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PROTECTIVE CUSTODY IN A FEDERAL PENITENTIARY:

A STUDY OF A PROTECTIVE CUSTODY POPULATION

by

Carol Wilson

Thesis submitted to the School of Graduate Studies and Research
of the University of Ottawa
in partial fulfillment of the requirements
for the degree of Master of Arts (Criminology)

ACKNOWLEDGEMENTS

I wish to express my appreciation to the Correctional Services of Canada for their permission to let this thesis become a reality. In particular I wish to thank the staff of Kingston Penitentiary and the Regional Psychiatric Centre (Ontario) for their co-operation and help in the preparation of data.

I also would like to thank Sue Preen, Librarian for the Correctional Staff College in Kingston, without whose help the diverse literature might never have been tracked down. My gratitude also to Dr. Laura Coleman-Forgues for her unstinting support and wisdom shared, and Dr. George Scott who initially opened the gates for me.

My sincere appreciation must also be expressed to Dr. C. Jayewardene of the Criminology Department, University of Ottawa - a demanding supervisor, an intimidating professor and an outstanding mentor.

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IN PURSUIT OF SANCTUARY

CHAPTER ONE

Society punishes offenders for such acts the offenders have committed, acts that have been defined as deviant and so, in some way, detrimental or threatening to that society. In consequence of this actus deviance there is an ascription of status deviance for the offender. On both an informal and formal basis society keeps on punishing these offenders: Society refuses them the privilege of full participation. The determination by the courts that the offender has entered status deviance allows for the separation of the offender from the society for whatever treatment it deems appropriate. Be it incarceration, probation or a community program, the offender is distinguished by this new status from the greater society. This label cannot be eradicated by completion of set treatment or expiration of warrant: the state of the ex-offender still remains to qualitatively differentiate the individual and place him in a realm somewhere between offenders and non-offenders.

People in society are, thus, divided into different groups that receive differential treatment according to the status of the group. This division is not determined by the usual grouping of society into a hierarchical class structure. Instead it is based on the concept of abnormality, and

allows for a conceptualization of society as structured in terms of concentric layers of people, whose commitment to the standards of society decreases as one moves away from the centre. It is by this conceptualization that the infliction of deprivation on individuals removed from the centre is justified.

The division of people into separate groups hierarchically situated is obvious in a heterogeneous society. A homogeneous society would not appear to be divisible as such. The observation of society as homogeneous is possible only for those who look at the society from outside, without knowledge of the subtle, and often not so subtle, dynamics of groupings within the whole. For those who observe from within the entity, the society is recognized as heterogeneous and can be conceived of as concentrically structured in terms of commitment to society and acceptance by the society. The criteria of this division will differ with the situation. As Durkheim points out, the demands for conformity become increasingly stringent with the homogeneity of the social unit.¹ Behaviour considered not worthy of consideration, such as lying in normal society, becomes an important discriminator in a monastery. The more heterogeneous a society the more allowance exists for individuality, even as expressed in deviance. There exists so much of a difference in these societies that much of the differences cease to be discriminators of groupings.

This situation is applicable when examining prison society. The knowledgeable observer would recognize little basis for discriminating the prison residents and so would speculate the prison contains a homogeneous society made up of incarcerated offenders. However studies of prison population indicate this is not the case. Instead there exists a structuring

of the prison society on a model not unlike that perceived in the greater society. Even though the prison may be a peculiar type of society, it is a society in which the elements of interpersonal interaction found in normal society are found operating. In society, there is the abhorrence of certain crimes, acts and type of people. The abhorrence is always evident. People are always incensed to some degree by the crimes performed by what newspapers describe as "sex fiends", "sexual psychopaths" and "animals". Society, through its Criminal Code, provides the most stringent sanctions for the act of treason - informing against one's country (S-47). In society those who are abnormal physically, mentally, morally, are generally considered undesirables and are removed from society. Mental hospitals, closed residential centres and other similar facilities are evidence of society's desire to segregate those whose behaviour is not acceptable, and who are an embarrassment to society. As evidence of the pervasiveness of this shame is a woman who managed to seclude her child, afflicted with Downs Syndrome, for forty years before her hospitalization brought his case to the attention of the authorities!² In a similar fashion are the aged delegated to special homes and natives encouraged to remain on reserves. Society does not like to be confronted with its failures. The concentric model of deviation from the norm is evident throughout society.

The segregation of undesirables by virtue of their perceived distance from the middle of this circular model, is not only an accomplishment within prison society but accentuated and problematic in the volatile confines of

the correctional setting. The social structures of inmates was described by Clemmer (1940) as divisible into three basic groups, the lowest class, defined as "hoosiers", including such types as

... practically all the abnormal sex offenders, the dull, backward, and provincial persons, the lower range of the feeble-minded, some of the known stool pigeons, the persons who showed a marked lack of physical courage, the confirmed "suckers", the extremely pious, the habitual braggarts, and some sexual perverts.³

Clemmer found that members of the hoosier class, for the most part, were unaware of their unpopular rank, although the elite avoided them and regarded them with disgust. A hierarchiacal division of the prison population does exist, having its basis on both the ability of the individual to manipulate his environment and the nature of the offence that he has committed.

Similar to society, within the prison is found a code of norms to which conformity is demanded and obtained through threat or infliction of punishment. In an examination of the inmate social system, Sykes and Messinger (1976) found this inmate code an inviolate prescription behaviour, dictating the quality of relations of fellow inmates and custodians.

The maxims are usually asserted with great vehemance by the inmate population, and violations call forth a diversity of sanctions ranging from ostracism to physical violence.⁴

... The inmate code is outstanding both for the passion with which it is propounded and the almost universal loyalty verbally accorded it.⁵

Minton (1971) has described the inmate code in more specific terms. He

claims that it

... dictates what the inmate may or may not do, with whom he may associate, and even colours his own perception of self ... the code is one of the ruling factors that control the inmate, keeping him in line and in a position of loyalty to and support of other inmates and the inmate code. Fights and killings are often evidence of the code broken.⁶

Minton further points out that

In a case where the code and the rules and regulations come into conflict - the code wins. And when it clashes with an inmate's own personal code of ethics - the inmate code wins again. Its quick knife in the ribs can handle anyone who strays, and the guards cannot be everywhere at once.⁷

An inmate elaborates this need for violent sanctions:

If you are mad enough to fight you might as well kill to prevent the opponent from getting you from behind.⁸

Again, as with the larger society, within the prison society there is the same sort of identification of the abnormal in terms of a status derived from the crime committed. There is also the continued identification of the individual as an undesirable on the basis of the act that earned the assigned label. Then there is the definition of unacceptability of those who have violated norms, those who are not acceptable due to some act other than the crime or the unfortunate condition of their mentality. A status deviance is defined as apart from those whom society has defined as status deviance and set apart. And as society punishes its deviants by circumventing their enjoyment of the right to participate in the life of society so are prison deviants punished by ostracism and even physical discipline.

An important consideration here is the territorial correlates of

society. As already indicated, in normal society there is the possibility of having the undesirables separated from the majority. In a prison this possibility does not so readily exist. The separation is an act dependent on the decision of the prison staff, without any formal input from the inmates. To ensure that it is the undesirable that is segregated the inmates must act to force this administrative intervention on grouping arrangements. Hence ostracism and varying degrees of violence become the vehicle for segregation of the undesirables. However, the constant interaction of the undesirables and other members of the prison society is unavoidable within the institution. The physical inability to segregate those who have been stigmatized by the inmate code of norms tends to cause some irritation and they consequently become the target for violence.

Crown witnesses and prison informers are in disfavour for they have violated the basic maxim of the inmate code - "Don't rat on a con". The ex-policeman or prison guard who enters the system as a prisoner is in an exceptionally dangerous environment. Having violated the social code he was once a symbol of, he is marked for scorn and abuse from both inmates and staff alike. The situation of an incarcerated policeman is described by British inmate Jimmy Boyle:

His problem wasn't only the prisoners, the screws were messing him around constantly. They would be more arrogant with him than anyone else because they recognized that he was an outcast so was open game as far as they were concerned ... (he) was confronted with some humiliating experiences, that went beyond those of the others. He was always walking about like a guy who was waiting for something to be stuck in his back.

Sex offenders, especially those whose victims were children, are ready prey for violence. Regarded as "low-down degenerates" and "outcasts" they are rejected by the prison population, who deny them even the modicum of ease from imprisonment the group solidarity of offenders might offer. Dr. Elliott Barker, consultant psychiatrist at Penetanguishene, in his evidence in Regina vs. Henry Robert Williams¹⁰ where court approval for testicular enucleation was being sought referred to inmate custom of terrorizing sex offenders.

I feel strongly that the penitentiary system or any jail that has the responsibility of peoples lives ought to guarantee at the very minimum that a person be safe from harassment or persecution or physical violence from other people in the institution. I think it is a gross injustice that inmates of a penitentiary do not have the same protections as people on the street do from physical violence. It is a fact of prison life, particularly for sexual offenders ... If he were to be sentenced to death as a function of the law the court should do it. Since that is not the case, he should not be subjected to that by the whim of other inmates.

Dr. Barker goes on to account for the violent treatment of sex offenders by fellow inmates as "part of the hang-up about sexuality that the North American society and most societies have generally, and what is being expressed is the hidden fears of each of us about our own sexuality". Conceding this point a second psychiatrist goes on to identify the role of the prison itself:

... a lot of people attack who they consider sex offenders or sexually maladjusted because they themselves might have difficulties with their own sexuality ... (yet) if you remove all the sexual offenders; you may get the same situation happening in their isolation too. There is a particular sexual offence looked down upon, a person committing rape

on an adult woman might look down very much on a person committing rape with a child of 4. It is the very atmosphere of the penitentiary that properly provides this kind of setting. ¹² violence is there. To survive one has to be violent.

As the recommendation for testicular enucleation is further examined for its validity and most crucial time of implementation, a third psychiatrist notes the need to delay such a step until release from prison is imminent. The prison atmosphere demands a man have access to all physical and mental resources:

I think it ought to be carefully considered if you live in a dog-eat-dog culture where your back must have something solid behind it to keep the knife out of it, and I think one needs every bit of aggressiveness and defensiveness and isolation and secretiveness and guardedness that one can. Any authorities responsible for the treatment of this man should not be taking it away until such time as his existence does not depend on it. ¹³

These men, and others who have incurred the wrath and scorn of fellow inmates, are usually delegated to either segregated quarters or dissociation as protective custody inmates. British inmate Jimmy Boyle, in his autobiography A Sense of Freedom, describes protective custody "... the lowest of the low. The guys there look and feel that way, and they are treated like shit by all of us, screws and prisoners alike."

The need for protective custody of these inmates, and other undesirable types, was dramatized by the 1971 riot in Kingston Penitentiary when two of the undesirables were brutally murdered by fellow inmates and thirteen others were tortured and maimed. ¹⁴ The inmate "undesirables" were dragged from their cells, tied to chairs in a circle in the penitentiary dome and

subjected to a mock "trial" where suggestions were entertained as to what should be done with them.

Over thirty inmates milled around the tied men and took part in the brutal assault which lasted several hours. The tied inmates were struck on the head, face, groin and ribs with fists, hammers and metal bars. Two inmates had their legs cut open with a knife; another had his arm burned with a cigarette, and another had his fingers broken. Brian Ensor was picked up and dropped on his face several times, and then urinated upon.¹⁵

The possibility of an inmate keeping his unpopular activities a secret is nonexistent in the prison setting. It is not unheard of that a prison guard will relate the details to the other inmates. Or, more commonly the inmate himself will break down in a moment of confidence with another inmate and tell his story. An inmate in a special handling unit in England reports:

... this was almost worse than solitary as we tended to get everything out of perspective ... before long we were discussing intimate things about each other and our family lives, saying things that we would never normally say. I always hated this when I returned to my cell, thinking that I shouldn't have said this or that, but I would always say similar things again.¹⁶

The communication system of convicts defies explanations. As noted by one "con" in Clemmer's The Prison Community:

Convicts are the most consistent gossips on earth. Almost any group of "numbered men" can and do, make an old ladies' sewing circle seem as serene as a silent prayer in the Little Brown Church in the vale. In addition to this, no matter how busy you keep them during the day, or how much reading material may be in the cells of an evening, their minds are sure to ramble all over in search of recreation.¹⁷

The need for protective custody has since been epitomized by the "shoeshiners" - the three men convicted of the sex-slaying of the twelve year old

shoe shine boy Emmanuel Jacques in Toronto in 1977. Even within ranges designated for only protective custody inmates, these men had to suffer protective "deadlock" - continual lock-up except for exercise periods enjoyed when the rest of the population was locked up. It is a degree of security remarkable even in the correctional system. Attempts to integrate these inmates into the protection population resulted in persecution and physical assaults. Even within the confines of their cells safety was uncertain as other inmates attempted to burn one of the cells and its occupant. Further attempts at integration of these men into the Protective Custody population are still being made, although proving a slow and hazardous experiment.

The authority for the prison administrator to grant or determine an inmate as protective custody is provided in Penitentiary Service Regulation 2.30:

- (1) Where the institutional head is satisfied that
 - (a) for the maintenance of good order and discipline in the institution, or
 - (b) in the best interests of an inmate it is necessary or desirable that the inmate should be kept from associating with other inmates he may order the inmate to be dissociated accordingly, but the case of every inmate so dissociated shall be considered, not less than once each month, by the Classification Board for the purpose of recommending to the institutional head whether or not the inmate should return to association with other inmates.
- (2) An inmate who has been dissociated is not considered under punishment unless he has been sentenced as such and he shall not be deprived of any of his privileges and amenities that
 - (a) can only be enjoyed in association with other inmates, or

- (b) cannot reasonably be granted having regard to the limitations of the dissociation area and the necessity for the operation thereof.¹⁸

An inmate may be determined in need of protective custody at the level of initial classification at R.R.C. (O) or in consequences of the decision of the authorities of the prison where he was previously incarcerated. The decision may be initiated at the inmate's request or at the discretion of the authorities. It is generally a mutual agreement of the inmate and authorities after the actual need has been assessed. As federal guidelines determining admission criteria for protective custody are at present still in gestation, admittance is freely granted after precautionary counselling of the dangers of labelling are offered. As noted in the Vantour Report (1975) "it is quite evident that the label of "protection case" is irreversible". There is no established committee to determine the validity of a man's need for protection. The decision is usually determined by one or two persons at the classification or security level.

Regardless of the mode of entry, protective custody inmates present one identical trait - an inability to do or attempt to do their time with impunity amongst the general population of the prison. This inability can be seen as having its roots in the interaction between a characteristic of the inmate and a characteristic of the general prison population. This characteristic of the inmate must be such as to evoke a violent reaction against him. The characteristic of the general prison population must be such as to render the inmate completely defenseless. It is when these conditions are met

that the protective custody inmate becomes a reality. Even so, the inmate must consider the danger as being sufficiently great to transcend the disadvantages of isolation. As the violent reputation of penal institutions becomes prevalent, the protective custody inmate is, in increasing numbers, the first time incarcerant whose perception of personal danger ascends the undesirability of entering protective custody.

The number of protection inmates across Canada has quadrupled in eight years. The 1972 study enumerated 210 protection cases or about 2.5% of the total population.¹⁹ Vantour chronicled 368 cases 4.25% of the total population in 1975.²⁰ Vantour's second study revealed 662 "PC's" or 6.89% of the federal population.²¹ A more current report estimates the numbers at a minimum of 800 inmates official protection cases, with another potential 200 cases still "hiding away" in psychiatric centres and dissociation.²² Numerous explanations are presented for this remarkable increase. It can be suggested that the substantiation of inmate fears by the heinous murders in the 1971 riot has been a powerful inducement for inmates to sequester themselves from the possibility of similar violence occurring again, which essentially renders the need for protective custody less factual than it is.

After the near destruction of Kingston Penitentiary during this riot, all inmates were transferred to the newly constructed Millhaven Institution, with notorious consequences.²³ Protective custody inmates were concentrated in a segregated range there, with few privileges. Programs and recreation were virtually non-existent. The men were confined to cells for all but the

one-half hour exercise period officially provided for them. At the same time Kingston Penitentiary, refurbished and serving as the Regional Reception Centre, was keeping other inmates requiring protection within their grouping of "static population". The number of protective custody cases accumulated at both facilities, and with this increase in numbers tension continued to mount, with the professional staff at both the institutional and administrative level reiterating the need for separate facilities. The need has since been acknowledged by others. The 1972 Study Group on Protective Custody recommended:

Insofar as it is our legal responsibility to provide suitable programs for these types, it is suggested that more complete programs could be offered if all the protective custody cases in a region or sub-region were located in one institution.²⁴

In 1975 the Study Group on Dissociation, headed by James Vantour, devoted a chapter to the problem of protective custody and consequently recommended:

One existing maximum security institution in each region should be used solely for inmates who require protective custody.²⁵

Comments on the problem of protective custody and the need for facilities was presented by Allen Lawrence, a later Solicitor General and André Therrien, then Commissioner of Penitentiaries at the December 3, 1975 meeting of the Standing Committee on Justice and Legal Affairs.

Mr. Lawrence: One other thing on segregation in the penal institutions. We hear a lot these days about fiddlers and diddlers, and the prison code and executions and punishment. Is this ever going to be rectified? In the same institution we still have people committed for sexual and child molesting offences, when at the same time we have in that same institution, others who are in for violent crimes. I think it is an entirely different type

of crime and I think the rehabilitative processes required are completely different for these people than for the normal run-of-the-mill criminal - if there is any such animal and I do not think there is. Have you any plans to completely segregate that type of offender, not just in the institution itself, but as institutions themselves are concerned, hopefully, to do something for these people.²⁶

Therrien replies that the possibilities are under immediate investigation under the direction of James Vantour. He outlines the projected problems of individual protection institutions, but is optimistic that the Vantour report will "have ideas which we can put into practice". Mr. Lawrence responds with an example illustrative of the ramifications the protective custody issue:

Mr. Lawrence: One short comment. It certainly must shake you people to the very depths of your conscience when, in an open court just last week in Brampton, you have a defence lawyer standing up and saying: If you convict this man, on this offence, he will be executed in prison within three weeks. And you know, I believe him. It happened and it happens today in our institutions.²⁷

More recently, a coroner's inquest in Kingston investigated the death of a young Federal inmate who committed suicide following the transfer of his protector and after this, homosexual harrassment by other inmates. The Crown Attorney made an emotional petition to the jury to encourage the separation and protection of vulnerable inmates from their more predatory peers:

I ask you members of the jury to consider making a recommendation that the prison system waste no more time in implementing changes that will permit a separation - the humane separation of the certain victim from his potential tormentors.²⁸

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LOOKING AT PROTECTIVE CUSTODY

A COMMUNITY OF FEAR

CHAPTER TWO

By 1978 the Regional Reception Centre in Kingston, Ontario - the renovated Kingston Penitentiary - had become the residence of the majority of protective custody inmates for the Region. In the immediately preceding years similar substantial protective custody populations had developed in British Columbia Penitentiary, Mountain Prison, British Columbia, Saskatchewan Penitentiary and Laval Institution in Quebec. In these centres, as in Ontario, the official establishment of protection ranges instigated a wave of inmates needing protection to transfer in from other institutions.¹ Authorities at R.R.C.(O) started to classify inmates as "PC" at the time of their initial classification upon entry to the correctional system. The decision to determine whether an inmate should be placed in custody is exceptionally difficult considering, first, that there are no Federal guidelines establishing criteria, second, that the decision is generally left in the hands of one or two people, and most importantly "mistakes can be costly".² As of September 1979, there were 125 inmates designated as protective custody, close to one-half the population of R.R.C.(O).

During the years, while the numbers of protective custody inmates was rapidly escalating, concern for the problem was apparent in several government

documents. In her 1973-74 Report of the Correctional Investigator, Ingar Hansen deplored the conditions of dissociation units where most protection cases spent 23 1/2 hours per day.

Imagine a cement garage. Divide it in half by a wall which contains a solid noisy door. A naked light bulb hangs from the ceiling and along one wall is a platform the size of a single bed. There is a toilet bowl in a corner, (in punitive dissociation it may just be a hole in the floor) ... I find this treatment inhumane and I would urge that something be done as soon as possible to remove most of the dissociated from the large maximum institutions. They represent irritant to many of the other inmates and to some staff. Many of them live in fear 24 hours a day.³

In April 1975 the Study Group on Dissociation,⁴ was appointed by the Solicitor General. The objectives of this group included an assessment of the effectiveness of dissociation as a means of protecting inmates and of the living conditions which existed, from a point of view of humane treatment and the negative effects of prolonged isolation. Protective Custody is defined by the Penitentiary Service Regulations which authorized the prison administration to grant an inmate protection.

The study group found the P.C. populations comprising three groupings typified by factors motivating the fears:

- (a) nature of offence - usually sexual or certain drug traffickers,
- (b) nature of inmate - informers or crown witnesses, and
- (c) problems experienced within the institution.

It is remarked that in most cases " ... the decision to dissociate an inmate for protective reasons is a mutually arrived at decision following concrete

evidence that the inmate may be in danger."⁵ The Vantour Study Group notes that "outside" humanitarian concern has facilitated accessibility to protection, with the mere existence of P.C. units becoming an attraction in itself for those inmates who wish "to escape the demands of population life should it become too difficult for some reason."⁶

The physical facilities, institutional routine and quality of security are compared for the main P.C. Units - B.C. Pen, Mountain Prison, Saskatchewan Penitentiary, Laval, Millhaven, Archambault and the Prison for Women. Mountain Prison is regarded as exemplary for its policy and success in integrating protective cases with regular population, although it is noted that the "regular" population tends to be older offenders serving long sentences, (so therefore more willing to "do their own time"). The psychological consequences of being a P.C. are examined, especially the resultant "paranoia" and the opportunity for an inmate to relieve any personal feelings of guilt for his actions by virtue of his own status as a victim. The irreversible stigma of being a protection case is identified.

Regarding protective custody "as the most pressing dissociation problem facing the Penitentiary Service,"⁷ the study group makes numerous recommendations for action so as to rectify the injustices of protective segregation. The need for suitable facilities and programming is articulated, consequent to the establishment of a suitable screening and evaluative process. Transfers and conciliatory procedures are suggested, in conjunction with a monthly review of each case. Specialized institutions are recommended, to be equipped

with both maximum and medium security units. They recommend that those protection cases in regular institutions should be allowed great opportunities to benefit from work and program opportunities and be assigned their own regular classification officers.

The proposals of the Vantour report are still the urgent issues in discussion today. Several points such as review boards, classification officers, greater programming and separate facilities within regular institutions have been implemented. The search for facilities or specialized institutions and establishment of admission criteria, although the focus of much attention, has generated such complex problems that resolution still appears a distant prospect.

The Ontario Regional Headquarters Study Group on the Vantour Report⁸, in 1976, prepared a response to the report on dissociation with references to each recommendation. They agree basically with the suggestions of Vantour, suggesting practical considerations which their proximity to the problem allowed. They indicate that in some cases the inmate requesting protection must be dissociated quickly, without time for a review board to convene and deliberate the need. In other cases the need for a board of decision makers, with a definite policy for admittance counselling, and use of alternative options are concurred with as functional recommendations. The need for short term solutions to the increasing numbers is recognized as urgent, and in need of extensive planning. The group agrees that eventually regional facilities, devoted to protection cases so as to provide appropriate programming, is a

desirable solution; but some associated problems are also noted. The difficulties of finding suitable staff and a congenial community for such a group of men are voiced. The study group "anticipate the extremely negative reaction" from the community for potential inmate involvement in day parole and temporary absences.

In 1976 a report was also prepared in the Pacific area, Mountain Institution - A Unique Canadian Prison for the Older Offender and Protective Custody Case.⁹ The evolution of Mountain Prison is examined in this report, as well as its physical structure. Its role is traced from a "fire-resistant" Doukhobor fortress to its present status as a "geriatric and protection" pen.

A population profile is presented where the average age of the Mountain inmate is shown as 42.3 years of age with over sixty per cent of the total population over forty years of age. When the population of Mountain Prison is examined in profile for offence, a potentially volatile situation is recognized. The crimes for which the inmates have been incarcerated are:

- 23 Murder
- 18 Dangerous Sexual Offenders
- 18 Habitual Criminal
- 44 Drugs
- 49 Rape and other violent sexual acts
- 5 Buggery, gross indecency, and indecent assault
- 14 - Sexual intercourse with female under 16 .
- 31 Other crimes not specified
- 35 Violent crimes other than sexual.

Yet this prison does not have the problems of other institutions. With so

many older and "big time" offenders, there has appeared a type of "truce" within this institution that allows the PC inmate to integrate with regular offenders.

The 114 staff positions, 63% which are security, are detailed, the personnel being described as sensitive, mature individuals who manage to work together as an informally harmonious team.

Inmate programs are described: social development, classification services, psychological services, temporary absence programs and work programs are explained for actual function and amount of inmate participation. The use of the dormitory system has been found satisfactory in this setting, although the situation is not examined in any depth. With the primary focus on the historical, physical and statistical factors, the dynamics of the daily regime are not available for scrutiny, nor are any theories presented in explanation for the apparent success of this prison. It can only be assumed that the co-operative efforts of both staff and inmates are responsible for the tranquillity of Mountain Prison.

By 1978 it became evident that the Prairie Region had the highest protective custody population in Canada - (16-18%) with the PC population at Saskatchewan Penitentiary at a startling high of 230 cases. A decision at the March 1978 CPS Prairie Managers Meeting resulted in the Study on the Increasing Number of Protective Custody Cases - Prairie Region.¹⁰

Research was directed to investigate factors contributing to the unusual incidence of protection cases, to propose recommendations to inhibit this

trend and to suggest methods of improving the conditions of those presently incarcerated in protection ranges. The process of entry to protection is critically examined as being the most accessible point of intervention in deterring frivolous demands for custody. With both dormitories and individual cells being utilized in Saskatchewan Penitentiary for PC's the merits of each environment are compared. Dormitories offer a situation similar to the living unit concept of medium security institutions, and are thus a privilege for the PC inmate. However some inmates prefer to retain private cells on the ranges. The physical accommodations have essentially provided a pluristic classification system for PC's within the same institution, with one of three ranges retained for the most troublesome inmates, and a third area established "to segregate PC inmates for the PC population."¹¹

Saskatchewan Pen has almost tripled its PC population within a four year span. There has also been a corresponding increase in the ratio of PC inmates to the general population. Although other institutions are attempting to reintegrate PC inmates, the Saskatchewan Farm Annex is recognized as the only feasible alternative for transfers, and it being only capable of few numbers due to its restricted nature as a minimum institution.

A systems approach was selected for this research due to the definite function of protective custody as a subsystem of the overall corrections system, with inflow from other centres, a definite route and an outflow. The increase is potentially recognized as due to either an increase in input, longer periods within the PC unit, or confounded by the lack of adequate outflow.

Definite areas of concern are identified: The places inmates come from, their reasons for requesting or being placed in protection, and the area to which they are being transferred out. Data is collected from inmate files and results of inmate and staff interview sheets. A random selection of 25 of the sex offenders group and 50% of the non-sex offenders group were chosen for interviews to assess the PC process. All staff having continual contact with protection inmates, and all top and middle managers were interviewed.

In consequence of a total population profile it is revealed that about 50% are non-sex offenders. Of importance is the fact that close to 60% of the total protection population have no previous federal incarcerations, and that an average of 32% have served neither provincial or a federal term.

An examination of a sentence characteristic notes that sex offenders tend to have spent longer terms within the PC population, but since most of the population have a mandatory supervision date by 1980 a potential stabilization is optimistically identified. Further data reveals that the cities of Edmonton and Calgary have contributed roughly 50% of the PC populations. Of the sex and non-sex offenders group, 60% and 80% respectively have initiated their PC status at other institutions, the remainder having been recommended for protection by the parole service.

The sample data is examined for consideration of the reason and problems concurrent with requesting and the granting of PC. It is noteworthy that only a minority of protection cases had ever been physically assaulted - none of them sex offenders - only 25% of the non-sex offender group. Verbal

threats had been experienced by 75% of the non-sex group and 28.6% of the sex offenders. This could possibly be the consequence of 56.7% of the total sex offender group having entered directly into protection.

A significant number of inmates stated they had positive feelings about the protection atmosphere - it does offer other benefits than protection. A large number of staff agree that protection offers many privileges. 8.6% of the sex offender group state the better conditions in PC as being their reason for requesting PC.

The study group concludes with various recommendations, especially for more intensive investigations of handling the problem. They suggest the implementation of rigid policy and criteria for admittance to protection, combined with dissuasive and precautionary counselling, as well as exploitation of transfer opportunities. The need for a separate institution is articulated. The most controversial policy recommended is that fearful inmates should be encouraged to name the source of their trepidation. With sufficient identification of the threatening inmates these men would instead be segregated rather than the fearful subjects, apparently in hope that their numbers would be fewer.

Protective custody is increasingly becoming a controversial issue in Federal Corrections. There is first the growth in numbers of PC inmates. There is then the similarity in the identification of the need and the remedial proposals made by different regions. Third there is an apparent human rights interest generating in the subject. Finally there is the legal aspect.

Canadian courts have so far shown a reluctance to intervene in the closed

environments of prisons. The McCann¹² judgement in British Columbia where the BC Penitentiary was found to constitute cruel and unusual punishment contrary to the Human Rights Act, represents a rare occasion where case law has been enacted in protection of the rights of prisoners. McAninch (1973) considers this "hands off" doctrine, apparent in U.S. case law, to be a typical judicial response to complaints of improper incarceration as to be arbitrary and capricious. The determination of prison officials is generally accorded more weight in considerations.¹³ U.S. case law determined that segregation is appropriate "... when there is evidence of a substantial nature to justify the belief that a threat to orderly prison operations exists."¹⁴ The reluctance of courts to be involved in decisions concerning inmates is elaborated by Sitterson (1977):

The courts, in defining constitutional rights of prison inmates, have balanced the rights of the imprisoned individual against the interests of the prison administration. This balancing test fails analytically because it does not take into account a crucial factor: The existence and nature of a unique inmate society within prisons. It is a totalitarian society often characterized by idleness, boredom and inter-inmate hatred and violence; relationships between inmates and guards or officials are less important. Courts are capable of making informed judgements on the constitutional rights of a prisoner as he interacts with the familiar world outside of prison; however, the judiciary seems uncomfortable with the task in cases in which the rights asserted involve the closed world within prisons.¹⁵

The U.S. case of Sweet vs South Carolina Department of Corrections¹⁶ is presented: an inmate who had been held in protective segregation for five years claimed denial of equal protection of the law and imposition of cruel and unusual punishment in that his living conditions were not comparable to those of the general inmate population. The appeal court ruled that the lack of ordinary privileges, particularly full exercise and shower

opportunities, would implicate constitutional rights only if the plaintiff's health had been impaired as a consequence of such deprivation or if the deprivation were not necessitated by prison security and order. It has been generally recognized in the U.S. that solitary confinement does not violate the Eighth Amendment;¹⁷ courts have also upheld the use of segregation for control and protective purposes for prolonged or indefinite periods of time.¹⁸ However in Taylor vs Clement¹⁹ the court observed that "we take it to be axiomatic that prison officials cannot avoid their due process responsibilities simply by relabelling the punishments imposed on prisoners within their charge". The court further decided that before prisoners can be placed in solitary confinement "... in conditions indistinguishable from punitive confinement" without due process, officials must come forward "with evidence which will satisfy the court that safety and not punishment was in fact their aim".²⁰

In Canada, courts have ruled that administrative decisions are subject to judicial review only as they affect the civil rights of the inmate as a person rather than as an inmate.²¹ Otherwise Canada currently lacks the extensive American case law deciding on matters related to segregation and prison conditions. Nor have protective custody inmates received recognition for petitions that their conditions, being unequal to those of general population inmates, are hence unconstitutional.

The unfavourable situation of PC inmates has been recognized by other agencies, notably the Sub-Committee on the Penitentiary System in Canada:

684 ... we are convinced that penitentiaries, through appropriate reforms to correctional practices, can ... substantially reduce or eliminate most protective custody requirements. The danger faced by these men, however, is not in the long run, but immediate, and a short-term solution must be sought. The suffering imposed on individuals in protective custody is certainly not contained in the lawful sentence of any court. 685 ... what happens to men in protective custody is intolerable.²²

Nonetheless they recommend:

A small number of maximum security institutions should be used exclusively for inmates who require protective custody. Each such institution should have a section designated as medium security.²³

With the need for national policy on the subject imminent, the office of the Deputy Commissioner of Security for CSC issued a mandate for further study. Continuing his interest in the issue of segregation, in April of 1979, James Vantour compiled A Proposal Regarding Protective Custody in Federal Institutions.²⁴ He endeavours to specify the factors resulting in an increase in the number of protection cases, to determine methods of reducing numbers in protection and to determine the appropriate physical facilities and programs for protective custody units.

The dramatic increase in numbers, from 210 cases in 1972 to nearly 800 cases in 1979²⁵ is noted as following, and probably in consequence of the 1971 Kingston riot.²⁶ External contributory factors are charted: the shift to an increased violent offender profile, the practice of police and courts of encouraging accomplices to testify against each other, the custom of police and detention centres to segregate certain offenders and thus

labelling them, the increase in number of first time offenders, and the intrusion of humanitarian concern from interest groups. Internal situations conducive to the increase in numbers are also outlined, increased access to media and freedom of movement within the institution with the changing nature of institutional discipline seen as removing an effective behavioural control from the hands of prison staff. It is conjectured that the diversification of institutions has led to a concentration of "hard-core" inmates within maximum security institutions, producing an increased potential for violence within these centres. The attraction of existing PC units is admitted as providing an inducement in themselves.

The current federal situation is examined for regional distribution, which confirms disproportionate numbers in the Prairie region, for comparative regime of life, work opportunities and available programs. Although PC's now enjoy a maximum of ten hours a day out of their cells, with outside recreation, employment and group activities, the Ontario region appeared deficient in its planning with only 5 work opportunities - one of these seasonal. It is concluded that although PC's now enjoyed more time out of their cell, it was largely unproductive.

Since this report the Ontario region has now changed its policy in the Regional Reception Centre. In January 1980, all static population inmates were transferred from the institution, leaving only one range for the reception process of first time federal incarcerants. The remaining ranges, and consequently all opportunities for employment and programs were now

available exclusively for PC inmates. Essentially, by giving PC's open movement within the institution, it was now the regular inmates - the newcomers - who were sequestered for protective inmates. PC cases from other regions were transferred to Kingston until all available cell space was utilized, rendering the institution a "PC Pen". The changeover was accomplished, regardless of the trepidation of inmates and staff, with Ontario PC's now enjoying perhaps the most favourable conditions for protection cases - with respect for the antiquated facilities they are kept in.

When considering future trends for protective custody, Vantour foresaw the accumulation of more violence-oriented offenders, longer sentences and an increase in the numbers of PC recidivists; with this in mind seventeen recommendations were proposed in fulfillment of the mandate. The suggestions by now start to appear shopworn: national policy for PC units, admission criteria, assessment periods, counselling, review boards and separate facilities. Again it is proposed that it is the "troublemakers" who be segregated in the best interests of the institution rather than his victims, disregarding the potential of such practice for abuse by both staff and inmates, and the distress it would cause civil rights enthusiasts. This return to the "Reganism" once enjoyed in Statesville, was proposed as a solution in the case Sweet vs. South Carolina Department of Corrections, and condemned as

unrealistic by Sitterson (1977):

Given the severity of Sweet's supposed breach and the unanimity of inmate antagonism to such actions, many inmates would probably threaten Sweet. This unanimity and the fact that inmate gossip is regularly passed from prison to prison also make transfer of Sweet to another prison an unwise administrative reaction unless inter-inmate contact and transfer of inmates was unusually rare between the two prisons.²⁷

Of relevance is a statement by John P. Conrad at the 1978 Colloquium on Correctional Facilities Planning:

Prisoners ... quite literally have little to fear from staff but everything to fear from each other.²⁸

Along with the need for a more "in depth" survey of PC inmates, presently in progress, Vantour stressed the need to educate all levels of the Criminal Justice System to the inherent problems of labelling an inmate as a protection case. However the theories behind a particular phenomenon are not so much the concern of policy makers as are more tangible problems. The federal survey is not motivated by a concern for the condition of protective custody inmates but by a less humanitarian issue that will be instrumental in any solution offered for the issue:

A method must be found ... to curb this rise (of PC cases) because of the high costs involved.²⁹

This appears in direct contradiction of the concurring decision of three American appellate judges, that inmates in protective segregation should, so far as possible, be treated like the general inmate population without regard to the expense involved.³⁰

John P. Conrad and Simon Dinitz, in the "Dangerous Offender Project" conducted in U.S. Prisons, attempt to explain the process of prison fear as they examine the fluctuating prison community.³¹ They perceive with the

increased material affluence of inmates, and a concurrent deprivation of the right to use force from guards that the ever conflicting power roles of these guards and inmates are steadily changing in proportion. An actual shift in the locus of power is postulated as occurring, with inmates now ascendent in the ability to promote fear within the institution. While all inmates must resign themselves to a physical danger from which they can never fully protect themselves, the prison "undesirables" are placed in heightened jeopardy. Conrad sees the necessity for accommodation, prompted by self-interest, as the instrumental process in maintaining a precarious peace within the institutions - rather than the stringent domination once enjoyed by guards. A "community of fear" exists within the prisons. Voluntary segregation has become the surest means for survival for the unaffiliated inmate who is prey for assault and exploitation. The growth of gangs, increased freedom of movement and more material affluence is regarded by the author as contributing to a new prison dynamics, combined with lost threat of isolation and discipline in consequence of humanitarian concern. It is stated that the number of inmates in protection is a rough measure of the impact of fear on the prison climate and a suggestion that potential anarchy is in sight for some prisons.

It is noted by the same authors elsewhere that there seems to be an inverse relationship between the numbers in administrative segregation and those in protective custody.³² With this in mind it appears probable

that, as the courts increasingly divert less serious offenders from the system and continue to incarcerate those guilty of more serious and violent offences, then the need for protective custody will increase regardless of policies designed to deter requests.

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PROTECTING THE FEARFUL

THE FACTORS THAT COUNT

CHAPTER THREE

There exists two views regarding protective custody inmates. Proponents of the first view regard protective custody inmates as regular inmates who are taking advantage of the extant policy - a "costly spin-off" of our recently liberalized penitentiary system. The second views them as a unique group of inmates with identifiable needs and problems not presented by regular population inmates. The purpose of this study is to determine the nature and character of the protective custody inmates. Are they the same as the regular inmates or are they different, are the pertinent questions here. This appears to be a very important step in our comprehension of the phenomenon of protective custody, for, as Simon points out:

In the beginning there is description. When one does not know anything at all about a problem, he must understand it in a general way before beginning to make specific inquiries about specific aspects of the subject.

The basic model for this study is the comparison of the characteristics of a sample of protective custody inmates with the characteristics of a sample of regular inmates. The two samples were matched to the extent that they are inmates of penitentiaries in the same region at the same time, under approximately the same security rating. The protective custody sample for the study was

chosen from the Ontario region, perhaps raising a question about the generalizability of the findings. Regional disparity in protection populations is an important consideration here. The tranquillity of protection inmates in Mountain Prison and the productivity of protective custody inmates in Saskatchewan indicate differences that would perhaps preclude generalization. In consequence, no attempt will be made to even pretend that the findings in this study would be applicable to regions other than Ontario. Their applicability would be a question that would have to be empirically established. This being so, we are faced with a second question of generalizability. The applicability of the findings to the Ontario region at a later point in time. This too has to remain a question that could be resolved empirically. However, as the forces that operate on the one set of persons would also operate on the others, the assumption could perhaps be made that the changes that they would all be subjected to would be such as not to alter the ascertained relationship. We might add that as far as the other regions of the country are concerned, the Ontario findings could provide hypotheses that could be tested.

During the period May to September 1979, the protective custody population in Ontario penitentiaries fluctuated between one hundred and one hundred and fifteen men on any given day. All persons who were in protective custody during this period, however, were not available for study. Institutional and regional transfers, release due to parole or mandatory supervision reduced the number of cases available. Consequently, a complete total coverage sample was not possible. For this reason a sample had to be studied and for ease of

statistical analysis, it was decided to have the sample constitute one hundred men.

All subjects included in the sample were segregated under PSR 230 (1)(b) and were incarcerated either on the ranges determined as protective custody ranges or were in dissociation - either at their own request or at the discretion of institutional authorities for protective or disciplinary reasons. The sample was chosen according to the availability of files. The data was culled from the institutional files as they became available, stopping when data was collected from one hundred files. The sample consequently could be described as a purposive one.

For comparative purpose a sample of one hundred regular, non-protective inmates had to be obtained. The securing of this sample posed a number of problems. The sample could have been selected from only one institution. If such a procedure was adopted there exists a potential source of bias as far as security status or dangerousness was concerned. Protective custody inmates are housed in maximum security, primarily due to the severity of the threat posed to them, not by them. Consequently protective custody inmates are of varying security rating. There are no sufficient numbers of protective custody inmates or facilities for them to allow them a choice of institution by security clearance. Further, most of them require maximum security protection regardless of their own security rating. Finally, the Regional Reception Centre (Ontario), formerly the infamous Kingston Penitentiary which has been chosen as the Ontario centre of protection cases, is, irrefutably, maximum security. Were it not for these conditions the protective custody sample

would present differential security risks. As security risk plays an important part in the prisoner's life, matching for security risk in the selection of the control sample appeared important. For this purpose the one hundred subjects of the protective custody sample were rated by the classification department of the Regional Reception Centre (Ontario) for the actual security rating each man would be given were he not a protective case. The rating determined the sample as being constituted by:-

- 50 subjects rated as maximum security,
- 48 subjects rated as medium security,
- 2 subjects rates as minimum security.

In order to select a control group that would correspond to the security ratings of the experimental group the non-protection sample was chosen from three institutions in the Kingston area as follows:-

- 50 subjects were selected from Millhaven Institution
-a maximum security institution;
- 48 subjects were selected from Collins Bay Institution
-a medium security institution;
- and
- 2 subjects were selected from Portsmouth House
-a minimum security Community Correction Centre.

The control subjects from each institution were chosen by a stratified sampling technique. The institutional population records are kept on an alphabetically arranged card index system, using the last name of each inmate. Ethnic factors may determine the potential number of subjects listed under each letter of the alphabet. In order to avoid a potential bias in the selection, a stratified random sample system was utilized. With consideration for the total

number of subjects necessary for the study, the various strata (alphabetical sections) were sampled in constant proportion to their actual proportion of the total institution's population. These subsamples were then joined to form the total sample for that institution.

Information on an inmate are kept in a number of institutional files. These files are administrative, idris, security, discipline and dissociation, housekeeping, medical, psychological and psychiatric. It was decided to abstract the information necessary for this study from these files. The reason for the adoption of this procedure was five fold. First the need for informed and written consent was eliminated. Second, distortion or loss of facts due to failure of memory or subjective retrospect was avoided. Third, the potential bias or influence of a researcher upon the subject in a personal interview situation was eliminated. Fourth, the unreliability of responses to a questionnaire because of the possible low level of literacy of offenders was avoided. Finally, the selection of data from pre-existing recorded material relating to the subject's state of incarceration diminished the possibility of the "Rosenthal effect". As many types of institutional files as were available to the researcher were examined so as to fully capture the varying perspectives on the subjects and situations under study. Those files not used for data collection, due to not being available, were the medical files, kept by institutional physicians and files kept by the psychology department. Results of psychological tests and comments, however, are kept in both the bulk and the psychiatric files and so were available for the research.

Most of the data for the study was taken from the inmate's files relating to his current incarceration. Facts regarding previous incarcerations relevant to this study were those influential in determining an inmate's need for protection, those relating to the offender's previous criminal record as well as the history of his incarceration, and events and occurrences considered relevant in his psychiatric history. This data had, of course, to be culled from files related to his past incarceration.

The administrative need that determined what data is collected in institutional files is not unlike the purpose of this study. The data is collected to provide the administration with a knowledge of the background and institutional progress of the subject. In consequence, any possible distortion of using data for a purpose other than what it was originally collected does not exist. Also, the terminology and definitions used by the researcher were made identical to those used in the original records reducing possible inaccuracy stemming from interpretation.

The data can be considered both valid and significant because the institutional staff considered them of sufficient importance to be documented in the offender's file. Since numerous individuals were responsible for the documenting of incidents in each offender's file, not only was the potential for bias in original reporting minimized, the potential significance of the original reporting was enhanced. Finally, the use of only the information that was documented in the inmate file permitted the achievement of a standardization of information.

The difference or similarity between the regular inmate population and the protective custody population could depend on five sets of factors. First, there was what we may call personal factors such as age, religion, family background and work experience. Second, there was the criminal history. Third, there was the psychiatric status of the individual and history of mental illness or problems. Fourth, there were the psychological and sociological assessments and finally there was the institutional behaviour of the inmate. These are all factors that are taken into account in the official assessment of the inmate, in the assessment of his initial state and the assessment of the progress he has made under treatment. They constituted the categories of data collected for this study. In the case of the Protective Custody inmates there was a sixth category of information obtained. This information dealt with the path of entry into protective custody.

For data collection, a standard data collection form was used for each inmate. Additional data was accumulated, in notes, for subjects whose history demanded more detail and scope than the forms would allow.

The first category of data, the personal factors, included such variables as age, ethnicity, religion, marital history, educational achievement, family background, and employment history. The family background of subjects was classified as follows:-

1. Stable: both parents present; one or both steadily employed.
No siblings or parent in trouble with the law.

2. Unstable: both parents; inconsistent employment of primary provider and/or alcoholism or mental illness or problems in one or both parents. No sibling or parent in trouble with the law.
3. Troubled: both parents present. Siblings or parent in trouble with the law or physical abuse of children.
4. Broken: one parent absent for over two years. No sibling or parent in trouble with the law.
5. Disrupted: one parent absent for over two years. Sibling or parent in trouble with the law.
6. Foster: foster parents care or raised by relatives.
7. Adopted.
8. Institutions: raised in state institution.

The employment history of each offender was categorized into one of five possibilities:

1. Sporadic: no meaningful work record. Employment usually in terms of days at a time.
2. Casual: unskilled work of no more than six months duration at a time.
3. Manual: unskilled work that is consistent and of more than six months duration.
4. Skilled: employment of more than six months duration and involving the development of skills or licencing by some agency.
5. Professional: manual employment that is consistent and requires skills or standards of education.

These variables are common conditions affecting the lives of almost everybody. They were used to determine whether the social background of the protective custody population and the regular inmate population were similar or different.

The second group of information to be gathered relates to criminal activity. The offence or offences resulting in the present incarceration are categorized broadly as:

1. Property or fraudulent offence, drug offence.
2. Violent offence
including murder, manslaughter, wounding, armed robbery, robbery, arson, or the attempt of such.
3. Assaultive offence
including common assault, assault causing bodily harm, assault police officer.
4. Sexual offence
including murder that followed sexual offence.

Associated with the offence is the societal reaction as indicated in the length of sentence. The criminal history of the subject was determined in terms of the number and type of previous convictions, and the societal reaction to these convictions in the form of previous incarcerations.

The third group of information relates to the psychiatric status and history of each subject. Examinations generating this information are undertaken for determination of mental illness or problems. The time of initial psychiatric intervention was thought of particular importance and these data were obtained and categorized as occurring at definite levels:

1. Predelinquency;
2. During delinquency;
3. Before adult charges were laid;
4. During adult charges but not related to current offence requiring incarceration;
5. Pretrial for current offence.
6. Presentencing for current offence.
7. Regional Reception Centre level;
- or
8. Institutional during present incarceration.

Whether the inmate had had any in-patient psychiatric treatment or assessment was also noted as was the time of occurrence - prior to or during present incarceration. The presence of out-patient psychiatric intervention was similarly determined. Court referrals for psychiatric assessment and/or treatment were also noted.

Psychiatric assessments and diagnosis were categorized as:

1. Psychosis: schizophrenia, manic-depressive, drug-induced psychosis and other psychosis.
2. Personality Disorder (1): antisocial, explosive, impulsive, anti-authority.
3. Personality Disorder (2): inadequate, dependent, immature.
4. Affective Disorders: anxiety, depression, paranoia, schizoid-like states.
5. Retardation.

6. Drug or Alcohol Abuse.
7. Sexual Disorders.
8. Epilepsy or Organic Brain Damage.
9. Other.

Whether the inmate was suicidal prior to incarceration is noted.

Fourth was the data from psychological and social assessments. The data from these assessments were categorized as indicating:-

1. - mental illness;
2. - antisocial; explosive;
3. - anti-authoritarian, hostile;
4. - inadequate, dependent, immature, lacking in social skills;
5. - retardation;
6. - drug or alcohol abuse;
7. - sexual disorder;
8. - social or emotional deprivation.

Fifth there were the data dealing with the behaviour in prisons, including not only what the inmate did but what happened to him as well. The number of institutional and regional transfers of each subject were noted. This information was collected on the assumption that the frequency of transfers was an indication of an inability of the subject to adjust to the routine and requirements of incarceration.

Also noted were the suicidal and self-mutilatory attempts, threats and attempts to "smash-up" or set fires to cells, and to take hostages of each subject. Suicidal and self-mutilation attempts have implications for mental

illness and the inability to adjust to the environment. Attempts to smash up and set fire to cells and take hostages have been considered an externalization of the same psychodynamics that produce self-mutilation and suicide attempts.² For the same reason threats and actual assaults on staff and other inmates were also noted.

The use of dissociation and the reasons for it - punitive, at own request, administrative for protection or for the "best interests of the institution" - were another variable considered. Freeman and his colleague (1977) claim the extent of use of dissociation for any of these reasons is indicative of the atmosphere of the institution. A high frequency of requests for dissociation reflects a prevailing sense of fear among inmates; a high incidence of punitive or administrative dissociation reflects the judgement of authorities on dangerousness of population and the potential of the threats to lives and security within the institution.³

Additional information was gathered for the protective custody group to establish the path of entry into protection at Regional Reception Centre (Ontario). There are three possibilities:

1. from initial reception;
2. from regular population;
3. from protective custody in another institution.

The reasons for becoming a protection case were also noted. These were categorized as:

1. nature of offence;
2. nature of previous offence;

3. crown witness;
4. police informer;
5. prison informer;
6. difficulties in open population;
7. "street" activities;
8. other; and
9. undetermined.

To assess the validity of requests for protection the incidence of threats and actual assaults are noted, whether occurring in provincial detention centres, in Regional Reception Centre (Ontario), in regular population, or within the protection ranges.

The data collected have been analysed using the chi square test. This test presents the determination of the existence of any significant difference in the studied characteristic as manifested by the two groups. The test indicates whether the two groups being studied could be considered samples of the same universe or of two different universes as far as the variable considered was concerned.

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HOW DO I FEAR THEE ...

LET ME COUNT THE WAYS

CHAPTER FOUR

The purpose of this study has been to determine which of two assumptions is more valid: PC inmates are "regular" inmates who are exploiting the liberalization of our penitentiary system or PC inmates are a unique grouping of inmates whose needs and problems are peculiar to themselves. The method utilized for this determination was from the comparison of certain characteristics of PC inmates with the characteristics of a group of regular inmates matched for security rating. The characteristics compared were broadly categorized into the five

categories

- (a) personal factors
- (b) criminal history
- (c) psychiatric status
- (d) psychological and sociological assessment
- (e) institutional behaviour.

In the category of personal factors the variables considered were

- (1) age
- (2) education
- (3) religion
- (4) race
- (5) language at birth
- (6) marital status
- (7) work experience and
- (8) family background

As far as age is concerned, the control group was slightly older than the PC group, but the difference was not statistically significant. (Table 1)* The mean age of PC group was 29.9 ± 7.64 years and the control group was 30.9 ± 9.46 years.

Sixty percent of the PC group and fifty-six percent of the control group were between the ages of sixteen and thirty years. For the remaining age categories, measured in five year intervals, the difference did not exceed four percent category.

Breakdown by education achieved gave similar results. Twenty-eight percent of the PC group and thirty-three percent of the control group had public school education or less. Forty-two percent of the PC's and forty-one percent of the control group had some high school. Only six percent and ten percent respectively had completed high school. In all categories of education achieved there was no greater row difference than five percent. These results were not statistically significant. The two groups were similar for education (Table 2).

Similar results were obtained when the variable considered was religion, (Table 3), race (Table 4) and language of birth (Table 5). The cellular differences were negligible. The two groups can be considered virtually identical on these personal variables.

An examination of the marital status revealed that fifty-eight percent of the PC groups had never been married, compared to forty-two per-

* All tables incorporated as appendix.

cent of the control group, seventeen percent of the control group were married compared to eight percent of the PC's. The divorce rate for PC and controls was twelve percent and fourteen percent respectively. However these differences between the groups, statistical tests indicated there was no statistical significance (Table 6). The employment history of both groups also revealed no significant differences.

Sixty percent of the PC group and sixty-four percent of the control group had not worked more than six months consecutively. Thirty-four percent of the PC's and twenty-six percent of the control had worked over six months but at unskilled jobs. Five percent and eleven percent respectively had worked at skilled or professional employment. The differences for employment history were not statistically significant. (Table 7).

On the final demographic variable of family background the two groups differ significantly (Table 8). Sixteen percent of the PC's and twenty-two percent of the control group come from a stable background. However, twenty-eight percent of the PC group come from a family where, although both parents were present, there was incidence of mental illness, alcoholism or unemployment of the father. Only seven percent of the control group had this background. A similar percentage of PC's and controls, seventeen percent and twenty-four percent respectively, came from a home with both parents present, but a parent or sibling had been in trouble with the law. Only seven percent of the PC's, compared to twenty-two

percent of the controls had a family background of one parent absent but had no other troubles. There was only a negligible difference between the groups for family histories of

- (1) one parent absent and some family member in trouble,
- (2) being adopted and
- (3) being raised in foster home settings.

Eight percent of the PC group had been raised under institutional care, compared to no members of the control group.

These data suggest that the PC group tends to come from what may be considered a more psychopathological family background, lending support to the thesis that they are a group of individuals who are unable to adapt to or to successfully manipulate the environment, rather than an enterprising group of normal prison inmates exploiting the liberalization of the penitentiary service.

Next examined are the variables indicating the criminal activity of the two groups. The variables considered here are:

- (1) the offence for which the inmate was incarcerated
- (2) the societal reaction to that offence.
- (3) the past criminal history of the offender involving
 - (a) the type of offence committed
 - (b) the number of times the inmate had been previously charged and
 - (c) the type of institution where sentence was served.

The primary offence(s) resulting in incarceration were classified as sexual, property, violent or assaultive. A large proportion (forty-eight percent) of the protective custody inmates compared to four percent of the regular inmates were incarcerated for a sexual offence. This difference was highly significant. (Table 9). It is not surprising to find that close to one half of the PC group are sex offenders. This is similar to the percentage found in the study on the Prairie protective custody unit. It is known from the literature that sex offenders are the most likely victims of prison violence. However, the fact that four percent of the regular population group have committed a sexual offence reveals that in some cases the inmate can adapt to the pressure of open population without incurring the wrath of the "solid cons". It was suggested earlier that two characteristics determining a protective custody inmate are the nature of the offence and an inability to manipulate the system. The four percent figure suggests that a highly developed ability to manipulate environment can countereffect the "deficit" of nature of offence.

The grouping of violent offenders was made on the basis of whether the offence committed actually did or had the potential to bring bodily harm or death to another person(s). The offences included were murder, manslaughter, armed robbery, robbery or the attempt of these crimes; also wounding, conspiracy to commit a violent crime, kidnapping, forceful confinement and arson. Thirty-six percent of the PC group fell into this

category. This does not include those men whose sexual offence included violence. The inclusion of these men would have significantly altered this figure. Sixty-seven percent of the control population were incarcerated for violent offences. The difference was statistically significant. (Table 9). That such a large number of regular inmates have been convicted of violence supports the finding of Vantour (1979) that prison populations are becoming increasingly violent. It also supports the proposition of Freeman, Dinitz, and Conrad (1977) that the desire for protective custody is related to the number of violent offenders in the institution. It is their claim that prisons become increasingly populated by violent offenders, there will be a parallel increase in the numbers requesting protective custody.¹

With two-thirds of a regular penitentiary population established as violent, or potentially so, the fears of an inmate considered undesirable by other inmates tend to be realistic. As his personal danger is enhanced he seeks the sanctuary of protective custody. With a high density of violent offenders in the regular population the perceived threat to existence increases and the number of men seeking protection rises.

In this connection it is, however, important to note that thirty-six percent of the PC group had also been convicted of a violent offence. Conviction of such an offence, consequently does not preclude an offender

perceiving his life to be in danger. The possibility, of course, exists that such offenders may be only exploiting the liberalization of the penitentiary service.

The number of property offenders in the two sample groups was not significantly different. Sixteen percent of the PC sample and twenty-five percent of the control group were convicted of property offences, which included Break and Enter, theft, possession, fraud or embezzlement. (Table 9).

The assaultive grouping, including common assault, assault causing bodily harm, assaulting a police officer or resisting arrest contained only four control subjects and no PC subjects. The difference was not statistically significant. (Table 9)

The societal reaction was measured in terms of the sentence handed out. Sentence categories were established with four year intervals starting at two years up to twenty-five years, with two open-ended categories for twenty-six years or more and indeterminate sentence. There was no significant difference in distribution for these categories. For the PC and control group thirty-seven percent and thirty-two percent respectively were serving five years or less; totals of fifty-eight percent and fifty-four percent were serving nine years or less. Close to one quarter of each group, twenty percent the PC's and twenty-five percent of the controls, were serving twenty-two to twenty-five years. Four percent of the PC's compared to one percent of the controls were serving

indefinite sentences. The distribution was not significant. (Table 10).

The differences in the offences committed by the two groups is not reflected in the sentences handed out to them. This, of course, means that in spite of the emotional revulsion that is associated with a sexual offence, the social reaction, measured by sentence, is the same of those offences as it is for offences of violence.

The type of offences that showed up in the criminal history of the inmate was classified in the same manner as was the current offence: sexual offences, violent offences, property offences and assaultive offences. Due to the diversity of criminal activity for most subjects, each offender did not fall exclusively into one category. In this classification each subject had the potential of appearing in all four categories. Seven of the PC subjects and eight of the control subjects had no previous criminal record so the total samples for PC and control were ninety-three and ninety-two respectively.

The majority of offenders in both groups had committed property offences in the past. Eighty-seven percent of the PC's and ninety-two percent of the controls had at some point in their criminal careers committed an offence of this type. The difference was statistically insignificant. (Table 11).

There were fewer in both groups with a past of assaultive offences, but the difference in proportion was wider: twenty-nine percent of the

PC's compared to thirty-nine percent of the controls. This difference was also not statistically significant. (Table 11)

The control group had engaged in violent activity more frequently than the PC group: Thirty-three percent compared to eleven percent respectively (Table 11). The category of violent offences did not include violent sexual offences.

The PC group had engaged in sexual offences more than the control group. Twenty-eight percent of PC's had committed previous sexual offences, as compared with twelve percent of the control group. These differences are statistically significant. (Table 11). Here again it is interesting to note that there were in the regular population inmates who had previously committed sexual offences indicating that they are not prohibitive to participation in the prison society. Although fifty-nine percent of the PC group had requested protection due to the nature of their offence, another five percent requested protection due to the nature of a previous offence. That twelve percent of the regular population inmates had committed sexual offences in the past and still managed to enjoy open population supports the proposal that it is something above and beyond the nature of the offence that determines a man's request and need for protection.

The amount of previous criminal activity was determined by numerical quantification of the previous charges. Categories were established with intervals of five, with the final category open-ended for thirty-six or

more offences. As in the case of the variables, dealing with the type of previous offences, the PC and regular populations were ninety-three and ninety-two respectively. Thirty-four percent of the PC group and thirty percent of the control group had a criminal history of five or fewer offences. Sixty percent and fifty-four percent respectively had committed ten or fewer offences. The remaining categories were similarly distributed although in smaller proportions. The control group tended to have a higher incidence of previous convictions: the difference however was not statistically significant. (Table 12).

Previous incarcerations of subjects were possible on three levels: training school, provincial and federal institutions. The information of training school incarceration was not always available due to the inaccessibility of juvenile records. However, self-reporting to authorities revealed that thirty-nine percent of the PC's and forty-two percent of the controls had served a sentence in training school. The difference was not statistically significant. (Table 13). Seventy-six percent of the PC group and eighty percent of the control group had a record of incarceration in provincial institutions. Again, this was not statistically significant. (Table 13). For Federal incarcerations, thirty-two percent of the PC group and forty-one percent of the control group had served a sentence of two years or more. This difference too was not statistically significant. (Table 13). These results support the findings

of the 1978 Prairie study, which revealed that close to sixty percent of the protective custody inmates had served no previous Federal sentence.

In summary the only salient difference between the two groups as far as criminal activity is concerned is the type of crime committed both in the past and at the present time. PC's have a higher incidence of sexual offences, the control group is significantly more violent.

Variables indicating status involved:

- (1) the point at which psychiatric intervention occurred
- (2) the type of psychiatric intervention, and
- (3) the diagnosis.

Ninety-two percent of the protective custody group had received psychiatric attention at some time compared to only sixty-seven percent of the regular inmates. This is a statistically significant difference.

(Table 14).

The points of psychiatric intervention was categorized as possible at one of eight levels: predelinquency, after a finding of delinquency, before adult charges, after adult charges, pretrial, presentencing, R.R.C. institution. The PC group not only received more psychiatric intervention, but tended to receive it earlier in life. Forty-three percent of the PC group had psychiatric intervention before the offence of present incarceration. When intervention at each of the eight points

are considered, we find that twice as many PC's as regular inmates had received psychiatric attention at the predelinquency stage. The numbers were, however, only a small percentage of the total group, eleven percent and five percent respectively and the difference is not statistically significant. (Table 14) During delinquency a total of eighteen percent of PC's received psychiatric attention compared to eight percent of the controls. This difference is statistically significant. Before adult charges were laid twenty percent of the PC's, compared to ten percent of the controls had received attention. (Table 14). A difference that is not statistically significant. After adult charges were laid thirty-six percent of the PC group were under psychiatric care compared to eighteen percent of the control group, (Table 14), a difference that is statistically significant. At the pre-trial stage the number in the PC group getting psychiatric treatment was far in excess of the control group, twenty-nine percent to six percent (Table 14). Seventeen percent of the PC group received psychiatric attention prior to sentencing, compared to seven percent of the control group - a difference that is statistically significant. (Table 14). Considering that Canadian law makes no exception for diminished responsibility psychiatric examination at this stage is perhaps an indication of judicial concern and the fact that they are seeking psychiatric opinion prior to imposing sentence.

Considerably more of the control group received psychiatric attention at the reception centre level than at any other point in time. However, examination of the total number of each group receiving care at this stage reveals that thirty-seven percent of the PC's were assessed or treated in comparison to twenty-eight percent of the controls. The increase in the number for the control group is perhaps due to the fact that most violent offenders are assessed psychiatrically at this stage in order to determine the appropriate placement security-wise as part of the reception program used at this time. It is also routine to examine psychiatrically those convicted of murder or other exceptionally violent crimes. At the R.R.C. the difference in numbers in the groups receiving psychiatric attention does not reach statistical significance.

Psychiatric attention at the institutional level is dominated by the PC group, eighty-three percent of them being attended, compared to fifty-percent of the control group. (Table 14) The protective custody group receive far more psychiatric attention than the control group.

The type of psychiatric treatment received is indicative of the severity of the needs for such. Thirty-seven percent of the PC group and fifteen percent of the control group had received in-patient treatment prior to incarceration (Table 15) - a difference that is statistically significant. The frequency of committal during incarceration shows that forty-two percent of the PC's compared to thirteen percent

of the control group were committed to community psychiatric facility or were treated on an in-patient basis at the Regional Psychiatric Centre (Ontario) within the walls of Kingston Penitentiary. Again this is a difference that is statistically significant. This incidence of certifiable psychiatric problems reflects the degree of psychopathology suffered by PC inmates. Considering further that certification of a Federal inmate cannot be summarily accomplished until overcoming the problem of finding a receptive and appropriately secure mental health institution, the significance is enhanced. Mental health institutions are reluctant to accept the problems of correctional institutions. Receiving out-patient treatment prior to incarceration were thirty-eight percent of the PC group and twenty-three percent of the control group, while receiving out-patient treatment during incarceration, were eighty-seven percent of the PC group compared to sixty percent of the control group - again a difference statistically significant. (Table 15). Interestingly in this connection are court referrals for assessment or treatment. These did not approximate even the rate of committals for either group. Neither was the difference between the groups, nineteen percent for PC's and sixteen percent for controls, statistically significant. (Table 16) Although a court referral carries little more weight than a polite suggestion, a court referral does insure at least an assessment for the offender once he reaches the institution.

Psychiatric diagnosis, as pointed out earlier, have been made

as



1. Psychosis
2. Personality Disorders: Explosive
3. Personality Disorders: Inadequate dependent
4. Affection Disorders
5. Retardation
6. Organic Brain Damage
7. Sexual Disorder
8. Drug and Alcoholic Problem
9. Other.

It was these categories that were used in the comparison of the psychiatric status of the P.C. group and the control group.

For those subjects who had received psychiatric attention prior to incarceration, the diagnostic categories other than personality disorder-inadequate dependent type, were not statistically significant. (Table 17) Suffering from this disorder were diagnosed thirty-nine percent of the relevant PC subjects and sixteen percent of the control group, a difference that is statistically significant. Diagnosis made during incarceration were known for eighty-nine PC subjects and sixty-two control subjects. The category of personality disorder-inadequate, contained forty-six percent of the PC's and only twenty-six percent of the controls - a difference that was statistically significant. (Table 18) The predominance of inadequate, dependent and immature types among

the PC population is supportive of the suggestion that a major concern for PC inmates is their inability to adjust to and manipulate their environment, their apparent lack of personal resources. Not surprisingly, the PC group had significantly more diagnosis of sexual disorders, thirty-five percent compared to ten percent. Both groups, paradoxically contained fifty percent of the aggressive and explosively violent type termed "personality disorder - antisocial, explosive". (Table 18).

The next grouping of variables were the psychosocial assessments. These assessments were made in terms of the presence or absence of mental illness, antisocial and explosive personality, hostile and anti-authority personality, retardation, drug or alcohol problems, inadequate personality and socio-emotional deprivation. Although the PC's outnumber these from the control group in all categories, it was only for the inadequate, dependent personality category which contained forty-six percent of the PC's compared to twenty-two percent of the controls and for the emotional deprivation category which contained twenty-four percent from the PC group in comparison to eight percent of the control group were the differences statistically significant. These findings also suggest that the PC inmate is not as well prepared to handle his environment as regular inmates. (Table 19).

An attempt was made to classify subjects of both groups by IQ category. Unfortunately, the information was available for only fifty-seven

PC subjects and thirty-two regular subjects. (Table 20). Twenty-one percent of these PC inmates had an IQ below eighty-five; nineteen percent of these regular inmates were so classified. Most PC inmates (fifty-one percent of these for whom the IQ was known) had an IQ between eighty-six and one hundred, while most of the regular subjects (forty-six percent) had an IQ between one hundred and one and one hundred and fifteen. Overall the PC inmates did not show as high an IQ as the controls. The difference was statistically significant (Table 20). This finding again suggests an inability to manipulate environment due to perhaps a lack of personal resources.

The next grouping of variables were those related to institutional behaviour. The number of institutional and regional transfers was one of the variables studied. It was considered on the assumption that the more transfers would indicate an inability to adjust to the routine or regulations of institutions. Contrary to expectations the control group had more members who had been relocated through institutional transfers. However, for the smaller number of PC's the total number of transfers was larger. The difference was not statistically significant. (Table 21). As far as regional transfers were concerned, the control group again had more members who had been regionally relocated. The total number of transfers here were in excess of the PC group. (Table 22). However, the differences were not statistically significant. The unexpected finding here that it was the control group, rather than the PC group, that

was relocated, may be due to the fact that Millhaven, which has become the most secure institution in Canada, houses the more dangerous and troublesome inmates in Canada. They are transferred to Millhaven from all other regions in Canada, to be housed in the Special Handling Unit. Again, as the only maximum institution for the Ontario region it receives all those inmates who fail to behave in lesser security institutions. As far as the PC Group is concerned, the point of entry to the protective custody unit shows (Table 23) that eight percent had been in PC units in other institutions before entry to the Ontario unit, thirty-seven per cent had been in regular population in other institutions before entering the PC unit, and fifty-five percent had gone directly from the reception wing at R.R.C. to the protection unit. The PC group thus had a smaller number of subjects with the potential for transfer. In consequence, the expected pattern of transfers was not actualized.

The second set of variables in this grouping referred to self destructive behaviour in the institution. Threats and attempts at suicide are not uncommon activities. The previous suicidal history for both groups was approximately the same, with sixteen percent of the PC's known to have made previous attempts compared to eleven percent of the control group - a statistically insignificant difference (Table 24). Once incarcerated the PC group are much more prone to both threatening and attempting suicide. Twenty-four percent of the PC's had threatened suicide

compared to ten percent of the control group, while seventeen percent of the PC's had attempted suicide compared to six percent of the controls - differences that are statistically significant. This type of behaviour is perhaps normal for inadequate type individuals who have no other means for satisfying attention needs, or somehow controlling their environment.² If this is so, then the data provides supportive evidence for the special group hypothesis.

The incidence of self-mutilation for each group was determined as another indicator of maladjustment. Forty-seven percent of the control group had tattoos compared to thirty percent of the PC group. (Table 24) - difference that is statistically significant. However, this is a common practice in all of society and is usually not considered as much as abnormality in behaviour as a peculiarity. However, when examining those who had both tattoos and some other self-mutilatory behaviour in the past, such as slashing, the PC group were more active, thirty-four percent compared to fifteen percent of the control group - again a statistically significant difference (Table 24). Similarly, during incarceration, the PC group were significantly more prone to self-mutilatory behaviour, such as slashing, swallowing foreign objects or in other ways abusing themselves - twenty-seven percent compared to fourteen percent of the control group (Table 24). The figures presented here do not reflect the total incidence of self-mutilation within the prison,

but only that which is somehow recorded in the file. It was found not uncommon, when interviewing inmates, to detect tangible evidence of slashing that was not recorded in the file. The observed scars were of a size to suggest a considerable wound, yet, for some reason, the incident was not reported in the bulk file. It would have been noted in the medical file, but, this source of information was not available for this study.

Aggressive behaviour in the institution were the third set of variables considered. The smashing up of, or setting fire to one's cell is considered to be the acting outward or externalization of the same psychodynamics that initiates self-abuse. (Scott 1979).³ The "home" is considered an extension of self. Almost the same number (ten against eleven) of the PC population as of the control group smashed up their cells. More of the PC population (eight against five) set fire to their cells, (fifteen against eleven) threatened to smash up and (nine against four) threatened to set fire to their cells. The differences, however, were not statistically significant. (Table 25). On the basis of an argument similar to the above, that the alter is an extension of the ego, hostage taking incidents are considered an externalization of suicidal behaviour. As was to be expected, the control group was more prone to turn aggression outward and threaten the lives of others. Thirteen percent of the control group, compared to six percent

of the PC group had threatened or been suspected of planning hostage taking behaviour. Eleven percent of the controls had accomplished a hostage incident compared to six percent of the PC group (Table 25). The differences are not statistically significant.

Assaults or threats of assaults on others was compared for both groups. The control group was almost twice as prone as the PC group to threaten or assault staff. However, it was only for actual assaults that the differences were significant. (Table 25). Oddly enough the PC group tended to threaten or assault inmates more frequently than the control group. Then too, it was only for assaults that the difference was statistically significant (Table 25). These data can be interpreted as an indication that PC inmates do not adjust to environment; they cannot achieve a semblance of harmony even amongst themselves. It was suggested by psychiatric staff at the time of data collection the PC group were more dependent on staff due to the presence of regular inmates in the institution. Their apparent disinclination to assault staff was considered a disinclination to "bite the hand that protects them".

In an attempt to gauge both the need for and quality of protection the incidence of threats and assaults against subjects of both groups was measured. (Table 26). A large number - twenty-seven percent - of the PC's had been threatened in detention centres prior to conviction, compared to three percent of the control group - a statistically significant difference. Sixteen percent of the PC's had been actually assaulted at

this stage, compared to only one percent of the control group - again a statistically significant difference. Ten percent of the PC's had been threatened in the R.R.C. compared to one percent of the controls - again a statistically significant difference. Five percent had been actually assaulted at R.R.C., no controls had been assaulted - again a statistically significant difference. This incidence of threats and assaults suggests for the inmates requesting protection upon entry to the Federal system, rather than attempting regular population, their fears of danger are real.

For those forty-three PC inmates who had entered regular population seventy-nine percent had been threatened while only twenty-two percent of the regular inmates had been threatened. A statistically significant difference. These data tend to further confirm the danger that prison life poses for them. There are, however, regular inmates who had been threatened or assaulted, but who, nevertheless, still remained in open population. They were, of course, individuals who were considered to have performed some act which inspired the wrath of other inmates, but who, for some reason, were not rendered defenseless and were able to continue in regular population. This assaultive behaviour can be conducive to the escalating number of regular inmates who do request protection. Observance of such threats and assaults on others not only establishes the violent climate of the institution but also

serves as a reminder of one's own vulnerability and encourages requests for protection from those who are aware of their own limitations in such situations.

The incidence of threats and assaults among protection inmates themselves is substantial. Twenty-eight percent of these men had been threatened within the PC unit and eighteen percent were actually assaulted. (Table 26). This substantiates the assumption that when within the PC society a hierarchy evolves by which some subjects become targets of violence from others. The rate of assaults within PC inmates is almost twice that of regular inmates suggesting not only the inability to get along together, but also that staff are not always capable of supplying protection. (Table 26).

The use of dissociation for disciplinary reasons was virtually identical for both groups, (Table 27), as was the use of administrative segregation in the best interest of the institution. The use of administrative segregation for reasons of protection was more common for the PC group, than for the control group. Thirty-six percent of the PC's had been segregated for this reason compared to only eleven percent of the control group - a difference that was statistically significant. Also statistically significant was the difference in numbers requesting dissociation. Of the forty-three inmates who had originally been in open population, sixty-nine percent had requested to be placed in

dissociation compared to only sixteen percent of the control group. Very interesting is the fact that forty percent of the PC group had requested dissociation while within the PC unit, a reflection on the quality of protection they perceived as being granted them.

Another interesting finding is the fact the PC group were much more prone to lodge grievances. (Table 28). This can also be taken as an indication that the PC group have inadequate resources and ability to adjust to and control their environment, resorting to grieving as a final attempt. Making evident a paranoid quality, one inmate had offered over one hundred grievances within a one month span.

The need and reason for protection was determined for each PC subject. These were the reasons that were given by the PC inmates for their request for protective custody. The reasons are not mutually exclusive and an offender could provide several reasons for his need for protection. Fifty-nine percent of the PC's stated the nature of their offence as justification for their request. This number exceeds the number of sexual offenders, which would be the most apparent nature of offence for the request. In some cases there had been a sexual motivation or activity included in a non-sexual crime, in others the crimes were so notorious as to demand a need for protection. For example, there was the case of the inmate who had conducted a series of rip-offs on the drug dealers from a biker gang, and the one who

beat and repeatedly stabbed to death an alcoholic derelict for no apparent reason. The publicity attracted to such acts put these types of offenders in jeopardy due to their unacceptable nature to the "solid" con. Five percent of the group stated the nature of a previous offence as justification for protection. This was mostly sexual offenders. (Table 29).

A sizable group of PC's had violated the code by "ratting on a con". Amongst this group were eight percent who had acted as crown witnesses, nine percent who were police informers, and seven percent who were known prison informers. Thirty percent gave "difficulties in open population" as the reason inspiring their need for protection. This difficulty usually ensued some undesirable activity in open population such as pressuring retarded inmates or excessively aggressive homosexual activity. Another three percent had committed some outside activity that had brought on the wrath of other inmates. These men had usually angered a powerful group such as the bikers who are an influential power group within the institution.

Twenty-seven percent of the inmates cited other miscellaneous reasons for the request for protection. This ranged from having an inmate point at him in the exercise yard to those who, regardless of any offence or activity, were so abrasive of personality they could not adjust in the population. Also included were those retarded or

mentally disturbed individuals whose bizarre behaviour was so unsettling to others that protection was necessary.

Of all, only six percent had no formal justification for being in protection. However, the authorities here reported their suspicions; two were considered to be merely avoiding the necessity of having to work or get involved in prison activity. At the time the PC's were allowed to sleep any hours they wished since they had nothing better to do during the day. Two others were suspected of wanting to serve time with relatives who were in the PC units. One inmate, apparently so unmotivated that he would not even shower by own desire, seemed to be in dissociation for lack of initiative to go elsewhere. The final one had been dissociation, at his own request, for eight years since his apprehension from an escape that spanned four years. No one was certain why he secluded himself since he refused to talk to people. Since there was no apparent mental illness he was allowed to do his time as he wished.

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QUOD -

QUO VADIS?

CHAPTER FIVE

Two theories exist regarding protective custody inmates. The first suggests that the men in protection are, as a group, different from other inmates and so require special treatment, as determined by their unique needs.

The second theory is that the protective custody inmate is not different from other inmates: instead he represents the exploitation of the current humanitarian trend in corrections and of the enhanced sensitivity to civil rights. The literature on protective custody has revealed that authorities do not consider PC inmates to be any different from other inmates, except for the fact that a large proportion of them are sex offenders. The correctional authorities appear to regard that what makes an inmate a PC inmate is the crime he has committed rather than any other distinguishing characteristic. The actus deviance, in the case of PC inmates, has been converted to a status deviance beyond that of regular inmates. The limited programs and opportunities afforded these men reflects the opinion of policy makers and authorities that PC's are just another grouping of inmates who happen to need more surveillance than most.

This study has compared protective custody inmates with regular inmates

to determine which theory holds. After matching the subjects for security rating a comparison was done on the basis of the following groups of variables:

- 1) demographic and personal, including such as race, language of birth, education, and employment history and family background
- 2) criminal activity, including current offence, sentence of incarceration, criminal history and previous incarcerations
- 3) psychiatric variables, including history, diagnosis, point of intervention
- 4) psycho-social variables, including psychological assessments and social factors for adjustment
- 5) institutional behaviour, including transfers, suicidal and self-mutilatory behaviour, property destruction and hostage-takings; as well as assaults on other inmates and staff.
- 6) the PC group was also grouped according to the stated reason for being in protection.

The study shows that significant differences between the two groups exist in all groupings that were studied, with a dramatic concentration within the psychiatric and psycho-social variables in particular.

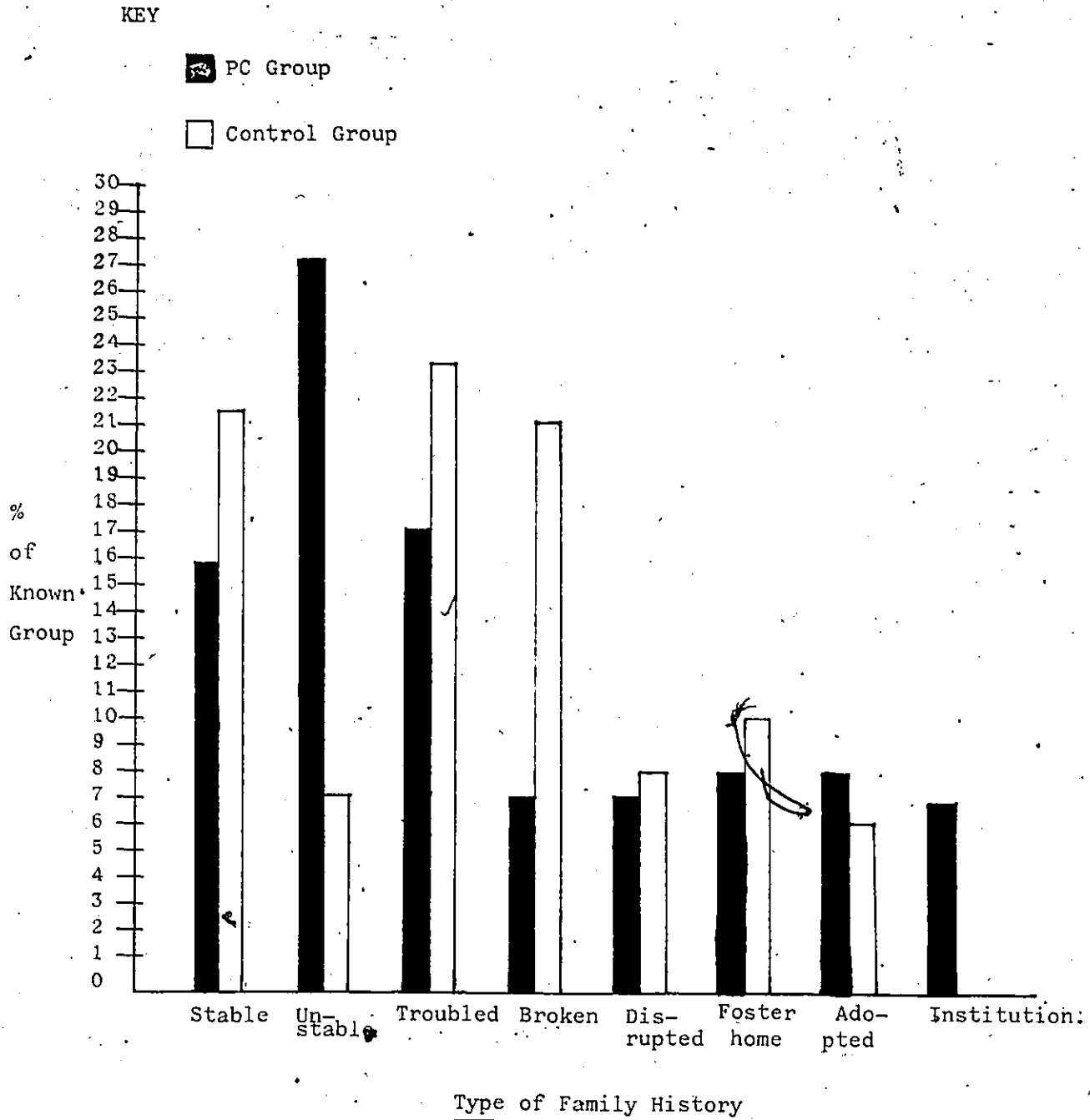
Within the grouping of personal and demographic variables the data shows a significant difference only as far as the family history is concerned. It is shown here that PC inmates tends to come from more psychopathological family environments than do the control inmates. The unstable family category is defined as both parents present but marked by either chronic unemployment of the primary provider, mental illness or alcoholism of a parent. In this category no other family member has been in trouble with the law (Figure 1).

An examination of the criminal history of each group reveals one major point of differentiation between protective custody and regular inmates - that being the type of offence committed that resulted in the current incarceration. While the majority of control group members committed crimes of violence, close to half of the protective custody inmates have committed a sexual offence. (Figure 2). This finding was found consistent with the ratio of sex offenders to non-sex offenders found in previous studies.

The psychiatric variables reveal several statistically significant differences between protective custody inmates and regular inmates. When determining the point of initial psychiatric intervention for both groups of offenders, the PC group not only tended to receive such intervention earlier in life but in greater numbers at all surveyed stages. (Figure 3). It can be inferred that whatever disability it is that provokes psychiatric attention, it is more likely to be chronic rather than traumatic. Virtually all of the PC inmates have received psychiatric attention at some time in their life.

The type of psychiatric treatment also indicates that the PC inmate is more prone to suffer serious psychiatric disability, as is evident in the more intensive treatment given these men. (Figure 4) The protective custody inmate has close to a fifty percent chance of having received in-patient treatment both prior to and during incarceration, compared to less than fifteen percent of regular inmates. With almost ninety percent of the P.C.'s receiving psychiatric intervention on an out-patient basis the demands on the

FIGURE 1



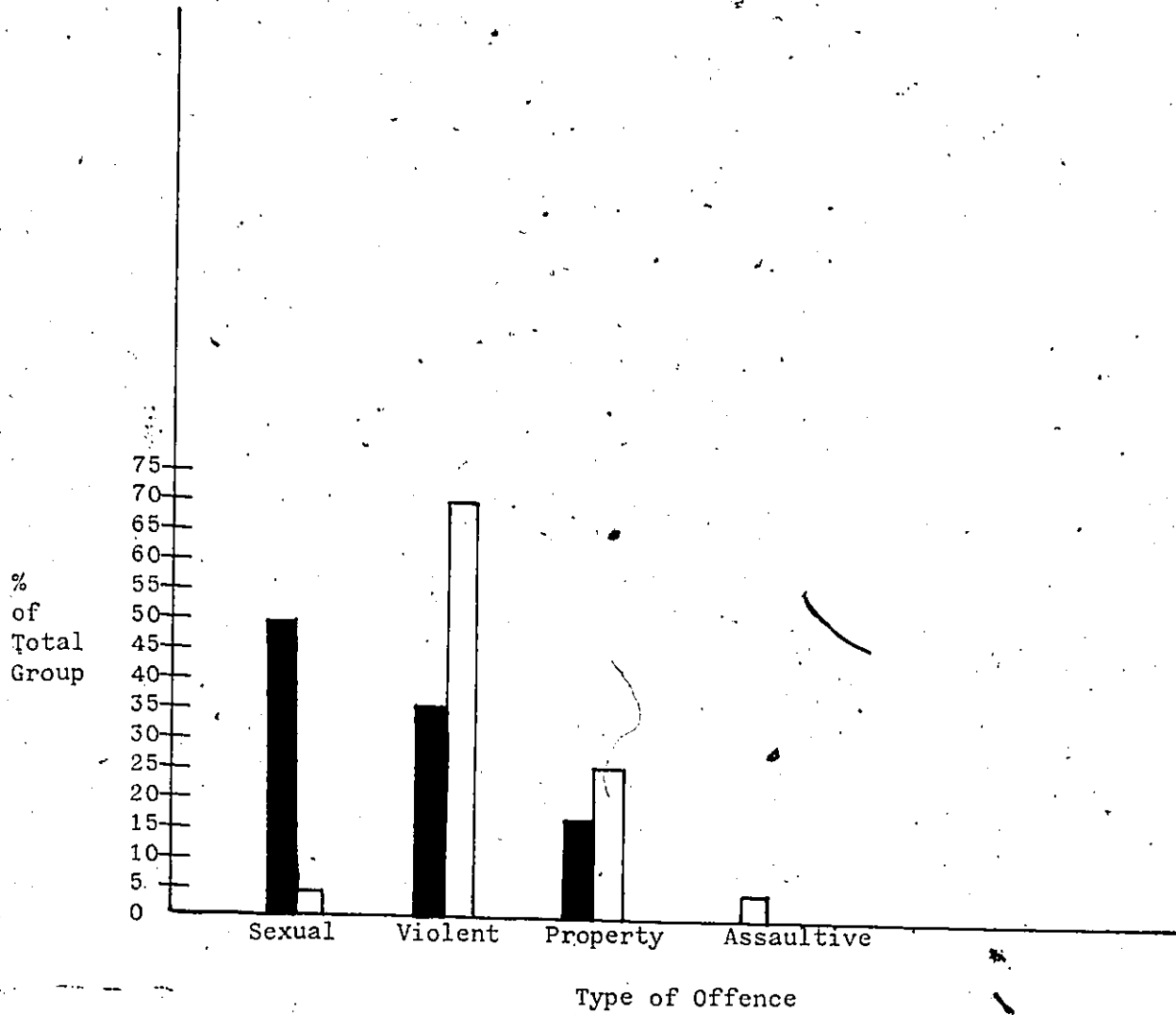
"Type of family history for protective custody inmates and Regular Inmates - Percentage"

FIGURE 2

KEY

■ PC Group

□ Control Group



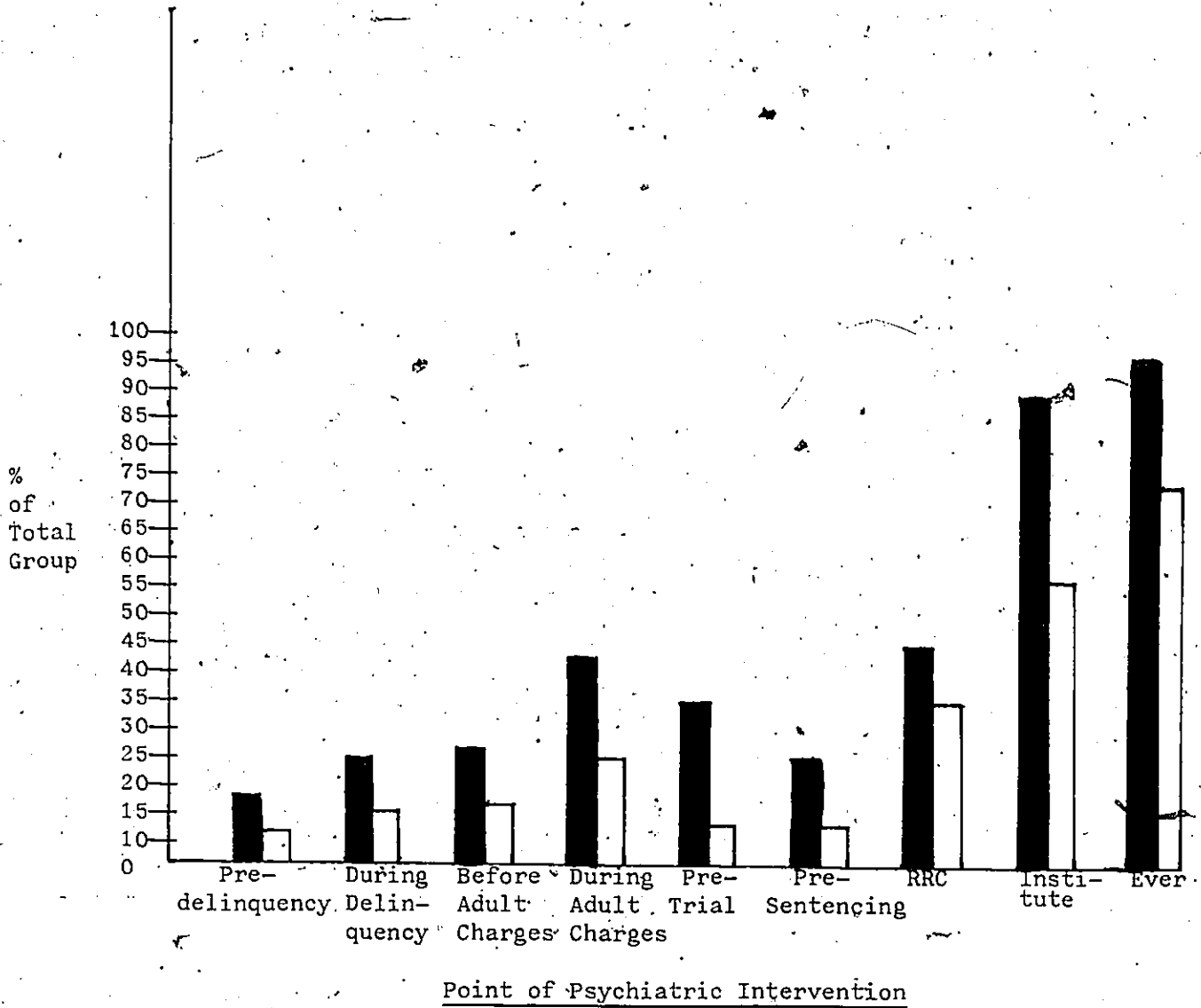
"Type of Offence for which Protective Custody Inmates and Regular Inmates are incarcerated - percentage"

FIGURE 3

KEY

■ PC Group

□ Control Group

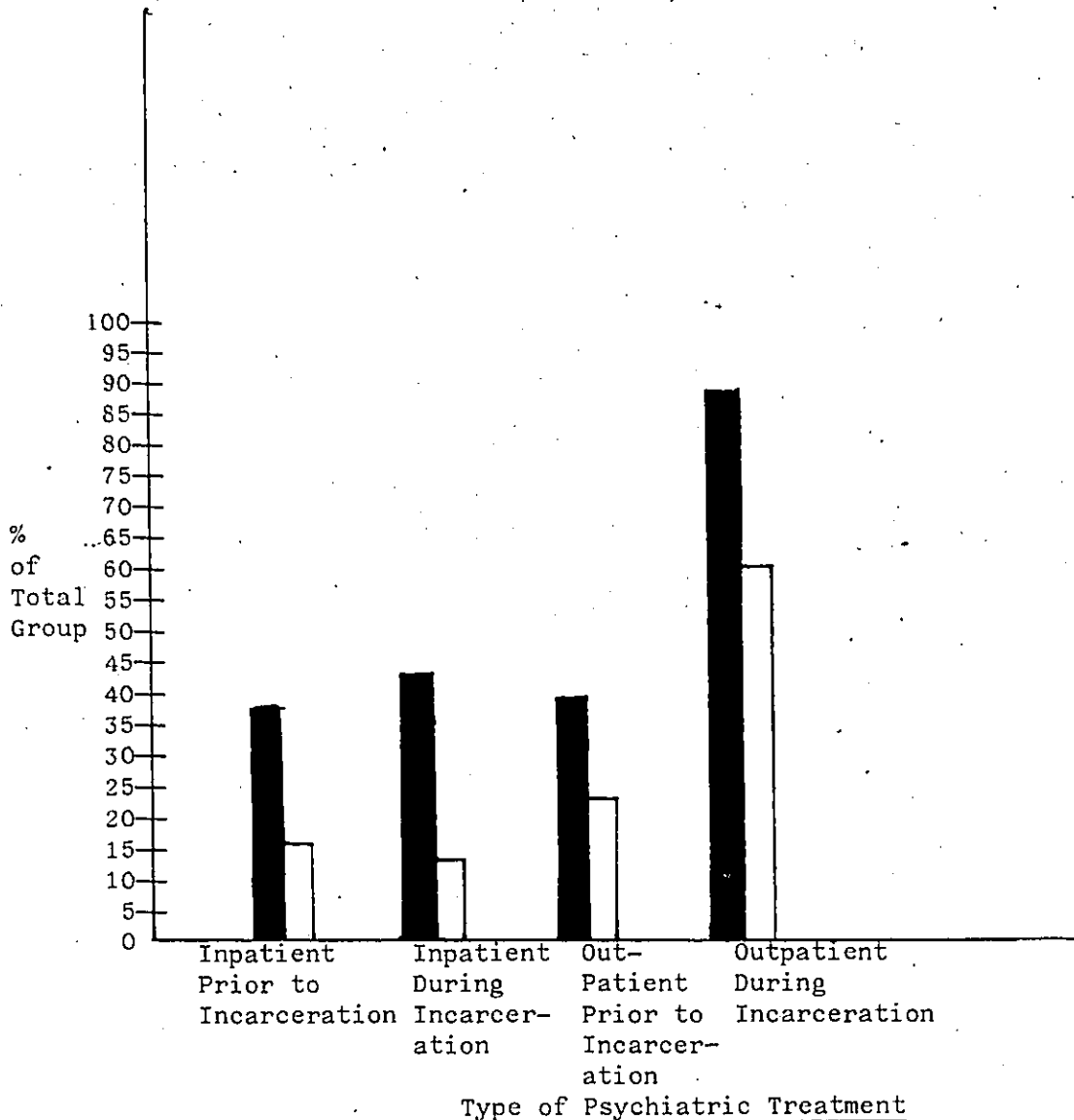


"Point of Psychiatric Intervention for Protective Custody Inmates and Regular Inmates - Percentage"

FIGURE 4

KEY

■ PC Group
□ Control Group



" Type of Psychiatric Treatment Received by Protective Custody Inmates
and Regular Inmates

Prior to and During Incarceration - Percentages "

institutional psychiatrist are apparently weighty.

The categories of psychiatric diagnosis further substantiates the significant differences between the PC and control groups. For those diagnoses made prior to incarceration the PC's outnumber the regular inmates in all categories, however on an individual basis, this is only significant for those diagnosed as personality disorder: inadequate, immature or dependent type. (Figure 5). When comparing the same categories of psychiatric diagnosis made during incarceration a dramatic increase is evident. The PC inmate now is seen as having close to a fifty percent chance of being defined as either personality disorder: inadequate or personality disorder: antisocial. (Figure 6) As well forty-three percent have a diagnosed affective disorder and thirty-nine percent diagnosed as having an alcohol or drug dependency problem. It cannot be determined if these conditions were in existence but escaped detection prior to incarceration or if the onerous pressures of incarceration have provoked these syndromes. Further empirical research would be necessary to determine this.

The next grouping of variables - the psycho-social assessments - corroborate the results found in the psychiatric variables. The number of inadequate and dependent type personalities are found predominately in the PC group. As well the PC group suffered significantly more social or emotional deprivation. Again, we see a higher percentage of drug and alcohol dependency in the PC group. (Figure 7)

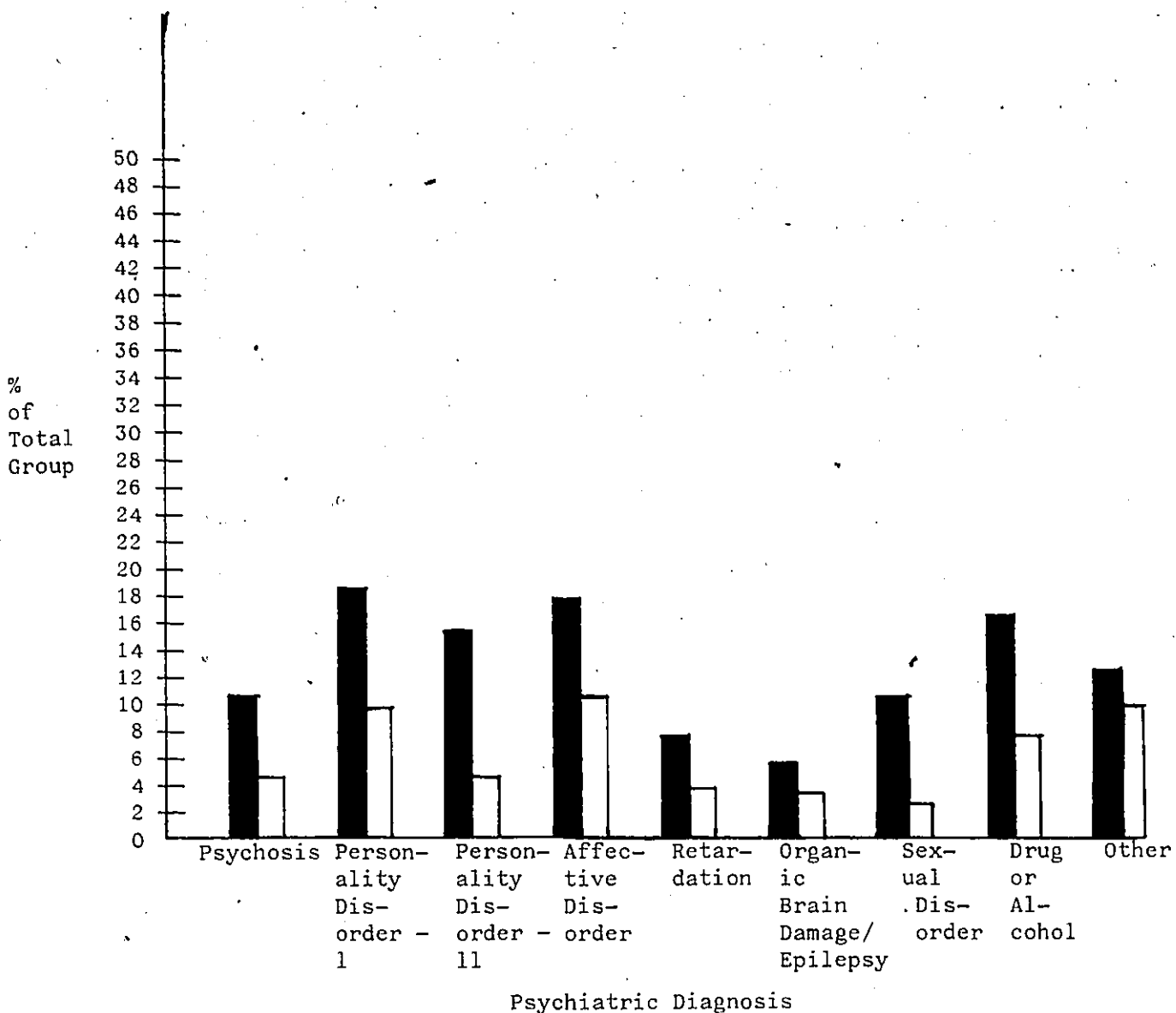
The variables depicting dimensions of institutional behaviour continue the trend of establishing unique differences between PC and regular inmates.

FIGURE 5

KEY

■ PC Group

□ Control Group



Psychiatric Diagnosis

"Psychiatric Diagnosis of PC Inmates and Regular Inmates made

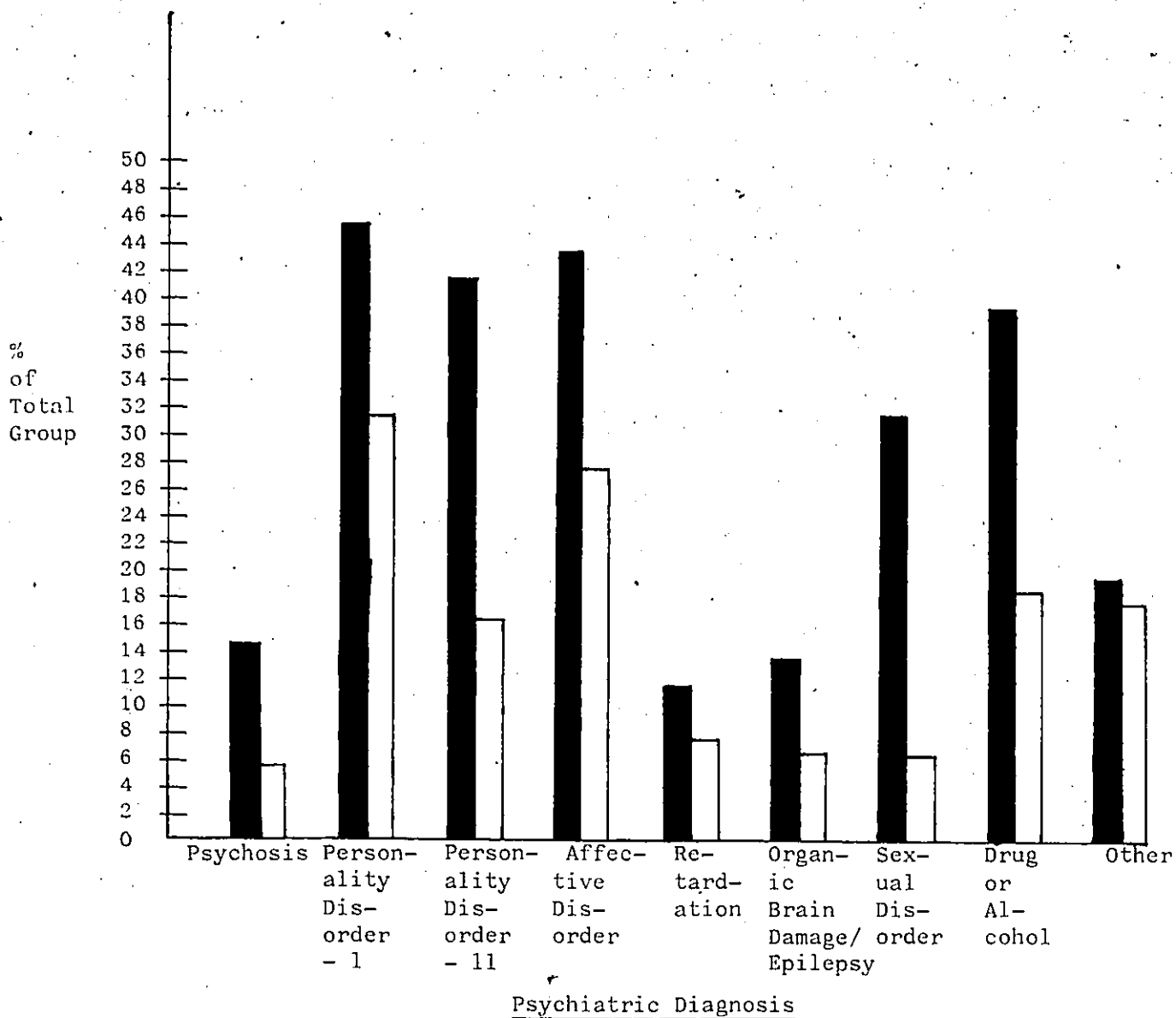
Prior to Incarceration - Percentage"

FIGURE 6

KEY

■ PC Group

□ Control Group

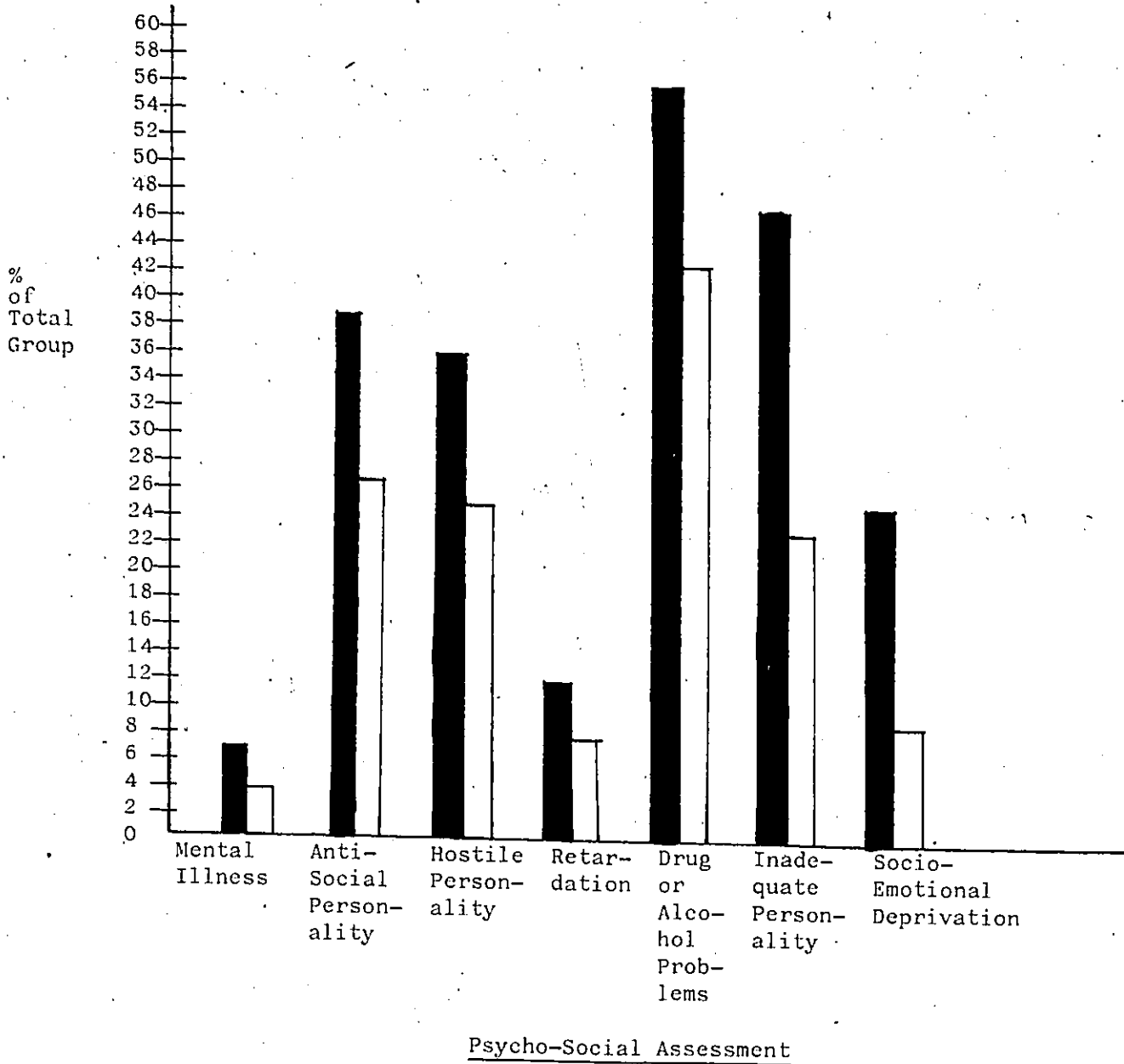


"Psychiatric Diagnosis of PC Inmates and Regular Inmates Made During Incarceration - Percentage"

FIGURE 7

KEY

■ PC Group
□ Control Group



"Psycho-Social Assessments of PC Inmates & Regular Inmates

- Percentage"

Self-destructive behaviour is defined as suicidal threats or attempts, tattoos and such self-mutilation as slashing oneself or swallowing foreign objects. Although both groups enter the penitentiary with a similar incidence of suicidal threats and attempts, the PC inmates make twice as many threats and attempts at suicide during incarceration. (Figure 8). The control group have been more prone to tattoo themselves prior to entering incarceration but the PC group has significantly more members who have both tattooed and slashed themselves in the past. Within the institution the PC group are almost twice as likely to self-mutilate by means of slashing themselves or swallowing foreign objects such as spoons, pens, or nails.

Contrary to the findings of the study group on protective custody in the Prairies, the Ontario PC inmate has been frequently assaulted during his incarceration. Threats and actual assaults plague him at the detention centre, RRC, regular population and even within the PC ranges. It is notable that the control group also show an incidence of threats and assaults while in regular population. Conceivably these individuals have found sufficient resources - personal or otherwise - to accommodate such incidents and still remain in open population. (Figure 9).

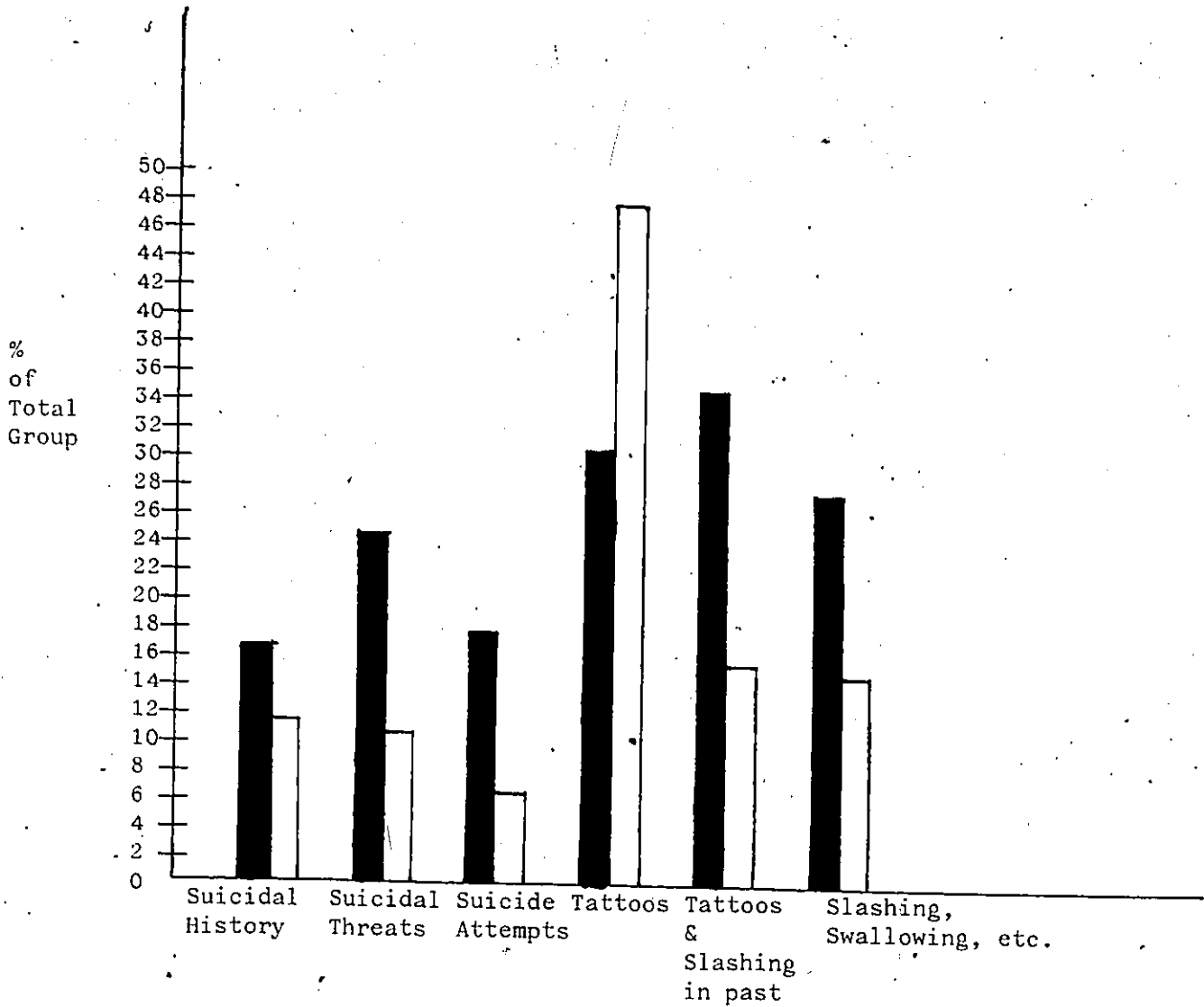
The use of segregation as a disciplinary measure has been established as a barometer of the climate of fear and violence within the prison setting. This study shows the existence of no difference between the use of dissociation for disciplinary reasons for either group. The use of administrative segregation in the best interests of the institution is also not significantly

FIGURE 8

KEY

■ PC Group

□ Control Group



Type of Self-Destructive Behaviour

"Self-Destructive Behaviour Among PC Inmates

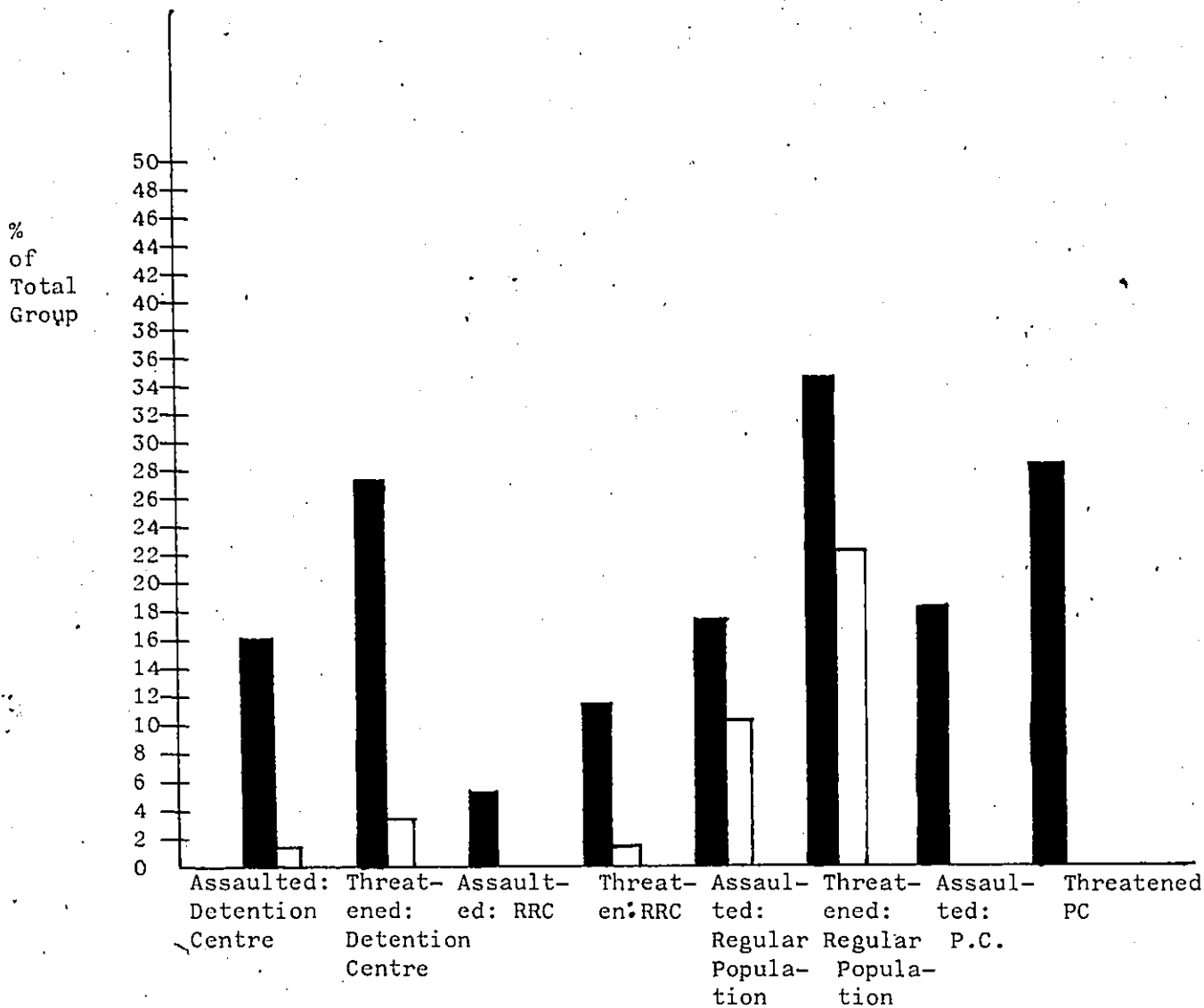
and Regular Inmates - Percentage"

FIGURE 9

KEY

■ PC Group

□ Control Group



Aggression Towards Inmates

"Aggression and Assault of PC Inmates and Regular Inmates

- Percentages"

different. However administrative segregation for the protection of the inmate has been implemented for thirty-six percent of the PC group compared to only eleven percent of the control. Dissociation by request of the inmate has been initiated almost twice as much when within regular population by the now PC group and forty percent by inmates already segregated within the protective ranges. (Figure 10). Clearly, as was predicted at the trial of Henry Robert Williams, a form of ostracism is developing even within the ranks of protective custody. The process of rejection continues - even as we get to the outermost of the concentric rings of conformity that were hypothesized in the earlier chapters.

What these summarized findings reveal is that PC inmates are:

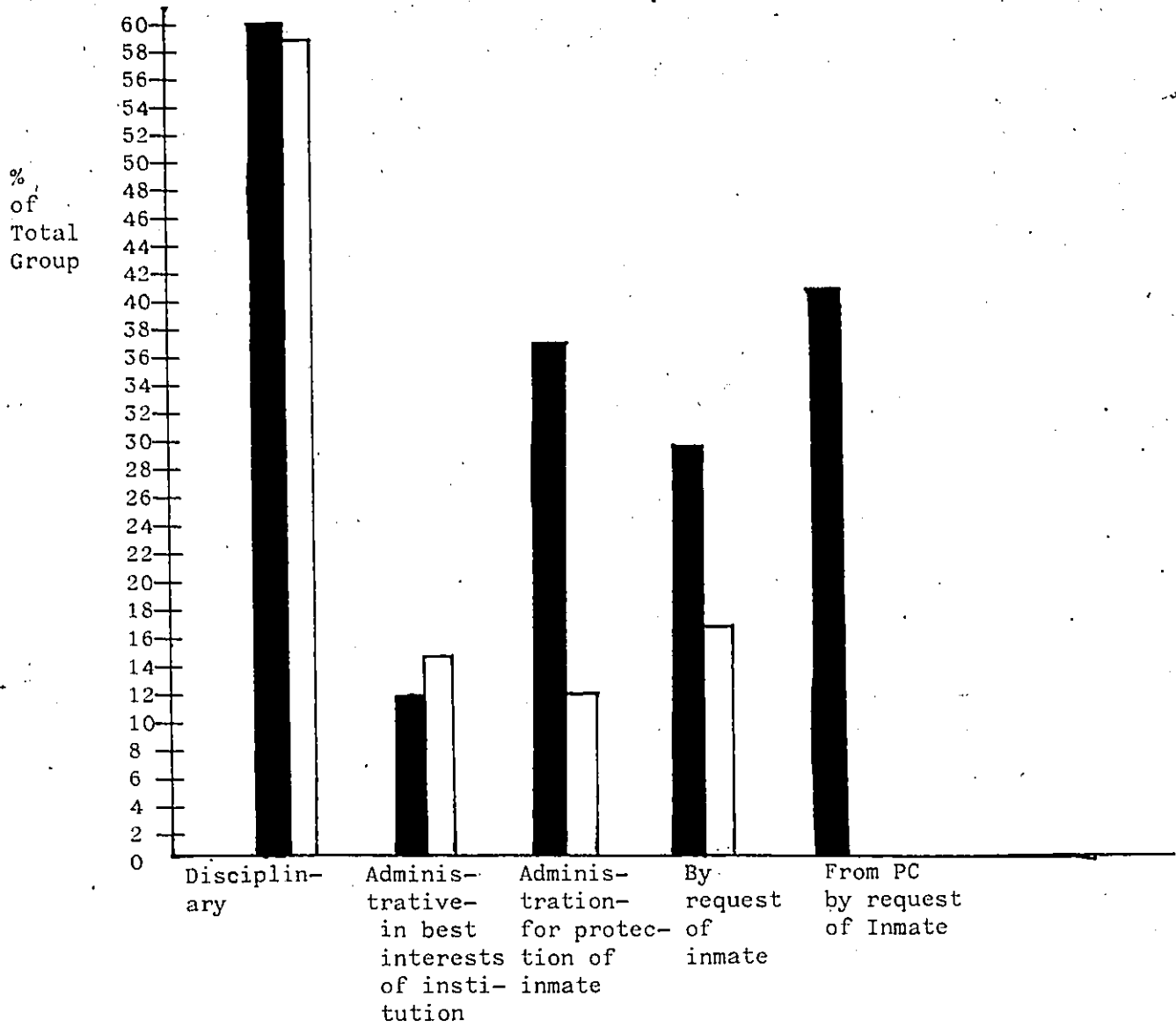
1. more likely to have committed sex offences
2. less likely to have committed violent offences
3. more likely to come from a psychopathological family environment
4. less likely to come from a criminogenic family environment
5. more likely to have received psychiatric attention earlier in life
6. more likely to have received in-patient psychiatric attention
7. more likely to receive out-patient treatment during incarceration
8. more likely to be diagnosed as a personality disorder: inadequate, dependent type
9. more likely to be diagnosed as having an affective disorder

FIGURE 10

KEY

■ PC Group

□ Control Group



Reason for Dissociation - Segregation

"Reasons for Dissociation and Segregation of PC Inmates and Regular Inmates - Percentages"

10. more likely to be diagnosed as having a drug or alcohol dependency problem
11. more likely to be assessed as inadequate and immature
12. more likely to be assessed as having social or emotional deprivation
13. more likely to exhibit self-destructive behaviour during incarceration
14. more likely to be threatened or assaulted during incarceration
15. more likely to be administratively segregated for their own protection
16. more likely to request dissociation
17. less likely to be administratively segregated in the best interests of the institution.

These findings suggest that protective custody inmates are different from regular inmates:

1. in family background
2. in the type of crime they commit
3. in the presence of psychiatric behaviour
4. in the type of psychiatrically defined personality structure
5. in proclivity to self-destructive behaviour
6. in type of response to negative pressure.

Studies exist which show a linkage between these characteristics.

Abrahamsen (1960) found the sex offender to be:

... a type of offender who in all probability is the most emotionally and mentally disturbed of all criminals because his problem reaches to the roots of his most basic and primitive impulses.

Abrahamsen found his entire group of one hundred and two sex offenders to have been emotionally and physically insecure during childhood. He states:

They were emotionally fixated at a pregenital level and frequently reacted impulsively.²

These conclusions are duplicated in this study on protective custody inmates. Even though only one half of the population are sexual offenders, the high incidence of emotional and mental disturbances indicated by the rate of psychiatric intervention and diagnosis shows the PC population in its entirety parallels the basic personality studied by Abrahamsen. The pathology of family background for PC inmates again reflects the type of deprivation described for Abrahamsen's group of sexual offenders.

Cormier and Simons (1968), studying the problem of the dangerous sexual offender, found a similar lack of "normalcy" in their subjects. A global poverty of affect was noted:

These men gave the impression that they are unable to derive satisfaction from normal personal encounters; thus, in their sexual life, they cannot sustain a normal courtship relationship.³

A similar poverty of object relations was found characteristic, as well as a "... polymorph, perverse, psychosexual make-up."

It has been suggested that the PC inmate lacks the ability to manipulate and derive satisfaction from his environment. Accepting this statement, it is again found that the PC group of inmates reflects the psychopathology described by the earlier studies of sex offenders.

A Queen's Bench Foundation (1978) study on rapists shows that sex

offenders themselves report the primary role their personality and lack of social skills play in determining their crime. Consensus among the study group was high for such statements as:

Poor social relationships with women	(50.7%, n=37)
Poor interpersonal relations	(49.3%, n=36)
Lack of communication outlet	(38.4%, n=28)
Lack of self-confidence	(38.4%, n=28) ⁴

Ross and McKay (1979) found in their research on self-mutilation that the behaviour was often associated with poor self-image, inadequacy and an inability to control the environment.⁵

With a significantly high incidence of both sexual offenders and self-destructive behaviour established for the PC inmates, the role of poor self-image and lack of social skills becomes evident as the common denominator for the behaviour isolated in the above named studies, and displayed by the PC inmates as a group. The significance of the "personality disorder: inadequate and dependent type" emerges as a common theme, found in conjunction with other behaviours. The inadequate personality has fewer personal resources for the purpose of accomplishment, fewer social skills, poor ability to maximize interpersonal skills, poor self-image, an inability to be introspective or empathetic and poor communication skills. The question of relevance here is:

Does the psychiatric disorder promote the particular type of crime and then the particular type of crime make the offender a PC inmate

or

Does the psychiatric disorder make the offender unable to function and consequently a PC inmate, in addition to making them commit that particular crime?

Literature suggests that correctional authorities believe the first, that being a flow from psychiatric disorder to crime to PC inmate status being the chart of events. PC inmates are not thought of in need of special programs, only in need of special surveillance and special protections.

Supportive of this theoretical formulation are the existing studies on prison communities. Although a heterogeneous society, the prison culture is still more homogeneous than that of the greater society and, as such, demands more conformity. An examination of the inmate code and the allegiance demanded to it reveals the PC inmate could not possibly exist by its standards. If not precluded by his offence he would be ostracized for his ability to "do his own time" and to exist by the tenets expounded. The inmate code, as detailed by Sykes (1977) and Weeder (1978) would render the PC inmate's chances in open population prohibitive. Certain principles, exalted from Sykes⁶ and Weeder⁷, are identified:

1. Don't rat on a con. This rule is inviolate and brings stringent and violent sanctions.
2. Don't "cop out". Confession is an obvious sign of weakness and agreement to the standards of the greater society.
3. Don't take advantage of other cons. Don't steal from other cons or exploit them.
4. Share what you have when others lack and be prepared to help.
5. Don't trust staff - or be friendly with them.

It is seen, in these studies, that the PC inmate enters the prison system, but is then excluded by virtue of his crime or an unacceptable offence against the standards of the inmate code. This formulation looks upon protective custody as the result of the reaction of regular inmates to the crimes that the PC inmate have committed either as defined by society's law or by the inmate's code.

Cloward (1977) describes the inmate social system as a means for the offender to restore some of the status that has been taken from him in the series of "status degradation ceremonies" he encounters as he passes through the criminal justice system:

...prisoners are led to seek from within their own numbers what the outside world so fully withholds: prestige ... these disenchanting individuals are forced into bitterly competitive relationships through which the essential superiority of one or another criminal status over other criminal statuses is asserted.⁸

The PC inmate has twice lost essential status - in the outside society and in the prison society. Even within the PC unit the protective custody inmate continues the same behaviour that assured his expulsion within regular prison population. Informing to prison authorities continues, as does homosexual intimidation or thefts from another inmate's cells. The significant incidents of threats and assaults with PC inmates, and requests for dissociation indicates that even there the desire to restore status is achieved by the typical prison mechanisms of exploiting criminality and establishing precedence with peers. The same dynamics that prevent the PC inmate from functioning in regular population prevent him from functioning any smoother

in the PC population. Removal of the PC inmate from the milieu that prohibits this typical behaviour does not preclude his continued maladjustment.

This study has established that there is a preponderance of sex offenders in the PC population and a similar preponderance of violent offenders in regular population. However, it was also found that some sexual offenders habitate in the regular population and that violent offenders are found in PC populations. It is, therefore, indicated that it is not the crime or offensive act per se that determines which population the inmate will be found in. Since protection is generally granted on request and virtually always with the consent of the inmate, the possibility exists that the PC inmate is the one who realizes his incapacity to operate in the prison environment without rousing the wrath of other inmates.

Supporting this hypothesis are:

1. the requests for dissociation for PC inmates who are unable to get along among themselves.
2. the threats and assaults on PC inmates while they are in PC.

Returning to the question of whether it is the crime or the psychiatric disorder that determines the PC inmate, it is indicated by the continuing maladjustment in all settings that it is the psychiatric disability intrinsic to the PC inmate that determines the inability to function in a regular prison population. The lack of ability to exploit their environment renders the PC inmate at odds with the greater society, the prison society and the protective custody society.

This study has shown the PC inmate to be different from regular inmates on several dimensions, and suggests that the difference is more than the fact of the type of crime they have committed; that they do have a basic personality problem. However before such a statement is made in definitive terms more research is necessary.

The implications of this finding are:

- a) the conditions of PC inmates is psychiatrically distinguishable but not certifiable.
- b) the condition of PC inmates is that they are unable to function in the prison environment without being a danger to themselves.
- c) the condition of PC inmates is that they are unable to function in society without being a danger to innocent people - their victims are usually defenceless people.

Should there be a permanent sheltered environment for protective custody inmates? In Ontario, the facilities of Kingston Penitentiary are now devoted to PC inmates. The correctional authorities have determined that such an environment is needed. However their decision is dictated more by the demands of increasing numbers and sensitivity to the civil right to protection than by the unique needs and demands of a particular grouping of inmates.

The high number of sexual offenders demands that specialized programs should exist for these men. However the existing possibility for this is only through the Regional Psychiatric Centre (Ontario), which can only serve limited numbers drawn from Ontario and the Maritimes. The PC inmate is not high on the eligibility list due to his established inability to get along with his peers.

Specialized programs are also needed for the pedophiles and retarded offenders, both of which have the greatest need for treatment prior to re-entry to the street. The opportunity for sex education and to learn the necessary skills for relating to and communicating with women is necessary. With thirty-seven percent of the PC inmates serving five years or less, they are soon released again into society - no more prepared for integration than prior to sentencing.

There also exists the need for PC inmates to be introduced to life skills and social skills programs. It is imperative that they learn not only how to communicate and relate to others but how to understand their own needs and drives. The need to learn appropriate interpersonal skills is requisite for these men to be able to function in any setting. Such programs are in existence, but again available only on a limited basis and not suitable for those who are extremely lacking in skills. They tend to be restricted to those who have already demonstrated an ability to effect some social skills.

The incidence of mental disorders and committals of PC inmates, (42%), underlines the need for a high ratio of psychiatric and social work staff. There presently exists none that are exclusively available to PC inmates. Instead the staff at the Regional Psychiatric Centre see those men the institutional physician recommends. There are no social workers available. Two psychologists meet the needs of 170 men. Classification staff are generally too involved in traditional duties to be available for the supportive counselling these men need.

The rate of assaults and threats and retreats to dissociation within the PC unit stresses the need for more security personnel. Presently the RRC is understaffed, leaving a large percentage of staff working double shifts. a similar situation existed in Millhaven before the wave of incidents that helped initiate the McGuigan report. Security staff also need to be more sensitive to the type of men they deal with. Security have tended to adopt the regular inmate's disapproval of PC inmates - calling them "diddlers" and "rats". They are aware of the excessive demands PC inmates make upon them, but tend to blame the inmates for what is intrinsically the psychiatric and psychological weakness of the population. PC inmates may be "whining cowards" but this is not a matter of choice. They have no alternative but to make evident the pathology of their personality.

This unique grouping of men may be a result of the dramatic change in Ontario's Mental Health Act, which resulted in a large emptying of mental institutions of those who were not actively and extremely mentally ill. The number of PC inmates may be a reflection of societal conditions where people are no longer being adequately prepared for self sufficiency and abiding by social and legal laws. Confounding the problem is the lack of alternatives in sentencing available to judges. Many men exist that are no longer suitable to be institutionalized under mental health law, yet cannot function in either the greater or prison society, or receive adequate care and treatment with the federal institutions. It is significant that 46% of the PC's had been referred for pretrial or presentencing assessments, showing a judicial

awareness of a problem that there is no ready solution for.

For whatever the reasons, there now collectively exists a group of men with a high incidence of mental illness - yet with little psychiatric help available; with a blatant lack of social and interpersonal skills - and, few appropriate models or mentors to learn from; with a tendency to assault and be assaulted - yet surrounded by an unsympathetic security staff. Most urgently, there exists a unique group of men who do not have the ability to function in any of society's choices for sequestering undesirables - yet the authorities do not yet recognize their individual needs and problems. The physical facilities are now available for these men, but response to their needs is not yet available. The Correctional service is now stressing the responsibility of offenders for their own actions and rehabilitation. However the PC inmate is lacking the personal resources to take the step of reformation of character on his own initiative. The recognition of the discrete personality of the population now housed in protective custody is necessary and essential for providing some sort of programs that will enhance the adequacy of the PC inmate and so decrease the potential for his return to the prison system.

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APPENDIX

TABLE 1: - Age Distribution of P.C. and Control Samples.

Age	PC	Control
16 - 20	4	11
21 - 25	30	22
26 - 30	26	23
31 - 35	21	18
36 - 40	10	11
41 - 45	3	5
46 - 50	4	4
Over 50	2	6
TOTAL	100	100

Mean Age

29.9 years

30.9 years

Standard Deviation

7.64

9.46 years

$\chi^2 = 7.46$

df = 7

p > 0.05.

TABLE 2: - Educational Achievement

	PC	Control
Public School Incomplete	11	10
Public School Completed	17	23
High School Incompleted	42	41
High School Completed	6	10
College Incompleted	1	1
College Complete	2	0
University Incomplete	0	2
University Completed	2	2
Not known	19	11
TOTAL	100	100

$\chi^2 = 5.60$

df = 7

p > .05

TABLE 3: - Religion

	PC	Control
Roman Catholic	35	34
Protestant	39	39
None Declared	14	16
Other	10	10
TOTAL	98	99

$\chi^2 = 0.14$

df = 3

p > .05

TABLE 4: - Race

	PC	Control
Caucasian	95	90
Negro	2	~ 4
North American Indian	3	6
TOTAL	100	100

$\chi^2 = 1.80$

df = 2

p > .05

TABLE 5: - Language of Birth

	PC	Control
English	68	73
French	19	14
Other	13	13
TOTAL	100	100

$\chi^2 = 0.93$

df = 2

p > .05

TABLE 6: - Marital History

	PC	Control
Married more than once	5	3
Married	8	17
Separated	5	9
Divorced	12	14
Common-law	12	14
Never Married	58	41
Widowed	3	2
TOTAL	100	98

$\chi^2 = 8.57$

df = 6

p > .05

TABLE 7: - Employment History

	PC	Control
Sporadic	11	14
Casual	33	40
Manual	25	22
Skilled	2	3
Professional	2	6
TOTAL	73	85

$\chi^2 = 2.53$

df = 4

p > .05

TABLE 8: - Family History

	PC	Control
Stable	16	21
Unstable	27	7
Troubled	17	23
Broken	7	21
Disrupted	7	8
Foster Home	8	10
Adopted	8	7
Institution	8	0
TOTAL	98	97

$\chi^2 = 28.69$

df = 7

$p < .05$

TABLE 9: - Type of Offence for which the Offenders were Incarcerated

Offence	PC Group	Control Group	χ^2	p
Sexual	48	4	48.05	$< .01$
Violent	36	67	19.28	$< .01$
Property	16	25	2.49	$> .05$
Assaultive	0	4	4.08	$> .05$

χ^2 was computed with each row considered as a χ^2 distribution with one degree of freedom.

TABLE 10: - Sentence Category

Years	Sentence	Category
2-5	37	32
6-9	21	22
10-13	8	5
14-17	9	7
18-21	0	6
22-25	20	25
26-→	1	2
Indefinite	4	1
TOTAL	100	100

$\chi^2 = 10.02$

df = 7

p > .05

TABLE 11: Offences in the Criminal History
of the Inmate

Type of offence	PC	Control	χ^2	p
Sexual	26	11	7.4	< 0.5
Violent	10	30	13.04	< .05
Property	81	84	0.47	> .05
Assaultive	27	36	1.67	> .05
TOTAL	93	92		

χ^2 was computed with each row considered as a
 χ^2 distribution with one degree of freedom.

TABLE 12: Number of Previous Charges

No.	PC	Control
1 - 5	32	27
6 - 10	24	22
11 - 15	12	14
16 - 20	7	10
21 - 25	10	7
26 - 30	5	4
31 - 35	1	3
36 + over	2	4
TOTAL	93	91

$\chi^2 = 3.48$

df = 7

p > .05

TABLE 13: Location where previous sentences served.

	PC	Control	χ^2	p
Training School	38	39	0.03	$\gt .05$
Provincial Institution	74	80	1.90	$\gt .05$
Federal Institution	31	41	2.57	$\gt .05$
TOTAL	93	92		

χ^2 was computed with each row considered as a

χ^2 distribution with one degree of freedom.

TABLE 14: Points of Psychiatric Intervention

	PC	Control	χ^2	P
Predelinquency	11	5	2.51	> .05
After finding of delinquency	18	8	4.42	< .05
Before Adult charges	20	10	3.92	= 0.5
After Adult charges	36	18	8.22	< .05
Pretrial	29	6	18.32	< .01
Presentencing	17	7	4.73	< .05
R.R.C.	37	28	1.85	> 0.05
Institution	83	50	24.44	< 0.01
Ever	92	67	19.18	< 0.1

χ^2 was computed with each row considered as a χ^2 distribution with one degree of freedom.

TABLE 15: Type of Psychiatric Treatment

	PC	Control	χ^2	p
Inpatient treatment prior to incarceration	37	15	12.58	< 0.01
Inpatient treatment during incarceration	42	13	21.09	< 0.01
Outpatient treatment prior to incarceration	38	23	5.31	< 0.05
Outpatient treatment during incarceration	87	60	18.72	< 0.01

χ^2 was computed with each row considered as a χ^2 distribution with one degree of freedom.

TABLE 16: Court Referral for Psychiatric
Attention during Incarceration

	PC	Control
No	81	84
Yes	19	16
TOTAL	100	100

$\chi^2 = 0.32$

df = 1

p > .05

TABLE 17: Psychiatric Diagnosis
Prior to Incarceration.

	PC	Control	χ^2	p
Psychosis	10	4	0.36	> 0.5
Personality Disorder: Explosive	18	9	0.29	> 0.5
Personality Disorder: Dependent, inadequate	15	4	3.68	p = .05
Affective Disorder	17	10	0.00	> 0.5
Retardation	7	3	0.08	> 0.5
Organic Brain Damage/ Epilepsy	5	3	0.0	> 0.5
Sexual Disorder	10	2	2.06	> .05
Drug or Alcohol	16	7	0.63	> .05
Other	12	9	0.02	> .05

χ^2 was computed with each row considered as a χ^2 distribution with one degree of freedom.

TABLE 18: Psychiatric Diagnosis
made During Incarceration.

	PC	Control	χ^2	p
Psychosis	14	5	1.31	> .05
Personality Disorder: Explosive	45	31	0.0	> .05
Personality Disorder: Inadequate, Dependent	41	16	6.38	= .01
Affective Disorder:	43	27	0.17	> .05
Retardation	11	7	0.0	> .05
Organic Brain Damage/ Epilepsy	13	6	0.42	> .05
Sexual Disorder	31	6	12.50	< .01
Drug or Alcohol Problem	39	18	2.8	> .05
Other	19	17	0.4	> .05

χ^2 was computed with each row considered as a χ^2 distribution with one degree of freedom.

TABLE 19: Psychosocial Assessments.

	PC	Control	χ^2	p
Mental Illness	6	3	0.18	> .5
Antisocial personality	38	26	0.78	> .05
Hostile personality	35	24	0.65	> .05
Retardation	11	7	0.13	> 0.5
Drug or Alcohol Problem	55	42	0.47	> .05
Inadequate Personality	46	22	0.78	< .01
Socio-Emotional Deprivation	24	8	6.87	< .01

χ^2 was computed with each row considered as a χ^2 distribution with one degree of freedom.

TABLE 20: IQ Category

	PC	Control.
Below 70	3	2
71 - 85	9	4
86 - 100	29	8
101- 115	10	15
115 + over	6	3
TOTAL	57	32

$$\chi^2 = 9.79$$

$$df = 4$$

$$p < 0.05$$

TABLE 21: Number of Institutional Transfers

	PC	Control
1-3	29	41
4-6	10	10
7-9	2	3
10-12	2	0
19-21	1	0
22 + over	1	0
TOTAL	45	54

$$\chi^2 = 5.48$$

$$df = 5$$

$$p > .05$$

TABLE 22: Number of Regional Transfers

	PC	Control
1-3	10	23
4-6	1	2
TOTAL	11	25

$$\chi^2 = 0.01$$

$$df = 1$$

$$p > 0.05$$

TABLE 23: Point of Entry to PC

PC In Other Institution	8
Regular Population	37
R.R.C. level	55

TABLE 24: Self Destructive Behaviour Among Inmates.

	PC	Control	χ^2	p
Suicidal History	16	11	1.03	> .05
Suicide Threats	24	10	6.95	< .01
Suicide Attempts	17	6	5.94	= .01
Tattoos	30	47	6.10	< 0.01
Tattoos Slashing In Past	34	15	9.76	< .01
Slashing, Swallowing foreign objects etc.	27	14	5.18	< .05

χ^2 was computed with each row considered as a χ^2 distribution with one degree of freedom.

TABLE 25: Aggressive Behaviour In the Institution.

	PC	Control	χ^2	p
Smashing up	10	11	0.05	> .05
Threat to smash up	15	11	2.05	> .05
Set fire to cell	8	5	0.74	> .05
Threat to set fire to cell	9	4	0.74	> .05
Take hostages	5	11	2.45	> .05
Threat to take hostages	6	13	2.85	> .05
Assault staff	10	20	3.92	< 0.05
Threat to assault staff	15	25	3.12	> .05
Assault inmate	18	8	3.58	> .05
Threat to assault inmate	24	17	1.11	> .05

χ^2 was computed with each row considered as a χ^2 distribution with one degree of freedom.

TABLE 26: Aggression and Assault of Inmates

	PC	Control	χ^2	p
Assaulted at detention centre	16	1	14.46	< .01
Threatened with assault at detention centre	27	3	22.59	< .01
Assaulted at RRC	5	0	5.13	> .05
Threatened with assault at RRC	11	1	9.89	< .01
Assaulted in institution (Regular population)	17	10	17.84	< .01
Threatened with assault in institution (Regular population)	34	22	41.10	< .01
Assaulted while in protective custody	18	n/a		
Threatened with assault while in protective custody	28	n/a		

χ^2 was computed with each row considered as a χ^2 distribution with one degree of freedom.

TABLE 27: Reason for Dissociation and Segregation.

	PC	Control	χ^2	p
Disciplinary	59	58	0.02	> .05
Administrative - in best interest of institution	11	14	0.41	> .05
Administration for protection of inmate	36	11	17.38	< .01
By request of inmate	29	16	38.45	< .01
From PC at request of inmate	40	n/a		

χ^2 was computed with each row considered as a χ^2 distribution with one degree of freedom.

TABLE 28: Grievances by Inmate

	PC	Control
no	71	86
yes	29	14
TOTAL	100	100

$$\chi^2 = 6.67$$

$$df = 1$$

$$p < .01$$

TABLE 29: Why In Protective Custody

Nature of Offence	59
Nature of Previous offence	5
Crown witness	8
Police Informer	9
Prison Informer	7
Difficulties in regular population of institution	30
Other	27
Not known	6
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