Book Reviews

Follow this and additional works at: https://scholarlycommons.law.northwestern.edu/jclc
Part of the Criminal Law Commons, Criminology Commons, and the Criminology and Criminal Justice Commons

Recommended Citation

This Book Review is brought to you for free and open access by Northwestern University School of Law Scholarly Commons. It has been accepted for inclusion in Journal of Criminal Law and Criminology by an authorized editor of Northwestern University School of Law Scholarly Commons.
BOOK REVIEWS

REVIEW ARTICLE

A MODEL OF THE PRISONIZATION PHENOMENON*

DRAGAN MILOVANOVIC**

In contemporary debate between adherents of the importation and deprivation model in corrections, each purporting to explain the phenomenon of prisonization, one treatise remains "undiscovered." Slosar's treatise is one of the more understandable, systematic studies in the field of corrections. It isolates the determinants of the prisonization phenomenon, best explained by Clemmer as, "The taking on in greater or less degrees of the folkways, mores, customs, and general culture of the penitentiary." Slosar's treatise will undoubtedly find a wide audience: academicians, practitioners, lawyers specializing in prisoner's rights, and students—both graduates and undergraduates taking courses in corrections, methodology, and statistics.

In the first two chapters Slosar briefly, perhaps too briefly, presents the two major models of prisonization in corrections: the importation and deprivation models. The former is associated with the idea that the prison is an "open" system and the quality of inmate adaptations is primarily influenced by pre-prison, or more generally, extra-prison experiences; thus, inmate subcultures primarily reflect orientations originating outside the prison, i.e., criminal value systems are imported into the prison. The latter explanatory model, on the other hand, is characterized by the idea that prisonization can be adequately explained by the "closed" nature of a total institution along with its concomitant psychological, sociological and physical deprivations and degradations. Prisoners suffer constant degradations and defilements, their pre-prison identities atrophy and new identities, those of convicts, develop and are continually reinforced.4

Slosar's contribution to the debate between the adherents of the two respective models lies with his development of a third model, the "alternate society." He states (at 7):

The informal social adaptations of the inmate constitute an alternate society, that is, an alternate social structure through which the inmate occupants seek to meet their physical, psychological and social needs. The character of this 'society' will be significantly influenced by (1) the type of organizational climate which prevails in the institution, and (2) the predispositions which the inmates brings with them to the situation.

From this basic conception, Slosar derives twenty-three specific hypotheses to explain the relationship between prisonization, integration, friendship, and leadership patterns with organizational climate. Four of the hypotheses developed by Slosar reflect the nature of the alternate society, seven the nature of integration, three the relationship between integration and inmate adaptation, four the association between friendship and the alternate society, and five concern leadership patterns within the alternate society.

Two correctional institutions were used, Federal East with a permissive climate and Federal West with a restrictive climate. Slosar further operationalizes permissive and restrictive climates in terms

---


** Department of Criminal Justice, Long Island University-C.W. Post

---

2 Advocates of the importation model include J. Irwin, THE FELON (1970); Irwin & Cressey, Thieves, Convicts, and the Inmate Culture, 10 SOC. PROB. 142 (1962).
4 For a detailed review of the two models, see C. THOMAS & D. PETERSON, PRISON ORGANIZATION AND INMATE SUBCULTURE (1977).
of “favorable and unfavorable balance of gratifications and deprivations” existing in the prison. Little current research on prisonization attempts to analyze inmate adaptations by looking at organizational climate, although climate itself is seen as a crucial independent variable affecting prison adaptations. It would seem, however, that Slosar’s operationalization of organizational climate is rather simplistic, although, perhaps, given current research developments, it represents a fair initial attempt at defining this variable. Duffee, in a recent book states that, “In order to treat climate as a variable, it obviously must become known as having a set of values that can be specified.” In other words, climate is multi-dimensional; the trick of course, is to tap the essential dimensions “that make a difference.” For example, Rudolph Moos has termed organizational climate as “environmental press” of an institution and has developed a “social climate scale” that measures twelve separate dimensions of this “press.”

Slosar omits analysis of correctional officer subcultures. The guards themselves experience the “pains of imprisonment” and, accordingly, develop distinctive subcultures. Many researchers have targeted the offender; what is glaringly missing is a detailed analysis of correctional officer subcultures, and its interaction with inmate subcultures, and what conditions enhance or preclude prisonization.

In chapter 4, Slosar explains the operationalization of his variables included in his hypotheses in language that will appeal to the student as well as to the practitioner. The reader feels quite comfortable with Slosar’s systematic style, for he develops his indexes cognizant of a wide reading audience.

Relative simple measures of association, are Yules Q and Gamma, used in his statistical analysis. Data are presented in bivariate and trivariate tables.

The basic model, derived from Slosar’s ideas, with categorical predictions, can be diagrammatically presented:

<table>
<thead>
<tr>
<th>Predispositions</th>
<th>Prosocial inmates (0–3 priors)</th>
<th>Anti-social inmates (4+ priors)</th>
</tr>
</thead>
<tbody>
<tr>
<td>(Background characteristics)</td>
<td>Low prisonized adaptations</td>
<td>Intermediate adaptations</td>
</tr>
<tr>
<td></td>
<td>Intermediate adaptations</td>
<td>High prisonized adaptations</td>
</tr>
</tbody>
</table>

Prison Setting

Permissive
(Federal East)

Restrictive
(Federal West)

A major criticism, however, with Slosar’s operationalization of the importation variable, dichotomized as prosocial (having committed 0–3 prior offenses) and antisocial inmates (having committed 4 or more prior offenses), is that not all offenses are “official”; that is, successfully labeling one criminal is the end result of many intermediate steps. At each step contingencies—power of the individual, social distance between the lawbreaker and the agent of social control, tolerance level of the community—collectively have the effect of screening out some offenses for further official processing; others, on the other hand, are not officially processed, and consequently do not become collective representations of the enterprise of criminality. Thus Slosar’s crude operationalization neglects decision-making by citizens, police, district attorneys, and juries, among others. Second, this rather simple operationalization of importation variables overlooks a multitude of more compelling variables, such as perception of system legitimacy developed by the inmate while interacting with the criminal justice system, the relevancy of differential degrees of self esteem (as an insulator to prisonization?), and post-prison expectations. Each of these may, in turn, have the effect of either contributing to, or precluding prisonized adaptations.

Slosar summarizes his empirical findings in chapters 4, 5, and 6. Among the most important are: “The background of the inmates, measured in terms of previous involvement in law violation was more strongly related to the conformity responses of the inmate than was the organizational climate in which the inmate was located” (at 96). For those inmates with four or more prior offenses, organi-

---

7 D. DUFFEE, supra note 5, at 129–33.
8 Id. at 204–11.
zation of climate itself, made little difference on prisonization. Those inmates who had few outside contacts and were highly integrated into the prison routine were the most negative or prisonized of all the subgroups (at 73).

The policy implications are, indeed, substantial. On the one hand, those who advocate building more prisons in remote areas, as many obviously do, would be well advised to digest Slosar’s findings: the exile function results in fewer persevering contacts and predictably higher prisonized adaptations. Supporting evidence may thus be found for liberalizing visitations, contact visits, furloughs, and phone calls. Slosar’s data also indicates that for those offenders who have had an extensive involvement in violating the law, minor differences in prison climates may not impact tremendously on their willingness to cooperate with the correctional officials. Additionally, data suggests that for the minor offender classification mechanisms are crucial: inmates with less involvement in violating the law, placed in restrictive environments, are more likely to become prisonized than if they were placed in more permissive organizational climates.

In summary, Slosar’s book combines theoretical ideas with quantifiable hypotheses. His analysis is systematic, with ample description and explanation of the operationalization process as well as the indexes constructed. His work is addressed to academicians, practitioners, lawyers, and students alike. Students taking methodology and statistics courses will find invaluable the detailed explanations of indexes and the operationalization of variables associated with prisonization. For lawyers focusing on correctional law, much direct and indirect evidence presented supports liberalizing furloughs, visitations, and contact visits. Practitioners in corrections have available, in one small book, important data for formulating possible change strategies and change technologies. For academicians, particularly those in the midst of the debate between the two contemporary competing models, Slosar’s specifications as to when and under what conditions importation or deprivation model variables lead to prisonization are excellent.

Criticism of Slosar’s work is directed to his somewhat superficial operationalization of importation variables. In addition, a more detailed literature review of the importation and deprivation model seems necessary. Finally, it would seem that Slosar could have better explained how his findings correlated with previous research on prisonization.

Overall, however, Prisonization, Friendship, and Leadership is must reading for those in, or about to enter, the “great debate” in corrections.


With rare exception, historical studies on prison systems rely on official records and ignore the inmate and worker as sources of valuable information. As a result, the historical prison literature reflects an administrative accounting of the issues, problems, and changes in penal history and lacks the human dimension. This book is an attempt to present a history of the Alabama penal system from the viewpoints of three men—father, son, and grandson—who worked for the state's penal system and whose combined experience in dealing with Alabama’s inmates spans forty-five years from 1931 to 1976. The author recorded the interviews between 1974 and 1976, and has not deleted the workers’ colloquialisms and conversational style.

Although from the same family, each man had distinct experiences in and views about the prison system. These differences in experience are partially explained by each worker's contact with the penal system during different time periods and different career patterns. The father worked from 1931 through the 1950s as a warden of one of the main institutions. The son worked from 1950 through the 1960s as a superintendent of a road camp. The grandson began his career in 1972 as a probation officer. The combined views of these three individuals reflect the subtle but significant variations in penal policy and operations across time and occupations.

Each man discusses corporal violence, not in the abstract as a concept or theory of punishment, but as a functional tool used by the prison staff to control inmates. Most of the narrative from the father and son focuses on this topic. The differences between the two men's views are significant. The father used corporal punishment during his time because the prisoners were controlled through fear. Corporal punishment was swift, brutal, and unrecorded. The son, working in road camps, used physical violence selectively because of its pragmatic usefulness in controlling small groups of inmates; he relied more heavily on threats of violence to “con” the inmates. The grandson is a probation officer who has no use for corporal vio-

---

10 Recent literature suggests that importation and deprivation model variables intertwine to produce distinct subcultural adaptations. See L. Carroll, Hacks, Blacks and Cons 5–7 (1974).
The author shows that prison guards respond simplistically to complex situations. For example, one reason corporal punishment was not recorded was so that the incident did not hurt the inmate’s chances for parole; the incident was between the guard and the inmate. When court decisions subsequently required prior administrative approval before use of corporal punishment and further required that such instances be recorded guards became reluctant to exert control and when they did the inmate’s record reflected the disciplinary action. The two senior men suggest that modern prison staff cannot function effectively and inmates now suffer at the point of punishment and when reviewed for parole. They also argue that corporal punishment is more effective because it is swift and less physically damaging than use of isolation cells. These discussions suggest that prison staff were given no operating policies to guide them in carrying out their responsibilities. Without training, they relied on common sense notions of what was proper procedure and then rationalized their behavior for their own peace of mind.

It is unfortunate that the book devotes so much space to the use of corporal punishment. Other issues are raised but not developed. Indeed numerous topics of interest to criminologists and penal historians are not explored. Discipline is used by the men to mean different things, i.e., control, punishment, work. This raises the question of whether criminologists have missed the changing meaning of the term. Another issue that is touched upon but not developed is the impact of class differences or similarities between staff and inmates. It is clear from the narratives that both the father and son were from the same social class as the white inmates. There is even a hint that this class similarity influenced staff-inmate relations (at 91). Another point made by the men was that cities that had prisons were “company” towns (at 92) because the prison payroll dominated the local economy. A study of the impact this condition had on prison policy would be interesting. Finally, road camps were administratively controlled by two state departments, the Board of Corrections and the Highway Department, but the author does not discuss whether this arrangement was common and how it affected prison administration. These and other points are suggested in the narrative but are not developed.

Therein lies the strength and weakness of the book. The author is a journalist and free-lance writer who does not possess the training needed to elicit information necessary to develop concepts related to criminological theory. The strength of the book rests with the respondents because they were allowed to select issues they thought important, and their narratives are honest discussions of the issues. The weakness is that they were not guided in the interview to expand their insights or explain their experiences. The narratives are fresh and interesting at points, but they wander and are excessively redundant. The author could have presented a more concise and valuable narrative by guiding the direction of the interviews.

This book may be of interest to specialists in the field because of the points raised above and it will be attractive to parochial interests in Alabama. It will not be useful to undergraduate or graduate courses in criminology or criminal justice.
judicial system. Goldkamp's discussion is thorough and uncluttered. Unlike many, he translates his findings into readable and understandable conclusions. It is, however, at this point that one perceives inadequate substance. For example, Goldkamp's conclusion that "pretrial custody had no noticeable effect on a defendant's prospective innocence or guilt" is significant, but like most of his findings raises more questions than it answers.

Although many of Goldkamp's findings are not original, no one has conducted so complete and sound a study. Deriving concrete policy and decision-making direction from this research is more than one can expect, and one senses that Goldkamp is also frustrated by this limitation. One should also recognize that Philadelphia, for the very reasons it was chosen, is not representative of other areas of the country in which bail practice and reform has progressed less rapidly.

Overall, this study is well developed, well presented and methodologically innovative. It raises critical questions and issues, provides a sound basis for further study, and thus fills a major void in the research of this subject. For those interested in the practice of bail, this book is essential as a model of methodological strength.

Edward J. Latessa
University of Cincinnati


Malcolm Feeley presents another view of discretion and its implications in this study of court processes and the crises in the court. He attempts to move the focus away from legal orientations, especially that of reforming the courts, and toward politics and the community environment. His explicit thesis is that invoking one's rights, the "Due Process Model," is more costly to the defendant than the present pretrial process. He notes:

The defendant in a minor criminal case is much like a party in a civil suit; frequently the most rational course of action for him is to forego principle and settle in order to minimize the costs of pursuing a decision by means of a formal process which entails expenses that can quickly come to outweigh the magnitude of the sentence itself. (at 277).

Also, throughout the book an implicit thesis is developed: that the formal legal structures and control of "legal discretion" might be discussed and advocated by legal scholars and the professionals in the field, but the political environment is too strong a factor (opponent) to realistically pursue the traditional reform options.

Feeley conducted a participant observation study of the misdemeanor courts in New Haven, Connecticut. His book can be divided into three major parts. First, he points out some of the conceptual problems in the study of the courts and presents his "model." Second, he tests some of the traditional methods used in judicial research; and third, he presents his participant observation data and his pretrial model.

In the first section, he addresses the confusion in attempting to conceptualize the legal process. Part of the problem is that historically there have been many attempts to reform the court, a normative orientation. In addition, there has been an overemphasis on legal procedure as a "base line." The two most common models are the "Due Process Model" and the "Plea Bargain Model." Both are concerned with the strict application of legal procedure, but in the "Due Process Model" the focus is on the judge, and in the "Plea Bargain Model" the focus is on the prosecutor. Both models suppose a closed system and indicate prescriptive solutions when empirically tested. If the legal process is not congruent with the model it is attributable to other problems rather than deficiencies in the model such as heavy caseloads, the ascendency of a criminal justice bureaucracy, the pervasiveness of "uncontrolled" plea bargaining, and the lack of qualified personnel. These are basic to what Feeley calls "concerns about procedural justice." He finds fault with each and contends that the system is concerned with the "substantive justice," and that the system, using David Easton's system model, is not closed but open. He believes that the courts are complex institutions and their functions and organization are determined by system inputs from the political community, selection processes for court staff, other CJ agencies, and economic groups.

Law is above all a normative ordering. Thus, Feeley's strongest point is that community expectations, including defendants, are more concerned with substantive justice than with procedural justice. Feeley also believes that the legal processes are costly to both the system and the defendant. The defendant has already incurred costs that are equal to or outweigh projected solutions. The defendant may have spent time in jail before trial, lost wages, and paid a bail bondsman. To continue this process would engender additional costs that both the system and the defendant view as unnecessary.

Feeley presents an alternative model called the
"Pretrial Process Model" based on an open system. First, the author notes the environmental impact on the courts of such factors as political affiliation of the formal participants, state constitution, and community size. He then expands on the Eisenstein and Jacob work group including not only the triumvirate of the judge, prosecutor and defense attorney, but also individuals he calls supportive figures, such as bail bondsmen, family relations officers, and investigators. He contends that these various actors also can impose sanctions and thus occupy strategic positions in the system. These actors can have formal or auxiliary roles. For example, the bail bondsman has no formal role, but has an input into the system. The police liaison officer also has an input regarding what the arresting officer feels about a particular defendant. Even the clerks can affect the process, because they tend to call the private attorney cases first. Also, the bailiffs are information givers to defendants and their families and also to the judges and attorneys. Thus, all these individuals can raise or decrease the costs in time and money to a particular defendant.

In the second part of the book Feeley attempts to test the court processes using traditional approaches. He looks at three factors: legal variables such as seriousness of the initial charge, type of charge, and prior arrests; social variables such as age, race, sex, party affiliation of the judge and the victim; and system variables which he calls structural factors such as police intervention, arrest made on a warrant, and number of court appearances. He finds some support for each, but overall the factors were not strong predictors of court processes. He notes that the poor quality of quantitative data is not because of poor recording and poor record keeping. Feeley also notes that the pace in the courts is very hectic. Prosecutors and defense attorneys have little time to review the case record and, most importantly, the facts that get into the record are not the same facts that determine the judgment in the case. Consequently, a review of quantitative data may be misleading.

This sets up the third part of his book, the participant observation data in the testing of the pretrial process model. He notes that the main factor is determining the "worth" of a case. The worth of the case is determined by mobilizing the facts. Again, because of the many defendants and the rapid processing, there is a high degree of ambiguity in each situation and he notes a variant of legal reasoning taking place. The facts are malleable, can be manufactured to suit any specific situation, and are generated from various supportive actors, witnesses, and victims. For example, a minister may testify to the worth of an individual and this fact may greatly determine his guilt or innocence, or the degree to which his sentence is reduced. Interestingly, the seriousness of the charge may diminish over a period of time because the system concludes that the witnesses or victim have calmed down or the person has already served time in jail.

Feeley stresses that his study is of a misdemeanor court. But other authors such as Klonoski and Mendelsohn in the Politics of Local Justice (1970) and the earlier works of Wayne LaFave and Donald Newman in their books on arrest (1965) and conviction (1966) have addressed the same questions about courts in general, and Feeley's findings are similar. Feeley has added a new conceptualization, that of punishment being innately part of the process and a determinant in adjudication. While the points that Feeley makes are interesting and intuitively logical, his work is still a participant observation case study. In justifying a case study in New Haven, Feeley makes an argument that it may not be a typical community, but it is not atypical; this is not a strong justification.

Although Feeley claims to structure his data in a systems model, upon examining the data the reader is told that he is viewing an associative set of factors rather than a causal set of factors. At times the reader gets confused because Feeley emphasizes mundane details, for example, the fact that the public defenders did not like their investigator, and the reader is left to wonder what, if any, impact this has on the system.

The tone of Feeley's study is behavioral and probably a more cogent statement of the question addressed would be "how is deviance defined and controlled?" Because of his organization and the continuing redundancy of material, the reader is confused as to what points are offered or challenged. It is not clear whether Feeley is challenging the polemics of reform, legal logic, or whether he is introducing a new set of concepts supported by empirical data. If this last alternative is Feeley's goal, which social scientists would consider the most important, then he needs to clearly elaborate these new concepts and to test them in a comparative setting.

In summary, Feeley opens a new avenue of study, moving away from the variants of the legalistic Due Process Model and provides support for the community politics model. His strongest argument is that formalizing the process would eliminate justice from the system. Feeley's argument
suggests that reform must occur in the administrative law process rather than the criminal law process. Finally, although primarily concerned with the legal process, this work can easily apply to the community power structure studies.

ROBERT A. LORINSKAS
Political Science Department
University of Wisconsin-Oshkosh


This work is one of five volumes which analyze the dramatic reform of the Massachusetts Department of Youth Services between 1969 and 1979. In this particular volume, Coates, Miller and Ohlin of the Harvard Law School Center for Criminal Justice examine the impact of community-based programs for juveniles created because of the deinstitutionalization of the Massachusetts system. Although some individuals may already be somewhat familiar with its findings, this study significantly adds to the literature on three topics: the deinstitutionalization of juveniles, community-based corrections, and the methodological problems which must be faced when conducting operations or system-based research.

The theoretical concept underlying this work is the "institutionalization-normalization continuum." It is designed to illustrate the chain of relationships which extends from the formal institution to the community-based system by considering such aspects as: social climate (flow of information, nature of decision-making and control, and level of fairness), extent of community linkage (frequency and duration of contacts), and quality of community linkage (communication, decision-making, control and fairness, and access to community resources). The authors use this construct to illustrate that service delivery is an important variable in and of itself, and to emphasize the fact that removing the juvenile from the institution and placing him in the community does not guarantee future success.

The use of this "broader systemic viewpoint" designed to measure the effect of service delivery provides an excellent example for researchers in the area of evaluation. In fact, this approach distinguishes this study from other "natural experiment" reports in the field of criminal justice. For example, the authors couple a fairly traditional recidivism-based outcome analysis with interviews of several samples of juveniles involved in different programs to obtain their opinions about project operations and the effect of the program upon the individual's self-concept. This analysis type underscores the relevance of the impact model of evaluation which considers more than straight recidivism rates and demonstrates that intervening variables, such as those listed in the continuum, impact on recidivism rates. Such models can generate relevant information concerning such system-wide changes as deinstitutionalization and should not be divorced from criminological theory. In fact, the entire Massachusetts experience appears to be a relevant test of the labeling perspective.

Clear presentation of the quantitative analysis is another methodological strength of this study. Readers unfamiliar with the often-intimidating nuances of stepwise multiple regression will feel comfortable with the authors' skillful use of a definition of terms for statistical analysis. Appendices are provided for the reader who wishes to closely examine the quantitative analysis.

The authors also devote considerable attention to the policy implications of the study, attempting to generalize beyond Massachusetts. Foremost here is the advocacy concept, familiar to the community-based corrections field. The authors specify three levels of advocacy: individual (where the staff member focuses upon the needs of the individual), community (making existing resources available or taking steps to generate them), and public policy advocacy (modifying guidelines for dealing with youths across the state). Indeed, the concept of advocacy is central to the debate over community-based corrections and the consideration of this topic broadens the scope of this work. Coates, Miller and Ohlin recognize that for any community-based program to become effective, advocacy must be considered and developed.

In sum, this book should be regarded as a valuable contribution to criminal justice research.

GENNARO F. VITO
Department of Criminal Justice
Temple University

1 L. Ohlin, A. Miller, & R. Coates, Juvenile Correctional Reform in Massachusetts (1976).