

The impact of time served and custody level on offender attitudes

Some criminologists have argued that incarcerating offenders for long periods of time helps control crime. This argument is based on the belief that potential offenders will weigh the pains of severe punishment and refrain from criminal behaviour.⁽²⁾ As a result, the American criminal justice system is generally imposing longer prison sentences than in the past.

However, violent crime rates continue to escalate.⁽³⁾ It is equally arguable, therefore, that long prison sentences fail to improve crime control. After all, most inmates are eventually released without serving their full sentence.

More importantly, the concept of prisonization suggests that the longer inmates are confined, the stronger their identification with inmate norms and values and the greater their difficulty in adjusting to life once released.⁽⁴⁾ Further, a prison environment deprives the individual of liberty, worldly possessions, access to heterosexual relationships and personal autonomy. Since inmates share these deprivations, they tend to band together to reduce their individual pain.⁽⁵⁾

This article, therefore, attempts to determine the impact of long prison sentences and high custody levels on offender attitudes, as well as the resulting disposition of offenders toward treatment and post-release success.

Methodology

An inmate study sample was asked what crime(s) they might commit, after release, if they knew they wouldn't be caught. The sample was made up of 462 inmates: 166 from a maximum-security prison, 131 from a medium-security prison, and 165 from a minimum-security or work-release centre.

The inmates were allowed to choose among the following: "sex with your woman even if she says no" (sexual assault), "rob \$100,000" (robbery), "kill a person who put you down hard" (murder), "beat the heck out of a person who gets in your face" (aggravated assault), "take things you want that you can't buy" (theft), "take drugs and/or alcohol when it pleases you," and "none."

Length of sentence

Based on the responses to the question, the longer an inmate had been incarcerated, the greater their acceptance of crime. For example, just 9% of the inmates who had served 5-24 months and 4% of the inmates who had served 25-48 months reported that they might commit sexual assault, while 29% of the inmates who had served 49-72 months, 36% of the inmates who had served 73-96 months, and 33% of the inmates who had served 97-120 months said they might commit sexual assault.

Similar trends emerged when the other offence categories (such as robbery, murder and theft) were examined (see Table 1).

Table 1

Length of Incarceration and Anticipated Offences (462 Inmates)								
Anticated offence	Time served							
	5-24 months	25-48 months	49-72 months	73-96 months	97-120 months	121-144 months	145-168 months	169-216 months
Murder	5%	7%	18%	16%	15%	25%	16%	0
Sexual assault	9%	4%	29%	36%	33%	50%	32%	22%
Robbery	27%	53%	47%	48%	43%	88%	63%	56%
Assault	27%	27%	38%	46%	48%	25%	32%	22%
Drugs/alcohol	14%	33%	39%	45%	45%	88%	42%	67%
Theft	18%	17%	29%	35%	33%	50%	42%	33%
None	73%	57%	50%	48%	48%	12%	26%	22%

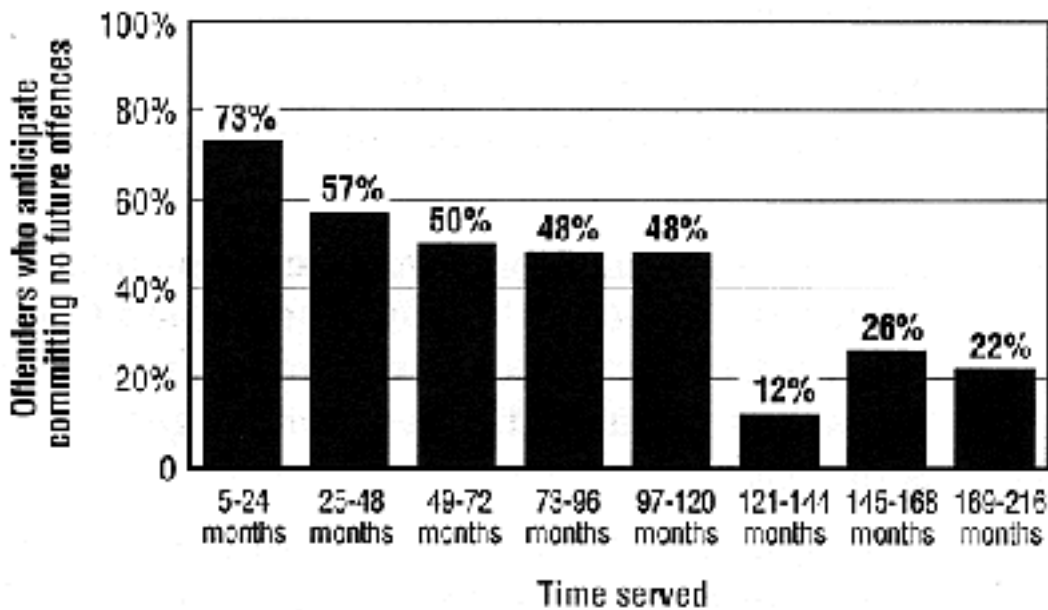
Note: The percentages total more than 100% for each time-served grouping, as some inmates more than one offence. However, if "none" was chosen, all other choices were ignored.

On the other hand, 73% of the inmates who had served 5-24 months anticipated committing no future crime, compared with 57% of the inmates who had served 25-48 months, 50% of the inmates who had served 49-72 months and, ultimately, 22% of the inmates who had served 169-216 months.

In short, the longer the offenders were in prison, the more likely they were to see crime as part of their future (see Figure 1).

Figure 1

Length of Incarceration and Inmate Anticipation of No Future Offences



The fact that the inmates most likely to anticipate a crime-free future were those who had spent the least time in prison (and vice versa) is consistent with the argument that perceived severity of sentence is little deterrent to future criminality.⁽⁶⁾

Custody level

The inmates incarcerated in a minimum-security or work-release facility were more likely to favour a crime-free future than inmates housed in medium- or maximum-security prisons.

For example, 37% of the inmates in maximum security prisons and 43% of the inmates in medium-security prisons stated that they might commit a future sexual assault, compared with none of the offenders in the minimum-security facility.

As for murder, 21% of the maximum-security inmates and 24% of the medium-security inmates indicated that they might commit murder once released. Again, none of the minimum-security offenders expressed such sentiments. Similar trends emerged for all other offence categories (see Table 2).

If we assume that the minimum-security inmates were less violent before incarceration, these data may support a class perspective in dealing with inmates - based on the notion that inmates bring their street attitudes with them into prison.⁽⁷⁾

However, 44% of the minimum security inmates had committed violent crimes (including murder and sexual assault), and many were from the same "streets" as the inmates housed in the medium- and maximum-security prisons.

Violent and nonviolent offenders

Many of the previously violent inmates changed their minds about crime. Roughly 58% of the sample reported that they had committed a violent crime in the past. However, these inmates account for 46% of those who anticipated committing no further offences (see Table 3).

Unfortunately, not all of the inmates with nonviolent histories maintained this perspective.

Table 2

Custody Levels and Anticipated Offences (462 Inmates)			
	Custody level		
Anticipated offence	Maximum Security (166)	Medium security (131)	Minimum security (165)
Murder	21%	24%	0
Sexual assault	37%	43%	0

Robbery	54%	39%	20%
Assault	48%	48%	18%
Drugs/alcohol	49%	54%	18%
Theft	32%	41%	14%
None	24%	18%	98%
Note: The percentages total more than 100% for all custody-level groupings, as some inmates chose more than one offence			

This group of inmates accounted for 45% of those who said they might commit sexual assault, 32% of those who said they might commit robbery, 55% of those who said they might commit murder, and 42% of those who said they might commit assault. Overall, these offenders accounted for just 54% of those who said they might remain crime free.

One explanation for this change may be a prisonization effect, although this explanation would also illustrate that not all inmates are affected by prisonization.

However, more than half of the inmates (both violent and nonviolent) who preferred a crime free future had spent less than 48 months in prison.

Table 3

Level of Previous Violence and Anticipated Offences (462 Inmates)		
	Previous Offence	
Anticipated offence	Violent (266)	Non-violent (196)
Anticipated offence	45%	55%
Murder	55%	45%
Sexual assault	37%	45%
Robbery	68%	32%
Assault	58%	42%
Drugs/alcohol	60%	40%
Theft	47%	53%
None	46%	54%

A new approach...

Time served and custody level clearly affect inmate attitudes. Inmates who had served shorter sentences in a minimum-security facility favoured crime-free futures more often than offenders who had served

longer sentences under close supervision.

This holds true independent of any preincarceration offender orientations toward violence.

In short, organizational membership affects attitudes.⁽⁸⁾ It could, therefore, be argued that short prison sentences have a more favourable impact on inmate attitudes than longer sentences.

In fact, many countries successfully use short sentences as a tool to control both recidivism and government expenditures.⁽⁹⁾

Long prison sentences for nonviolent offenders may, therefore, not serve their intended purpose - they add to correctional costs and may contribute to higher recidivism levels because of their impact on inmate attitudes.

The preferred response to nonviolent criminality should, therefore, perhaps be mandatory short-term (two years or less) incarceration in a community work-release centre.

Not only would this approach be more conducive to offender attitudes favourable to treatment and post-release success, but it would also allow offenders to maintain employment and close contact with their family.

(1) 102 Randolph Street, Goldsboro, NC 27534, USA.

(2) J.Q. Wilson, *Thinking About Crime* (New York: Basic Books, 1975).

(3) United States. Department of Justice, *Sourcebook of Criminal Justice Statistics - 1991* (Washington: Bureau of Justice Statistics, 1992).

(4) D. Clemmer, *The Prison Community* (New York: Holt Rinehart, 1958).

(5) G. Sykes, *Society of Captives* (New York: Atheneum, 1966).

(6) R. Bursik, H. Grasmick and M. Chamlin, "The Effect of Longitudinal Arrest Patterns on the Development of Robbery Trends at the Neighbourhood Level," *Criminology*, 28, 3 (1990): 431-450. See also R. Paternoster and L. Iovanni, "The Deterrent Effect of Perceived Severity: A Re-examination," *Social Forces*, 64, 3 (1986): 751-777.

(7) J. Irwin, *Prisons in Turmoil* (Boston: Little Brown and Company, 1980). See also I. Jacobs, *Statesville: The Penitentiary in Mass Society* (Chicago: The University of Chicago Press, 1977).

(8) D. I. Stevens, "Explanations of Rape by Predatory Rapist," *Journal of Police and Criminal Psychology* (In press, 1995). See also D. J. Stevens, *Regime and Inmate Attitudes Towards Compliance*, Paper presented at the Academy of Criminal Justice Sciences Conference, Boston, March 1995. And see D. J. Stevens, "The Depth of Imprisonment and Prisonization: Levels of Security and Prisoners' Anticipation of Future Violence," *Howard Journal of Criminal Justice*, 33, 2 (1994): 137-157.

(9) M. Grapendaal, "The Inmate Sub-culture in Dutch Prisons," *British Journal of Criminology*, 30 (1990): 341-356.