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THE SIZE OF PENAL INSTITUTIONS

IN CANADA:

THE FACTS BEHIND THE FIGURES

BY

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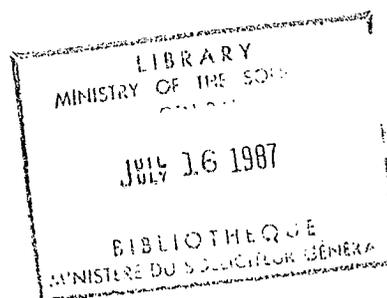


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THE SIZE OF PENAL INSTITUTIONS IN
CANADA: THE FACTS BEHIND THE FIGURES

Proponents of small prisons in Canada have argued that large institutions (400-450 inmates) prevent the achievement of rehabilitative goals, exacerbate staff-inmate relationships and undermine the prison security system. Such thinking has been characterized primarily by unsubstantiated generalizations regarding the "presumed benefits" of small prisons and a conspicuous lack of empirical research. In brief, these arguments can be summarized as follows: Small prisons are believed to be more "effective" than large prisons in: (1) eliminating the negative effects of the traditional inmate sub-culture (2) promoting positive interaction among staff and inmates; (3) reducing the frequency of prison disturbances and, (4) in classifying, diagnosing and rehabilitating inmates.¹

This paper challenges the basis of these assumptions and seriously questions the validity of the argument that prisons with 150 inmates achieve the aims of the penal system more effectively than institutions with inmate populations three times that size.

A. PENAL PHILOSOPHIES AND PRISON SIZE

The architectural design and size of penal institutions has always played a dominant role in the history of corrections. The founding fathers of imprisonment in the United States were as equally concerned with the structural size and design of the penitentiary as they were with their penal philosophy.² With few architectural models to imitate, our penological predecessors turned to the factory and military organization for their inspiration. The huge factory furnished ideas for structural size and design while military life helped fashion the strict discipline and regimentation which later characterized the prisoner's life.

It is significant that the size and design of prisons has varied according to the prevailing philosophy for dealing with offenders. As attitudes to offenders fluctuated, the concept of prison design was usually altered to reflect these differences. In this regard, the role of religion had a singularly influential effect on the Canadian and American penal system. This was due largely to the fact that the pioneers of the penitentiary system were members of a strong religious sect known

as the Quakers, whose adherence to specific religious practices and beliefs carried over to the prison environment. For example, in the United States, two separate and competing models of imprisonment emerged. The first, known as the Pennsylvania system, was exemplified by the Western State Penitentiary at Pittsburg which opened in 1828. Under this regime, which was predicated on a system of continuous cellular confinement, inmates were expected to atone for their wrongdoing through religious study and self-reflection. All work within the institution was largely menial labour designed to facilitate the inmates psychological and spiritual reformation.³

The alternative model, called the Auburn prison system, confined inmates in the evening but allowed them to work together in an atmosphere of enforced silence during the day. The main advantage of the Auburn method was economic, as congregate inmate labour could be productively utilized to minimize costs and, it was for this reason, that the Auburn system eventually became the architectural prototype for future prison construction in the United States.⁴

The establishment of Kingston Penitentiary in 1835 by the Province of Upper Canada reflected the impact of the Auburn model on prison construction in Canada. As the Commissioner of Penitentiaries observed, in his Annual Report (1965):

"Kingston Penitentiary and its regulatory system became the physical and operational prototype for every Canadian Penitentiary that was built during the ensuing century. So thoroughly did the pattern of its strong walls, bars, dome, Towers and rigid discipline become accepted over the decades as the concept of what any penitentiary ought to be, that there was rarely any serious question of possible alternatives."⁵

At this time in Canada's penal history, prison reform was far removed from the minds of prison officials and the prevailing policy was simply to warehouse the inmate population. Hard labour, corporal punishment and industrial output best describes the life of inmate prisons in Canada up to the early part of the twentieth century. This state of affairs persisted until 1936 when the treatment and rehabilitation of offenders made its debut in the Canadian prison system.

The historical background behind the recent debates on the capacity of institutions was greatly influenced by the publication of seven major reports

on the Canadian Penal System between 1936 - 1977. These included reports by the Archambault Commission 1938, the Fauteux Committee 1956, the Correctional Planning Committee 1961, the Canadian Committee on Corrections 1969, the Mohr Committee 1971, the Faguy report (Canadian Penitentiary Service five-year construction program 1974) and the Report of the Parliamentary Sub-Committee in 1977.

The transition in penal philosophy from punishment to rehabilitation was given substantial emphasis by each of these committees. Although the optimal size of institutions was not a major concern to them, their various recommendations have had a profound impact on the size, design and cost of prisons in Canada. In order to appreciate the effects of this changing penal philosophy on prison construction, it is necessary to review the various correctional reports dealing with imprisonment before analyzing the facts behind the figures which have dominated discussions on the future capacity of penal institutions in Canada.

B. THE INFLUENCE OF GOVERNMENT COMMITTEES

1. Archambault Commission

The Federal Government appointed the Archambault Commission to undertake a thorough investigation of the Canadian prison system in 1936.⁶ At that time, the smallest institution in Canada was Collins Bay with 286 inmates, while St. Vincent de Paul was the largest with a population capacity of 1162. Although the Commission focused on prison conditions they did not spell out specific blueprints with respect to the renovation of existing institutions or the construction of alternative facilities.

Prior to the publication of the Archambault Commission's report the notion of treatment was largely unknown in Canadian penitentiaries. Inmates were simply warehoused in a work oriented environment. With the advent of the Archambault Commission however, the rehabilitation of offenders emerged for the first time as a penal objective. The Commission advocated the establishment of effective procedures for classifying offenders and called for the development of suitable after-care arrangements for men released from prison. These proposals undoubtedly helped to set the tone of correctional reform in Canada in future years.

2. Fauteux Report

The Canadian Government's concern with penal reform was evident again when the Fauteux Committee was set up to examine the Remission Service of the Department of Justice (1953).⁷ Although the Committee was principally concerned with parole, its mandate also extended into the area of correctional reform. The emphasis on the treatment and rehabilitation of offenders by the Fauteux Committee, helped to set the stage for arguments favourable to the construction of smaller institutions. Faced with a burgeoning prison population and escalating pressures on penal administrators, the Committee recognized the urgent need for building a variety of alternative facilities:

"We emphasize the acute situation that exists at the present time and the necessity therefore, of more institutions and institutions of a more varied character. We suggest that in extending the federal penitentiary system careful consideration should be given to the desirability of establishing, on a medium security basis, such further institutions as may be required in order to provide a much more adequate opportunity for classification, segregation and treatment. We understand that the Department of Justice is at present considering proposals of this nature. We feel that there is an urgent necessity to implement them."⁸

The Fauteux Committee also appreciated the difficulties of administering treatment programs in maximum security institutions which had already exceeded their population capacity:

"It must be said, however, that generally speaking, facilities for segregation of the present population into groups suitable for varied treatments, even within the maximum security institutions, are far from adequate. Too much time and attention of the institutional staff is required to be given to that small fraction of the population of such institution which needs maximum custodial supervision. By the same token, this means that the total regimen of the prison suffers and a "desirable program of a rehabilitative nature" is in most instances, almost impossible. (emphasis my own)⁹

The Committee's belief that smaller institutions would be more effective in achieving the goal of reformation is evident in their observations on the Women's Prison at Kingston which provided accommodation for 100 inmates. As they stated:

"It appears to us, however, that this institution, with a relatively small and comparatively static population, is precisely the kind of institution where the various forms of treatment mentioned above could most readily be carried out."¹⁰

Adherence to rehabilitation as a penal objective appears to be the broadly based rationale behind the Committee's proposal to construct "small, open, minimum security institutions." The Committee argued that large prisons with over 600 inmates placed considerable restraints on treatment programs. As the Committee emphasized:

"It is also recognized that individualized treatment is a fundamental principle in any modern prison system and that institutions should therefore be limited in size and population. We cannot condemn too strongly the apparent tendency of many institutions to increase in size indefinitely. It is our opinion that no penal institution of whatever type, should contain more than six hundred inmates."¹¹

3. Correctional Planning Committee

The report of the Fauteux Committee in 1956 was followed by a study prepared by the Correctional Planning Committee of the Department of Justice (1960).¹² In 1932 the average prison population in Canada was 449 inmates. In 1956 this figure was approximately 682. By 1960 the antiquated prison facilities and increased overcrowding reached such an acute level the Federal Government embarked on a ten-year prison construction program.

Aside from endorsing the key recommendations enunciated by both Archambault and Fauteux the Correctional Planning Committee made several proposals on the various types, locations, sizes and designs of future penitentiaries. The Committee held the view that treatment programs could not be implemented successfully in old fortress-like institutions that were not initially designed for rehabilitating inmates. This concern was reflected in their proposed ten-year construction program. As the Committee stated:

"Institutions should be designed so that, within them, programs involving different types of training and treatment can be carried on. Most of Canada's Penitentiaries have been designed to stand for hundreds of years. They were suitable for the penological programs of one hundred years ago, but they are not suited to modern programs of treatment and training. They were expensive to build and are costly to maintain. We advocate less expensive and less enduring construction so that when, in future, concepts of institutional programs change, as they undoubtedly will, the less expensive building, having served its purpose and given full value for the investment, may be razed and a new building constructed to suit a new program."¹³

The Correctional Planning Committee's proposals resulted in the construction of ten new institutions ranging from 400-450 inmates which they deemed to be

an appropriate size. The institutions included Cowansville (medium) Quebec, 1964; Special Correctional Unit, Laval, Quebec, 1967; Springhill Institution (medium) Nova Scotia, 1967; Warkworth (medium) Ontario, 1967; Matsqui (medium), British Columbia, male and female units, Abbotsford, British Columbia, 1967; Drumheller (medium), Alberta 1967; Archambault Institution (maximum), 1971; Regional Reception Centre, Ste. Anne des Plaines, Quebec, 1972.

Once the new maximum security institutions were under construction in Quebec criticism was raised regarding their architectural design. As a result the government ordered a temporarily halt to the construction program to re-evaluate the kinds of prisons being planned and it was at this time that a working group known as the Mohr Committee was set up to examine the situation (1971).

4. Canadian Committee on Corrections

Prior to reviewing the findings of the Mohr report it is necessary to comment on a study by the Canadian Committee on Corrections (1969).¹⁴ Although the Committee's mandate encompassed the entire

criminal justice system, they did devote a chapter dealing exclusively with imprisonment and made some interesting comments on prison size.

For instance, the Committee stated that small prisons are preferable to large prisons because they allow: (1) all staff to work together as a team, to share information each has about an individual inmate, and to plan a treatment program for the individual inmate in which all pertinent staff participate, (2) all staff, and particularly the correctional officers, to know each inmate personally.¹⁵

The Committee believed that prisons with accommodation for 460 inmates would be unable to achieve these objectives unless they were divided into small living-units within the prison. As the Committee stated:

"The institution should be divided into separate units of a size to make it possible for each staff member to know each inmate personally, and for the staff to work as a team. An institution that consists of large units run the risk of becoming a production line operation, with all the problems of impersonalization and perpetuation of inmate attitudes that work against a constructive program."¹⁶

5. The Mohr Report

The question of prison size surfaced again in 1971 in a study examining the design of federal maximum security institutions.¹⁷ The publication subsequently referred to as the Mohr report (after the name of its Chairman, Dr. H. Mohr) stated: "That an institution for about 150 inmates, represents the maximum number for a viable program" and recommended the establishment of ten living-units for a population capacity of 120 inmates. The working group justified the smaller prison and living-unit size on the grounds that larger institutions "cannot possibly" offset the negative effects of the inmate and staff subcultures.

The Mohr Committee asserted that small living-units of 10-15 inmates were essential within their proposed institution as they argued:

"The institution has to provide a milieu in which problems become open and obvious and must be faced by the participants. The Working Group is of the opinion that basic to such organization is a living-unit which permits a maximum of interaction but is small enough to remain personal. In terms of group dynamics, the most intensive interaction is often seen in groups of six to nine members. For groups, however, which have other serious constraints, such as institutional living entails, and are restricted in terms of other contacts, this intensity is seen as being too high."¹⁸

The Mohr committee was of the opinion: that small inmate groupings would increase staff-inmate interaction, neutralize the negative aspects of the traditional inmate subculture, identify the inmates' program needs more precisely and reduce the risks of security by making the prediction of inmate behaviour easier.¹⁹ With respect to large prisons the Committee stated:

"It is essential for an institution of this kind that the communication network is not fractionalized and remain responsive to situations as they develop. Many programs introduced into institutions previously have failed for this reason. A large institution cannot possibly have the kind of information sharing which is necessary to prevent both negative inmate and staff cultures."²⁰

6. The Faguy Report

The rationale for the Mohr Committee's proposals on prison size provided the impetus for the five-year capital construction program outlined by the Commissioner of Penitentiaries, Mr. Paul Faguy, (1974).²¹ As the accommodation capacity of prisons constructed following the report of the Correctional Planning Committee in 1960 did not exceed 450 inmates, it is not surprising that the Mohr report influenced the five-year capital construction program and the

recommendation that future penal institutions should be small with population capacities ranging from 180-200 inmates.

The Faguy Report left no doubts as to the size of penal institutions envisaged in their construction program:

"The new five-year construction program envisions the planning of smaller and more specialized institutions that are more flexible to adapt to the continuous development of rehabilitation programs. These smaller institutions are expected to enhance rehabilitation programs and obviate the criticism raised against existing facilities. The institutions constructed since 1960 have an accommodation rating of approximately 436. The future major institutions are planned to have a population from 150-200 inmates."²²

The five-year construction program provided a more elaborate rationale for building small prisons and stressed the advantages involved for inmate programs,²³ such as the belief that:

- (1) Better qualified staff will be attracted to smaller viable institutions located near appropriate population centres.
- (2) The community is better able to identify and respond to the needs of a smaller institution.
- (3) Better job satisfaction can be obtained by smaller dedicated staff having better relationships with inmates.

- (4) There should be a less intense and regimental atmosphere, therefore major disturbances should not occur and those that do will be brought under control more quickly.
- (5) Smaller staff groups can function better as an integrated team with closer acceptance and identification with the institution's objectives.
- (6) The working environment should be more normal.
- (7) Research can be more clearly focussed.
- (8) It should not be necessary to build as much security in buildings because of smaller more dynamically controlled inmate groups.
- (9) Communities are reluctant to accept large institutions.

7. Parliamentary Sub-Committee Report

The report of the Parliamentary Sub-Committee in 1977 concurred with the Mohr Committee's proposals and the penal objectives reiterated in the five-year construction program. Although the committee generally endorsed the construction of small prisons they qualified their recommendation by stating that new institutions containing about 200-250 inmates may be "clustered together with shared functions." By adopting this position the Parliamentary Sub-Committee subtly acknowledged the potential expense involved in building smaller prisons.

Aside from this reference the Parliamentary Sub-Committee did not seem to regard the issue of size as a major obstacle in reforming the Canadian Prison System. In fact, unlike previous committees before them, the Parliamentary Sub-Committee made it quite clear that they did not regard the objective of incarceration as one of rehabilitating inmates. As the Committee argued:

"We do not recommend imprisonment for the purpose of rehabilitation. Even the concept is objectionable on several grounds. It implies that penal institutions are capable of adjusting an individual as if he were an imperfectly-operating mechanism, and, through acting externally on him, can make him over into a better person."²⁴

One can therefore, safely conclude that the Sub-Committee did not view the size of prisons as a major impediment to improving conditions within Canadian Penitentiaries.

FACTS BEHIND THE FIGURES

It is clear that the rehabilitation ideology has played a dominant role in Canadian penological thinking on the size of institutions. The report of the Archambault Commission, published in 1938, with its emphasis on the diagnosis, classification and treatment of offenders, helped set the stage for future arguments supporting the construction of small institutions.

As stated previously, the Mohr Committee advocated the establishment of small prisons and in so doing helped nurture the belief that penal treatments could only be effective if applied in smaller institutions. In 1974 the Faguy Report maintained that smaller prisons were easier to control and manage from a security standpoint. In addition, the report argued that the inmate sub-culture, characteristic of large prisons, could be neutralized much more effectively and the goals of rehabilitation considerably enhanced if the population of a prison was restricted in size to only 150-200 inmates.

However, the absence of empirical data to support this hypothesis or the belief that penal treatments can be applied more effectively in small as opposed to large prisons is the major shortcoming in all of the reports published since the formation of the Archambault Commission. For instance, none of the committees have provided:

- (1) Empirical data on the effectiveness of rehabilitation programs in penal institutions varying in size.
- (2) Comparative data on the estimated differences in operational and capital construction costs between large (450) and small institutions (150)

- (3) Evidence to show that the "presumed" benefits of small institutions 150-200 inmates could not be applied with equal success in larger institutions with a capacity of 400-450 inmates.
- (4) Statistical evidence to show that prison disturbances are more frequent and the impact of the prison sub-culture more pronounced in large institutions (400-450) than in smaller ones (150-200).
- (5) Empirical data to show that large prisons 400-450 inmates are less effective in lowering recidivism rates and rehabilitating offenders than smaller institutions.
- (6) Data to show that escapes and security incidents are greater in larger institutions and thus more difficult to manage than smaller prisons.

Criminological Research in both England and the United States has consistently demonstrated that treatment programs are ineffective in lowering reconviction rates. For example, after carefully reviewing the results from 231 studies dealing with vocational and educational training, individual and group counselling and the benefits or therapeutic correctional environments on inmate behaviour,

Robert Martinson (1974) concluded that programs based on rehabilitation principles have no appreciable impact on recidivism rates.²⁵

More recent evaluations from Denmark, the United States and the British Isles are also pessimistic about the effectiveness of correctional programs. For example, a systematic analysis of penal Treatments and their impact on inmate behaviour by B. Kysvgaard (1977), D. Greenberg (1977) and S.R. Brody (1976) reached conclusions similar to those obtained by Martinson.²⁶ A study by A.J. Fowles for the Home Office Research Unit (1978) found that reconviction rates of offenders subjected to intensive prison welfare treatment did not differ significantly from a comparable group of inmates who received fewer counselling contacts from their welfare officers.

Caseloads were restricted in size to 20 inmates in the experimental group. Welfare officers assisted offenders with a variety of matters including personal problems and problems relating to their family, work, accommodation, supervision and aftercare. The data also showed no evidence of interaction effects between the type of offender and type of treatment to account for the study's outcome. The findings

based on a sample of 304 cases were so discouraging the role of welfare officers in some English prisons was cut back as a result.²⁷ Persons who justify the building of small institutions on the grounds that they produce better rehabilitation results than large institutions are therefore unfounded and not consistent with a large body of empirical findings.

The view that prison disturbances increase as the size of the prison increases is not borne out by studies on small and large living-units or on the size of penal institutions. A study of a medium-security prison, the California men's Colony-East, by G. Kassebaum, D. Ward and D. Wilner for the California Department of Corrections (1971), produced some interesting facts. Treatment variations included voluntary group counselling, compulsory group counselling and the use of small (12-15 inmates) and large (50 inmates) living units.²⁸ It is useful to note the rigorous procedures which were incorporated in the study. For instance:

- (1) The research was conducted in a prison system that is considered to be the most progressive in corrections, and in the most up-to-date prison in that system in terms of physical plant and staffing.
- (2) The inmates studied were neither the more intractable offenders confined in maximum security prisons, nor were they the good treatment potential men found in first term, minimum security institutions.
- (3) A sufficiently large study population (a sample of 968 offenders) was used to permit adequate statistical analysis.
- (4) Random assignment of subjects was made to the various treatment and control conditions.
- (5) Contamination of the sample groups was kept at a minimum due to the physical structure of the institution.
- (6) Also evaluated was a group counselling condition, especially included for this study, in which group leaders were given training beyond that which present resources of the Department of Corrections could afford.

- (7) Follow-up was extended for an unusually long period of time (two years) to take into consideration long-term effects of the Treatments.²⁹

The authors found that, contrary to their expectations, there were no significant variations in treatment outcomes between inmates in the various experimental and control groups. The data revealed that participation in group counselling did not lessen recidivism rates or support for the inmate code. Furthermore, there were no differences between inmates in either small or large living units as regards arrest rates, parole revocations, employment outcomes or seriousness of offending three years after their release.³⁰

An examination of two medium security institutions by the Correctional Service of Canada illustrates that Warkworth prison with 409 inmates has fewer problems with its inmate population than an institution the size of Mission (145). It is also important to bear in mind that at the time these statistics were compiled Mission and Warkworth were not operating at full capacity. The figures showed that Mission has a higher average of institutional offences per inmate (1.72) than Warkworth (1.21).³¹

	<u>No. of Inmates</u>	<u>Total No. of Offences</u>	<u>Average Offences Per Inmate</u>
MISSION	145	250	1.72
WARKWORTH	409	498	1.21

There are several factors other than size which can account for the differences in the number of prison offences between large and small prisons such as: variations in reporting and recording practices among penal institutions, staff perceptions of prison violations, the nature of rapport between staff and inmates, the disciplinary standards regarding inmate behaviour as reflected by the prison administration, the availability of alternative measures for dealing with inmate infractions other than formal charges, the attitudes of inmates involved and the seriousness of the offence. The presence of these causal variables will differ from institution to institution. As small prisons may have a higher incidence of minor and major institutional offences per inmate than large prisons these factors might explain this variance more accurately than the belief that small prisons are more violent prone than large prisons.

The size of the institution should not be viewed in isolation from the numerous environmental characteristics which affect inmate behaviour. Over the years, criminologists

have identified a number of potential sources of prison violence and unrest. For example:

(a) The characteristics of the inmate population

The average age of offenders in the institution, the number of offenders serving sentences for crimes against the person, the criminal history and previous institutional experience of inmates in the prison population;

(b) The management style of the institution

Lack of fairness in granting temporary absences, inconsistency in dealing with inmate grievances, administrative indifference to prison conditions, overly restrictive prison rules and regulations and negative attitudes between inmates and staff are more significant correlates of prison violence than variations in the size of the inmate population.

The empirical evidence cited above contradicts studies which find that small inmate populations produce fewer prison disturbances and correlate positively with the effectiveness of treatment programs. As C.F. Jesness (1978) has observed, a large number of these studies suffer from serious methodological flaws and faulty research designs.³²

In one study, evaluating the impact of size on inmate behaviour and utilizing random allocation as the experimental technique, C.F. Jesness (1965) found that boys in living-units with 50 inmates performed poorly on parole in comparison with youths assigned to living-units with only 20 boys.³³ However, Jesness research focused on parole outcome in relation to the size of the living-unit rather than the effectiveness of a particular treatment program within the living-unit. It is difficult therefore to draw conclusive evidence from this study that the differential results in parole outcomes can be attributed directly to living-unit size.

Successful parole outcomes are dependent on many other factors than the size of a particular living-unit, or institution from which an inmate is paroled. The type of inmate released on parole, the degree of family support, opportunities for employment and the parole officer's relationship with the inmate probably have a greater bearing on a parolee's chance of success than any other factor. This has been consistently demonstrated by empirical studies which have examined parole outcomes in relation to the size of the parole officer's caseload. Large caseloads have been shown to be no less

effective in reducing parole revocation and recidivism rates than small caseloads.³⁴

As C.F. Jesness has stated in a more recent article:

"There are competing explanations for the more successful outcomes of the smaller programs. For example, the quality and quantity of treatment provided have been shown to be related to positive outcomes. In one study comparing two different methods, ratings of staff competency were productive of success on parole regardless of the type of treatment provided."³⁵

From an empirical perspective, the assumption that program effectiveness is a function of the size is far from conclusive. As Jesness notes, living-units of a similar size can vary markedly in their effectiveness depending on the content of the treatment involved in the unit, the competency of the staff in administering it, the method by which it is administered and the rapport between the treatment personnel and those being treated.³⁶

In order to establish size as the major explanatory variable for program effectiveness, researchers would have to control a variety of extraneous variables by keeping them constant and then increasing or decreasing the number of subjects involved in a particular treatment program, living-unit or institution. Since we do not possess the scientific expertise to match offenders to

their specific treatment or program needs, it is somewhat presumptuous of us to think that we can obtain better results merely by varying the size of an institution or treatment program. As Jesness states:

"The reality is that most programs probably have no effect on some clients, beneficial effects on a few, and positively harmful effects on others. The fact that we cannot clearly identify which programs work with which youths speaks to the primitive state of our knowledge of prevention, deterrence and correction."³⁷

Another issue addressed by Jesness concerns the cost-effectiveness of programs or institutions of a different size. If variance in size is a primary determinant of program effectiveness, one could argue that the number of participants in a treatment program or penal institution should be restricted to an optimal capacity. As there is no empirical evidence showing that large and small institutions differ appreciably in their effects on inmates, the next question posed by Jesness is worth considering: Can we justify having smaller institutions or programs if the expense involved is substantially higher?³⁸

Prior to commencing a multi-million dollar program on prison construction the Correctional Service of Canada analyzed the economic implications of building

large or small institutions. Comparative data revealed that the annual operating and maintenance costs of a medium security institution with 168 inmates results in a 40 percent increase in costs per inmate over a large prison with 420 inmates. Small maximum security institutions (162 inmates) cost approximately 65% more per inmate than a large prison with 428 inmates.³⁹

It is possible that penal institutions may reach a saturation level in the number of violent inmates that they can hold. As the inmate population increases, a disproportionate number of inmate admissions who are troublemakers may exceed this saturation level and prove detrimental to a prison's security system. However, this can happen just as easily in a 200-inmate institution as in one with 500 inmates. As we cannot reliably predict which inmates will be potential troublemakers, it is difficult to classify offenders according to their security risk. How staff perceive their role and how inmates respond to the prison environment may be a greater cause of prison violence than any single independent variable such as prison size.⁴⁰

For example, gambling debts among inmates, the absence of heterosexual relationships, subtle shifts

in inmate power, poor staff morale, and the arbitrary treatment of inmates can lead to prison disturbances just as easily in a small as in a large prison. The major problem is the total number of troublemakers in the population, not the total number of inmates in the prison. Moreover, the different measures taken by penal institutions of varying sizes in dealing with disturbances, can also influence the frequency with which such incidents occur in the future and a prison's ability to keep them at a minimum.

It is also possible that familiarity between staff and inmates breeds contempt. In large institutions, conflicts between inmates and staff are likely to be diffused because of lack of intensive contact. Close interaction between guards and inmates does not necessarily lead to trust, friendship and respect on an interpersonal level as some social workers would like us to believe. The polarized dichotomy between the staff and inmate which is based on a carrot and stick philosophy may, in fact, be more pronounced in small institutions where inmates have continuous contacts with their supervisors.

D.

SUMMARY AND CONCLUSIONS

As this paper reveals, there is no empirical evidence to substantiate the belief that small institutions are more effective than large prisons in rehabilitating inmates, decreasing recidivism or preventing prison violence. If anything, criminologists have shown that size is neither the most significant nor principal factor with respect to the operating effectiveness of different prison regimes. This raises another hypothesis which is equally plausible, namely, that penal institutions of a similar size (i.e. with the same number of inmates) may reach a certain level of operational efficiency at different times and for entirely different reasons. Demographic fluctuations in the inmate population, staff transfers, etc., all affect a prison's ability to control its inmate population.

I would, however, like to make a few additional comments regarding my thesis on prison size. First, I am not saying that large prisons are more effective than small ones in curbing prison violence and preventing recidivism. Rather, my position is that large institutions are no less effective than small ones and, therefore, more practical to build because they are much cheaper to operate.

Secondly, although treatment programs have no demonstrable effect on recidivism rates, I am not proposing that programs should be scrapped in institutions irrespective of their size. Programs have a valuable function in the prison system which extends well beyond the objectives of treatment, like providing meaningful work for staff and keeping inmates occupied.

Thirdly, the rationale for building small prisons on the grounds that prisoners and staff will get to know each other better is hardly a basis upon which to decide the future capacity of penal institutions. Both the Canadian Committee on Corrections (1969) and the Canadian Association for the Prevention of Crime (1978) have cited this as a major reason for building small rather than large prisons.⁴¹

In a letter to the Solicitor General of Canada, the Honourable Jean-Jacques Blais, on November 17, 1978 the Canadian Association for the Prevention of Crime stated:

"The most effective resource available to prison staffs in dealing with prison inmates is personal relationships. A prison should be small enough so staff can know each inmate personally. In a large prison, relationships become impersonal and all programs suffer. In

particular, security suffers. In small institutions housing inmates with a uniform security rating the staff know the good and bad qualities of each inmate and can sense tension building up in the inmate group in time for remedial action. Disturbances can be avoided and greater protection provided to both staff and inmates. Sensitivity to inmate tensions is more limited in larger institutions."⁴² (emphasis my own).

However, unless close interaction between staff and inmates can "only" occur in small institutions and unless such interaction results in a reduction in crime, fewer prison violations and greater protection for staff (and there is no research evidence to support such broad generalizations), the justification for building small prisons must come from substantive and empirically-based considerations. As S.R. Brody commented, "It has often been shown that recidivism is not reduced merely by sentencing offenders to an institution where attempts will be made to understand them and to encourage them to understand themselves."⁴³

In any event, there is nothing to lead us to believe that these "presumed benefits" of small prisons cannot be obtained with comparable efficacy in large prisons.

Fourth, a decision to build large (450) rather than small prisons (150 inmates) does not necessitate

the abandonment of some of the features of small prisons. There is no reason why large institutions cannot be architecturally designed so as to improve the quality of life behind our prison walls. Living-units can still be restricted in size and the nature of cellular confinement made sufficiently flexible to accommodate changes in ideas and attitudes towards the treatment of offenders. Moreover, prisons with large inmate populations can also provide a broad range of programs that could not be offered in small institutions because of their size.

The construction of large (400-450 inmates) rather than small prisons (150-200 inmates) does not mean that we have to revert to the barbaric and out-dated prison practices of previous generations. The progressive aims of penal reformers can be achieved with equal success in large as well as small prisons. Although economic considerations may place restrictions on the types of institutions that can be built in the future, we can still embark on a program of prison construction aimed at population capacities with 450 inmates and administer them just as humanely and effectively as institutions one-third that size. Overcrowded prisons and common economic sense dictates such a course of

action but so does existing research evidence, for in the final analysis, it helps to bridge the gap between our knowledge and ignorance of human behaviour.

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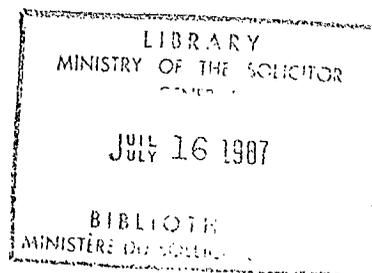
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