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The Social Psychology of Mass Imprisonment

Mona Lynch

INTRODUCTION

The concept of mass imprisonment emerged at the turn of the 21st century in recognition of the intractable nature of the late modern penal explosion, especially in the USA (Lynch, 2011). What had been perceived in the previous two decades to be a dynamic yet alarming phenomenon – the rapid growth and expansion in the use of incarceration – had now taken on a sense of permanence and immutability. Theorists and empirical researchers expanded their inquiries that aimed to understand how and why the explosion happened and what its parameters were, to include assessments of the human impacts of mass incarceration. Thus, a growing body of work over the last decade has grappled with the social and psychological damage done by the imprisonment binge (Haney, 2006a; Western, 2006; Clear, 2007).

The USA is generally seen as 'ground zero' for contemporary mass incarceration, for several reasons. First is the sheer size and scale of growth in imprisonment use across the USA. Our rates of incarceration, particularly in the southern and western states, are many times higher than our democratic peers; and the steep incline in those rates over a relatively short period of time is globally unprecedented. Second is the relatively sharp and dramatic turn away from the rehabilitative ideal and toward a more punitive model of imprisonment that accompanied this growth. As a nation, the USA was a leading innovator of penal rehabilitation in the early to mid 20th century, and so its relative abandonment beginning in the 1970s was striking. Finally, the influential role that the USA plays in shaping international criminal justice policies and practices has meant that American-style penality has been exported to jurisdictions around the world (Godoy, 2008; Wacquant, 2009). Because the USA offers the paradigmatic case of mass incarceration, this chapter will primarily focus upon the American transformations in punishment and their social psychological consequences. Nonetheless, I will also look to research on contemporary imprisonment in contexts outside of the USA in order to explore whether and to what degree the American case is exceptional.

I have several specific goals with this chapter: By attending to a diverse body of literature, I aim to tease out what is different about the social psychological impact of 'mass' incarceration, and what is more universal about the incarceration experience. I first trace the insights offered by psychological and sociological research on imprisonment, then I consider several key issues specific to contemporary conditions of mass confinement. Finally, I look to the broader social psychological impacts of mass incarceration, since the contemporary practices have directly touched so many more people than in any time in our history. While the literature on 'collateral' consequences of mass incarceration is large and varied, I focus on its impact on offenders' families and social networks.

While I will attend to a range of social science research on the prison and its social effects, my analysis will primarily be social psychological in approach. By that I mean that I will consider the micro-level social processes inherent to mass incarceration. This includes group dynamics and interpersonal relations, as well as the more individual level psychological and behavioral effects of the social contexts of interest.

Social psychological insights into american imprisonment, generally

The negative psychological impacts of imprisonment have been recognized since the earliest penitentiaries in Pennsylvania and New York, most notably by Gustave Beaumont and Alexis de Tocqueville (1835 [1964]) who reported on the damaging effects of solitary confinement in the first of such institutions. Yet until the mid-20th century, the prevailing ethos underlying critiques of the prison (and driving reform efforts) was that the institution had yet to be perfected, and that it was only a matter of advancing techniques to achieve a functional system of incarceration. A disparate body of scholarly and activist work, beginning mid-century and

peaking in the 1970s, began to question whether the very nature of the practice itself – locking people up in isolated institutions – caused or contributed to ill-effects among those so confined. Sociologist Donald Clemmer (1940) was an early pioneer in this regard, introducing the concept of prisonization, which referred to how inmates adopt and identify with an 'inmate subculture'. Gresham Sykes (1958) significantly advanced Clemmer's conceptual framework by specifying the deprivations, indignities and pains of imprisonment that give rise to the inmate culture.

This critical body of work expanded in the 1960s to include not only prisons, but also other 'total institutions' (Goffman, 1961), particularly locked mental hospitals that held long-term involuntarily committed patients. Thus, sociologist Erving Goffman's *Asylums* provided an intimate micro-level examination of how institutions and their agents understand and impact 'inmates', and how inmates, in turn, responded to the degradations of the institution. His work used a dramaturgical, symbolic interactionist approach, and led to novel insights about the detrimental process of institutionalization across types of total institutions.

Subsequently, a number of social scientists began to explore how penal and other repressive institutions were at odds with their reformative mission, due in part to the inherently harmful aspects of institutional life. Among the most well known of these studies was the famous Stanford Prison Experiment conducted in 1971, which assigned 'psychologically healthy' college students to the role of either prisoner or guard in a simulated prison built in the basement of the Stanford University psychology building (Haney et al., 1973; Haney and Zimbardo, 1998). This study clearly revealed the power of roles, and of immediate situational contexts, in shaping institutional behavior. The simulated prison very quickly became a dysfunctional and even dangerous place, and the experiment was shut down after only 6 days (instead of the 2 weeks it was scheduled to run).

Some of those assigned to the prisoner role experienced acute psychological trauma and even full-blown mental breakdowns; others became obedient and dependent. The 'guards' were also dramatically influenced by their role, some actively engaging in cruelty against the prisoners; others standing by and letting abuses occur. The experimenters concluded that:

> The negative, anti-social reactions observed were not the product of an environment created by combining a collection of deviant personalities, but rather the result of an intrinsically pathological situation which could distort and rechannel the behaviour of essentially normal individuals. The abnormality here resided in the psychological nature of the situation and not in those who passed through it. (Haney et al., 1973: 90)

During this era of penal flux, psychologist Hans Toch (1977) characterized the experience of imprisonment as an issue of survival, rather than as reformation, and laid out a number of specific ways that penal institutions needed to change in order to mitigate their damaging effects. Thus, the chorus of scholars who, during this period, illuminated these kinds of pathologies of the prison provided an empirical backbone for the activist movement that aimed to decarcerate and otherwise radically alter the structures and practices of such institutions. The larger prison reform movement, which included academics, activists, prisoners, and even some policymakers and practitioners, spoke explicitly about the context of the institution as a target for change (Blomberg and Lucken, 2009). Consequently, by the 1970s, there appeared to be a burgeoning transformation in corrections – represented by expansive new community corrections programs, smaller and more socially integrated correctional facilities, and novel alternative sanctions – that was even supported by mainstream policymakers and practitioners (Scull, 1977; 1983; Cohen, 1979; Blomberg and Lucken, 2009; Lynch, 2010).

Yet this reconfiguration of American penality was short-lived. Despite a now solid body of psychological and sociological research indicating that incarceration not only had exceptionally limited rehabilitative value in and of itself, but that it was also an impediment to success for many offenders, the USA made the other turn – toward mass incarceration. This story has been well told by others (Garland, 2001a; Gottschalk, 2006; Simon, 2007), however, it is important to note that one feature of the move to mass incarceration was that penal policy became even more decoupled from social research.

The 1980s was a turning point in this regard, as prisons came to be seen simply as incapacitators (Feeley and Simon, 1992) and there was little pressure on corrections administrators to do much but house the huge influx of offenders as economically as possible. Consequently, the psychological well-being and rehabilitative improvement of those confined fell out as a primary goal precisely at a time when institutions were being overwhelmed by the surge of admissions, and conditions inside quickly deteriorated due to overcrowding. As Toch observed, just as the dramatic ascent in mass incarceration first became clear:

> In recent prison history two disasters converged to cancel each other. The advent of (1) unprecedented overcrowding coincided with (2) the loss of faith in correctional rehabilitation. The latter made the former more viable, because to have rehabilitative goals for overcrowded prisons would be a particular travesty. Today's prison administrators at least lose no sleep pretending programmatic concerns as they bend over blueprints and spend their time juggling cells and human bodies. (Toch, 1985: 59)

Indeed, the field of *social* psychology, which directly addresses the impact of contexts and situations on human behavior, was summarily shut out of the new 'warehouse' prison that emerged in the 1980s and has prevailed ever since (Toch, 1985; Haney, 1998, 2006a).[1] Its subsequent return, in the late 1990s, has generally been an adversarial endeavor, as social psychologists have gained some limited access to prisons and inmates as a result of court challenges to the declining conditions behind bars.

SOCIAL PSYCHOLOGY AND MASS INCARCERATION

Mass incarceration can be distinguished from incarceration more generally through several characteristics, some of which have direct social psychological implications. Although mass incarceration does not have a single set definition, David Garland has put forth the following working framework for the concept:[2]

> What are the defining features of mass imprisonment? There are, I think, two that are essential. One is sheer numbers. Mass imprisonment implies a rate of imprisonment and a size of prison population that is markedly above the historical and comparative norm for societies of this type. The US prison system clearly meets these criteria. The other is the social concentration of imprisonment's effects. Imprisonment becomes *mass imprisonment* when it ceases to be the incarceration of individual offenders and becomes the systematic imprisonment of whole groups of the population. In the case of the USA, the group concerned is, of course, young black males in large urban centres. (Garland, 2001b: 5–6)

Garland's delineation provides a good starting point for distinguishing the features and effects of mass incarceration, in that it suggests dramatic changes have occurred both within penal institutions, and outside those institutions in the communities from which prisoners disproportionately come. Subsequent scholarship has explored the specific ways that these changes have impacted prisoners and their extended networks.

In this section, I will detail the internal, institutional transformations inherent to mass incarceration that have significant psychological implications for prisoners. Specifically, these are: (1) unprecedented and unrelenting overcrowding; (2) very limited constructive activities and programmatic opportunities for mass incarcerated prisoners; (3) a novel twist on solitary confinement – the 'supermax'; (4) a new (or renewed) strain of cruelty that accompanies the normal deprivations of imprisonment; (5) the more general deindividualization of prisoners; and (6) a dramatic increase of mentally ill and other special needs prisoners within regular housing units. The effect of these changes has been intensified in most jurisdictions because those sent to prison are there for significantly longer stretches under the more punitive sentencing policies enacted in the 1980s and 1990s. Moreover, these features of mass incarceration interact in a way to exacerbate their negative impacts, as I will discuss further below.

Overcrowding

As noted at the start of this chapter, prisons have perennially been crowded places that afford little privacy or space to inmates. But the contemporary levels of overcrowding are qualitatively distinct in scale, density and temporal dimensions. Moreover, as Craig Haney (2006b) points out, overcrowding does not merely refer to the density of the prisoner population or the percentage of population above rated capacity, it also encompasses the degree to which those so housed have access to basic life necessities including health care, sanitation facilities and outlets for meaningful activity.

California stands out as a particularly large and paradigmatic example in this regard. By 2007, the state's penal system housed almost two adult inmates for every permanent bed (occupancy was 196 percent of design capacity [CDCR, 2008]). The 81,000 men and women who comprised the state's overflow inmate population were double- and triple-celled on fold-down metal cots inside the tiny cells designed for half the capacity, or were living in hallways, recreation rooms and gyms in tight rows of double or triple bunks. Many of those so housed had lived like that for years. At the start of the mass incarceration era, both double-celling and the reliance on temporary bunks were viewed by corrections administrators as highly problematic and to be used only as emergency stop-gap measures. Today they are an unquestioned necessity in the view of prison

managers, and even with these measures, some systems still come up short on the bedspace needed for the population (Haney, 2006b).

As Toch (1985) and others have described, this kind of large-scale, system-wide overcrowding has a number of negative correlates that increase the likelihood of harm. One direct consequence of overburdened facilities is that institutions may be unable to keep prisoners of different security levels within appropriate housing, thereby endangering lower security inmates in less controlled environments (Toch, 1985). Overcrowding also forces administrators to relocate prisoners within and between institutions much more frequently as they juggle the few open beds within the system, thereby disrupting relations and routines within units and increasing the likelihood of strife. It is difficult to establish stability, much less a sense of community, within the micro-level world of housing units when those who reside in them are constantly being moved in or out. Positive relationships between staff and prisoners are also exceptionally difficult to establish given these conditions. At the system level, the unprecedented levels of growth and accompanying capacity shortfall has engendered organizational instability (Haney, 2006b). Short- and long-term planning has given way to crisis management as an operational norm (Haney, 2006b; Lynch, 2009).

The more direct effects of overcrowding in prison are well documented in research – it can cause high levels of stress that then may lead to physical illness, mental distress and mental illness, and behavioral problems (Cox et al., 1984). Cox et al. reported on a large scale, multi-year program of research on the effects of overcrowding on prisoners, and found that as prison populations increased without requisite increases in appropriate facilities in the 1970s and early 1980s, *rates* of inmate 'death, suicide, disciplinary infraction, and psychiatric commitment' also increased (1984: 1156). Double-celling and dormitory housing, especially in large institutions, exacerbated the negative effects.

Ultimately, facilities that are chronically over-capacity are hard pressed to do anything but try to mitigate the harm they inflict on the occupants. As I explore below, this has become exceptionally difficult due to the co-effects of overcrowding.

Programming deficits

There are several contributing factors to the severe shortfall of meaningful programmatic and recreational opportunities in contemporary prisons. The first is directly tied to overcrowding – there are simply many, many more people locked up than there are established program slots or programmatic facility capacity. Furthermore, in many overcrowded systems, those spaces that were originally designated for recreation and other activities – such as gyms and day rooms – have been converted into tightly packed dorm rooms. Such housing is often classified as 'temporary' but in many institutions they have been in place and fully occupied for decades. As a result there is literally no place for prisoners to do things other than sit or lie on their bunks, especially when the weather is inclement. The population growth has also impacted the ability of prisoners to work during their period of incarceration. The inmate unemployment rate in some systems (such as California) is nearly 50 percent, and even the most menial and unrewarding jobs, such as janitorial positions, are in high demand as outlets for activity.

There is a spiral effect at work with mass incarceration and the ability to meet the programmatic needs of prisoners. The population explosion is a hugely expensive endeavor, in large part due to custodial costs (correctional officer salaries in particular), so even where there is an institutional and political will to provide constructive outlets for prisoners, administrators have had to raid the allocations for programming in order to pay for expanding custodial costs. Such was the case in California in the 2009/10 budget year. The California Department of

Corrections and Rehabilitation took a US$1.8 billion budget cut, and consequently slashed the educational, vocational and other rehabilitative programs budget from US$600 million to US$350 million (CDCR, 2010). Thus, the recent financial crisis has served as an added drain on programmatic resources, so that there are even fewer opportunities than ever in most US penal facilities.

More fundamentally, in many systems, programming became a low priority in the emerging 'law and order' political environment of the 1980s and 1990s. Because the mass incarceration era is very much tied to a rise in public and political punitiveness, correctional expenditures that could be conceived of as having benefits for inmates were targeted for elimination by elected officials, administrators and increasingly powerful victims' rights groups (Haney, 1998; Lynch, 2001; Simon, 2007). For example, Arizona's correctional administrators prided themselves on spending less and less on inmate rehabilitation and other such programs, even quantifying the spending reductions on inmate needs in annual reports from about 1985 on (Lynch, 2010). At the national level, in 1994, the US Congress cut Pell Grant funding for prisoners taking college classes as part of the ongoing 'war on prisoners' (Haney, 2008), which impacted inmates in every state system that offered access to such opportunities (Page, 2004).

The impact of widespread programming deficits on prisoners' daily lives, in the context of overcrowded and chaotic living situations, is significant. Programming has intrinsic psychological, social and practical benefits for prisoners, thereby mitigating the harm done by penal confinement, and it has been demonstrated to be a valuable management tool for administrators. Wooldredge (1999), for instance, has found that inmates who spend less time in structured activities and programs are more depressed, anxious and more likely to suffer from stress. Educational attainment by prisoners is especially valuable for raising self-esteem, developing practical skills and

is highly correlated with success upon release from prison (Chase and Dickover, 1983; Fabelo, 2002). More generally, program participation reduces the likelihood and degree of negative institutionalization and prisonization, thereby decreasing behavioral problems inside and increasing successful adaptation at re-entry into the community. As such, it contributes to stability and a greater sense of order within institutions, making the frontline management less stressful and dangerous.

Deindividualization

There is an irony of timing in the exploding popularity of Foucault's (1977) *Discipline and Punish,* in which he described the rise of the penal institution, which aims to know and reshape the mind and soul of the imprisoned offender. His articulation of this individualized disciplinary process transformed the sociology of punishment just as the disciplinary prison was on its way out. Most famously, at about the same time, the conservative American political scientist, James Q. Wilson (1975), suggested that it was time to stop looking for the root causes of criminal behavior and simply accept that 'wicked people exist'. As such, he urged policymakers to assume that criminal behavior is simply a product of individual rational, albeit evil choices 'disembodied from all social context' (Cohen, 1996: 5). Flowing from this assertion was a policy recommendation that was quite prescient – that the criminal justice system should simply aim to incapacitate those 'wicked' criminals, and abandon its efforts to understand and change them.

Thus, as Feeley and Simon (1992) have suggested, the incapacitation model is not concerned with understanding or reforming individual offenders; rather, it is concerned with the efficient management of the risk posed by (predominantly underclass) offender subgroups. To the extent that incapacitation became hegemonic in American criminal justice policy in the 1980s and 1990s, it also

reshaped institutional life inside prisons. I have argued elsewhere (Lynch, 2008, 2009) that the contemporary prisoner is relatively dehumanized, and is administratively treated as one of a stereotyped problematic population that is nearly interchangeable with any other prisoner within a broad classification category. This change is evidenced in how administrators characterize institutional needs and goals (such as the contemporary emphasis on creating system-wide 'bedspace' rather than holistic, purposeful institutions).

The kind of deindividualization that exists in mass incarcerative prisons is not totally new; the stark distinctions between prisoners and staff have traditionally catalyzed the development of group-level division and conflict (Clemmer, 1940; Sykes, 1958; Bright, 1996), and institutional efforts to know and act upon individual prisoners were impeded by this division. But its current incarnation is of a scale and level of acceptance that renders individualization obsolete even as an ideal. This gives rise to new kinds and levels of dysfunctionality within the prison context. As Zimbardo (2007) has pointed out, 'deindividuation' occurs when people's sense of individuality and uniqueness is submerged, which decreases self-regulation and sense of responsibility and leads to a range of problematic behavior, especially aggression. In the prison, deindividuated prisoners may become more aggressive and violent (Haney, 2006a). Correctional officers who view prisoners not as individuals but as members of an antagonistic group, and who are themselves deindividuated by their role, are also more likely to use violence and cruelty against prisoners (Zimbardo, 2007).

Mentally ill and special needs incarcerated populations

Despite the deindividualization process that has co-occurred with mass incarceration, the diversity of those incarcerated – and especially the diversity of need among incarcerated populations – has increased. In particular, because of the diminution of specialized institutions within and outside of correctional systems, general population prisons have increasingly become catch-all facilities that house those with a variety of mental health issues, cognitive disabilities, physical health challenges, language barriers and basic skill deficits.

As Craig Haney (2006a) has detailed, this is in part the product of decreased availability of therapeutic and rehabilitative services to populations in need in society at large. In essence, the criminal justice system – and its penal institutions – have filled the void left by the steady cuts to mental health, education and social services. And while the numbers of special needs prisoners has dramatically risen inside prisons, there has not been a corollary growth in specialized units designed for such populations. Thus, they are housed in general population units where their issues are not addressed, and where they are especially vulnerable to victimization, harassment and other pains of imprisonment (Kupers, 1999).

Such a situation would have been challenging even for the 'rehabilitative' prison, yet in the incapacitative, mass incarcerative institution, the high numbers of special needs inmates pose a whole new level of chaos and disorder. Mentally ill prisoners in particular are likely to fall into a downward spiral in which their symptoms are aggravated by the conditions of confinement, which in turn triggers disruptive and maladaptive behavior that then leads to a punitive administrative response, including punitive segregation, which can then cause more decomposition (Haney, 2006a).

Furthermore, the level of psychological intervention for all state prisoners has dramatically declined since the hey-day of the 'medical model' (Scharf, 1983), so psychiatric problems among inmates are often left untreated until they manifest in full-blown and highly symptomatic episodes. Only at that point will some type of intervention occur, and it is not always in the form of

appropriate mental health care (Haney, 2006a). The one form of psychological intervention that now predominates inside some penal institutions exemplifies the abandonment of a context-sensitive therapeutic approach. That is, those therapies – some self-administered through workbooks, and others offered in group settings, that aim to correct the deviant and otherwise problematic cognitions of offenders (Fox, 1999; van Voorhis et al., 2004). This therapeutic approach assumes an internal, yet universal, one-size-fits-all source of deviance – 'pro-criminal thinking errors' (van Voorhis et al., 2004: 284) – that can be corrected through lessons about proper cognitions.

Punitiveness and cruelty as institutional policy

In some mass incarcerative penal systems, the harm-producing and dysfunctional conditions have not just been a product of overwhelmed facilities and benign neglect. Rather, there are some states that have waged a proactive 'war on prisoners' (Haney, 2008) through the institution of policies designed to cause prisoners discomfort, humiliation and even pain. The 1990s in particular witnessed grandstanding elected politicians and (in some states) penal administrators publicly announcing an array of such policies. Many of them did nothing to enhance the safety of the institution or the general public, much less contribute to improvements in offenders' lives (Haney, 1998; Lynch, 2001, 2010). Such policies included the removal of physical fitness equipment inside prisons; drastic new restrictions on prisoners' access to television, reading materials and other property; cutting higher education opportunities; imposing charges on medical care, electricity and other necessities; restricting access to legal materials; instituting visiting policies that made access to family even more difficult; cuts to the quality and quantity of daily meals; and the reinstitution of chain gangs, hard labor and other tough and nostalgic measures.

Many of these policies have served to further degrade prisoners, and deepen the antagonistic divide between inmates and correctional staff. Specifically, Blevins et al. (2010) apply Agnew's general strain theory to the contemporary prison context, and suggest that the level of deprivation in overcrowded and punitive prisons, and the lack of positive social support due to current conditions, is a source of strain for prisoners. Depending upon the prisoners' own individual coping skills and orientations, adaptation to strain can include violence and misconduct, as well as general negative feelings toward staff, depression and stress related disorders. Furthermore, to the extent that the deprivations and punitive policies are viewed by prisoners as unjust and arbitrary, negative effects will be amplified.

Reactance theory (Brehm and Brehm, 1981) also predicts that the trend of scaling back privileges and freedoms and piling on rules and restrictions may catalyze maladaptive behavior and rule violations (Pritikin, 2008). Put simply, when people have freedoms taken away and perceive a loss of control over their lives, they fight back (at least figuratively) to re-establish that control, which in a prison setting may escalate to considerable conflict between staff and prisoners. Indeed, the perception of personal control over one's day-to-day life appears to be crucial to prison adjustment. MacKenzie et al. (1987) looked at perceptions and expectations of control among prisoners in four different prisons and found that:

> Inmates who have low expectancies for control and perceive that they have little opportunity to exert control do not simply direct their coping difficulties inward by experiencing stress, depression and low self-esteem. Rather their difficulties in functioning appear to manifest themselves in problems in all areas of their lives, from depression and psychosomatic symptoms to a lack of prosocial activities, to hostility toward institutional staff and administration. (MacKenzie et al., 1987: 63).

Their research also adds further support to the finding that with increased flexibility and inmate autonomy, as offered by the

institution (in terms of custody level), prisoners are less stressed and more positive toward the staff and the institution. Similarly, Kruttschnitt and Gartner (2005) found that California women prisoners' institutional assignment mattered much for how women adapted to prison. In this case, women assigned to the institution with a more open campus setting that allowed for a relatively significant amount of personal control over day-to-day routines were better adapted to being incarcerated and healthier psychologically. The institution that was more controlling in its policies, and that was physically more restrictive (it was a generic, non-gender-sensitive 1980s prison designed primarily for custodial control), seemed to catalyze oppositional and/or withdrawn behavior on the part of the women assigned to it.

My own research on Arizona's implementation of punitive policies in the 1990s indirectly indicates that levels of frustration, anxiety and distress rose significantly among prisoner populations as draconian new policies were put into place (Lynch, 2010). Prisoners and their advocates were particularly angry at the arbitrary and openly cruel nature of reforms, and consequently mounted legal action against the state as well as protest and disobedience within institutions.

The supermax as the ultimate mass incarcerative management tool

One of the intra-institutional consequences of American mass incarceration has been the birth of the distinctly American penal phenomenon, the 'supermax' housing unit. In many ways, the supermax is the ultimate physical embodiment of the changes inherent to mass incarceration. 'Supermax' or 'SHU' units, which have grown hugely popular with corrections officials across the nation since the 1990s, are a form of highly restrictive housing where inmates are generally subjected to solitary lockdown for approximately 23 hours a day in windowless cells that allow

for very little visual stimuli, where possessions are restricted and activities nearly completely eliminated, and where by design, contact with other human beings is almost made nonexistent (King, 1999).

Penal administrators argue that the use of supermax is necessary to maintain internal security, in that inmates who are defined as 'the worst of the worst' can be isolated and contained within these units. Thus, they are said to provide the state corrections machinery with an effective tool to manage unruly populations within the system (Leary, 1994; Hermann, 1996; King, 1999). The harshly punitive nature of these settings is generally downplayed or denied by prison officials; they argue that the extreme deprivation to which inmates such housing units is necessary for security and that they are not used for punitive motives (Leary, 1994). Nonetheless, their proliferation has generally been most pronounced in Western states that have weaker ties to rehabilitation, and that have been leaders in penal cruelty (Lynch, 2010).

The use of supermax for prolonged confinement of inmates has been controversial, for the most part due to the effect of the harsh conditions on inmates' mental and physical health. SHUs are routinely used for indefinite periods of confinement, and some inmates may spend years upon years in this housing. This feature in particular causes psychological harm to inmates (Haney and Lynch, 1997; Haney, 2003; Rhodes, 2004). The kinds of documented effects that isolated SHU prisoners experience include attempted and completed suicides, self-mutilation, psychotic breaks, extreme feelings of anger, rage and hopelessness, eating and sleeping disturbances, and physical ailments, among others (Haney and Lynch, 1997). Haney (2003) examined the psychological and emotional trauma experienced among a randomly selected sample of 100 men confined to California's SHU at Pelican Bay State Prison, and found that 9 out of 10 experienced at least one indicator of psychological distress. Over one-half of the

sample experienced 11 of the 12 symptoms of trauma. These kinds of symptoms are directly linked to the unremitting, long-term social isolation that is inherent to such confinement. Thus, while the SHU unit at Pelican Bay was also rife with violence against and neglect of inmates by staff, a wealth of research spanning decades and contexts has established that the use of long-term isolation leads to severe psychological distress, even among psychologically healthy people (Haney and Lynch, 1997). The risk of psychological damage is even greater for inmates who come to such units with preexisting psychological conditions, who, ironically, are often disproportionately represented in the SHU due to their propensity to be management 'problems' in the general population (Rhodes, 2004; Cloyes et al., 2006).

The supermax differs from its carceral predecessor – solitary confinement – in some important ways. Ever since its fall as a universal mode of confinement in the very earliest penitentiaries, solitary confinement has been used as a very individualized punishment (or 'correction') for those who violate rules in general population. Its use has generally been in response to specific infractions and at least on the books, stints in solitary were prescribed and determinant In other words, those so punished knew when they would be released from solitary, assuming no further violations, which made it more psychologically manageable. In contrast, in many systems that currently utilize supermax facilities, the majority of those confined to them are in for indeterminate periods – for some prisoners this can be decades – for status characteristics, particularly for being identified as a gang member (Haney, 2003).

Ironically, the gang problem is a direct consequence of the transformation of the prison since the 1980s. Haney (2006a) points out that prison gangs have proliferated as a mode of collective action to guard against the threats to safety and general dangers wrought by the deteriorating conditions inside. He also suggests that they further serve to provide some order in an otherwise socially disorganized setting, and provide a means of identity where those confined are dehumanized and deindividualized. While cliques and affiliations have long been an organizing force among prisoners, the gangs of today have a particularly hard edge. So while many new prisoners feel compelled to join a gang for their own personal protection against violence and crime inside, their membership may entangle them in serious rule-violating activities, and generally marks them as problem inmates who may be subject to supermax assignments. Once sent to supermax for gang affiliation, the only way out is to snitch on other gang members, which can in itself be a life-threatening endeavor (Shalev, 2007; Reiter, 2010). Thus, as Shalev (2007) has illustrated, there are multiple ways to get 'classified' into a supermax unit, but it is exceptionally difficult to reverse that process and get classified out.

Moreover, the supermax has become the iron-fisted, and very expensive, solution to the chaos and dysfunctionality of the contemporary mass incarcerative prison where problem inmates – acting-out mentally ill prisoners; those identified as gang members; those unable to abide life in the general population without misbehaving – are stored indefinitely. There is no pretense in its logic or design that it serves a rehabilitative purpose for those inside, which distinguishes it from its predecessors (at least in the ideal, if not in practice). As such, the message to inmates is that the purpose of their confinement is not meant to be beneficial or even benign. The 'perceived intent' (Grassian, 2006: 347) of the solitary confinement plays a significant role in how well those subject to it are able to adapt, with the least debilitation when the intent is thought to be benign. In the end, the supermax functions as the ultimate incapacitator within the large system of incapacitation, while doing nothing to alleviate the conditions within the institution (much less within the prisoners' lives) that gave rise to the problems in the first place (see Shalev, 2007, 2009, for more on this).

IMPACTS BEYOND INSTITUTIONAL WALLS

Mass incarceration has also reshaped familial relations, neighborhoods and communities if for no other reason than it has directly touched so many more people than in any point in history. Its extended effects begin when offenders are sent away. Approximately 2.2 million American children have parents in prison (Wildeman, 2010). Those prisoners who were primary caregivers for those children, or for other dependant family members, typically left a void in care that was difficult to fill. Psychologically, children with incarcerated parents suffer a range of harms, from the psychic trauma of losing a parent in their daily lives, to the added insecurity wrought by the loss of emotional and economic support, to the stigma of having a loved one in prison (Travis and Waul, 2003). The manifestations of these harms in children include increased rates of aggression and delinquency (Wildeman, 2010), lower levels of educational attainment (Foster and Hagan, 2007) and social isolation (Wakefield, 2009).

Owing to the racial and class disproportionality among those sentenced to prison in the USA, minority children are especially likely to experience parental loss to incarceration: Approximately one in every four black children born in 1990 had a parent go to prison by the age of 14; for white children, that ratio was 1 in 25 (Wildeman, 2009). As such, the harmful effects of parental incarceration help perpetuate the stratification brought on by mass incarceration (Wakefield and Uggen, 2010), as well as deepen the cycle of disadvantage (Braman, 2004; Foster and Hagan, 2007) and increase the risk of criminal justice involvement intergenerationally, especially among boys (Murray and Farrington, 2008).

More broadly, Megan Comfort (2007) has reviewed the growing body of scholarship on she calls 'legal bystanders' who are impacted by mass incarceration, including spouses and partners, neighborhoods and communities.

She has also delved deeply into the impacts of men's incarceration on their women partners in her own qualitative research, illustrating the ongoing psychological and economic turmoil that comes with it (Comfort, 2008).

Comfort's (2007) review of the work that deals specifically with the reverberations of mass incarceration in families and communities highlights the way in which the criminal justice intervention that is tied to mass incarceration directly impinges upon those connected to offenders. The surveillance and state intrusion that accompanies the arrests leading to the prison sentence, and the correctional supervision that follows, is also experienced by those who live with or near offenders. During the prison sentence, family and friends who visit at the institution are subject to invasive and sometimes humiliating procedures (Comfort, 2007; Lynch, 2010). Comfort suggests this results in a now-widespread 'secondary prisonization' of prisoners' kin (2007: 279).

Mass incarcerated prisoners' return to their communities can also be disruptive and emotionally taxing for themselves and their loved ones. Haney (2001) suggests that the institutionalization process that happens to all prisoners contributes to problems in adjustments upon release. He highlights an array of specific effects that are common among those who have been incarcerated, particularly those who served long sentences: an over-dependence on the institutional structure that is created by lack of autonomy and control while inside; hypervigilance and distrust of others brought about by the dangerous living situations inside today's prisons; emotional suppression and distancing to mask vulnerability; social withdrawal; the internalization of the prison subculture; low self-esteem and self-worth; and post-traumatic stress disorders.

These responses to imprisonment are functional within the prison, and indeed are forms of survival mechanisms, but they are impediments to successful re-entry. Relationships with family members and friends are likely

to be strained and distant; healthy and nurturing parenting will be difficult; and the interpersonal skills needed to obtain work and re-establish oneself in society may be lacking. To the extent that some communities have a steady in- and out-migration of their members going into or coming home from prison, these adjustment issues have profound impacts on the entire social fabric, particularly in poor urban locales. So while the negative impact of prison institutionalization on the chances of successful return to the community is not unique to mass incarceration, the sheer scale of contemporary American imprisonment has greatly expanded its impacts into communities. Moreover, the co-occurring transformation within parole agencies that shifted significant resources and attention from reintegration efforts to surveillance and crime control activities (Simon, 1993; Petersilia, 2004) has resulted in dramatically fewer forms of support for many times more released prisoners.

IS THE AMERICAN PRISON EXPERIENCE AN EXCEPTION?

As I suggested in the beginning of this chapter, the USA is widely accepted as an aberrational incarcerator, in that it imprisons at drastically higher rates, and with a much more punitive edge, than do its Western peers. It has also been suggested that the USA has been something of punitive innovator and leader, and has enthusiastically exported its penal paradigm to other places. As such, mass incarceration is characterized as a more mega-structural, global phenomenon. Thus, there is a bit of debate in sociological and political science literature about whether contemporary US penal practices are fundamentally different as a function of a series of historical and structural factors (Whitman, 2003; Gottschalk, 2006; Tonry, 2006; Snacken, 2010), or whether they are just an extreme example of the more global paradigm shift (Garland,

2001a; Wacquant, 2009). This body of work has less to say about the micro-level processes that are experienced by those subject to mass incarceration. There is, nonetheless, scholarship that sheds light on the overlaps and distinctions between American practices, and, particularly, European ones.

The first point to be made is that no Western democratic nation incarcerates at even near the same rate as the USA as a whole, thereby eliding many of the negative consequences that are a product of huge proportions of the population under correctional control. Among Western European jurisdictions, Spain incarcerates at the highest level; its rate in the late 2000s (159/100,000) was just above Maine's state imprisonment rate (150/100,000), which stood as the lowest rate of all American states (World Prison Brief, 2009; West et al., 2010). And while a number of European jurisdictions have increased their rates of imprisonment, especially since the 1990s, there is no sense that the kind of explosion that occurred in the USA is likely to happen across the Atlantic.

As to conditions of confinement, the strength of other states' commitment (relative to the USA) to human rights law and policy in relation to domestic incarceration conditions provides for a higher baseline than does the US Constitution, at least under current standards. Specifically, a varied body of international human rights law places 'positive obligations on government officials to take all reasonable precautions to insure prisoner safety' (Nilsen, 2007: 167) as well as a negative obligation to refrain from action that undermines rights. The ICCPR in particular provides substantial positive rights to prisoners in participating states, in that Article 10 mandates 'all persons deprived of their liberties shall be treated with humanity and with respect for the inherent dignity of the human person', and that 'the penitentiary system shall comprise treatment of prisoners the essential aim of which shall be their social rehabilitation' (ICCPR, Article 10, quoted in van Zyl Smit, 2010: 511). While the USA did ratify the ICCPR, it did so with

the expressed intent that the prohibitions against cruel, inhuman and degrading punishment be binding only to the extent that the 5th, 8th and 14th amendments of the US Constitution apply, and that the purpose of the prison not be limited to rehabilitation (van Zyl Smit, 2010). Consequently, the limited case law that has considered international human rights violation claims by American prisoners has generally not given much weight to the mandates of international law (Dubinsky, 2010).

In the EU, the regional European Court of Human Rights also regularly considers alleged violations of the European Convention on Human Rights (ECHR) that occur within prisons (Livingstone, 2000; van Zyl Smit and Snacken, 2009). The human rights afforded prisoners under the ECHR are the same ones that exist for those outside – aside from the legally imposed loss of liberty inherent in a prison sentence – so prisoners are entitled, at least on paper, to a number of freedoms that would be unheard of in most American prisons, including the right to vote (*Hirst* v. *The United Kingdom*, 2005).[3]

Finally, most western European nations have developed their own regulatory systems that oversee the operation of, and conditions within, prison facilities. While these mechanisms vary in force, they have ensured that prisons in these jurisdictions have not been completely closed to both scrutiny and intervention from independent outsiders (van Zyl Smit, 2010). In contrast, the USA has no mandatory regulatory system for ensuring minimal standards of care within state and federal prisons, and the single most potent avenue to remediation is via individual legal petitions alleging constitutional rights violations to the federal courts.[4]

While scholars have highlighted the constraints of human rights laws in regulating prison conditions even in places where they are taken seriously (at least rhetorically; see van Zyl Smit and Snacken [2009] for a sustained discussion), the very fact that prisoners are considered within the scope of human rights protections has an ameliorative

effect on punitive conditions. In the USA, the principles of human rights discourse in regard to civilian prisoners' right to dignity and humane treatment has not, at least yet, penetrated the legal, political, or general public realms in any meaningful way (Nilsen, 2007). As a result, prisoners' rights are not conceived of, in the American context, as a positive obligation of the state, and constitutional conditions of confinement jurisprudence works at the very cellar of acceptability, mainly policing utterly abusive and physically harmful conditions.

As a practical matter, the divergent legal and regulatory structures (and commitments implied by these structures) mean that the American prison experience differs in a number of important dimensions from its western peers. The use of solitary confinement is more extraordinary and highly regulated in western Europe, and the American-style supermax is generally considered to fundamentally violate human rights (Snacken, 2010). The kind of 'life-trashing' sentences (Simon, 2001) that have fueled the American mass incarceration binge and that are regularly imposed in American criminal courts are the great exception in peer jurisdictions. Indeed, there are bright-line proscriptions against life without parole sentences for juveniles and adults in Europe, whereas they are considered legally valid (and are meted across the country) in the USA (Snacken, 2010). Finally, prisons in Europe and other Western democracies hold 'rehabilitation' as a primary goal of prison – as expected under human rights doctrine – so institutions necessarily invest in education, therapy, skills training and other such programmatic resources.

Perhaps the clearest illustration of the differences in punitive style comes from anthropologist Lorna Rhodes (2010), who has extensively studied American supermax prisons, and who has recently done field work in England's Grendon prison. Her observations highlight just how keen the contrast is between the American mass incarcerative penal experience and the British one.

Grendon houses inmates with violent criminal histories, many of whom – in the USA – would likely be assigned to a supermax unit. Yet, the prisoners who end up at Grendon are provided extensive autonomy over their lives, including how they decorate the facility, what clothes they where and how they manage their daily schedules. Modeled as a therapeutic community, the Grendon regime includes extensive group therapy and fosters an environment where exploring and expressing emotions is safe, encouraged and actually done. While challenges exist to its ability to thrive in the changing British penal landscape, Grendon stands as a model embodiment of human rights ideals. As Genders and Player suggest: 'there is an inherent optimism in its functioning: there is a fundamental belief that individual change is possible and this sets an agenda that looks for the best in people rather than one that anticipates and looks out for the worst' (2010: 443).

CONCLUSION

In some sense I have tried to make clean and discrete what are really complexly interrelated social psychological processes that are inherent to mass incarceration. The combined and cumulative effects of the array of changes to American penology are now a huge, singular policy problem that cannot simply be fixed through addressing one or another aspect. This behemoth is well illustrated in the legal challenges in the state of California regarding the conditions of confinement throughout the prison system, which is the third largest in the world (Specter, 2010), and in particular the atrocious deficiencies in the institutional medical and mental health care. The plaintiffs' allegations underlying the now settled case, *Coleman/ Plata v. Schwarzenegger* (*Brown v. Plata* (2011) as decided by the US Supreme Court), poignantly illustrate how all of the above-described elements of mass incarceration

converge to create an inhumane system of punishment that seems to be irremediable.

Coleman's case was originally filed in federal court two decades ago, and alleged at that time that the state did not provide adequate mental health care. In 1995, after a lengthy evidentiary hearing, the federal district court found the state's mental health system was inadequate, leaving 'thousands' of prisoners who needed treatment without any mental health care, and in violation of the 8th Amendment of the US Constitution. The second suit was filed by prisoner Marciano Plata in 2001, and the next year, state settled the case and agreed to fix the medical health care system. Nonetheless, few fixes were made in the ensuing years, and the entire medical system was put into receivership by the court. In the written order, Judge Thelton Henderson justified the court's action as follows:

> The harm already done in this case to California's prison inmate population could not be more grave, and the threat of future injury and death is virtually guaranteed in the absence of drastic action … Indeed, it is an uncontested fact that, on average, an inmate in one of California's prisons needlessly dies every six to seven days due to constitutional deficiencies in the CDCR's medical delivery system. This statistic, awful as it is, barely provides a window into the waste of human life occurring behind California's prison walls due to the gross failures of the medical delivery system.

Four years later, when the Department had still not been able to improve heath care to a minimally constitutional level, a three judge panel declared that the primary cause of the quite serious, even deadly, deficiencies in care was overcrowding. It thereby ordered the state to reduce its prisoner population to 137.5 percent capacity. Rather than complying, the state appealed the order to the US Supreme Court, which issued its decision in May 2011. By a 5–4 decision, the Court ruled against the state and upheld the decision of the three-judge panel.[5] As other commentators have noted, the federal courts' intervention into this situation is remarkable, because prisoner conditions of confinement

cases are more difficult to mount in the USA than they have been in decades.[6] Yet, even with the plaintiffs' legal victories, California's prison system remains overcrowded, continues to prioritize security functions rather than programs and treatment in its budget, and continues to be largely unsuccessful in returning prisoners to our communities with the psychological and practical resources needed to make the transition back to society. Moreover, while the state has since complied in reducing the prisoner population through the use of early release mechanisms, and via new legislation that keeps low-level felons in local jails for up to three years (rather than one year), there is a sense that in many local jurisdictions, particularly those that overindulged in the use of state prison, mass incarceration has just gone local (ACLU, 2012).

Nonetheless, this case may mark a first step away from the dehumanizing and failed practices that have characterized American mass incarceration. As Jonathan Simon recently commented: "The road from *Brown v. Plata* to a humane and dignified prison system for the US will be a long one. But this opinion represents a turning point. The system of mass incarceration depends deeply and irretrievably on a simple condition, the denial of the humanity of prisoners. In *Brown*, the Supreme Court overturned that denial." (Simon, 2011: 255).

NOTES

1 See Jonathan Simon (2000) for a more general discussion of the decline of social science (especially sociology) interest and intervention into American prisons in the mass incarceration era.

2 Scholars have used the terms 'mass incarceration' and 'mass imprisonment' somewhat interchangeably to characterize these phenomena. In this chapter I will generally use 'mass incarceration'.

3 Six years later, the UK has still not complied with this ruling, though. The right to vote is also considered a basic human right in Canada and in South Africa, and the European Court on Human Rights cited Canada's and South Africa's policies in the *Hirst* decision – *Hirst v. The United Kingdom (No. 2)* [2005] ECHR 681, 42 EHRR 41, (2006) 42 EHRR 41.

4 The American Correctional Association does offer a voluntary institutional accreditation process, and publishes detailed guidelines of recommended minimum standards, but this organization has no regulatory power. See van Zyl Smit (2010) for more on this.

5 While it did not reference international human rights standards at all in the decision, the majority opinion was written by Justice Kennedy who has been among the most vocal in terms of applying international norms and standards to challenges involving various aspects of American criminal justice.

6 The US Congress passed the Prisoner Litigation Reform Act 1995 (PLRA), which severely constrained prison inmates' access to federal courts and imposed substantial limits on the ability of federal courts to intervene in prison conditions cases.

REFERENCES

American Civil Liberties Union of California (ACLU) (2012) *Public Safety Realignment: California at a Crossroads.* (March). Available at: http://www.aclunc.org/docs/criminal_justice/public_safety_realignment_california_at_a_crossroads.pdf (Last accessed March 21, 2012).

Beaumont, Gustave de and de Tocqueville, Alexis (1835 [1964]) *On the Penitentiary System of the United States.* Reprint. Carbondale, IL: Southern Illinois University Press. Originally published 1835.

Blevins, Kristie, Listwan, Shelley Johnson, Cullen, Francis and Lero Jonson, Cheryl (2010) 'A general strain theory of prison violence and misconduct: an integrated model of inmate behavior', *Journal of Contemporary Criminal Justice,* 26: 148–66.

Blomberg, Thomas and Lucken, Kristin (2009) *American Penology: A History of Control.* New Brunswick, NJ: Transaction Publishers.

Braman, Donald (2004) *Doing Time on the Outside: Incarceration and Family Life in Urban America.* Ann Arbor, MI: University of Michigan Press.

Brehm, Sharon and Brehm, Jack (1981) *Psychological Reactance: A Theory of Freedom and Control.* New York: Academic Press.

Bright, Charles (1996) *The Powers That Punish: Prison and Politics in the Era of the 'Big House,' 1920–1955.* Ann Arbor, MI: University of Michigan Press.

California Department of Corrections and Rehabilitation (CDCR) (2008) 'Historical trends: 1987–2007', Sacramento: State of California, Department of Corrections and Rehabilitation. Available at: http://www.cdcr.ca.

gov/reports_research/offender_information_services_branch/Annual/HIST2/HIST2d2007.pdf (accessed March 21, 2012).

California Department of Corrections and Rehabilitation (CDCR) (2010) 'Master plan annual report for 2009', Sacramento: State of California, Department of Corrections and Rehabilitation. Available at: http://www.cdcr.ca.gov/fpcm/docs/masterplan2009_pages_1-249.pdf (Last accessed March 21, 2012).

Chase, Lawrence and Dickover, Robert (1983) 'University education at Folsom Prison: an evaluation', *Journal of Correctional Education*, 34: 92–5.

Clear, Todd (2007). *Imprisoning Communities: How Mass Incarceration Makes Disadvantaged Neighborhoods Worse.* New York: Oxford University Press.

Clemmer, Donald (1940) *The Prison Community.* New York: Holt, Rinehart & Winston.

Cloyes, Kristin, Lovell, David, Allen, David and Rhodes, Lorna (2006) 'Assessment of psychosocial impairment in a supermaximum security unit sample', *Criminal Justice and Behavior,* 33: 760–81.

Cohen, Stanley (1979) 'The punitive city: notes on the dispersal of social control', *Contemporary Crises*, 3: 339–63.

Cohen, Stanley (1996) 'Crime and politics: spot the difference', *The British Journal of Sociology,* 47: 1–21.

Comfort, Megan (2007) 'Punishment beyond the legal offender', *Annual Review of Law and Social Science*, 3: 271–96.

Comfort, Megan (2008) *Doing Time Together: Love and Family in the Shadow of the Prison.* Chicago: University of Chicago Press.

Cox, Verne, Paulus, Paul and McCain, Gervin (1984) 'Prison crowding research: the relevance for prison housing standards and a general approach regarding crowding phenomena', *American Psychologist*, 39: 1148–60.

Dubinsky, Paul (2010) 'International law in the legal system of the United States', *American Journal of Comparative Law*, 58: 455–78.

Fabelo, Tony (2002) 'The impact of prison education on community reintegration of inmates: the Texas case', *Journal of Correctional Education*, 53: 106–10.

Feeley, Malcolm and Simon, Jonathan (1992) 'The new penology: notes on the emerging strategy of corrections and its implications', *Criminology*, 30: 449–74.

Foster, Holly and Hagan, John (2007) 'Incarceration and intergenerational social exclusion', *Social Problems*, 54: 399–433.

Foucault, Michel (1977[1975]). *Discipline and Punish: The Birth of the Prison.* New York: Pantheon.

Fox, Kathryn (1999) 'Changing violent minds: discursive correction and resistance in the cognitive treatment of violent offenders in prison', *Social Problems*, 46: 88–103.

Garland, David (2001a) *The Culture of Control: Crime and Social Order in Contemporary Society.* Chicago: University of Chicago Press.

Garland, David (2001b) 'Introduction: the meaning of mass imprisonment', *Punishment and Society*, 3: 5–7.

Genders, Elaine and Player, Elaine (2010) 'Therapy in prison: revisiting Grendon 20 years on', *The Howard Journal,* 49: 431–50.

Godoy, Angelina Snodgrass (2008) 'America doesn't stop at the Rio Grande: democracy and the war on crime', in Mary Louise Frampton, Ian Haney Lopez and Jonathan Simon (eds), *After the War on Crime: Race, Democracy and a New Reconstruction.* New York: NYU Press. pp. 37–48.

Goffman, Erving (1961) *Asylums: Essays on the Social Situation of Mental Patients and Other Inmates.* Garden City, NY: Anchor Books.

Gottschalk, Marie (2006) *The Prison and the Gallows: The Politics of Mass Incarceration in America.* Cambridge: Cambridge University Press.

Grassian, Stuart (2006) 'Psychiatric effects of solitary confinement', *Journal of Law and Policy*, 22: 325–383.

Haney, Craig (1998) 'Riding the punishment wave: on the origins of our devolving standards of decency', *Hastings Women's Law Journal*, 9: 27–78.

Haney, Craig (2001) 'The psychological impact of incarceration: Implications for post-prison adjustment. Commissioned paper for *From Prison to Home: The Effect of Incarceration and Reentry on Children, Families, and Communities. National Policy Conference by the US Department of Health and Human Services.* Available at: http://aspe.hhs.gov/hsp/prison2home02/Haney.htm. Last accessed May 22, 2012. Originally accessed November 9, 2010.

Haney, Craig (2003) 'Mental health issues in long-term solitary and 'supermax' confinement', *Crime and Delinquency*, 49: 124–56.

Haney, Craig (2006a) *Reforming Punishment: Psychological Limits to the Pains of Imprisonment.* Washington, DC: APA Books.

Haney, Craig (2006b) 'The wages of prison overcrowding: harmful psychological consequences and dysfunctional correctional reactions', *Journal of Law and Policy*, 22: 265–93.

Haney, Craig (2008) 'Counting casualties in the war on prisoners', *University of San Francisco Law Review*, 43: 87–138.

Haney, Craig and Lynch, Mona (1997) 'Regulating prisons of the future: a psychological analysis of supermax and solitary confinement', *New York University Review of Law and Social Change*, 23: 477–570.

Haney, Craig and Zimbardo, Philip (1998) 'The past and future of US prison policy: twenty-five years after the Stanford Prison experiment', *American Psychologist*, 53: 709–27.

Haney, Craig, Banks, Curtis and Zimbardo, Philip (1973) 'Interpersonal dynamics in a simulated prison', *International Journal of Criminology and Penology*, 1: 69–97.

Hermann, William (1996) 'Escape unlikely at new high-security unit; best prison for worst inmates', *Arizona Republic*, 22 June: A1.

King, Roy (1999) 'The rise and rise of supermax: an American solution in search of a problem?', *Punishment and Society*, 1: 163–86.

Kruttschnitt, Candace and Gartner, Rosemary (2005) *Marking Time in the Golden State: Women's Imprisonment in California.* New York: Cambridge University Press.

Kupers, Terry (1999) *Prison Madness: The Mental Health Crisis Behind Bars and What we Must do About it.* Hoboken, NJ: Jossey-Bass.

Leary, Kevin (1994) 'Pelican Bay as prison of the future', *San Francisco Chronicle*, 18 April: A7.

Livingstone, Stephen (2000) 'Prisoners' rights in the context of the European Convention on Human Rights', *Punishment & Society*, 2(3): 309–24.

Lynch, Mona (2001) 'From the punitive city to the gated community: security and segregation across the social and penal landscape', *Miami Law Review*, 56: 89–112.

Lynch, Mona (2008) 'The contemporary penal subject(s)', in Jonathan Simon, Ian Haney López and Mary Louise Frampton (eds), *After the War on Crime: Race, Democracy, and a New Reconstruction.* New York: NYU Press. pp. 89–105.

Lynch, Mona (2009) 'Punishment, purpose and place: a case study of Arizona's prison siting decisions', *Studies in Law, Politics, and Society*, 50: 105–37.

Lynch, Mona (2010) *Sunbelt Justice: Arizona and the Transformation of American Punishment.* Stanford, CA: Stanford University Press.

Lynch, Mona (2011) 'Mass incarceration, legal change and locale: understanding and remediating American penal overindulgence', *Criminology and Public Policy*, 10: 673–98.

MacKenzie, Doris Layton, Goodstein, Lynne and Blouin, David (1987) 'Personal control and prisoner adjustment: an empirical test of a proposed model', *Journal of Research in Crime and Delinquency*, 24: 49–68.

Murray, Joseph and Farrington, David (2008) 'Parental imprisonment: effects on boys' anti-social behavior and delinquency through the life-course', *Journal of Child Psychology and Psychiatry*, 46: 1269–78.

Nilsen, Eva (2007) 'Decency, dignity, and desert: restoring ideals of humane punishment to constitutional discourse', *UC Davis Law Review*, 41: 111–75.

Page, Joshua (2004) 'Eliminating the enemy: the import of denying prisoners access to higher education in Clinton's America', *Punishment and Society*, 6: 357–78.

Petersilia, Joan (2004) *When Prisoners Come Home: Parole and Prisoner Reentry.* New York: Oxford University Press.

Pritikin, Martin (2008) 'Is prison increasing crime?', *Wisconsin Law Review*, 1049–108.

Reiter, Keramet (2010) 'Parole, snitch, or die: California's supermax prisons and prisoners, 1987–2007'. ISSC Fellows Working Papers, Institute for the Study of Social Change, UC Berkeley. Available at: http://escholarship.org/uc/item/04w6556f (accessed June 10, 2011).

Rhodes, Lorna (2004) *Total Confinement: Madness and Reason in the Maximum Security Prison.* Berkeley, CA: University of California Press.

Rhodes, Lorna (2010) 'This can't be real: continuity at Grendon Prison', in E. Sullivan and R. Shuker (eds), *Grendon and the Emergence of Forensic Therapeutic Communities: Developments in Research and Practice.* New York: Wiley. pp. 203–216.

Scharf, Peter (1983) 'Empty bars: violence and the crisis of meaning in the prison', *The Prison Journal*, 63: 114–24.

Scull, Andrew (1977) *Decarceration: Community Treatment and the Deviant.* London: Prentice Hall.

Scull, Andrew (1983) 'Community corrections: panacea, progress or pretence?', in D. Garland and P. Young (eds), *The Power to Punish.* London: Heinemann. pp. 146–165.

Shalev, Sharon (2007) 'The power to classify: avenues into a supermax prison', in D. Downes, P. Rock, C. Chinkin and C. Gearty (eds), *Crime, Social Control and Human Rights: From Moral Panics to States of Denial: Essays in Honour of Stanley Cohen.* Cullompton: Willan. pp. 107–119.

Shalev, Sharon (2009) *Supermax: Controlling Risk Through Solitary Confinement.* Cullompton: Willan.

Simon, Jonathan (1993) *Poor Discipline: Parole and the Social Underclass, 1890–1990.* Chicago: University of Chicago Press.

Simon, Jonathan (2000) 'The 'society of captives' in the era of hyper-incarceration', *Theoretical Criminology,* 4: 285–309.

Simon, Jonathan (2001) 'Entitlement to cruelty: neo-liberalism and the punitive mentality in the United States', in K. Stenson and R. Sullivan (eds), *Crime Risk and Justice.* Cullompton: Willan. pp. 125–43.

Simon, Jonathan (2007) *Governing Through Crime: How the War on Crime Transformed American Democracy and Created a Culture of Fear.* New York: Oxford University Press.

Simon, Jonathan (2011) 'Editorial: mass incarceration on trial,' *Punishment and Society,* 13: 251–55.

Snacken, Sonja (2010) 'Resisting punitiveness in Europe?', *Theoretical Criminology*, 14: 273–92.

Specter, Donald (2010) 'Everything revolves around overcrowding: the state of California's prisons', *Federal Sentencing Reporter,* 22: 194–99.

Sykes, Gresham (1958) *Society of Captives: A Study of a Maximum Security Prison.* Princeton, NJ: Princeton University Press.

Toch, Hans (1977) *Living in Prison: The Ecology of Survival.* New York: The Free Press.

Toch, Hans (1985) 'Warehouses for people?', *Annals of the American Academy of Political and Social Science,* 478: 58–72.

Tonry, Michael (2006) *Thinking About Crime: Sense and Sensibility in American Penal Culture.* New York: Oxford University Press.

Travis, Jeremy and Waul, Michelle (eds) (2003) *Prisoners Once Removed: The Impact of Incarceration and Reentry on Children, Families, and Communities.* Washington, DC: Urban Institute Press.

Wacquant, Loic (2009) *Punishing the Poor: The Neoliberal Government of Social Insecurity.* Durham, NC: Duke University Press.

Wakefield, Sara (2009) 'Parental loss of another sort? Parental incarceration and children's mental health'. Working Paper, University of California, Irvine.

Wakefield, Sara and Uggen, Christopher (2010) 'Incarceration and stratification', *Annual Review of Sociology,* 36: 387–406.

West, Heather, Sabol, William and Greenman, Sarah (2010) *Prisoners in 2009.* Washington, DC: Bureau of Justice Statistics.

Western, Bruce (2006) *Punishment and Inequality in America.* New York: Russell Sage Foundation.

Whitman, James (2003) *Harsh Justice: Criminal Policy and the Widening Divide Between America and Europe.* NewYrok: Oxford University Press.

Wildeman, Christopher (2009) 'Parental imprisonment, the prison boom, and the concentration of childhood disadvantage', *Demography,* 46: 265–80.

Wildeman, Christopher (2010) 'Paternal incarceration and children's physically aggressive behaviors: evidence from the Fragile Families and Child Wellbeing Study', *Social Forces,* 89(1): 285–309.

Wilson, James (1975) 'Lock 'em up and other thoughts on crime', *New York Times,* 9 March: 44–8.

Wooldredge, John (1999) 'Inmate experiences and psychological well-being', *Criminal Justice & Behavior*, 26: 235–50.

World Prison Brief, International Centre for Prison Studies (2009) Available at: http://www.prisonstudies.org/info/worldbrief/wpb_stats.php?area=all&category=wb_poprate (accessed June 10, 2011)

Van Voorhis, Patricia, Spruance, Lisa, Ritchey, Neal, Listwan, Shelley and Seabrook, Renita (2004) 'The Georgia cognitive skills experiment: a replication of reasoning and rehabilitation', *Criminal Justice and Behavior*, 31: 282–305.

Van Zyl Smit, Dirk (2010) 'Regulation of prison conditions', *Crime and Justice,* 39: 503–63.

Van Zyl Smit, Dirk and Snacken, Sonja (2009) *Principles of European Prison Law and Policy.* Oxford: Oxford University Press.

Zimbardo, Philip (2007) *The Lucifer Effect: Understanding How Good People Turn Evil.* New York: Random House.