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What is This?

A Utopian Prison: Contradiction in Terms?

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Abstract

Given the often disquieting history of correctional institutions, we question the notion of a utopian prison and, instead, make suggestions for simply improving existing institutions. First, prisons should adopt a clear commitment to the principles of restorative justice and rehabilitation. Second, the recruitment, training, and retention of staff should be reformed so that staff members are more likely to have a high commitment to such principles. Third, the physical, social, psychological, and moral/ethical safety of the prison must be improved so that individuals can concentrate on change rather than mere survival. Fourth, the evidence supporting rehabilitative programming should be consulted, but, in addition, a more nuanced measure of success should also be considered. Finally, it is necessary to understand the barriers to improving prisons, including the vested interests that profit from the "prison-industrial complex," public opinion, and budgetary restraints. In conclusion, we argue that prisons will never be utopian, but they can be more just, more humane, and more effective as a place to change lives. Evidence suggests this is what the public wants.

Keywords

correctional policy, prison reform, treatment program

Can there ever be a utopian prison? In the height of the rehabilitative era of the 1970s, it would not have been unusual to read descriptions of American prisons that had college classes for inmates and officers alike, programming that offered everything

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from job skills to psychodrama, officers wearing sports jackets instead of quasimilitary uniforms, inmate furloughs to look for jobs before release, and prison officials who truly believed that the prisoner was there to better himself or herself. The zeitgeist of the time was that prison could be a place of hope rather than despair, improvement rather than stagnation. In contrast, some call today the "penal harm" era (Clear, 1994), and the notion of a utopian prison may seem hopelessly naive.

This article will revisit the concept of a utopian prison, including discussions of the importance of mission, staff selection and support, and programming. This review is undertaken with full appreciation of the fact that the reformers of the late 1700s and early 1800s who believed that prisons were the answer to societal problems led to the "big houses" of the 1900s-1950s (see Johnson, 2010), and the optimistic enthusiasm over the transformative power of the prison displayed in the rehabilitative era of the 1970s led to the "warehouse prisons" of today (Irwin, 2004). The authors of this article propose a modest assignment—not to argue that prisons can ever be utopian but only to cautiously illustrate that the prison of today can be better and how it might be done.

Where We Have Been

It is important to consider, at the outset, whether the adjective "utopian" should ever be used in the same sentence as prison. A dictionary definition of utopia describes it as "an ideally perfect place, especially in its social, political, and moral aspects," or "an impractical, idealistic scheme for social and political reform" (The Free Dictionary.com, 2011). Unfortunately, the second definition seems to fit perfectly as the theme of prison history.

In the beginning, penitentiaries were believed to be the model for reforming not just the errant souls inside, but, indeed, society itself. Rothman (1971) points out that crime was seen as a symptom of society's degeneration and the first prisons were designed to lead society back to perfect order. Proponents believed that prisons were the answer to the rising crime rate. Reverend James B. Finley, chaplain at an Ohio penitentiary was an enthusiastic supporter. In 1851, he wrote how prisons might be the answer to the perceived increase in social disorder:

> Could we all be put on prison fare, for the space of two or three generations, the world would ultimately be the better for it. Indeed, should society change places with the prisoners, so far as habits are concerned, taking to itself the regularity, and temperance, and sobriety of a good prison, then the grandiose goals of peace, right and Christianity would be furthered. (as cited in Rothman, 1971, pp. 84-85)

Needless to say, prisons did not live up to Reverend Finley's and other utopian dreamers' plans. They became overcrowded, corrupt, and neglected. In 1970, the American Correctional Association dusted off the principles adopted in the 1870 Prison Congress and declared them as still viable but unachieved. Just as the 1870

Prison Congress led to the emergence of reformatories, parole, and probation; the 1970s focus on rehabilitation led to work release, educational release, furloughs, and community prisons. During the optimistic decade of the 1970s, there was a belief, similar to those of the early reformers, that prison could be and would be a positive vehicle of change.[1] Once again, however, the dreams of reformers gave way to overcrowding, neglect, and corruption.

The spike in prison populations over the past 30 years has been unprecedented and, for the most part, unexplained by crime rates or any other factor, going from a rate of 93 per 100,000 in 1972 to 502 per 100,000 in 2009 (Beck, Karberg, & Harrison, 2002, p. 3; West, Sabol, & Greenman, 2010, p. 1). The current prison system overshadows education and public services as the major consumer of state revenue. Today about 1.6 million individuals are incarcerated in this nation's prisons. The so-called "prison industrial complex" has grown from 319,598 inmates in 1980 to 1,613,740 in 2009 (West et al., 2010, p. 1). About a third of felony offenders sentenced to prison are convicted of drug crimes and another third for property crimes (Rosenmerkel, Durose, & Farole, 2009). Other countries with similar property crime rates as the United States' rate choose other ways to deter and punish these offenders. The United States' total incarceration rate (which includes jails) of 756 per 100,000 can be compared with Canada's 116, the United Kingdom's 153, Germany's 89, France's 96, or Finland's 64 (International Centre for Prison Studies, 2010).

In recent years, the dramatic increases have slowed and even shown decreases in some states, although the federal prison population continues to increase. Over the past few years, there has been serious consideration of alternatives. This newfound interest in reducing prison populations is primarily due to the cost savings that might occur, with even noted conservatives echoing the theme that society must reduce the incarceration rate. Before we discuss how prisons might improve, it bears repeating that the current trend of incarceration cannot continue. Prisons are expensive and unnecessary for many prisoners.

There is also increasing evidence that prisons are ineffective. If roughly two thirds of inmates recidivate, one can hardly claim that prisons are an effective deterrent to crime in terms of both individual offenders and the general population. Although some economists have argued that there is a deterrent effect, most criminologists who study the issue either cannot find any deterrent effect, or they find that prison is criminogenic; that is, greater use of incarceration is related to higher crime rates as offenders return to the community (Cullen, 2007; Nagin, 2012; Tonry, 2012; Vieraitis, Kovandzic, & Marvell, 2007).

These macro-findings are supported by research measuring offenders' perceptions of prison as compared with other punishment options. Consistently, many offenders, especially recidivists, Blacks, men, and those who are single, prefer prison to intensive probation, restitution, or electronic monitoring (Souza & Dhami, 2010; Wood & May, 2003). This indicates that if prison has any deterrent effect at all, it is lost for those who are familiar with the prison experience. So, if not a deterrent, what exactly is the mission and purpose of prison?

Mission and Purpose

Like other utopian projects of the late 1700s and early 1800s (Yale University Beinecke Rare Book and Manuscript Library, n.d.), the first prisons were imbued with meaning and purpose tied closely to the religious beliefs of philanthropic societies and community leaders (Adamson, 1993). Founders of the penitentiary paid great attention to the purpose and meaning of disciplinary regimens and the internal organization of daily life. Details large and small were carefully weighed with an eye toward creating a plan for right living and reform. Today, organizational mission statements narrowly define the purpose of prisons as the provision of "safe and secure" custody and "accountability," and many prisons aspire to "protect the public." Purposeful statements about the value and significance of what specifically should happen behind prison walls are in short supply. Paradoxically, the United States devotes major expenditures to prisons, yet is ambivalent about what should happen inside of them. Furthermore, there is a stunning lack of research on prison life or what happens within the prison (Haney & Zimbardo, 1998; Mears, 2008; Smith & Gendreau, 2010). An important first step toward creating more just, humane, and effective prisons is to subject prisons to rigorous research and engage in systematic and thorough debate about what prison *should be like*.

Efforts to reform prisons must engage with ideas about the value and significance of incarceration. Garland (1990) makes a similar argument: "The pursuit of values such as justice, tolerance, decency, humanity, and civility should be part of any penal institution's self-consciousness—an intrinsic and constitutive aspect of its role" (p. 292). The claim that meaning and values matter finds solid support in philosophy, religion, and law, but there is also a growing body of empirical research that contributes to our understanding of how concepts such as legitimacy (Franke, Biere, & MacKenzie, 2010; Liebling, 2000; Reisig & Mesko, 2009; Tyler, 2010), meaning (Lin, 2000), and values (Liebling, 2004) affect the quality and consequences of confinement.

What ideas might give more meaning and purpose to the prison experience? Cullen, Sundt, and Wozniak (2000) suggested combining the strengths of two ideas— restorative justice and the rehabilitative ideal—to create institutions with clearer moral meaning and greater utility (for a broader discussion of restorative justice, see Braithwaite, 1999). The optimistic view is that together these ideas have the potential to provide both external legitimacy—society's interests in justice and crime prevention are served—and internal legitimacy—time spent living and working in prison is meaningful and significant.

Restorative justice is concerned with addressing and repairing the harm to victims, relationships, and the community that is caused by crime. Observers point to the desirability and need for cooperative relationships and shared purpose in prisons (Johnson, 2010; Liebling, 2004; Toch, 1997). Similarly, Maruna (2001) demonstrated the importance of "making good" in the process of desistance from crime. There are concrete examples of projects and programs currently being undertaken in prisons that are

consistent with an ethos of reparation and restoration. These include Habitat for Humanity prison partnerships (Habitat for Humanity, 2011), where inmates manufacture goods needed to build homes for low-income families, Red Cross blood drives (Ohio Department of Rehabilitation and Correction, 2009), snow-shoveling projects for senior citizens (WIBW.com, 2011), and popular service-dog training programs (Turner, 2007). By itself, restorative justice is unlikely to have a significant effect on criminal behavior because it addresses only indirectly, or not all, significant crime-related risk factors (Andrews & Bonta, 2006). Experience and research are clear in establishing that good intentions are not enough to change criminal behavior; effective rehabilitation must be rooted in a clear understanding of the causes of criminal behavior and in proven treatment modalities (Lipsey & Cullen, 2007). As Cullen (in press) argues, society must take rehabilitation seriously.

Correctional Staff

Statements regarding the mission and values of an institution are meaningless without a committed staff. The first step is recruiting quality individuals who understand the goals of the correctional organization and who believe in the importance of providing opportunities for change to offenders. It is also important for potential hires to be informed that the job is to provide a safe, secure, and humane environment, not to punish inmates. Correctional employees often have prolonged interactions with inmates and, directly or indirectly, affect the lives of these inmates, and even their success or failure upon release (Farkas, 1999; Gordon, 2006).

Once qualified individuals are hired, quality training provides people with the skills to be successful in their jobs. Research has found that perceptions of excellent training are inversely linked with job stress and positively associated with job satisfaction among correctional staff (Griffin, 2001; Lambert et al., 2009; Lambert & Paoline, 2005).

Another important component in a successful prison is to retain quality staff. Turnover (typically 20% annually) has been a problem in the field of corrections for decades (Tipton, 2002). The turnover of correctional staff creates direct costs in recruiting, testing, hiring, and training new workers, as well as the costs involved in overtime payments to existing staff to fill in for missed shifts (Lambert & Hogan, 2009a). In addition, there are the indirect costs of the loss of the expertise of the staff members who have left, including loss of social contact with inmates, use of inexperienced staff, decreased staff coverage, and lower morale (Mitchell, MacKenzie, Styve, & Gover, 2000).

Administrators should focus on correctional staff job stress, job satisfaction, and organizational commitment; not only to reduce the chances of turnover but also to improve the quality of life of staff and, ultimately, of inmates. Long-term exposure to job stress can be harmful and has been found to lead to decreased job satisfaction and burnout (Griffin, Hogan, Lambert, Tucker, & Baker, 2010; Stohr, Self, & Lovrich, 1992). In addition, job stress has been linked to decreased job satisfaction, organizational commitment, and increased turnover intent and absenteeism among correctional

staff (Lambert, Edwards, Camp, & Saylor, 2005; Lambert, Hogan, Paoline, & Baker, 2005). Job satisfaction has been observed to decrease the chances of burnout among correctional staff (Griffin et al., 2010). Job satisfaction has also been found to be positively associated with views of inmates and support for treatment of offenders (Cullen, Link, Cullen, & Wolfe, 1989; Farkas, 1999).

As with job satisfaction, organizational commitment is important for a successful prison. Organizational commitment involves the core elements of loyalty to the organization, identification with the organization (i.e., pride in the organization and internalization of the goals of the organization) and involvement in the organization (i.e., personal effort made for the sake of the organization) (Mowday, Porter, & Steers, 1982). Among correctional staff, organizational commitment has been observed to be negatively associated with turnover intent and turnover as well as with reduced staff absenteeism (Lambert & Hogan, 2009a; Stohr et al., 1992). Organizational commitment can also lead to increased organizational citizenship behaviors (i.e., engaging in compliance and altruistic work behaviors when not asked to do so or not rewarded for doing so), which benefit both coworkers and inmates (Lambert, Hogan, & Griffin, 2008). Commitment has been shown to be inversely related to support for the punishment of inmates and positively associated with support for the treatment of inmates (Lambert, Hogan, Barton, Jiang, & Baker, 2008).

Allowing staff to have a voice in the organization decreases job stress and increases job satisfaction and organizational commitment, as does practicing organizational fairness in terms of distributive justice (i.e., fair and just outcomes for staff) and procedural justice (i.e., fair and just processes to reach important outcomes for staff; Dowden & Tellier, 2004; Griffin & Hepburn, 2005; Lambert, Hogan, & Griffin, 2007). Supervisory and administrative support is important in creating a workplace where stress is reduced and job satisfaction and organizational commitment flourish (Lambert & Hogan, 2009b; Van Voorhis, Cullen, Link, & Wolfe, 1991). Finally, meaningful communication and integration (i.e., creating a feeling of belonging to the group) are critical for a work environment that is conducive to unstressed, satisfied, and committed correctional staff (Lambert, Hogan, Paoline, & Stevenson, 2008).

Correctional Programming

A primary goal of prisons is for offenders to become law-abiding, productive members of society upon their return (Cullen, Pealer, Fisher, Applegate, & Santana, 2002). Harsh and unsafe prisons are not conducive to treatment. Treatment is still a major goal of prison systems and is supported by the public (Applegate, Cullen, & Fisher, 2002; Cullen, Latessa, Burton, & Lombardo, 1993; Kim, DeValve, DeValve, & Johnson, 2003).

The "sanctuary model," developed by Bloom (1997), describes how victims of trauma must be in a situation where they feel safe to work on personal growth. This model has also been adapted for use in understanding how female inmates perceive and confront violence and victimization in prison (Owen, Wells, Pollock, & Muscat, 2008).

The sanctuary treatment model can also be helpful to review before considering correctional programming in any prison. In this model, before taking on the difficult task of confronting individual change, one must feel *physically safe* (no physical, emotional, sexual, or verbal violence in one's life), s*ocially safe* (the absence of unhealthy relationships), *psychologically safe* (the ability to withstand self-destructive impulses), and *morally/ethically safe* (where there is an ongoing ethical dialogue and search for higher meaning and purpose and where power holders do not abuse their power). It is clear that prisons do not currently provide the type of "sanctuary" that is conducive to personal growth.

Prisons cannot promise *physical safety*. Estimates indicate that about 10% to 25% of inmates are physically victimized and 1% to 40% of inmates are sexually victimized (Wolff, Shi, & Bachman, 2008). These numbers also do not include those who suffer intimidation and debilitating fear. Since the Prison Rape Elimination Act of 2003, the Bureau of Justice Statistics has presented periodic reports from sexual victimization surveys that show the relative risk of victimization across a number of prisons (Beck & Harrison, 2010). Congress created the Commission on Safety and Abuse in America's Prisons (2006), which, after a year of hearings and research, concluded that the culture of the prison needed to be changed to reduce the violence therein. Prison violence, as well as its effects, depression and anxiety, are well documented (Blevins, Listwan, Cullen, & Jonson, 2010). *Social safety* is hard to come by in prison because it is not a place where healthy relationships flourish. *Psychological safety* is missing as well. Prison is often seen as psychologically debilitating and many inmates' mental health deteriorates during a prison term (Haney, 2006). Finally, the idea that prison can be a place of *moral or ethical safety* is problematic as evidenced by scandals involving economic corruption and/or abuse of power by correctional officials (Pollock, 2011).

Liebling (2004) discusses the "moral performance" of a prison measuring such things as safety, dignity, humanity, respect, and opportunities for personal development. These elements all have to do with the relational and quality-of-life features of a prison. There is increasing evidence that indicates such concerns are not only important for an ethical prison; they may be essential to successful treatment. The concept of procedural justice (Tyler, 2006, 2010) includes the idea of the perception of legitimacy (of authorities) which comes about through fairness, participation (letting people speak), neutrality (governed by rules neutrally and consistently), being treated with dignity and respect, and trustworthiness (authorities are sincerely concerned with well-being) (Jackson, Tyler, Bradford, Taylor, & Shiner, 2010; Rottman, 2007). If legal authorities are seen as legitimate, this leads to people following decisions and law, even without monitoring, and encourages rule following. Several studies indicate that inmates' views of procedural justice lead to feelings of legitimacy of correctional authorities, while feelings of injustice seem to affect recidivism (Jackson et al., 2010; Rottman, 2007). In another study, prisoners who believed in a "just world" expressed less anger, reported greater well-being, and were less likely have problem behaviors even after controlling for criminal and personal backgrounds (Dalbert & Filke, 2007).

Thus, it appears that before any successful rehabilitative treatment can take place, the prison itself must be safe and humane and be a "just world" for both staff members and inmates.

There is a voluminous literature on "what works" that cannot be given adequate attention given the space limitations here. The claim that "nothing works" was never correct, and Martinson never said treatment in general failed to work (Cullen, 2007; Farabee, 2002). What is known is that some things work for some people but no single treatment program works for all offenders (Cullen & Gendreau, 2001; Gendreau, Goggin, Cullen, & Andrews, 2000; Lipsey & Cullen, 2007; Palmer, 1992; Pearson & Lipton, 1999). There is evidence to support conclusions about the types of programs that seem to be the most effective in reducing recidivism. Education and vocational training that are tied to postrelease job placement, cognitive behavioral therapy, and therapeutic communities with a postrelease phase have been evaluated positively (Allen, MacKenzie, & Hickman, 2001; Makarios, Steiner, & Travis, 2010; Olson, Rozhon, & Powers, 2009; Wilson, Bouffard, & MacKenzie, 2005; Wilson, Gallagher, & MacKenzie, 2000). Despite evidence that correctional programming can be effective for some offenders, the number of correctional programs has been decreasing and when states are faced with deficits, programs are cut first (Blevins et al., 2010). In addition, even without cuts, programming is generally limited in size and participation; thus, many inmates never have the opportunity to participate in treatment programs.

It should also be noted that the "what works" approach is limiting. It is important to define a successful program with broader parameters than simply counting the number of people who show up or those who recidivate. Sometimes, what is difficult to measure may be the most important thing to measure. There is increasing evidence that the prison itself (type of staff, racial composition, "measures of administrative control," level of security, and so on) affects levels of misconduct and violence—and even recidivism (controlling for other factors; Camp & Gaes, 2005; Camp, Gaes, Langan, & Saylor 2003; Gaes & Camp, 2009; Steiner, 2009). These findings indicate that society must be concerned with how the prison itself affects the individual, not just continue to refine classification and predictor tools based only on the individual inmate or to evaluate prison programs as if they were isolated from the prison experience.

Barriers to Improving Prisons

There are numerous impediments to reforming existing prisons, much less attempt to move toward a utopian prison. Some are an indirect reflection of American society, such as competing ideologies, whereas others are more direct, such as intraprison attitudes and policies, union protocol, and state politics and budgets. Arguably, there are stakeholders who may believe that they have too much to lose, both politically and economically, to accept a radically different agenda and prison system than the one currently in place.

American society has always been conflicted when it comes to issues of social welfare. Divergent political, philosophical, and moral views—often rooted in differences in class status and wealth—shape our understanding of the history of prisons and the underlying factors which produce crime. Ultimately, this leads to different segments of the population arriving at different conclusions about the purpose of punishment and ultimately prison (Ross, 2008). In particular, the vast expansion of the prison system under the most recent punishment-oriented "just deserts" model is based on a rational offender/deterrence model, wherein each is believed to have full power and control over one's choices. Blaming only the individual for his or her crime has limited dialogue on the answers of how to deal effectively with deviancy/crime because there is a lack of connectedness and compassion for the disenfranchised.

Another barrier is the concept of "less eligibility," the idea that prisoners do not "deserve" anything more than that experienced by those in the lowest social class in the free society. This pervasive concept originated in the English Poor Laws, which included the premise that paupers' treatment should be inferior to that of those working at the lowest paid job lest "men prefer idleness to labor" (Sieh, 1989). According to George Bernard Shaw, "If the prison does not underbid the slum in human misery, the slum will empty and the prison will fill" (as cited in Sieh, 1989, p. 172).

Politicians generally pursue the "get tough" approach because of a belief that the public supports it; however, studies show a consistent pattern that the public favors rehabilitative services for prisoners rather than just punishment (Cullen et al., 2002; Krisberg & Marchionna, 2006). Even in the 1980s, when policy makers pushed through incapacitation as a major goal, it overestimated public opinion toward retributive-punishment (Gottfredson & Taylor, 1985). This discrepancy should caution politicians and policy makers today to pursue less punishment-oriented policies and increase more rehabilitative services.

Another formidable barrier to effecting change in American prisons is the existence of what some have called a prison-industrial complex, starting with Quinney (1980), and built on by Christie (1994) and others (e.g., Schlosser, 1998; Sheldon, 2005; Sheldon & Brown, 2000). A vast network of public and private enterprises financially benefit from correctional supervision. This has led to an increase in the number of jails and prisons being built and operated, the rising numbers of inmates in the United States, and the political, economic, and cultural mechanisms that support it. The growth rate of privately run prisons has paralleled the growth in the incarceration rate for the past several decades. Opponents of prison privatization feared that it would lead to lobbying to influence policy decisions and increase punitive sentencing (Savas, 1987; Smith, 1993), especially for nonviolent offenders who could be most harmed by the prison experience and who might otherwise be diverted to other, less costly and possibly more effective (in terms of reducing recidivism), courses of action than incarceration.

In addition to the political clout of private prisons, correctional officer unions are large, powerful entities. About 50% to 70% of all COs are now unionized. In addition

to improving wages, benefits, and working conditions for their membership, unions have lobbied state and federal politicians and entities. For example, over the past two decades, the California Peace Officers Association has been very successful in convincing the state legislature to approve a massive correctional building program, and they have also weighed in on criminal sentencing legislation (Pollock, 2004; Ross, 2008). Generally, unions do not favor or support correctional alternatives to prison, or innovative programming in prison, acting as a hurdle for program administrators to overcome when attempting change.

Ingrained attitudes within the correctional system reflect our penchant for blame and punishment. Many attempts at rehabilitation have been thwarted by the correctional officer subculture, which promotes custody and control rather than care and treatment (Conover, 2001; Hepburn & Albonetti, 1980; Lambert, Hogan, Barton, et al., 2008). Without administrative leadership encouraging positive role modeling and a strong sense of mission, the prison becomes a human warehouse with the "keepers" socially distant and distrustful of the "kept."

Conclusion

Changes need to take place at all levels of the criminal justice system and not simply in the prison. For example, our current sentencing practices should be overhauled so that those convicted of nonviolent drug-related crimes are not sent to jail or prison. Addicts should be sent to properly run and supervised drug treatment programs. There should be alternatives to prison when parole revocations are for technical violations or minor criminal violations. Some of these changes are taking place in the United States (*New York Times*, 2011).

If not a utopian prison, a "successful" prison would have a *clear purpose and mission* that is understandable and agreed on by the stakeholders: citizens, legislators, correctional staff, and even offenders. The purpose and mission should be one of restorative justice and rehabilitation. *Correctional staff* should support and enhance the mission. Administrators should promote the conditions most conducive to positive behavior and performance by employees. *Programming* decisions should not only pay heed to the findings available in the "what works" literature but also note that programs are only one element of the prison experience and that it is important to continue our efforts to understand how other elements of the prison (i.e., violence, gangs, and security level) affect the individuals inside. Finally, there should be a concerted effort to ask and understand what the public supports because, after all, they are paying for our system of mass incarceration. Members of the public may find that the concept of a reformed prison that is not a warehouse, but rather a place of hope and change, is exactly what they want.

Declaration of Conflicting Interests

Note

1. It should also be noted that there has been a consistent group of activists and scholars who advocate prison abolition. This movement began during the 1960s in Scandinavia and expanded to the United States, Canada, Australia, and the United Kingdom (Richards et al., 2011). In 1976, Fay Honey Knopp, a Philadelphia-based Quaker and prison minister, wrote *Instead of Prison: A Handbook for Abolitionists*, which has become a quasimanifesto for the prison abolitionist movement. Since 1983, an international conference on penal abolition has been held every other year. More recently, Richards et al. (2011) argue that many of the old "big house" prisons may be closed and converted into community resource centers and correctional workers who used to work in them can be retrained to help ex-cons made the transition from prison to the community.

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