

AMERICAN PRISONS & PRISONERS STUDY GUIDE

Crime, Corrections & Social Problems

The Criminal Justice System

The Role of Police, Prosecutors, Courts in the Criminal Justice Process

The Role of Corrections in the Criminal Justice System

Discretionary Power at Each Stage of the Process

The Effect of Race/Ethnicity and Social Class on Criminal Justice Decisions

Who Makes the Law and in whose Interest is it Made?

Classes: Capitalist - owns the means of production

Professional/Managerial - requires a college degree

Proletariat - workers who sell their labor power for wages

Lumpenproletariat - people who are outside the productive life of

society

Justifications for Punishment

Retribution

Deterrence

Incapacitation

Rehabilitation/Reform/Reintegration

Restorative Justice

Sentencing

Indeterminate Sentences

Determinate/Flat Sentences

Sentencing Guidelines

Mandatory Sentences

Presumptive Sentences

Three Strikes and You're Out

History of Punishment and the Development of Prisons: The Evolution of Punishment

Early Peoples & Crime

personal retaliation, vengeance, blood feuds, custom, elders, fines, outlawry,
banishment, exile

Early Written Law Codes

Hammurabi/Babylonian Code - 1752 B.C., lex taliones

Mosaic Code - 1300 B.C., Book of the Covenant, "eye for eye..."
granting sanctuary dates from this period

Greece

Code of Drakon, 6th Century B.C.

The Agora

Middle Ages - 476 A.D. to 1450 A.D.

nobles and bishops ruled feudal principalities - •the king's peace•
mutilation, vengeance, fines (dooms and wergild)
oaths and ordeals

England 1559 to 1875

Henry VIII, Enclosure Movement

Elizabeth I, 222 capital offenses

Galleys

Houses of Correction/Bridewells/Workhouses

Gaols

Transportation

1596 - 1776 to American colonies

The Indenture System: Voluntary and Involuntary

1787 - 1875 to Australia

Hulks 1775 - 1858

Public Humiliation

stocks, ducking stool, pillory, bridle, scold

Physical Punishments

branding, mutilation, whipping, capital punishment,
drawing and quartering

The Development of Prisons in the Northern United States

Punishment During the Colonial Period

The Anglican Law

William Penn and the Quakers' Great Law 1682-1718

Following the American Revolution

The Effect of the European Enlightenment on America

The Walnut Street Jail 1790

Auburn Penitentiary in Auburn, New York 1819

The Prison as Factory

The Silent Congregate System
Lockstep, Para-Military Model
Eastern Penitentiary at Cherry Hill (Philadelphia, Pennsylvania) 1829
Solitary Confinement - The Separate System
Antecedents of the Reformatory Movement
Alexander Maconochie's Mark System in Australia (Norfolk Island)

1840

The Ticket of Leave and Mark System
Fired despite his success
Sir Walter Crofton's Irish System 1854 - 1862
4 Stage System of Increasing Privileges
1870 Prison Congress Calls for Rehabilitation
Declaration of Principles
The Reformatory System
Elmira Reformatory 1877
Zebulon T. Brockway, Superintendent
Reformatory Model Falls Short

Southern Penal Systems

Punishment in the Pre-Civil War South

Slavery
Black Codes

The Post-Civil War Period

The Lease System - Penal Slavery

Driven by: White Supremacy, Demand for Labor, Bad Economic Times

Chain Gangs

Prison Farming in the 1900s

The Parchman Penal Farm in Mississippi

Angola Prison in Louisiana

Sugarland Prison in Texas

Tucker and Cummins Prisons in Arkansas

Trustie-guards

Growth of the Prison Farm Complex in the 40s and 50s

The Courts Intervene in the 1960s and 1970s

Gates v. Collier, 1972 (Case brought by prisoners at Parchman Farm in Mississippi)

Today Problems Persist: lack of political support, poor morale, increasing inmate-on-inmate violence, racially based gangs, inmate idleness, reduced participation in programs.

Arkansas: The Worst of the Southern Systems

Film: *Brubaker*

Reform Warden: Tom Murton

The Pre-Murton Arkansas System

Trusties and Rank Men

2000 inmates, 34 civilian employees

Tucker Telephone

The Murton System

The Courts Intervene

Jackson v. Bishop (1968)

Holt v. Sarver (1969 and 1970)

Southern Penal Systems continued

The Texas Prison System

The Contract Period and Contract Lease System - lasted 25 years

The Plantation Farm Period (1880 - 1947)

building tenders

hoe line

The Period of Reform and Stability

O.B. Ellis, Prison Superintendent

George Beto

W.J. Estelle

Windham School District

The Trusty-Guard System

The Courts Intervene: Ruiz v. Estelle

Federal District Court

Judge William Wayne Justice

Special Master, Vincent M. Nathan

Raymond Proconier, new Prison Superintendent

Southern Penal Systems

I. Punishment in the Pre-Civil War South

II. The Post-Civil War Period

A. The Lease System

B. Chain Gangs

III. Prison Farming in the 1900s

A. The Parchman Penal Farm in Mississippi

1. Trusty-Guard

2. Conjugal Visiting Program

B. Growth of the Prison Farm Complex

C. The Courts Intervene

D. Arkansas: The Worst of the Southern Systems

1. The Pre-Murton Arkansas System
2. The Murton System
3. The Courts Intervene

IV. The Texas System

- A. The Contract Period and Contract Lease System
- B. The Plantation Farm Period
- C. The Period of Reform and Stability
- D. The Trusty-Guard System
- E. The Courts Intervene: Ruiz v. Estelle

V. The Value of Work Camps and Prison Farms

VI. Summary

Learning Objectives

After completion of this chapter, students should be able to:

1. Specify the pre-Civil War conditions that affected the development of corrections in the south. Define and describe the "Black Codes."
2. Discuss the operation of the Lease System.
3. Describe the inmate living conditions on southern chain gangs.
4. Outline the organization and functions of the Parchman Farm prison plantation.
5. Explain why Arkansas Prisons were considered the worst of the southern prison farm systems.
6. Describe the process by which Tom Murton changed the prisons farms at Tucker.
7. Discuss the precedent setting Holt v. Sarver decisions.
8. Outline the development of the Texas prison system and the phases through which it progressed.

9. Define the role of the Building Tenders during the different phases of the development of the Texas system.

10. Explain the effects of the Ruiz decision on the Texas prison system.

11. Suggest some reasons why work camps or prison farms could still be beneficial to corrections.

Key Terms and Concepts

BLACK CODES: These were penal codes specifically aimed at controlling black slaves in the pre-Civil War South that inflicted more severe punishments on slaves than on whites for many offenses.

BUILDING TENDERS: Inmates who were given the authority to maintain order within the tanks at Texas prisons. Performed functions similar to trusty-guards but did not carry firearms.

CHAIN GANGS: Groups of inmates, usually chained together, used by southern country and state correctional agencies, for working at clearing highway rights-of-way, etc.

CONJUGAL VISITS: A visit under which inmates and their visitors (usually wives, but in some earlier circumstances prostitutes) were allowed privacy. Emotional, and raw intimacy is presumed to occur.

CONTRACT LEASE SYSTEM: Under this system the state retained control of prisoners. Work was done within the prison under contract to private companies who paid the state a per-diem rate per worker and furnished the necessary instructors, machinery, and raw material for the production of the products, which it then sold.

DO-POPS: In the Arkansas prison farms, these were the inmates who had a status between the trusties and the rank men. They had duties which allowed them to avoid working in the fields.

HOE LINE: The inmate labor force in Texas prison farms.

LEASE SYSTEM: A method of contracting with a private company or individual to: control and operate prison shops, be entirely responsible for groups of convicts or for an entire prisons. Contractor paid states a fee or a portion of the profits from inmate produced goods for this privilege.

PARCHMAN FARM: A Mississippi prison farm.

PENAL SLAVERY: A system of imprisonment of both Black and White convicts that made them the temporary or lifelong "slaves" of states or of the employees or corporations to whom they were assigned.

RANK MEN: The lowest level of inmate in the Arkansas prison farms. They were the farm laborers.

RUIZ V. ESTELLE: A district court decision that resulted in the most sweeping and detailed order in the history of prison litigation. It found almost all major aspects of the Texas prison system unconstitutional and resulted in a master being appointed to oversee the remediation of these conditions.

SWEAT BOX: A torture device consisting of a coffin-like cell with just enough space to accommodate a man standing erect. Generally made of wood or tin it was completely closed except for a hole two inches in diameter at nose level. In the heat of the southern sun temperature levels in these devices quickly reached 120 degrees or more.

TOM MURTON: A reform warden who exposed the barbaric conditions under which Arkansas prisons operated. He attempted in the late 1960s to bring these prisons up to mid-20th-century standards.

TOTALITY OF CONDITIONS: A court interpretation indicating, that, taken individually conditions cited may not represent constitutional violations, but when taken together ("their totality") they may constitute cruel and unusual punishment.

TRUSTIES: Jail or prison inmates who have been entrusted with some custodial responsibilities or who performs other services assisting in the operation of the facility.

TRUSTY GUARDS: These were inmates in many of the southern prison systems who were given the responsibility of guarding other prisoners. In many instances they were armed with rifles and were rewarded for shooting escapees.

TUCKER TELEPHONE: A torture device, previously used in the Arkansas prison system that consisted of an electric generator taken from a crack type telephone and wired in sequence with two dry cell batteries. An undressed inmate had electrodes attached to his big toe and his penis. The crack was then turned, sending an electrical charge into his body.

YARD MAN: The chief trusty.

The Contemporary Prison

The Inmate Social World

Characteristics of "Total Institutions" - Erving Goffman

Pains of Imprisonment - Gresham Sykes

deprivation of liberty, autonomy, goods and services,
safety and security, family relationships, heterosexual relations

The Inmate Subculture

The Inmate Code

Inmate Slang

Prisonization - Donald Clemmer

The Inmate Hierarchy - Robert Johnson

predatory convicts, institutionalized convicts, masses, punks,

scapegoats

The Officer Subculture

US Prisons from 1900 to the Present

1900-1935 The Big House - custody, punishment, hard labor (industry)

1935-1950 The Big House - idleness, warehousing, strict regimen

1950-1975 The Correctional Facility

the rise of professional administrators

more humane and accommodating facilities

"more tolerable warehouses"

"not a new order, but collapse of old order"

more liberal mail and visitation privileges

some educational, vocational, and therapeutic programs

some recreational programs

boredom prevailed

crisis of custodial authority

inmate classification, indeterminate sentencing

1975 - present The Violent Prison