

Remarkable rarity of violence toward staff in prisons

by Marc Ouimet, Ph.D.¹

School of Criminology, International Centre for Comparative Criminology, University of Montreal

Prisons are expected to fulfil a variety of functions: punishment, neutralization, rehabilitation and deterrence. One of the characteristics of prisons is that they bring together people with a high potential for violence. At first sight, then, we might think that it is risky or dangerous to work in a penal institution. But what do we actually know about violence against prison staff? In fact, we know very little. To our knowledge, no Canadian study has dealt specifically with the question of violence against staff in provincial prisons. This study therefore attempts to focus on this issue.

Some data

In 1982, a destructive riot broke out at the Archambault Institution. There were both guards and inmates among the dead. However, this tragic event must be seen as part of a larger picture.

In the network of provincial in Quebec, there has not been case of a homicide against a guard performing his duties inside the walls in the last 10 years. The killing of two correctional service employees outside the walls has nonetheless reminded us of the potential brutality of the criminal environment.

American data show that between 1984 and 1989 there were 21 murders of correctional officers.² We must remember that the total inmate population in the U.S. during this period was about one million, and the number of officers during the same period was about 120,000.³ Calculated annually, if there are 3.5 murders a year (21 homicides/6 years), this makes an annual homicide rate of 2.91 per 100,000. In the United States, the annual homicide for the population as a whole is about 8 per 100,000 (or 20,000 murders a year).⁴ The scattered information available on homicides of correctional officers enables us to conclude that this occurrence is rare. Such an observation is all the more striking in that homicidal violence is relatively frequent among offenders. The Correctional Service of Canada counted 28 homicides behind federal bars from 1990–1991 to 1994–1995, a period of six years.⁵ Since the federal population for this period was about 13,500, the annual rate is 41 per 100,000 inmates, which is 13 times higher than that in the civilian population, which annually is 3 per 100,000 inhabitants.⁶ It is interesting to note that provincial prisons in Canada as a whole reported only six homicides during the five years under study, or a rate of 6 per 100,000 offenders, which is approximately equivalent to, if not less than, the rate for a comparable civilian population (the great majority being men between 18 and Prisons are 40 years old). The feeling that expected to fulfil there is a lack of safety in prisons may also be due to the high rate a variety of of suicide among inmates. From functions: 1990–1991 to 1994–1995, Statistics Canada reported 76 suicides punishment, among federal inmates and 97 in neutralization, Quebec prisons, or respective rates of 113 and 100 suicides per 100,000 offenders, which is about 10 times and deterrence. greater than the average for the civilian population.

Light has published a study on the 694 cases of assault involving an inmate and a member of the staff in New York prisons in 1985.⁷ He notes that 82.3% of the assaults occurred in maximum security prisons, against 15.3% in medium security prisons and 2.3% in minimum security prisons. The majority of the assaults did not cause any significant injury. There were 101 cases of moderate injuries and 19 cases of serious injuries (i.e., 2.8% of the assaults). This study highlighted the fact that serious violence against prison employees was rare (19 cases of serious violence for 24,300 guards), and this was in one of the toughest prison systems in the world, with a particularly aggressive inmate population (because of racial tensions, among other things).

In their study, McCorkle, Miethe and Drass Van review the general characteristics of 371 American American prisons and the relationships with correlations the rate of assaults against staff.⁸ The results (infractions, of a multiple regression analysis show that the questionnaire following variables are not associated with the were rate of aggression: occupancy rate, ratio of among guards to inmates and size of institution. Two disciplinary factors contribute significantly to an increase in violence against staff: the ratio of whites to blacks among guards and the security A climate of level of the institution (the higher relative security security institutions have the most violence). One factor that relates to a drop in violence against guards is the level of involvement of inmates in programs. After an analysis of the results of research available on relationship this question, Cooke indicates that the toughening of security measures in an institution may inmates, as well entail an increase in violent as on the inmates' incidents between inmates and staff.⁹ Cooke believes that a climate involvement in of relative security for everyone is programs. dependent on the quality of the relationship between staff and inmates, as well as on the inmates' status, involvement in programs.

Impact of Violence in Quebec prisons in 1996

In the Quebec correctional service, a all Quebec prisons disciplinary infraction requiring processing is automatically reported on a standard form that is then entered into the automated DACOR system. We queried the system to obtain information on all the disciplinary infractions that were entered in 1996 for all the institutions in Quebec. We may question the validity of indicators based on official reports of disciplinary infractions. Do they accurately reflect the inmates' behaviour or do they reflect rather the specific attention that the guards focus on rebellious prisoners? Van Voorhis studied this question in an prison and showed that the between various indicators evaluations of guards, and interviews with inmates) high enough to indicate good consistency the various measures.¹⁰ Furthermore, infractions are the indicator that is most frequently used in research to gauge the offenders' institutional adjustment.

The two main types of clients in the Quebec correctional system are people who are awaiting trial (accused) and people who have been convicted (inmates). A study carried out on more than 300 people incarcerated at the Sherbrooke detention centre¹¹ showed that the accused had fewer disciplinary infractions than the inmates in all categories, with the exception of damage to property. The study also showed that classification according to the level of risk of the offenders was superior to classification according to legal status. Apart from legal it would appear that the age of the offenders has an inverse relation to the potential for committing an infraction. The youngest inmates are those most likely to

flout the regulations.¹² Table 1 shows the number of infractions reported in 1996 for all Quebec prisons.

Table 1

Disciplinary Infractions in Quebec — 1996		
Type of infraction	Number	Percentage
Non-compliance with regulations	2,634	30.79%
Disruption to order of institution	1,920	22.45%
Possession of prohibited item	1,166	13.63%
Threatening or offensive language	1,137	13.29%
Use of physical violence	792	9.26%
Damage to property	461	5.39%
Refusal to participate	297	3.47%
Gift of item	90	1.05%
Obscene actions	57	0.67%
Total	8,554	

Table 1 also shows that there were 8,554 reports of disciplinary infractions for 1996. The use of physical violence accounts for 9.26% of the total entered in the system. When focused on cases of physical violence on people other than offenders, and this gave us a total of 162 violent infractions. These 162 cases included 154 guards, four members of the medical staff, one parole commissioner, one telephone repairman, one help cook and one psychologist. On the basis of the narrative description of the infractions, we coded the nature of the acts.

Table 2 shows the results (two cases of touching and three cases of unspecified violence did not make the chart.)

Table 2

Nature of Violent Acts Against Non-inmates		
Type of Act	Number	Percentage

Use of force required to overpower offender	29	18.5%
Threats, hitting wall, aggressiveness, invitation to fight	29	18.5%
Threw himself toward...., attempted to....	25	15.9%
Blow, act likely to cause injury, bite, scuffle	25	15.9%
Push, shove, shoving object against victim	17	10.8%
Threw object on.... or toward....	15	9.6%
Spitting on non-offender	11	7.0%
Intervention in fight between offenders	6	3.8%
Scuffle between offender and non-offender (he jumped on me...)	5	3.2%
Total	162	

Infractions reported under “Use of violence” do not always correspond to the idea we have of what constitutes physical violence. In many cases, a violent infraction is listed because an offender had to be physically overcome. The data show that cases of physical violence that might be called assaults are in two categories: “Blow, act likely to cause injury, bite, scuffle,” and “Threw object on....” The total for these is 40 for 1996. Still we could not conclude that all of the 40 cases could entail a police complaint. Here is an example: “X was coming back from court. I proceeded to search him. Afterward I told him to go into the room and wait for an escort. He wanted to go out again. I stood in front of him to prevent him from passing with my arms, he turned and planted a fist in my face. Several guards had to intervene to get him into confinement.”

Here is another: “During the medication distribution, W began to swear at supervisor X. He threatened guards Y and Z. The unit manager told us to put him in segregation. Subject refused. We used the necessary force. Subject hit X with his fist. Subject was overpowered, restraints were placed on him, and he was put into a holding cell.”

In a more serious case, an offender caught an officer’s little finger between two pieces of metal. The officer was injured. In another case, an officer was bitten by an offender who claimed to have AIDS. In a single case in 1996, an employee who was not a guard was the victim of serious violence from an offender. This was a help cook who suffered a violent blow to the head from an inmate working in the institution’s kitchen. There were incidents featuring aggressive or threatening language to a telephone repairman, a parole commissioner and on two occasions a member of the medical staff. An object was thrown at a psychologist, a medical person was shoved, and another one was spat upon.

Quebec correctional service regulations provide that when a crime is committed within an institution, a disciplinary infraction form need not always be completed, but rather the police should be called, and the police can then record the infraction and follow up with the legal proceedings. This being so, there may have been in 1996 some cases of violence toward an officer or another person that were not entered in DACOR. For 1996 we were able to consult all the files concerning assaults on officers that were submitted directly to the police. We found five cases of violence against an officer that were reported to the police. However, in none of the five cases were any serious injuries reported.

Discussion

After analyzing the incidents in the DACOR system and those that entailed a request for a police investigation, we were able to make a number of observations. First, physical violence against officers is not very frequent. Our prisons house over 3,000 people and the number of violent incidents against officers was about 50. Moreover, employees of detention centres other than correctional officers do not appear to be targets for offenders. In 1996, not more than about 10 incidents against staff members other than guards resulted in disciplinary infraction reports or complaints to the police (most often these were for threats or aggressive language).

In his study of prisons, Lemire wrote that in the past the violence that occurred in prisons was mainly directed by guards against inmates.¹³ Any confrontation of a guard by an inmate was severely punished. In the last few decades, things have changed. Guards have become more professional and no longer use violence in their relations with inmates. Violence in prison now is mainly by inmates against other inmates. Although the guard is still the formal enemy, inmates spend a great deal of time trying to avoid violence from other inmates. Lemire did find that there has been a recent increase in violence against guards, but that this is still quite marginal when compared with the violence inflicted by inmates on other inmates.

We must now ask what the reasons might be that could explain why violence against staff is so infrequent in our prisons. Lemire defends the idea that the prohibition against physically tackling guards is part of the inmate's informal code of conduct. There would appear to be some taboo against violence toward staff—a taboo justified by the fear that detention conditions might then deteriorate (withdrawal of common privileges, toughening of policies, coercion).

Another approach was adopted by Lusignan in his Ph.D. research dealing with the victimization of criminology workers.¹⁴ Lusignan shows that prison guards have rates of victimization much lower than that of bailiffs, police officers and social workers. Death on the job for them is much lower than for miners, truck drivers, construction workers and police officers. Lusignan explains this situation by the fact that guards rarely leave themselves vulnerable in contacts with inmates. First, they are quite able to defend themselves bare-handed, and second, they make sure that another guard is never far away. The conditions required for a crime to occur are rarely all present.

We may also consider that an assault against an employee by an inmate will swiftly and immediately be met by some reaction from other employees. An offender has a great deal to lose if he tackles a guard. He may be roughed up, he may be confined to his cell for quite some time, he will have to answer to the Discipline committee, and he certainly risks having his release date postponed. If the assault is serious enough, it is quite likely that he will face new charges, and if he is convicted, the judge may be sickened by the incident and may hand down a severe sentence. It has often been said, in criminology, that the certainty of a sentence is a much stronger deterrent against criminal behaviour than its severity. In the case of aggression toward employees, the sentence would be both certain and severe.

-
1. P.O. Box 6128, Postal Station Centre Ville, Montreal, Quebec H3C 3J7.
 2. National Institute of Justice, "Table 3.151: Prison staff killed by inmates," Sourcebook of Criminal Justice Statistics (1990): 402.
 3. National Institute of Justice, "Table 1.92: Correctional officers in adult correctional systems," Sourcebook of Criminal Justice Statistics (1990): 143.
 4. In Canada, between 1967 and 1981, six guards were killed by inmates. See C. H. S. Jayewardene and P. Doherty, "Individual violence in Canadian penitentiaries," *Canadian Journal of Criminology*, 27, 4 (1985): 429–439.
 5. Statistics Canada, *Adult Correctional Services in Canada, 1994–95*, Catalogue 85-211 (Ottawa, ON: Minister of Public Works and Government Services Canada, 1996).
 6. Nevertheless one should not necessarily conclude that the prison environment itself is a cause in this context. It is impossible to compare the homicide rate in society at large with the rate in a particularly problem-prone segment of it. Prisoners are mostly male and young, and they harbour a multitude of mutually conflicting problems in their adaptation to society. Moreover, during the same period the correctional service reported the murders of 20 parolees (killed after their release).
 7. S. C. Light, "Assaults on prison officers: Interactional themes," *Justice Quarterly*, 8, 2 (1991).
 8. R. C. McCorkle, T. D. Miethe and K. A. Drass, "The roots of prison violence: A test of the deprivation, management, and 'not-so-total' institution models," *Crime and Delinquency*, 41, 3 (1995).
 9. D. J. Cooke, "Violence in prisons: The influence of regime factors," *The Howard Journal*, 30, 2 (1991).
 10. Patricia Van Voorhis, "Measuring prison disciplinary problems: A multiple indicators approach to understanding prison adjustment," *Justice Quarterly*, 11, 4 (1994): 679–708.
 11. M. Ouimet, "Supervising whom? Disciplinary offences committed by incarcerated persons," *Forum on Corrections Research*, 5, 2 (1993): 35–40.
 12. L. M. J. Simon, "Prison behavior and the victim-offender relationship among violent offenders," *Justice Quarterly*, 10, 3 (1993): 489–506.
 13. Guy Lemire, *Anatomie de la prison* (Montréal, QC: Les Presses de l'Université de Montréal, 1990).

14. Richard Lusignan, “La victimisation des intervenants en criminologie: ses formes, son ampleur et ses conséquences sur la pratique clinique” [Victimization of criminology workers: Its forms, its scope and its consequences on clinical practice]. Ph.D. dissertation (Montreal, QC: School of Criminology, University of Montreal, 1995).