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# Prisoners and Punishment

Curriculum Unit 80.06.05
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> "In the year two thousand, in my judgment, the prison system will increasingly be valued, and used, as a laboratory and workshop for social change."
> —James V. Bennett, in *I Chose Prison*
> "About all this—the causes of crime—we need more information, more research, more experimental data. Even our present prisons, bad as many of them are, could be extensively used as laboratories for the study of many of the unsolved problems."
> —Dr. Karl Menninger, in *The Crime of Punishment*

## *Introduction*

I share Dr. Menninger's belief that no study of the causes of crime is valid without an investigation into what our government calls its "correctional system." Many questions will be posed in this curriculum unit; some have answers but many do not. The reader will be challenged to reach a position on prisons which lies somewhere between "jail-them-all" and "free-them-all." The experts certainly disagree on solutions; so can we.

This four-week unit plan is intended to be used as part of a larger course on the criminal justice system taught to ninth-grade students at Lee High School. Therefore it will be assumed that the student has already gained some knowledge of crimes, arrest procedures, and police and courtroom procedures prior to the teaching of this four-week segment. To understand the operations of the prison system, the student should have at least an overview of the relationships, often strained, between the police, the prosecution, the courts and the corrections network.

I. *Goals for the Unit*

The obvious question to consider is this: What happens, or may happen, to the convicted criminal if he or she is sentenced to prison. The student will discover that in addition to the traditional jails, prisons and reformatories, there exist non-traditional facilities such as halfway houses and detention homes.

A. *Teacher Questions*

The following is a list of teacher-composed questions with which this unit will attempt to grapple:

1. Have there always been prisons?
2. Why do prisons exist?
3. What is the history of prisons? of prison reform?
4. How can the effectiveness of prisons be measured?
5. What costs are involved in operation and management of prisons?
6. Is rehabilitation of prisoners possible?
7. What short- or long-range effects do prisons have on prisoners?
8. Does the prison experience help reduce the numbers of crimes committed?
9. What effect does prison design have on prisoners' attitudes?
10. How can prisons and the prison system be improved?

B. *Student Questions*

Any teaching unit must include available space for students' questions as well. A sample follows:

1. Once you're found guilty, what are the chances of getting a prison sentence?
2. What is the difference between adult and juvenile corrections?
3. Do inmates have rights?
4. Why do riots happen in prison?
5. What are the different "styles" of prisons—how are prisons run?
6. How can a prisoner get time shortened?
7. What about violence in prison?
8. Why are there separate men's and women's prisons?
9. What is a guard's job like?
10. Are there men and women guards in prisons?

The above questions should help to focus the student's attention on the purposes of prisons and the functioning of prisons on a day-to-day-basis.

C. *Core Concepts*

The student will be expected to be able to utilize certain vocabulary words which will be stressed in the teaching unit:

| | |
|---|---|
| Auburn system/Pennsylvania system | isolation cell |
| capital punishment | jail (goal) |
| cell/cellblock | offender |
| community-based corrections | open ward |
| confinement | *parens patriae* |
| corporal punishment | parole |
| corrections/corrections facility | penal system |
| dayroom | penitentiary |
| detention | prerelease center |
| | prison/prisoner |
| | probation |

| | |
|---|---|
| detention home | recidivism |
| drunk tank | reformatory |
| “good” time | rehabilitation |
| halfway house | reintegration (of prisoners) |
| “hole” | solitary confinement |
| incarceration | warden |
| indeterminate sentence | workhouse |
| inmate/convict/criminal offender | work release programs |

Most of these above concepts will be referred to frequently within the unit in order to maximize retention and promote familiarity.

D. *Behavioral Objectives*

Over the four-week period of study, the student will be expected to participate in: at least one class presentation (roleplay, debate, oral report); one small group project with other class members; one interview or opinion survey on the topic of prisons. Also, class members will be expected to maintain an orderly folder containing all assignments and hand in a booklet or report researching some aspect of prisons or prison life. There will be many opportunities for students to become involved in this subject through a variety of classroom activities and assignments.

E. *Learning Objectives*

The student should be able, by the end of this course, to differentiate between the operation and goals of jails, reformatories and penitentiaries; also to state advantages and disadvantages of the various prison facilities, traditional and non-traditional. Hopefully, he or she will begin to separate fact about prisons from opinion about prisons; to distinguish short- and long-range goals; to identify an hypothesis and test its strengths and weaknesses. In short, the teacher is urged to stimulate the students’ thinking process such that skills learned may be transferred and used beyond this month-long unit. This unit is designed to encourage both teacher and student to explore new and exciting ways to practice learning skills in both the affective and cognitive areas. Suggested class activities contained in this teaching plan are intended to promote discussion of issues which demand a response: issues such as human freedom, public safety, human rights and privileges, human behavior modification, and whether or not prisons are capable of meeting needs they were designed to meet. Are prisons in our country, as most experts claim, a collossal failure? If so, what are the implications for other social and educational institutions in America?

II. *Unit Summary*

A. *Week One*

*Week One* will include a brief overview of prisons historically, moving from some of the Puritan practices (stocks and pillories) to the early nineteenth-century penitentiaries, and then to the late nineteenth century reformatories. During the first five days we will explore differences between jails (from the English “goals” in the 1600’s) and prisons; the former having been built for the purpose of pre-trial detention and the latter for punitive reasons. One of the valid questions raised by conditions in English prisons is: “Should prisoners be segregated? If so, using what criteria?” Good descriptions of conditions can be found in books by William G. Nagel and Leonard Orland. Students will be invited to discuss the merits and demerits of corporal punishment as practiced by the early Puritans (as well as the concept of “public” versus “private” punishment). Here it is worthwhile to point out an important aspect of the Puritan attitude toward treatment of crime: offenses against the community were treated as offenses against God Himself. Sin, the Bible teaches, must be atoned for, and the Puritans upheld strictly the standard of *lex talionis* (“an eye for an eye”). Prevailing Calvinist doctrine focused on man’s sinful state and held up little

hope of altering or reforming unregenerate man without a Christian conversion experience. From the Puritan perspective prisons were not only expensive, they were futile. In most cases, criminals and paupers ("idlers") were banished from own town to another, the image of an open frontier relieving the townspeople of their undesirables and of their share of guilt in the matter.

Week one will also include a look at the Philadelphia Quakers, attempts to reform criminals by establishing the world's first penitentiary system. Students will be encouraged to imagine the total isolation experience imposed upon the prisoner so that the inmate might (1) read Scriptures as an encouragement to personal repentance; (2) work at a work-bench; and (3) exercise in complete solitude. Students should be aware of the debate over the "Pennsylvania system," created in 1829 by the Pennsylvania legislature, which made individual prisoner isolation into state penal policy. A rival system, the "Auburn system" (or "New York system") was created with the erection of the Auburn State Prison in 1819. The differences (outlined in Nagel, pages 7-9) are worth considering, as are the assumptions which governed the policies of the penitentiary-prison. These assumptions underpin an argument that runs as follows:

1. The cause of the crime lies in the individual offender;
2. The individual offender should be punished for his acts;
3. The individual offender's behavior can be modified;
4. isolated institutions are necessary to change the behavior and attitudes of an individual offender. (Nagel, page 10)

Despite the disagreement of criminologists and penologists, the principle of isolation has persisted until today and "still constitutes the central mode of institutional control of prison inmates in the mid-twentieth century." (Orland, *Prisons* , page 25) Students should be asked: Does isolation bring reform or does it just punish?

The emergence of the nineteenth-century reformatory was, in a sense, a response to the above question. It was based on a new hypothesis that better prison programs would allow prisoners to "reform" themselves. The reformatory operated on the assumption that offenders would be socially redeemed by the experience of eliciting good behavior. The indeterminate sentence, of no fixed duration, was instituted, allowing prison officials to shorten or lengthen incarceration time based on positive or negative inmate performance. Goals were admirable: (1) education and vocational training for the prisoner; (2) indeterminate sentencing to allow early parole release. Given these good intentions, the failure of the reformatory movement should provide an interesting topic for classroom discussion. (For a description of that failure, see Clare and Kramer, pages 77-79; Orland, pages 32-33; Caldwell, page 517).

In the twentieth century, we see the development of Federal reforms and new prison models, expansion of state prison systems, and expansion of prison work projects. (See Clare and Kramer, pages 83-88; Caldwell, pages 626-629; Barnes and Teeters, pages 223-226.)

Also, we will consider the concept of rehabilitation an emerging twentieth-century concept. Today there are many advocates of rehabilitation (one definition being: where "an offender... successfully adjusts to community life and refrains from engaging in further criminal activities;" Clare and Kramer, page 90). The pro-rehabilitation experts point to an increase in therapy, recreational and educational programs in American prisons with pride, claiming that the results are encouraging. Questions to consider here are: What difference do probation and parole make? What difference does segregation of prisoners make? Which prisoners will emerge as useful, productive citizens? What positive results does the prison system claim to be producing?

In concluding this history of the correctional system, the students should be made aware of the five major goals of modern prisons:

Goal 1: Punishment of the offender whereby society repays the offender for his act of offense;
Goal 2: Deterrence effect, to prevent criminals from committing crimes;
Goal 3: Quarantine or removal of criminals from society in order to protect society from the criminal;
Goal 4: Rehabilitation of a criminal's behavior into acceptable patterns;
Goal 5: Reintegration of a convict back into society where he can "fit in" and become a productive person.
Upon reflection of each of these fundamental goals (summarized from Nagel, pages 12 and 13), the teacher should direct students to critically evaluate to what extent these goals are being realized, and what it is that may be hampering the fulfillment of these goals for prisons.
B. *Weeks Two through Four*
*Week Two* begins by exploring the question, "What is Prison Like?" We will explore this question from the prisoner's point of view and then the administrator's. Excerpts from *An Eye for an Eye* , *Soul on Ice* , and *Soledad Brother* provide an excellent summary of what prison entry is like, what restrictions are placed on prisoners (e. g., mail censorship), what boredom and fear are experienced there. Having discussed those sources we will then visit some of the "non-traditional" forms of incarceration experience: e. g., the half-way house, the detention home, and community-based facilities. Again, we shall approach these places from the viewpoint of the inmate and those in charge.
*Week Three* will concentrate on gathering information for the students' prison projects and working in small groups. Students will see slides of the various exterior and interior designs of prisons. A filmstrip or movie will be shown. Guest speakers will address the question of jail-corrections methods and goals. Daily assignments will be given to prepare the students for the culminating activity of the unit: creation of a model corrections system for the greater New Haven area.
*Week Four* will be spent primarily in roleplay and debate situations, a simulation game, and student oral reports. Students will be asked to evaluate one of several quotations about prisons: their goals, their functions, their operating principles and theories, and their methods. Students will be challenged with the following statement by scholar and penologist Frank Tannenbaum: 'We must destroy the prison, root and branch. This will not solve our problem, but it will be a good beginning.... Let us substitute something. Almost anything will be an improvement. It cannot be worse. It cannot be more brutal and more useless.' (quoted in Nagel, page 148)
Another interesting idea about the public's need to do something about the generally deplorable condition of our nation's prisons is one promoted by prison researcher Jessica Mitford in her important work, *Kind and Usual Punishment* . She attempts to prick our consciences with the following:
Those on the outside do not like to think of wardens and guards as our surrogates. Yet they are, and they are intimately locked in a deadly embrace with their human captives behind the prison walls. By extension so are we. A terrible double meaning is thus imparted to the original question of human ethics: Am I my brother's keeper? (page 297)
What are the solutions to the problems posed by society's practice of incarcerating people for offenses against its members? Can we learn from past failures or are we, like criminals, bound to repeat them? By utilizing history, imagination and some common sense, the student of prisons will at least be able to arrive at some tentative answers to these questions and begin to construct a model of corrections that begins to make sense to him or her.
III. *Sample Lesson Plans*

The following three lessons that follow are intended to provide the student-teacher of prison issues with some practical models of instruction.

A. *Lesson One* "Corporal, Capital or Prison Punishment?"

(A Role Play)

***Objective***

1. To involve students in the historical debate over capital punishment versus imprisonment for capital crimes;
2. To introduce the notion of reform: of replacing punishment (corporal punishment) with penitence, in this case;
3. To challenge students to express opinions (not necessarily their own) and support them with logic and reasoning;
4. To understand the far-reaching effects a relatively small but influential number of people (the Philadelphia Society for Alleviating the Miseries of Public Prisoners, organized in 1787) can have on the process of history.

***Procedures***

1. Students have already been given information about corporal and capital punishment through our lesson on the Puritans. Each student has been given an assignment the previous day quoting from various Enlightenment and Calvinist thinkers of the eighteenth century.
2. Students are handed either a "Role Card" or a "Quote Card" depending on the number of students in the class. "Role Card" holders will be expected to testify before the Pennsylvania legislative committee investigating the feasibility of setting up a proposed penitentiary in Philadelphia. "Quote Card" holders may ask questions or offer comments during the hearing.

*Sample Role Card* : "CARD A"

***Instructions*** Your name is Bishop Ebenezer Bush, an Episcopalian priest. You believe that people are made in God's image and therefore reject the idea that people should have their hands cut off for stealing a pig, or their tongues burned for gossipping. There have to be other ways of handling such offenses... You do believe in punishment, but feel that present methods are too extreme. Below, in the space on this card, write down what you recommend for punishment of the following crimes:

1. stealing (under $50 value, a misdemeanor)
2. stealing (over $50 value, a felony)
3. assault and battery—
4. attempted murder—
5. spreading false rumors—

*React to the statement:* "Moderate punishments strictly enforced are better than extreme punishments. The important thing is that the potential criminal knows he must pay for his crime."

*Sample Quote Card* : "CARD B"

***Instructions*** The following quotations are for you to study. After reading them all, write out your reaction to any one of them and state why you agree or disagree with it.

1. "Man is basically a sinner. Any made-made efforts to change this fact cannot work. The only real life-change comes from an acceptance of God's plan of salvation. A willing sinner doesn't want to change and prison for him won't make a bit of difference."
2. Don't let the criminal go free. Lock him up, shut him up so that the rest of us can be safe. Time in jail is bound to affect him so that he won't want to commit crimes again.
3. Put the convict in the community, working by day and in a cell by night. That way, what he earns can pay for the costs of his being locked up. Also, something can be set aside for him when

he gets out so he'll have something to begin a new life with.
4. Keep the old ways of bodily punishment the ways they are. If you cut off a man's hand for stealing, he won't steal with that hand again, that's for sure. The punishment should fit the crime.
5. Let the convicted criminal be isolated in his own cell and allow him the time to think about himself, his crimes and his need for personal reform. Give him no contact with the outside world so that he has complete aloneness. This will certainly make him see the error of his ways and we won't be handicapping his body from corporal punishment.
*Further follow-up* . After class discussion and sharing of ideas about the various alternatives to capital and corporal punishment, the teacher should hand out information about Philadelphia's Walnut Street Jail and its program of solitude and forced bench labor, our nation's first "penitentiary." (See Orland, *Prisons* , pages 21-29; Nagel, *Red Barn* , pages 141-144.) Homework might include two quotations about solitary confinement, one supporting it and one criticizing it. Have students take a stand and give reasons for their position.
B. *Lesson Two* "Prison Design: Can a Plan Affect a Man?" (Week Three)

***Objectives***

1. To involve students in the prison planning process by observing the different reasons for variation in prison design;
2. To encourage students to think about the effects environment can have on a person's attitude and behavior;
3. To challenge students to think through problem-solving techniques and plan solutions to given problems in creative and logical ways;
4. To prepare students for a "model-prison" building assignment;
5. To familiarize students with the variety of building plans: their advantages and disadvantages.

***Procedures***

1. Students have already been exposed to the traditional prison facility and some of the community-based alternatives. They will be given the freedom to adapt and incorporate any ideas and information in formulating their final project.
2. Students have been assigned to draw or describe the "modern jail." After discussing these together, they will be given a ditto sheet which describes the slides they will see in class. (below, Appendix A)
3. After the slides are shown, the ditto sheet will be reviewed and corrected. A brief discussion of security design will follow, if time permits.

*Further Follow-up.* When showing slides, the teacher should elicit student questions and other response. They should be encouraged to make comparisons between one type of design and another. Questions such as, "Why do you think this prison was designed this way?" and "What effects would this design have on the prisoners and guards?" "How might a person feel about living here or working here?"

***Conclusion*** The culminating activity of this teaching unit is for the students to "design" a prison network that would meet the correctional needs of the greater New Haven area. This project will force the student to synthesize much of the information in the course and attempt to apply it to solve a "real problem." Secondly, it will force him or her to come to grips with the many problems (design, size, and location) planners face, and also familiarize the student with the many services (dining, recreation, staff, religion, education, vocation) that modern prisons attempt to provide their clients.

## APPENDIX A: DESIGNS OR PRISONS

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*Instructions:* The slides you are about to see are pictures of prisons. As you watch each slide write:

"E" for exterior (outside) photo

"I" for interior (inside) photo

"F" for floor plan in the space provided.

**PART ONE:**

Slides 1 through 10 illustrate the six major designs of prisons built in America: [1]

___ 1. Eastern State Correctional institution, Philadelphia, Pennsylvania. (p. 36)
___ 2. Camp Pendleton, United States Marine Corps. (p. 36)
___ 3. Statesville, Illinois. (p. 38)
___ 4. Statesville, Illinois. (p. 38)
___ 5. Jackson, Georgia. (p. 39)
___ 6. Jackson, Georgia. (p. 39)
___ 7. Morgantown, North Carolina. (p. 41)
___ 8. Jamestown, California. (p. 42)
___ 9. Yardville, New Jersey. (p.43)
___ 10. Vienna, Illinois. (p. 44)

**PART TWO:**

Types of Designs: (Rate them in order of your preference, 1 to 6)

1. *Radial Design* (slides 1 and 2): Wheel spokes radiate out from a central circular hub called the "control center."
2. *Panopticon Design* (slides 3 and 4): Circular design of many layers of cells with one guard stationed in the middle.
3. *Telephone Pole Design* (slides 5 and 6) Long central corridor is criss-crossed with support units (includes Connecticut Correctional institution in Somers).
4. *High-rise Design* (slide 7) An apartment-building complex with the elevator as the central corridor for access to the rest of the floors.
5. *Courtyard Design* (slides 8 and 9) Buildings all have central courtyard giving natural light to interior spaces.
6. *Campus Design* (slide 10) Several buildings separated by grassy areas and walkways and spread over several acres.

**PART THREE**

Living Quarters: Write in "E" "I" or "F" below:

___ 1. Multi-tiered cell block (p. 65)
___ isolated cell
___ inside cell
___ 2. Dormitories (p.66)
___ 3. Individual rooms (p. 68)
___ 4. Dayrooms (p. 78)
___ 5. Dining hall (p.88)
___ 6. Catholic chapel (p.94)
___ 7. Gym (p.99)
___ 8. Swimming pool
___ 9. Yard exercise (p. 100)
___ 10. Outdoor maintenance (p. 114)
___ 11. Industrial shop (p. 121)
___ 12. Auto shop
___ 13. Barber shop
___ 14. Library (p. 128)

**PART FOUR:.**

Types of Designs. From what you remember from the slides and the design descriptions in Part Two above, draw a floor plan of the design you rated #1 in the space below. Include any of the 14 “living quarters” from Part Three above in your plan. (This is your homework assignment).

* *QUESTION:* Is your design better suited to an urban or rural environment? (Explain briefly)

## Notes

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1. *Note* : All pages referred to are in Nagel, *The New Red Barn.*

## Student Bibliography

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Cleaver, Eldridge, *Soul on Ice* . Boston: McGraw-Hill Book Company, 1968.

Particularly useful is his letter of September 19, 1965 in which he talks about the routine boredom in Folsom Prison.

Griswold, H. Jack, Mike Misenheimer, Art Powers and Ed Tramanhauser, *An Eye for an Eye* . New York: Holt, Rinehart and Winston, 1970.

Readable account, available in paperback. Tromanhauser’s “First day in prison” is a classic.

Melville, Samuel, *Letters From Attica* . New York: William Morrow and Company,1972.

A victim of the Attica riots, this prison’s story and letters are fascinating and tell an important story.

Minton, Robert J., Jr., ed., *Inside: Prison American Style* . New York: Random House, 1971.

Chapter one, “The Physical World of Prison,” is particularly well-done. Inmates and employees alike give descriptions and reactions.

## Teacher Bibliography

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Barnes, Harry Elmer and Negley K. Teeters, *New Horizons in Criminology* . Englewood Cliffs, New Jersey: Prentice-Hall, Inc., 1959.

Caldwell, Robert G. *Criminology* . New York: The Ronald Press Co., 1965.

Carter, Robert, ed. *Correctional Institutions.* Philadelphia: Lippincott, 1972.

Cavers, D.F., ed. *The Correction of Youthful Offenders* . Durham, North Carolina: Duke University Press, 1942.

Clare, Paul K. and John K. Kramer. *Introduction to American Corrections* . Boston: Holbrook Press, Inc., 1976.

Particularly well-organized and helpful.

Goldfarb, Ronald L. and Linda R. Singer, *After Conviction* . New York: Simon and Schuster, 1973.

Kwartler, Richard, ed., *Behind Bars: Prisons in America* . New York: Vintage Books, 1977.

Originally appeared as a six-part series in *Corrections* magazine.

Nagel, William G., *The New Red Barn: A Critical Look at the Modern American Prison* . New York: Walker and Co., 1973.

Excellent illustrated source, rich in classroom material.

Orland, Leonard. *Prisons: Houses of Darkness* . New York: The Free Press, 1975.

Rich in historical material and an excellent bibliography.

## Films and Filmstrips

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From the New Haven Public Library:

“Dark Corner of Justice”

“I’m Gonna Be Free”

“Insiders”

“No Walls: A Prison Film”

From Guidance Associates, Pleasantville, New York:

“Consequences for the Convicted”

“Enforcing the Law”

Miscellaneous films:

“Attica!”

“Scared Straight”