



Federal Probation

The Myth of Corporate Immunity to Deterrence:
Ideology and the Creation of the Invincible Criminal

*Francis T. Cullen
Paula J. Dubeck*

Racism, Sexism, and Ageism in the Prison Community

Ann Goetting

Sentence Planning for Long-Term Inmates

Timothy J. Flanagan

Profiles in Terror: The Serial Murderer

*Ronald M. Holmes
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Probation Officers

Peter Horne

Castro: The Emerging Crime
in Prisons?

*Paul Gendreau
Marie-Claude Tellier
J.S. Wormith*

The Criminal

Gad Crudner

Revision: A Multi-Analytic of Parolees
and Probationers

G. Frederick Allen

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This Issue In Brief

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The Myth of Corporate Immunity to Deterrence: Ideology and the Creation of the Invincible Criminal.—Commentators frequently assert that the criminal law is ineffective in deterring corporate crime because either (a) the public will not support sanctions against businesses or (b) companies are too powerful to be swayed by existing legal penalties. Authors Francis T. Cullen and Paula J. Dubeck suggest, on the contrary, that studies reveal the public favors the use of criminal sanctions against offending corporations and such sanctions will ultimately diminish future illegality.

Racism, Sexism, and Ageism in the Prison Community.—A survey of literature suggests that blacks, women, and the elderly experience differential treatment in prison and that such treatment is somewhat in concert with that afforded them in the outside community, according to Professor Ann Goetting of Western Kentucky University. She concludes that such discrimination is likely to persist in the institutional setting until such time it is no longer tolerated in society at large.

Sentence Planning for Long-Term Inmates.—Recent sentencing law changes throughout the United States are likely to produce an increase in size and proportion of long-term prisoners in state and Federal correctional facilities. Professor Timothy J. Flanagan of the State University of New York at Albany addresses a number of issues involved in planning constructive sentences for these prisoners and discusses administrative structures for the implementation of long-term sentence planning.

Profiles in Terror: The Serial Murderer.—One alarming aspect of contemporary serial murder is the extent to which its perpetrators believe that violence against human beings is a normal and acceptable means of implementing their goals or motives, assert University of Louisville professors Holmes and

DeBurger. Their article describes a systematic typology of serial murders and indicates some of the general characteristics of the offender.

Computers Can Help.—Until recently the computer-assisted instructional options available to correctional educators were not very practical, reports Federal prisons education specialist Sylvia G. McCollum. The situation has changed sharply, however, and correctional educators can now choose

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from a wide variety of user-friendly equipment and software which includes vocational, high-school equivalency, career assessment, job search, and life-skill courses. Those interested in using computers in correctional education may benefit from the Federal prisons experience.

FCI Fort Worth Substance Abuse Evaluation: A Pilot Study.—Dr. Jerome Mabli, research administrator for the South Central Region of the Federal Bureau of Prisons, and members of his staff, discuss the preliminary results of a pilot Substance Abuse Program Evaluation. The unit evaluated after 8 months of testing was the FCI Fort Worth STAR (Steps Toward Addiction Recovery) Unit which houses 200 inmates. The authors present a research paradigm which concentrates on cognitive-attitudinal variables and outline recommendations for future evaluation.

Female Correction Officers.—Author Peter Horne presents a current overview of the status of female correction officers in the American penal system, examining data and levels of utilization of females in corrections. The limited progress that female correction officers have made in working in all-male prison facilities is noted and the problems which have impeded their progress are explored. Recommendations are made and administrative strategies outlined in order to promote increased employment of females in opposite sex prisons.

Protective Custody: The Emerging Crisis Within Our Prisons?—The use of protective custody (PC) in North American prisons has increased dramatically over the last two decades with current rates varying from 6 percent to 20 percent of prison populations. According to authors Gendreau, Tellier, and Wormith, the increased use of PC was probably caused by changes in judicial and court-related practices, changing trends in prison populations, and liberalized institutional regulations. They express concern for equitable treatment and an acceptable quality of life in PC.

Changing the Criminal.—Gad Czudner describes a theoretical proposal for a way to change the criminal. The proposal is for a cognitive model with an added moral component which assumes that, only if a person is capable of feeling "bad" about doing "bad," is he able to feel "good" about doing "good." He believes that guilt can be a guide for moral behavior and that awareness of others is the key to this approach.

The Probation Perspective: Analysis of Probationers' Experiences and Attitudes.—Using the

theoretical perspectives of rehabilitation, deterrence, desert, and the justice model as points of reference, this study evaluated probationers' experiences and obtained their ideas as to what the mission of probation should be. Author G. Frederick Allen's findings suggest that probationers are able to conceptualize criminal sanctions as rehabilitation, deterrence, desert, and within a justice model perspective, simultaneously; and that they have useful suggestions for improving the system.

ERRATA: The concluding lines of the article "The Effect of Casino Gambling on Crime" by Jay S. Albanese, which appeared in the June 1985 issue, were eliminated during the printing process. The last two paragraphs of that article should have read as follows:

As a result, states having support for the legalization of casino gambling should not fail to consider legalization due to fear of increases in serious crimes against persons and property. Based on this analysis of the Atlantic City experience, the advent of casino gambling has no direct effect on serious crime. Such finding suggests that any city which undergoes a significant revitalization (whether it be casino-hotels, theme parks, convention centers, or other successful development) that is accompanied by large increases in the number of visitors, hotels, and/or commercial activity, may experience increases in the extent of crime but a decrease in the risk of victimization—due to even faster increases in the average daily population of the city.

Although crimes known to the police have increased in Atlantic City since the introduction of casino-hotels, this increase has been more than offset by changes in the average daily population of the city and a general statewide increase in crime. States that follow New Jersey's example in providing a significant crime prevention effort as part of their casino legislation are also likely to experience success in introducing casino-hotels to revitalize a local economy, without an increase in the risk of victimization of its citizens. As this investigation has found, the average visitor to Atlantic City in 1982 was less likely to be the victim of a serious violent or property crime than he or she was before casinos were introduced there.

All the articles appearing in this magazine are regarded as appropriate expressions of ideas worthy of thought but their publication is not to be taken as an endorsement by the editors or the Federal probation office of the views set forth. The editors may or may not agree with the articles appearing in the magazine, but believe them in any case to be deserving of consideration.

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Female Correction Officers

A Status Report

BY PETER HORNE

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WOMEN TODAY are employed in all areas of the criminal justice system. Female employees are becoming more commonplace as they work at various jobs in the police, courts, and corrections systems. But of the three major components of the justice system, the women in the corrections field have probably made the slightest progress. There is no doubt that corrections in general is the least highly regarded component of the system, not only by the public but also by legislatures. Salaries in corrections tend to be low, training is poor, and working conditions are very demanding. These conditions have improved somewhat in recent years as legislatures have funneled more funds into corrections to handle the prison overcrowding situation that exists in most states, but the field of corrections has not achieved the professional status that the police and the courts have been accorded (Feinman, 1980: 110).

The general public has little regard for the inmates of jails and prisons. The public's feeling was and still is "out of sight, out of mind" and "lock them up and throw away the key." Nor has the public shown much interest or concern with the correction officer (CO) who guards the inmates. Given the degree of general ignorance about corrections, it is not too surprising that female CO's are the least known and understood of all the women employed by the justice system (Feinman, 1980: 39).

This article will focus on women in corrections—the women who have made the least progress as workers in the criminal justice system. An analysis will be made of the various problems and issues which have kept women largely restricted to working in different phases of corrections except in all-male correctional facilities.

Present Role of Women in Corrections

The most significant benchmarks in recent years affecting female employees in corrections occurred after 1969 when the Joint Commission on Correctional Manpower and Training recommended that opportunities for women working in corrections expand as much as possible. Following this, the Civil Rights Act of 1964 was amended in 1972 when title

VII was expanded to prohibit sex discrimination by state and local governments, including, of course, discrimination in the field of corrections. This action was especially significant for corrections in light of the fact that 90 percent of the state correctional systems did not initiate the hiring of women in their adult male institutions until after this national mandate.

After 1972, women moved out of their traditional assignments in corrections into line officer positions in all-male institutions. As the female CO's started to compete directly with men for positions in the system and asked for equality of salary and opportunity, researchers, corrections administrators, and court authorities started to examine the issue more thoroughly.

In 1973, the National Advisory Commission on Criminal Justice Standards and Goals also spoke to this issue by encouraging recruitment and hiring of more women for "all types of positions in corrections." The Commission encouraged policy changes; lateral entry of women to administrative positions; development of improved staff selection; removal of "unreasonable" barriers to employment of women in corrections; and encouragement by personnel systems to take a more positive stance in the employment of women in "a full role in correction" (National Advisory Commission on Criminal Justice Standards and Goals, 1973: 476). In 1976, an affirmative action policy statement was adopted by the American Correctional Association, a major national professional organization. Even with the adoption of such a statement, women remain a long way from equality with men in the field of corrections. At this stage a look at the data concerning females in corrections is in order.

Obtaining accurate and current data about the national corrections employment picture is difficult to do for a number of reasons. Nevertheless, probably the best and most comprehensive data on females in corrections come to us from two studies (See Nat. Manpower Survey of the C.J.S., 1978: 2, 49-55; and Chapman and others, 1983: 19-32). Although the latest study only analyzes the subject based on 1979 research, the conclusions based on those data are

still as valid today as they were 5 years ago. The following are some of the major features of the employment profile of women in corrections (with all percentages and numbers rounded off).

(1) *Women are "underrepresented" in corrections in comparison to their participation in the employed civilian labor force.* In 1979, women constituted 42 percent of the employed civilian work force but only 29 percent of the corrections labor force. In actual numbers these percentages translate to 192,000 corrections employees of whom 56,000 are female.

(2) *Women employed in corrections tend to be concentrated in clerical and support staff positions.* It should not be surprising to find that in such a predominantly male field as corrections, women are concentrated in those occupations that are traditionally female. The Equal Employment Opportunity Commission survey in 1979 listed seven occupational categories in the field of corrections. Fifty-five percent of all female corrections employees were working in the paraprofessional, clerical, and service/maintenance occupational categories. This is in sharp contrast to the only 18 percent of male corrections employees working in these areas. While the increased participation of women in professional (i.e., probation/parole officers or inmate social workers) and technical (i.e., computer operators) occupations was apparent, the data indicated that women remained virtually excluded from the job category in corrections that is at the heart of the job and provides the greatest potential for career advancement, namely, positions in protective services (i.e., correction officers) (Chapman and others, 1983: xiii). The protective services occupational category is the largest single category of the seven in the corrections survey. Forty percent or 77,000 jobs of the 192,000 jobs in corrections are as CO's. By 1979, men accounted for 87 percent of such employees, women only 13 percent. There are 10,000 women then who are classified as CO's. This, of course, is an improvement over the number of female CO's before 1972, but still the progress has been slow and halting.

(3) *To the extent that women work in direct contact with clients, they work with female and juvenile offenders.* Approximately 58 percent of all the women employed in corrections in 1979 were providing supportive services, and only 42 percent were working in occupations that involved "client contact." That imbalance appears related to the fact that the majority of women who are administrators, professionals, or protective service workers are among the relatively small number of corrections employees who work with female and juvenile offenders (Chapman and others, 1983: xiii).

Several other points need to be made concerning the current employment profile of women in corrections. Statistical data on the employment of women in other than institutional settings are virtually nonexistent. For example, the most recent figures on the number of women in probation work come from a 1974 survey. At that time, based on data from 43 states, 18 percent of those employed in probation were women. There are no comparable figures, though, for parole officers. "It seems safe to suggest, however, that in view of the fact that all 50 states now allow cross-sex supervision of clients, the percentage of women employed in that field has increased substantially" (Chapman and others, 1983: xiv).

The status of women as officials and administrators has improved slightly over the years. In 1973, women constituted only 11 percent of all officials and administrators, while by 1979 they accounted for 14.9 percent. On the other hand, the percentage of all women employed in corrections who were working in those positions declined slightly from 2 percent to 1.8 percent (Chapman and others, 1983:29). So while women such as Commissioner Jacqueline McMickens and Chief of Operations Gloria Lee (both in the New York Department of Corrections) hold prestigious positions in corrections, they are the exceptions to the rule for women employed in this field.

All the data concerning women in corrections point to the fact that females are underutilized. If women are ever to achieve equality with men in corrections, they will have to work in adult male institutions since about 95 percent of the inmate population is male. This is where the bulk of the jail and prison jobs are and where women have to make their mark in order to move up the career ladder.

Female Correction Officers in Male Prisons

As mentioned earlier, only approximately 10,000 CO's are women. At least 50 percent of these females are working in juvenile or female corrections facilities. The number of female guards in men's prisons varies from state to state. The California Department of Corrections has been a leader in utilizing female CO's in opposite-sex prisons, and California and at least four other states, Nevada, Louisiana, Wyoming, and Kentucky, fill over 15 percent of such positions with women (Zimmer, 1982: 53). There are no current and accurate data concerning this. Even if we generously assume that there are 5,000 female CO's working in adult male jails and prisons, such information does not tell the whole story of how these women are utilized on the job. Female CO's in male institutions are

underutilized. Specifically, female officers are usually assigned to areas considered "safe" and given assignments which involve little or no direct contact with male inmates. These safe areas and assignments include, but are not limited to, observing inmate visits; working in the wall tower; working in the communications control room; observing inmate recreation; and searching female visitors and employees for contraband.

The policy concerning use of female CO's has been in a state of constant flux in recent years. From 1972 to 1978, almost all the states that used women in male institutions used them in a restricted manner and did not allow them to work in male cell blocks or housing areas or in any posts that required them to observe inmate showers or toilets. This is still the policy in many states including New Jersey. The New Jersey Department of Corrections still adheres to Standard 153 which states, "Male correction officers shall not be assigned to work in female housing units and female correction officers shall not be assigned to work in male housing units." But as the legal picture is constantly changing, New Jersey may be forced to change its policy of excluding female CO's from work assignments in male housing units. On the other hand, in Nevada, women have been working as guards in men's institutions, including maximum-security housing areas and segregation units, since about 1978. In the maximum-security prison, 14 percent of the officer force is female, and statewide, in all four prison facilities, 19.2 percent of the guards are women (Porter, 1980: 32).

The ambiguity and uncertainty about where and how to use women in corrections stems from four major factors: the courts and the legal issues involved; the corrections administrators; the male inmates; and the male prison staff. The remainder of this section will explore to what degree these factors were and still are (in most states) significant obstacles to the full utilization of female CO's in all-male prisons.

Legal Issues

Even more than a decade after passage of the 1972 amendments to title VII of the 1964 Civil Rights Act, it is still not clear how equal employment opportunity is to operate in maximum security prisons. The case law remains in flux, and prison administrators aren't clear about their legal obligations. Even though title VII provided the impetus for the sexual integration of America's guard force, it has not mandated full equality among male and female workers in the prisons. "The courts have not

provided definitive guidelines for balancing women's employment rights, administrators' concern for prison security and inmates' privacy rights" (Zimmer, 1982: 81).

One of the strongest traditions in penology has been that offenders be supervised by members of the same sex. Since approximately 95 percent of the incarcerated population is male, women have had limited access to CO positions, which account for about 40 percent of employment in the corrections field. In view of the need to provide constant surveillance and the "open" construction of most male prisons, it is argued that the employment of women as CO's is both a violation of the inmate's right to privacy and a threat to security (Chapman and others, 1983, xviii). Until recently, the response of many court rulings concerning the clash of inmate privacy rights and/or institutional security with employment rights of female CO's has been to restrict the opposite-sex CO's to shifts or job assignments in which they will not be required to perform duties that invade privacy or threaten security.

Another approach adopted by some courts has been to make gender a bona fide occupational qualification (BFOQ) for same-sex CO's. While that solution is intended to insure both privacy rights and institutional security, it offers little employment protection for opposite-sex CO's. Two cases in recent years have promulgated this approach. The first, and so far only, case to reach the U. S. Supreme Court concerning female CO's was *Dothard v. Rawlinson* (1977). The court's decision upheld Alabama's Board of Corrections ban on assigning women to posts that required close proximity to inmates in men's maximum security prisons. This was the first decision by the Supreme Court, or any appellate court, upholding an employer's claim that a job should be limited to members of one sex and that gender is a BFOQ (Jacobs, 1981: 59). The decision banned the use of female CO's (in Alabama) in a prison where conditions were very poor and where a woman, by virtue of her gender, could undermine the security of the institution if unable to provide adequate control of the population. This case, of course, has had a dampening effect on the utilization of women in corrections.

In another significant case, *Gunther v. Iowa* (1979), the Supreme Court, by refusing to review a lower-court ruling, indicated that the BFOQ could not be used indiscriminately. *Gunther* brought to the forefront another issue that had been raised but left unanswered in *Dothard*, the inmate's right to

privacy. Both of these cases avoided making a definitive ruling on the privacy issue, however, *Gunter* stated that privacy shall not take precedence over a female correction officer's right to employment and that institutional administration will make the necessary scheduling adjustments for women to be gainfully employed within institutions without placing them in direct confrontation with an inmate's privacy.

Two recent court decisions emphasize the current trend in legal decisions concerning opposite-sex CO's. The courts are still recognizing an inmate's right to some privacy but they appear to be giving preference to employment rights of female CO's to work in a more equitable manner in the field of corrections. The Seventh Circuit U.S. Court of Appeals upheld the right of female CO's to conduct frisk searches of male prisoners in the case of *Madyun v. Franzen* (1983). This is another indication that soon the sexual identity of an individual will not be a legitimate reason for exclusion from work assignments in an institution's housing units. This may force many states to revise their policies and permit female CO's to work in male cell blocks and male CO's to work in female housing units. In a similar case coming out of Pennsylvania's maximum security prison at Graterford, the State Bureau of Corrections is being mandated to accommodate an inmate's right to limited privacy and at the same time to continue to promote the equal employment of women in corrections (Woestendiek, 1983: 10).

Collectively, these Federal court decisions seem to indicate that corrections officials must exhaust other avenues of dealing with privacy and security questions before resorting to blanket prohibitions based on gender. As a result of this trend in legal decisions states may follow the lead of California and several other states and attempt to balance the privacy issue with equal employment issue. In California and elsewhere, the problems of searching opposite-sex inmates and supervising toilet and bathing facilities have been successfully met. Except in emergency situations, female officers do not skin- or strip-search male inmates, nor do male CO's skin-search female inmates. Pat-down or frisk searches are routinely performed by opposite-sex CO's, and greater use is made of hand-held metal detectors to uncover hidden weapons. Privacy panels and screening have been put in the shower and toilet facilities so that the upper and lower portions of the body (above the chest and below the knees) are exposed; windows have been fogged where necessary. Inmates have been issued pajamas

to sleep in at night, and they've been encouraged to wear them. Inmates who follow the rules retain their privacy, and officers have encountered no insoluble difficulties (Becker, 1975:20,21).

Corrections Administrators

The reaction of male administrators to female CO's working in male prisons has been mostly negative. While a few corrections administrators support the concept of opposite-sex guards, others are ambivalent about it, and the majority are negative towards it. Many high-level administrators feel, as does William Fauver, the Commissioner of the New Jersey Department of Corrections, that women have a place in corrections in many areas but not in maximum-security prisons and male housing areas. This attitude is echoed by his counterpart in New York State, Correctional Services Commissioner Thomas Coughlin III, who opposes the deployment of women as guards in male prisons even though he has been forced by the courts to change his policy and permit women CO's (about 250 of them now) to serve in the 10 most dangerous New York State all-male institutions (Behrens, 1983:25).

In a number of states, the legal mandate to hire women as guards in opposite-sex facilities created an additional burden for administrators. First, a host of legal problems demanded administrative attention. Title VII requires equal employment opportunities for women but does not explicitly require identical treatment of males and females on the job. In the first states to employ women in men's prisons, administrators had little assistance or guidance in interpreting title VII's requirements. Even today, such interpretation is not easy, considering the lack of definitive case law on the matter. And, perhaps most importantly, no matter what policy administrators developed, male guards, female guards, and inmates continued to file lawsuits. Since 1972, prison administrators all around the country have had to cope with these lawsuits while trying to develop policies that will reduce their occurrence (Zimmer, 1982: 266).

Some specific policies for deploying female guards have led to further administrative problems. The guidelines used in New York for nearly 5 years, for example, were designed to solve problems associated with deploying female guards, but they probably created as many problems as they solved. Administrators at each New York prison were given the difficult responsibility of interpreting the guidelines. The result was a great deal of variation in the way female guards were deployed from prison

to prison and in the generation of complaints by women who felt their employment rights had been violated. Thus, administrators at each local prison, as well as the main office, found it necessary continually to devote time and energy to the "female guard problem" (Zimmer, 1982:267).

One response to the "female guard problem" was by the Federal prison system. The U.S. Bureau of Prisons allows women to work as CO's in all positions in the minimum—and 24 medium-security Federal correctional facilities (FCI's), but they cannot work as guards in the six maximum-security penitentiaries, although women are employed there in nonsecurity positions. This policy was adopted after a part-time female dietician was attacked and murdered by a prisoner in the Atlanta penitentiary in November 1979. That incident also prompted the Bureau to organize a task force to study the question of women working in men's institutions. The chairman, Gilbert Ingram, warden of the FCI at Butner, North Carolina, said the task force found few men or women who thought women should work as guards in the penitentiaries, because "that would endanger both the women and their fellow employees." In the smaller FCI's there are fewer problems, he said. But even in those facilities, he added, "one problem we found was a reluctance in general on the part of women to intervene in fights and a reluctance among males to call on women to help. This led us to call for beefing up training to build confidence" (Porter, 1980: 32). Currently about 8 percent of all CO's are female, and at the FCI's, the percentage ranges from 5 to 27 percent.

A few male administrators favor female CO's in male corrections units. Sheriff Mike Hennessey is commander of the San Francisco Sheriff's Department which runs one of the Nation's larger jail systems. Twenty-four percent of his deputies are female and he feels that more county jails will employ women deputies when they find how good they are at their job. He also believes that women have an advantage over male deputies in men's prisons. "A macho prisoner can feel a sense of confrontation with a macho guard. A woman officer is no threat to his masculinity. He may even derive some sense of satisfaction having a woman around, pretty to look at even if she is in authority" (Zauner, 1984: 7).

In the last few years, corrections administrators in most states have placed female CO's in male prisons. Very few of them, however, have favored this change in policy or believe that the few advantages to women's presence outweigh the disadvantages. At all levels of corrections administration

there is still concern that security problems emanating from female CO's will inevitably occur.

Male Inmates

The members of the prison community who have reacted most favorably to the hiring of female guards were the inmates whom women were required to control (Petersen, 1982: 448-452). Some male inmates welcome the change it brings to prison life. These prisoners feel that women humanize the atmosphere and tend to be less abusive and more willing to talk. The inmates also contend that their presence makes the artificial world of the prison seem more like the outside world.

This is precisely why other inmates object to female guards' presence. They do not want to be reminded of their sexual deprivation. Many inmates feel at least some frustration because they can "look but not touch" the female guards (Petersen, 1982: 456). But the crux of the issue, as far as some prisoners are concerned, is privacy. They do not want to be watched by women when they are in bed, on the toilet, or in the shower. It has been necessary for inmates to make some adjustments in their own behavior in order to protect their privacy, and most have done so without any fuss. A few prisoners, however, continue to resent being guarded by women. They've joined male guards in claiming that a "prison is no place for a woman." In some cases these inmates have filed lawsuits against corrections departments and administrators claiming that the use of female CO's violates their constitutional right to privacy. But while privacy is ostensibly the issue they are challenging in the courts, the real underlying and (usually) unvoiced issue is that they resent having to take orders from a female. They feel it's demeaning and a denigration of their masculinity to be guarded and told what to do by a woman. So the opinions of male inmates depend a great deal on their attitudes toward women's "proper" role in society.

A number of inmates don't care one way or the other whether there are opposite-sex guards or not. These inmates simply don't care about the sex of their "captors." As one inmate stated in a study on this issue, "A screw is a screw whether it's a male or female" (Petersen, 1982: 448). Concerning the issue of a female's strength and fitness to be a CO, only 14 percent of inmate respondents to a survey indicated that most inmates would be more likely to threaten a female officer than a male officer. If such an assault were to occur, 65 percent of the respondents indicated they would be more likely to protect a female officer than a male. Several inmates, though,

did question the efficacy with which a female CO could break up a fight between two male inmates or exercise the necessary physical force to preserve institutional order (Petersen, 1982: 449).

Nevertheless, one noted researcher, Lynn Zimmer, suggests that this whole issue is laden with sexual overtones and undertones and that contacts between female CO's and male inmates are always sex-bound. She commented that "No matter what policies corrections officials develop concerning the equality of male and female guards, male inmates do not treat them identically. Sex remains a 'master status' in our society; it influences the interactions between people of the opposite sex despite other statuses they might possess. Thus, although 'guard' and 'inmate' are powerful statuses, the interactions between female guards and male inmates are strongly influenced by the sex of each" (Zimmer, 1982: 178).

New female guards in male institutions do feel that they are "treated" more intensely and severely than male guards. Some inmates refused to obey orders until the women followed through with disciplinary action. The most negative experiences female guards had with inmates were of a sexual nature. But in spite of a longer and more intense testing period, most female CO's feel that the inmates were kinder, more helpful, and more accepting of their presence than were their male coworkers, (Zimmer, 1982: 179).

In summary, it seems clear that female CO's are received quite positively by male inmates. One of the primary reasons for this is that they fulfill a role as sex objects to the inmates and, therefore, provide fantasies for sexual release through masturbation. Another reason female CO's are liked by inmates (one which is not necessarily inconsistent with the aforementioned) is because of their "softer" and more humane intervention style.

Male CO's

The most resistance of female CO's working in male prisons has come from their male coworkers. All of the current research indicates some hostility of male CO's towards women officers (See research of Petersen, Zimmer, Chapman and others). Some of that initial, strong hostility of males decreases after the women have been employed in their facility for awhile. But although time does appear to lessen this hostility, what actually happens is that the hostility does not disappear entirely but just becomes less visible and overt. The less blatant hostility then manifests itself in sexual rumors about the female CO's, sexual harassment, and the lack of acceptance

of females into the established prison guard subculture.

Before 1972, men's prisons were all-male environments. A few women were employed as support personnel, but they were not allowed into the "heart" of the prison. The job of guarding violent male offenders was reserved for men whose aggressiveness, fearlessness, and physical strength made them ideal candidates. Female CO's were intruders into this male world. Their presence threatened the homogeneity of the guard force and the belief that masculinity was a necessary requirement for the job. Male CO's responded to these threats with adamant opposition to women's presence—opposition that was justified (in their minds) by claims that their personal security and the security of the prisons were being compromised. Today, more than a decade after the first women were hired as CO's for men's prisons, male CO opposition remains strong.

Although union leaders shared this basic belief in women's unsuitability for the job of guarding male inmates, they did help women gain employment in men's prisons. Their assistance was especially useful in some states in filing the seniority grievances that allowed female CO's to transfer from women's to men's prisons. Such union actions, however, were not done for altruistic reasons but were motivated by a desire to preserve the integrity of the seniority system. They opposed any concessions to the firm union stance that seniority—and not the individual characteristics of CO's—should be the basis for all assignment decisions (Zimmer, 1982: 143).

In spite of a lack of good, concrete quantitative research, it is possible to make some generalizations about the performance of female CO's in male prisons. Based on the actual performance of female CO's and the limited data available, the "bottom line" is that women can satisfactorily perform as CO's in all-male corrections facilities.

But at the core of the whole issue of women in corrections is "attitude." Negative male attitudes towards women in corrections have been the most significant factor in hindering the advancement of female CO's. No solid proof supports this male bias against female CO's, but none is needed, since males run the correction agencies. The general feeling was and still is, among the majority of male officers, that "prison work is a man's work." Women are not physically or emotionally equipped to handle the man's job of prison guard. Women should only fulfill certain jobs such as prison counselor, or probation or parole officer, or guard in female or juvenile

facilities, but they should not be working as CO's in male prisons. However, it should be noted that all male CO's do not have negative attitudes towards female CO's. Male officers take both sides of the issue. But a substantial number of male officers have strongly impeded and resisted women in corrections. This resistance takes on many different shapes and forms, but the basic reason behind the resistance is that the male with a job and power feels threatened by the female who wants the same things. Therefore, he resists her attempts to acquire them. Aside from attitudes concerning the physical or emotional fitness of women to handle prison duties, the sexual attitudes of a number of male officers have also impeded female CO's. Male chauvinist CO's carry their view of women as sex objects over into the corrections field and thereby create some problems which become quite unprofessional.

One last comment about male CO attitudes is in order. This concerns the officer's attitude towards punishment and how he views his role in corrections. Most prisons operate under a masculine value system. Zimmer astutely mentioned this in her doctoral dissertation:

Perhaps no occupation has been so strongly sex-typed as that of prison guard. Guards must supervise, discipline, and, at times, physically control men who have willfully broken society's basic norms, often by use of force and violence. The guards' occupational responsibilities coincide with the traditional male sex role that stresses dominance, authoritativeness, and aggressiveness, but contradict nearly all aspects of the traditional female role that stresses nurturance, emotional sensitivity, and nonaggression. Because of this strong contradiction between the stereotypical occupational role of prison guard and the stereotypical sex role of the female, the hiring of women for guard jobs in men's prisons represents one of the frontiers in their movement toward occupational equality (Zimmer, 1982: 2,3).

There are male CO's who hold to this type of self-image of the "macho man" prison guard. Certainly Hollywood and the mass media have helped shape and perpetuate this macho image also. If women can enter one of the most masculine of all jobs (at least that is the image) and perform effectively, then the male CO is forced to question his own self-image because the status attached to the role of a corrections officer will no longer automatically be that of a "real man." Also, another thing that the presence of female CO's in male prisons does is to reinforce the rehabilitative side of penology which many male CO's reject and look down upon as not being "real prison work." Consequently, male CO's who hold to this "macho man" view of corrections are resisting the utilization of female CO's in opposite-sex prisons.

Conclusion

In a little more than a decade, the situation for women in corrections has changed from one of almost total absence of female CO's in men's prisons to one in which their presence, albeit in small numbers, is the norm nationwide. Today, women work as guards in opposite-sex prisons in every state, often performing duties identical to their male coworkers. It has been a very difficult struggle for women to get these jobs, though, and it has only come about because women invoked the authority of the courts to force correctional departments to hire them for these positions.

After the 1972 amendments to title VII, many correctional systems resisted the mandate to hire women, hoping that the job of CO would be ruled one of the few allowable exceptions. But even the Supreme Court's decision that allowed gender to be a BFOQ exemption has not stopped women's drive for equal opportunity in corrections. The courts have upheld women's employment rights in most cases, and even those cases that have supported inmate's privacy claims have *not* ruled against equal access to guard jobs for females. Corrections administrators have been held responsible for designing policies that both protect inmate privacy and allow equal employment opportunity. Thus, after a decade or so of legal maneuvering, the movement of women into CO jobs continues even as many legal issues remain unsettled.

It would be a mistake though to think that now women who work in male prisons don't face any future problems. There are still and will continue to be significant obstacles placed on the path toward fuller utilization of women in corrections. Prisons are generally known as institutions especially resistant to change. The legal mandate to correctional agencies to hire female CO's was "among the most dramatic and all-encompassing changes forced upon prisons" during the 1970's (Zimmer, 1982: 144). It was a change that was contrary to longstanding prison tradition, shared assumptions about the nature of a CO's role, and stereotypic beliefs about the capabilities of women. Therefore, this change was not favored or easily accepted by most members of the prison community. For female CO's the attitude and behavior of male guards and supervisors are the primary obstacles to their adjustment to the job. Male opposition and harassment have blocked women's entrance into the prison guard subculture. Women, therefore, receive neither the on-the-job socialization nor the supportive psychological benefits of a subculture. Female CO's do not feel integrated into their work group and

share little sense of camaraderie with male coworkers (Zimmer, 1982: 175).

It is a sad irony that women in corrections must still address the issue of equality in the same profession that had, at one time, accepted women's innovation, work, and creativity (Bergen, 1983: 36). Although there are some potential risks and disadvantages to employing female CO's in male prisons, the advantages outweigh any disadvantages and bear restating. In American corrections in recent years there has been a trend toward "normalization" of the prison environment in order to facilitate rehabilitation. Theoretically, a prisoner will be better prepared to adjust to society by learning how to function in a realistic custodial environment. Since prisoner (including predatory sex offenders) will have to learn how to live in a world populated by both sexes, it is important to allow them to interact "normally" with women while in prison. Two prominent penologists, Norval Morris and Gordon Hawkins, advocate the sexual integration of the guard force for this reason. Also, they argue that "women bring a softening influence to the prison society, assisting men to strengthen their inner controls through a variety of deeply entrenched processes of psychological growth" (Morris and Hawkins, 1970: 133). Morris and Hawkins did anticipate four possible disadvantages to hiring female CO's: loss of discipline, a barrage of obscenity, sexual assault, and successful courtship. They either discounted the seriousness of each of these problems or felt that better staff training more than compensates for the initial problems (Morris and Hawkins, 1970: 133).

The actual experience with female CO's in men's prisons indicates that discipline has not deteriorated; obscenity more often comes from disgruntled male coworkers than from the inmates; and sexual assaults are not prevalent. Although there have been a few reports of romance between female CO's and male inmates, this should not be viewed as a compelling reason for refusing to hire female CO's. After all, homosexual liaisons between staff and inmates in male and female prisons have long plagued corrections administrators, and so the possibility of heterosexual relations poses no greater threat. Effective staff training and good administration can address these potential problems (Jacobs, 1981: 82).

In one of the few books devoted exclusively to prison guards and their role in corrections, Robert Wicks notes several other advantages to utilizing female CO's in male prisons. He feels that the role of the CO can be subtly changed when women are employed there. They are no longer just seen as en-

forcers or guards, but as "a group of people designed to work with the inmates and guide them through the day's activities" (Wicks, 1980: 96). Also, the visible presence of females as officers in the institution, rather than hidden and locked away office workers, shows respect and trust for the inmates. This message gets across to inmates, as do similar positive ones when the officer population is not just made up of one racial, social, cultural, economic, or intellectual class (Wicks, 1980: 96). Wicks also feels that women have a softening (i.e., less violent and extreme behavior) effect on the institution, and the language, appearance, and demeanor of inmates and staff improve in the presence of female CO's. This superior effectiveness of women (as compared to men) in diffusing potential violence and softening the environment has also been noted in the literature concerning policewomen. If this perceived superiority does exist, though, it is not clear what causes it. "Whether it is a function of chivalrous behavior on the part of men (and, hence, perhaps a short-lived phenomenon), a different style of intervention used by women or some other subtle factor is not known" (Petersen, 1982: 457).

More than a decade of experience indicates that women are able to perform as CO's in men's prisons. Female CO's have "paid their dues" to their profession. The first female CO has already been slain on duty in the United States. Donna Payant was killed by a convict on May 15, 1981, at Green Haven, a maximum-security, all-male prison in New York State. It would take a dramatic change in the law to reverse the movement of female CO's into positions in opposite-sex facilities. Several things must occur, though, if women are to enter the field in greater numbers and ultimately achieve equality and acceptance. Chapman and her coauthors point out that in analyzing women's role in corrections, one has to go beyond the individual factors and identify and understand the subtle and complex organizational influences at work (Chapman and others, 1983: 61, 81, 119). Barriers to women in corrections cannot be understood by just analyzing the characteristics of individuals separate from the jobs and career paths in the total system of corrections organizations.

Another important issue to be dealt with before female CO's can move ahead concerns the physical aspects of corrections. There is a physical side to being a corrections officer in contemporary American prisons. CO's have to be able to restrain inmates and use force when necessary for the safety and security of themselves, fellow staff members, and inmates. Candidates of both sexes must be fairly tested to see if they have the necessary physical ability to do the job. Valid, job-related, preemploy-

ment physical agility exams should be used to select CO recruits. When combined with a broad, comprehensive, career-long physical training program, this will insure that all CO's, female and male, can effectively handle the physical aspects of working in prison. Also, unarmed self-defense training has to be upgraded and stressed so that all officers can be at less risk on the job (Horne, 1980: 158-169).

Because there are so few women currently employed on any shift in any one opposite-sex prison facility, the initial female CO's face many problems just because of their uniqueness. In the prison, the dominant group is male and "the few" are female, but it is numerical distribution rather than gender, *per se*, that generates the special pressures of tokenism (Zimmer, 1982: 184-187). The corrections administrators and the female CO's themselves have to be aware of the "trend-setter" problems and generalizations which come into play as a result of very few, if any, successful female CO role models. The answer to this issue of female CO's being viewed as tokens is for corrections administrators to bring sufficient numbers of women into a male facility so that they are no longer viewed as a novelty by the inmates and staff and they, therefore, can get on with the job of learning to be effective prison guards. Along with this, if true equality is to occur in the profession, corrections administrators must assure that there is no disparity in workload distribution at male prisons. Of course, the same principle is applicable to male CO's employed at female institutions.

The sexual integration of America's guard forces has been a huge undertaking marked by confusion, turmoil, and legal ambiguity. All members of the prison community have been affected by it, and it is a change still in the process of occurring. It appears very unlikely that this dramatic change in correctional policy will ever be totally reversed. It seems clear that the courts will not sanction the use of sexually segregated guard forces even in men's maximum-security prisons. Corrections administrators must work with all concerned parties to insure that, in the future, corrections reaps the full benefits from its female staff. Women must be

hired in greater numbers and utilized comprehensively in all phases of corrections, including assignments as CO's in male prisons. Anything less than equal opportunity and comprehensive utilization of females in corrections will be in the best interests of neither society nor penology.

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