

THE PSYCHOSOCIAL EFFECTS OF IMPRISONMENT: IMPLICATIONS AND  
PERSPECTIVES

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## Abstract

# THE PSYCHOSOCIAL EFFECTS OF IMPRISONMENT: IMPLICATIONS AND PERSPECTIVES

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Incarceration causes pain and suffering that extend beyond the prison walls over time and generations. Psychological consequences related to incarceration over the short or long-term can result in emotional deterioration within the individual which has a profound effect on family systems, the community, and society as a whole. This paper focuses on the effects of imprisonment on innocent family members or loved ones, along with societal repercussions resulting from incarceration. Clearly prison involves severance from family, children, and friends and the disruption of the family, but these areas of study have been almost entirely neglected in academic research, prison statistics, public policy, and media coverage. Recent research regarding the effects of imprisonment on families and children indicates that helping families maintain close relationships may help prevent future antisocial behavior by imprisoned parents. It may also prevent criminal behavior by future generations.

The correctional institution, along with its policies, on the surface is designed to provide protection and safety to citizens, accountability and responsibility to offenders, and preparation for the individual to responsibly reintegrate back to their respective communities. Isolation from the outside world provides the inmates with few options for connections with individuals who demonstrate more prosocial thinking or positive behavior. Requisite navigation between inmate and administrative culture places inmates in an adversarial role with jail and prison administrations. Administrative mandates and costs allow policies that ignore or deny human rights, respect and dignity, and create a negative emotional reference for reprehensible behavior

in the future (Smith & Hattery, 2010). This review of research literature can serve as a framework for prospective policy changes that encourage support of less retributive punishment.



## TABLE OF CONTENTS

	PAGE
APPROVAL PAGE.....	i
TITLE PAGE.....	ii
ABSTRACT.....	iii
TABLE OF CONTENTS.....	iv
CHAPTER	
I. INTRODUCTION.....	1
Introduction	
Statement of the Problem	
Definitions of Terms	
Delimitations	
Method of Approach	
II. REVIEW OF LITERATURE.....	4
Historical Purpose of Imprisonment	
Deterrence Theory	
Criminal Justice Policy	
Institutions	
Prison Culture	
Psychological Effects of Imprisonment	
Segregation	
Institutionalization	
Emotional Disturbance	
Anxiety, Depression, Hostility, and Hopelessness	
Sociological Effects of Imprisonment	
Impact on Marriage	
Family Impact and Children	
Social Integration	
Negative Problem Orientation	
III. CONCLUSIONS AND RECOMMENDATIONS.....	26
IV. REFERENCES.....	31

## **Chapter One: Introduction**

Throughout American history our society has placed its faith in the criminal justice system to punish those who break the law while protecting public safety. The passion for public safety or punishment of offenders often results in new legislation which increasingly allows for unprecedented numbers of individuals to become imprisoned in our jails and prisons (Haney, 2002). The United State' long-term political agendas continue to commit extreme amounts of dollars to the criminal justice system. Longer sentences, along with an increase in individual incarcerations, present ongoing draws on government resources, which have an enduring, major effect on our society. The legislative focus on imprisonment is not without its collective consequence to the individual, family, community, and the very nature of our current humanity. The psychological, as well as sociological, effects experienced by the incarcerated person, have a rippling effect throughout every facet of our daily lives. The long-term psychological effect on the individual will affect the sociological well-being of their family, and community, in addition to society as a whole (Wildman & Western, 2010). This progressive effect of imprisonment on the individual offender or specifically the non-violent, low risk offender, may create potentially repetitive criminal behavior. In direct correlation to their emotional well being as a maladaptive response to the ongoing psychological damage imposed by imprisonment, the imprisoned person may use crime as a response to damage incurred through incarceration.

### **Statement of the Problem**

This paper examines the adverse psychological and sociological affects of incarceration. It also examines the psychological and sociological effect of imprisonment on the non-violent low risk offender, and whether the ongoing recidivism of long-term, high risk individuals may prove detrimental to their successful re-integration into society.

### **Definition of Terms**

**Imprisonment:** Refers to any form of custodial confinement, including local or training prisons (in the UK) or jail or prison (in the USA). It should be noted that imprisonment and incarceration will be used interchangeably (Murray & Farrington, 2005).

**Deterrence:** Refers to the omission of criminal acts because of the fear of sanctions or punishment (Paternoster, 2010).

**Chronophobia:** A state often referred to as prison neurosis.

**Institutionalization:** Describes the process by which inmates are shaped and transformed by the institutional environments in which they live. Sometimes called, “Prisonization” when it occurs in correctional setting, it is the shorthand expression for the negative psychological effects of imprisonment (Haney, 2002).

**Total Institution:** Represents a unique setting conducive to examining the impact of social integration on mental health (Lindquist, 2000).

**Depression:** Refers to feelings of hopelessness and withdrawal from life interests (Lindquist, 2000).

**Anxiety:** Refers and encompasses nervousness, tension, apprehension, and terror (Lindquist, 2000).

**Isolation or Segregation:** Refers to when inmates are isolated from the general population.



### **Delimitations of Research**

The references used for the review of literature were collected over a period of 60 Days using resources of the Karmann Library of the University of Wisconsin – Platteville. Several search engines provided by EDSCOHOST, ERIC, and H.L. Wilson. Key search terms were: Pyschosocial, affects, imprisonment, jail, prison, family, community, children, and individual. Furthermore, research in the area of study presented difficulty locating specific exploratory inquiry for individual knowledge related information requiring the use of multiple science literature. In addition, research literature presented a limited current body of evidence in any one specific scientific discipline requiring a compilation of knowledge from the sciences.

### **Method of Approach**

A brief review of historical definitions of imprisonment and criminal justice origins was conducted. A review of literature studying the impact of imprisonment and criminal development of antisocial patterns on the individual was also conducted, moreover, maladaptive psychological behavior identified. A review of social psychology journals discussing the affects of imprisonment on the family, family structure, children, and community were also conducted.

## **Chapter Two: Review of Related Literature**

Historically the criminal justice system has identified many public safety benefits from the imprisonment of individuals within our society (Tonry, 2007). In its effort to accommodate societies demand for public safety, as well as its propensity for punishment, the criminal justice system proved ineffectual. Its attempts to affect deterrent thinking for the future or rehabilitate individuals, within the framework of societal responsibility, provided ongoing challenges for the institution of justice. Imprisonment at face value appears to address societal concerns for public safety, deterrence, and payment for crimes against humanity. However, incarceration also provides the environmental stimulus for intense psychological damage to the individual thereby increasing potential for decreased mental health along with high risk recidivist behavior.

### **Historical Purpose of Imprisonment**

The United States incarcerates more people than any other country in the world. In 2009 the Bureau of Justice Statistics study reported over 1,613,740 people incarcerated in prison, 760,400 in jail, 819,308 on parole, and 4,203,967 on probation totaling 7,225,800 people with involvement in the American criminal justice system (Bureau of Justice Statistics, 1993).

Historically, imprisonment was based on punishing those who committed crimes and required individuals pay their debt to society, while obtaining some form of rehabilitation during the completion of their sentence. Incarceration was intended to affect an individual's way of thinking, effecting positive thoughts for change, and creating victim awareness, while developing a more productive member of society. The goals of incarceration have changed to a more punitive model over the years (Tonry, 2007). Before 1800, there were no professional police forces or prosecution offices such as the District Attorney or Public Defender's office. Prisons

as we know them, probation, parole systems and juvenile courts did not exist. The emergence of the modern justice system came into existence in the early nineteenth century.

The nineteenth century introduced training schools for delinquents, reformatories for young adults, youth probation and parole systems, and juvenile courts (Tonry, 2007). The numerous problems faced in the current criminal justice system can be in some way attributed to the development of its nineteenth century model.

The early 1970's ushered in a movement away from the traditional punishment model represented a presumed paradigm shift to more progressive sentencing structures with a decreased focus on punishment (Tonry, 2007). The new approach appeared to represent a more humanistic stance to the criminal justice system's analysis of punishment. This shift was later found ineffective for political aims and the movement toward the utilization of imprisonment to punish or cause pain for the incarcerated person became the justification and focus. The Indeterminate Sentencing movement adopted early on found retributive theory more conducive to mid -1970's rationale for culpability (Tonry, 2007). Critics of the model argued sentencing should not be individualized (except possibly in relation to responsibility). This perception also allowed detractors to promote the notion that sentencing can be subject to general, unbiased rules. By enabling transparent processes, ensuring fair procedures, and holding decision makers accountable, the risk of racial and other disparities, including stereotypes and idiosyncrasy, would reduce difficult decisions. Rehabilitation, reentry, and social integration no longer facilitated the justification for imprisonment; rather the societal call for punishment and payment of a debt increased prison populations.

America's prisons and jails have always necessitated that inmates face some very distinctive circumstances with a number of anticipated events and pressures. Inmates are required to react and adapt in order to survive the prison experience. Over the last several decades from the early seventies to the present, a combination of forces have transformed the nation's criminal justice system and modified the nature of imprisonment. The potential for the United States to facilitate and anticipate consequences or reactions to these distinct changes could have afforded alternative policy implementation. However, the most dramatic changes have come about as a result of the unprecedented increases in the rate of incarceration, the size of the U.S. prison population, and the widespread overcrowding that has occurred as a result (Haney, 2002). Prison overcrowding and rapid expansion of prison systems across the country according to (Haney, 2002) adversely affected living conditions within the prison, jeopardized prisoner safety, compromised prison management, and greatly limited prisoner access to meaningful programming. Ongoing budget cuts to these mechanisms for prison rehabilitation provided the impetus for administrative neglect and deteriorating conditions.

As noted in the historical purpose of imprisonment, the United States incarcerates more persons per capita than any other country in the world. Haney (2002) reported the international disparities are most striking when the U.S. incarceration rate is contrasted to those of other nations to whom the United States is often compared, such as Japan, the Netherlands, Australia, and the United Kingdom. The early seventies provided some movement away from the mandatory sentencing and capital punishment with an initial push toward less imprisonment as supported by Richard Nixon's National Advisory Commission on Criminal Justice Standards and Goals (1973). The United States began to experiment with community service programs, victim – offender reconciliation, and other alternative sentencing programs. In the 1950's and 1960's

nearly all prisoners were eligible for parole release early in their terms. Most sentencing laws and punishment practices were predicated on the ideas that harsh mandatory sentences served no valid purpose, that decisions affecting offender liberty should be insulated as much as possible from punitive public attitudes, and that the primary purpose of imprisonment was to rehabilitate prisoners (Tonry, 2004).

### **Deterrence Theory**

The premise of deterrent thinking within its criminal justice function is that deterrence serves to confront inclinations to commit a crime or prevent those who have not participated in criminal acts from doing so. Described as an important foundation of the criminal justice system it proposes an assumed value to society for would-be criminals and those already convicted to abstain from all criminal acts.

Deterrence Theory as an active, living definition within the criminal justice theoretical base provides an understandable scheme which many believe functional. A 21st century definition describes deterrence theory in this way (Paternoster, 2010, p.766):

Law enforcement exists both to apprehend wrongdoers and convince would be wrong doers that there is risk of apprehension and punishment if they commit a crime. Laws that provide a host of different sanctions for the commission of criminal offenses (fines, probation, imprisonment) serve notice that criminal statutes contain a credible threat that – it is hoped – will inhibit those who have been punished from committing additional crimes (specific deterrence) and those who have not yet offended from committing crimes at all (general deterrence). Deterrence policies and actions are supported by a number of activities to encourage thinking toward the overall goal of crime prevention. Criminal justice policies have been implemented to include “police crackdowns”, enhanced surveillance of high crime areas or hot spots, mandatory minimum sentences, sentencing enhancements for firearm possession, three strikes laws, and truth in sentencing (in Wisconsin), all enacted with the expectation they will successfully bring down the crime rate. These policies also marked the advent of increased focus on African Americans. Such practices continue to affect minority individuals, their communities, and families disproportionately more than other socioeconomic cultures and lacking any credible realization of their stated goals.

## **Criminal Justice Policy**

For decades, progressive policy analysts and criminal justice reformers have argued that state and federal “tough on crime” incarceration strategies were counterproductive, that they were dramatically reshaping American society at a staggering fiscal and moral cost, and that they weren’t succeeding (Abramsky, 2010). Widespread substance abuse continued, and high recidivism numbers for parolee’s suggested that prisons were not rehabilitating its criminal population. Reformers argued for keeping prisons for the extremely hardened, violent individuals, and to invest more resources in less expensive and more effective alternatives to incarceration. True, crime rates have fallen dramatically since the early 1990s, in part because of those higher incarceration rates. However, experts believe they fell in larger part because of demographic shifts, changes in policing practices and an easing of the crack epidemic. The drop-off in crime has, in turn, finally allowed a public slightly less scared of crime to become more willing to look for nuance rather than sound bites when it comes to policy (Abramsky, 2010).

Sasha Abramsky (June, 1999) asserts in her earlier work; that the myth is that the United States has become besieged by a pathological criminal underclass on a scale never before realized. The fact is we are not. After spiraling upward during the drug wars, murder rates began falling in the mid 1900’s and are lower today than twenty years ago. Also, nonviolent property crime rates in general are lower today in the United States. Abramsky argues that crime in general has not experienced a rise in frequency or severity. Crime rates remain static, or consistently fall below longtime rates and have maintained this consistency of movement throughout the past twenty years suggesting that some cities would have lower rates in the 21st century.

Unfortunately, policy-makers politically motivated by support from their populist base, continue to drive stories that have led to a call for longer sentences, the abolition of parole, and increasing the punitive treatment of prisoners. The politics of opinion poll populism has encouraged elected and corrections officials to build isolation units, put more prisons on lockdown status (in which prisoners are kept in their cells twenty three hours a day), abolished educational grants that allowed prisoners to study toward diplomas or degrees, and made life as miserable as possible on the inside (Abramsky, 1999). The notion that people are more antisocial than they were over twenty years ago lacks any real evidence. However trends in punishment have moved toward the more restrictive and malicious.

Michael Tonry (2007) writes that the longest prison sentence for adults that may be imposed, except for murder, is fourteen or fifteen years in most European countries; in the United States it is life without parole. More than 35,000 prisoners serve such terms, with more than 3,000 on death row. Mandatory sentencing, three strikes laws and truth in sentencing for Wisconsin allowed prisons to keep individuals incarcerated for their lifetimes without any hope for release or motivation for change. As noted earlier in this writing, this ongoing adoption of more punitive sanctions did not include justice as the motivation for imprisonment. Indeterminate sentencing, along with minimum sentencing guidelines, continues to perpetuate cruelty and injustice systemically within the American criminal justice structure.

The ideal of achieving equality and proportionality in sentencing will always be attractive in principle but unattainable in practice. Indeterminate sentencing and the requirement that “like cases be treated alike” suggest that theorizing which gives some consideration to ideas of equality and proportionality in the progression of the severity of punishment, have yet to be

achieved. Achieving fairness for all in sentencing does not represent the goal of punishment in the criminal justice system or politics of reform proponents.

Sentence adjudication and institutional punishments were at least officially predicated on idea that most offenders' wrongdoing resulted from defective socialization, psychological problems, or adverse social and economic circumstances, and that the goal of punishment should be to remedy those deficits (Tonry, 2007). The core of indeterminate sentencing methodology was to grant judges, probation officers, prison officials, and parole boards broad discretion to tailor punishments to the offender's needs and circumstances (Tonry, 2007). Offering the appearance of a conciliatory recognition that circumstances could produce criminal inclinations and lifestyles, policy-makers were thought to believe this system would bring fairness to criminal justice. This 1970's approach to judicial due process, left in the hands of the institution of criminal justice, with its lack of both procedural fairness and transparency in so discretionary a system, was condemned by many academicians. Unable to determine the delivery of fairness or reform by the same policy-makers who created the sentencing guidelines, they further rejected the notion that indeterminate sentencing would accomplish its goal. Furthermore, reformers criticized sentencing disparities generally, based on their certainty that individualized sentencing offered too many opportunities for racially biased and stereotyped decisions. Ultimately their concerns were proved valid given the disproportionate numbers of African Americans imprisoned in United States prisons.

### **Institutions**

The correctional institutions and their policies are, on the surface, designed to provide protection and safety to citizens, accountability and responsibility to offenders, and preparation for the individual to responsibly reintegrate back to their respective communities. However,



prisons have become a huge industry rarely discussed in economic terms nor exposed in this “punishment first” movement. The term “Prison Industrial Complex,” recognizes a complex interlocking web of institutions that extend outward beyond any one jail or prison into the larger political economy and loop back to the thousands of jails and prisons that house men and women for crimes for which they have been convicted (Smith & Hattery, 2010). The “Prison Industrial Complex” has been reported to match the military in terms of shameless problems of mismanagement, waste, theft and chicanery (Smith & Hattery, 2010). It is composed of the federal, state, county, city jails, and their architects. Also complicit in this industrial institution are the construction planners, contractors, vendors, suppliers, politicians and the media who make billions of dollars a month from contractual agreements to provide services, build facilities, and push the legislative agenda.

For government and private prisons to remain within their respective budgets or realize a profit, they must craft it off the backs of inmates by overcrowding or using cheap construction and labor, substandard repairs, supplies, equipment, food, and medical care. Services for education, recreation, religious practice, psychological evaluation, and therapy are costly to provide with the threat of ongoing budget cuts. Vocational support, social services, custodial, and professional staffing create additional expense for the prison budget. Essential services in prison cannot be avoided. Despite agreement that health and sanitation are important, prisons consistently cut costs by encouraging overcrowding, reducing the quality of nutrition, and hiring undereducated staff. These practices are unethical and immoral, creating an ethos that permeates prison systems (Ristad, 2008).

### **Prison Culture**

Prison structure is based on solitude and separatism. Individuals are isolated from the external world and everything that motivated their offenses. In addition, they are separated to a large degree from one another. Total Institutions, such as prison, isolate individuals from the

outside world. This isolation from the outside world provides the inmates with few options for connections with individuals who observe more prosocial thinking or positive behavior.

Individuals are at best left to navigate between cultures of the worst to the least negative influences within the structure of the institution. The necessary and obligatory dependence on inmate rules for safety places inmates in an adversarial role with jail and prison administrations. Inmates are quickly encouraged to recognize the structure of inmate rules that constitute the hierarchy of institutional survival. While attempting to observe institutional rules that may provide some avoidance of harmful consequences that could interfere with release from the institution, inmates are confronted with a conflicting alliance with other inmate subcultures. The demands of the institution to participate in prosocial pursuits within the prison that promote positive reintegration back into their communities remains an ongoing battle for daily survival (Ristad, 2008).

Prison violence is a way to manipulate self and others in the institution by creating fear, hysteria, paranoia, hate and revenge. The threat of violence inside the prison environment by imprisoned individuals has been used and exaggerated by leaders in order to prey upon the American people for authority and control of the criminal justice complex. Violence is a stark reality for many inmates incarcerated for extremely long periods, in extremely overcrowded conditions. However, and surprisingly so given the psychological and emotional damage created over time and despite the media's fascination with inmate life, the level of violence within the institutions (or within society) has not surpassed historical numbers (Ristad, 2008). Nevertheless, to gain support for the pro-retributive justice policy supporters, justification for long-term imprisonment must be promoted to the masses of voters. Skillful use of the media's exploitation of violence sells the public on punitive criminal justice policies and programs.

A primary platform for government officials seeking election or reelection is the violence hysteria perpetrated and exploited by the media. This criminal justice mishandling serves as political justification for wars; for opposition to terrorist action, crime and drugs; and for denial of individuals' human and constitutional rights (Ristad, 2008, p. 293.).

Most of the time politicians and the media exploit the physical violence of fights, gangs, riots, mayhem and murder in prison. This excess media attention hides the fact that such physical violence is not the norm. These are systemic issues that cause the physical violence in prison. I have been in two riots in high violent units where my life was threatened. I've been verbally abused and threatened by inmates and staff. I have broken up individual and group fights in the chapel, and I have witnessed a killing in my Sunday service. (Doesn't this titillate the seductive need we have for voyeuristic violence, thereby witnessing to how quickly we get caught up in violence.

The prison environment as a culture within the institution is pervasive. It is manifested through verbal assaults, deliberate neglect, and obstruction of care. This culture leads to rule violations and needlessly produces stress. Policies that ignore or deny human rights, respect and dignity create a negative emotional reference. Reprehensible behavior can build a distinct and negative environmental culture. This pervasive system of neglect violates, as well as dehumanizes inmates, the staff, and consequentially, the public. The American public has provided ongoing support for the unethical, immoral, emotionally inhumane system of retribution for crimes against its own family, friends and communities (Ristad, 2008). Individuals need not be excused for their crimes, but the punishment must fit the crime.

### **Psychological Effects of Imprisonment**

The adaptation to imprisonment is almost always difficult, at times creating habits of thinking and behaving that can continue to be dysfunctional in periods of post-prison adjustment. Psychological effects of incarceration differ from person to person and can often be reversible. However, few are completely unchanged by their experience of imprisonment. At the very least,

prison is painful, imposing long-term consequences from participating in an environment of deprivation and extreme uncommon patterns and norms of living and interacting within an institutional setting (Ristad, 2008). Research has provided indicators that the use of segregation or solitary confinement is akin to sensory deprivation (Gendreau & Keyes, 2001). Though intended to punish and repay a debt to society, the effects of the prison experience result in long-term emotional psychological disorders and cognitive discontinuity.

### **Segregation**

Segregation as a form of punishment in United States prisons is the norm for a collection of infractions in the prison environment. This practice is not strictly reserved for the violent, most extreme inmate in the institution, but provides additional opportunities for the institution to use its administrative advantages. There are three distinct situations that allow an inmate to be isolated from the general population. Disciplinary segregation is a response to a number of violations to the rules of the institution. It is used when the offender has been charged and in most cases, convicted, of a crime on prison grounds, or presents a security threat to the institution. Administrative segregation is usually a response to a pending investigation in which prisoners are locked up while the institution probes criminal accusations or activities committed in or on prison property. Protective custody within the institution can be requested for those who seek safety, cannot protect themselves and may suffer mental or physical disorders. Correctional Service Canada (1999) estimated fifty percent of inmates have experienced segregation.

### **Institutionalization**

Institutionalization refers to the process by which ideas, theories, interpretations, or other forms are made conventional and assimilated into an existing framework or established system. The term is used negatively in academia (itself an institution responsible for institutionalization)

to designate the appropriation of innovative or radical ideas and their subsequent domestication into politically nonthreatening forms (Graff, 1989). Institutionalization in its contemporary sense asserts the “status quo,” ongoing acceptance of the abnormal for the normal. In other words, imprisoned individuals become accustomed to the conditions of prison environments, the stressors of prison culture, the rules of institutional administrations, and the mandates of policy-makers who have little concept of the prison constitution. The imprisoned individual may attempt to defend against his own institutionalization through the process of marginalization, though it carries the risk of a loss of effectiveness. This breaking with the old rules of institutional life and founding new constructs decreases the effectiveness of inmates to navigate the institutional subculture critical for survival. Prison rules and culture often strip the individual over time of all rationale for the circumstance as deviant and objectionable. Extremely negative, irrational behavior often arises as the norm within the constraints of the institution. The emotional and psychological changes diminish their capacity to reason or distinguish deviant behavior within themselves.

### **Emotional Disturbance**

The definition of emotionally disturbed has its historical roots in the widely understood federal description of ED which was developed by Eli Bower and the state of California in the 1960's. It was adopted by Congress in 1975. The state of California, whose interest sought to find classification methods of students in need of services due to their severe behavioral and emotional problems, funded research in this area (Merrell & Walker, 2004).

Bower's original definition was first proposed in 1957, and adopted nearly in its entirety nearly 20 years later. This definition proposed that “emotionally handicapped” students had to

exhibit one or more of five major characteristics to a marked extent and over an extended period of time. These five characteristics included:

1. An inability to learn which cannot be explained by intellectual, sensory, or health factors.
2. An inability to build or maintain satisfactory interpersonal relationships with peers and teachers.
3. Inappropriate types of behavior or feelings under normal conditions.
4. A general, pervasive mood of unhappiness or depression.
5. A tendency to develop physical symptoms, pains, or fears, associated with personal or school problems (Bower, 1982, pp. 55–60).

This widely accepted definition as a construct had very important implications for the adult criminal justice and prison system. In March 1997, the Office of Juvenile Justice and Delinquency Prevention, the Office of Special Education Programs, and several other agencies and organizations convened an expert panel to examine the relationship between disabilities and juvenile justice outcomes and to make recommendations (Coordinating Council on Juvenile Justice and Delinquency Prevention, 1997). The panel proposed a national survey to more definitively identify the number of students receiving special education services in the juvenile justice system. Subsequently, the Center for Effective Collaboration and Practice and the National Center on Education, Disability, and Juvenile Justice developed a survey of departments of juvenile corrections and local and state juvenile detention agencies. The focus of that research was both to determine the percentage of students identified as having disabilities in the juvenile justice system and to identify the percentage of students served by the disability category. The original study surveyed both detention (short-term) and commitment (long-term) facilities. The implications of this study furthered the conclusion that adult institutions were the

recipients of this population once they progressed through the juvenile justice system with undiagnosed learning, behavioral, and cognitive disabilities.

Participants were the 51 heads of state departments of juvenile corrections or combined juvenile and adult corrections systems (or the equivalent departments or agencies). At the time of this study there were 42 heads of juvenile systems and nine heads of combined juvenile and adult correctional systems. Thus, all state correctional systems and the District of Columbia were surveyed to include every juvenile under age 22, incarcerated and committed to the juvenile justice system. All participants were asked to complete and return a survey using information and figures from December 1, 2000 youthful offenders.

Respondents reported that there were a total of 33,831 juveniles incarcerated in secure correctional facilities, with 81% enrolled in an education program. The number of incarcerated youth by state ranged from 30 to 7,827, with a median of 509. For the 27 respondents providing breakdowns by gender for these youth, 11.2% were female and 88.8% were male. A total of 8,613 youth were eligible for special education and related services as mandated by the Individuals with Disabilities Education Act (IDEA). Responses by state departments of juvenile corrections ranged from 23 to 1,605 with a median of 160 incarcerated youth with disabilities. The average prevalence of youth with disabling conditions in state juvenile corrections systems was 33.4%. Respondents were also asked to identify the primary disability of students eligible for special education and related services from among the 13 categories of disability described in IDEA. Specific learning disabilities and emotional disturbance were the two largest categories of primary disability identified, followed by mental retardation, multiple disabilities, and other health impairments.

According to a 2002 National Center of Education, Disability and Juvenile Justice Study, there is an estimated thirty to fifty percent of youth in juvenile corrections identified as having a disability, an overrepresentation (2002). This overrepresentation offers support to the notion of adult institutions providing additional psychological damage to prisoners when moved through juvenile justice, into the adult system. As noted in the “Historical Purpose of Punishment” chapter of this writing, the move away from rehabilitation to retribution and punishment allowed greater numbers of youth to receive incarceration as punishment, without the identification of prisoners with lower levels of functioning. In effect this emotionally and psychologically re-traumatizes the very individuals they are expecting to make changes necessary for societal transformation. Evolution into the psychologically damaged adult is the only option afforded the inmate.

The psychological consequences of stressors associated with imprisonment are reflected in the disproportionately elevated levels of depression, loneliness, nervousness, and anxiety found among jail and prison inmates. Jails offer a particularly extreme opportunity to promote mental distress. Designed for temporary holding of individuals, they lack the advantages typically available to prison inmates, such as recreational activities, educational and occupational programs, substance abuse treatment, and physical and mental health care. Confinement to cell or block areas for the majority of the day is standard policy within the jail setting (Fogel & Martin, 1992). The impact of long and short-term imprisonment in jails or prisons can be supposed to create an ongoing emotional state of hostility. As a result of the perception of procedural justice in a punishment system, the goal of change is often never realized.



## **Sociological Effects of Imprisonment**

### **Impact on Marriage**

Criminological theory and research has always regarded the marriage relationship as an important arrangement and the one institution that has the potential to truly cultivate desistance from a criminal career. Mass imprisonment policies in the United States and elsewhere, therefore, pose a potential threat of increased crime if they impede the ability of current and ex-prisoners to reintegrate into society by stigmatizing them and limiting their chances in the marriage market (Apel, Blokland & Nieuwbeerta, 2009). One unintended consequence faced by ex-inmates might be felt acutely in the institution of marriage. Specifically, a prison record might erode ones prospects for family formation by delaying or permanently disrupting the transition to marriage. Imprisonment might also disrupt intact marriages by increasing the risk of divorce. In light of compelling research demonstrating an inverse relationship between marriage and criminal behavior, such difficulties could inadvertently sustain an individual's criminal career. There are potential side effects also for crime control at a cumulative level. Mass imprisonment might very well diminish the capacity of communities to exercise informal social control by further weakening already fragile families (Lynch & Sabol, 2004).

One method by which incarceration would conceivably erode marriage predictions is through the stigma of imprisonment and the “warning sign” that such a label transmits to potential spouses. From the perspective of signaling theory and its sociological counterpart—labeling theory—a prison record conveys (however, imperfectly) information about a person that entails more than just his or her future risk of criminal behavior. It may communicate something about an individual's prospects and potential for success in the labor market, their ability to provide for a family, the company that one chooses to keep, a potential

spouse's risk of becoming a victim of domestic violence, and so on. In other words, a label of "ex-inmate" provides important information that is used by prospective spouses to assess the labeled individual's reputation, integrity, and future prospects— criminal and non-criminal alike. If potential spouses are responsive to cues about one's "marriage potential," it is conceivable that a prison record conveys, quite simply, that one is not marriage material (Quant, 2010).

The foregoing stigmatization perspective presumes that current or prospective spouses perceive ex-inmates to be undesirable marriage partners. However, stigmatization might operate in a second, related way, by constraining the social networks of ex-inmates and thereby limiting the opportunity to meet potential dating or marriage partners. While crime-prone individuals might run in social circles and frequent geographic locations dominated by like-minded others (through a process of self-selection or social homophily), incarceration and the formal labeling process might exacerbate this tendency through a process of subculture formation among similarly stigmatized individuals (Quant, 2009).

For married offenders, incarceration imposes a period of time-out from the marriage. As incarceration often removes offenders from their communities of residence, married inmates are physically isolated from their spouses and families, which can lead to disruption in the quality of existing marital ties (Lopoo and Western, 2005). The stress of separation could lead to withdrawal and dissolution as alternative sources of emotional support are sought by the "surviving" spouse. Additionally, the loss of economic support (Quant, 2010) by the imprisoned individual might motivate a spouse to separate or divorce in the interest of finding a new partner who can help stabilize the financial situation in the household, particularly if children are present.

## **Family Impact and Children**

Children of prisoners are at increased risk of impaired health, behavioral problems and substance misuse. However, the causal pathways to these problems are unclear. Under some circumstances, parental imprisonment may result in improved outcomes for the child. Negative parental role models unavailable for observation can prove to increase the likelihood of the child adapting more prosocial behaviors offering more enhanced exposure to positive cognitive structuring, socio-environmental, and academic opportunities. A study conducted by (Kinner, Alati, Najman, & Williams, 2007) and the School of Population Health in Queensland, Australia investigated the impact of paternal arrest and imprisonment on child behavior and substance misuse, as a function of child gender, and in the context of known social and familial risk factors (2007).

In Australia, about 93% of adult prisoners are male. A recent study estimated that 4.3% of all children under the age of 16 years old in New South Wales had experienced parental incarceration (Quilty, Levy, Howard, Barratt, & Butler, 2004). Other studies have been conducted; however most that have explored the relationship between parental incarceration and child outcomes have been limited by small, non-representative samples and a failure to consider potential confounders and mediators. One notable exception is a prospective study of 411 boys in the United Kingdom, which compared those who had experienced parental imprisonment by age 10 with those who had experienced parental absence for other reasons, or had never experienced parental absence. Compared with the other groups, the children of prisoners exhibited higher rates of antisocial behavior, even after accounting for individual, parenting and family risk factors (Murray & Farrington, 2005). Although this study provides some support for the view that parental incarceration can have an impact on child functioning, the sample included only 40

children who had experienced parental incarceration. In addition, other risk exposures occurred before or after parental imprisonment, and the study did not consider other important outcomes, including internalizing behavior and substance misuse (Murray & Farrington, 2005).

The evidence for a causal link between parental imprisonment and worse child outcomes therefore remains limited. Despite this, calls continue for increased support and preventive interventions, specifically for the children of prisoners (Quilty, 2004). Furthermore, although there is some evidence of poor outcomes for the children of prisoners, it does not necessarily follow that imprisonment of a parent always has negative consequences for the child. One recent study of more than a thousand twin pairs and their parents in England and Wales found that the impact of paternal absence on child behavior depended on characteristics of the father. Among children whose father engaged in low levels of antisocial behavior, paternal absence was associated with more child conduct problems. Conversely, for fathers who engaged in high levels of antisocial behavior, paternal absence was associated with fewer child conduct problems (Jaffee, Moffitt, Caspi, & Taylor, 2003). Similarly, a recent prospective study found that it was paternal arrest (indicating the presence of a father modeling antisocial behavior) and not imprisonment that predicted cannabis use in young adults (Hayatbakhsh, Kinner, Jamrozik, Najman, & Mamun, 2007). These studies suggest that paternal incarceration may be less problematic than exposure to paternal modeling of antisocial behavior during childhood, although this modeling effect may be stronger for boys (Thornberry, Freeman-Gallant, Lizotte, Krohn, & Smith, 2003). For children whose father engages in regular antisocial behavior, imprisonment of the father may therefore be ‘the lesser of two evils’, at least as far as the child is concerned.

## **Negative Problem Orientation**

Social problem-solving ability has been identified as a significant mediator between stressful life-events and psychological distress in community samples. The hypothesis was that a negative problem orientation (NPO) would be the strongest predictor of anxiety and depression (McMurran & Christopher, 2009). Social problem-solving ability has been identified as a significant mediator between stressful life events and psychological distress in community samples (Kant, D'Zurilla, & Maydeu-Olivares, 1997). A reciprocal relationship may be in operation, where emotional arousal from negative events impact adversely on social problem-solving efficiency. In turn, inefficient social problem solving can contribute to the experience of life problems. This problem-solving model of stress and social functioning has relevance to prisoners both in relation to their offending, where poor social problem solving may contribute to decisions to commit crime (Bennett, Farrington, & Huesmann, 2005) and to their ability to cope with imprisonment.

Whether a cause or a consequence of imprisonment, poor social problem solving may be linked with distress. Conversely, good social problem-solving skills might protect against the adverse emotional effects of imprisonment and facilitate better coping in prison settings. It is important that prisoners should be able to cope with imprisonment, first on purely humanitarian grounds, but also so that they might be better able to avail themselves of education, vocational training, and interventions aimed at rehabilitation. The effect of negative problem orientation (NPO), anxiety, and depression on prisoner rehabilitation is an important consideration. While high levels of fear and anxiety may be protective in some situations, they may also be disabling both for coping with imprisonment and for effective participation in rehabilitation programs. While this raises issues regarding prison cultures and the damage imprisonment may cause to

individuals, it also indicates that interventions to assist some prisoners to cope are required. This is consistent with early findings which identified an association between limited problem-solving abilities and poor prison adjustment. In non-offender populations, social problem-solving interventions can be effective in alleviating mental health problems, particularly depression and improving social functioning. This type of intervention also has a track record of improving problem solving (Hayward et al., 2008; McMurrin, Fyffe, McCarthy, Duggan, & Latham, 2001) and reducing distress in offenders. Social problem-solving interventions may, therefore, have a role in assisting distressed prisoners to cope with imprisonment and benefit from rehabilitation efforts. The finding here suggest that these interventions might usefully focus on decreasing a negative problem orientation.

### **Summary**

The position that imprisonment aids in the formation of psychological damage to individuals seems apparent and relevant when recalling the historical focus of criminal justice. Imprisonment whether through a short period or through long-term incarceration can effectually be regarded as life-changing for the individual. The movement away from the traditional model of punishment during the early 1970's represented a presumed paradigm shift to more progressive sentencing structures with a decreased focus on punishment. Presumed to be a more humanistic approach in criminal justice the then popular mode of thought would move a reformed system toward justice, away from a model of just retributive punishment.

Current trends in criminal justice lack the rehabilitative aspects of concern for the overall wellbeing of the individual, family, community and society as a whole. As noted in the literature, psychological damage to the individual has a profound and rippling effect on all the social systems in a fixed or variable relationship with the imprisoned personality. Criminal justice when

approached from a shared and collective reasoning toward justice and punishment, allows society to reap the benefits of an improved individual and those whom he inevitably will come into contact as well as have some form of relationship.

## **Chapter Three: Conclusions and Recommendations**

### **Conclusion**

In summary, research has concluded the experience of imprisonment directly and indirectly causes psychological damage to the individual, family, community, and society. While the United States continues to incarcerate incredible numbers of its population in the interest of public safety, its current focus on retributive policy continues to create the ongoing risk of societal problems from the very people it expects to rehabilitate. Though these effects may be reversible in some, few imprisoned individuals are unchanged psychologically by their prison or jail experience (Ristad, 2008). Existing literature from the current school of thought leads to the following conclusions.

### **Reevaluating Criminal Justice Priorities**

Historically, the purpose of imprisonment was to pay a warranted debt to society while rehabilitating the individual both psychologically and sociologically for productive existence within the greater good of humanity. The expansion of the United States prison system presented these institutions with several conditions that directly affected the incarcerated individual in an extremely adverse manner. Poor living conditions, poor prisoner safety, compromised prison management, greatly limited prisoner access to meaningful programming, and budget cuts significantly curtailed mechanisms for rehabilitation. Based on these conclusions, it is recommended that our current system of justice reevaluate and develop policies with a focus on the following observations.

### **Recommendation I**

The movement toward greater punishment or to cause pain for the incarcerated individual became the rationale for new legal justifications for long-term imprisonment (Haney, 2002).



These systems were also present nationally within the country's municipal and county jail systems. The development and implementation of indeterminate sentencing found retributive policy a rationale for culpability. American policy-makers' ongoing inability to anticipate the long-term consequences of over incarceration of individuals over time proved problematic. The potential for America to anticipate the consequences of overreaction to these distinct changes in the criminal justice system could have helped to create alternative policy decisions along with providing specific administrative and alternative sanction programs to reduce jail or prison overcrowding (Haney, 2002). Previous literature details America's rates of incarceration per capita as the most of any other civilized nation. Rethinking current criminal justice policy which emphasizes an understanding of challenging individual self concepts of those entering the prison environment can potentially reduce the adverse emotional reaction on future persons imprisoned in the American penal system. Society should strike down mandatory sentencing, three strikes laws, truth in sentencing and minimum sentencing guidelines that perpetuate the very same brutality and injustice it proposes to restrain, while at the same time, allowing for greater disparity in sentencing of minorities (Tonry, 2007).

## **Recommendation II**

Criminal justice systems and institutions are designed to protect both the public and the incarcerated individual. Institutions should foster accountability and responsibility from the imprisoned person while offering a plan of preparation for individuals to appropriately reintegrate back into their communities. Institutions must also offer acceptable means of continuing a path toward responsible living. Despite the prison existing as a complex web of interlocking systems of institutions it has a responsibility to educate, prepare, and support efforts for change and not to just support a greater economic system. Sociological impairment almost

certainly results from a lack of needed services during the term of imprisonment. Cuts in educational opportunity, medical and mental health treatment, and social services have continued to create and maintain criminal justice employment opportunities while the corresponding damage to the individual, their family, important positive social relationships, and community prospects have decreased.

Policies that support the ongoing problems of poor education, increased cognitive skill development, and vocational training can reduce the number of individuals released back into the community without proper societal skills, education or improved coping mechanisms. The correctional institution must hold fast to its promise to rehabilitate in addition to providing the essential services required.

### **Recommendation III**

At the very least, prison will provide long-term emotional discontinuity as a consequence of participation in an environment of deprivation. The extreme and uncommon norms for living or interacting within an institutional setting create damage to the incarcerated individual (Ristad Jr., 2008). The effects of the prison experience give rise to long-term emotional psychological disorders and cognitive discontinuity. Inmates of jails and prisons face an environment distinguished by attitudes of violence, overcrowding, and segregation by sex. They are forced to comply with the rigid authoritarian administration and highly ritualized schedules characteristics of Total Institutions (Twaddle, 1976).

Law enforcement has an obligation to protect citizens; consequently, incarcerated individuals must have the option to receive treatment for any psychological evaluation and treatment. Total Institutions have a responsibility to provide ongoing mental health care to those who seek their services and provide important initial follow up in their respective communities.

Criminal justice policy and budgets must continue funding to institutions for mental health diagnosis and treatment. The nation's prison population will ultimately be released and return to their communities. National demands for a transformed individual are unrealistic without preparation. Returning to families who have struggled through the absence of a partner and parental support requires the person to have adopted a skill set different from the skill set which resulted in their imprisonment. The individual must be prepared for reentry into a changed family environment. Providing programs that teach parenting skills, economic sustainability, and relationship building will assist in social and community maintenance. Repaying a debt to society requires becoming equipped with the skills and tools to contribute overall.

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