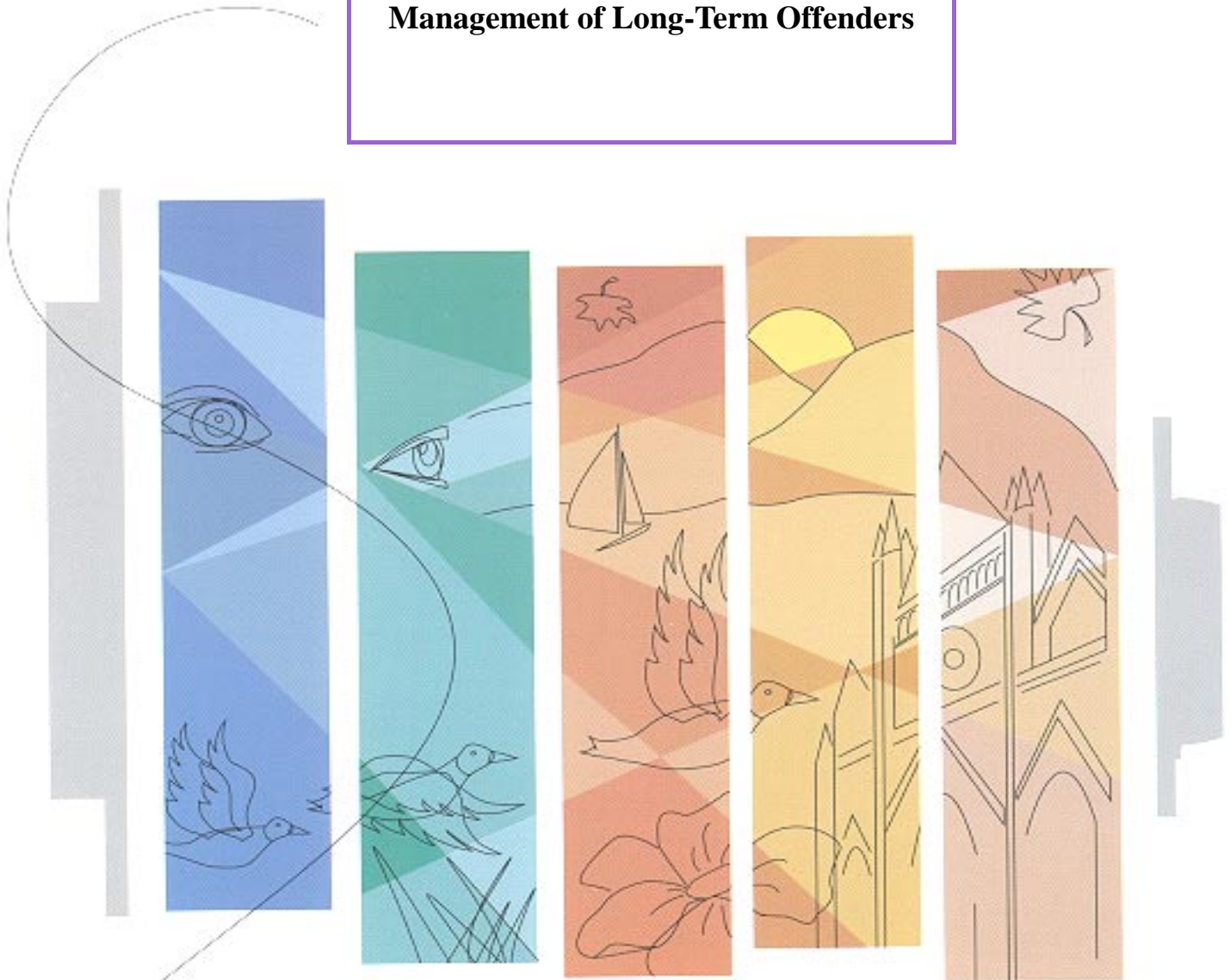




Research Branch
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**Differences in Response to Long-Term
Imprisonment: Implications for the
Management of Long-Term Offenders**



Differences In Response To Long-Term Imprisonment: Implications For The Management Of Long-Term Offenders

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The points of view expressed in this research report are those of the authors and do not necessarily reflect the views of the Correctional Service of Canada. This report is also available in French. Ce rapport est également disponible en Français. It is available from the Communications Branch, Correctional Service of Canada, 340 Laurier Avenue West, Ottawa, Ontario, K1A 0P9.

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Trends in sentencing in the past several decades have affected correctional populations significantly. One obvious effect has been an increase in rates of incarceration. In both the U.S. and Canada, rates of incarceration have reached an all time high (Austin & Krisberg, 1985; Gottfredson, 1986; Gottfredson & McConville, 1986).

Another less evident effect has been a change in the character of offender populations. Determinate and mandatory sentencing reforms, habitual and dangerous offender legislation, and other changes in sentencing provisions for serious offenders have resulted in a significantly larger number of individuals serving longer prison terms for a wider range of offenses. A recent review of ten years of sentencing reforms in the U.S., for example, observed that 33 of 50 states have adopted legislation imposing lengthier terms of imprisonment for persistent or habitual offenders (Shane-Dubow, 1984). Not one jurisdiction decreased the minimum, mandatory penalty for these types of offenders.

In Canada, sentencing reforms have followed a similar course. Changes to homicide legislation in 1976 introduced minimum 25 year terms of imprisonment before parole eligibility for 1st degree murder, and from 10 to 25 years for 2nd degree murder. In 1977, Dangerous Offender legislation was enacted providing for indeterminate preventive detention of individuals who have committed "serious personal injury offenses" and who "constitute a threat to the life, safety or physical or mental well-being of other persons" (Webster, Dickens & Adario, 1985). Criminal Code revisions have lengthened minimum sentences for certain sexual assault offenses. More recently, revisions to the Parole Act have been introduced to extend the period of confinement for selected violent offenders beyond the normal date of release under mandatory supervision. Effectively, for the foreseeable future, there will be a growing concentration of offenders under federal jurisdiction in Canada who will be serving lengthy terms of imprisonment (Solicitor General of Canada, 1984).

The fact of an increasing number of long-term offenders raises two central issues for corrections:

- What effect might very lengthy terms of imprisonment have on individuals?
- How can this growing population of long-termers be managed or dealt with most effectively?

The two issues, in one sense, seem to relate quite simply. If clear detrimental consequences of long-term imprisonment could be documented, either for offenders as individuals or the correctional system as a whole, then efforts could be made to mitigate these consequences. Unfortunately, despite the considerable attention the subject has received, research on what effects imprisonment has on individuals suggests that no simple generalizations can be made (Bukstel & Kilmann, 1980; MacKenzie & Goodstein, 1985; Sapsford, 1983; Zamble & Porporino, 1989).

On the one hand, the evidence indicates that imprisonment is not generally or uniformly devastating (Walker, 1983). No consistent relationships have been found between time served in prison and deterioration of mental state or emotional functioning, intellectual or cognitive abilities, physical condition, or social and interpersonal competence. Imprisonment, in and of itself does not seem inevitably to damage individuals. Moreover, long-term offenders as a group do not seem to show any greater potential for violence or disruption within the prison environment relative to shorter-term offenders (Campbell, Porporino & Wevrick, 1985; Flanagan, 1980; Williamson & Thomas, 1984).

On the other hand, it is also clear that long-term offenders react in particular ways to the circumstances of prolonged confinement. We know that relationships with family and friends can be severed, that particular vulnerabilities and inabilities to cope and adapt can come to the fore in the prison setting, and that the behaviour patterns and attitudes that emerge can take many forms, from deepening social and emotional withdrawal to extremes of aggression and violence (Brodsky, 1985; Flanagan, 1981; Johnson, 1987; Toch, 1975). We can state with some confidence, that long-term offenders assume distinguishable perspectives or approaches towards serving time, that these perspectives are reflected generally in behaviour, and that they are related, in consistent ways, to pre-institutional history and other individual differences (Flanagan, 1981; Toch, 1977; Zamble & Porporino, 1989).

In managing long-term offenders, therefore, it would seem reasonable to develop a range of strategies. In some ways these offenders would be dealt with similarly because of sentence length. In other ways, they could be dealt with quite differently in accordance with expected modes of adjustment and comportment during the sentence. Such a differentiated approach for managing long-term offenders represents a significant break from traditional correctional practice (Control Review Committee, 1984; Unger &

Buchanan, 1985). It implies that uniformity of treatment based on sentence length may be neither beneficial for the offender nor cost-effective for the correctional system. Rather, it suggests variation in security and programming assignments, and much more focused and structured sentence planning in using scarce resources as appropriately as possible.

Summarizing data gathered from several research projects examining long-term offenders in the Canadian federal correctional system this paper addresses the issue of what factors might be considered in differentiating long-term offenders according to security and programming requirements. It will be illustrated, in particular, that differences in the criminal history and criminal orientation of these individuals are consistently predictive of how they will react and adjust to the prison experience.

A Profile Of Long-Term Offenders In Canada

To begin, some statistics on the number and the characteristics of long-term offenders in Canada serve to place the situation in context.

Since 1980, the number of offenders serving life sentences for murder has grown 67.6%, from 978 on March 31, 1980 to 1,640 on March 31, 1990. If we include offenders serving indefinite sentences or life sentences for offenses other than murder, the numbers have grown from 1,267 to 2,095 over the decade. The number of offenders serving definite sentences of ten years or longer has also grown similarly, from 1,260 to 1,652.

As of March 31, 1990, with a total population of 13,678 federally incarcerated offenders, 15.3% were serving indefinite or life sentences, mostly for murder (361 for first degree and 1,057 for second degree), but some for other serious violent offenses. Another 12% were serving definite sentences of ten years or longer.

As might be expected, in comparison to the total federal offender population in Canada, life-sentence offenders are older and have less extensive criminal histories. Less than 7% of life-sentence offenders are 24 years of age or less, compared to 15% of all incarcerated offenders. Further, the proportion age 40 and over is about 36% compared to 19% for the total population.

Although the largest proportion of our federal offender population are serving their first federal commitment (59%), an even larger proportion of life-sentence offenders are serving their first federal term (70%).

During their term of imprisonment, it would seem from our analysis of deaths that occur in prison, that life-sentence offenders are at greater risk for both suicide and homicide. Of the total of 135 suicide deaths recorded over the ten years 1980-1989, 31 of the victims (23%) were life-sentence offenders. Similarly, of the 66 deaths by murder that were recorded, 15 of the victims (22.7%) were life-sentence offenders. Considering that life-sentence offenders constitute about 15% of the total offender population, they are clearly over-represented as victims of prison suicide or homicide.

The risk that life-sentence offenders represent upon release, on the other hand, seems no greater than that for other offenders. Between 1975/76 and 1988/89, there were 494 offenders released on parole who had been serving life-sentences for murder. A majority of these offenders remain under community supervision (75.7%). Of those who were returned, 13.8% were revoked for a new offence and 10.5% for a technical violation of release conditions. This compares favourably with the rates of revocation with a new offence or technical violation for all full parole releases of 13% and 12.4% respectively.

Differentiating Long-Term Offenders By Security Needs

Long-term offenders stand out as a special group because of the length of time they will be incarcerated. We know there is considerable diversity within this group, perhaps more so than among shorter-term offenders (Flanagan, 1981). In practice, though, there is a tendency to attend mostly to the common denominator of sentence length. Classification for security level assignments, for example, is heavily determined by length of sentence (Austin, 1983). Long-term offenders are considered routinely as maximum security risks, at least for the initial portion of their sentence.

Figure 1 shows how life-sentence homicide offenders are distributed across institutions of varying security designations. Although compared to first degree offenders, a smaller proportion of second degree homicide offenders are held in maximum security, overall a substantial proportion of life-sentence offenders are held under maximum security conditions.

Table 1 traces the institutional transfer history for a sample of life-sentence offenders that we examined to get a more complete picture of movement across security levels during a life term.¹

The term transfer data indicated that about 75% of the first degree murder offenders and 45% of the second degree, either remained in the same institution or were transferred to one of the same security level; about 13% of first degree and 33% of second degree had experienced relocation to lower security confinement; while 5% of first degree and 19% of the second degree group had both downward and upward changes in their security status.

The fact that life sentence offenders may have more incentive to escape is clearly a consideration that cannot be overlooked in arriving at custody level decisions.

When we examine important institutional behaviour indices, however, we see that such a generalized and undifferentiated control strategy may not be necessary. By targeting only some long-termers for the most restrictive security, it may be possible to minimize violence within the correctional system while reducing the strain on scarce maximum security resources.

How might long-term offenders be differentiated as to risk for institutional violence? Age, prior assaultive offence history and a variety of other factors have been shown to correlate moderately with behaviour during confinement (Chapman, 1981; Flanagan, 1983). For long-termers specifically, however, the extent of their prior criminal experience may be the most powerful predictor of how they will behave throughout their prison career.

Table 2 shows differences in the likelihood of involvement in violent institutional incidents, separating life-sentence offenders according to prior federal carceral experience (none versus one or more prior terms) and the amount of time served (early, middle, or late phase of their sentence). The figures show what proportion of long-termers in each category were involved, at some point in their sentence, in one or more violent institutional incidents.

Looking at the percentage figures by category, we see that as time served increases, so does the likelihood of involvement in violent incidents. This can be explained, quite simply, by the fact that the time at risk is increasing. As long-term offenders proceed through their sentence, an increasing proportion of any given cohort of these individuals can be expected to instigate a violent incident, get victimized by other offenders, escape or attempt to escape, or resort to self-directed violence.

Another striking feature of the data reported in Table 2, however, is the consistency of differences in degree of involvement between those offenders with or without prior federal carceral experience. In the early phase of a life term, about one third (29.2%) of those offenders with prior federal experience can be expected to instigate an incident of violence. Only about one quarter (16.0%) of those offenders without prior federal experience react in this fashion. As these offenders move into the middle and late phases of their terms, the differences maintain and those offenders with prior federal experience remain significantly at greater risk for involvement in violent incidents. For escapes and attempted escapes, the differences in the early and late phases of the term are even larger.

The bottom portion of Table 2 shows that for victimizations (i.e., assaults by other offenders) and self-directed violence, the trends are not as clear.

In terms of probability of being victimized by other offenders, an interesting pattern emerges. Not surprisingly, in the early phase of a life term, life-sentence offenders serving their first term are at

greater risk. However, we see a reversal as we move into the middle and late phases of life terms. At these stages in a life sentence, it is the recidivists who are at greater risk. One might speculate that this is related to the degree of immersion in the prison culture. Those lifers with little or no prior carceral experience may be more likely to withdraw into an approach of "doing their own time" and avoiding confrontations and conflict (Irwin, 1981).

The probabilities of involvement in self-directed violence reveal yet another pattern. In the early phase of a life term, lifers with less carceral experience seem to cope more effectively. A smaller percentage resort to self-directed violence, relative to those with more prison experience. As time passes, however, the difference disappears, perhaps reflecting that at least for a minority of lifers, it is the serving and not the anticipation of doing a life sentence that taxes coping ability.

We can conclude, then, that even a straightforward categorization according to the number of prior federal terms can be useful in differentiating long-termers as to potential for institutional violence. Other factors may be critical in suggesting who is at greatest risk for victimization or self-directed violence. In making general custody level decisions for this population, however, criminal background may be as pertinent as sentence length.

Criminal Attitudes And Adjustment To Prison Life

Prior federal carceral experience is a rough indicator of criminal orientation. More precise determination of conformity with pro-criminal norms is possible. One approach is simply to assess offenders' attitudes regarding the law, police, and other aspects of criminal justice. There is a long tradition in criminological theory and research suggesting that differences in pro-criminal sentiments among offenders relate to behaviour both while in prison and after release in the community (Andrews, Wormith & Kiessling, 1986; Goodstein, 1979; Mylonas & Reckless, 1963; Nettler, 1978). One would expect, similarly, that how long-term offenders adapt to the prison experience may vary depending on the degree of conformity with pro-criminal norms. This issue was addressed as part of a major investigation into the effects of incarceration initiated by the Research Division of the Ministry of the Solicitor General in 1983.²

A representative sample of 634 Canadian federal offenders (about 6% of the inmate population) was examined extensively through personal interviews, reviews of institutional case-file information,

staff ratings, and self-report assessments on a variety of measures of attitude, psychological functioning, and perceptions of the prison environment. Included in the survey was a fairly large sub-sample of life-sentence offenders selected according to whether they were in the early, middle, or late phases of their life term (i.e., had served from 6 months to 4 years, 4 to 8 years, or 8 years or more).

As would be expected, long-term offenders who were surveyed differed considerably in their attitudes³. Those who were younger and had a greater number of prior convictions were found to be more pro-criminal in their attitudes ($r = -.28$ and $.24$ respectively, $p < .01$). Time served was somewhat correlated with criminal orientation, with those individuals who had served more time showing less of a pro-criminal orientation ($r = .20$, $p < .05$). Curiously, however, the level of security where these offenders were housed was not at all correlated with criminal orientation ($r = .02$).

It could be argued that one should not expect any relationship between pro-criminal orientation and security level assignments; differentiation according to security level should be determined to the greatest degree by time served. However, within each of the sentence phase sub-groups, criminal orientation was also not correlated significantly with security level. For those offenders in the early phase of their life term, there was no relationship between criminal orientation and security level ($r = .07$); in the middle phase, the more pro-criminal lifers tended to be in lower security institutions ($r = -.10$); while in the late phase, where one would expect less criminally oriented lifers to be placed in lower security institutions, again no relationship emerged ($r = .05$).

Differentiation by security level was occurring. For example, older offenders in the early phase of their life term were more likely to be housed in lower security institutions ($r = -.27$). Overall, there was also some relationship between the number of disciplinary infractions in the previous year and security level assignment ($r = .20$). The point being made here, however, is that systematic differentiation on the basis of conformity with pro-criminal norms was not occurring. If differences in criminal orientation relate to likelihood of involvement in violent prison incidents, then security level assignments should consider such differences.

The fact that pro-criminal attitudes might be important to consider more generally for housing and program-related assignments is illustrated in Figure 2. Offenders in the early, middle or late phases

of their life term were categorized as either pro-social or pro-criminal in their attitudes.

The Figure shows how these offenders differed on an "environmental preference" dimension of privacy identified by Toch (1977) in his work on how inmates cope with imprisonment. Toch defines the need for privacy as indicating a "concern about social and physical overstimulation and a preference for isolation, peace and quiet".

A clear pattern of differences emerges. In the early phase of a life-term, the more pro-social lifers show a much greater need for privacy ($t(46) = 2.9$; $p. < .01$). In the middle phase of a life term, the difference disappears. Again in the late phase, however, pro-social lifers express a greater need for privacy relative to those with more pro-criminal sentiments ($t(53) 3.7$, $p. < .001$).

Table 3 shows some other relationships that were observed between degree of criminal orientation and a variety of prison adjustment measures at different phases in a life-sentence.

A number of interesting relationships are observed. In the early phase of a life term, the more pro-criminally oriented lifers tend to characterize themselves as angry or mad ($r = .36$, $p. < .05$) and tense or uptight ($r = .26$, $p. < .10$). As these types of offenders move into the middle phase of their life term, other relationships appear. Pro-criminally oriented lifers now find it generally more difficult to go to work ($r = .28$) or to get along with staff or inmates ($r = .26$, $p. < .05$).

As the end of the term approaches, other problems arise. Pro-criminally oriented lifers at this point seem to settle into a state of apathy and listlessness; they are significantly more depressed ($r = .29$) and bored ($r = .46$), and going to work each day is seen as getting considerably more difficult ($r = .39$).

Conclusion

Corrections traditionally has dealt with their long-term offender population as a special, though fairly undifferentiated group of individuals. Long-termers, and in particular, life-sentence offenders have been managed routinely, at least for the early portion of their sentence as maximum security risks. Release planning for these individuals has been typically postponed until well into the sentence. Because numbers have dictated the kinds of programs

and services that are offered, little specialized programming for long-termers has been developed.

With the number of these offenders steadily increasing and with a growing need to make more effective use of scarce resources, a uniform approach in managing these offenders is no longer sensible or practical. The diversity that characterizes this population should be considered.

Relationships reported in this paper are intended to be illustrative. Examining other indices of adjustment or reaction to the prison experience would certainly reflect other kinds of differences within long-term offender populations. One conclusion is evident, however. Long-term offenders can be differentiated in meaningful ways and approaches for managing these individuals should consider the diversity that characterizes this population.

One conclusion is evident, however. Long-term offenders react to imprisonment in different ways and approaches for managing these individuals should consider these differences.

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Endnotes

¹ The sample was made up of a random selection of life-sentence admissions for first or second degree murder between 1976 and 1986 (n = 190 first degree and 591 second degree).

² A description of the rationale, methodology, and data collection instruments for this research is available from the Research Branch, Correctional Service of Canada.

³ Categorization was based on a self-report measure of attitudes towards the law (10 items), attitudes towards the courts (8 items), and attitudes towards the police (7 items). For each sentence phase, offenders scoring above the mean were designated as pro-social and those scoring below the mean as pro-criminal.

Appendix

Table 1
*Changes In Security Level Of Homicide Offenders By
Legal Sub-Category*

	1 st Degree	2 nd Degree
Same level maintained	<u>74.7</u>	<u>45.0</u>
Upward change(s) only	6.8	2.7
Downward change(s) only	<u>13.2</u>	<u>33.5</u>
Upward and downward changes	5.3	18.8

Table 2
*Involvement In Violent Institutional Incidents For Life-
Sentence Offenders Classified By Prior Federal
Experience And Sentence Phase*

Sentence Phase (Time served)			
Type of Involvement	Early (n= 519)	Middle (n= 446)	Late (n=261)
<u>Instigator / Agressor</u>			
Prior Federal	29.2%	59.0%	70.0%
No prior Federal	16.0%	33.7%	5.4%
<u>Escape / Attempted Escape</u>			
Prior Federal	7.0%	35.3%	52.8%
No prior Federal	2.4%	19.5%	28.7%
<u>Victim</u>			
Prior Federal	5.3%	17.2%	18.5%
No prior Federal	7.1%	15.4%	15.7%
<u>Self-Directed Violence</u>			
Prior Federal	9.6%	15.5%	14.2%
No prior Federal	4.4%	9.3%	12.0%

Table 3
Correlations Between Pro-Criminal Attitudes And Prison Adjustment Factors For Life-Sentence Offenders Classified By Sentence Phase

Sentence Phase (Time Served)			
Prison Adjustment Factors	Early (n= 48)	Middle (n= 55)	Late (n=50)
Depressed	0.10	-0.05	0.39 ³
Tense / Uptight	0.26 ¹	0.06	0.10
Angry / Mad	0.36 ³	0.02	0.11
Bored	0.10	0.18	0.46 ³
Harder to go to work	0.20	0.28 ²	0.39 ³
Harder t get along with inmates	0.15	0.32 ²	0.03
Harder to get along with staff	0.05	0.26	0.16
Serious conflict with staff last month	0.18	0.29 ²	0.00

¹ p<0.10

² p< 0.05

³ p< 0.001

Figure 1
Security Levels Of Homicide Offenders By Legal Sub-Category

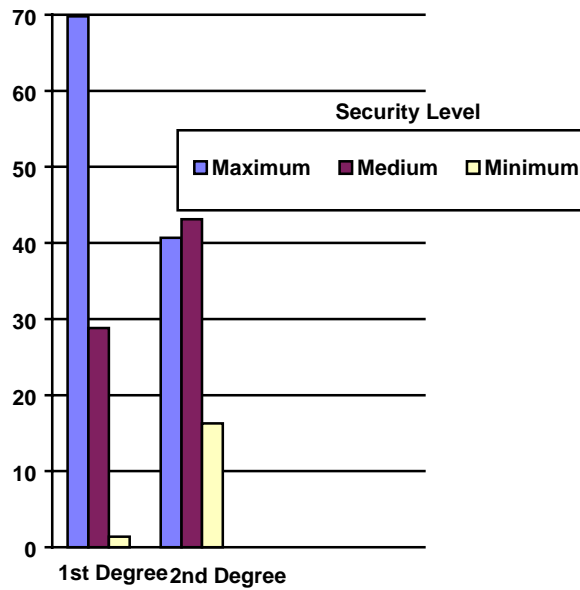


Figure 2
Privacy Needs For Stages Of Incarceration

