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A Preliminary Analysis: Prison Models and Prison Management Models and the Texas Prison System

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**A Preliminary Analysis: Prison Models and Prison Management Models and the
Texas Prison System**

by

Gevana Lynn Salinas

An Applied Research Project
(Political Science 5397)
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Abstract

Purpose: The first purpose of this study is to describe the characteristics of the two prevailing prison system models and three prison management models through the use of scholarly literature. The second purpose is to conduct a research study to describe which prison system model and prison management model the Texas Department of Criminal Justice (TDCJ) is using to both operate and manage the Texas Prison System. Finally, the study will present conclusions and recommendations for future research.

Methodology: The methodology used in this research study is document analysis. Documents were reviewed and retrieved from agency and division mission statements; agency and division overviews; agency budgets; an agency survey; and policy and procedure handbooks and manuals. These documents were used to operationalize the conceptual framework. *Results:* The results showed the TDCJ shares characteristics from the Hierarchical and Differentiated Model, as well as the Control and Responsibility Model. However, the TDCJ appears to operate under the Differentiated Model and is managed under the Control Model based on the research. The mission statements, division overviews, and policy and procedure explain the primary goal of the Texas Prison System is to rehabilitate and reintegrate offenders back into society as productive law-abiding citizens. The Texas Prison System and prison administrator's primary goals are to maintain control of the prison system and the care, custody, and control of inmates following strict guidelines and policy and procedure.

About the Author

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Chapter One Introduction

The United States prison system has been used as a tool to punish criminals who have violated and broken the law. State prisons house individuals convicted of felony offenses. Prisons were created in the 1700s in the United States as a form of physical punishment. Sanctions and penalties were often justified by different rationales and philosophies, with some penalties viewed as utilitarian in nature with the goals of deterrence, rehabilitation, and incapacitation (Lab, Williams, Holcomb, King, and Buerger 2004).

Today, the primary goal of some state prison systems is to rehabilitate criminal offenders, while other state prisons are only concerned with incapacitating and punishing criminals. Each state prison has its own written policy and procedure regarding its operation and management. Some state prison systems are considered tough on criminals, while others are considered lenient. The general public views the Texas Department of Criminal Justice (TDCJ) as tough on criminals, with a top priority being control of inmates to prevent escapes. TDCJ prison management has also been recognized for its tough stance on maintaining prison order and control through physical force and intimidation, a reputation dating back to the 1960s.

From 1962-1972, the Texas Department of Criminal Justice (TDCJ) fell under the direction of George Beto. Director Beto was known for his toughness and surprise prison inspections. George Beto operated the TDCJ under a paramilitary system which emphasized inmate obedience, work, education, and order (DiIulio 1991, 27). He required prisons to operate with clean standards and that control be maintained at all times. During his tenure as prison director, he created prison industries, developed an

agribusiness complex, and made the prison system financially self-supporting (DiIulio 1991, 27).

The TDCJ is defined by its tough stance on criminal behavior and ideal of control. This research focuses on the TDCJ characteristics and prison administration. This research seeks to identify which prevailing prison system model and prison management model under which the Texas Prison System operates.

Research Purpose

The purpose of this paper is to identify the characteristics of the Texas Prison System as compared to the prevailing hierarchical and differentiated models and the prison management models of control, responsibility, and consensual. The research will describe which prison model, and which prison management model the Texas Prison System is currently using.

Chapter Overviews

This paper consists of five chapters. Chapter two reviews the scholarly literature and identifies the two prevailing prison system models and three prison management models. Chapter two provides an overview of the early prison systems, United States Prison System, the Prison Reform Movement, and Prison Litigation Reform Act. Chapter three discusses the methodology used to assess and determine which prison model the Texas Prison System uses to operate its prison system and which prison management model it uses to manage and supervise the system. Chapter four discusses and presents document analysis used to operationalize the categories of the prison system models and prison management models. Chapter five summarizes and concluded via document analysis, which prison system model the TDCJ is using to operate its prison

system and which prison management model it uses to manage and supervise the Texas Prison System.

Chapter Two Literature Review

Chapter Purpose

The purpose of this chapter is to describe the characteristics of prison system models and prison management models. There are three prison models: the hierarchical, differentiated, and autonomous model. This paper will discuss the hierarchical and differentiated models in great in detail. However, because the autonomous model is a variation of the hierarchical model, with minor differences, this paper will not address it. There are three prison management models: the control, responsibility, and consensual model.

Each prison model and prison management model explains and describes the prison's centralized administration, correctional personnel, and resource. This overview will also discuss the early prisons systems, the United States prison system, the Prison Reform Movement, and the Prison Litigation Reform Act.

Models of Prison Systems

Governments build prisons to house individuals who have been convicted of a felony and sentenced to a state penitentiary. Prison system models provide conceptual clarity regarding the complex workings of the prison system as well as the strains on and dilemmas of each system (Steele and Jacobs 1975). In the 1970s, scholars developed three models used to describe prison systems: hierarchical, differentiated, and autonomous.

Hierarchical Model

The hierarchical model's underlying goal is based on the premise of ensured physical control. This prison system favors custody and security and distinguishes between security levels. Prison administrators who follow this model ensure control by reaching an agreement with favored inmates and utilizing the inmate power structure by overlooking rule infractions in exchange for support of the status quo (Steele and Jacobs 1975, 150). Prison inmates are classified as minimum, medium, or maximum security categories. Maximum security prisons serve as punishment centers, with maximum order, and do not act as rehabilitation and treatment centers (Steele and Jacobs 1975). The daily routine of a maximum security or custodial prison is keeping inmates occupied while under intensive scrutiny (Steele and Jacobs 1975, 152).

Maximum security prisons segregate inmates considered security risks. Prison officials transfer inmates into segregation units as a form of punishment and containment. Inmates placed in segregation units are not offered or provided with treatment programs.

Minimum security prisons house inmates under more pleasant conditions in honor units or work farms attached to the prison (Steele and Jacobs 1975, 151). This system serves as a resource to prison administrators to utilize as a reward for inmates who obey prison regulations and cooperate with prison staff (Steele and Jacobs 1975, 151). Prison administration may use a system of rewards to maintain order and control within the prison. Inmates who comply with prison rules and participate in formal programs are moved rapidly through the prison system (Steele and Jacobs 1975, 151). Prison administrators consider the reward system an extra control measure.

The hierarchical model favors deterring further criminal activity and distinguishes between institutions by their level of security (Steele and Jacobs 1975). The model uses highly visible punishment as a form of control, discouraging escape in the process. A system of rewards and punishment encourages inmates to conform to prison rules and maintain the status quo. By conforming to prison rules, an inmate progresses through the prison system in an orderly manner (Steele and Jacobs 1975).

In the hierarchical model, prison staff use a military style model to control inmates. A military model features a reactive approach to maintain security within the prison (Steele and Jacobs 1975). Prison staff settle disputes within the prison, and interaction among different prison units is highly interdependent, because each unit share the same objective of maintaining security and order within the prison. Compared to the cost of other systems, the cost of maintaining a hierarchical system is economical. Special interest groups take an interest in how prison systems should be run and maintained. Interest groups include district attorneys, the police, and legislators who follow a punitive philosophy. These interest groups believe in punishment and deterrence as opposed to treatment or rehabilitation. These special interest groups fall under a classical theoretical school of thought.

This classical theoretical school of thought includes behavioral assumptions about individuals and society. Criminology is predominated by two schools of thought, which are classicism and positivism. The hierarchical model falls under the classical school of thought. Classicism views humans as free willed and hedonistic, maximizing pleasure and minimizing pain (Lab, Williams, Holcomb, King, and Buerger 2004). Based on this school of thought, criminals make choices based upon what brings the greatest amount of

pleasure with the least amount of pain (Lab et al. 2004). An individual chooses to commit a crime and violate the law because he perceives a personal benefit that will come from his actions. Philosophers believe the key to preventing and solving crime is to decrease and/or remove the amount of pleasure and/or increase the level of pain that results from criminal actions. By removing the amount of pleasure and increasing the amount of pain, individuals will refrain from criminal activity.

There are certain advantages and disadvantages to the hierarchical system. The advantages of this system include good control and security and minimizing escapes. The hierarchical system maintains a philosophy of retribution and deterrence instead of treatment (Steele and Jacobs 1975). The disadvantages include high tension and riots and psychological and physical trauma to prisoners (Steele and Jacobs 1975, 161). These prisons have no diagnostic centers by which to classify inmates and establish a security level, few resources to effectively address an inmate's individual medical needs, and no formal treatment models (Steele and Jacobs 1975, 153).

Differentiated Model

The differentiated model proposes that criminals can be diagnosed and treated by identifying the causes of their criminal activity and prescribing treatment for the cause (Steele and Jacobs 1975, 154). Under this model, prisoners are differentiated by age, offense, clinical diagnosis, length of sentence, geography, education, and vocational deficiencies (Steele and Jacobs 1975, 154). In this system, separating inmates by age is crucial and may provide insight into the cause of crime, the inmate's criminal behavior, and a course of treatment.

In the differentiated model, a prisoner's clinical diagnosis is based on his criminal typology. Upon a prisoner's entrance into the facility, he is administered a psychological evaluation (Steele and Jacobs 1975, 155). Prison officials use the psychological evaluation as a tool to identify and label prisoners as passive-aggressive, paranoid, immature, or sociopathic (Steele and Jacobs 1975). By diagnosing and classifying inmates, officials can assign resources, to address an inmate's needs. Information such as a prisoner's length of sentence and his home town assist with clinical treatment. The length of a prisoner's sentence separates short-term offenders from long-term offenders and helps determine the appropriate treatment.

The educational and vocational background of inmates allows officials to group inmates according to their deficiencies (Steele and Jacobs 1975). Based on evaluation, prisoners are assigned to academic schools, vocational centers, and classes in social skills to address their particular deficiencies (Steele and Jacobs 1975, 156). The differentiated model is designed to meet the specific needs of inmates through specialized programs and is concentrated in a single institution (Steele and Jacobs 1975, 156).

In the differentiated model, prison administrators take an active role in the treatment of prisoners. The cost to run a prison using this model is high due to the treatment options. Extensive resources are needed to treat inmates, as well as licensed skilled professionals. Steele and Jacobs (1975) explain that services need to be provided by trained professionals in order to manage treatment and tasks.

The differentiated model takes a strong, proactive approach to diagnosing inmates while planning and coordinating their treatment and identifying needed resources (Steele and Jacobs 1975). This model is facilitated by professionals, social workers, doctors, and

psychologists to ensure resources are effectively utilized to actively treat inmates. There are a number of interest groups who endorse this model, such as reformers, ex-offenders, and professional associates who believe in a humanitarian philosophy of treating inmates as humans and not as caged animals (Steele and Jacobs 1975, 161). These special interest groups fall under the positivist school of thought.

Positivism relies on determinism and a belief that a person's personal actions are determined by forces/factors beyond their control (Lab et al. 1975, 19). In this school of thought, an individual's actions are determined for them and professionals are challenged to identify the causes and to intervene (Lab et al. 1975, 20). The positivist approach assumes there are multiple reasons for an individual's criminal behavior and seeks to identify the root cause before treating the individual. Once the root cause has been identified then treatment and rehabilitation can be implemented. The positivist approach does not favor punishment. This approach believes individuals do not choose to commit crime and medical intervention must be used to prevent further criminal activity (Lab et al. 2004).

The differentiated system has advantages and disadvantages. Since this model identifies and treats the causes of crime, the advantages are lower recidivism rates, humane treatment, and the rational use of resources (Steele and Jacobs 1975, 161). The disadvantages of utilizing this system are the high cost, the possibility of escapes, the questionable effectiveness of treatment, and the lack of focus on retribution and deterrence (Steele and Jacobs 1975, 161).

One of the significant underlying problems with this model is security. If prison staff is overly concerned with security and control, this may interrupt the coordinated

flow of inmates, staff, researchers, and resources (Steele and Jacobs 1975, 157). Steele and Jacobs (1975) explain that, in order for treatment to be effective, inmates need to be released upon successful completion of their course of treatment. An inmate's lengthy sentence followed by parole would only serve to hinder an inmate's success and progress once released from prison. *Table 2.1* summarizes the characteristics of the three prison system models.

Table 2.1: Steele and Jacobs Characteristics of Prison Systems

Characteristics	Hierarchical	Differentiated	Autonomous
Assumption about Criminals	Free will, utilitarianism, deterrence	Determinism (sociological, psychological, neurological, or skill deficiency), treatability	Untreatable, cannot change or can change only spontaneously, low priority for resources
Individual Institutions	Level of security main distinction between institutions	Different specialized professionalized program in each institution	Uncontrolled, small, <i>gemeinschaft</i>
System Goals	Security, no escapes, internal order, highly visible punishment	Optimal utilization of people, changing resources	Efficient warehousing
System Means	Threat and incentive; inmate transfer within and among institutions	Concentration and coordination of professional resources	Exile, isolation; small, stable, manageable communities
Resource Allocation	Hardware and custodial staff emphasized, program de-emphasized	Professionals and specialization emphasized, no duplication of programs	Few resources from system; warden initiative for outside resources
Cost	Medium	High	Low
Client Careers Through System	Orderly progression based on conforming behavior	High movement based on individual needs	No movement
Interaction Among System Units	High functional interdependence	Division of labor; complementarily of specialized resources	None
Central Authority	Moderate-reactive; supplies resources and umpires disputes between institutions	Strong, proactive; diagnoses, plans, coordinates resource use	Weak-inactive; general restraint against extreme abuse
Group in Control	Custody staff (military model)	Professionals, psychologists, doctors, social workers	Prisoner and charismatic prison administrators
Interest Group Philosophies	Police, district attorneys, legislators, punitive philosophy	Reformers, ex-offenders, professional associations, humanitarian philosophy	Taxpayers, legislators, anti-treatment scholars, social welfare philosophy

Table 2.1: Continued

Characteristics	Hierarchical	Differentiated	Autonomous
Advantages	Good control, security against escapes, dramatizes taking of pound of flesh (retribution and deterrence)	Lowers recidivism rates; humane, rational use of resources	Inexpensive; inmate responsibility and dignity
Disadvantages	Damages prisoners and staff psychologically and sometimes physically; high tensions and riots	Expensive; allows more escapes; effectiveness of treatment problematic; ignores retribution and deterrence	Little internal control; open to abuses

Prison Management Models

The primary goals and objectives of prison systems are to maintain the care, custody, and control of inmates in order to prevent escapes, in addition to ensuring both the safety of both prison staff and inmates. The primary goal of prison management is to incapacitate inmates while providing rehabilitation and programs; however the goal of maintaining control within the prison system takes precedence over rehabilitation and treatment (Craig 2004, 92S). Prison management not only has the responsibility of monitoring inmate behavior, but must also monitor employee behavior and abuses.

Prison staff is responsible for the care, custody, and control of inmates, and can only carry out the mission, goals, and objectives of the prison facility through effective and efficient management and leadership. Three models have been developed to define the responsibilities of prison management: the control, responsibility, and consensual model.

These three models are called DiIulio's typology of prison management. DiIulio proposes a threefold typology of prison management approaches to address the role of prison administration. DiIulio's typology defines how prison administrators appropriately use their authority to control inmates, as well as how they encourage cooperation among prison staff and inmates in order to maintain security, control, and order within the prison system and over prisoners (DiIulio 1987).

DiIulio (1987) compares three prison systems which include Texas, California, and Michigan, in order to determine which managerial practices prevent disorder within prisons and keep inmates under control. DiIulio identifies the control model with the

Texas Prison System, the responsibility model with the Michigan Prison System, and the consensual model with the California Prison System.

Each model approaches administrative job duties and functions differently.

DiIulio identifies eight administrative duties and functions of prison administrators which include: communication among prison administration and staff, personnel relationships among prison staff, inmate-staff relationships, staff latitude, regimentation, sanctions, response to disruptive behavior, and inmate input into decision making. DiIulio (1987) explains all eight administrative duties and functions influence the level of disruption and disorder within the prison system.

Control Model

The control model focuses on and places authority in the hands of the prison administration. In this model, prison administrators are inflexible and apply strict control measures over prisoner's lives. The control model is recognized as an effective tool in maintaining internal order within the prison system (Craig 2004).

Under this model, communication between prison administration and staff is restricted to official channels utilizing a chain of command with official directives channeled down to subordinates. Wardens pass down all directives and orders via the chain of command to shift supervisors, and then down to front-line correctional officers. Prison administration utilizes the chain of command to ensure official rules and regulations are enforced. DiIulio (1987) explains this provides all officers and staff with a sense of the prison's mission and objectives through "esprit de corps".

Relationships between prison staff members are formal and professional. Prison staff address prison administration by rank and level of authority. Front-level

correctional staff address supervisors as corporal, sergeant, Mr., or Mrs. (DiIulio 1987). All prison employees regardless of position wear a uniform that identifies their rank. Prison administration uniforms bear bars, stripes, and/or insignias to signify their rank. Sometimes uniforms are different colors, such as with front-line correctional officers wearing grey uniforms, while prison administration and supervisors wear a different color.

Under this model, inmate-staff interaction and communication is professional and formal. Inmates address prison staff as sir, ma'am, boss, officer, or by rank (DiIulio 1987). Contact and communication between prison staff and inmates is primarily initiated by correctional staff, and inmates rarely initiate conversation with visitors of the prison unit and /or ranking officers. Inmates do not shout, insult, or threaten prison staff or visitors of the unit, and respect is always given to prison staff. Inmates who wish to speak with ranking officers must first request to do so, in accordance with the policy and procedures of the facility. On the rare occasion that an inmate threatens prison staff and/or show signs of disrespect, disciplinary reports are completed and inmates are reminded of their limits within the institution, as well as disciplinary sanctions.

This model offers prison staff minimal latitude to use personal discretion to carry out their duties, and to secure and control inmates (DiIulio 1987). Prison staff is required to comply with prison policy and procedure in the performance of their job. Prison staff and administration enforce prison policy, procedures, and rules in order to maintain security and control. Prison rules and regulations are closely followed and enforced at all times and administrative routines and practices are followed in the same fashion in every prison unit (DiIulio 1987, 105).

In the control model, staff must follow a strict regimen to ensure and maintain security and control within the prison. Prison staff participates in a daily routine of counting, checking, locking, monitoring, and surveilling inmates and inmate activity (DiIulio 1987). The daily structured routine maintains security and order within the prison and accounts for every inmate housed within the facility. Inmate activity is closely monitored and regulated through a daily written regimen of activities, in order to obtain inmate compliance with official rules and regulations (DiIulio 1987).

Under this model, prison staff executes swift punishment to maintain the status quo when inmates violate prison rules and regulations. Punishment is highly visible and serves as an example for other inmates encouraging cooperation and compliance with prison rules and regulations. This model proposes prison staff utilize solitary confinement as a means of forcing inmates to comply with prison regulations. Prison staff utilizes a reward system as a means of maintaining control and order within the prison facility. Any aggressive threat or action committed by inmates against prison staff is met with swift official counterforce and handled that same day (DiIulio 1987).

Under this model, disruptive inmate behavior is addressed and confronted by management using swift and immediate action. Disruptive behavior is addressed through disciplinary procedures outlined in the prison's policy and procedures manual with no possibility for leniency. Policy and procedure is written in black and white and must be adhered to in order to maintain control. Prison staff address disruptive behavior and rule infractions immediately after they occur through formal sanctions. Prison administration views inmates as being unable to self-govern and therefore must be taught to be obedient to authority and rules (DiIulio 1987).

Under this model, the decision-making process is left to the prison administration with no inmate involvement. DiIulio (1987) explains inmates have demonstrated an inability to self-govern and therefore do not have the capability to make decisions. Inmates are viewed as untrustworthy and have been incarcerated because they have proven to be untrustworthy in a free society. DiIulio (1987) explains inmates have minimal rights and privileges must be earned and can be taken away by prison staff without a hearing process.

Inmates are taught to be obedient, follow the rules, and to refrain from violence. DiIulio (1987, 179) explains that this model attempts to civilize inmates by forcing them to live law-abiding lives and demanding lawful conforming behavior to the rules and regulations that other individuals must follow. Inmates are not allowed to participate in making management decisions under any circumstances.

Responsibility Model

The responsibility model does offer inmates some control and, as a result, there is less disorder (DiIulio 1987). Under the responsibility model, prison administrators believe they can maintain order by placing limitations on institutional control and allowing inmates to self-govern within a restricted security environment (DiIulio 1987).

In this model, communication between prison administration and staff is informal. Management and front-line prison staff communicate face to face. All prison staff members communicate with each other daily while on the job, without having to go through the chain of command. Although directives are still passed down from shift supervisors, such as sergeants and corporals, to front-line officers, communication is still open between prison staff and prison administration.

Under this model, relationships between prison staff members is informal and/or in a social type setting (DiIulio 1987). Personnel may address one another by first name and/or last name as opposed to sir, ma'am, sergeant, or officer. Although prison administration and rank can be identified by the bars, stripes, and/or insignias they wear on their uniforms, communication and personnel relationships are still informal and casual.

Inmate-staff relationships and communication is less formal and inmates address prison staff by first name or last name as opposed to rank and sir or ma'am. There is constant, on-going contact between inmates and prison staff, and inmates may initiate contact with prison staff. Under this model, inmates demand explanations from prison staff regarding who they are and what they are doing (DiIulio 1987). Inmates express their opinions openly and freely regarding prison administration, the facility itself, and perceived injustices within the facility, often using profanity and vulgar language. Inmates are vocal, register complaints, and demand answers. If inmates approach prison staff in an aggressive manner, screaming and/or with profanity, prison staff respond by attempting to reason with the inmate, using inmate jargon and calling the inmate by his nickname (DiIulio 1987).

Under this model, prison staff are encouraged to use their judgment and discretion to perform their job (DiIulio 1987). Prison staff are allowed to make judgment calls without having to report first to their supervisor. The responsibility model calls for relaxed organizational measures in regards to prison regulations in order to make inmates act and behave in a productive manner (DiIulio 1987, 184).

Under this model, inmates are allowed a certain degree of freedom, within security restrictions (DiIulio 1987). Inmates are allowed some freedom to move about the prison. This model places an emphasis on measures to maximize inmate responsibility for their actions and restraints are minimal (DiIulio 1987, 118). DiIulio (1987) explains restraints should only be applied to the degree necessary to prevent violence against prison staff and inmates. Prison staff impose minimal constraints on inmates, accomplished through the classification process.

An inmate classification system establishes a number of security levels, and attempts to house inmates in the least restrictive prison setting based on their classification (DiIulio 1987, 118). Using this system, inmates are given more freedom to comply with prison security policies and procedures and are held responsible for their actions.

The responsibility model proposes taking no formal action for every rule violation and/or infraction (DiIulio 1987). Prison staff are allowed to use their discretion and judgment to address prison rule violations and infractions. Under this model, not every rule infraction and/or violation results in swift, immediate action by prison staff, such as solitary confinement. Prison violations do not always result in formal sanctions, such as a write up, loss of privileges, and/or loss of good time credit. Prison staff use their judgment and discretion to address prison infractions through verbal warning and counseling.

Under this model, inmate disruptive behavior is handled through negotiations. As DiIulio (1987) explains, prison staff react to disruptive behavior through negotiations with inmates to address the behavior, as opposed to swift immediate action through

sanctions. Prison staff utilize this model to prevent disorder and tension within the prison. Under this model, emphasis is placed on restraining inmates only as necessary to prevent physical harm to both prison staff and other inmates (DiIulio 1987). DiIulio (1987) explains, minimal restraint should be used for the sole purpose of protecting others and preventing violence.

The responsibility model proposes inmates be included in the decision-making process. Inmates are encouraged to voice concerns regarding prison affairs as a means of providing inmates with opportunities for individual growth (DiIulio 1987). Inmates are allowed to participate in the decision-making process, because any decision could affect their lives within the prison system. Inmates are encouraged to file complaints and make demands regarding prison conditions (DiIulio 1987). Prison staff informs inmates of their rights and educates them on how to protect their rights behind prison walls. Although inmates are encouraged to take part in the decision-making process, they are still required to obey the prison rules, regulations, and directives. If inmates feel they have not been treated fairly and impartially, they are required to participate in the grievance process.

Consensual Model

The consensual model is a hybrid of the control and responsibility models, providing greater flexibility. The consensual model follows the responsibility model in that there is less disorder due to inmates having some control within the prison system. Under the consensual model, prison administrators believe neither the control and responsibility models work. Prison administrators believe that, both the responsibility and control models are failures (DiIulio 1987). The consensual model does not provide a

detailed list of principles in which policy can be implemented or followed by prison staff, as it is a hybrid of both (DiIulio 1987).

The consensual model supports having a less restrictive correctional environment and is liberal regarding policies governing inmate grooming, movement, and property (DiIulio 1987). Under this model, prison management creates a system by which to classify inmate security levels, and a formal inmate grievance process, in order for inmates to make formal complaints about perceived abuse and violation of their rights. Inmates are viewed as human beings and entitled to respect (DiIulio 1987).

Communication between prison administration and staff is both formal and informal. Prison administration believes situations involving inmates' needs should be dealt with formally, while situations involving prison staff may remain informal (DiIulio 1987). Communication among prison staff is open.

Under this model, relationships among prison staff members are both formal and informal. Communication and personnel relationships are open across organizational lines, however levels of rank are still important and remain intact when personnel speak and socialize with one another. There is still a great emphasis on the chain of command. Prison administration and staff are identified by the bars, stripes, and/or insignias they wear on their uniform.

Under this model, inmate-staff relationships and communication are informal. Inmates are more likely to register complaints with staff regarding prison administration, the prison facility, and perceived injustices aggressively and with some profanity. Prison staff rarely express sympathy and address inmate complaints using inmate jargon and criticism in front of other inmates (DiIulio 1987). Prison staff may joke and tease new

inmates entering the system regarding what the prison has to offer in amenities and housing assignment.

Under this model, prison staff is given latitude to use their own judgment and discretion to perform their job. Prison staff are trusted to use their discretion without close supervision. Prison staff handles inmates in an informal manner with a “go with the flow” attitude. There is no strict uniformity among each prison unit and prison staff are allowed to use their judgment to make decisions as pertains to inmate behavior, violations, and prison policy and procedure.

The consensual model proposes inmates and staff follow prison procedures to ensure control of inmate activity and maximum security and order (DiIulio 1987). Although this model does not follow a strict regimen, procedures are in place and a “middle of the road” philosophy regarding prison activities are embraced in the control and responsibility model. Inmates are viewed as human beings and are entitled to respect while learning to conform to society’s norms and being a law-abiding citizens (DiIulio 1987). The prison environment in this model is less restrictive than in the control model, and is liberal in its policies regarding inmate grooming, movement, and property rights. However, control and order must still be maintained through prison regulation (DiIulio 1987, 128).

Under this model, rules are enforced firmly, fairly, and impartially. Prison staff address behavior with the inmate to prevent further disruption and maintain order. Prison staff handle inmates in a “go with the flow” philosophy and prefer to address prison infractions verbally. Disciplinary sanctions are often handled informally with verbal humor, in order to prevent further rule infractions.

Inmate disruptive behavior is addressed through firm and fair measures with some degree of discretion by staff. Prison staff believe there needs to be some degree of structure in an inmate's daily routine in order to encourage lawful and obedient behavior (DiIulio 1987).

The consensual model proposes utilizing both the control and responsibility models as they pertain to the decision-making process. Under the consensual model, inmates are involved in the decision-making process regarding grievances, and prison policies and procedures. Inmates are not involved in the disciplinary process that address prison rule violations and minor infractions.

Under this model, prison government rests on the consent of the governed, which are the inmates (DiIulio 1987). Inmates participate in a variety of councils to discuss the different types of rehabilitation programs offered in the prison (DiIulio 1987). DiIulio (1987) explains this model favors inmate participation in the decision-making process, and in deciding prison policies such as grooming, inmate movement, and property rights. If inmates commit rule infractions, disciplinary hearing are fair and impartial, and inmates are usually given the benefit of the doubt by prison staff. *Table 2.2* describes the characteristics of DiIulio's Control, Responsibility, and Consensual Models.

Table 2.2: DiIulio's Control, Responsibility, and Consensual Models

Characteristics	Control	Responsibility	Consensual
Communication	Restricted to officials via chain of command	Informal; crosses levels of authority	Combination of Control and Responsibility Models
Personnel Relationships	Formal/Professional relationship	Maintain a social setting type relationship	Combination of Control and Responsibility Models
Inmate-Staff Relationships	Formal/Professional relationship	Less formal	Formal
Staff Latitude	Minimal to no latitude	Discretion to use judgment to perform job	Discretion to use judgment to perform job; less restrictions
Regimentation	Strict routine regimen	Greater freedom in compliance with security	Strict procedures to control inmate activity
Sanctions	Swift punishment; maintain the status quo	No formal action on every violation	Firmly to address disruptive behavior
Disruptive Behavior	Official counterforce	Negotiate sanctions with inmates	Firmly to address disruptive behavior
Decision-Making	No prisoner involvement	Prisoner involvement	Combination of Control and Responsibility Models

Early Prison Systems

In order to fully understand and appreciate the prison system models, one must understand the birth of the prison and the early prison system structure. Prisons were originally built as a form of punishment in the late eighteenth century in America (Sullivan 1996). As such, punishment took place behind prison walls. Foucault (1979) believed the prison system's purpose was as a social control function of discipline.

Foucault (1979) believed the ideal prison design was that of Jeremy Bentham's panopticon. The panopticon was a self-contained and circular structure, with a prison

tower located in the center, housing a prison guard conducting surveillance (Sullivan 1996, 450). Bentham believed that if inmates perceived they were being watched at all times from the prison tower, a prison guard would not have to be stationed in the tower. Thus, this would result in internal order within the system.

Jeremy Bentham believed prison life should be characterized by constant surveillance. In order to achieve constant surveillance, cell blocks were constructed around the central guard tower to ensure surveillance every minute of the day (Johnson and Wolfe 2003). Jeremy Bentham proposed housing a small number of inmates per cell. Inmate's cell assignments were made based on their behavior toward each other (Johnson and Wolfe 2003).

Walnut Street Jail

The Walnut Street Jail was the first state prison in America and was part of a large effort to create a powerful and centralized state institution (Shelden 2001, 162). The Walnut Street Jail opened its doors in 1776 in Philadelphia as a city jail. The Walnut Street Jail came about as a result of overcrowding, and the housing of men, women, and boys in the same jail. Reform brought about changes within the prison in 1790. Due to the appalling conditions within the jail, a "penitentiary house" was built in the yard of the Walnut Street Jail in order to provide solitary confinement and hard labor (Johnston 2004). The Walnut Street Jail became a state prison and was structured under a system of separate confinement.

Inmates housed in the Walnut Street Prison were escorted into the prison silently and blind-folded, a hood over their head. The cells had one small window opening toward the ceiling, where air and light could enter. Visual and oral communication was

prohibited between cells (Johnson and Wolfe 2003). Inmates were expected to work making furniture, crafts, textiles, and clothing in their cells (Johnson and Wolfe 2003).

The Walnut Street Prison was built on the premise of separate confinement, whereby inmates were separated by sex, age, and criminal offense. The Walnut Street Prison's population increased, resulting in overcrowding. In order to maintain the separate confinement of inmates, a larger prison was needed to house the increasing prison population. Due to the growing demand for a bigger prison, two more prisons were built to address this need: the Eastern State Penitentiary and Auburn Penitentiary.

Eastern State Penitentiary (Pennsylvania System)

The birth of the prison in the United States resulted in the development of the Pennsylvania and Auburn system. The Eastern State Penitentiary, also known as the Pennsylvania system, was created by the Quakers, who opposed harsh treatment and capital punishment (Johnson and Wolfe 2003). The Eastern State Penitentiary opened its doors in 1829 and closed in 1970 (Johnston 2004). The Pennsylvania system practiced solitary confinement, which secluded inmates from one another. Prisoners were led into the prison and into their cell with a hood over their heads and blindfolded, to prevent inmate contact. Inmates were confined to their cells in silence and were required to work making crafts, furniture, textiles, and clothing, which were then sold (Johnson and Wolfe 2003, 188).

The cells were designed with a small window above floor level to let light in and air. Each solitary confinement cell had a bible and religious artifacts. Prison cells were designed to make prisoners reflect spiritually and chaplains were allowed to visit inmates in their cells. Solitary confinement was utilized as a form of punishment with, repentance

and meditation as the primary goal (Johnson and Wolfe 2003). Inmates were separated in order to prevent naïve inmates from contamination by more sophisticated criminals (Schmid 2003, 549). Solitary confinement also prevented plots of escape and attacks on prison personnel. Long periods in solitary confinement, however, deteriorated a prisoner's physical and mental health, often deteriorating to the point of insanity.

The Pennsylvania system was architecturally designed in a gothic style. The prison's gothic walls, doors, and towers were intended to dissuade citizens from committing crime (Schmid 2003, 552). The exterior design of the prison was designed to have a psychological and physical effect, intended to deter potential criminals from committing crimes (Schmid 2003).

Solitary confinement, as previously mentioned, served as punishment and gave inmates time for reflection and contrition. Christian doctrine and education were believed to be the only means of reforming criminals (Schmid 2003). Meditation was a daily practice and included prayer, daily readings, and self-examination (Schmid 2003). Through this daily routine, prisoners were to undergo a transformation process, recognizing their guilt, and seeking God's forgiveness (Schmid 2003, 553).

The Eastern State Penitentiary was built with new technology in mind. This new prison featured indoor plumbing, a large scale central heating system, showers, flush toilets, and ventilation. Cells measured 8 feet wide and were 12 to 16 feet long, with an attached court yard (Johnston 2004). Inmates were not allowed to gather for sermons, but they were allowed to open their cell doors to listen to the sermon from within their cell. Food was delivered to inmates by prison guards. A strict regimen was followed in order to prevent any and all contact among prisoners.

The Eastern State Penitentiary strictly opposed physical punishment; however inmate's mental health deteriorated as a result of years of isolation. The Pennsylvania system's strict regimen and solitary confinement rendered inmates mentally impaired (Johnston 2004). Inmates suffered from mental breakdowns and passed through the system untreated.

Auburn System

The Pennsylvania Prison System was not emulated by the neighboring State of New York. The New York State Prison at Auburn, also known as the Auburn system, opened in 1821. The Auburn system opposed solitary confinement and instead enacted the "silent treatment" (Johnson and Wolfe 2003). Inmates were housed in separate cells at night and were required to maintain silence (Johnson and Wolfe 2003, 188). Inmates worked in communal shops during the day and were required to remain silent while they worked. The Auburn system was comprised of tiny cells measuring 7 feet 6 inches long and 3 feet 6 inches wide, as well as 6 feet 6 inches long and 2 feet 6 inches wide and cell blocks were constructed into multitier level cells (Johnston 2004, 30S).

Prisoners were not allowed to communicate with each other unless granted permission by prison staff. When inmates were moved from one place to another, they were required to do so in lockstep. Prisoners were required to walk with their right hand on the shoulder of the man in front of them, with their eyes cast down, and were required to wear stripped uniforms (Johnson and Wolfe 2003, 188). Inmates who violated prison rules were punished by being placed in a "dark hole" and fed bread and water, or were physically whipped with a cat-o-nine tails (Johnson and Wolfe 2003, 188).

Supermax Prisons

The Pennsylvania and Auburn Prison provided structure to the early prison system which followed an era of old penology. The era of old penology was part of the 19th century and early 20th century and focused more on prison administrators, as opposed to the inmates (DiIulio 1991). DiIulio (1991, 68) explains, with decent administrative leadership and well trained prison staff, prisons could run in a safe and humane manner with a regimen of education, labor, and discipline, which would make inmates obedient and useful citizens. The key to making prisons safe and humane was to prevent inmates from communicating with each other. The prison system's response to maintaining control and order was to develop supermax prisons.

Supermax prisons emerged in the late 1970s and early 1980s as a result of increased levels of assault and violence toward prison staff in United States prisons. In 1983, two prison officers and one inmate were killed in the United States Prison in Marion, Illinois. These deaths resulted in the Marion, Illinois prison being converted into an administrative segregation and lockdown prison (Riveland 1999). This federal prison housed the most troubled prisoners until the opening of the Administrative Maximum Penitentiary in 1994 in Florence, Colorado (Riveland 1999, 5).

The emergence of supermax prisons in the early 1980s throughout the United States was also in response to prison overcrowding and a disproportionate number of minorities and drug offenders incarcerated in the prison system (Haney and Zimbardo 1998, 716). Inmates serving long prison terms were not eligible for good time credits and, as a result, prison administrators utilized prison segregation as a punitive control measure in order to maintain institutional control (Haney and Zimbardo 1998, 716).

Supermax prisons emerged in the United States during a time when society and politicians wanted criminals punished (Haney 2008). The supermax prison system is built on the punitive ideology characterized as the “penal harm movement” (Haney 2008, 961). The “penal harm movement” is comprised of a strategic plan to make criminals suffer. The criminal justice system and penal system justify the creation of supermax prisons and “penal harm movement”. The components and justification of the “penal harm movement” include: 1) crime is determined to be in the internal makeup of the individual; 2) mental state defenses are limited, inmate backgrounds are irrelevant, and judicial discretion is based on characteristics of the offense; 3) prison systems are freed from rehabilitating criminals; and 4) a prisoner’s behavior is a result of internal traits (Haney 2008, 962).

Supermax prisons are free-standing facilities or a distinct unit within a facility, which provide the management and secure control of inmates who have been officially designated as exhibiting violent or seriously disruptive behavior (National Institute of Corrections 1997, 1). Supermax prisons fall under the term new penology, which looks to a new management style in corrections and focuses on managing risk (Pizarro, Steinus, and Pratt 2006, 9). New penology does not attempt to rehabilitate, diagnose, or fault inmates; rather it is concerned with identifying, classifying, and managing dangerous inmates (Feeley and Simon 1992).

Supermax prisons were at first considered a form of punishment, and placement in segregation within the prison was a penalty. Placement in supermax prisons is an administrative decision based on an inmate’s pattern of behavior, level of danger, and disruptive potential (Pizarro et al. 2006). The supermax prison’s new style of managing

risk segregates those inmates who administration believe pose a threat to the security, safety, or orderly operation of the prison facility (NIC 1997).

The supermax prison system is designed to maintain control and order and separate problem inmates from the rest of the prison population. Inmates housed in supermax prisons are confined to their cells 23-hours a day and are only taken out of their cells in constraints and under guard control (Rhodes 2007). Supermax prisons serve as form of punishment, isolation, and segregation from other inmates.

Prison administrators' primary goals are to segregate, remove, and punish prisoners who fight, harm staff, or are considered troublemakers (Rhodes 2007, 549). Inmates housed in supermax prisons are constantly monitored by prison guards, as well as computer screens, cameras, and confined by mechanical gates and doors. This technology is designed and utilized to ensure intensive surveillance as a means of containing prisoners and maintaining control (Rhodes 2007).

Prisoners housed in supermax prisons are confined under intensive constraints and follow a strict regimen. Inmates are isolated from one another, deprived of movement, and are dependent on prison staff (Rhodes 2007). The conditions of isolation and segregation result in increased anxiety, depression, paranoia, delusions, hallucinations, and sleep deprivation (Rhodes 2007, 558).

Supermax prisons remove prisoners from the general population and place them in isolation, limit environmental stimulus, reduce privileges and services, and provide scant recreational, educational, and vocational services (Haney and Zimbardo 1998, 716). Prison administrators who identify inmates as prison gang members simply place what they perceive as "troublemakers" into segregation. Although deteriorating prison

conditions exist and psychological trauma is evident within segregation, inmates are still placed in segregated cells.

United States Prison System

Every prison system is structured around a model which distinguishes security level. Most prison systems are identified as super-max prisons, maximum-security prisons, close security prisons, medium security prisons, minimum security prisons, and specialized prisons. Prior to placement, prison personnel initiate a classification review of the inmate. The classification review evaluates the needs and risk of the offender to determine the best placement within the prison system (Lab et al. 2004, 121). The evaluation process assesses the prisoner's level of danger, length of sentence, gang affiliation, physical and/or mental health needs, and available treatment programs (Lab et al. 2004, 121).

The prison classification model is utilized as a management and predictive tool to safely house an increasing number of inmates within the prison system (Austin 1983). Maximum-security prisons primarily use this review system. Minimum security prisons also use the classification review system to assess available bed space in order to prevent minimum security inmates from being transferred and housed in high level security prisons. This system is viewed as an inventory check list and assists prison administrators with justifying their requests for funding and prison construction. Increasing prison populations often exceed capacity, creating a public crises and causing policymakers and legislators to demand prison officials develop a new classification model to assess and safely house inmates (Austin 1983). The different types of prisons are defined below.

The super-max prison is the most restrictive and secure prison in the United States and is reserved for the most dangerous inmates within the prison system (Lab et al. 2004). Inmates are confined to their cells twenty-three hours a day with one hour for recreation. These inmates are strictly controlled. The super-max prison system utilizes sophisticated, top of the line security systems and strict safety procedures (Lab et al. 2004). The highly structured system and strict limitations result in high costs to maintain prison operations.

The maximum-security prison system, like the supermax prison, features a high level of security. This prison system houses the most violent and disruptive inmates and restricts inmate movement through checkpoints and gates (Lab et al. 2004). The exterior perimeter of the prison facility is secured by armed guards and razor-wired fencing (Lab et al. 2004).

A closed security prison is a maximum or medium security prison system. These facilities house inmates convicted of violent offenses who do not require a maximum-security setting, and disruptive inmates who do not pose a physical threat to other inmates or staff (Lab et al. 2004, 122). The medium security prison system has a mixed inmate population and inmates are allowed some degree of movement within the prison during certain times of day and may participate in a range of activities (Lab et al. 2004, 122).

The minimum security prison system is open with less restrictions and houses inmates convicted of nonviolent offenses. Inmates pose a minimal security risk and may be close to their release date from the facility. Prison staff allow inmates greater freedom to move about and offer participatory programs and services to inmates (Lab et al. 2004, 122).

Specialized prisons house inmates with special needs. These facilities offer treatment programs and services tailored to meet the needs and address the risks posed by a particular population (Lab et al. 2004, 122). These facilities provide such treatment programs as sex offender programs, substance abuse treatment programs, and mental health treatment programs. A facility can be assigned as a special needs facility in order to treat inmates with significant mental health issues due to the problems these special needs inmates may present to the daily operation and security of the prison (Lab et al. 2004).

The Prison Reform Movement

The prison reform movement evolved as a result of poor prison conditions in England and the denial of religious freedom in the United States Prison System. Prison reform emerged in England during the 1700s after reformers such as John Howard, Cesare Beccaria, and Jeremy Bentham recognized the criminal justice system as inefficient and arbitrary (Shelden 2001). During this period, prison reform was guided by the principle of less eligibility. The principle of less eligibility states “the conditions within the prison should never be better than those of the lowest stratum of the working population” (Shelden 2001, 159). Theoretically, this principle was believed to act as a deterrent to crime and poverty. Individuals were expected to choose to work of their own free will in the open labor market as opposed to committing crimes and going to prison (Shelden 2001).

Prisons and jails during the eighteen century in England were primarily built to house inmates temporarily. Prisoners were detained in prison to ensure the accused appeared in court for trial (Johnson and Wolfe 2003). Prisoners were not provided with

food or other daily necessities unless they paid money. Prisons were unsanitary and men and women were housed together. They were overcrowded, which resulted in illness and death, with many inmates dying from gaol fever (Johnson and Wolfe 203, 183).

John Howard, a former inmate of the English prison system, saw first hand the deplorable prison conditions and became an advocate for reform. John Howard was elected sheriff of the Bedfordshire Prison and slowly began to make changes. He focused primarily on prison design, disciplinary procedures, and meeting the physical needs of the inmates. John Howard suggested and implemented the process of separating and housing male and female inmates in different facilities, as well as housing juveniles in individual cells (Johnson and Wolfe 2003). He recommended all cells be ventilated, cleaned daily, and scoured with lime twice a year (Johnson and Wolfe 2003, 184).

Other English prison reformers included Jeremy Bentham and Elizabeth Fry. Jeremy Bentham was an early nineteenth century reformer who supported solitary confinement, productive labor, and was an advocate for healthy prison conditions. He supported housing four inmates in a single cell to reduce cost, education as a tool for reform, and a regular regimen of bathing and clothing of prisoners (Cooper 1981). Jeremy Bentham opposed prisoner abuse, however endorsed the use of gagging to subdue inmates, denial of food until a job task was complete, and placement in a strait jacket in response to violence (Cooper 1981, 677).

Elizabeth Fry, an early nineteenth century reformer, was a Quaker who visited London prisons and was motivated to reform English prisons through religion. Elizabeth Fry distributed clothing to female inmates and strongly encouraged female inmates to accept Christ. She established visitation and a school within the prison, as well as

employment opportunities. Women were employed sewing, knitting, and spinning, with the profits of their labor returned to them (Cooper 1981). Elizabeth Fry endorsed a prison classification system based on a prisoner's character as opposed to severity of offense committed. Additionally, she opposed classifying prisoners based on their education, religion, general health, and ability to perform labor (Cooper 1981). She endorsed daily scripture readings and strongly opposed solitary confinement and hard labor.

Alex de Tocqueville was a nineteenth century advocate of prison reform and endorsed the Pennsylvania system. Tocqueville detailed in writing prison reform in the United States and its attempt to solve the problems of insanity, poverty, and crime through the prison system (Boesche 1980). He believed in a system of separating criminals from one another and the world, as well as strict equality among inmates without a hierarchy based on wealth, status, class, and education (Boesche 1980). Tocqueville believed isolation among inmates and equality among all would make the prison itself function like a machine (Boesche 1980). This would prevent problems within the prison and between inmates and staff.

Tocqueville believed in a strong work ethic and the ethic of consumption. Tocqueville believed a prisoner learned to enjoy work and learned, out of necessity, to enjoy the only activity left to him (Boesche 1980, 558). Tocqueville believed a prisoner's triumph over idleness developed into good sound work habits (Boesche 1980, 558).

The English penal reform movement significantly influenced the prisoners' rights movement in the United States. The penal reform movement began with concerns for a prisoner's health and well-being, as well as concerns over prison architecture, structure,

and discipline (Johnson and Wolfe 2003). An area of significant concern was the use of discipline to maintain order within the prison system. The new era of prisoners' rights began in the early 1960s in the wake of the civil rights movement with the recognition by federal courts that prisoners were individuals with constitutional rights (Jacobs 1980). The prisoners' rights movement in the United States was viewed by many as a sociopolitical movement which made a broad scale effort to redefine the status of prisoners in a democratic society (Jacobs 1980, 431). The prisoners' rights movement was initiated by organized groups who wanted to establish prisoner rights and entitlements. These organized groups viewed prisoners as "victimized minorities" since a majority of prisoners were poor and African American (Jacobs 1980).

Prior to the 1960s, prisoners had no constitutional rights and had no formal procedure by which to present their grievances. The federal courts took a "hands-off" approach toward prison cases due to growing concerns for federalism and separation of powers, and fear that judicial review of administrative decisions would undermine prison security and discipline (Jacobs 1980, 433). The prisoners' rights movement began when Black Muslims filed lawsuits throughout the United States alleging violations of racial and religious inequality.

Black Muslims fought for their right to read religious literature and worship and asserted these were American values instilled by the constitution (Jacobs 1980). The Supreme Court case of *Cooper v. Pate* (1964) ruled prisoners had standing to challenge religious discrimination and had constitutional rights which prison officials could not take away (Jacobs 1980). Black Muslims opened the door to freedom of religion in prisons and laid the foundation for filing grievances in the federal courts. The federal

courts soon became involved with disputes over prison practices, policies, and procedures.

The federal courts then began to preside over cases involving jailhouse lawyers and access to the courts. Jailhouse lawyers assisted prisoners in preparing post-conviction petitions. Prison officials were indifferent toward jailhouse lawyers and at times prevented them from assisting inmates with their legal issues. The courts ruled jailhouse lawyers had the authority to provide legal assistance to prisoners arguing prisoners had the right to adequate legal services, and prisoners had the right to adequate law libraries and assistance from persons trained in law (Jacobs 1980).

Court rulings encouraged state legislatures and executive agencies throughout the United States to reform their prison systems. In 1973, the Illinois legislature enacted the Unified Code of Corrections to address the issue of disciplinary procedures, legal materials, the availability of radios and televisions, and treatment of prisoners who suffered from mental health problems (Jacobs 1980, 446). Prison officials soon realized judicial intervention in the prison system was becoming more prevalent. Some prison officials began to implement written uniform policies and procedures as a means of reducing judicial intervention.

Critics of judicial intervention in the prison system argued that the courts were not competent to adjudicate disputes involving complicated institutional policies, procedures, resources, and styles of prison administration (Jacobs 1980, 450). Prison litigation cases moved slowly through the court system and were often time consuming and costly. Federal judges often ordered a special master to monitor compliance, gather information, and resolve on-going disputes between prisoners and prison officials (Jacobs 1980).

Overall, the prisoners' rights movement with the help of the federal courts made prison officials and staff, society, and politicians identify prisoners as people with constitutional rights. The prisoners' rights movement brought the following changes to the United States prison system: 1) it expanded the procedural protections available to prisoners; 2) contributed to the bureaucratization of prisons; 3) produced a new generation of administrators; 4) heightened public awareness of prison conditions; 5) politicized prisoners and heightened their expectations; 6) demoralized prison staff; 7) made it more difficult to maintain control over prisoners; and 8) contributed to the professional movement within the corrections system to establish national standards (Jacobs 1980, 458-463).

The 1960s and 1970s brought changes to the prison system. State court judges soon began ordering prison officials to improve and make changes within the prison system and implement written policies. The courts appointed special masters to assist with implementing prison reform. The special master was responsible for investigating and reporting complaints within the prison system, as well as carrying out court ordered mandates. The special master encouraged the professionalization of corrections management by connecting state officials to experts (Smith 2003, 352). The court ordered assignment of a special master was viewed as a source of support for improvement of prison conditions (Smith 2003).

During the reform movement, prisoners began seeking court intervention with securing uncensored correspondence with the courts, medical treatment, religious freedom, eliminating racial segregation and discrimination, unconstitutional punishment and/or manner of confinement, and securing a right to treatment (Else and Stephenson

1974, 369). The federal courts' intervention in prison reform concerned prison administrators. Prison administrators believed that court orders would drastically change administrative structure and procedures within the prison. Prison administrators were also concerned court orders would include prisoner participation in the development of prison policy and changes in the form of discipline used within prisons (Else and Stephenson 1974, 368).

Supreme Court decisions gave prisoners protection against inhumane conditions, cruel and unusual punishment, and solitary confinement. Judicial support of prisoners' rights shook the foundation of the prison system. The courts proposed four forms of judicial intervention when ruling in cases. The courts proposed the following: 1) the use of professional or government standards for prison facilities and operations and professional testimony with regard to standards as a basis for court decisions; 2) the use of judicial supervision over bargaining between representatives of the parties, inmates, and prison administrators to reach a reasonable settlement which became a basis for decree; 3) contempt citations against public officials who did not implement prison reform ordered in a court judgment; and 4) class action against an entire set of institutions with an implicit threat of releasing prisoners if deficiencies were not corrected (Else and Stephenson 1974, 369-370).

Reform is defined as progressive movement toward some social, economic, or political outcome that is widely recognized as necessary and desirable (Gottschalk 2006, 1695). Reform is also defined as reducing the vast and growing racial and ethnic disparities in the incarcerated population (Gottschalk 2006, 1696). Prison reform in practical terms refers to restoring civil rights and humane treatment, as well as other basic

rights to prisoners, while showing prisoners respect and allowing them to maintain their dignity (Gottschalk 2006).

Prison reform in the United States has been extended to all prisoners regardless of their race, social and political status, or economic status (Gottschalk 2006). Gottschalk (2006, 1715) explains there are three principles that should shape prison rules: 1) deprivation of liberty should be the sole instrument of punishment for those sent to prison; 2) reeducation and socialization of offenders should be the main goal of treatment; and 3) prisons must respect the basic rights of individuals and foster a humane dignified environment.

The Prison Litigation Reform Act

Critics believed the reform movement opened up the flood gates to frivolous costly and time consuming lawsuits. Prison officials, as well as the courts, found prisoners were filing frivolous lawsuits and voicing complaints about issues such as bad haircuts to receiving chunky peanut butter as opposed to smooth peanut butter. In response to the flood of frivolous lawsuits, Congress enacted and passed the Prison Litigation Reform Act in 1995 (PLRA).

The PLRA was designed to reduce the number of prison litigation cases and reduce federal court involvement in the operation of the state prison system (Belbot 2004, 290). This act was in response to concerns that inmates were clogging up the court system and costing taxpayers large amounts of money with frivolous lawsuits (Belbot 2004, 290). Congress expressed a deep concern with regards to the federal court's intervention in the state prison system and court ordered costly reform.

The PLRA has made it more difficult for prisoners to file lawsuits and placed new restrictions on prison litigation cases. The PLRA imposed the following new restrictions: 1) the exhaustion of administrative remedies through the prison grievance system; 2) the prohibition on recovery for claims of emotional injury; 3) changes in availability *in forma pauperis*, 4) limits on prisoners who have filed frivolous lawsuits in the past; and 5) reducing the compensation for attorneys who represent inmates in civil rights cases (Belbot 2004, 291-292).

Under the PLRA, prisoners are required to exhaust all available remedies through the prison system prior to filing a lawsuit. If prisoners fail to exhaust all available remedies, the courts are required to dismiss the lawsuit. Once prisoners exhaust all remedies through the prison grievance system, then prisoners can file grievances with the courts. The exhaustion requirement has reduced the number of lawsuits and has permitted the administrative agency to use its authority to manage its own affairs without court intervention (Belbot 2004, 292).

The PLRA includes a provision that prevents the federal courts from hearing prisoner's cases involving complaints of mental and emotional injury and abuse. The provision requires prisoners to prove a physical injury has taken place, otherwise no lawsuit can be filed with the federal court system. In addition, the provision prevents prisoners from filing lawsuits when, on three or more occasions, a prisoner has filed a lawsuit and/or an appeal, which have been dismissed on the grounds it was frivolous, malicious, or failed to state a claim upon which relief should be granted (Belbot 2004, 300).

Prior to the PLRA, Congress had enacted the Civil Rights of Institutionalized Persons Act in 1980 (CRIPA) to redress the violations of prisoner's rights. CRIPA addresses provisions requiring the exhaustion of administrative remedies. CRIPA authorizes the Federal Attorney General to sue state and local officials who operate institutions that deprive prisoners of their constitutional rights (Alderstein 2001, 1685).

Conceptual Framework

Conceptual frameworks are built upon the premise and practice of careful, thoughtful, and reflective review of literature (Shields and Tajalli 2006, 316). Shields (1998) explains descriptive research is paired with categories and categories are the obvious framework associated with description. Through pairing the purpose and framework, thus results in the entire research process having greater coherence (Shields and Tajalli, 2005, 9). The research purpose is linked with a practical ideal (Shields 1998, 202). The conceptual framework for this research will be descriptive categories. Each category describes the characteristics of the prison's and prison management's traits and intended goals. The descriptive categories are summarized in the conceptual framework, which assist in refining and specifying abstract concepts (Babbie 2007).

Table 2.3 summarizes the descriptive categories of the prison system models and prison management models. The literature review in conjunction with the descriptive categories will assist in providing coherence and structure to the research topic and in determining which prison model and prison management model the TDCJ Correctional Institutions (CI) Division utilizes to operate and manage the Texas Prison System.

Table 2.3: Conceptual Framework – Descriptive Categories of Prison Models and Prison Management Models

I. Descriptive Categories of Prison Models (Hierarchical and Differentiated)	Literature
<p>1.1 Assumption about Criminals 1.1.1 Free Will, Utilitarianism, Deterrence 1.1.2 Determinism, Treatment Oriented</p>	<p>Austin (1983), Craig (2004), DiIulio (1987), Haney (2008), Jacobs (1980), Jacobs and Steele (1975), Johnson and Wolfe (2003), Lab et al. (2004), Lehman (1972), Schmid (2003), Shelden (2001), Steele and Jacobs (1975), Sullivan (1996)</p>
<p>1.2 Individual Institutions 1.2.1 Level of Security 1.2.2 Differentiated Specialized Professionalized Program</p>	<p>Austin (1983), Craig (2004), DiIulio (1987), Haney (2008), Jacobs (1980), Jacobs and Steele (1975), Johnson and Wolfe (2003), Lab et al. (2004), Lehman (1972), Schmid (2003), Shelden (2001), Steele and Jacobs (1975), Sullivan (1996)</p>
<p>1.3 System Goals 1.3.1 Security, Highly Visible Punishment, Internal Order, No Escapes 1.3.2 Optimal Utilization of Resources</p>	<p>Austin (1983), Craig (2004), DiIulio (1987), Haney (2008), Jacobs (1980), Jacobs and Steele (1975), Johnson and Wolfe (2003), Lab et al. (2004), Lehman (1972), Schmid (2003), Shelden (2001), Steele and Jacobs (1975), Sullivan (1996)</p>
<p>1.4 System Means 1.4.1 Threat and Incentive, Inmate transfer within Institutions 1.4.2 Concentration and Coordination of Professional Resources</p>	<p>Austin (1983), Craig (2004), DiIulio (1987), Haney (2008), Jacobs (1980), Jacobs and Steele (1975), Johnson and Wolfe (2003), Lab et al. (2004), Lehman (1972), Schmid (2003), Shelden (2001), Steele and Jacobs (1975), Sullivan (1996)</p>
<p>1.5 Resource Allocation 1.5.1 Hardware and Custodial Staff Emphasized, Programs De-emphasized 1.5.2 Professionals and Specialists Emphasized, No Duplication of Services</p>	<p>Austin (1983), Craig (2004), DiIulio (1987), Jacobs (1980), Jacobs and Steele (1975), Johnson and Wolfe (2003), Lab et al. (2004), Lehman (1972), Marquart (1986), Shelden (2001), Steele and Jacobs (1975)</p>
<p>1.6 Operating Cost 1.6.1 Economical 1.6.2 Costly</p>	<p>Austin (1983), Craig (2004), DiIulio (1987), Jacobs and Steele (1975), Johnson and Wolfe (2003), Lab et al. (2004), Lehman (1972), Shelden (2001), Steele and Jacobs (1975)</p>

Table 2.3: Continued

Descriptive Categories of Prison Models (Hierarchical and Differentiated)	Literature
<p>1.7 Client Careers Through the System 1.7.1 Orderly Progression based on Conforming Behavior 1.7.2 High Movement based on Individual Needs</p>	<p>Austin (1983), Craig (2004), DiIulio (1987), Haney (2008), Jacobs (1980), Jacobs and Steele (1975), Johnson and Wolfe (2003), Lab et al. (2004), Schmid (2003), Shelden (2001), Steele and Jacobs (1975), Sullivan (1996)</p>
<p>1.8 Interaction Among System Units 1.8.1 Highly Functional, Interdependent 1.8.2 Division of Labor; Complementary of Specialized Resources</p>	<p>Austin (1983), Craig (2004), DiIulio (1987), Haney (2008), Jacobs (1980), Jacobs and Steele (1975), Johnson and Wolfe (2003), Lab et al. (2004), Schmid (2003), Steele and Jacobs (1975)</p>
<p>1.9 Central Authority 1.9.1 Moderate-Reactive, Supplies Resources, Umpires Disputes Between Institutions 1.9.2 Strong-Proactive, Diagnoses, Plans, Coordinates Resource Use</p>	<p>Austin (1983), Craig (2004), DiIulio (1987), Haney (2008), Jacobs (1980), Jacobs and Steele (1975), Johnson and Wolfe (2003), Lab et al. (2004), Lehman (1972), Schmid (2003), Steele and Jacobs (1975), Sullivan (1996)</p>
<p>1.10 Group Control 1.10.1 Custody Staff (Military Model) 1.10.2 Professionals, Psychologists, Doctors, Social Workers</p>	<p>Austin (1983), Craig (2004), DiIulio (1987), Haney (2008), Jacobs (1980), Jacobs and Steele (1975), Johnson and Wolfe (2003), Lab et al. (2004), Lehman (1972), Schmid (2003), Shelden (2001), Steele and Jacobs (1975), Sullivan (1996)</p>
<p>1.11 Interest Group Philosophies 1.11.1 Police, District Attorneys, Legislators, Punitive Philosophy 1.11.2 Reforms, Ex-Offenders, Professional Associations, Humanitarian Philosophy</p>	<p>Austin (1983), Craig (2004), DiIulio (1987), Haney (2008), Jacobs (1980), Jacobs and Steele (1975), Johnson and Wolfe (2003), Lab et al. (2004), Lehman (1972), Schmid (2003), Steele and Jacobs (1975), Sullivan (1996)</p>
II. Descriptive Categories of Prison Management Models (Control, Responsibility, and Consensual)	Literature
<p>2.1 Communication 2.1.1 Restricted to Officials via Chain of Command 2.1.2 Informal, Crosses Levels of Authority 2.1.3 Combination of Control and Responsibility Model</p>	<p>Craig (2004), DiIulio (1987), Jacobs (1980), Johnson and Wolfe (2003), NIC (2008), Schmid (2003), Steele and Jacobs (1975)</p>

Table 2.3: Continued

Descriptive Categories of Prison Management Models (Control, Responsibility, and Consensual)	Literature
<p>2.2 Personnel Relationships 2.2.1 Formal, Professional Manner 2.2.2 Maintain Social Type Setting 2.2.3 Combination of Control and Responsibility Model</p>	<p>Craig (2004), DiIulio (1987), Jacobs (1980), Johnson and Wolfe (2003), NIC (2008), Steele and Jacobs (1975)</p>
<p>2.3 Inmate-Staff Relationships 2.3.1 Formal, Professional Relationship 2.3.2 Less Formal 2.3.3 Formal</p>	<p>Craig (2004), DiIulio (1987), Haney (2008), Jacobs (1980), Johnson and Wolfe (2003), NIC (2008), Schmid (2003), Steele and Jacobs (1975), Sullivan (1996)</p>
<p>2.4 Staff Latitude 2.4.1 Minimal to No Latitude 2.4.2 Discretion to Use Judgment 2.4.3 Discretion to Use Judgment, Less Restrictions</p>	<p>Craig (2004), DiIulio (1987), Jacobs (1980), Johnson and Wolfe (2003), NIC (2008), Schmid (2003), Steele and Jacobs (1975)</p>
<p>2.5 Regimentation 2.5.1 Strict Routine 2.5.2 Greater Freedom in Compliance with Security 2.5.3 Strict Procedures to Control Inmate Activity</p>	<p>Craig (2004), DiIulio (1987), Haney (2008), Jacobs (1980), Johnson and Wolfe (2003), NIC (2008), Schmid (2003), Steele and Jacobs (1975), Sullivan (1996)</p>
<p>2.6 Sanctions 2.6.1 Swift Punishment (Maintain Status Quo) 2.6.2 No Formal Action on every Violation 2.6.3 Firm in addressing Disruptive Behavior</p>	<p>Craig (2004), DiIulio (1987), Haney (2008), Jacobs (1980), Johnson and Wolfe (2003), NIC (2008), Schmid (2003), Steele and Jacobs (1975), Sullivan (1996)</p>
<p>2.7 Disruptive Behavior 2.7.1 Official Counterforce 2.7.2 Negotiate Sanctions with Inmates 2.7.3 Firm in addressing Disruptive Behavior</p>	<p>Craig (2004), DiIulio (1987), Haney (2008), Jacobs (1980), Johnson and Wolfe (2003), NIC (2008), Steele and Jacobs (1975), Sullivan (1996)</p>
<p>2.8 Decision-Making 2.8.1 No Prisoner Involvement 2.8.2 Prisoner Involvement 2.8.3 Combination of Control and Responsibility Model</p>	<p>Craig (2004), DiIulio (1987), Haney (2008), Jacobs (1980), Johnson and Wolfe (2003), NIC (2008), Schmid (2003), Steele and Jacobs (1975), Sullivan (1996)</p>

Chapter Three Methodology

Chapter Purpose

This chapter describes the methodology used in this research to determine which prison model and prison management model the TDCJ CI Division is using to operate and manage the Texas Prison System. The research method used in this study is document analysis. This research operationalizes descriptive categories and uses these categories as a template for data collection. *Table 3.1* provides an overview of the two prevailing prison models and *Table 3.2* provides an overview of the three prison management models and identifies the documents used to determine which prison model and prison management model the Texas Prison System utilizes to operate and manage the Texas Prison System.

Research Technique

This study uses document analysis as the primary method of data collection. Documents from the TDCJ, Survey of Organizational Excellence (SOE) conducted by the University of Texas School of Social Work (UT), United States Department of Justice (DOJ), and Texas Sunset Advisory Commission are used to assess and determine which prison model and prison management model the Texas Prison System is using to operate and manage the TDCJ CI Division. Documentation is accessed through the internet from the home page website of each agency and department.

Empirical evidence for this research was limited to documents due to a lack of access and time constraints. The research focuses on documentation accessed and retrieved from the internet and agency/department home web pages. These online resources provide access to written policies and procedures, mission statements, program

overviews, a Survey of Organizational Excellence (SOE), statistics, future strategic plans, and recommendations for improvement. Babbie (2007, 110) explains that the best study design uses more than one research method. Failure to use more than one method can result in bias and affect the results of the case study.

Document analysis is useful because it is likely to be relevant in every case study topic and the information can take many forms (Yin 2003, 85). Yin (2003) explains documentation is important in case studies because it can be used to corroborate and augment evidence from other sources. Document analysis has several advantages. Documentation is stable, unobtrusive, exact, and provides broad coverage over a long span of time, events, and settings (Yin 2003, 86). In addition, document analysis allows the researcher to make inferences from documents (Yin 2003).

Documentation also has several disadvantages. Some of the disadvantages include irretrievability, biased selectivity if collection is incomplete, reporting bias, and access (Yin 2003, 86). Documentation can also provide contradictory evidence as opposed to corroboratory evidence, and further inquiry must be conducted to clarify the discrepancy.

Documentation may not always be accurate because information may be deliberately edited which brings into question the validity of a document. Yin (2003) explains over-reliance on documents can result in the researcher assuming all types of documents contain unmitigated truth. The use of documentation also lacks reliability. Reliability cannot be measured to determine whether a particular technique will yield the same result each time (Babbie 2007).

Description of Document Analysis

Texas Department of Criminal Justice

The TDCJ provides a substantial amount of information by way of published mission statements for the agency and, for each department within the agency, division overviews, Board Policy from TDCJ, Code of Ethics, TDCJ Disciplinary Rules and Procedures for Offenders Handbook, Offender Orientation Handbook, Agency Strategic Planning for Fiscal Year 2009-2013 by TDCJ, Operating Budget for Fiscal Year for 2009 for TDCJ, Success through Supervision Overview of TDCJ, Human Resources Employees Policies and Procedures, and the Texas Administrative Code.

Department of Justice/Bureau of Justice

The Department of Justice (DOJ), a federal department under the United States government, was established to enforce laws and ensure fair and impartial justice in the United States. The Bureau of Justice Statistics (BJS), an agency under the DOJ, collects and analyzes criminal justice statistics. Data are collected on crime/crime rates, criminal offenders, and victims of crime from federal, state, and local government and is used as a tool to combat crime. The BJS also collects and analyzes data on jails and prisons in the United States.

The DOJ document retrieved is comprised of the Bureau of Justice Statistics Special Report which provides State Expenditures for 2001. The statistics supply the operating average costs per inmate of a prison by state, as well as state expenditures for medical care, food service, and utilities.

Survey of Organizational Excellence (SOE) conducted by the University of Texas School of Social Work

The SOE was developed in Texas in 1979 in response to former Governor William Clement's concerns regarding how Texas state employees viewed working for the State of Texas (UT SOE Survey Site 2009). The survey is currently utilized as an empowerment and accountability tool which gives employees the power to assess their organization and point out the organization's strengths and weaknesses (UT SOE Survey Site 2009). The survey is used by several state agencies and public and private organizations. The survey is used by the TDCJ and has been administered to TDCJ employees every two years, with results posted for 2004, 2006, and 2008 on the TDCJ website.

The SOE is a survey administered to TDCJ employees by the University of Texas School of Social Work and is utilized as a tool to gauge employee attitudes regarding workplace issues that impact quality of service (TDCJ SOE Results 2008)). The SOE is used as a method for employees to express their views about the agency and their workplace to agency management (TDCJ SOE Results 2008).

The SOE workplace is comprised of five work dimensions or categories which make up the agency work environment: Accommodations, Information, Organizational Features, Personal Demands, and Work Group. Each workplace dimension is defined by several survey constructs (UT SOE Definitions 2008).

Dimension I, Work Group, includes the following six constructs: Supervisor, Effectiveness, Fairness, Team Effectiveness, Job Satisfaction, and Diversity. The Work Group Dimension relates to an employee's activities within his or her immediate work

area, and includes how employees interact with peers, supervisors, and other individuals involved in day-to-day work activity (UT SOE Definitions 2008).

Dimension II, Accommodations (Work Setting), includes the following six constructs: Fair Pay, Physical, Environment, Benefits, Employee, and Development. The Accommodations Dimension pertains to the physical work setting and employment factors such as compensation, work technology, and tools, along with the “total benefit package” provided to all employees (UT SOE Definitions 2008).

Dimension III, Organizational Features, includes the following five constructs: Change Oriented, Goal Oriented, Holographic, Strategic, and Quality. The Organizational Features Dimension addresses the organization’s interface with external influences (UT SOE Definitions 2008). This dimension also evaluates the organization’s ability to assess changes in the environment and make needed adjustments (UT SOE Definitions 2008).

Dimension IV, Information (Communication), includes the following three constructs: Internal, Availability, and External. The Information Dimension refers to how communication is disseminated within the organization and to outside groups (UT SOE Definitions 2008). In addition, this dimension examines the degree to which communication is directed towards work concerns (UT SOE Definitions 2008).

Dimension V, Personal Demands, includes the following three constructs: Time and Stress, Burnout, and Empowerment. The Personal Demands Dimension assesses the degree to which employees internalize stress and the extent to which individuals develop debilitating social and psychological conditions (UT SOE Definitions 2008).

This survey uses a Likert Scale to gauge responses. This scale ranges from (1) strongly disagree to (5) strongly agree and (6) don't know/not applicable. The average mean score is calculated by adding the sum of scores and dividing by 100. The scores for the constructs range from a low score of 100 to a high of 500 to assess employee responses to the survey questions (TDCJ Results 2008).

Texas Sunset Advisory Commission

This research evaluated documents collected from the Texas Sunset Advisory Commission. The Texas Legislature created the Sunset Commission to identify and eliminate waste, duplication, and inefficiency in government agencies (Sunset Advisory Commission Home Web Page 2006). The Sunset Advisory Commission evaluates the needs of each government agency and considers ways of improving each agency's operations using public input collected via hearings (Sunset Advisory Commission Staff Report 2006). The Sunset Advisory Commission has the power to abolish an agency based upon their findings.

The Sunset Staff Report dated October 2006 provides substantial documentation regarding TDCJ issues and makes recommendations for improving agency functionality. The Sunset Committee Report also provides key facts about the Texas Prison System, the key role each department plays within the agency, treatment programs offered, and agency staff.

Human Research Subjects

This research study did not use human subjects. An application from exemption from the Texas State Institutional Review Board was requested and granted, exemption number EXP2009U2998.

Table 3.1: Operationalization of the Conceptual Framework – Prison Models

Categories - Prison Models	Documents	Evidence
<p>1.1 Assumptions about Criminals</p> <p>1.1.1 Free Will, Utilitarianism, Deterrence</p> <p>1.1.2 Determinism, Treatment Oriented</p>	<p>TDCJ CI Division Mission Statement, Rehabilitation and Reentry Program Division Mission Statement</p> <p>TDCJ CI Division Mission Statement, Rehabilitation and Reentry Program Division Mission Statement</p>	<p>1. Concept of Free Will – Present/Not Present</p> <p>2. Concept of Utilitarianism – Present/Not Present</p> <p>3. Concept of Deterrence – Present/Not Present</p> <p>1. Concept of Determinism – Present/Not Present</p> <p>2. Concept of Treatment Oriented – Present/Not Present</p>
<p>1.2 Individual Institutions</p> <p>1.2.1 Level of Security</p> <p>1.2.2 Differentiated Specialized Professionalized Program</p>	<p>Sunset Advisory Commission Staff Report 2006, TDCJ Offender Orientation Handbook, TDCJ Agency Strategic Plan FY 2009-2013</p> <p>Sunset Advisory Commission Staff Report 2006, Rehabilitation and Reentry Program Division Programs and Mission Statement</p>	<p>1. Level of Security – Six Levels: Low to High Administrative Segregation/Special Management to General Population Level 1 - Present/Not Present</p> <p>1. Differentiated Specialized Professional Program – Present/Not Present</p>
<p>1.3 System Goals</p> <p>1.3.1 Security, Highly Visible Punishment, Internal Order, No Escapes</p> <p>1.3.2 Optimal Utilization of Resources</p>	<p>TDCJ Mission Statement, TDCJ CI Division Mission Statement, CI Division Overview, Security Systems Division Mission Statement</p> <p>TDCJ Mission Statement, TDCJ CI Division Mission Statement, Rehabilitation and Reentry Programs Division Mission Statement, Sunset Advisory Commission Staff Report 2006, TDCJ Agency Strategic Plan FY 2009-2013</p>	<p>1. Security – Present/Not Present</p> <p>2. Highly Visible Punishment – Present/Not Present</p> <p>3. Internal Order – Present/Not Present</p> <p>4. No Escapes – Present/Not Present</p> <p>1. Optimal Utilization of Resources – Present/Not Present</p>

Table 3.1: Continued

Categories – Prison Models	Documents	Evidence
<p>1.4 System Means</p> <p>1.4.1 Threat and Incentive, Inmate Transfer within Institutions</p> <p>1.4.2 Concentration and Coordination of Professional Resources</p>	<p>TDCJ Offender Orientation Handbook, TDCJ Disciplinary Rules and Procedures Handbook</p> <p>TDCJ Offender Orientation Handbook, TDCJ Disciplinary Rules and Procedures Handbook, Rehabilitation and Reentry Programs Division Mission Statement</p>	<p>1. Threat and Incentive – Present/Not Present</p> <p>2. Inmate Transfer within Institutions – Present/Not Present</p> <p>1. Concentration of Professional Resources – Present/Not Present</p> <p>2. Coordination of Professional Resources – Present/Not Present</p>
<p>1.5 Resource Allocation</p> <p>1.5.1 Hardware and Custodial Staff Emphasized, Programs De-emphasized</p> <p>1.5.2 Professionals and Specialists Emphasized, No duplication of Services</p>	<p>TDCJ Total Operating Budget Fiscal Year 2009, TDCJ Operating Budget by Strategy Fiscal Year 2009</p> <p>TDCJ Total Operating Budget Fiscal Year 2009, TDCJ Operating Budget by Strategy Fiscal Year 2009</p>	<p>1. Hardware and Custodial Staff – Present/Not Present</p> <p>2. Programs De-emphasized – Yes/No</p> <p>1. Professionals and Specialists Emphasized – Yes/No</p> <p>2. No Duplication of Services – Yes/No</p>
<p>1.6 Operating Cost</p> <p>1.6.1 Economical</p> <p>1.6.2 Costly</p>	<p>TDCJ Total Operating Budget Fiscal Year 2009, Sunset Advisory Commission Staff Report 2006, DOJ State Prison Expenditures 2001, TDCJ Manufacturing and Logistics Annual Report Fiscal Year 2006</p> <p>TDCJ Total Operating Budget Fiscal Year 2009, Sunset Advisory Commission Staff Report 2006, DOJ State Prison Expenditures 2001, TDCJ Manufacturing and Logistics Annual Report Fiscal Year 2006</p>	<p>1. Economical – Yes/No</p> <p>1. Costly – Yes/No</p>
<p>1.7 Client Careers Through System</p> <p>1.7.1 Orderly Progression based on Conforming Behavior</p> <p>1.7.2 High Movement based on Individual Needs</p>	<p>TDCJ Offender Orientation Handbook</p> <p>TDCJ Offender Orientation Handbook</p>	<p>1. Orderly Progression based on Conforming Behavior – Yes/No</p> <p>1. High Movement based on Individual Needs – Yes/No</p>

Table 3.1: Continued

Categories – Prison Models	Documents	Evidence
<p>1.8 Interaction Among System Units</p> <p>1.8.1 Highly Functional, Interdependent</p> <p>1.8.2 Division of Labor; Complementary of Specialized Resources</p>	<p>TDCJ Offender Orientation Handbook</p> <p>TDCJ Offender Orientation Handbook, Rehabilitation and Reentry Programs Division Mission Statement</p>	<p>1. Highly Functional – Yes/No</p> <p>2. Interdependent – Yes/No</p> <p>1. Division of Labor – Present/Not Present</p> <p>2. Complementary of Specialized Resources – Present/Not Present</p>
<p>1.9 Central Authority</p> <p>1.9.1 Moderate-Reactive, Supplies Resources, Umpires Disputes Between Institutions</p> <p>1.9.2 Strong-Proactive, Diagnoses, Plans, Coordinates Resource Use</p>	<p>TDCJ CI Division Overview, TDCJ Security Systems Division Mission Statement, TDCJ Disciplinary Rules and Procedures for Offenders Handbook</p> <p>TDCJ CI Division Overview, TDCJ Disciplinary Rules and Procedures for Offenders Handbook, TDCJ Offender Orientation Handbook, Rehabilitation and Reentry Programs Division Mission Statement</p>	<p>1. Reactive – Yes/No</p> <p>2. Supplies Resources – Yes/No</p> <p>3. Umpires Disputes Between Institutions – Yes/No</p> <p>1. Proactive – Yes/No</p> <p>2. Diagnoses – Yes/No</p> <p>3. Plans and Coordinates Resources – Yes/No</p>
<p>1.10 Group in Control</p> <p>1.10.1 Custody Staff (Military Model)</p> <p>1.10.2 Professionals, Psychologists, Doctors, Social Workers</p>	<p>TBCJ Board Policy 2005, TDCJ Organizational Chart, TDCJ CI Division Organizational Chart</p> <p>TBCJ Board Policy 2005, TDCJ Organizational Chart, TDCJ CI Division Organizational Chart</p>	<p>1. Custody Staff – Present/Not Present</p> <p>1. Professionals, Psychologists, Doctors, Socials Workers – Present/Not Present</p>

Table 3.1: Continued

Categories – Prison Models	Documents	Evidence
<p>1.11 Interest Group Philosophies</p> <p>1.11.1 Police, District Attorneys, Legislators, Punitive Philosophy</p> <p>1.11.2 Reformers, Ex-Offenders, Professional Associates, Humanitarian Philosophy</p>	<p>TDCJ Mission Statement, TDCJ CI Division Mission Statement, TDCJ Success through Supervision 2007 (TDCJ Philosophy), TDCJ Administrative Review and Risk Management Division Statement</p> <p>TDCJ Mission Statement, TDCJ CI Division Mission Statement, Rehabilitation and Reentry Programs Division Mission Statement, Success through Supervision 2007 (TDCJ Philosophy), TDCJ Administrative Review and Risk Management Division Statement</p>	<ol style="list-style-type: none"> 1. Police – Present/Not Present 2. District Attorneys – Present/Not Present 3. Legislators – Present/Not Present 4. Punitive Philosophy – Present/Not Present <ol style="list-style-type: none"> 1. Reformers – Present/Not Present 2. Ex-Offenders – Present/Not Present 3. Professional Associates – Present/Not Present 4. Humanitarian Philosophy – Present/Not Present

Table 3.2: Operationalization of the Conceptual Framework – Prison Management models

Categories – Prison Management Models	Documents	Evidence
<p>2.1 Communication</p> <p>2.1.1 Restricted to Officials via Chain of Command</p> <p>2.1.2 Informal, Crosses Levels of Authority</p> <p>2.1.3 Combination of Control and Responsibility Model</p>	<p>TDCJ General Rules of Conduct and Disciplinary Action Guidelines for Employees</p> <p>TDCJ General Rules of Conduct and Disciplinary Action Guidelines for Employees</p> <p>TDCJ General Rules of Conduct and Disciplinary Action Guidelines for Employees</p>	<p>1. Restricted to Chain of Command – Present/Not Present</p> <p>1. Informal/Crosses Levels of Authority – Present/Not Present</p> <p>1. Restricted and Informal – Present/Not Present</p>
<p>2.2 Personnel Relationships</p> <p>2.2.1 Formal, Professional Manner</p> <p>2.2.2 Maintain Social Type Setting</p> <p>2.2.3 Combination of Control and Responsibility Model</p>	<p>TDCJ General Rules of Conduct and Disciplinary Action Guidelines for Employees</p> <p>TDCJ General Rules of Conduct and Disciplinary Action Guidelines for Employees</p> <p>TDCJ General Rules of Conduct and Disciplinary Action Guidelines for Employees</p>	<p>1. Formal – Yes/No 2. Professional Manner – Yes/No</p> <p>1. Social Type Setting – Yes/No</p> <p>1. Formal/Professional and Social Type Setting – Yes/No</p>
<p>2.3 Inmate-Staff Relationships</p> <p>2.3.1 Formal, Professional Relationship</p> <p>2.3.2 Less Formal</p> <p>2.3.3 Formal</p>	<p>TDCJ Code of Ethical Conduct, TDCJ Offender Orientation Handbook</p> <p>TDCJ Code of Ethical Conduct, TDCJ Offender Orientation Handbook</p> <p>TDCJ Code of Ethical Conduct, TDCJ Offender Orientation Handbook</p>	<p>1. Formal – Yes/No 2. Professional – Yes/No</p> <p>1. Informal – Yes/no</p> <p>1. Formal and Informal – Yes/No</p>

Table 3.2: Continued

Categories – Prison Management Models	Documents	Evidence
<p>2.4 Staff Latitide</p> <p>2.4.1 Minimal to No Latitide</p> <p>2.4.2 Discretion to Use Judgment</p> <p>2.4.3 Discretion to Use Judgment, Less Restrictions</p>	<p>TDCJ SOE Results 2008, TDCJ SOE Organizational Features Dimension</p> <p>TDCJ SOE Results 2008, TDCJ SOE Organizational Features Dimension</p> <p>TDCJ SOE Results 2008, TDCJ SOE Organizational Features Dimension</p>	<p>1. Question #21 (SOE): Decision making and control are given to employees doing the actual work – Likert Scale</p>
<p>2.5 Regimentation</p> <p>2.5.1 Strict Routine</p> <p>2.5.2 Greater Freedom in Compliance with Security</p> <p>2.5.3 Strict Procedures to Control Inmate Activity</p>	<p>TDCJ Offender Orientation Handbook, TDCJ Human Resources Employee Manual 2004</p> <p>TDCJ Offender Orientation Handbook, TDCJ Human Resources Employee Manual 2004</p> <p>TDCJ Offender Orientation Handbook, TDCJ Human Resources Employee Manual 2004</p>	<p>1. Strict Routine – Present/Not Present</p> <p>1. Greater Freedom within Security Compliance – Present/Not Present</p> <p>1. Strict Procedures to Control Inmate Activity – Present/Not Present</p>
<p>2.6 Sanctions</p> <p>2.6.1 Swift Punishment (Maintain Status Quo)</p> <p>2.6.2 No Formal Action on every Violation</p> <p>2.6.3 Firm in addressing Disruptive Behavior</p>	<p>TDCJ Disciplinary Rules and Procedures for Offenders Handbook</p> <p>TDCJ Disciplinary Rules and Procedures for Offenders Handbook</p> <p>TDCJ Disciplinary Rules and Procedures for Offenders Handbook</p>	<p>1. Swift Punishment/Formal – Present/Not Present</p> <p>1. Informal – Present/Not Present</p> <p>1. Formal and Informal – Present/Not Present</p>
<p>2.7 Disruptive Behavior</p> <p>2.7.1 Official Counterforce</p> <p>2.7.2 Negotiate Sanctions with Inmates</p> <p>2.7.3 Firm in addressing Disruptive Behavior</p>	<p>TDCJ Disciplinary Rules and Procedures for Offenders Handbook</p> <p>TDCJ Disciplinary Rules and Procedures for Offenders Handbook</p> <p>TDCJ Disciplinary Rules and Procedures for Offenders Handbook</p>	<p>1. Official Counterforce – Present/Not Present</p> <p>1. Negotiate Sanctions with Inmates – Present/Not Present</p> <p>1. Firm in addressing Disruptive Behavior – Present/Not Present</p>

Table 3.2: Continued

Categories – Prison Management Models	Document	Evidence
2.8 Decision-Making		
2.8.1 No Prisoner Involvement	TDCJ Board Policy 2005, TDCJ CI Division Overview, TDCJ Offender Orientation Handbook, TDCJ Offender Grievance Pamphlet 2007	1. No Prisoner Involvement – Present/Not Present
2.8.2 Prisoner Involvement	TDCJ Board Policy 2005, TDCJ Offender Orientation Handbook, Offender Grievance Pamphlet 2007	1. Prisoner Involvement – Present/Not Present
2.8.3 Combination of Control and Responsibility Model	TDCJ Offender Orientation Handbook, Offender Grievance Pamphlet 2007	1. No Prisoner Involvement/Prisoner Involvement – Present/Not Present

Chapter 4 Results

Chapter Purpose

The purpose of this chapter is to analyze documents from the TDCJ, the SOE conducted by the University of Texas School of Social Work, the DOJ, and the Texas Sunset Advisory Commission. This chapter summarizes the results from the analysis and determines which prison model and prison management model the TDCJ Correctional Institutions (CI) Division utilizes to operate and manage the Texas Prison System.

Prison System Models

The two prevailing prison system models, hierarchical and differentiated, present characteristics that describe the internal make-up of United States prison facilities. The characteristics describe the key components of a prison facility as they pertain to control, security, treatment, and rehabilitation. Listed below are the results of the document analysis determining which prevailing prison system model the Texas Prison system uses.

Assumptions about Criminals

The correctional system bases its assumptions about criminals and criminal behavior on the etiology of the crime, rehabilitation potential, and need for order (Steele and Jacobs 1975, 149). A correctional system based on assumptions about criminals and criminal behavior assists prison administrators with resource allocation; identifying and defining the job duties and responsibilities of correctional personnel; and coordination of prisoners through the prison system. The hierarchical model proposes criminal behavior is a result of an individual's "free will" and that behavior should be controlled through deterrence. The differentiated model proposes criminal behavior is influenced by factors

beyond an individual's control, such as socio-economic background, education, and family history, and that prisoners should be rehabilitated.

The TDCJ Correctional Institutions (CI) Division mission statement reveals the purpose of the TDCJ CI Division is to provide safe and appropriate confinement, supervision, rehabilitation and reintegration of adult felons, and to effectively manage or administer correctional facilities based on constitutional and statutory standards (TDCJ CI Division Mission Statement 2008). The mission statement encourages community involvement in providing intervention programs to reintegrate offenders back into the community upon their release from prison.

The mission statement explains the purpose of the prison system is to rehabilitate offenders into law-abiding citizens. The TDCJ provides several treatment programs for offender rehabilitation that address criminal behavior. The Rehabilitation and Reentry Program Division's purpose is to assess and identify the reentry needs of its participants and to reintegrate offenders back into society (TDCJ Rehabilitation and Reentry Program Division Mission Statement 2008).

Although the TDCJ does not state the cause of criminal behavior, the TDCJ appears to follow the differentiated model. The TDCJ CI Division's goal appears to be modifying an inmate's behavior and successfully reintegrating the individual into society through treatment programs, as opposed to making deterrence and retribution the primary purpose of the TDCJ CI Division. *Table 4.1* provides results obtained from documents.

Table 4.1: Prison System Model Results

Characteristics – Prison System Models 1.1 Assumptions About Criminals	Evidence	Model
1.1.1 Free Will, Utilitarianism, Deterrence	Concept of Free Will - Not Present Utilitarianism – Not Present Deterrence – Not Present	Differentiated Model
<hr/> 1.1.2 Determinism, Treatment Oriented	<hr/> Concept of Determinism – Not Present Concept of Treatment Oriented - Present	

Individual Institutions

A prison facility’s security level, as well as the treatment programs offered within the facility, distinguishes one penal institution from another. Prison facilities are constructed and classified as minimum, medium, maximum, and supermax and offer a variety of rehabilitative programs for issues such as substance abuse, sex offenses, and reentry/reintegration programs. The hierarchical model distinguishes each individual institution by security level/custody level, while the differentiated model distinguishes each institution by specialized treatment programs offered within the facility.

According to TDCJ documentation, the Correctional Institutions (CI) Division is divided into six regions and operates 96 state operated prisons and state jails. The CI Division has fifty-one state facilities, four pre-release facilities, three psychiatric facilities, one Mentally Retarded Offender Program (MROP) facility, two medical

facilities, fifteen transfer facilities, fifteen state jail facilities, and five substance abuse facilities (TDCJ Agency Strategic Plan FY 2009-2013 2008). *Appendix A* contains a map of all TDCJ prison facilities.

The intake, diagnostic, and classification processes assist prison administrators in assigning prisoners to a prison facility based on security level, special needs, personal background, and aggressive behavior towards staff and other prisoners. The entry process into the prison system helps determine the appropriate institution for a prisoner which could be assignment in the MROP facility, Substance Abuse Felony Punishment Facility (SAFPF), or even administrative segregation.

Each offender goes through the intake and diagnostic process. The diagnostic process is used to determine placement of offenders by unit, based on to an offender's security needs and programming needs (Sunset Advisory Commission Staff Report 2006). Once assigned to a prison unit, the Unit Classification Committee (UCC) determines an offender's custody/security level based on the amount of supervision an offender needs and available staffing (TDCJ Offender Orientation Handbook 2004). Each custody level determines where an inmate will live, how much supervision is needed, and job assignment eligibility (TDCJ Offender Orientation Handbook 2004).

The Inmate Handbook provides a list of offender custody levels and state jail offender custody levels, ranging from Administrative Segregation to General Population Level 1 (G1)/General Population Level 1 (J1).

The Inmate Handbook defines inmate custody levels. The definition of each custody level consists of the following:

- **Administrative Segregation and Special Management** Houses offenders who must be segregated from the general population because they are considered dangerous.
- **General Population Level 5** Houses offenders who have an assaultive or aggressive history.
- **General Population Level 4** Houses offenders who must live in a cell and may work outside the security fence under direct armed security.
- **General Population Level 3** Houses offenders who may live in dorms or cells inside the main building of the unit. Offenders cannot live outside the main building of the unit. Offenders may work in the field and secure jobs inside the perimeter and may work outside the security fence under direct armed supervision.
- **General Population Level 2** Houses offenders who may live in dorms or cells inside the security fence and may work outside the security fence under direct armed security.
- **General Population Level 1** Houses offenders who live in dorms outside the security fence and may work outside the security fence with periodic unarmed security (TDCJ Offender Orientation Handbook 2004, 5-6).

The TDCJ Correctional Institutions (CI) Division offers a variety of professional treatment programs. The CI Division has three psychiatric facilities, one Mentally Retarded Offender Program (MROP) facility, two medical facilities, and five substance abuse facilities. The Rehabilitation and Reentry Programs Division oversees the treatment programs offered by the TDCJ CI Division. The CI Division offers many programs, including youth offender programs, sex offender rehabilitation programs, substance abuse treatment programs, and re-entry pre-release offender programs. The CI Division offers the following programs: COURAGE Program for Youthful Offenders, InnerChange Freedom Initiative, Prison Reentry Initiative Pre-Release Program, Sex

Offender Rehabilitation Program, and Substance Abuse Treatment Program. Each program targets the specific needs of offenders and provides rehabilitation to prepare them for reintegration into society and prevent recidivism. These programs each have a mission and target specific offender behavior through modification behavioral plans.

Documents retrieved from the TDCJ appear to identify individual institutions by both security level and by the professional treatment programs offered. The Texas Prison System appears to share characteristics with both the hierarchical and differentiated models, as pertains to individual institutions. The individual institutions are divided into security units based on offender custody/security level and offer different professional treatment programs based on an offender’s individual needs. As mentioned previously, the Texas Prison System has three psychiatric facilities, one MROP facility, two medical facilities, and five SAFPF facilities, as well as fifty-one prison facilities. The TDCJ CI Division mission statement, overview, and the mission of the Rehabilitation and Reentry Programs Division clearly define the TDCJ purposes and goals. *Table 4.2* provides the results from retrieved documents.

Table 4.2: Prison System Model Results

Characteristics – Prison System Model 1.2 Individual Institutions	Evidence	Model
1.2.1 Level of Security	Levels of Security (Administrative Segregation to General Population Level 1) - All Six Levels Present	Hierarchical and Differentiated Model
1.2.2 Differentiated Specialized Professional Programs	Differentiated Specialized Professional Program - Present	

System Goals

The goal of the criminal justice system is to prevent and deter crime through apprehension, adjudication, and punishment (Steele and Jacobs 1975). Some prison systems seek to maintain security and control within the prison, while others focus on treatment and rehabilitation. The hierarchical model proposes the prison system's goals are security, visible punishment, internal order, and the prevention of escapes, while the differentiated model proposes the utilization of different resources to treat prisoners and reintegrate them back into society, while reducing recidivism.

The TDCJ mission statement, TDCJ Correctional Institutions (CI) Division mission statement, and division overview, clearly indicate the system goals. The mission statement of TDCJ states its purpose is to provide public safety, promote positive change in offender behavior, reintegrate offenders into society, and assist victims of crime (TDCJ Mission Statement Home Web Page 2008). The primary goals of the TDCJ CI Division are to provide safe and appropriate confinement; supervision; rehabilitation and reintegration of adult felons; and effectively manage or administer correctional facilities based on constitutional and statutory standards (TDCJ CI Division Mission Statement 2008).

The CI Division overview provides a brief explanation of the CI Division's security and goals. The CI Division operates secure facilities with perimeter fences, equipment, and appropriate staffing to ensure public safety with safety. The Security Systems Division, which is a division of the TDCJ, provides facilities and staff with the necessary resources to operate safe and secure prison facilities. This division uses

technology and armory operations to maintain safety and security within the prison facility (TDCJ Security System Division Mission Statement 2009).

The Sunset Advisory Commission Staff Report (2006, 5) explains the TDCJ has concentrated on developing treatment programs which have demonstrated a reduction in offender recidivism. The Sunset Commission has recommended the Texas Legislature appropriate significant additional funding toward offender treatment and rehabilitation programs proven to reduce recidivism (Sunset Advisory Commission Staff Report 2006, 5).

The TDCJ CI Division has two programs which have proven to reduce recidivism. The Substance Abuse Felony Punishment Facility Program and In-Prison Therapeutic Community Program have shown to reduce recidivism rates from 20 to 30 percent for offenders who have completed the programs (Sunset Advisory Commission Staff Report 2006, 7).

Prisoners involved in educational programs have shown to reduce recidivism rates, as well. Prisoners with a 9th grade education had a 14 percent lower recidivism rate while prisoners in literacy programs had a 37 percent reduction in recidivism (TDCJ Agency Strategic Plan FY 2009-2013 2008, 11).

Although the goal of the TDCJ CI Division is to provide security, prevent escapes, maintain order, and provide treatment programs to offenders; safety and security are top priorities. Because public safety and security are top priorities, this system falls under the hierarchical model which is displayed in *Table 4.3*.

Table 4.3: Prison System Model Results

Characteristics - Prison System Models 1.3 System Goals		Evidence	Model
1.3.1	Security, Highly Visible Punishment, Internal Order, No Escapes	Security – Present Highly Visible Punishment – Present Internal Order – Present No Escapes – Present	Hierarchical Model
1.3.2	Optimal Utilization of Resources	Optimal Utilization of Resources - Present	

System Means

A prison facility’s system means define and explain how prison administrators and staff ensure inmate compliance with prison rules and regulations. Prison facilities have ensured inmate compliance through a punishment-reward system, as well as threats. The hierarchical model proposes inmate compliance within the prison is accomplished through threats and incentives, while the differentiated model proposes compliance is accomplished through incentives, and programs and resources provided within the facility.

The TDCJ provides each offender with a copy of the TDCJ Offender Orientation Handbook upon entry into the prison system. The Offender Handbook states offenders are responsible for understanding and abiding by the rules, regulations, and policies detailed in the handbook, and failure to comply may result in disciplinary action (TDCJ Offender Orientation Handbook 2004).

The Offender Handbook describes and explains the consequences of good conduct time. The handbook explains clearly that good time conduct is a privilege and

not a right and can be taken away because of disciplinary infractions, as well as awarded for compliance and work performed while incarcerated (TDCJ Offender Orientation Handbook 2004, 7).

The Offender Handbook, under the Disciplinary Procedures and Rules section, explains that the disciplinary process is designed to modify offender behavior where necessary and provides general procedures. The Offender Handbook provides a list of privileges that can be taken away as a result of violations and explains punishment is progressive. Violations can result in a permanent loss of good time, a loss of recreation, a loss of contact visits, solitary confinement, extra work, and cell restriction.

The TDCJ CI Division Disciplinary Rules and Procedures for Offenders Handbook provides, in great detail, the general procedures of reporting infractions, the classification process of a hearing as minor or major, and the investigation of violations and infractions within the facility. The introduction section of the Disciplinary Rules and Procedures Handbook states “while you are an offender, you have to obey the rules” (TDCJ Disciplinary Rules and Procedures for Offenders Handbook 2005). The rulebook explains the rules and the consequences for failure to obey them. The Disciplinary Rules and Procedures Handbook explains the penalties for each infraction and classifies each infraction under a level one, level two, or level three offense.

Offender compliance with institutional policies and procedures is accomplished through threats, with minimal incentives, and falls under the hierarchical model which is displayed in *Table 4.4*. The CI Division provides offenders with an Offender Orientation Handbook and Disciplinary Rules and Procedures for Offenders Handbook, which clearly state and explain that violations and infractions will result in disciplinary action and

progressive punishment. Offenders are required to read and learn what is in both handbooks and are clearly warned about the consequences of their actions.

Table 4.4: Prison System Model Results

Characteristics - Prison System Models 1.4 System Means	Evidence	Model
1.4.1 Threat and Incentive, Inmate Transfer within the Institution	Threat and Incentive – Present Inmate Transfer within Institutions - Present	Hierarchical Model
1.4.2 Concentration and Coordination of Professional Resources	Concentration of Professional Resources – Not Present Coordination of Professional Resources – Not Present	

Resource Allocation

Resource allocation identifies the distribution of resources used to operate a prison facility. Prison resources provide health care to prisoners; security, treatment services, and vocational training. The hierarchical model distribution of resources secures a prison facility using technology and by employing correctional officers, while the differentiated model employs professionals and specialists to treat inmates through specialized programming.

The TDCJ budget requires approval by the Texas Legislature. The TDCJ Total Operating Budget for Fiscal Year 2009 is \$2,946,892,799 (TDCJ Operating Budget Fiscal Year 2009). The TDCJ allocates money to prison diversion programs, to treat special needs offenders, to incarcerating felons, to provide adequate facilities, to operating the parole system, and for indirect administration.

Of the \$2,946,892,799 TDCJ operating budget for fiscal year 2009, approximately \$2,358,241,562 is allotted to incarcerate felons and this amount is divided and allocated toward health care, correctional security operations, treatment services, correctional support operations, substance abuse treatment, and other services provided within the CI Division (TDCJ Operating Budget by Strategy Fiscal Year 2009). The operating budget allocates approximately \$992,111,034 to correctional security operations and approximately \$184,519,785 to the institutional operations and maintenance of the prison facilities.

Money was distributed to the following for fiscal year 2009: treatment services \$16,246,309 (0.69%), substance abuse treatment \$96,921,026 (4.11%), Project RIO \$3,643,078 (0.15%), and academic /vocational training \$2,332,714 (0.10%) (TDCJ Operating Budget by Strategy Fiscal Year 2009). Money is distributed to several treatment programs, which include academic and vocational training, substance abuse programs, life skills programs, and sex offender programs.

The TDCJ provides funding for treatment, treatment oriented programs, hardware, and custodial staff within the CI Division, following both the hierarchical and differentiated model noted in *Table 4.5*.

Table 4.5: Prison System Model Results

Characteristics - Prison System Models 1.5 Resource Allocation	Evidence	Model
1.5.1 Hardware and Custodial Staff Emphasized; Programs De-emphasized	Hardware and Custodial Staff – Present Programs De-emphasized - No	Hierarchical and Differentiated Model
1.5.2 Professionals and Specialists Emphasized, No Duplication of Services	Professionals and Specialists Emphasized – Yes No Duplication of Services – No	

Operating Cost

As previously mentioned, the TDCJ operates with a budget approved by the Texas Legislature. The TDCJ CI Division requires a significant portion of the budget in order to keep the prison system up and running without compromising public and inmate safety. The cost of operating a prison facility includes employing correctional staff, inmate medical care and treatment, food and nutrition, and basic hygiene necessities such as water and humane living quarters. The cost of operating a prison facility can be categorized as costly or economical, in comparison to the national average.

The TDCJ Total Operating Budget for Fiscal Year 2009 is \$2,946,892,799 and approximately \$2,358,241,562 of the total budget goes toward the incarceration of felons. The operating budget allocates money to the following: correctional security operations, correctional support operations, offender services, institutional goods, institutional services, institutional operations and maintenance, correctional managed psychiatric care, correctional managed health care, health services, contract prisons/private state jails,

residential pre-parole facilities, Texas Correctional Industries, academic/vocational training, Project RIO, treatment services, and substance abuse treatment.

The TDCJ Expenditures by Goal for Fiscal Year 2005 was \$2,467,024,885, with approximately \$1,961,463,384 (79%) allotted to the incarceration of felons (Sunset Advisory Commission Staff Report 2006). The Sunset Advisory Staff Report (2006, 10) indicated the average daily cost to incarcerate a felon in 2005 was approximately \$40.00.

According to the Sunset Advisory Commission Staff Report (2006) for fiscal year 2004, the TDCJ was allotted approximately \$2.5 billion with approximately 80 percent to the TDCJ to incarcerate felons. The average daily cost of housing, supervising, and providing health care to an inmate in Texas in 2004 was \$40.06 per day (Sunset Advisory Commission Staff Report 2006).

The TDCJ Manufacturing and Logistics Annual Report for Fiscal 2006 reported the average daily cost to incarcerate a prisoner from September 1, 2005 to August 21, 2006 was approximately \$40.06 or \$14,621.90 yearly.

The Department of Justice (DOJ) Bureau of Statistics provides a 2001 special report detailing state prison expenditures. The DOJ (2004) reports the national average cost of housing an inmate in 2001 was approximately \$22,650 a year or \$62.05 a day. State prison expenditure cost per inmate in 2001 for the State of Texas was \$2,001 for medical care, \$638 for food service, and \$629 for utilities, totaling approximately \$13,808 per Texas inmate (DOJ 2004). The DOJ reported Texas was one of four states with the largest prison expenditures, totaling approximately \$2.3 billion (DOJ 2004). Additional operating expenditures in 2001 for the State of Texas included \$1,343,459 for

salaries, wages, and benefits, \$28,311 for construction, and \$16,629 for equipment (DOJ 2004).

The DOJ reported the cost of housing prisoners has steadily increased from 1986 to 2001. The Bureau of Statistics report for 2001 reported state spending expenditures for corrections rose from \$49 in 1986 to \$104 in 2001. State prison expenditures include operating costs, evaluation centers, classification procedures, and special needs facilities for the mentally impaired and substance abuse offenders.

Documents from the Sunset Advisory Commission, TDCJ, and DOJ provide a clear picture of the cost of operating a prison facility. These documents indicate it is costly to operate the TDCJ CI Division when compared to the national average. The operating cost of the Texas Prison System falls under the differentiated model which is noted in *Table 4.6*. The operating costs include prison staff, medical care, treatment, treatment programs, security operations, and maintenance which are all essential components of the CI Division.

Table 4.6: Prison System Model Results

Characteristics –Prison System Models 1.6 Operating Cost	Evidence	Model
1.6.1 Economical	Economical - No	Differentiated Model
1.6.2 Costly	Costly - Yes	

Client Careers Through the Prison System

A prisoner’s movement through the prison system includes where and with whom prisoners will be housed, as well as level of freedom and movement within the prison system. Prisoners are assigned to a prison unit after completing the intake and testing process, and once assigned, they will move through the prison system based on compliant

behavior or individual needs. The hierarchical model proposes prisoner movement within the prison system is based on compliant behavior, while the differentiated model proposes prisoner movement is based on individual need.

As previously indicated, once an offender enters the prison system he/she is received at a transfer facility, diagnostic facility, state jail intake facility, or Substance Abuse Felony Punishment Facility (SAFPF) and is processed into the prison system. Offenders are screened for immediate medical care needs, identified by fingerprint and photograph, and then undergo physical exams and mental health screenings, orientation, testing and assessment, and sociological screenings and interviews. The intake and screening procedure determines prison unit assignment.

The State Classification System (SCC) is comprised of prison staff that are responsible for assigning offenders to their units after they have completed the intake, interview, and testing process. The Unit Classification Committee (UCC) is comprised of prison staff that are responsible for determining and assigning offender custody/security level after an offender has been assigned to a unit. The UCC is responsible for determining level of supervision, job assignment, and living quarters within the prison (TDCJ Offender Orientation Handbook 2004, 6).

An offender's custody level is based on current institutional behavior, past institutional behavior, current offense, and length of sentence (TDCJ Offender Orientation Handbook 2004). The Inmate Handbook explains if an offender violates prison rules, he/she may be placed in more restrictive custody; however offenders may be housed in a less restrictive custody level if they are compliant with prison rules and regulations.

Documents reveal offenders are moved through the prison system based on both custody/security level and inmate needs. Client movement through the Texas Prison System falls under both the hierarchical and differentiated models as noted in *Table 4.7*. Offenders who are classified as dangerous are housed in administrative segregation or special management, while those needing minimal supervision are classified as general population level one. Offenders requiring special needs such as health care and treatment may be housed in a psychiatric facility, MROP facility, medical facility, or substance abuse facility.

Table 4.7: Prison System Model Results

Characteristics – Prison System Models 1.7 Client Careers Through System	Evidence	Model
1.7.1 Orderly Progression based on Conforming Behavior	Orderly Progression based on Conforming Behavior - Yes	Hierarchical and Differentiated Model
1.7.2 High Movement based on Individual Needs	High Movement Based on Individual Needs - Yes	

Interaction Among System Units

Prison units maintain a certain level of interaction with each other in order to communicate and coordinate the transfer of prisoners between prison units. Interaction among prison administrators occurs only through direct communication, in order to maintain care, custody, and control of the prisoner. The hierarchical model proposes communication among prison units is limited and solely based on security needs, while the differentiated model proposes communication among prison units as high and based on treatment programs and individual needs.

The TDCJ has several divisions and departments that fall under the Correctional Institutions (CI) Division. The CI Division's purpose is to provide safety and security to the community and to rehabilitate and reintegrate offenders into society. All prison units house multiple custody/security levels and provide different treatment programs. The State Classification Committee (SCC) and Unit Classification Committee (UCC) both determine unit assignment and custody/security level of offenders. The Inter-Unit Transfer Division transfers offenders from one unit to another based on departmental and offender needs (TDCJ Offender Orientation Handbook 2004).

The Inmate Handbook explains the warden and UCC head must initiate transfer requests. If transfers are approved, then the assigned unit will be informed of the transfer. Transfer requests for medical and education reasons must be made by Education Department and department heads (TDCJ Offender Orientation Handbook 2004). If requests for transfer are approved, then the unit receiving must be contacted regarding the transfer.

The Rehabilitation Reentry Programs Division was created in October, 1995 to coordinate activities between the divisions of the TDCJ and to ensure every division within the agency delivers services and programs in an efficient and consistent manner (TDCJ Rehabilitation and Reentry Programs Division Mission Statement 2008).

The Inmate Handbook and mission statement from the Rehabilitation and Reentry Programs Division clearly explains the process by which offenders are assigned to and transferred between units, with interaction among system units based on both security needs and treatment program needs. Because interaction is high among system units based on security needs and treatment needs, the TDCJ CI Division falls under both the

hierarchical and differentiated model. *Table 4.8* displays the results retrieved from documents. The purpose of the CI Division is to provide security and to rehabilitate and reintegrate offenders back into society.

Table 4.8: Prison System Model Results

Characteristics – Prison System Models 1.8 Interaction Among System Units	Evidence	Model
1.8.1 Highly Functional, Interdependent	Highly Functional – Yes Interdependent - No	Hierarchical and Differentiated Model
1.8.2 Division of Labor, Complementary of Specialized Resources	Division of Labor – Not Present Complementary of Specialized Resources - Present	

Central Authority

Prison administrators are responsible for the daily maintenance and operation of prison facilities. Prison administration coordinates the flow of inmates, the correctional staff, and the resources in the prison system (Steele and Jacobs 1975). When confronted with inmate disobedience and prison violations, prison administrators and supervisors can either take a reactive or proactive approach to address inmate noncompliance. The hierarchical model proposes taking a reactive approach to confront inmate noncompliance, while the differentiated model takes a proactive approach.

The Prison and Jail Operations Division falls under the CI Division and is responsible for the confinement and care; custody; and control of felony offenders. The CI Deputy Director is responsible for overseeing six regional directors who are responsible for managing the institutional prisons and state jails throughout Texas (TDCJ

CI Division Overview 2008). The Security Systems Division assists the CI Division with security, armory operations, and research and technology in order to operate safe and secure prisons (TDCJ Security Systems Division Mission Statement 2009). The Rehabilitation and Reentry Programs Division is responsible for ensuring programs and services are utilized in an efficient and consistent manner to benefit the offender.

When there are violations and infractions within the prison system, central authority will address the issue within 24-hours. The Disciplinary Rules and Procedures for Offenders Handbook explains the preliminary investigation report will be initiated within 24-hours of the time the violation is reported and will be completed without delay (TDCJ Disciplinary Rules and Procedures for Offenders Handbook 2005, 4). The Disciplinary Rules and Procedures Handbook explains the general procedures, identifies and classifies infractions as minor and major, and explains the hearing process.

The Disciplinary Rules and Procedures Handbook explain infractions are first handled informally by prison staff, when appropriate, to resolve the issue/problem. Informal resolution can involve counseling, verbal reprimand, or may require giving an instruction, warning, or order (TDCJ Disciplinary Rules and Procedures for Offenders Handbook 2005, 1). The Handbook further explains that, if prison staff cannot resolve the issue, then a supervising officer will attempt to resolve the issue informally using counseling or verbal reprimand. If the supervision officer cannot resolve the issue informally, then an offense report and preliminary investigation report will be completed (TDCJ Disciplinary Rules and Procedures for Offenders Handbook 2005, 1).

Unit assignment places offenders in the correct unit in compliance with assigned custody levels and an offender's personal needs. This process assists in providing

offenders with rehabilitation and reintegration into society, upon their release from prison.

Documents reveal that central authority is both proactive and reactive in regards to prison infractions and treatment, which follows both the hierarchical and differentiated models. A reactive approach occurs when addressing prison infractions immediately and/or within 24-hours of the offense. Central authority also takes a proactive approach by attempting to resolve the issue informally, if it is a minor infraction, and attempts to do so with the assistance of prison correctional officers and supervision officers.

A proactive approach addresses the personal needs of offenders and places them in the appropriate unit by custody level, as well as places them in the correct program to address medical and treatment needs. The CI Division's goal is to provide security and to rehabilitate offenders, before releasing them back into society. *Table 4.9* displays the results of the findings retrieved from documents.

Table 4.9: Prison System Model Results

Characteristics – Prison System Models		Evidence	Model
1.9 Central Authority			
1.9.1	Moderate-Reactive, Supplies Resources, Umpires Disputes Between Institutions	Reactive – Yes Supplies Resources – Yes Umpires Disputes Between Institutions - No	Hierarchical and Differentiated Model
1.9.2	Strong-Proactive, Diagnoses, Plans, Coordinates Resources	Proactive – Yes Diagnoses – Yes Plans and Coordinates Resources - Yes	

Group in Control

Group in control defines who is operating and managing the prison system. The prison system is comprised of prison administrators and front-line correctional officers, who physically maintain the care, custody, and control of prisoners. The prison system also employs psychologists, doctors, and social workers, who assist the prison staff by treating prisoners within the facility. The hierarchical model proposes the prison system is managed and operated solely by correctional staff, while the differentiated model proposes physicians and social workers operate and manage the prison system using treatment programs and providing services to prisoners.

The Texas Board of Criminal Justice (TBCJ) is comprised of nine non-salaried members, appointed by the Governor of Texas. The TBCJ selects an agency executive director to oversee the operation of the TDCJ. The TDCJ Executive Director is

responsible for administering and enforcing all laws relating to the agency (TDCJ Board Policy 2005, 1). The TDCJ Executive Director is responsible for administering, organizing, managing, and supervising the daily operations of the TDCJ (TDCJ Board Policy 2005, 2). The TDCJ Executive Director may to delegate authority to prison staff as he deems appropriate.

Delegation of authority within the prison system gives prison administration the power and authority to create policies, procedures, and regulations (TDCJ Board Policy 2005, 2). The agency has the authority to improve operations and make necessary changes, however cannot create and/or eliminate divisions within the agency.

Treatment specialists are contracted by the state to treat and rehabilitate offenders in order to re-integrate them back into society and reduce recidivism. Treatment specialists provide quality care and treatment to offenders through treatment programs and are responsible for monitoring an inmate's progression through the treatment programs. They are not responsible for, and do not have the power to prescribe policy, procedures, and/or regulations.

Documents reveal that prison administration and correctional staff are in control of the prison system, which follows the hierarchical model which is displayed in *Table 4.10*. The TDCJ Board Policy explains the process by which the TDCJ Executive Director is delegated the authority to manage the TDCJ. Each division and department within the TDCJ provides an explanation of its purpose through a mission statement and agency overview. *Appendix B* provides the TDCJ Organizational Structure and *Appendix C* provides the TDCJ CI Division Organizational Structure.

Table 4.10: Prison System Model Results

Characteristics – Prison System Models 1.10 Group in Control	Evidence	Model
1.10.1 Custody Staff (Military Model)	Custody Staff – Present	Hierarchical Model
1.10.2 Professionals, Psychologists, Doctors, Social Workers	Professionals, Psychologists, Doctors, Social Workers - Not Present	

Interest Group Philosophies

Different interest groups see the purpose and philosophy of the prison system differently. Interest groups and concerned citizens worried about criminal activity and who fear becoming victims of crime are either advocates for or opponents of punishment, and support of treatment as it pertains to criminals. These groups view the prison system as a punishment facility, treatment facility, or both.

The philosophy of retribution is based on the belief criminals should be punished for their crimes because they have violated the law, and that the punishment should fit the crime (Lab et al. 2004, 5). Deterrence as a philosophy proposes that punishing criminals will prevent future criminal behavior because the cost outweighs the benefit (Lab et al. 2004). The concept of rehabilitation advocates the treatment and reformation of criminals as opposed to the punishment of criminals (Lab et al. 2004). The idea behind this concept is that treatment and rehabilitation will reform criminals and prevent further criminal activity.

Interest groups comprised of law enforcement and legislators endorse a punitive philosophy, while reformers, ex-offenders, and specialized treatment facilitators endorse a treatment philosophy. The hierarchical model proposes the prison system as a form of

punishment in order to prevent future criminal activity, while the differentiated model proposes protecting prisoners' rights and treating the root cause of criminal behavior.

The mission of the TDCJ Correctional Institutions (CI) Division is to provide the safe and appropriate confinement and supervision of offenders, as well as the rehabilitation and reintegration of offenders back into society (TDCJ CI Division Mission Statement 2008). The goal is to improve public safety through effective intervention, with the assistance of the community.

The mission of the TDCJ is to provide public safety, promote positive change in offender behavior, reintegrate offenders back into society, and assist victims of crime (TDCJ Mission Statement Home Web Page 2008).

The TDCJ website states "The Department will be open, ethical, and accountable to our fellow citizens and work cooperatively with other public and private entities. We will foster a quality working environment free of bias and respectful of each individual. Our programs will provide a continuum of services consistent with contemporary standards to confine, supervise, and treat criminal offenders in an innovative, cost effective, and efficient manner" (TDCJ Success through Supervision 2007, 1).

The Administrative Review and Risk Management Division is responsible for monitoring each prison unit's compliance with TDCJ rules, regulations, policies, and practices (TDCJ Administrative Review and Risk Management Division Statement 2009). The primary focus of the Administrative Review and Risk Management Division is to provide public safety, ensure the humane treatment of adult offenders, and facilitate the effective operation of each prison unit.

Relevant documents reveal the philosophy of the TDCJ is to provide security to the public, to rehabilitate and reintegrate offenders back into society, and to ensure the humane treatment of offenders. This philosophy follows the differentiated model as noted in *Table 4.11*. The philosophy, goals, and mission statements of the TDCJ and each department and division within the TDJC clearly define their intended goals, purpose, and mission.

Table 4.11: Prison System Model Results

Characteristics – Prison System Models 1.11 Interest Group Philosophies	Evidence	Model
1.11.1 Police, District Attorneys, Legislators, Punitive Philosophy	Police – Not Present District Attorneys – Not Present Legislators – Not Present Punitive Philosophy – Not Present	Differentiated Model
1.11.2 Reformers, Ex-Offenders, Professional Associations, Humanitarian Philosophy	Reformers – Not Present Ex-Offenders – Not Present Professional Associations – Not Present Humanitarian Philosophy - Present	

Prison Management Models

Prison administrators are responsible for the operation of the prison system and ensuring prison policy and procedure in order to maintain security and control, as well as to carry out the mission of the prison system. Prison administrators must ensure proper

classification to provide safety within the prison facility, evaluate the needs of the prisoner and appropriate programming, and make sure correctional staff is properly trained (Levinson 1999).

The three prevailing prison management models - control, responsibility, and consensual - describe prison management within the prison system. The characteristics of these models include communication, personnel relationship, inmate-staff relationships, staff latitude, regimentation, sanctions, disruptive behavior, and decision-making. Listed below are the results from documentation used to determine which prison management model is being used to manage the Texas Prison System.

Communication

Communication is essential in the prison system. Prison administrators are responsible for forwarding directives, orders, and changes in policy and procedure to all prison staff, as well as prisoners. Any change in policy, procedure, and directive, must be forwarded to all prison staff in order for the prison to remain secure and prevent the possibility of prison violence. Prison policies, procedures, and directives must be clearly written and understood and forwarded to all prison staff. The control model proposes communication between prison staff be restricted to official channels via the chain of command, while the responsibility model proposes communication remain informal and move across levels of authority. The consensual model proposes communication remain both restricted and informal.

The TDCJ Correctional Institutions (CI) Division is organized via a chain of command beginning with the Texas Board of Criminal Justice (TBCJ) and the Deputy

Director of the TDCJ CI Division. The chain of command for both the TBCJ and TDCJ are articulated in the organizational charts in *Appendix B and Appendix C*.

The TDCJ “General Rules of Conduct and Disciplinary Action Guidelines for Employees” explains the agency’s expectations as it pertains to employee responsibility, corrective action, disciplinary action, and dismissal. The general rules of conduct for employees explain an employee is expected to obey any proper order issued by an authority. An employee is expected to comply with a verbal and/or written order issued directly through the employee’s chain of supervision regarding work-related issues that are in the best interest of the agency (TDCJ General Rules of Conduct and Disciplinary Action Guidelines for Employees 2009, 39). Failure to comply with a written or verbal order will result in disciplinary action.

The TDCJ “General Rules of Conduct and Disciplinary Action Guidelines for Employees” explains the agency requires employees to follow a chain of supervision to carry out orders, both verbal and in writing, as pertains to work-related issues and in the best interest of the agency and thus appears to fall under the control model as noted in *Table 4.12*.

Table 4.12: Prison Management Model Results

Characteristics – Prison Management Models		Evidence	Model
2.1 Communication			
2.1.1	Restricted to Official Channels via Chain of Command	Restricted to Chain of Command – Present	Control Model
2.1.2	Informal, Crosses Levels of Authority	Informal/Crosses Levels of Authority – Not Present	
2.1.3	Combination of Control and Responsibility Model	Restricted and Informal – Not Present	

Personnel Relationships

Personnel relationships among staff are essential- because it is prison staff who maintain the flow and daily routine of the prison and prisoners. Both prison administrators and front-line correctional officers must maintain some form of relationship with each other in order to ensure the mission and objectives of the agency. Front-line correctional officers either have a formal working relationship with prison administrators and staff, or an informal working relationship with prison administrators and staff.

The TDCJ “General Rules of Conduct and Disciplinary Action Guidelines for Employees” (2009, 39) explains the agency requires employees to maintain a considerate, cooperative, and cordial relationship toward their fellow employees. The general rules handbook explains that employees are prohibited from using profanity, abusive language, gestures, and slurs toward one another while on the job. The use of slurs, profanity and abusive language, as well as verbal and physical confrontation resulting in an altercation will result in disciplinary action. The General Rules of Conduct and Disciplinary Action Guidelines for Employees explain that prison staff are required to maintain a considerate, cooperative, and cordial relationship toward one another and falls under the responsibility model as noted in *Table 4.13*.

Table 4.13: Prison Management Model Results

Characteristics – Prison Management Models 2.2 Personnel Relationships	Evidence	Model
2.2.1 Formal, Professional Manner	Formal – No Professional Manner – No	Responsibility Model
2.2.2 Maintain Social Type Setting	Social Type Setting – Yes	
2.2.3 Combination of Control and Responsibility Model	Formal/Professional and Social Type Setting - No	

Inmate-Staff Relationships

Inmate-staff relationships describe the type of interaction that takes place between prison staff and prisoners. This is an essential component, because the type of interaction that occurs between prison staff and inmates can affect the safety and security of the prison facility, as well as that of the staff and prisoners. A relationship characterized by hostility and tension can result in aggressive behavior and riots within the facility. The control model proposes inmate-staff relationships are formal and professional, while the responsibility model proposes less formal relationships. The consensual model proposes inmate-staff relationships are both formal and informal.

The TDCJ Code of Ethical Conduct serves as a practical guide for all employees of the TDCJ and encourages a fundamental respect for the constitutional rights of all people (TDCJ Code of Ethical Conduct 2008). The Code of Ethical Conduct lists the responsibilities of an employee in detail. The Code of Ethical Conduct states employees shall: maintain high standards of honesty, integrity, and impartiality; uphold all federal, state and local laws and adhere to the agency’s policies, procedures, rules, and

regulations; and be firm, fair, and consistent in the performance of their duties, without retribution, retaliation, harassment, or abuse towards others (TDCJ Code of Ethical Conduct 2008).

The inmate handbook provides general rules to all offenders, and explains in detail how offenders are to address an employee or official. Offenders are required to stand with their arms at their side and address prison staff by mister, missus, the officer’s last name, or by the employee’s official title (TDCJ Offender Orientation Handbook 2004, 22). Offenders are required to show respect when speaking with employees, officials, visitors, and other offenders, and are required to answer “yes sir”, “no sir”, “yes ma’am”, or “no ma’am” (TDCJ Offender Orientation Handbook 2004, 22).

The TDCJ Inmate Handbook and TDCJ Code of Ethical Conduct maintain that inmate-staff relationships are formal and professional, and fall under the control model as noted in *Table 4.14*.

Table 4.14: Prison Management Model Results

Characteristics – Prison Management Models 2.3 Inmate-Staff Relationships	Evidence	Model
2.3.1 Formal, Professional Relationship	Formal – Yes Professional – Yes	Control Model
2.3.2 Less Formal	Informal – No	
2.3.3 Formal	Formal and Informal - No	

Staff Latitude

Prison staff must attend a correctional officer training academy in order to obtain the necessary knowledge, skills, and abilities needed to perform their job duties and to

carry out the mission, goals, and objectives of the TDCJ. Prison staff are provided with policies, procedures, and directives. Although prison staff are provided with training and written policy, their ability to make independent judgment calls and handle problems without reporting first to their supervisor is questionable. Staff latitude to perform job duties independent of supervisor approval is either minimal to restricted or there is discretion to make judgment calls. The control model proposes there is minimal to no latitude for staff to use independent judgment without supervisor approval. The responsibility model proposes staff has discretion to use judgment. The consensual model proposes discretion with fewer restrictions.

The Organizational Features Dimension of the SOE evaluates an employee's attitude toward change and goals, and their holographic perception of the agency (TDCJ SOE Organizational Features Dimension 2008). The holographic perception of consistency is the degree to which all actions of the organization "hang together" and are understood by all employees (TDCJ SOE Organizational Features Dimension 2008). The organizational dimension measures the degree to which administrators give employees authority to make decisions (TDCJ SOE Organizational Features Dimension 2008).

Results from the SOE in 2008 show 2.86% of employees believe staff latitude is low. The SOE reveals prison staff have minimal to no latitude to perform their job independent of supervisor approval, although the staff are doing the actual work. The SOE indicates staff latitude falls under the control model as noted in *Table 4.15*.

Table 4.15: Prison Management Model Results

Characteristics – Prison Management Models 2.4 Staff Latitude	Evidence	Model
2.4.1 Minimal to No Latitude	Minimal to No Latitude - Average Mean = 2.86 (Low)	Control Model
2.4.2 Discretion to Use Judgment		
2.4.3 Discretion to Use Judgment, Less Restrictions		

Regimentation

The prison system is an agency comprised of checks and balances to ensure prison security is maintained and personnel and prisoners are safe and secure. Each facility has a schedule for prison staff, as well as for prisoners. Prisoners follow a schedule from the time they wake up to the time they go to sleep. Prison staff follow a regimen from the time they walk through the prison gates until they leave. Prison staff are assigned working hours and work areas when they report for duty. Under the control model, a prison follows a strict routine, while the responsibility model allows greater freedom in compliance with security. The consensual model follows strict procedures to control inmate activity with some leniency.

The TDCJ Inmate Handbook provides prisoners with the general rules and guidelines as they pertain to inmate standards of conduct and behavior, their rights as a prisoner, receiving medical care, and grievance procedures. In addition, the handbook provides a detailed regimen for offenders as pertains to visitation, clothing and necessitates, linens, the dining hall, shower rules, dayroom rules, commissary rules, and access to the courts, counsel, and law library.

For example, offenders are provided with three meals a day and are given approximately 20 minutes to eat their meal once they enter the dining room (TDCJ Offender Orientation Handbook 2004, 14). Offenders are required to wear and dress appropriately when leaving their living area. The Inmate Handbook states offender's pant legs may not be rolled up or tucked inside socks or footwear and pants cannot be worn below waist level (TDCJ Offender Orientation Handbook 2004, 11). Offenders are provided with a clean shower towel approximately three times a week and that towel must be traded in at least once a week (TDCJ Offender Orientation Handbook 2004).

Another example of inmate rules and guidelines includes the use of the law library and visitation. Prisoners are offered access to the law library a minimum of 10 hours per week during posted hours. Offenders are also offered one hour of access to the law library on the weekend. The Inmate Handbook provides the general rules and hours for visitation, which are on Saturday and Sunday from 8:00 a.m. to 5:00 p.m. (TDCJ Offender Orientation Handbook 2004)

The TDCJ Inmate Handbook requires prisoners follow a regimented schedule from the time they get up in the morning to the time lights go out. TDCJ prisoner regimentation falls under the control model.

A correctional officer is required to follow a card scheduling system, which utilizes a seven-day, eight-day, or nine-day work cycle (TDCJ Human Resources Employee Manual 2004, 4). The card schedule is utilized to ensure maximum manpower and availability (TDCJ Human Resources Employee Manual 2004, 4). The TDCJ Human Resources Manual notes officers are not authorized to take a break from regularly scheduled duty assignment in order to obtain a meal and may not take an extended lunch

hour or leave work early in lieu of a convenience break (TDCJ Human Resources Employee Manual 2004, 7). The manual explains that convenience breaks are not an entitlement and a supervisor may use discretion in granting up to two 15-minute convenience breaks.

The TDCJ Human Resources Employee Manual indicates a correctional officer’s work regiment is strict and structured, and falls under the control model as noted in *Table 4.16*. Listed above are some of the examples from the TDCJ Human Resources Manual which explain policies and procedures staff must follow in order to comply with the daily operation of the TDCJ CI Division.

Table 4.16: Prison Management Model Results

Characteristics – Prison Management Models 2.5 Regimentation	Evidence	Model
2.5.1 Strict Routine	Strict Routine – Present	Control Model
2.5.2 Greater Freedom in Compliance with Security	Greater Freedom in Compliance with Security – Not Present	
2.5.3 Strict Procedures to Control Inmate Activity	Strict Procedures to Control Inmate Activity – Not Present	

Sanctions

Sanctions are the formal actions prison staff and administrators take when prisoners violate rules and regulations. Sanctions can either be formal, which result in loss of privileges and placement in segregation, or informal which result in verbal warnings and counseling by prison staff. Under the control model, violations of prison rules and regulations call for swift punishment in order to maintain the status quo. The

responsibility model proposes no formal action for every violation while the consensual model proposes addressing infractions firmly to address and prevent further disruptive behavior.

The TDCJ Correctional Institutions (CI) Division, Disciplinary Rules and Procedures for Offenders Handbook, provides offenders with detailed procedures regarding disciplinary rules and regulations. The handbook clearly warns prisoners they must obey the rules and regulations of the TDCJ. The handbook further warns prisoners that violations will result in punishment, even progressive punishment.

The general procedures in the handbook explain that all infractions witnessed by TDCJ employees will be handled informally, depending on the infraction. A TDCJ employee will handle the infraction informally through counseling, verbal reprimand, or by instruction, warning, or order (TDCJ Disciplinary Rules and Procedures for Offenders Handbook 2005, 1). Infractions that pose a risk to the security of the institution may not be handled informally (TDCJ Disciplinary Rules and Procedures for Offenders Handbook 2005).

The handbook explains if an employee cannot resolve the problem informally, the supervising officer on duty will attempt to resolve the problem informally via counseling or verbal reprimand. If the supervising officer on duty cannot informally resolve the problem, an offense report and a preliminary investigation report will be completed (TDCJ Disciplinary Rules and Procedures for Offenders Handbook 2005). A supervisor will review the report to determine whether or not further informal resolution is warranted.

The TDCJ Disciplinary Rules and Regulations and Procedures for Offenders Handbook reveals infractions and violations within the TDCJ CI Division are first handled informally by the correctional officer witnessing the infraction through counseling, verbal reprimand, warning, or order. The handbook further reveals the supervising officer on duty then attempts to informally resolve the problem. If an infraction poses a risk to the security of the institution, it will be addressed formally. Based on documents retrieved from the TDCJ, sanctions within the TDCJ CI Division fall under the responsibility model as noted in *Table 4.17*.

Table 4.17: Prison Management Model Results

Characteristics – Prison Management Models 2.6 Sanctions	Evidence	Model
2.6.1 Swift Punishment (Maintain Status Quo)	Swift Punishment /Formal – Not Present	Responsibility Model
2.6.2 No Formal Action on every Violation	Informal – Present	
2.6.3 Firm in addressing Disruptive Behavior	Formal and Informal – Not Present	

Disruptive Behavior

Disruptive behavior behind prison walls threaten the security of the prison and the safety of both prisoners and staff. Prison administrators and staff take the necessary precautions to address disruptive behavior immediately to prevent further disruption. The control model proposes swift, immediate action to end the disruptive behavior. Under the responsibility model, disruptive behavior is addressed through negotiations with prisoners, while the consensual model addresses disruptive behavior firmly through warning.

The Disciplinary Rules and Procedures Handbook explains that any witnessed violation and/or knowledge of a violation will be resolved informally by prison staff (TDCJ Disciplinary Rules and Procedures for Offenders Handbook 2005). The handbook further explains the supervising officer on duty will attempt to informally resolve the problem if it cannot be resolved by the officer. If the problem cannot be resolved informally, a preliminary investigation report will be completed within 24-hours of the violation (TDCJ Disciplinary Rules and Procedures for Offenders Handbook 2005, 4). The handbook explains that all infractions will be addressed informally when appropriate; however infractions that pose a risk to the security of the institution will be handled formally.

Because prison staff first attempt to verbally counsel and warn inmates of disruptive behavior to prevent filing a written formal complaint, and based on the Disciplinary Rules and Procedures Handbook, the corrective action taken to address disruptive behavior falls under the responsibility model as noted in *Table 4.18*.

Table 4.18: Prison Management Model Results

Characteristics – Prison Management Models 2.7 Disruptive Behavior	Evidence	Model
2.7.1 Official Counterforce	Official Counterforce – Not Present	Responsibility Model
2.7.2 Negotiate Sanctions with Inmates	Negotiate Sanctions with Inmates – Present	
2.7.3 Firm in addressing Disruptive Behavior	Firm in addressing Disruptive Behavior – Not Present	

Decision-Making

The decision-making process encompasses decisions that are made which affect both prison staff and inmates. The decision-making process is a means for prison administration to maintain control. Administrative decisions can affect a prisoners' constitutional rights. Under the control model, there is no prisoner involvement in the decision-making process. The responsibility model allows prisoner involvement in the decision-making process, while the consensual model allows prisoners some involvement in the decision-making process, with exception of disciplinary hearings.

The Texas Board of Criminal Justice (TBCJ) Board Policy delegates authority to the Executive Director of the TDCJ to administer and enforce all laws pertaining to the TDCJ (TDCJ Board Policy 2005, 1). The TDCJ Executive Director has the authority develop and implement policies that guide the operation of the prison (TDCJ Board Policy 2005).The Executive Director has the authority to administer, organize, manage, and supervise the daily operations of the TDCJ and may delegate authority to department heads as appropriate (TDCJ Board Policy 2005, 2).

The Deputy Director of Prison and Jail Operations, a division of the Correctional Institutions Division, is responsible for managing six regional directors assigned to each of six designated prison regions in the State of Texas. The regional directors are responsible for managing each prison unit within their region, which is comprised of twelve to seventeen prison facilities per region (TDCJ CI Division Overview 2008). Each unit has a regional director, an assistant regional director, a senior warden, a lieutenant, a captain, a sergeant, a corporal, and a number of front-line correctional officers.

The introduction to the Inmate Orientation Handbook explains all offenders are responsible for understanding and abiding by the rules, regulations, and policies detailed in the handbook, as well as other policies and procedures posted in their assigned facility (TDCJ Offender Orientation Handbook 2004).

The TDCJ has an Offender Grievance Program which is a means to solve problems between staff and offenders, to protect the rights of offenders, and a means of offering a less formal alternative to litigation (TDCJ Offender Grievance Pamphlet 2007). Offenders may file a grievance regarding the following issues: TDCJ policies and procedures; actions of an employee or another offender; harassment and/or retaliation for use of the grievance procedure or access to courts; loss or damage of personal property by the TDCJ; and basic care over which the TDCJ has control over (TDCJ Offender Grievance Pamphlet 2007). Offenders cannot file grievances regarding the following issues: state or federal laws, parole decisions, time-served credit disputes, matters for which other formal appeal mechanisms exist, or any matter beyond the control of the TDCJ (TDCJ Offender Grievance Pamphlet 2007).

The TDCJ Board Policy in combination with the Offender Grievance Pamphlet, CI Division Overview, and Offender Orientation Handbook, allow little offender involvement in the decision-making and falls under the control model as noted in *Table 4.19*. Although the Offender Grievance Program is available to prisoners, they have a list of issues about which they can and cannot grieve. The TDCJ Board Policy states it is the Executive Director who has the authority develop and implement policies that guide the operation of the prison.

Table 4.19: Prison Management Model Results

Characteristics – Prison Management Models 2.8 Decision-Making	Evidence	Model
2.8.1 No Prisoner Involvement	No Prisoner Involvement – Present	Control Model
2.8.2 Prisoner Involvement	Prisoner Involvement – Not Present	
2.8.3 Combination of Control and Responsibility Model	No Prisoner Involvement/Prisoner Involvement – Not Present	

Summary of the Results

This chapter summarizes the results from the study. The findings of this study show the Texas Prison System shares characteristics with both the hierarchical and differentiated model. This study finds Texas Prison Management shares characteristics from the control and responsibility model. The results do not definitively indicate what prison system model the TDCJ uses to operate the Texas Prison System and which prison management model the Texas Prison System is using to manage the Texas Prison System. The results show the Texas Prison System shares characteristics from the hierarchical and differentiated models, as well as the control and responsibility models operating and managing the Texas Prison System. *Table 4.20* illustrates the categories and summary of results used to determine which prison system model the TDCJ CI Division uses to operate the Texas Prison System. *Table 4.21* illustrates the categories and summary of results used to determine which prison management model the TDCJ CI Division uses to operate and manage the Texas Prison System.

Table 4:20: Summary of Results: Prison Models– Document Analysis

Categories - Prison Models	Hierarchical Model	Differentiated Model
1.1 Assumptions About Criminals 1.1.1 Free Will, Utilitarianism, Deterrence 1.1.2 Determinism, Treatment Oriented	No	Yes
1.2 Individual Institutions 1.2.1 Level of Security 1.2.2 Differentiated Specialized Professionalized Program	Yes	Yes
1.3 System Goals 1.3.1 Security, Highly Visible Punishment, Internal Order, No Escapes 1.3.2 Optimal Utilization of Resources	Yes	Yes
1.4 System Means 1.4.1 Threat and Incentive, Inmate Transfer within Institutions 1.4.2 Concentration and Coordination of Professional Resources	Yes	No
1.5 Resource Allocation 1.5.1 Hardware and Custodial Staff Emphasized, Programs De-emphasized 1.5.2 Professionals and Specialists Emphasized, No duplication of Services	Yes	Yes
1.6 Operating Cost 1.6.1 Economical 1.6.2 Costly	No	Yes
1.7 Client Careers Through System 1.7.1 Orderly Progression based on Conforming Behavior 1.7.2 High Movement based on Individual Needs	Yes	Yes

Table 4.20: Continued

Categories – Prison Models	Hierarchical Model	Differentiated Model
1.8 Interaction Among System Units 1.8.1 Highly Functional, Interdependent 1.8.2 Division of Labor, Complementary of Specialized Resources	Yes	Yes
1.9 Central Authority 1.9.1 Moderate-Reactive, Supplies Resources, Umpires Disputes Between Institutions 1.9.2 Strong-Proactive, Diagnoses, Plans, Coordinates Resources	Yes	Yes
1.10 Group in Control 1.10.1 Custody Staff (Military Model) 1.10.2 Professionals, Psychologists, Doctors, Social Workers	Yes	No
1.11 Interest Group Philosophies 1.11.1 Police, District Attorneys, Legislators, Punitive Philosophy 1.11.2 Reformers, Ex-Offenders, Professional Associates, Humanitarian Philosophy	No	Yes

Table 4.21: Summary of Results: Prison Management Models – Document Analysis

Categories – Prison Management Models	Control Model	Responsibility Model	Consensual Model
2.1 Communication			
2.1.1 Restricted to Officials via Chain of Command			
2.1.2 Informal, Crosses Levels of Authority	Yes	No	No
2.1.3 Combination of the Control and Responsibility Model			
2.2 Personnel Relationships			
2.2.1 Formal, Professional Manner			
2.2.2 Maintain Social Type Setting	No	Yes	No
2.2.3 Combination of Control and Responsibility Model			
2.3 Inmate-Staff Relationships			
2.3.1 Formal, Professional Relationship	Yes	No	No
2.3.2 Less Formal			
2.3.3 Formal			
2.4 Staff Latitude			
2.4.1 Minimal to No Latitude			
2.4.2 Discretion to Use Judgment	Yes	No	No
2.4.3 Discretion to Use Judgment, Less Restrictions			

Table 4.21: Continued

Categories – Prison Management Model	Control Model	Responsibility Model	Consensual Model
2.5 Regimentation			
2.5.1 Strict Routine			
2.5.2 Greater Freedom in Compliance with Security	Yes	No	No
2.5.3 Strict Procedures to Control Inmate Activity			
2.6 Sanctions			
2.6.1 Swift Punishment (Maintain Status Quo)			
2.6.2 No Formal Action, on every Violation	No	Yes	No
2.6.3 Firm in addressing Disruptive Behavior			
2.7 Disruptive Behavior			
2.7.1 Official Counterforce			
2.7.2 Negotiate Sanctions with Inmates	No	Yes	No
2.7.3 Firm in addressing Disruptive Behavior			
2.8 Decision-Making			
2.8.1 No Prisoner Involvement			
2.8.2 Prisoner Involvement	Yes	No	No
2.8.3 Combination of Control and Responsibility Model			

Chapter 5

Conclusion and Recommendations

Chapter Purpose

This chapter provides a summary of the research findings obtained from documents used to assess and determine which prison system model and prison management model the TDCJ utilizes to operate and manage the Texas Prison System. This chapter presents conclusions from the research and makes recommendations for future research as pertains to the Texas Prison System.

The first chapter of this research study introduced the research topic. Chapter two reviewed scholarly literature identifying the two prevailing prison system models and three prison management models, and provided an overview of the early prison systems, United States Prison System, Prison Reform Movement, and the Prison Litigation Reform Act. Chapter three presented the research methodology used to assess and determine which prison system model the Texas Prison System uses to operate its prison system and which prison management model it uses to manage and supervise the Texas Prison System. Chapter four presents the results of the research study.

Prison System Models

The research conducted through document analysis produced mixed results. The research showed the TDCJ shares characteristics of both the hierarchical and differentiated prison model in some areas. The TDCJ CI Division falls under the hierarchical model as pertains to system goals, system means, and group in control and under the differentiated model as pertains to assumption about criminals, operating cost, and interest group philosophies. The CI Division shares characteristics from both the hierarchical and differentiated model as pertains to individual institutions, client careers

through the system, resource allocation, interaction among system units, and central authority. Documents do not identify one particular model used to operate the Texas Prison System, however the primary function of the Texas Prison System is to rehabilitate and reintegrate offenders back into society as productive citizens as stated via the TDCJ mission statement, TDCJ CI Division mission statement, and division overviews and mission statements. Each mission statement clearly states their intended goals and re-iterates its primary goal as previously stated is to rehabilitate and reintegrate offenders back into society which falls under the differentiated model. The Texas Prison System appears to fall under the differentiated model based on the research and documents retrieved.

Prison Management Models

The research conducted through document analysis provides mixed results. The research shows the TDCJ shares characteristics from the control and responsibility models. The TDCJ prison management falls under the control model as pertains to communication, inmate-staff relationships, staff latitude, regimentation, and decision-making, and under the responsibility model as pertains to personnel relationships, sanctions, and disruptive behavior. Documents do not identify a particular model used to manage the Texas Prison System, however the research points in the direction of the control model. Texas Prison Administrators appear to run a militaristic style prison system with correctional staff in control of inmates and strict control measures to ensure the prison is secured from escapes and control remains in the hands of prison administrators. The Texas Prison System is managed under the control model which

strives to maintain internal control of the prison system through prison policy and procedure in order to achieve the intended goals and objectives of the TDCJ CI Division.

Recommendations for Future Research and Conclusion

The research in this study was limited in scope due to the limits of document analysis as the only research method. The research provided validity due to stability, broad coverage, and exactness as pertains to the documentation retrieved to conduct the research study, however the conclusions lack reliability. The study did not use a survey questionnaire, structured interview, or direct observation to conduct the research study. Permission was requested from the TDCJ to administer two survey questionnaires to all prison wardens in the State of Texas following TDCJ protocol; however the request was denied. *Appendix D* contains a copy of the denial letter from the TDCJ. It appears the official explanation for the denial was based on the agency's assumption that "to conduct a survey based on personal philosophy of any individual would not be considered a benefit to the agency". However under the promise of confidentiality, the primary reasons the request was denied was due to the nature of the Applied Research Project and the political implications to the TDCJ, concerns over what type of responses would be provided by the prison wardens, and concerns over what would be written and concluded from the questionnaires.

Future research studies should utilize more than one research method and should use triangulation to collect evidence from multiple sources, in order to establish reliability and validity. Future studies may use methods such as survey questionnaires, archival records/data, and structured interviews to augment the document analysis.

The State of Texas is widely known for its tough stance on crime and its fierce stance on punishing the guilty. For years, Texas has been known for its quick shoot from the hip decision to sentence the convicted to death and long prison sentences due to the old philosophy of punishment. However, the Texas Prison System's current goals and objectives are to rehabilitate and reintegrate offenders back into society as productive citizens. The research now points in the direction of rehabilitation and reintegration as opposed to punishment. The attitude of the State of Texas appears to have drastically changed from punishment to treatment as a means of reducing recidivism as opposed to locking the door and throwing away the key.

The Texas Prison System is a complex political machine that requires future research because it is vital and essential to the community. The TDCJ houses felony prisoners and taxpayer money builds, maintains, and houses inmates throughout Texas. Since prisons are vital to the community, further research is needed to determine how well the TDCJ is managing and operating the Texas Prison System.

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Appendix A

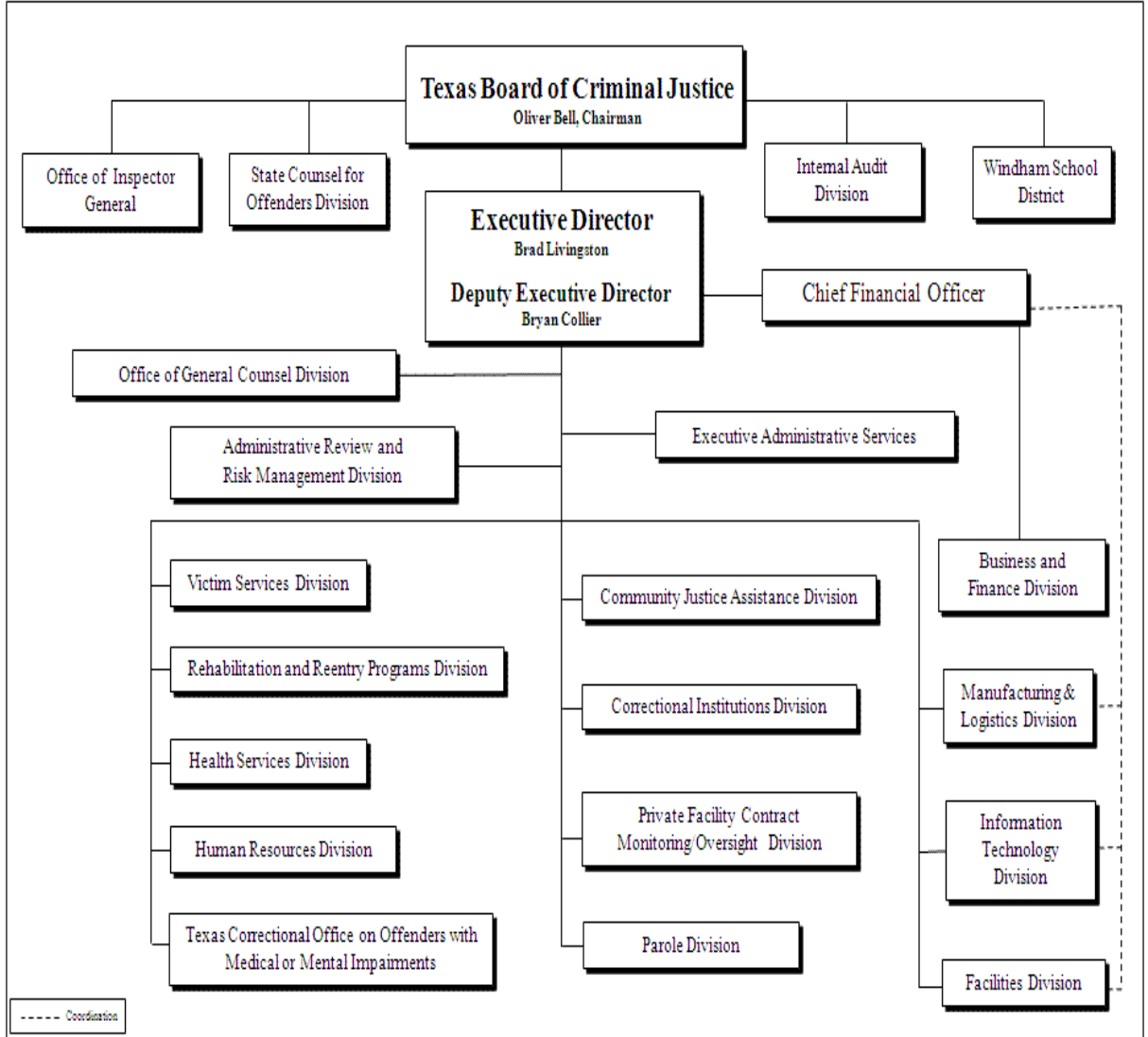
Texas Department of Criminal Justice



Source: Texas Department of Criminal Justice

Appendix B

TEXAS DEPARTMENT OF CRIMINAL JUSTICE ORGANIZATIONAL STRUCTURE

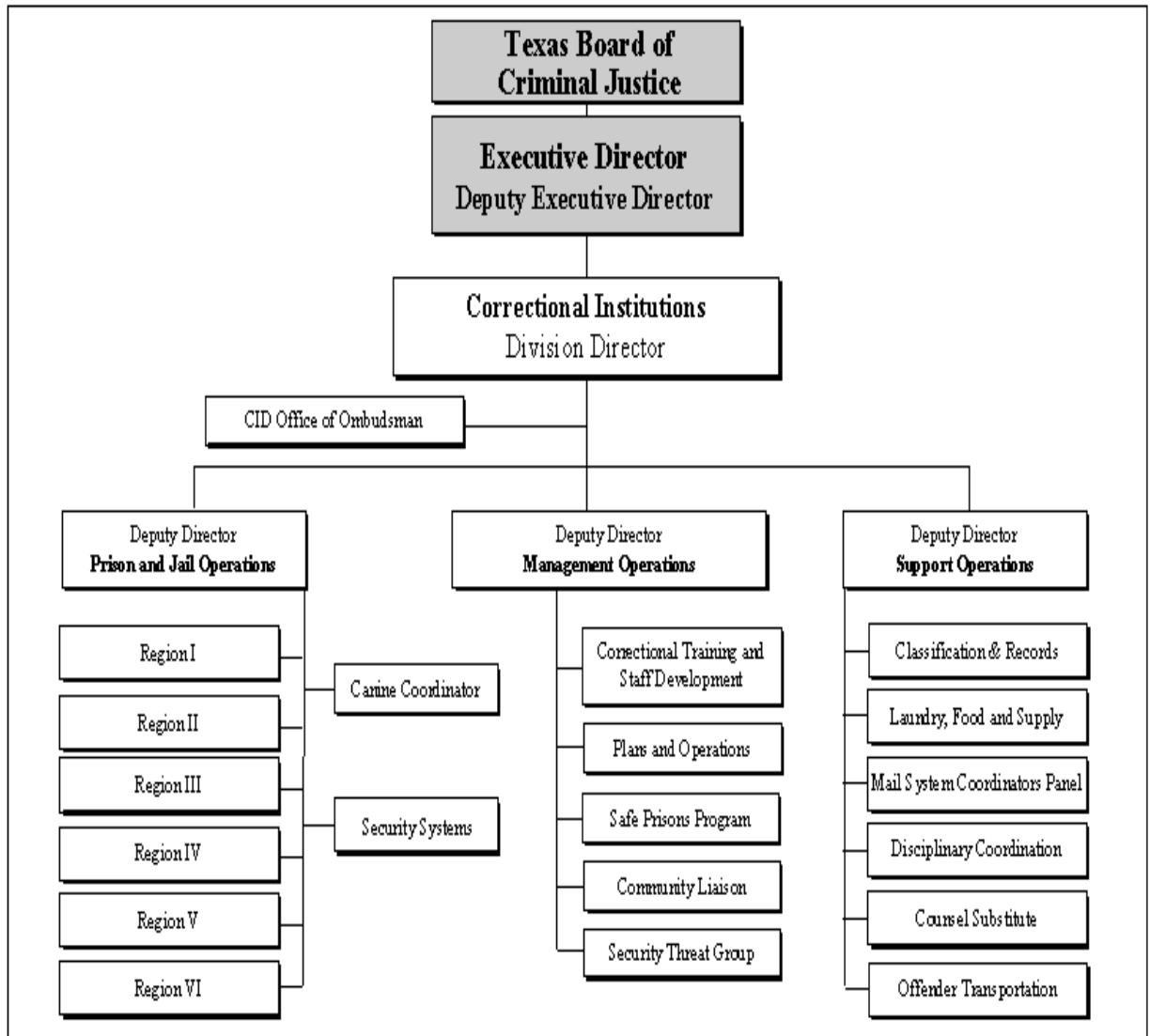


Prepared by Executive Services. Current as of April 2008.

Source: Texas Department of Criminal Justice

Appendix C

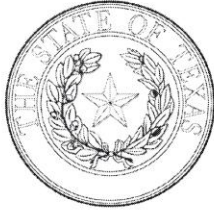
TEXAS DEPARTMENT OF CRIMINAL JUSTICE
ORGANIZATIONAL STRUCTURE
Correctional Institutions Division



Prepared by Executive Services. Current as of September 2007.

Source: Texas Department of Criminal Justice

Appendix D



Texas Department of Criminal Justice

Brad Livingston
Executive Director

May 29, 2009

Ms. Gevana Salinas
P.O. Box 395
Martindale, TX 78655

Dear Ms. Salinas:

The Texas Department of Criminal Justice (TDCJ) staff has reviewed your application to conduct research entitled, "*Characteristics of a Prison System and Prison Management Model in Texas*". Unfortunately, at this time, we are unable to process your application.

Prison system operations and policies of the TDCJ are in direct response to the Texas Legislature and appropriations. Our mission is actually part of the Texas Government Code:

Sec. 493.001: "The mission of the department is to provide public safety, promote positive change in offender behavior, reintegrate offenders into society, and assist victims of crime."

The TDCJ website offers extensive information on strategic planning and operational policies to better assist you in completing your project. To conduct a survey based on the personal philosophy of any individual would not be considered a benefit to our agency.

It is the goal of the agency to support research proposals that are mutually beneficial to both the researcher and the agency. The TDCJ hopes that this decision will not discourage you from submitting a future request. If you require additional assistance, please contact Susan DeBose at (936) 437-8972.

Sincerely,

A handwritten signature in cursive script that reads "Karen Hall".

Karen Hall, Manager II
TDCJ – Executive Support

TDCJ – Executive Support
861-A I.H. 45 North
Huntsville, Texas 77320
www.tdcj.state.tx.us

Source: Texas Department of Criminal Justice

