Whether the cycle will change in the near future remains an open question, but our ultimate well-being as a democratic society depends on the answer.

There are no easy answers to complex problems (Conrad, 1985). But perhaps we could discover some profound responses through starting the final decade of this millennium with a high-level Commission with the authority, organization, talent, time, and incentives to develop imaginative, innovative, comprehensive policies on behalf of the Nation's citizenry.

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