

Debunking the Myths of American Corrections: An Exploratory Analysis

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Abstract This article briefly reviews the literature on the myths of corrections and then identifies sixteen of the most prominent misrepresentations about jails, prisons, correctional workers, and convicts in the United States. It then systematically examines the reality of each. The article uses scholarly research, governmental and news reports, and personal experience of former inmates to cast doubt on many of the myths that have been developed. It argues that most of the misrepresentations about corrections can be called into question.

Introduction

Myths are statements or stories that embellish the truth. They are passed on from person to person, organizations to their members, and sometimes from generation to generation. Myths are often accepted without much regard to (or knowledge about) the evidence that challenges them. We have myths about all sorts of individuals, organizations, professions, places, processes and experiences. Myths have deep roots in folklore and culture and are often timeless.

Despite advances in both the physical and social sciences, numerous people, places and things are shrouded in myths, misconceptions, misrepresentations, and misinformation. Myths serve numerous purposes including disguising the original intent of the person or constituency who made the original communication, filling gaps in our knowledge, and convincing the public of the virtues of the mythmaker (Kappeler and Potter 2005; Bohm and Walker 2006). Perhaps nowhere is the presence of myths more noticeable than in the American criminal justice system (Pepinsky and Jesilow 1985). All branches, from the courts to law enforcement agencies, to the individuals who work and/or are monitored and processed by the criminal justice system have fallen prey to the problem of myths. Although these myths are occasionally challenged, rarely are the myths about corrections

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(i.e., convicts, correctional workers, institutions, and processes) systematically presented and analyzed.

The average person is not likely to be overly concerned with and about the field of corrections, the incarceration process, inmates, those who work in correctional facilities, and the myths surrounding these components of our criminal justice system. One of the most debilitating effects of myths, however, is that they can prevent an unbiased understanding of the problems of jails, prisons, convicts and correctional workers and hamper our ability to find meaningful solutions to the social problem of corrections. Left unexamined the misrepresentations may exacerbate the current correctional system in the United States including:

1. The overreliance on corrections as an appropriate sanction when individuals break the criminal law;
2. The glamorization of jails, prisons, and other correctional facilities as a fun and perhaps exciting places to live and/or work¹;
3. The failure to take seriously certain prison conditions including food, living situations, and violence;
4. The proclivity of correctional personnel to maintain the status quo; and,
5. The inability to properly manage the re-entry process.

The purpose of this study is to identify and analyze the most prominent myths and misrepresentations in the field of corrections. It starts by giving a brief literature review on the myths in corrections. It then outlines sixteen of the most prominent myths. Finally, the article attempts to call into question the evidence upon which these myths have been made. The reader must keep in mind that not all myths that the author identifies can be supported by research that conforms to scientifically agreed upon standards (e.g., public opinion research). However, just because this standard is not met, neither means that the myth does not exist, or nor that it can not be debunked. In other words, one can call into question the appropriateness of the myth, but may not have the suitable evidence to confront or debunk the myth.

Scholarly Literature on the Myths of Crime, Criminal Justice, and Corrections²

Analyzing the myths about corrections is not easy. In many cases, the empirical information to counter-balance the myths is contradictory, if it exists at all. Information about the myths of corrections can typically be found as single chapters in criminology/criminal justice textbooks or in scholarly journal articles for the field. For example, Kappeler and Potter (2005) devote a chapter in their book *The Mythology of Crime and Criminal Justice* to the usefulness of prisons as a deterrent to crime and criminals. Alternatively, Bohm and Walker (2006) include seven out of 27 entries dealing with myths of corrections in their edited book *Demystifying Crime and Criminal Justice*. Ross (2003, 2008) has written single chapters in two of his books that look at the importance of mythmaking in the field of corrections, why these misrepresentations are successful, and outlines the role of

¹ Many young African-American and Hispanic men believe that incarceration is an inevitable life stage that they must experience first hand.

² The identification of the myths was mainly limited to the scholarly literature. Future iterations of this work may look other cultural industries.

prominent cultural industries in introducing, promoting and sustaining the myths of corrections.

More numerous are the handful of scholarly articles on a wide array of corrections topics that deal in part with selected myths involving correctional officers (Kolfas and Toch 1982), intermediate punishments (Peterson and Palumbo 1997), where correctional institutions are built (Shichor 1992), sex in prison (Saum et al. 1995), homosexuality behind bars (Propper 1981), the effectiveness of treating female convicts (Feinman 1983), violence behind bars (Byrne and Hummer 2007), and supermax prisons (Pizarro et al. 2006). Finally, occasionally articles on the myths of corrections appear in practitioner-based publications that may focus on correctional industries (McAuley 1994), women's lives behind bars (Clowers 2001), and sexual assault of inmates (McCampbell and Layman 2001). Although the problems of myths in the field of corrections has been noted by jail and prison scholars (Lovell and Stojkovic 1987), none of the above cited works should be interpreted as the final word. No scholarly work has provided a comprehensive and systematic examination of the numerous myths. The following article consolidates these myths and reviews, including the scholarly, popular and anecdotal literature that calls into question these myths.

Method

The previously mentioned books and articles were read and a comprehensive search primarily focused on the scholarly research was conducted to identify as many myths about corrections as possible.³ Work was then consulted which tried to determine the origins of the myth and the empirical and/or anecdotal evidence which supported or contradicted the myth. The study also benefitted from the authors' previous work experience in a correctional institution, numerous visits to prison and other correctional facilities, and conversations with both inmates and correctional workers. Indeed one of the shortcomings in this area of research is the paucity of public opinion research on public attitudes towards corrections. With notable exceptions (e.g., Cullen et al. (2000) most of the research on jails and prisons avoids this kind of methodology.

The balance of this article critically examines these myths and any empirical evidence that calls their validity into question.

Findings⁴

There are sixteen prominent and interrelated myths about prisons, convicts, and correctional officers. They can be ordered into four categories dealing with everything from the quality of living conditions to the effectiveness of the criminal sanction. The most salient myths include:

³ Indeed, if the sample of research was expanded to more scholarly sources, there would probably be more myths. The author recognizes that not all myths have been identified, but this review captures the most important ones.

⁴ Three myths are ignored in this analysis. First, is "That Imprisonment is the Most Severe Form of Punishment," second is "That Prisons Can be Self-Supporting," and third is "The Focus of Community Corrections is Rehabilitation." Although these represent chapters appearing in Bohm and Walker (2006), very few other scholars mention these and thus they are ignored.

A. Quality of living conditions

- cleanliness of correctional institutions
- food quality
- the appropriateness of health care
- the presence and cost of certain amenities
- access to educational programs and recreational opportunities
- the frequency of sex and/or male rape

B. Convicts

- convicts' physical appearance
- prisoners' violent tendencies
- inmates' guilt

C. Correctional officers

- correctional officers' lack of concern for inmates

D. The effectiveness of the correctional sanction

- the effectiveness of community corrections
- the relationship between incarceration and crime rates
- the cost of jails and prisons
- the types and length of punishment for convicted criminals
- prisoners' inability to be rehabilitated
- the utility of jails and prisons as a deterrent to crime

The following section systematically examines these myths and presents information that contradicts them.

The Quality of Living Conditions

The public tends to believe that jails and prisons, as well as the living conditions within, are either too harsh or too lavish. Rarely do individuals adopt a more middle-ground perspective. The general term "prison conditions" usually refers to the living arrangements, including cleanliness, food quality, the appropriateness of health care, the presence and cost of certain amenities, access to educational and recreational opportunities, and the frequency of sex and/or rape in correctional facilities.

Cleanliness

Although the administrative corridors within prisons are most likely spotless, the cell house may be filthy. Generally, all the areas of the correctional facility in which the public has access or supervisors have offices are cleaned relentlessly. Further into the interior of correctional institutions, behind the security thresholds and into the cellblocks where the prisoners live, the hallways and cells can be dusty, musty, and dirty. The lighting and ventilation may also be poor. Exceptions to this state of affairs occur when jail and prison officials anticipate or expect an official visit of some sort (e.g., by politicians, inspection teams, accreditation members, etc.). In those situations, even when the visit is "unannounced" or a "surprise," the visit is always preceded by a mad rush to clean the areas, whereby teams of inmates are mobilized to clean the facility.

Food A considerable amount of controversy surrounds the quality of food in correctional facilities (Ross and Richards 2003: Chp. 7). Understandably, inmates' perceptions are often based on a comparison of prison food and the meals they ate on the outside before being incarcerated. Some of the firsthand stories offered by cons and correctional officers about this food seem to be exaggerated. Moreover, since there are 51 different correctional systems in the U.S. proper (i.e., Federal plus fifty States), plus jails used solely by some of the United States' territorial holdings, institutional food can vary from one correctional system to another.

Convicts frequently refer to institutional meals as "dog food," "Ken-L Rations," or "Alpo." For the most part, prisons offer similar institutional food that is found at public hospitals, schools, summer camp, or on military bases. On the extreme end of things, the best meals are often served on holidays or on days when "dignitaries" are expected to visit. On these occasions, the kitchen might prepare food of somewhat better quality. Some facilities have special dietary food lines for those who suffer from medical conditions (e.g., diabetics) or those whose religion bans the consumption of particular foods. For example, the "common fare" diet (a simple meal that doesn't contain pork, mix meat with milk products, or use utensils that have come into contact with pork—basically, a kosher diet) is often requested for prisoners of the Jewish or Muslim faith.

Rarely are strictly vegetarian or vegan meals served in prison (Ogden and Rebein 2001). Certain correctional facilities have gone as far as to integrate the local cuisine into their menu. Jail/prison food is regionalized and often provided or subcontracted to a private firm. The GEO Group (formerly Wackenhut), for example, has several regional menus that it follows in its various facilities throughout the country, allegedly to appeal to local tastes and to appease inmates. In practice, however, it has been alleged that the GEO Group serves the least expensive option. The result is that some inmates are confused by the menu and presentation of food.

Some days, however—regardless of the type of cuisine—the food is prepared, served, and thrown out after being tested by only a small number of brave inmates because it looks, smells and tastes bad. Frequently items are cooked without any proper seasoning (and inmates might be required to purchase salt/pepper from the commissary). The result is that prison/jail food is sometimes incredibly bland, and the same food items are served repeatedly and over again, with very little variety.

Occasionally, the fruit and vegetables appear to be bruised, overripe, or rotten, while the meat is often of the lowest quality (Ross and Richards 2002: Chp. 7). Typically, the least expensive food is purchased by the subcontractor correctional facility, or the DOC. So, not only is the quality poor, but fruits, vegetables, and even meat are purchased at a discount because it is bruised, bordering on stale, or otherwise unsellable in a retail environment. And if the basic food quality wasn't already bad enough, convicts routinely complain that COs are prone to mixing excrement, rodent parts, and insects into the prisoners' food—a claim that is difficult to verify (Hassine 1996/2004).

Prisoners who work in the cafeteria generally eat better food and more of it than do their fellow inmates with different work responsibilities simply because of increased access. Many also use this job detail to steal food and resell it to other inmates (Ross and Richards 2002: Chap. 7). Stolen food is often a currency in jails/prisons, used in lieu of "money" to purchase other contraband (e.g., cigarettes, drugs, etc.).

Depending on the prison system, those who are locked down in solitary confinement may receive "prison loafs," (also known as *nutraloaf*) in which the food offered for the day is ground up, placed in a baking pan, reheated, and then served. In many jails and prisons, the food is so horrific and mundane, that inmates rely on the commissary purchases to buy

food for their daily meals. Typically, inmates can order items from a commissary on a weekly basis. Inmates have developed ingenious ways to make meals out of snack items purchased from a prison commissary.

Quality of Healthcare Inmates are thought to be given above average and completely free medical and dental care that typically is denied to the less-well off in society. The truth is that there are numerous cases in which prisoners have been denied much-needed medical attention. Convicts—some with life-threatening diseases—have had their medication flushed down toilets, broken bones or detached retinas ignored for months, and given dentures that do not fit (Murphy 2003). It is difficult to accurately determine how prevalent this practice is. In some states, such as Florida, upon entry all medications are taken from the inmates for 30 days to “re-evaluate their conditions.” Often times the jail/prison medication formulary is very limited, so that inmates are not permitted access to medications prescribed prior to their incarceration (Vaughn and Carroll 1998).

Also, prescription drugs are typically dispensed according to a “pill call” schedule that is regimented and scheduled for administrative convenience. The result is that medications are often dispensed/administered at the wrong time. Predictably, this has led to serious mental problems, the deaths for some inmates, and litigation by the plaintiffs and/or their families.

Inmates often worry about catching serious and possibly fatal diseases and with good reason—correctional facilities are notoriously unhealthy places (McDonald 1999; Speed Weed 2001; Murphy 2003). History shows that, in earlier times, convicts routinely contracted cholera, yellow fever, and tuberculosis in prisons. Currently, the most common health concerns inside prisons include noise/hearing loss, lung cancer, asbestos poisoning, tuberculosis, hepatitis, MRSA, and AIDS. Prisons are typically dirty, unsanitary, overcrowded, and poorly ventilated—conditions that make it easy for many communicable diseases to quickly spread throughout the entire inmate population—and to correctional officers, and perhaps even their family members and friends.

Information about disease prevention, which could be crucial to convicts’ (and correctional officers’) health, is rarely distributed in an effective manner. “The material provided is usually in the form of pamphlets, which are usually beyond the reading level of many inmates” (Ross 2008: 74).

The prison infirmary is usually poorly staffed, and rarely are inmates taken outside the gates to a civilian hospital. Outside hospitals (or even medical specialist appointments) are highly discouraged by facility administrators, because each trip to a hospital requires staff to accompany each inmate, vehicles for transportation, etc. Often C.O.s assigned to hospital trips are on “forced overtime” status, and may “punish” an inmate needing such medical attention by withholding meals/water during such trips. Inmates rarely speak to psychologists or counselors and if they do, will more than likely be sent back to the tier when it looks like they have calmed down from anything resembling a psychological crisis. Convicts in minimum-security facilities might be taken to a hospital because ambulances can enter and exit this type of prison relatively quickly, as compared to a penitentiary, but even these extraordinary costs and measures are disfavored by prison administrators. In many correctional facilities, inmates are charged a co-payment for a visit to the infirmary, visit to the nurse, etc. This serves to discourage inmates from seeking medical attention, as the co-payment is made by deducting the amount of the fee from an inmate’s prison account (the same account an inmate uses to pay for commissary items, etc.).

The Presence and Cost of Certain Amenities

Many people believe that correctional facilities coddle prisoners (Kappeler et al. 1996: 260), especially because taxpayer dollars have been spent on country-club-like facilities with amenities such as free cable television; state-of-the-art exercise equipment (Kappeler et al. 1996: 264; Freeman 2000: 8); quality education; and medical, dental care and psychological services (McShane et al. 2006).

The country-club myth can probably be traced back to Robert James Bidinotto's article "Must Our Prisons Be Resorts?" published in the November 1994 issue of the politically conservative *Reader's Digest* magazine. Bidinotto's "Resorts" article described "Massachusetts lifers eating prime rib, of felons in Pennsylvania exercising on aerobic machines, of inmates in New Mexico enjoying conjugal relations with their wives. 'Hasn't the time come,' Bidinotto asked, 'for us to require public officials to explain why prisons need to be resorts?'" (Hallinan 2003: 102). Wright adds, "Prisons are depicted as lush country clubs where prisoners lounge around in comfort between leisurely sets of tennis and weightlifting, dining on steak and lobster, watching cable television, and leafing through pornographic magazines. An entire industry of politicians, victims' revenge groups, and law enforcement agencies are dedicated to pushing the concept of the country club prison. They have ready accomplices within most of the media" (Wright 2000: 16). The general impression was that inmates all on our hard earned tax dollars were being coddled and that they were using the opportunity to exercise, to get physically stronger and ultimately to intimidate correctional officers while behind bars as well as the public upon their release.

Bidinotto's description "was quickly echoed by politicians.... The country club myth motivated some legislatures to ban exercise equipment (e.g., weights) in prison and televisions in prison cells. In 1995, North Carolina legislators voted to ban TV sets, weight rooms, and outdoor basketball courts. Alabama, Florida, and Arizona reinstituted the chain gang.... Other states enacted equally draconian measures. In Mississippi, legislators voted to put inmates back into the striped uniforms of the 1800s" (Hallinan 2003: 103). Finally, to support the conservative approach toward prison confinement, Congress (under Representative Republican Dick Zimmer) passed *The No Frills Prison Act* in 2001 to bar such amenities as televisions and coffee pots in Federal Bureau of Prisons (FBOP) cells.

What the public forgets, however, is that although most correctional institutions have televisions, they aren't all in working condition, and those in the cell house must be shared by all inmates on that block, pod, or tier. Moreover, the available programs have to be shared by all inmates. This is not to say that what gets viewed is determined by a show of hands, because other subtle dynamics are often at play in these micro-level decisions. Alternatively, some correctional facilities allow inmates to purchase televisions (typically a relative orders one from a designated on-line retailer, for direct delivery to the jail/prison). Additionally, television sets, sports and exercise equipment are disproportionately paid out of inmate funds rather than taxpayer dollars.

Correctional experts argue that these amenities often act as pacifiers for the convicts, and the athletic equipment serves as a means of exercising that persons who would otherwise lead to a sedentary lifestyle—and so face increased risks of heart disease and other "diseases of sloth." Finally, for most inmates, particularly those who are not visited by loved ones, the only means of communication with the outside world is through correspondence. Most states have contracted with big telephone companies and charge inmates outrageous rates to call outside of the facility, in particular long-distance phone calls (Center for Constitutional Rights, no date).

Access to Educational Programs and Rehabilitative Opportunities Moreover, access to higher education, beyond a high-school GED, is nonexistent in many state correctional facilities (Taylor and Tewksbury 1998; Tregea 2003). Typically, those inmates who wish to an education beyond a GED, must do so through correspondence courses (Taylor 2002). They will need to be paid either by the convict (through their commissary account) and/or his friends or loved ones. Typically, prisons may have an education section or department that occupies a floor or wing of a building. This may include a small library and a few classrooms. It might be staffed by teachers, COs, and convict clerks, with a range of certifications, training, and ability. The utility of the program depends as much on the skills of the officers or teachers, as the determination of the individual prisoners (e.g., Fisher-Giorlando 2003; Tregea 2003). The quality of educational programs generally varies based on the security level. Most convicts are lucky to receive basic instruction that would lead to the achievement of a GED. The education programs are mostly inadequate. Very few resources (staff, space, etc.) are devoted to “inmate education.” Prison administrators rarely support higher education. Convicts taking college classes also may be subject to frequent cell searches and disciplinary transfers to administrative detention (solitary confinement) or other institutions. This disrupts their ability to regularly take classes. The *Violent Crime Control Act* (aka *the Crime Bill*) passed in 1994, during the Clinton Administration, cut off funding for postsecondary correctional education to prisoners. Up until the summer of 1995, Federal Pell Grants were available for prisoners in both state and federal prisons, as a means of paying college tuition for courses taught inside its walls or by correspondence. This benefit was not without its problems.

With respect to rehabilitative programs, many prisons have a variety of alcohol and drug treatment programs. Too often, the programs are run by staff or inmates who are unqualified. “Departments of corrections frequently encourage inmates to establish self-help programs. These are run primarily by the inmates themselves and often express ethnic and cultural goals. Self-help groups meet in the evenings and on weekends. They usually are required to have a staff sponsor and to establish governing bylaws and procedures” (Bartollas 2002: 314). Needless to say, there are many problems with drug treatment behind bars (Austin 1998). Some of the more successful methods are Alcoholics Anonymous (AA) and Narcotics Anonymous (NA). These programs, sometimes with the assistance of outside volunteers, teach and support prisoners in a “twelve-step program.” This involves both psychological and lifestyle changes. There is a certain continuity with these programs because when prisoners are released on parole, their officers may require ex-cons to attend these meetings and/or one of the conditions of parole is to attend AA/NA (Austin 1998). In fact, many individuals in AA/NA are ex-cons. Anger Management Programs, on the other hand, have been found to be of questionable utility (Terry 2002: 160–183). Once again and unfortunately, in the recent get-tough era, however, state governments have cut back funding in providing competent therapy.

The Frequency of Sex/Male Rape in Prison There is widespread belief that “rape is the most common type of sexual activity that takes place in prison and that this type of assault is a frequent occurrence” (Kappeler et al. 1996: 269). Most people who are sent to correctional facilities fear being sexually assaulted (Lockwood 1980, 1985; Rideau 1992; Human Rights Watch 2001). Media presentations, especially popular Hollywood movies (e.g., *American Me*, *American History X*, *Shawshank Redemption*, etc.), help to perpetrate the fear of sexual assault in correctional institutions by containing at least one act of homosexual rape.

Undoubtedly, there is both consensual and coerced sex in correctional facilities. In general, sexual assault within prison walls depends on a number of factors (e.g., Lockwood 1980, 1985; Nacci and Kane 1983; Tewksbury 1989), but it is less frequent than the popular media tends to portray it. The practice of sex behind bars is also complicated by male prostitution. Saum et al. (1995) reported that only 3 % of convicts ever witnessed a sexual assault and that 60 % of the respondents said they never heard of any rapes occurring during their incarceration. Nevertheless, some convicts routinely and habitually exploit others sexually. Some convicts or groups of cons try to coerce “fish” (the new arrivals), using fear, threats, and/or violence, into sexual submission. To surrender will put a fish at the mercy of the violent thugs; if they resist, however, they could be seen as challenging the rapists and thus set themselves up for possible and violent retaliation. Recent research stimulated by the passage of the *Prison Rape Elimination Act of 2003* suggests that the prison rape is very rare (approximately 4.5 % of all inmates indicate being victims) (Kaufman 2008).

Convicts⁵

Physical Appearance of Convicts/Dangerousness of Convicts

Prisoners are stereotypically viewed as intimidating, overpowering, strong, and muscular, with bodies laden with tattoos. The public tends to believe that all inmates are violent. Demographic data paint another picture; in fact, most convicts look like average people. Many inhabitants of today’s jails in particular, are homeless individuals who are unable to afford bail or to be released on their own recognizance (Austin and Irwin 2001; Miller 1996). Their bodies are weary from years of maltreatment and malnutrition.

Violence, which is endemic to most correctional facilities, has several dimensions. The most common types are psychological and physical violence, both of which abound in correctional settings (Fleisher 1989; Bottoms 1999). Psychological violence (or trauma) is one of the causes and effects of physical violence. The first affects the convicts’ mental state and often leads to cynicism, anger, depression, suicide, and resistance to authority. Physical violence affects the inmates’ bodies and eventually their minds.

Most people in prison have not actually committed violent crimes. The majority of individuals who are sentenced to correctional facilities have committed petty crimes “with no aggravating features- that is, no significant amount of money, no injury, or any other feature that would cause ordinary citizens to view the crime as particularly serious.” (Austin and Irwin 2001: 26). Nevertheless, there are several kinds of physical violence in which cons engage behind bars including assaults, disturbances, rebellions, riots, and sexual assault (Cohen et al. 1976; Fleisher 1989). Sometimes the distinctions among these types are difficult to discern because of the fluidity of the actions.

Prisoners are frequently beaten, stabbed, or killed within correctional facilities. Despite collection efforts by the U.S. Department of Justice’s Bureau of Justice Statistics (BJS), data on violence in prison is notoriously unreliable (Gibbons and de Katzenbach 2008: 25). It is generally understood, though, that the higher the correctional facility’s security level, the more potential for violence exists. The most violent convicts are young men serving long sentences. Older prisoners may be more dangerous, but they’re also more rational in

⁵ Some members of the public believe that those who are incarcerated are guilty. This may be a fruitful area for follow-up research, but I could not track down any peer reviewed articles supporting this point.

their use of violence. That is precisely why they have survived long enough to *become* older inmates (Ross and Richards 2003).

Some of the physical violence is planned; cons might carefully plot out how they will attack a fellow prisoner or CO. Most violence, however, is spontaneous, and results from some annoyance or irritation or perceived disrespect. This frustration may start with something as simple as someone stepping in front of a prisoner in a long line, or changing a television channel without “permission.” These actions are more than a bother in prison, though, they are direct challenges. The line-jumper believes (or wants to find out if) the fellow inmate can be intimidated, while the channel-changer is claiming authority over the television (and maybe even the room). If these inmates get away with their actions, they will be back another time, when they will, perhaps, up the ante.

The potential for violence inside prisons prompts one of many convicts’ biggest fears; that if they’re involved in a violent crime within prison walls, their sentence might be extended. Even once prisoners decide they can do “their own time,” (in other words, if left alone they will be able to survive just fine), situations may still arise in which they have to prove and/or defend themselves. This will inevitably put them in a position where they will commit another crime, be convicted (aka *catch another case*), extend their time behind bars, and never be released (Hassine 1996/2004).

Some COs may instigate violence among prisoners—for example, by putting two cons who hate each other together in the same cell or tier, and sitting back to watch the fireworks during an otherwise monotonous shift. Regardless of the correctional officers’ preference for or aversion to violence, most jails and prisons still experience their share of disturbances, rebellions, and riots (Useem and Kimball 1989).

Correctional officers (and administrators) need to closely monitor all forms of violence in order to respond appropriately. If they overreact, the situation may get out of control (e.g., a riot); if they ignore the activity, they may have that same riot on their hands; if they under-react, they may have that same riot on their hands. Most correctional workers, contrary to popular belief, typically want to prevent violent acts, and want prisoners to live, if only because any deaths will result in an investigation with tedious questions to answer and copious paperwork to complete. More commonly, though, correctional officers do not want to see an other human unnecessarily hurt.

Correctional Officers

The Uncaring Disposition of Correctional Officers

Many people believe that all officers are uncaring. This is called the “smug hack concept” (Kolfas and Toch 1982) and it characterizes correctional officers as a “custody-oriented ‘guard’ known for brutality, incompetence, low intelligence, indifference to human suffering, and an obsession with routine” (Freeman 2000: 6–7).

Prison staff members are not above periodically using physical violence or less-than-lethal force (e.g., pepper spray and TASER guns) against convicts (Pratt et al. 1999). COs are allowed by law to use force when life and property are in peril. Additionally, most correctional systems require their officers to be trained in and to follow the “continuum of force” model, where there is a range of appropriate, escalating responses to uncooperative or disobedient inmates (including physical presence, verbal commands, and show of force by having several officers present). In this model, resort to violence is the choice of last resort.

When officers do beat convicts, it is sometimes out of retaliation for an attack on an officer or for the instigation of work strikes, riots, or escape attempts. Occasionally, COs have been accused, engaged in, and convicted of torture (Kerness and Ekehosi 2001). Meanwhile, most correctional officers are usually careful to keep any retaliatory acts discreet to avoid witnesses and other types of proof, and—if force is used—they often rely on the idea of strength in numbers. The FBOP and most State correctional facilities, for example, have a Special Operations Response Team (SORT) or Correctional Emergency Response Team (CERT) (pejoratively referred to by inmates as the *goon squad* or “Ninja Turtles”). This group typically consists of five officers and one lieutenant who are called upon for cell extractions when inmates refuse to get out of their cells.

The more important question regarding COs and violence is: How frequently is it used and is it done in an indiscriminate manner? Unfortunately, just like with inmate-on-inmate violence, comprehensive and reliable empirical research regarding officer-on-inmate violence is not available.

Regardless perhaps, is the realization that correctional officers do not need to use violence to convince most convicts to follow orders, rules, procedures, and policies. Officers typically achieve their authority through five bases of power, the two most important of which are legitimate and informational power (Hepburn 1985).

Most COs will try to avoid being violent at the workplace. Instead, COs will rely on threats and other nonphysical indications of power. To begin with, most prisoners are typically in better physical condition than the average CO. There is also a strong likelihood that other inmates will come to the assistance of the convict being beaten, so the (unarmed) correctional officers are likely to be outnumbered and hurt, or even killed. Moreover, CO violence creates too much ill will that their victims will remember for a long time, which may lead to retaliation at a later point in time. Finally, often there is substantial official paperwork and possibly a “Use of Force” report to be completed.

Unlike the violence cons inflict on each other, most CO violence is more subtle. If they dislike an inmate, COs—either alone or in a group—may engage in several disrespectful actions. As some convicts and excons (e.g., Richards 2003) have suggested, though, not all correctional officers fall under this stereotype; some do make the effort to help convicts and to support their efforts at rehabilitation.

The Effectiveness of the Correctional Sanction

The Effectiveness of Community Corrections

Community corrections involves a variety of programs and sanctions for individuals who have been charged with or convicted of a crime, or served jail or prison time, but are still under the supervision of the criminal justice system (e.g., parole). There are numerous community corrections options, including prerelease, supervised release, probation, intermediate sanctions, parole, and mandatory release.

The problems with community corrections involve not only the agencies and officers, but also the individuals who are awaiting their trials; people who have been convicted of a crime, but sentenced to probation; inmates who are released from jail or prison on parole; and their families and loved ones. During the past decade, this community-based approach has encountered numerous problems that stem largely from repeated criticisms during the 1980s and 1990s that community-corrections programs have been too lenient and that tougher sanctions and forms of control needed to be implemented (e.g., Morris and Tonry 1990).

Several difficulties confront the modern practice of community corrections. These include: role conflict; the location of community corrections offices; rigid, bureaucratic, or inflexible supervisors; the failure to make a meaningful reduction in recidivism; high levels of work-related stress; violence by probationers and parolees against their officers/agents; overcrowded/overburdened probation and parole officers/agents; and a lack of adequate funding (Ross 2008).

The effectiveness of community corrections has been misrepresented by many constituencies with vested interests. “It has been thought that the best way to help an offender integrate into law-abiding communities is community-treatment programs. But, community-corrections programs have turned out to be feeding grounds for standard criminal justice, rather than substitutes. Once again, legal repression of crime is part of the crime problem, not a solution” (Pepinsky and Jesilow 1985: 16). One of the biggest challenges with community corrections is that most personnel operate as if they are police officers or collection agencies, with officers demanding that parolees pay for their own supervision, drug and alcohol therapy, child support, court costs, restitution, IRS payments, and rent for halfway houses. Parole officers often do not provide meaningful help, services, or employment contacts (Richards 1998).

Community corrections now stresses programs that make probationers and parolees more accountable and the public better protected (e.g., through intensive probation, electronic monitoring [EM], and house arrest) (Feeley and Simon 1992; Lucken 1998). These gains, however, have come at a cost. Probation and parole agents spend a considerable amount of their time writing reports, receiving training, going to court, attending probation and parole revocation hearings, talking with program providers, all of which take time away from actually supervising their caseload.

The Relationship Between Incarceration and Crime Rates

Notwithstanding the fact that numerous scholars have called into question the manner by which we determine the official crime. One of the most frequently cited reasons behind incarceration is the belief that by locking people up, the general crime rate will go down. Mickalowski (2006) does a great job in explaining how “annual increases in punishment were often associated with decreases in crime, and at other times with increases in crime. From a statistical standpoint, annual changes in rates of imprisonment show only a weak correlation with annual changes in rates of violent crime” (pp. 180–181).

Cost of Jails and Prisons

Many individuals mistakenly believe that incarceration is expensive because of the free amenities that are provided to inmates (Kappeler et al. 264). A complimentary myth is that the costs of building and operating correctional facilities would be lessened through privatization (Blakely and Smykla 2006). Although the construction of prisons is expensive, by comparison, little money is spent on inmate resources such as education, vocational services, recreation, or health care. Although staff salaries and benefits are relatively high—in part to attract workers to a tough, and potentially deadly, job—it is rarely the provision of amenities to prisoners that leads to escalating costs.

It costs American taxpayers approximately \$34.5 billion annually to incarcerate convicts. More specifically, in 2011, the Federal Bureau of Prisons (FBOP) had a budget close to \$6,185.4 million (<http://www.justice.gov/jmd/2012summary/pdf/fy12-bop-bud-summary.pdf>). And in 2001 (the latest figures available), “States spent \$29.5 billion for

prisons” (Stephan 2004). Moreover, “State correctional expenditures increased 145 % in 2001 constant dollars from \$15.6 billion in FY 1986 to \$38.2 billion in FY 2001; prison expenditures increased 150 % from \$11.7 billion to \$29.5 billion” (Stephan 2004).

Contrast these amounts with our expenditures to fight the “war on drugs.” For example, in 2007, the Office of the National Drug Control Policy (ONDCP) (the coordinating body that guides and monitors the federal government’s response to illegal drug use, cultivation, manufacture, and trafficking) received \$18.5 billion to fight ‘the war on drugs.’ This amount excludes the separate drug war costs above, those involving imprisonment of drug offenders.

Although figures vary between the States and the federal system, it costs an average of \$22,600 each year to house and maintain State prisoners and \$22,632 to provide the same function to inmates in the FBOP (Stephan 2004). Still, inmates, correctional officers, wardens, and other correctional professionals are quick to admit that their field is seriously underfunded and that the effects are significant: overcrowding; the premature release of prisoners who are unsuitable for the community; the continuous retrofitting of old institutions; the lack of qualified employees and proper training; and a constant shortage of funds for necessities such as the renovation of old facilities, construction of new prisons, and, perhaps most importantly, development of rehabilitative programs to keep inmates busy and to prepare ex-inmates to stay ex-inmates, after release.

As a result of the passage of the *Violent Crime Control and Law Enforcement Act of 1994*, American jails and prisons received a temporary increase in funding. This additional support arrived in the form of grants from the federal government “to construct, develop, expand, modify, operate, or improve correctional facilities, including boot camp facilities and other alternative correctional institutions that can free conventional prison space for the confinement of violent prisoners, to ensure that prison cell space is available for the confinement of violent inmates and to implement truth in sentencing laws for sentencing violent offenders.”

Beginning with the George W. Bush presidency in January 2001, however, tax revenues from local, state, and the federal government were diverted to other pressing items. Especially in the wake of September 11, governments at all levels have directed a disproportionate amount of their public-safety budgets to law enforcement and have cut back on courts and corrections expenses. Moreover, politicians who don’t want to appear “soft on crime” refrain from increasing the budget for corrections.

The familiar refrain of “corrections must do more with less” is frequently repeated in the legislatures and on the cellblocks and tiers. This policy, called *fiscal conservatism*, is “to be achieved through the development and implementation of cost-minimization strategies... [including] cost containment, controlling building costs, land revenue enhancement) designed to reduce the public tax burden. The increasingly important component of fiscal conservatism is the privatization of correctional services traditionally provided by government” (Freeman 1999: 108). Regardless, although the purchase of land and expenses incurred in maintaining the physical plant of correctional facilities is high, the biggest expenditure—as with most businesses—is personnel.

Over the past two decades, expenditures for the corrections industry have increased. This is largely due to a much larger population of prisoners, occasioned by changes in previously mentioned sentencing laws and practices (e.g., “three strikes you’re out,” truth in sentencing, and the abolition of parole in several States and in the federal system). Other increased costs have been incurred by “building out” (i.e., expansion) or by the construction of new facilities. Finally, the number of convicts with special needs is growing; this includes older inmates (people with longer sentences are aging inside prison), female

inmates who have more special needs than their male counterparts, drug-dependent inmates who need special programming, gang members who need more secure housing, and inmates with medical (i.e., AIDS, TB, hepatitis) and mental health issues who may need expensive treatment.

In order to deal with significant crowding issues and its economic costs, most departments of corrections (DOCs) and the FBOP have taken at least one of three approaches: front-end, back-end, or increasing the capacity of facilities (Freeman 1999: Chap. 4). The first strategy usually consists of reducing the number of prisoners entering jails and prisons. The second option involves releasing prisoners from correctional institutions earlier than their initial sentence allowed or using legislative caps on prisoner populations in facilities. Lastly, and the most preferred option of many states has been for their DOCs to have increased the size of their facilities or have found other ways to house more inmates into the correctional facilities they currently run by being creative with the existing space (e.g., tents, mobile homes, converting gyms into dormitories, or even just stacking four or five inmates in a cell designed for two). However, in the recent financial crisis (2008–2009) some states (e.g., Michigan and California) are being forced to close facilities and release inmates earlier than scheduled due to extreme/dire state budget constraints. The reality is that the warehousing of prisoners in this country has led to the collapse of state budgets.

The Kind/amount of Punishment that Convicts Receive

Dating as far back as the philosopher and statesmen Jeremy Bentham (1748–1823), there has been a widely held belief that the punishment should fit the crime. In other words, the kind and duration of punishment should be as harsh or significant as the crime committed. However, “When crime becomes prevalent, popular consensus on how much harm a crime entails is impossible to achieve.” (Pepinsky and Jesilow 1985: 16). According to Kappeler, Blumberg, and Potter, “Equity of punishment for similar crimes is one fertile area for myths about corrections” (p. 258). Empirical research has largely disproved this assumption; the academic discussion about racial disparity in sentencing highlights this question. Moreover, racially balanced sentencing does not correct the problem of unequal sentencing practices.

Closely connected to this point is the fact that some individuals, especially legislators, believe that mandatory minimum sentences for drug dealers will deter these kinds of criminal offenses. These types of sentences however, too often target low-level drug users instead of the more serious criminals for whom they were designed. At least under Federal criminal law, only those drug dealers with information to give police—typically middle managers and kingpins, rather than easily replaced street-level dealers—can get relief from mandatory prison sentences with a Government motion. Thus, some professionals suggest, Federal prosecutors seek the longest sentences against those with the most responsibility in a drug operation, and the best chance for rehabilitation (if it was offered). Not only are these sentences ineffective because they don’t achieve their intended goals, then, but they are also interpreted very broadly.

There is also a general belief among the public that our prisons “do not punish prisoners severely enough. Institutions are perceived as places where individuals leisurely pass their time” watching television, reading, exercising, and otherwise just hanging out, “oblivious to the responsibilities that persons on the outside are forced to meet” (Kappeler et al. 1996: 264). Needless to say, those paying just minimal attention to prison documentaries on cable stations like Arts and Entertainment Network (A&E) or Tru TV (former Court TV) will gain a very different perspective. Moreover, only the most sociopathic inmates—a minute

minority indeed—serve their sentences without suffering extreme guilt for the suffering they cause the families and others they have left behind, to survive alone (provided, of course, there is any family left behind).

Prisoners Cannot be Rehabilitated

There is a belief that “prisoners are incorrigible and unworthy of the rights enjoyed by the rest of us” (Kappeler et al. 1996: 266). This perception is largely derived from selected stories about ex-cons who, when out on bail, probation, and parole, return to a life of crime. This partial reality is buttressed by the media’s focus on extreme cases (Cullen and Smith 2006).

Largely motivated by the 1971 Attica riot, some scholars have focused a considerable amount of attention on figuring out how to improve corrections. One of the most infamous pieces of research was the 1974 report popularly credited to Robert Martinson titled “What Works?—Questions and Answers about Prison Reform.” In short, he concluded that “with few and isolated exceptions,” the rehabilitative programs “had no appreciable effect” on recidivism (i.e., re-offense after release). If you closely look at the longer study, he was really saying that across categories of intervention (e.g., counseling and probation) no modality seemed to work reliably (more often than not). Nevertheless, most people have interpreted Martinson to mean that absolutely nothing worked to rehabilitate convicts, to prevent them from relapsing into their old criminal ways.

Although scholars (e.g., Palmer 1975) criticized Martinson by noting that 48 % of the studies with recidivism data in Martinson’s study showed positive treatment effects, Martinson’s findings were welcomed by conservatives at the time who thought they had finally found a semi-respectable scholar to support their claims and efforts.

Even though Martinson later recanted his position (1979) by then, “few people wanted to listen. The movement away from rehabilitation and toward increased punishment was supported by Martinson’s original article. Conservative politicians and academics had pounced on the article and used it to bolster arguments for longer and more punitive sentences” (Hallinan 2003: 36). This occurred despite the accumulation of good science on rehabilitation (Cullen and Gendreau 1989, 2000; Andrews and Bonta 2006).

Nevertheless, most Americans and some correctional practitioners do support the idea of rehabilitation (Flanagan and Caulfield 1984; Cullen et al. 1988; Cullen and Gendreau 1989, 2000; Cullen et al. 2000; Kifer et al. 2003). More specifically, these parties usually advocate most strongly for the rehabilitation of juveniles and less so for violent adult inmates. In general, Americans support both treatment and punishment—they do not see these as irreconcilable approaches to convicted criminals. Finally, we now have a growing body of knowledge on what works with convicts (mainly cognitive-behavioral programs with high-risk convicts, preferably delivered in the community and followed up with aftercare and employment). How one implements these programs is, of course, another story. Regardless of how we tinker with the programs, correctional settings are typically suboptimal environments for inmates’ rehabilitation.

Within jails and prisons, the emphasis is disproportionately on punishment, with an assumed external benefit of improved community safety. Although there are “responsivity” issues (meaning that individuals react differently to how treatment is given to them), there is growing evidence, as previously noted, that most prisoners are generally amenable to cognitive-behavioral interventions. Low-risk inmates, on the other hand, don’t require this type of intervention, and existing assessment instruments are effective at identifying inmates as such.

Meanwhile, well-meaning individuals and organizations periodically gain access to prisons and, with the blessing of the warden, senior correctional personnel, or the DOC, manage to implement their “rehabilitative” programs. Unfortunately, this “correctional quackery” often suffers from poor science. Their beneficial claims are typically made based on anecdotal rather than empirical evidence. It is also difficult for advocates to compare the advantages of their experiment/s to other programs that can be introduced. For example, how do these skills and experiences they respectively teach or expose inmates to transfer to something that is tangibly useful on the outside? (Latessa et al. 2002). Understandably, “Some rehabilitation programs work better than others, but no program works all the time—or even most of the time. The best success rate for the best programs is only about 20 %, and even this figure can be misleading. Different programs measure ‘success’ in different ways” (Hallinan 2003: 133).

For some researchers, “success is defined as a complete halt to criminal activity—in other words, the inmate, after being released, never again has a brush with the law. For others, an inmate may be considered rehabilitated if the ‘rate’ of criminal activity declines: He may be rearrested (or reconvicted or reimprisoned) and still be considered ‘rehabilitated’ so long as he is not rearrested as often as he might have been had he not participated in the rehabilitation program. The consensus is that programs that work best tend to be those that teach so-called ‘life skills’ like balancing a checkbook and those that stress family involvement” (Hallinan 2003:133).

Jails and Prisons Deter Criminals

Most people believe that only imprisonment can serve as a deterrent and effectively punish individuals who have committed crimes (Kappeler et al. 1996: 262; Michalowski 2006). Likewise, despite the public’s belief that crime rates will drop if we lengthen convicts’ sentences, this perception is not supported by empirical data. Although prisoners (because they are incarcerated) are frustrated in their attempts to commit crimes in the so-called free world, the threat of stiffer penalties rarely prevents individuals from committing future crimes. Many people are at point where they do not care about the potential sanction they might receive (i.e., jail or prison) if they break the law, or they’re convinced that they won’t be caught.

In fact, we know from the testimonials of individuals sentenced to community corrections (i.e., probation and parole) that jails and prisons are not the only effective crime deterrent. Community corrections, for some excons, can be just as punitive as a jail cell, to the point that some inmates who are released on to parole request to go back to prison to serve out the rest of their time. People and organizations that are trying to reform the correctional system support the idea of rehabilitation based on programs, education, or other alternatives rather than long periods of incarceration. “When the pollster Lou Harris surveyed Americans in 1970, his company found that 73 % of them thought the primary purpose of prison should be rehabilitation. By 1995, only 26 % did. By comparison 58 % of those questioned in 1995 felt prisons were there to punish” (Hallinan 2003: xiv).

Conclusion

This rendering of the myths and reality of corrections in America should be helpful to those who care about our communities, criminal justice policies and agencies and where our tax dollars are being spent. It clarified, contextualized and in many cases contradicted populist

and pundit characterizations (and misunderstandings) and arguments about jails, prisons, community corrections, convicts and correctional workers. Although the myths themselves deserve special attention, equally important is an understanding of how the myths are created. This is a subject better addressed in by further research. Understanding the myths should help pave the way to meaningful attempts at reform in correctional system in the United States.

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