

Fall 1962

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### Recommended Citation

Howard B. Gill, Correctional Philosophy and Architecture, 53 J. Crim. L. Criminology & Police Sci. 312 (1962)

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## CORRECTIONAL PHILOSOPHY AND ARCHITECTURE\*

HOWARD B. GILL

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In the following article, Mr. Gill discusses the influence of correctional philosophy upon correctional architecture, and describes the decisive influence of correctional architecture upon correctional policies. What is the effect upon future correctional policies of current prison construction? And what kinds of prison architecture will best serve future needs? Mr. Gill points out that to answer the latter question we must first determine what correctional philosophy should be followed. Tracing the history of penal philosophy in the United States, he describes the present as a transitional state in which several philosophies are current. He then outlines the important elements of the philosophy which he considers will dominate future correctional theory, and discusses its architectural and other implications.—EDITOR.

"A *philosopher* is a man who would be in jail if he were a politician."

Mort Sahl

"With ready-made opinions one cannot judge of crime. Its *philosophy* is a little more complicated than people think. It is acknowledged that neither convict prisons, nor the hulks, nor any system of hard labor ever cured a criminal."

Fyodor Dostoyevsky

The *Handbook of Correctional Institution Design and Construction* published by the Federal Bureau of Prisons states, "No other single factor has so retarded the development and success of rehabilitative programs as has the lag in correctional architecture."<sup>1</sup> On the other hand, Austin McCormick has said, "modern penology can be conducted in a barn."<sup>2</sup> Unfortunately practically no penal programs in the United States are conducted in barns. More often such programs are being undertaken in what I have called massive, medieval, monastic, monolithic, monumental, monkey-cage monstrosities. Such structures without doubt reflect a philosophy now 100 years out of date, but they still dominate the over-all climate of many of our prisons and hence the penal phi-

losophy which struggles to emerge in spite of them. It is this conflict which has resulted in a schizophrenic type of split personality in the current penal philosophy of the United States. How did we get this way? And what can we do about it?

### HISTORICAL TRENDS IN UNITED STATES PENAL PHILOSOPHY

#### *Penal Philosophy—1787*

Modern penal philosophy had its beginning in the United States when a small band of Quakers and Free-thinkers met at the home of Benjamin Franklin in 1787 and listened to a paper by Dr. Benjamin Rush, father of American psychiatry. Dr. Rush called for a new program for the treatment of criminals. In his paper he proposed the establishment of a prison which would include in its program (a) classification of prisoners for housing, (b) a rational system of prison labor, (c) indeterminate periods of punishment, and (d) individualized treatment of convicts according to

\* This paper was presented at the Conference on Correctional Architecture of the American Institute of Architects in Washington, D. C., in March, 1961.

<sup>1</sup> U. S. BUREAU OF PRISONS, *HANDBOOK OF CORRECTIONAL DESIGN AND CONSTRUCTION* 2 (1949).

<sup>2</sup> Personal comment to author.

whether crimes arose from passion, habit, or temptation.<sup>3</sup>

While the principal recommendation made by Dr. Rush, namely the treatment of offenders not according to the crimes committed but rather according to the problems underlying the crimes, was not put into effect until approximately 150 years later, the more obvious recommendation that "doing time" should replace capital and corporal punishment was in 1790 written into American penal philosophy for all time. And it was written in the remodeling of the Walnut Street Jail in Philadelphia by architect-builders who sought to carry out the philosophy of these early prison reformers. Indeed among the best evidences we possess today of what this philosophy meant in practice are the plans of this and other early American prisons as they have come down to us. Thus did architects and architecture begin to mould and fashion penal philosophy.

However, within 30 years the faint-hearted, beset by the problems which still plague us today—overcrowding, idleness, political influence, poor personnel, and the unsuitability of prison structure—, were ready to throw the whole thing overboard and return to the simpler and swifter methods of dealing with criminals which had previously prevailed. The penitentiary program was saved in 1820 by a stalwart prison warden and two architects.

#### *Penal Philosophy—Circa 1830*

The warden was Elam Lynds, who established the famous Auburn System of prison discipline at the State prison in Auburn, New York, and who was aided and abetted by his architect-builder John Cray. The other architect was John Haviland, who helped dream up and establish the Pennsylvania System at Eastern Penitentiary, Philadelphia. The penal philosophy behind these two systems was that offenders not only should "do time" as penance for their misdeeds, but also that they should do time under a strict discipline of non-communication in surroundings which were "fearsome and forbidding."

Elam Lynds expressed the core of his philosophy when he "contended that reformation of the criminal could not possibly be effected, until the

<sup>3</sup> GILL, PRISONS 1 (U.S. Attorney General's Survey, vol. 5, 1940).

spirit of the criminal was broken."<sup>4</sup> And this his system proceeded to do in ways which persisted long after Lynds had passed from the scene.

In both the Auburn and the Pennsylvania systems, prison architecture played a leading role. In the Auburn System, prisoners were housed in "inside cells" and worked together in congregate work-shops under the silent rule. In the Pennsylvania System, prisoners were housed in "outside cells" where they worked and lived in solitary confinement. Thus within 40 years of the inauguration of a new penal philosophy in America, architects and architecture began to play a lead role in determining and in implementing that philosophy. In spite of many succeeding developments and modifications, this penal philosophy persisted for over 100 years and still continues to play a part in current penal thought.

What did this "prison discipline" (or penal philosophy) stand for? How has it been modified over the years? To what extent does it persist today? What will take its place? To answer these questions will be the purpose of this paper.

#### *"Prison Discipline"—1830-1930*

Modified though it was by the introduction of religion, education, industrial training, medical care, recreation, and parole, as late as 1925 this prison discipline represented a harsh, cruel, and futile philosophy, as Barnes and Teeters have pointed out.<sup>5</sup> Its chief tenets were hard and punitive labor, deprivation of all but the bare essentials of existence, monotony of the most debilitating sort, uniformity, degradation, corporal punishment, non-communication with normal society, no interpersonal relations with non-criminals, subservience to petty rules, no responsibility, isolation and self-absorption, mass living and movement, reform by exhortation. If this seems like a pretty grim description, one has only to recall the clichés of these years, some of which are still current, to realize to what extent these were the bases for the accepted penal philosophy in the United States from 1830-1930. Typical of such clichés are such catch phrases as, "We treat all prisoners alike," "No fraternization," "Do your own time," "No prisoner is going to tell me how to run my prison." The very housing of offenders in cage-like

<sup>4</sup> BARNES & TEETERS, *NEW HORIZONS IN CRIMINOLOGY* 532 (rev. ed. 1945).

<sup>5</sup> *Id.*, ch. 26, *The Cruelty and Futility of the Modern Prison*, at 582-639.

structures is itself an aspect of this penal philosophy.

Such a penal philosophy denied every essential need in the human personality including love, independence and interdependence, imagination and truth, achievement, identity, intimacy and the need to belong, creativity and integration. Indeed this philosophy we now know emphasized every pathology in the human personality—rejection, doubt, guilt, inferiority, diffusion, self-absorption, apathy, and despair. Not only did it avoid developing normal personalities, it actually produced pathological personalities. Men came out of prison worse than when they entered.

Such was the prison discipline of Elam Lynds and his successors for 100 years.

#### *The Beginnings of a Modern Penal Philosophy*

In 1916 a movement started at old Auburn Prison in New York by Thomas Mott Osborn brought the first rift in this armor. He dared to show the world that prisoners knew more about what was going on in prisons than the guards did, and moreover that the contribution of prisoners was essential to the effective management of prisons. He was crucified for such heresy, but he broke the back of the old guard. Moreover by bringing groups of prisoners into discussion with staff members regarding prisoners' problems, he anticipated a movement which is of prime importance in today's penal philosophy.

Almost at the same time (1916-1918) at Sing Sing, New York, Dr. Bernard Glueck began the individual study of prisoners. He was followed by Dr. W. T. Root at Western Penitentiary, Pittsburgh. Then came the organization of such studies by W. J. Ellis and others in New Jersey under a system which we know as "Classification." Massachusetts adopted the system in 1930, and the Federal Bureau of Prisons in 1934. This system of Classification destroyed once and for all another basic tenet of the old prison discipline, namely, "All prisoners should be treated alike," for once given case histories of offenders, treatment must be individualized.

#### MODERN PENAL PHILOSOPHY—A TRANSITION STATE

These then were the beginnings of a new penal philosophy—a philosophy which we are still trying to translate into programs, personnel, and architecture. Slowly these two basic concepts are

changing the character of prison discipline. I say "slowly changing" because we must recognize the present as a transition state which contains much of both old and new, if we are to plan for the future, especially in the construction of penal institutions which will persist long after we are gone.

What are the characteristics of this transition state? And what is the penal philosophy which will emerge from it?

The outstanding characteristics of any transition state are anxiety and confusion. Penal philosophy is today in a state of anxiety and confusion. There is one thing for which we must give the Old Guard credit—they knew what they meant by prison discipline. They had a penal philosophy which was definite and easy to understand. I have outlined its harsh concepts. Any prison employee who did not abide by it was guilty of a serious breach of the prison discipline, and was treated accordingly. I am not so sure that we have as yet substituted a penal philosophy as well recognized as the old prison discipline. We have a number of conflicting philosophies at present.

#### *The Custodial Prison*

One penal philosophy still in vogue is founded in the past and attempts to carry on the philosophy of Elam Lynds. It has regard for only one basic concept, security, and beyond that only grudgingly modifies the harsh terms of penal servitude. These are still "Custodial Prisons." They are fighting a losing battle.

#### *The Progressive Prison*

Another group has superimposed upon the old discipline a philosophy of treatment which substitutes programs of medical care, industrial training, education, religion, social work, and recreation for the monotony of hard labor and the deprivation and degradation of the old prison. Radios and rodeos, entertainment and college courses, some vocational training, bright and shining hospitals, eager social and religious workers, libraries—all these abound. The demand is always for more and more such services—larger appropriations and larger staffs. The result is called "rehabilitation," but unfortunately the recidivism rate remains fairly constant at 60-65 per cent. Some of the toughest prison wardens in America are running "Sweet Jails." These are the so-called "Progressive Prisons."

The Progressive Prison holds the center of the stage today, and it presents a very attractive kind of humanitarianism in the treatment of offenders. It represents a natural swing of the pendulum away from the harsh cruelty of the old penology, and it somehow fills the vacuum caused by the decline in prison industries due to the opposition of free labor and capital to the sale of prison products on the open market. It is one of the characteristics of the transition state, but it is not the ultimate answer to the problems of corrections and should be examined critically by both penologists and their architects.

While the Progressive Prison presents a fine façade, it does not go to the heart of the correctional problem—criminality. It is not the purpose of the prison to become a great medical clinic, a substitute for public education, a profit-making industrial factory, or a recreational and social center for convicts. The success of a prison is not to be measured by its medical, surgical, or psychiatric services, by the number of school graduates it may produce, by the amount and value of its prison products, or by the number and diversity of its recreational and social activities. Neither will the establishment of "programs" for individual prisoners avail simply by outlining a list of activities for such prisoners which have little or nothing to do with their criminal problems.

#### *The Professional Prison*

A third, small but growing, group of prison workers are recognizing the need for a more precise professional approach in penal philosophy. It is to some of the intimations of this philosophy that I want to call your attention, because this may be the penal philosophy which the institutions we are building today will be called upon to serve. I have called this a professional penal philosophy as distinguished from the custodial or the progressive penal philosophy.

#### A PROFESSIONAL PENAL PHILOSOPHY FOR THE FUTURE

As I see it, this professional penal philosophy is built around five simple concepts:

- (1) That security must be assured in order that it may be assumed—and kept in its proper place.
- (2) That prisoners are classified primarily into four groups—New, Intractable, Tractable, and Defective.
- (3) That for Tractable (or treatable) prisoners

the first concern is *problem-solving* before programs, and the second concern is the *acculturation* of such prisoners to the society to which they will return. (For the New and the Intractable and the Defective, there are other concerns, but since this conference is devoted to the needs of the tractable or treatable prisoner, we shall not consider these at this time.)

(4) That correctional staffs will operate in five areas: 1—Executive, 2—Administrative, including fiscal and clerical, 3—Professional, 4—Security, and 5—Treatment.

(5) That prison architecture must meet all four of these concepts.

#### *The Philosophy of Security*

I shall mention only seven basic points relating to the philosophy of security. There are more, but these will illustrate the trend.

(1) Security is the primary business of the prison; but not its ultimate goal. Having assured security, it may then be assumed and the main business of the prison—reform—got on with.

(2) Security deals with three basic elements—escape, contraband, and disorder. Hence maximum, medium, and minimum risks deal not only with escape, but also with contraband and disorder. Equal in importance to the escape risk are the dope pedlar, the addict, the "alkie," the "kite" artist, the disturber, the agitator, the conniver, the politician, the stool pigeon, the wolf, and the punk. Hence open-mesh fences, while sometimes sufficient to prevent escape, are not adequate protection against the introduction of contraband or adequate for control of disturbances. The so-called bad psychological effect of walls on prisoners is a myth of Progressive Penology. Wire fences are characteristic of concentration camps; walls are characteristic of gardens and privacy. It is not necessary that walls be obnoxious; it is essential that they be adequate.

(3) Maximum, medium, and minimum refer exclusively to security and should not be confused with treatment classifications. The acting-out prisoner or the escape artist may be the most hopeful prospect for reform because he has character—bad character maybe, but character nevertheless. The moron who does not have brains enough to escape has the least potential for reform. He may be rated minimum in security but certainly neither best nor better for treatment. Hence the correlation of maximum, medium, and minimum

with bad, better, best is a myth—but unfortunately a very popular one in many texts and with some architects.<sup>6</sup> The hopeful, treatable prisoner may be a maximum, a medium, or a minimum security risk, similarly with the intractable or defective prisoner. The new prisoner is automatically a maximum security risk.

(4) Security is a speciality just as case-work for treatment is a specialty and should be so regarded in the administration of prison guards, methods, equipment, and architecture. It should not be confused with or combined with treatment. Security is best served when a special corps of prison guards is trained in security policies and practice as the police of the prison community. They will man the gates, the walls, and the towers, patrol and search the grounds and buildings, and be responsible for the initial reception, the final discharge, and the transportation of prisoners. They will not fraternize with prisoners, but at all times be firm, stern, and authoritarian. They will be interested in treatment only as a general policy of the institution.

(5) The place of the security force should be recognized as primary, and neither incidental to nor dominating the operation of the prison. It should be a division *co-ordinate* with the administrative, the professional, and the treatment divisions of the organization.

(6) The security force can operate most effectively from a control center outside the prison enclosure, with auxiliary stations at strategic points within the prison proper. Such control center will house the arsenal, the central telephone switchboard, the central key board, all emergency utilities, inspection of all mail and all persons or packages entering or leaving the prison, offices and training facilities for the guard force, all plans affecting escapes, contraband, or disorder, and quarters for the stand-by guard force.

(7) "Divide and rule" is a sound security principle and supplements the small group principle of treatment. It is applicable in security planning, especially to housing prisoners in as many and as small groups as possible and to providing recreation for prisoners in as many different and separate areas as possible.

Specifically how these seven principles may be applied to prison architecture is subject-matter for a whole text in itself and cannot be included in this paper.

<sup>6</sup> CONTEMPORARY CORRECTION 277-96 (Tappan ed. 1951).

### *The Philosophy of Prisoner Types*

With regard to prisoner personnel, once having determined security, it is good philosophy not to deal with prisoners according to the crimes which they have committed or the activities which the institution offers, however various these may be. If it may be assumed that all new prisoners will be put in a class by themselves for observation, our first concern then will be whether a prisoner is amenable to treatment or not, that is whether he is tractable (wanting and capable of treatment), intractable (not wanting treatment), or defective (limited or incapable of treatment).

Obviously a prisoner who wants treatment and is capable of responding to it will require a different sort of staff, program, and architecture than those who do not want or are extremely limited or incapable of treatment. The tractable prisoner may be 17 or 70, but he will ordinarily cooperate with the staff, respond to mutual trust, and be capable of living under fairly normal conditions in his daily activities. Such prisoners represent perhaps half of the offenders in our state and federal prisons today.

In contrast, those prisoners who want to "do their own time," who either do not desire to change or are not capable of change, require another type of handling. Some are hostile, hardened, professional thugs, hoodlums, racketeers, swindlers, sex deviates, who will not cooperate with the prison staffs, who cannot be trusted, and who cannot be kept confined except under abnormal measures of restraint. These are the intractables or the untreatable. They may not be disturbers or escape risks. They may just want to be left alone. They are sometimes described as "good prisoners."

However, the philosophy governing the lives of such prisoners is rule by fear, force, and deprivation. Therefore, within the bounds of decency, this is the philosophy which must be met with fear, force, and deprivation. One fights fire with fire. Perhaps this is what Elam Lynds had in mind when in accord with the light of his day he called for "breaking the spirit of the criminal." Today we call it shock therapy.

Other prisoners are mentally ill or so low-grade as to be defective. To mix either intractables or defectives with tractable prisoners is obviously poor penal philosophy. Yet most of our state prisons have been built on this kind of hodge-podge intermingling.

It seems only sound philosophy to suppose then

at least four types of prisons for these four types of prisoners: the new, the intractable, the tractable, and the defective offender. In other words, a professional penal philosophy proposes to be selective in its treatment. It frankly proposes to "take the best apples out of the barrel first"—and if some rotten ones get left on the scrap heap, that is just too bad.

*Architectural Considerations re Prisoner Types.* If we accept as basic these four types of prisoners, we shall postulate four distinct types of penal institutions. A reception center or section for new prisoners, very simple custodial type of institution for the intractables, a normal type of institution with treatment facilities for the tractables, and a specialized partly custodial, partly hospital, and partly educational type of institution for the defectives.

Since each of these four types will contain among them maximum, medium, and minimum risks, provisions for all three types of risk must be made in each institution.

The reception center will contain facilities for orientation, diagnosis, classification, and planning. It may be expedient in the average state to plan the reception center in conjunction with the institution for the intractables. Since all new prisoners should be kept under maximum security and since a large percentage of the intractables will also require maximum security, the two groups may be housed in the different sections of the same institution. This will also make available to the intractables the advantages of the professional staff assigned to new prisoners if and when they desire. The door should always be left open.

Since "treatment" is not yet possible with the intractables, the barest minimum of facilities for decent confinement is sufficient—both architecturally and otherwise. This does not imply the use of monkey-cages or mass living. On the contrary it calls for simple, secure living quarters, including dining facilities in small groups for ease of control, and sufficient work and recreational facilities for diverse small groups to keep prisoners healthy.

However, since most states have inherited a number of penal institutions which may be classed as custodial and will probably not abandon them, the problem here involves chiefly how such institutions may be remodelled to serve as reception centers and as places for confinement of the intractable according to professional penal philosophy.

This is beyond the scope of the present inquiry and will not be pursued further.

The type of institution for tractable prisoners represented by a professional penal philosophy is called the community prison—sometimes the therapeutic community. It may be noted in many of the newer state correctional institutions such as in California, Connecticut, District of Columbia, Massachusetts, Michigan, Missouri, and Wisconsin and in some countries in Europe. This type of institution will be considered further under Treatment of Prisoners.

#### *The Philosophy of Treatment*

As a result of the establishment of the Classification System and its Classification Board, the Progressive Prison has developed treatment for all prisoners—intractable, tractable, and defective—around a single concept, namely "programs." Such programs are usually only a reflection of the facilities for medical care, industries, education, recreation, religion, and social work available in each particular institution. As has been forcefully pointed out by such authorities as Dr. Ralph Brancale of New Jersey, such "programs" have frequently little or no relationship to prisoners' problems.<sup>7</sup>

It is the philosophy of the Professional Prison, first, that *problem-solving* must *precede* programs, and in fact problem-solving must *determine* the program for the most part; and, second, that only those programs are justified which help solve problems and/or which will acculturate prisoners to the society to which they will return. Now this is revolutionary philosophy for it will change the entire nature of correctional institutions for tractable prisoners.

Programs are institution-oriented. Problem-solving is client-oriented, to borrow a phrase from our friends in social psychology; in psychiatry, it is sometimes called sector-therapy. At once we sense a complete shift in emphasis. Under "programs," all prisoners receive the "full treatment," i.e., they go through a system which is ideally so complex that it has fallen of its own weight. The zeal of our system has eaten us up. Under "problem-solving" the prisoner with a \$50 problem gets \$50 worth of treatment. Most prisoners are not \$50,000 cases, yet the Classification System proposes to give every prisoner the time and attention of at least that amount of professional service. It has proved tremendously expensive in

<sup>7</sup> *Id.* at 193.

personnel and facilities, so much so as to become utterly unrealistic.

On the face of it, the philosophy of problem-solving looks equally elaborate, for it will require all the professional skills now employed in the Classification System. But it will have these differences: (1) it will enable the same professional staff to cover a much larger clientele, and (2) it will go to the heart of each problem instead of skirting all around it in a vague, indefinite manner. One is "bird-shot penology"; the other is "bull's eye penology."

*Architectural Considerations re Treatment.* Architecturally, the effect should be to reduce the demand for elaborate medical, industrial, educational, recreational, and other facilities which have become so popular under program philosophy. While problem-solving has many facets, the goal of this penal philosophy is to reach and solve as quickly as possible the significant problems related to criminality, leaving other areas of activity to those best suited to deal with them. This penal philosophy assumes the position that crime is a symptom of a maladjustment—situational, medical, psychological, anti-social, or custodial—and that the job of the prison is to resolve the specific maladjustment as far as possible, and *only that*. This philosophy applies the scientific principle of parsimony; it does as little as is *necessary* to achieve its goal—the reduction of criminality. The effect on prison planning should be obvious.

Yet this professional philosophy will not neglect medical care, industry, education, recreation, or religion. It proposes that prisons should seek to acculturate prisoners to the society to which they will return, and in so doing it will take the bombast out of progressive penology by trimming these activities down to normal. Except for problem-solving related to criminality, there is no reason why prisoners should be given more elaborate hospital care, or greater vocational, and educational, and recreational advantages than the average citizen. However, the most startling result of the philosophy of acculturation will be seen in its effect on the daily living conditions and the participation in them by tractable prisoners.

To return tractable prisoners to a society in which men live in small family groups, in ordinary dwellings, under normal conditions affecting their basic needs of nourishment, work, play, and other human relationships, we need to accustom them to the advantages of such living by confining them under similar conditions. This is the concept of the

community prison—sometimes called the therapeutic community. It is as far removed from monkey-cage cells or mass living as black is from white. It calls for a complete reorientation of our thinking about prison architecture. Imagine what this would do to a 500-man cell block, or a dining-room seating 1000 inmates, or a single recreation yard where the same 1000 prisoners mill around in aimless confusion or stupidly watch a few performers, or to the prison rule that denies prisoners the opportunity to participate in any responsibility for the activities which make up their daily life. But before tackling prison architecture, we shall need to examine the effect of this new philosophy on staff personnel.

#### *The Philosophy of Staff Personnel*

The philosophy I am proposing for staff personnel is based on a five-fold classification: Executive, administrative, professional, security, and treatment. (See Chart I.) The executive group will include the warden and his immediate associates, or deputy wardens, and the heads of departments. The warden runs the front office and with his staff sets the policies; the associate warden runs the office "inside" and directs the operation of the prison routine carrying out the policies adopted. The administrative group will comprise the fiscal, clerical, personnel administration, purchasing, store-keeping, and routine maintenance functions of the institution. The professional group will include the physician, psychiatrist, psychologists, dentist, nurses, teachers, vocational, avocational and recreational instructors, librarian, industries manager and all his technical personnel, chaplains, social workers, and other specialists. The security force will include those primarily responsible for the prevention of escape, the introduction of contraband, and the control of disturbances—i.e., the police force of the prison community. The treatment staff will include all those guards who are in personal contact with the prisoners either in the living quarters or at work or play, and their supervisors.

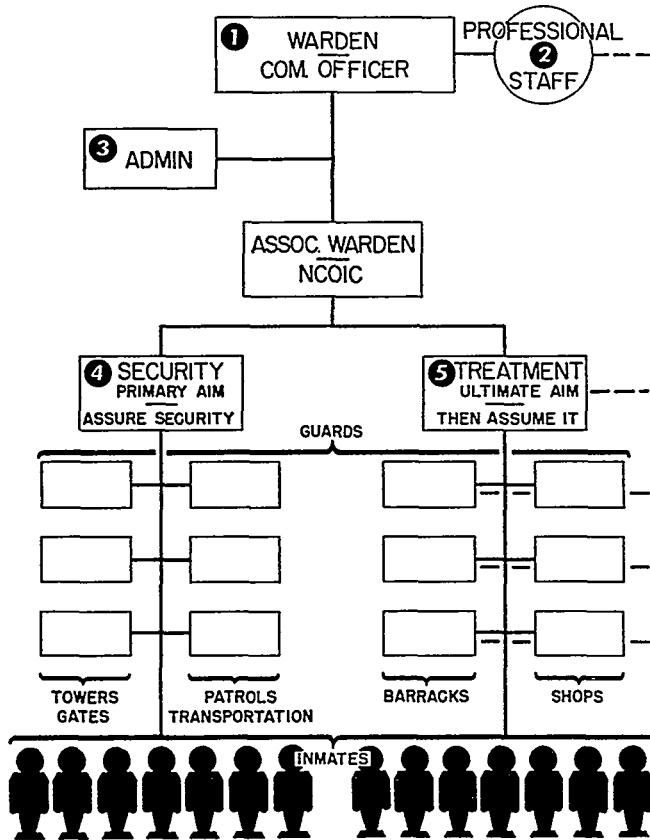
These are not startlingly new concepts of staff organization, but may I point out certain principles of organization which differ from current custodial or progressive philosophy.

It is now the general practice in progressive prisons to have two deputies; one in charge of security and one in charge of treatment. The deputy in charge of security controls the entire guard force, handles the general operational routine of the prison, and is in authority over



CHART I

**FIVE ESSENTIALS IN A CORRECTIONAL AGENCY\***



prisoners. The deputy in charge of treatment has charge of certain professional activities including classification, education and training, religious services, and recreation, but usually medical care and industries are left under the direct control of the warden. The deputy for treatment and his staff have advisory powers only. Hence we see the unfortunate situation where the deputy for treatment has responsibility for treatment but no power to make it effective. This has been the cause of one of the most serious conflicts in progressive prisons—the conflict between custody and treatment. It is my philosophy that this conflict can be resolved and security and treatment given their proper setting by observing three changes in current practice:

(1) The Deputy in Charge of Security will be responsible only for the three basic problems of

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escape, contraband, and disorder and will limit the contact with prisoners of his guard force to these functions. He is no longer in charge of the general operation of the prison or its over-all routine.

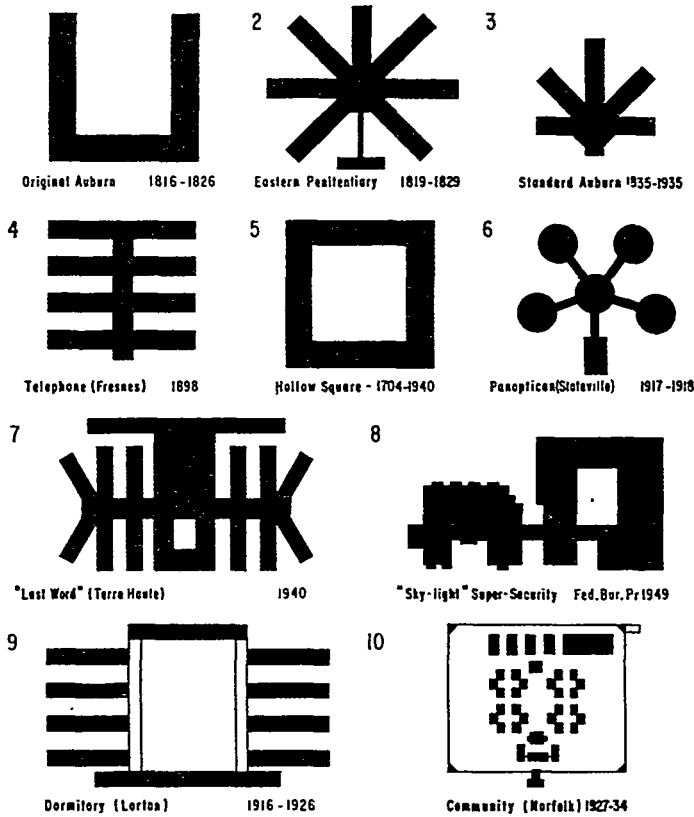
(2) The Deputy in Charge of Treatment will be responsible for the daily operation of the prison and for carrying out the recommendations of the professional staff in the contact with prisoners of his guard force.

(3) The entire professional staff will derive its authority directly from the warden and have advisory powers only. Similarly with the administrative staff.

*The Philosophy of Prison Architecture*

Finally we come to prison architecture. (See Chart II.) What effect will this professional penal philosophy in security, prisoner personnel, treatment, and staff personnel have on prison architecture?

CHART II  
**TYPES OF PRISON STRUCTURE\***



*Maximum Security Prisons for Intractables.* As regards prisons for the intractable, there are in existence in federal and state prison systems enough maximum security facilities now to care for all intractable prisoners for some time to come. The Federal Bureau of Prisons alone has approximately 5000 such cells, which is 20 per cent of their total population, a figure set by some authorities as sufficient for intractables in any system.<sup>8</sup> Even in states where some remodeling of existing prisons may be necessary, this should suffice to care for the intractables without further construction.

Let me illustrate. Under the direction of political Commissioners of Correction who knew little or

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<sup>8</sup> BARNES & TEETERS, *NEW HORIZONS IN CRIMINOLOGY* 498 (2d ed. 1952).

nothing about corrections, the Commonwealth of Massachusetts within the past ten years replaced the old Charlestown prison with a new "Super-security Prison" of the sky-light type<sup>9</sup> at South Walpole, Massachusetts. It is known as the "concrete horror" and is condemned most roundly by the officers employed to run it, for reasons which we need not detail here. In 1878 a new state prison was opened in Massachusetts at Concord, but was taken over for a reformatory. It has always been a state prison and still is. In fact when riots recently occurred at Walpole, the worst prisoners were transferred to Concord for safe-keeping. Had Massachusetts remodelled the Concord institution for its intractable prisoners and used the \$10,000,000 spent on the Walpole prison to construct additional facilities for tractable prisoners, professional penology would have been advanced

<sup>9</sup> U. S. BUREAU OF PRISONS, *op. cit. supra* note 1, at 44-59.

and the future served. As it is, \$10,000,000 has been spent extravagantly on an institution which is almost as out-of-date as the disgrace at Charleston which it replaced.

In addition to the anachronism at Walpole, one has only to mention the state prisons at Greenhaven, New York, Graterford, Pennsylvania, Jackson, Michigan, or Stateville, Illinois<sup>10</sup> to understand why a re-examination of prison architecture is needed. Other examples of more recent construction of this unfortunate type of prison may be found in a pamphlet entitled *Recent Prison Construction 1950-1960* just issued by the Federal Bureau of Prisons.<sup>11</sup>

Prison administrators, federal or state, and their architects who propose to add more cellular facilities of the maximum security type may be liable to the charge of extravagant and unnecessary expenditure of public funds, and may find on completion of such facilities that they are already from 60 to 100 years out of date. Moreover they will enjoy the dubious distinction of having wished on posterity for many years to come additional monolithic monstrosities in penal architecture. This is worse than the "lag" referred to by the federal handbook on construction already quoted since it will be positive action of a sort which will perpetuate a past no one wishes to impose on future generations. The time has come to call a halt to this type of prison construction.

*Institutions for the Defective Delinquent.* Institutions for the defective fall into a class which combines many aspects of the prison, the hospital, and the training school following the best practices in all three. The Medical Center of the Federal Bureau of Prisons at Springfield, Missouri,<sup>12</sup> the Medical Facility at Vacaville, California, the Institution for Defective Delinquents, Wilkes-Barre, Pennsylvania,<sup>13</sup> and the John Howard Pavillion of St. Elizabeths Hospital, Washington, D. C., are notable examples. We shall not discuss these here.

*Correctional Institutions for Tractable Prisoners.* When we consider the type of correctional institution which will fit the needs of tractable offenders and which will be in line with the professional penal philosophy outlined herewith, we are con-

fronted with a variety of excellent examples in the United States. Several institutions for women may be mentioned including State Industrial Home for Women, Muncy, Pennsylvania (1913), the Federal Institution for Women at Alderson, West Virginia (1927), and a somewhat similar federal institution originally built for women at Seagoville, Texas (1940). (Once a "give-a-way" institution as far as the men were concerned, the Seagoville institution for a time became synonymous with the latest philosophy of prison building for tractable male prisoners.) Massachusetts built such an institution for men at Norfolk (1927-1934). New Jersey opened one at Annandale in 1929; Missouri at Algoa Farms (1932), and California at Chino (1941).<sup>14</sup>

More recently (1950-1960) institutions for the more hopeful type of prisoner (tractable) have been opened or are under construction at Corona, California, Enfield, Connecticut, Lorton, D.C., Ionia, Michigan, Moberley, Missouri, and Fox Lake, Wisconsin.<sup>15</sup> These institutions have promise of providing the facilities for a penal philosophy which fits the second half of the 20th Century.

There are too many details involved in such institution plans and programs to present here. However, some outstanding characteristics may be found in common in all of them.

(1) The over-all atmosphere which is conveyed by personnel, program, and architecture is one of normal living under normal conditions where mutual trust and respect, cooperation and willingness have replaced the old prison discipline. However, the new prison discipline as a way of life distinguished from mere obedience to rules and regulations has still to be defined and made clear. This will come in due time.

(2) The small group principle is reflected in housing, dining, recreation, and all important activities. The "institution family" attempts to approximate the family unit in outside society which is the norm.

(3) Prisoners are expected to participate with the staff in the duties and responsibilities of running the institution, with the staff always in control. This joint undertaking provides the everyday atmosphere of a society built on sound democratic principles. Advisory committees and councils made up of prisoners who work with staff

<sup>10</sup> *Id.* at 32, 64, 65, 67, 69.

<sup>11</sup> U. S. BUREAU OF PRISONS, *RECENT PRISON CONSTRUCTION 1950-1960* (1961).

<sup>12</sup> U. S. BUREAU OF PRISONS, *op. cit. supra* note 1, at 14.

<sup>13</sup> U. S. BUREAU OF PRISONS, *op. cit. supra* note 11, at 48.

<sup>14</sup> U. S. BUREAU OF PRISONS, *op. cit. supra* note 1, at 97, 99, 103, 118, 119, 130, 133.

<sup>15</sup> U. S. BUREAU OF PRISONS, *op. cit. supra* note 11, at 18, 21, 22, 35, 38, 53.

members do much to develop and enrich prison life, and build social responsibility.

(4) Security, while primary, is not the dominant or the ultimate goal.

(5) There still exists some confusion as to the relationship of security and treatment, as to the authority and obligations of the professional staff, and as to whether "programs" or problem-solving is paramount. One thing is outstanding, acculturation to normal, responsible living has taken over.

(6) Evidence of the emphasis on both acculturation and problem-solving is shown in the architecture. Housing units contain individual rooms in simple one or two story buildings with seldom more than 50 prisoners to a unit. Group recreation is provided for each unit. Multiple dining-rooms follow out the small group principle. Group meetings and discussions are provided for. A large variety of contacts with the normal world outside brings the "good life" into the institution. Facilities for individual counseling on the part of both guards-in-contact and front-office profes-

sionals are included in the over-all plan. Supervising each group are "guards-in-contact" who work closely with the professional staff to carry out their recommendations for treatment.

(7) From Europe, word comes that the philosophy of normalcy has been extended to establish some institutions where the prisoners "live in" but "work out" in the community.<sup>16</sup> Others permit conjugal visits both in the institution and outside.<sup>17</sup>

Such correctional institutions for tractable prisoners are called therapeutic communities or community prisons. These experiments today are significant; they will form the penal philosophy of tomorrow. For to paraphrase Truman Kelley:

"Philosophers are never dismayed; for in markings near about, they discern the contours of the land and glimpse the portals of the future."

<sup>16</sup> *Prisoners in German Institution Employed by Private Employers*, 24 Fed. Prob. 80 (Dec. 1960). See also U. N. DEP'T OF ECONOMIC AND SOCIAL AFFAIRS, PRISON LABOUR (ST/SOA/SD/5) (1955).

<sup>17</sup> Morris, *Worldwide Concern With Crime*, 24 Fed. Prob. 21, 27 (Dec. 1960).