A "MACHIAVELLIAN" PERSPECTIVE ON THE DEVELOPMENT OF BOOT CAMP PRISONS: A DEBATE

Doris Layton MacKenzie

Claire Souryal

Department of Criminology and Criminal Justice
University of Maryland
2220 LeFrak Hall
College Park, Maryland 20742

A "MACHIAVELLIAN" PERSPECTIVE ON THE DEVELOPMENT OF BOOT CAMP PRISONS: A DEBATE

Doris Layton MacKenzie, Ph.D.

Claire Souryal*

I. Introduction

Faced with burgeoning prison populations, states search for innovative alternatives to address correctional problems. This year Congress appropriated 24.5 million dollars to be used for discretionary grants to states for the construction of correctional boot camps.[1] Investing this amount of money in boot camps should enormously increase the number and size of the boot camps currently in operation.[2] The question is whether this is reasonable given what we currently know about these programs.

---

*Doris Layton MacKenzie, Ph.D. is an Associate Professor in the Department of Criminology and Criminal Justice, University of Maryland-College Park. Claire Souryal is a doctoral student in the Department of Criminology and Criminal Justice, University of Maryland-College Park. This investigation was supported in part by Grant #90-DD-CX-0061 from the National Institute of Justice, Office of Justice Programs, U.S. Department of Justice to the University of Maryland. Points of view in this document are those of the authors and do not necessarily represent the official position of the U.S. Department of Justice. Thanks are expressed to all those who have worked on the multi-site study. Requests for copies should be sent to Dr. MacKenzie at The University of Maryland, Dept. of Criminology and Criminal Justice, 2220 LeFrak Hall, College Park, MD 20742.

[1]US Department of Justice, Office of Justice Programs, Violent Offender Incarceration and Truth in Sentencing Incentive Grant Program: Interim Final Rule, As published in the Federal Register, 2 (Dec 1994); Little Hoover Commission, Boot Camps: An Evolving Alternative to Traditional Prisons, 3 (State of California, Jan 1995).

[2]Little Hoover Commission at 3.

The boot camps are so popular that it is hardly possible to study them without first asking why they have grown so rapidly and what people expect of them. The public and policymakers appear to expect boot camps to accomplish spectacular results.[3] Perhaps what has most influenced the rapid growth is the fact that these programs can be touted as alternatives that are tough on crime. Politicians today are well aware of the danger of appearing soft on crime. The media has widely publicized the boot camps with powerful visual images of drill instructors yelling at young criminals. There is obviously a hope that this tough punishment will deter offenders from continuing their criminal activities.

However, if one reviews the literature on deterrence, there is little to suggest that a program like the boot camp will have either a general or specific deterrent effect. Past research has reported limited or no deterrent effect from incarceration in a training school or from "scared straight" programs.[4] It is unlikely that the boot camp experience will alter perceptions of either the certainty or severity of punishment, which would be required for a deterrent effect.[5]

In contrast to those who want boot camps as deterrents to crime, others appear to support

---

[3]The White House, National Drug Control Strategy, 25 (Office of National Drug Control Policy, Sep 1989); Adam Nossiter, As Boot Camps for Criminals Multiply, Skepticism Grows, 1 (The New York Times, Dec 18, 1993).

[4]Roy Lotz, Robert M. Regoli, and Phillip Raymond, Delinquency and Special Deterrence, 15 Criminology 539, 542-46 (1978); James O. Finckenauer, Scared Straight! and the Panacea Phenomenon 111-70 (Prentice-Hall, 1982).

[5]Raymond Paternoster, The Deterrent Effect of the Perceived Certainty and Severity of Punishment: A Review of the Evidence and Issues, 4 Just Q 173, 175-94 (1987).

the boot camps as appropriate punishment or just desert for these offenders.[6] While in the past, length of prison term has been equated with severity of sentence, the boot camps introduce an intensity dimension. Intermediate sanctions are assumed, at some level of intensity, to be as punitive as a prison sentence. A short but intense boot camp program may be equal, in the public's mind, with a longer but less intense term in prison.[7]

While deterrence and punishment appear to be the two primary reasons for the public and political support for boot camps, there is also interest in the rehabilitative aspects of the program. The boot camps seem to reflect some common beliefs the public holds about young offenders and how they might be changed. In the past in this country, it has been generally accepted that sending a young man to the military "will straighten him out and make a man of him."[8] Offenders are thought to lack discipline and structure in their lives, which are the very things, in the opinion of many, that a boot camp can instill.[9] The regimented lifestyle and

---

[6]See generally Andrew von Hirsch, Scaling Intermediate Punishments: A Comparison of Two Models, in James M. Byrne, Arthur J. Lurgio and Joan Petersilia, eds, Smart Sentencing: The Emergence of Intermediate Sanctions 211 (Sage, 1992).

[7]There is some work examining how inmates and correctional staff compare intensive supervision to prison. For example, Petersilia and Deschenes found that these groups viewed one year in prison as approximately equivalent in severity to three years of intensive probation supervision. Joan Petersilia and E.P. Deschenes, Unpublished Manuscript (Rand, 1994). It would be interesting to introduce boot camp prisons into some of the severity rankings to understand where they would fall in comparison to a two or three year prison term.

[8]William Arkin and Lynne R. Dobrofsky, Military Socialization and Masculinity, 34 J of Social Issues 151, 154-155 (1978).

[9]The White House, National Drug Control Strategy at 25 (cited in note 3); Sue Frank, Oklahoma Camp Stresses Structure and Discipline, 53 Corrections Today 102, 104-5 (1991); Donald J. Hengesh, Think of Boot Camps as a Foundation for Change, Not an Instant Cure, 53 Corrections Today 106, 108 (1991).

discipline of the boot camp is expected to be transferred to life on the outside.[10]

In comparison to what appears to be the public and policymakers' focus on deterrence and retribution, rehabilitation is a major emphasis of correctional administrators. When asked to rank the importance of various objectives, they rate rehabilitating offenders, lowering recidivism rates, and reducing prison crowding as the key objectives of boot camps.[11]

A. Boot Camps in a Rational System

Alternative sanctions, also called intermediate sanctions, have been proposed as ways to manage the burgeoning numbers of offenders without sacrificing public safety. A rational system of intermediate punishments would provide sentencing options between traditional prison and probation. Rather than sentencing offenders to either prison or probation, as is most often done, alternatives would provide intermediate levels of control.[12] The assumption is that many offenders now in traditional prison could be adequately managed in less intrusive (and less costly) settings.[13] Furthermore, many offenders placed on traditional probation have inadequate amounts of supervision; intermediate sanctions would increase the level of control for the more

---

[10]Mark W. Osler, Shock Incarceration: Hard Realities and Real Possibilities, 55 Fed Probation 34, 35-36 (1991).

[11]D. L. MacKenzie and C. Souryal, Multi-Site Study of Shock Incarceration: Process Evaluation, 132-72 (US Dept of Just, 1993) (Part I of the Final Report to the National Institute of Justice).

[12]See generally Norval Morris and Michael Tonry, Between Prison and Probation: Intermediate Punishments in a Rational Sentencing System (Oxford, 1990).

[13]Id at 10.

high risk probationers.[14] By carefully matching offenders to the appropriate correctional control, the system would permit a reasonable allocation of resources.[15]

Although the proposal for developing a system of sanctions was accepted by many as an entirely reasonable method of allocating resources, in actuality it has not been well developed. As yet only a relatively small number of offenders receive intermediate sanctions.[16] While many probationers are required to comply with numerous conditions of supervision, these are often added to the conditions of traditional probation and are not necessarily part of a planned system of sanctions.[17]

A frequent problem with intermediate sanctions is that they increase the net of control. As new alternatives are developed that are less restrictive, offenders who would have been treated more leniently in the past are placed in the programs instead of those who would have been incarcerated.[18] The sanctions are used to increase the control over probationers but not

---

[14]Id at 14.

[15]Id at 159.

[16]For example, a recent investigation found that only two percent of the 4.4 million adults under correctional control were in some type of intermediate sanction. This count included all those who were in house arrest, boot camps, intensive supervision, day reporting, electronic monitoring and work release. Faye S. Taxman, Correctional Options and Implementation Issues: Results from a Survey of Correctional Professionals, 18 Perspectives 32, 32 (American Probation and Parole Association, Winter 1994).

[17]See for instance, Langan's 1994 investigation of the conditions of probation. Patrick A. Langan, Between Prison and Probation: Intermediate Sanctions, 264 Science 791 (May 1994).

[18]Morris and Tonry, Between Prison and Probation at 157 (cited in note 12); James Austin and Barry Krisberg, The Unmet Promise of Alternatives to Incarceration, 28 Crime & Delinq 374, 377 (1982).

to decrease the time in prison for prisoners. As a result, the intermediate sanctions become much more costly because the additional level of control requires more staff, equipment, and supplies.[19] Tight budgets limit the number and type of intermediate sanctions that the system can afford.

Furthermore, many of the intermediate sanctions target the same offenders. As new sanctions are developed, they are used for the offenders who would have been in a previously developed intermediate sanction, not for those who would have been in prison or on probation.[20] Instead of drawing people from the prison population, the alternative programs begin to compete for the same type of offender (the higher risk probationer), and the number of offenders in the alternatives remains the same.

One explanation for this hesitancy to place prison-bound offenders in intermediate sanctions is that many of these are considered "soft" on crime. When Taxman examined how severely people viewed these sanctions, she found the majority of the sanctions clustered quite closely together in a mid-range of severity.[21] Residential incarceration was always considered more severe than the nonresidential alternative sanctions. It is little wonder that when new sanctions are developed they are frequently used for offenders who would otherwise be on

---

[19]Dennis Palumbo, Mary Clifford, and Zoann K. Snyder-Joy, From Net Widening to Intermediate Sanctions: The Transformation of Alternatives to Incarceration from Benevolence to Malevolence, in Byrne, Lurgio, and Petersilia, eds, Smart Sentencing 229, 237 (cited in note 6).

[20]Taxman, 18 Perspectives 32, 36 (cited in note 16).

[21]Id at 35-36.

probation.[22]

The question is where the boot camp fits in severity and in the rational system of sanctions. It appears to be considered tougher than most of the other intermediate sanctions. Quite possibly, boot camps could be used as a trade for a longer term in prison.[23] There is some indication that the public would accept boot camps in exchange for a longer term in prison, but we need more empirical data before we can be certain.

Research indicates that boot camps can save prison beds if they are designed as early release mechanisms.[24] According to MacKenzie and Piquero, in order to reduce prison crowding, boot camps must be carefully designed to target offenders who would otherwise be in prison, and they must release a sufficient number of offenders prior to the time they would otherwise be released.[25] In this way, the boot camps could have an impact on prison crowding by shortening the prison terms of a sufficient number of offenders.

The use of the boot camps as early release options requires that the decisionmakers consent to this early release. The fact that boot camps are viewed as "tough" may mean that the public and policymakers will agree to use the boot camps in lieu of a longer term in prison. Thus, the boot camps fit within a system of sanctions, fulfill a need (reduce the use of prison), and do so in a way that other intermediate sanctions have not.

---

[22]Austin and Krisberg, 28 Crime & Delinq 393-96 (cited in note 18); Palumbo, Clifford, and Snyder-Joy, From Net Widening to Intermediate Sanctions at 237 (cited in note 19).

[23]Taxman, 18 Perspectives 36 (cited in note 16).

[24]D. L. MacKenzie and A. Piquero, The Impact of Shock Incarceration Programs on Prison Crowding 40 Crime & Delinq 222 (1994).

[25]Id at 244-45.

B. Boot Camps and Offender Treatment

A major deficit of our correctional systems today is the lack of treatment for offenders despite the fact that there is strong evidence that treatment works.[26] Many offenders with drug problems do not receive drug treatment while under correctional supervision.[27] As noted by Gendreau et al., the new generation of alternative sanctions focus on controlling offenders and frequently omit any emphasis on treatment.[28]

A review of the treatment literature clearly reveals that the core elements of the boot camp programs (e.g., military drill & ceremony, physical training, hard labor) can be expected to have little value in and of themselves.[29] However, most boot camp prisons also incorporate therapy, counseling, or educational programs in the daily schedule, and this rehabilitative

---

[26]D. A. Andrews, et al, Does Correctional Treatment Work? A Clinically Relevant and Psychologically Informed Meta-Analysis, 28 Criminology 369, 374 (1990).

[27]Yih-Ing Hser, Douglas Longshore, and M. Douglas Anglin, Prevalence of Drug Use among Criminal Offender Populations: Implications for Control, Treatment, and Policy, in Doris Layton MacKenzie and Craig D. Uchida, eds, Drugs and Crime: Evaluating Public Policy Initiatives 18, 31 (Sage, 1994); Susan Turner, Joan Petersilia, and Elizabeth Piper Deschenes, The Implementation and Effectiveness of Drug Testing in Community Supervision: Results of an Experimental Evaluation, in MacKenzie & Uchida, eds, Drugs and Crime 231, 240.

[28]Paul Gendreau, Mario Paparozzi, Tracy Little, and Murray Goddard, Does "Punishing Smarter" Work?: An Assessment of the New Generation of Alternative Sanctions, 5 Forum on Correctional Res 31, 32 (1993).

[29]Merry Morash and Lila Rucker, A Critical Look at the Idea of Boot Camp as a Correctional Reform, 36 Crime & Delinq 204, 210-214; Doris Layton MacKenzie and Dale G. Parent, Boot Camp Prisons for Young Offenders, in Byrne, Lurgio, and Petersilia, eds, Smart Sentencing 103, 114 (cited in note 6); Andrews, 28 Criminology at 373 (cited in note 26); Mackenzie and Souryal, Multi-Site Evaluation of Shock Incarceration 15 (US Dept of Just, Nov 1994) (A Final Summary Report Presented to the National Institute of Justice).

component has been growing over the years.[30] Programs that previously focused on only the physical training and military drill aspects, have now introduced therapeutic programming within the boot camps and increased aftercare to help offenders make the transition from the boot camps to the community.[31] Most likely, the offenders spend more time in treatment-type activities while they are in the boot camp prisons than they would if they were in traditional prisons. Correctional administrators appear to use the programs to obtain additional funds for these treatment and educational activities.[32]

Research examining the boot camps has shown very little negative impact from the program.[33] Offenders report being drug free and physically healthy when they leave the program.[34] MacKenzie and Shaw also found that offenders believed the program helped them,

---

[30]Laura A. Gransky, Thomas C. Castellano, and Ernest L. Cowles, Is There a 'Next Generation' of Shock Incarceration Facilities? The Evolving Nature of Goals, Program Components and Drug Treatment Services, in J. Smykla and W. Selke, eds, Intermediate Sanctions: Sentencing in the 90s, 89, 110 (Anderson, 1995).

[31]Id at 94; Roberta C. Cronin, Boot Camps for Adult and Juvenile Offenders: Overview and Update 26 (Natl Inst of Just, Oct 1994).

[32]Gransky, Castellano, and Cowles, Is There a 'Next' Generation of Shock Incarceration Facilities? 110 (cited in note 30).

[33]Francis Cullen, Control in the Community: The Limits of Reform?, Paper prepared for the Intl Assoc of Residential and Community Alternatives' "What Works in Community Corrections: A Consensus Conference" in Philadelphia, Pa 24-28 (Nov 1993); MacKenzie and Souryal, Multi-Site Evaluation of Shock Incarceration at 40-43 (cited in note 29); U.S. General Accounting Office, Prison Boot Camps: Short-Term Prison Costs Reduced, but Long-Term Impact Uncertain 33-34 (US General Accounting Office, April 1993).

[34]MacKenzie and Souryal, Multi-Site Evaluation of Shock Incarceration at 11 (cited in note 29).

and they were more hopeful about their future.[35] Comparable offenders in traditional prisons did not report that they thought their prison experience was beneficial.[36] Anecdotally, there is evidence that the boot camp prisoners and their families take pride in completion of the programs. A boot camp is one of the only places where parents take pictures of offenders successfully completing prison.[37]

When researchers have examined antisocial attitudes,[38] positive activities during community supervision,[39] and recidivism,[40] they have not seen many differences between the boot camp graduates and comparison groups of probationers or parolees. In most studies when there are differences between the boot camp graduates and other offenders, the graduates do

---

[35]Doris Layton MacKenzie and James W. Shaw, Inmate Adjustment and Change during Shock Incarceration: The Impact of Correctional Boot Camp Programs, 7 Just Q 125, 138-39 (1990).

[36]Id.

[37]Personal observation of the first author at the Wisconsin Department of Corrections, St. Croix Correctional Center, in New Richmond, Wisconsin, 1993.

[38]MacKenzie and Shaw, 7 Just Q 125 (cited in note 35).

[39]D. L. MacKenzie and Robert Brame, Shock Incarceration and Positive Adjustment during Community Supervision, J of Quantitative Criminology (Forthcoming).

[40]Cullen, Control in the Community at 25-27 (cited in note 32); MacKenzie and Souryal, Multi-Site Evaluation of Shock Incarceration at 41 (cited in note 29); Doris Layton MacKenzie and James W. Shaw, The Impact of Shock Incarceration on Technical Violations and New Criminal Activities, 10 Just Q 463 (1993); Gerald T. Flowers and R. Barry Ruback, Special Alternative Incarceration Evaluation 41 (Ga Dept of Corrections, 1991); NY Dept of Correctional Services and NY Div of Parole. (1992). The Fourth Annual Report to the Legislature: Shock Incarceration - Shock Parole Supervision. Albany, NY: Author; NY Dept of Correctional Services and NY Div of Parole. (1993). The Fifth Annual Report to the Legislature: Shock Incarceration - Shock Parole Supervision. Albany, NY: Author.

better than the comparison offenders.[41] In the few instances when differences occur, such differences may be related to the intensive therapeutic activities in the boot camps combined with intensive supervision in the community, although this has not been subjected to empirical tests.[42] Thus, the boot camps that have been studied do not appear to be harming these offenders and may actually be beneficial.

Obviously, the rigorous activity, summary punishments, and authoritarian atmosphere of the boot camps hold the potential for abuse and injury of inmates. On the other hand, so do traditional prisons. The dangers of traditional prisons may differ from the dangers of boot camps. For example, the strict control and continual oversight of offenders in boot camps means inmate-on-inmate violence, intimidation, and conflict may be less than in traditional prisons. On the other hand, the power and control that staff have over the inmates in the boot camps increases the possibility of staff-on-inmate abuse. The degradation and verbal abuse shown in media accounts of the program is hardly conducive to the "interpersonally warm, flexible, and enthusiastic ways . . ." that Andrews et al. propose to be a characteristic of effective treatment programs.[43]

However, there may be some advantages to military atmosphere in the boot camps that is not immediately obvious. Besides being a vehicle for obtaining additional treatment for offenders, the boot camps may provide some advantages for treatment delivery. The environment may coerce offenders into treatment, either during the in-prison phase or afterwards

---

[41]Cullen, Control in the Community at 28 (cited in note 32).

[42]MacKenzie and Souryal, Multi-Site Evaluation of Shock Incarceration at 42 (cited in note 29).

[43]Andrews, et al, 28 Criminology at 376 (cited in note 26).

during community supervision--treatment that they would not otherwise voluntarily obtain.[44] Research in drug treatment provides evidence that coercion can keep substance abusers in treatment longer, and the longer they stay in treatment, the better the outcome.[45]

Another advantage may be that the military atmosphere acts as a catalyst to facilitate other changes in offenders. The camps may do so by creating stress and radical change in the pattern of the inmates lives, and, at such times, inmates may be more susceptible to change. As Zamble and Porporino propose in their study of inmate coping and change in prison, this may be a time when the inmates reevaluate their lives and become more willing to make changes.[46] The stressful and demanding nature of the boot camp may be valuable in initiating this process.

Boot camp prisons also introduce the possibility of using the correctional officers who work in the boot camps as agents of behavioral change, a relatively new role for these officers. They may provide an environment that is supportive and that reinforces anti-criminal attitudes and behavior.[47] If this is a role the officers can assume, they would provide a much more continual treatment atmosphere than would be possible if only trained therapists provided an hour or two of treatment per week.

---

[44]MacKenzie and Brame, Shock Incarceration and Positive Adjustment (cited in note 39).

[45]M. Douglas Anglin and Yih-Ing Hser, Treatment of Drug Abuse, in M. Tonry and J. Wilson, eds, Drugs and Crime 393, 396 (Chicago, 1990).

[46]Edward Zamble and Frank Porporino, Coping, Imprisonment, and Rehabilitation: Some Data and Their Implications, 17 Crim Just & Behav 53, 64 (1990).

[47]Andrews, et al, 28 Criminology at 376 (cited in note 26).

II. A MACHIAVELLIAN PERSPECTIVE

In The Prince, Machiavelli rejected the idealism of the medieval tradition and expressed instead a political realism about how princes should govern.[48] In later years it has come to represent the conflict between the ethical and the ruthlessly realistic--the use of any means to achieve the desired end. While this has not been explicitly articulated, many knowledgeable correctional administrators seem to accept a "Machiavellian" perspective in regard to boot camp prisons.[49] From this perspective, although boot camps may be popular for reasons that are not necessarily well informed about either corrections or rehabilitation, they may have the potential to be used to achieve some desired objectives. First, within a rational sentencing system, they may be "tough" enough to truly be used as an alternative to prison and thereby help to reduce prison populations. Second, public acceptance of the boot camps can be used to obtain increased funding for rehabilitation programs that would not otherwise be available to these offenders. These two topics relate to two of the major issues in corrections and the goals of most intermediate punishments: how to reduce prison crowding and how to change offenders.[50]

Is the boot camp environment so antithetical to treatment that we should adamantly oppose its development, or can we use boot camps to deliver treatment that would not otherwise be available? There may be some advantages to the boot camps even though there can be little hope that they will have a deterrent effect or that the military component by itself will successfully change offenders. For example, the boot camps may incarcerate offenders for a

---

[48]Niccolo Machiavelli, The Prince and the Discourses 3-102 (Random House, 1950).

[49]See J. Michael Quinlan, Carving Out New Territory for American Corrections, 57 Federal Probation 59, 63 (1993).

[50]See Morris and Tonry, Between Prison and Probation at 180 (cited in note 12).

shorter period of time. Also, their development brings with it money for enhanced treatment and aftercare for the offenders.

From this Machiavellian perspective, boot camps may be a viable intermediate sanction. Using the public acceptance of the tough military environment, we can explore the solutions these programs provide for prison overcrowding and the treatment of offenders. While knowledgeable correctional experts realize the limitations of the military atmosphere, public acceptance of the program may permit some offenders to earn their way out of prison, thus potentially reducing crowding, and public acceptance may also bring increased resources for additional treatment. Are we willing to use these programs as a means to these ends? And, can we achieve the desired ends?

III. THE MACHIAVELLIAN PERSPECTIVE: RECONSIDERED

The Machiavellian perspective posits that boot camp prisons have been enthusiastically embraced by the public and politicians because they are perceived as being "tough on crime." Perceptions of "toughness" spring mainly from the program's strict military-like atmosphere that encompasses military drill and ceremony, physical training, and strict discipline. In addition to providing sufficient punishment by virtue of their toughness, the Machiavellian perspective asserts that the public also expects the military component of the program to advance utilitarian objectives--namely, deterrence and rehabilitation (for example, through external structure and discipline).

Are the utilitarian expectations of the public and politicians (regarding the military

component of the program) realistic? Most commentators would answer "NO" [51] and the Machiavellian perspective admits as much . In essence, the Machiavellian perspective argues that the primary benefit of the boot camp military atmosphere is to gain popular support. It then advocates capitalizing upon the public support that the military atmosphere engenders--regardless of whether it is misinformed--to develop a rational sentencing system that would save prison beds and provide treatment to offenders who might not otherwise receive it. Thus, the military component of boot camp prisons is viewed as a tolerable means of achieving a desirable and otherwise illusive end.

A. The "Myth of the Punitive Public"

In attributing the popularity of boot camp prisons to their reputation as a "tough" sanction, the Machiavellian perspective implicitly dismisses as "idealistic" the possibility of developing correctional options that are not perceived as punitive. In doing so, it falls prey to what some have called the "myth of the punitive public."[52] This "myth" refers to the belief--particularly common among policymakers--that the public favors strictly punitive criminal

---

[51]See generally Morash and Rucker, A Critical Look at the Idea of Boot Camp as a Correctional Reform (cited in note 29); Dale K. Sechrest, Prison "Boot Camps" Do Not Measure Up, 53 Federal Probation 15 (1989); Rudolf E. S. Mathlas and James W. Mathews, The Boot Camp Program for Offenders: Does the Shoe Fit?, 35 Intl J of Offender Therapy and Comparative Criminology 322 (1991).

[52]Francis T. Cullen, John B. Cullen and John F. Wozniak, Is Rehabilitation Dead? The Myth of the Punitive Public, 16 J Crim Just 303 (1988); Sandra Evans Skovron, Joseph E. Scott, and Francis T. Cullen, Prison Crowding: Public Attitudes toward Strategies of Population Control, 35 J Res Crime & Delinq 150, 154 (1988); Francis T. Cullen, et al, Public Support for Correctional Treatment: The Tenacity of Rehabilitative Ideology, 17 Crim Just & Behav 6, 7 (1990); Francis T. Cullen, Gregory A. Clark, and John F. Wozniak, Explaining the Get Tough Movement: Can the Public be Blamed?, 49 Federal Probation 16, 22 (1985).

penalties and is intolerant of approaches such as rehabilitation.[53] Research reveals, however, that while it is true that public attitudes have grown more punitive since the early 1970s, they cannot be characterized as predominantly punitive.[54] Cullen et al. effectively dispel the "myth" as follows:

> Although citizens clearly believe that the state has the legitimate right to sanction offenders on the basis of just deserts, they also believe that criminal penalties should serve utilitarian goals. Further, the evidence indicates that among the utilitarian goals, rehabilitation is supported as much as and usually more than either deterrence or incapacitation.[55]

Not only has research indicated that the public subscribes to multiple correctional goals including rehabilitation, it has also revealed that policymakers have overestimated public punitiveness.[56] A study that compared the attitudes of policymakers with members of the general public is illustrative. Researchers discovered that the attitudes of samples of policymakers and members of the general public were both "rather liberal, nonpunitive, utilitarian, and reform-oriented."[57] Notably, however, the sample of policymakers believed the

---

[53]Cullen, Cullen, and Wozniak, 16 J Crim Just at 305 (cited in note 52).

[54]Id at 314; Skovron, Scott, and Cullen, 35 J Res Crime & Delinq at 163 (cited in note 52); J. V. Roberts, Public Opinion, Crime, and Criminal Justice, in M. Tonry, ed, Crime and Justice: A Review of Research (Vol 16) 99, 144-45 (Chicago, 1992).

[55]Cullen, Cullen, and Wozniak, 16 J Crim Just at 314 (cited in note 52).

[56]Id at 315; Skovron, Scott, and Cullen, 35 J Res Crime & Delinq at 165 (cited in note 52); Francis T. Cullen and Paul Gendreau, The Effectiveness of Correctional Rehabilitation: Reconsidering the "Nothing Works" Debate, in Lynne Goodstein and Doris Layton MacKenzie, eds, The American Prison: Issues in Research and Policy 23, 38 (1989); Roberts, Public Opinion, Crime, and Criminal Justice at 157-158 (cited in note 54).

[57]Cullen, Cullen, and Wozniak, 16 J Crim Just at 315 (cited in note 52) (quoting Stephen D. Gottfredson and Ralph B. Taylor, The Correctional Crisis: Prison Populations and Public Policy 14 (US Dept of Just, 1983)).

reverse to be true of the general public.[58] In similar fashion, another study revealed that although two-thirds of the public were found to support rehabilitation as a correctional objective, only twelve percent of a sample of policymakers believed that the public would be so inclined.[59] Misperceptions of the public "will" have profound implications for public policy.[60] Such misperceptions, for example, likely limit the range of public policy alternatives deemed politically feasible.[61] Policymakers may reject sound policy alternatives based simply on the fact that they do not appear punitive enough to satisfy what they misperceive as the will of the public. Sherman and Hawkins affirm that in general "those who formulate correctional policy typically see their choices as dictated by pressures and circumstances beyond their control."[62] Clearly, policymakers need to be better informed about the realities of the public "will."

A major problem with the Machiavellian perspective, then, is that it is grounded in common assumptions about public opinion that may be misinformed. Recent research indicates that the public is not more punitive than policymakers or the judiciary and that it exhibits strong support for rehabilitation relative to deterrence and incapacitation. Thus, critics may argue, it is not necessary to cloak rehabilitative elements of a program under the guise of punitiveness in

---

[58]Id at 315.

[59]Roberts, Public Opinion, Crime, and Criminal Justice at 158 (cited in note 54).

[60]Cullen, Cullen, and Wozniak, 16 J Crim Just at 313-15 (cited in note 52).

[61]Id at 315.

[62]Id (quoting Michael Sherman and Gordon Hawkins, Imprisonment in America: Choosing the Future 17-18 (Chicago, 1981)).

order to gain public support. Moreover, in adopting such a strategy the Machiavellian perspective serves to perpetuate both public misunderstandings about the potential of boot camp programs to achieve correctional goals as well as politician's misperceptions of public opinion.

Hence, the choice between "idealism" and "ruthless realism" advanced by the Machiavellian perspective may be a false one. Examination of Machiavelli's work suggests that there is a middle ground. As Lerner observes:

> Machiavelli sought to distinguish the realm of what ought to be and the realm of what is. He rejected the first for the second. But there is a third realm: the realm of what can be.[63]

Such a middle ground would seek to elevate the corrections debate beyond the more common "get tough" rhetoric by encouraging open dialogue between policymakers and the public such that policymakers both "educate and [are] educated by the public."[64] Accordingly, it might seem more prudent to be forthright about the inadequacies/limitations of the boot camp military model, concentrate on developing more effective programs, and then sell those programs on their merits.

B. Boot Camps as a Successful Means to an End?

If in fact the military component of boot camp prisons is accepted as a means to an end, the following section will explore whether boot camp prisons are likely to achieve those ends. That is, are boot camps likely to reduce prison crowding and provide adequate treatment to offenders? And if they are, what are the dangers associated with accepting such a compromise?

---

[63]Max Lerner, Introduction to The Prince and the Discourses by Niccolo Machiavelli at xlvi (Random House, 1950) (cited in note 48) (emphasis added).

[64]Cullen, Clark, and, Wozniak, 49 Federal Probation at 23 (cited in note 52).

1. Offender Treatment. Many boot camp prisons have supplemented the military component of the program with rehabilitative programming such as academic education, group counseling, and drug education/treatment.[65] Such programming lies at the heart of the Machiavellian perspective because it represents one of the primary benefits of boot camp programs. In addition to providing treatment opportunities such as these, a Machiavellian would contend that correctional officers may have therapeutic potential if they act as positive, anti-criminal role models.

The provision of treatment necessarily takes place within the larger military-like milieu. The pertinent question then becomes whether the military environment is conducive to effective treatment. Although some would argue that the military component actually facilitates successful treatment outcomes, review of the extant literature on effective correctional treatment would appear to suggest otherwise.

In recent years, examination of correctional treatment programs has moved beyond the question of whether correctional treatment programs "work" to examination of the principles that characterize successful programs.[66] Based on numerous meta-analyses of treatment programs, several guiding principles of effective treatment have in fact been enumerated.[67] Andrews et al. contend that these characteristics of effective treatment "are sufficiently strong to inform professionals in rehabilitation and to lead to policy statements that actively encourage

---

[65]MacKenzie and Souryal, Multi-Site Evaluation of Shock Incarceration at 1 (cited in note 29); US General Accounting Office, Prison Boot Camps at 18 (cited in note 33).

[66]See generally Cullen and Gendreau, Correctional Rehabilitation at 23 (cited in note 56).

[67]Id at 33; Andrews, et al, 28 Criminology at 372-77 (cited in note 26); D. A. Andrews, James Bonta, and R.D. Hodge, Classification for Effective Rehabilitation: Rediscovering Psychology, 17 Crim Just & Behav 19, 20 (1990).

rehabilitative effort and evaluation of that effort."[68]

In brief, effective correctional treatment (i.e., treatment that reduces recidivism) involves the following: (1) matching high-risk offenders to the most intensive programs; (2) targeting the criminogenic needs of offenders; (3) developing programs consistent with the literature on effective service within general offender samples; and (4) matching the style and mode of a program to the learning styles and abilities of offenders.[69] Attention here will focus on the development of treatment programs that are informed by the literature on effective service because this principle applies to the boot camp concept in general. Whether boot camp programs target high-risk offenders or criminogenic needs, on the other hand, is likely to vary from program to program and is therefore beyond the scope of this analysis.

Review of the literature on characteristics of effective programs reveals that successful programs involve the following:

> . . . workers who are interpersonally warm, tolerant, and flexible, yet sensitive to conventional rules and procedures. These workers make use of the authority inherent in their position without engaging in interpersonal domination (firm but fair); demonstrate in vivid ways their own anti-criminal/prosocial attitudes, values, and beliefs; and enthusiastically engage the offender in the process of increasing rewards for noncriminal activity.[70]

Consideration of this line of research calls the treatment potential of boot camp programs into question. Certainly, interactions based on the military ideal would not be characterized as "interpersonally warm, tolerant, and flexible." On the contrary, military-style interactions typically involve the interpersonal dominance and conflict specifically proscribed as ineffective.

---

[68]Andrews, Bonta, and Hodge, 17 Crim Just & Behav at 36 (cited in note 67).

[69]Id at 20.

[70]Id at 36-37 (emphasis added).

Consider the way in which boot camp inmates were introduced to the boot camp concept in one program:

> "You are nothing and nobody, fools, maggots, dummies, motherf____ s___, and you have just walked into the worst nightmare you ever dreamed. I don't like you. I have no use for you, and I don't give a f___ who you are on the street. This is my acre, hell's half acre, and it matters not one damn to me whether you make it here or get tossed out into the general prison population, where, I promise you, you won't last three minutes before you're somebody's wife. Do you know what that means, tough guys?[71]

Further, it is questionable whether correctional officers will be perceived as prosocial/anti-criminal role models as stipulated above. Correctional officers are responsible for enforcing the strict military-style discipline characteristic of the program. In many programs they have the power to impose summary punishments. Morash and Rucker note, "The very idea of using physically and verbally aggressive tactics in an effort to 'train' people to act in a prosocial manner is fraught with contradiction."[72]

Why should inmates who have been punished unreasonably or have seen others being punished unreasonably, such as carrying oversized logs on their backs while running, or humiliated, such as being forced to wear ridiculous beanies, respond positively to correctional officers as persons worthy of imitation? As Morash and Rucker contend, "virtually no empirically supported correctional theories have suggested that aggressive and unpredictable reactions by authority figures encourage prosocial behavior."[73]

Thus, the inmate-staff interactions characteristic of boot camp prisons are inconsistent

---

[71]Martha Fay, "Squeeze You Like A Grape": In Georgia, a Prison Boot Camp Sets Kids Straight, Life 82, 82 (July 1988).

[72]Morash and Rucker, 36 Crime & Delinq at 214 (cited in note 29).

[73]Id at 212.

with interactions associated with effective treatment. Further, given the punishment-oriented tactics used by correctional officers to instill discipline and maintain order, it is unlikely that they will be perceived as positive role models. In fact, as Morash and Rucker warn, they may have the opposite effect by encouraging aggressive behavior.[74] In short, then, the boot camp environment may interact with treatment efforts in such a way as to impede successful treatment outcomes.

2. Reducing Prison Crowding. An overarching goal of most boot camp prisons is the reduction of prison crowding. Boot camp prisons are expected to reduce prison crowding by targeting prison-bound offenders for participation and allowing them to serve less time in the boot camp prison than they would have otherwise served in a conventional prison. By reducing sentence length in this way, boot camp prisons are hypothesized to save prison beds and thereby reduce prison crowding.

Obviously, this process hinges entirely on the selection of prison-bound offenders. Selecting offenders for participation in the program who would have otherwise served a sentence of probation would serve only to "widen (or strengthen) the net" of social control and as a consequence may adversely affect prison crowding.[75] Net-widening is a problem common to

---

[74]Id at 213.

[75]Placing offenders who would have otherwise served a term of traditional probation in a boot camp prison may adversely affect prison crowding in the following ways: (1) if offenders who would have otherwise served a probation term fail to graduate from the program for disciplinary reasons or if they choose to dropout, they would likely serve the remainder of their sentence in a state facility (MacKenzie and Souryal, Multi-Site Study of Shock Incarceration: Process Evaluation at 19, 29, 43, 60, 79, 111, 123 (cited in note 11); (2) if offenders who would have otherwise served a probation term graduate from the in-prison phase of the boot camp program but violate the conditions of release associated with the intensive supervision phase of some boot camp programs, their community supervision status may be revoked

all intermediate sanctions.[76]

The Machiavellian perspective suggests that boot camp prisons may be more successful than other intermediate sanctions in avoiding net-widening because in contrast to other intermediate sanctions they are considered "tough" on crime. It is argued that the public may be more likely to accept time served in a boot camp as a fair trade for serving a longer term in prison due to the intensity of the boot camp experience.

In spite of their reputation as a tough sanction, however, boot camp prisons are quite likely to widen the net as well.[77] As part of a multi-site evaluation of boot camp prisons, for example, the bed space savings of five boot camp programs were examined.[78] In two of the five states, boot camp prison appeared to save prison beds.[79] In the remaining three states, the boot camp program appeared to cost the state jurisdiction prison beds.[80] The authors concluded

---

potentially resulting in incarceration. Note that in-prison boot camp failure rates ranged from roughly nine to fifty-two percent in an evaluation of eight such programs (see MacKenzie and Souryal, Multi-Site Study of Shock Incarceration: Process Evaluation Table 3.5 (**no page #**) (cited in note 11). Also, intensive supervision has been associated with increased rates of violation of technical conditions of supervision. Joan Petersilia and Susan Turner, Intensive Probation and Parole, in M. Tonry, ed, Crime and Justice: A Review of Research (Vol 17) 281, 311-312 (Chicago, 1993).

[76]Palumbo, Clifford, and Snyder-Joy, From Net-Widening to Intermediate Sanctions at 231 (cited in note 19); James Austin and Barry Krisberg, Wider, Stronger, and Different Nets: The Dialectics of Criminal Justice Reform 18 Journal of Research in Crime and Delinquency 165, 174 (Jan 1981).

[77]Dale G. Parent, Boot Camps Failing to Achieve Goals, 5 Overcrowded Times 8, 8 (Aug 1994).

[78]MacKenzie and Piquero, 40 Crime & Delinq at 222 (cited in note 24).

[79]Id at 242-43.

[80]Id at 243-44.

that program design was critical to bed space savings.[81] Boot camp prisons that empowered the department of corrections to select program participants, for example, were more likely to target prison-bound offenders and hence reduce crowding.[82]

Thus, the evidence to date has not been extremely persuasive. Boot camp programs seem just as likely as not to reduce crowding. Clearly, their image as a tough sanction is not enough to preclude net-widening. In light of the evidence, it may be that it is not the presumed toughness of the intermediate sanction that most influences net-widening, but the design of the intermediate sanction instead. For example, intermediate sanctions that are designed in such a way as to allow the department of corrections, as opposed to the sentencing judge, to assume primary decisionmaking authority may be most successful at reducing prison crowding regardless of their perceived severity.

There is also reason to be skeptical of the ability of intermediate sanctions in general to substantially reduce prison crowding. Prison crowding is driven by two factors: (1) the number of new admissions to prison and (2) sentence length. Based on a cross-national analysis of imprisonment rates, Young and Brown contend that reductions in prison crowding are most influenced by sentence length.[83] Austin and Krisberg also argue that sentence length is critical to changes in prison population size.[84]

---

[81]Id at 244.

[82]Id at 242.

[83]Warren Young and Mark Brown, Cross-national Comparisons of Imprisonment, in M. Tonry, ed, Crime and Justice: A Review of Research (Vol 17) 1, 44 (1993).

[84]James Austin and Barry Krisberg, Incarceration in the United States: The Extent and Future of the Problem, 478 Annals Am Acad Pol & Soc Sci 15, 29 (1985).

As a consequence, intermediate sanctions will likely play a limited role in reducing prison crowding because intermediate sanctions target offenders who already have relatively short sentences. And while these short-sentence inmates may make up a large proportion of new prison admissions, they generally make up only a small proportion of the entire prison population.[85] Thus, Young and Brown conclude:

> [A]lthough an expansion in the number of such community-based sanctions may have an effect on the number of people who are sent to prison, this may not have the expected impact on the prison population because it is not tackling the major factor driving that population. Accordingly, efforts to control prison population growth by developing and expanding alternatives to imprisonment may well be misplaced."[86]

C. Dangers Associated with the Military Model

While the military model may generate the public support necessary for the development of boot camp prisons, it is not an entirely benevolent element of the program. Given the authoritarian atmosphere and the use of summary punishments, one principal danger associated with the military model is the abuse of inmates by correctional officers. Frightful stories of inmate abuse appear from time to time in the media.[87] In Houston, for example, five drill instructors were indicted on felony charges after they "allegedly choked and beat the inmates

---

[85]Young and Brown, 17 Crime & Just at 19 (cited in note 83).

[86]Young and Brown, 17 Crime & Just at 21 (cited in note 83).

[87]John Mackeiq, Five Deputies at Boot Camp Indicted, Fired: Charged with Inmate Abuse 1A (Houston Chronicle, Week of June 7, 1992); Karl J. Karlson, Wisconsin Boot Camp Abusive, Inmates Say 1B (Saint Paul Pioneer Press, Wisconsin Sunday, Nov 14, 1993); Timothy W. Maier, At Boot Camp Prison: Drill Instructor Cleared in Complaint, A-5 (Laurel Leader, Laurel, MD, Nov 29, 1992).

with their fists, feet and broomsticks--sometimes as they stood at attention..."[88] Correctional officers in fact admit to the stress associated with working so closely with inmates and acknowledge that such stress increases the likelihood for abuse.[89]

While the Machiavellian perspective acknowledges the possibility of inmate abuse, it raises the point that the presumed alternative to incarceration in a boot camp--conventional prison--is potentially as destructive, if not more so. While inmates incarcerated in a boot camp may be vulnerable to staff-on-inmate abuse, inmates incarcerated in prison are vulnerable to inmate-on-inmate violence.

It should be noted, however, that many inmates sentenced to boot camp programs today would not have otherwise served time in prison.[90] Thus, they would not have been subject to the living conditions characteristic of prison. And secondly, the fact that prison life is bad does not justify poor treatment in boot camps--especially not at the hands of the state. The state has the responsibility to provide humane living conditions, which include safety. Given the extremely crowded institutions and limited resources, this is clearly difficult to achieve. But this does not excuse the deliberate design of institutions or programs that tacitly allow for staff-on-inmate abuse to occur.

It is also important to consider that approximately seventy percent of the boot camp

---

[88]J. Mackeiq, Five Deputies at Boot Camp Indicted, Fired at 1A.

[89]MacKenzie and Souryal, Multi-Site Evaluation of Shock Incarceration at 10 (cited in note 29).

[90]For example, note that after reviewing the decision making process of five boot camp prisons, MacKenzie and Piquero conclude that the participants in two of the programs most likely would have been on probation if the boot camp had not opened. MacKenzie and Piquero, 40 Crime & Delinq at 244 (cited in note 24).

programs operating at the state level today are relatively small with total capacities of no more than three hundred.[91] The dynamics of such programs may be very different from the dynamics of programs that are likely to result from the infusion of federal money. Not only will boot camp programs grow in number, but they will likely grow in size.

The balance of research on the efficacy of boot camp programs to date has been conducted on smaller programs. In smaller programs, it is easier to conceive of staff who genuinely strive to act as positive role models. Some correctional officers in these programs may find their tasks manageable and, indeed, rewarding. It may also be easier to control staff-on-inmate abuse. Supervisors have the capacity to be intimately involved in the day-to-day activities of the program, thereby minimizing the potential for harm. However, if program size increases dramatically and corrections officers are forced to become more and more concerned with custodial duties and less and less concerned with treatment, the potential for abuse may be exacerbated.

D. Summary of the Machiavellian Perspective: Reconsidered

The Machiavellian perspective argues that the military component characteristic of boot camp prisons may be a small price to pay for the potential benefits of such programs--namely, the provision of correctional treatment and the reduction of prison crowding. In choosing to endorse boot camp programs under such terms, it dismisses as idealistic the possibility of developing correctional programs, absent the military environment, that may be better suited to achieving important correctional goals. This is due largely to the (mis)perception that the public

---

[91]Cronin, Boot Camps for Adult and Juvenile Offenders at 12-13 (cited in note 31).

will only condone the development of predominantly punitive correctional sanctions. Furthermore, in forcing the choice between "idealism" and "ruthless realism" and accepting the latter, the Machiavellian perspective serves to perpetuate both public misunderstandings of the efficacy of boot camp programs as well as policymakers' understandings of the popular "will." As a result, it diminishes the prospect of meaningful dialogue between the general public and policymakers and seemingly precludes the development of more efficacious alternatives.

Irrespective of such considerations, the presumed benefits of boot camp programs may be illusive indeed. Although many boot camps have incorporated therapeutic programming, the effectiveness of such programming may be compromised by the military-style environment and interactions. The scant evidence that boot camp graduates have lower recidivism rates than comparison samples of prison releasees is illustrative since successful treatment should be evidenced by reduced recidivism rates.[92]

Further, although a few boot camp programs have been shown to save prison beds, others are in fact having the opposite effect. It is also important to consider that even the perfectly designed boot camp is unlikely to have a substantial impact on prison crowding because prison crowding is primarily driven by sentence length. Thus, while some boot camp programs may be used to successfully divert young offenders from serving time in a conventional prison, it is unlikely that their diversion will have a significant impact on prison crowding.

Lastly, the dangers associated with the military component of boot camp programs should not be easily dismissed. The potential for abuse is real, and it is likely to increase if programs

---

[92]MacKenzie and Souryal, Multi-Site Evaluation of Shock Incarceration at 41 (cited in note 29).

expand in size. Further, such abuse cannot be justified on the basis of poor prison conditions, particularly when many boot camp inmates would not have otherwise served time in prison.

IV. CONCLUSION

The two perspectives presented in this paper make different assertions about the punitiveness of the public, the impact of the military component of boot camp programs, and the potential of boot camp programs to reduce prison crowding and change offenders. The Machiavellian perspective argues that these programs may be reasonable means of addressing prison crowding and providing treatment to offenders. From this perspective, there is nothing wrong with the military model, particularly if it provides other benefits. For generations, the United States has sent wealthy and middle class youth to military academies and into the military. Why then protect offenders from the very methods that have been used with other youth? The military helps to prepare these individuals for leadership positions. Although certainly some people have been injured during the rigorous basic training, boot camps for these noncriminal individuals have not been considered abusive. In fact, there may be components that are beneficial if combined with treatment and aftercare that address the criminogenic needs of the offenders.

The alternative view is that the Machiavellian perspective is wrong to presume that the public is single-mindedly punitive.[93] By choosing to endorse the development of boot camp prisons, the Machiavellian perspective dismisses as idealistic the possibility of more constructive

[93]The public is likely to be interested in increased safety at reasonable cost and will support any program that promises to achieve this goal.

dialogue between policymakers and the public and as a result diminishes the prospect of developing more effective correctional programs. Doubt has additionally been cast on the ability of boot camp programs to reduce either recidivism or prison crowding.

Many questions have been raised about boot camp programs. There is research to support each perspective. What is clear is that these are experimental correctional programs. We need more information about the impact of specific components of the boot camps and the expectations of the public and policymakers. Social science is perfectly capable of scrutinizing the impact on inmates and staff and examining public attitudes towards these programs. Other fields of science would require such study before introducing a speculative innovation. Yet, these correctional programs are rapidly expanding without the necessary corresponding study of their objectives and their impact.