

ADAPTATION TO PRISON ISOLATION OF LONG-TERM PRISONERS IN POLAND

ABSTRACT

OBJECTIVES:

The main aim of the research was to find out the ways of adaptation to prison isolation of Polish long-term prisoners.

METHODS:

The study was conducted in two stages. First, the prison files of 15 convicted prisoners who had been in isolation for a minimum of 20 years were analyzed. Then in-depth qualitative interviews were conducted with them.

RESULTS:

Adaptation to prison isolation in the case of long-term prisoners is an extremely individual matter and it is very difficult to generalise here. The time served is not the determining variable here.

CONCLUSIONS:

Polish long-term prisoners experience similar problems as inmates in the USA, Canada or Western Europe (lack of ideas from the Prison Service what to do with them, postponing their cases to indefinite “later” or fear of leaving prison after serving a sentence).

KEYWORDS: *Long-term prisoner, prisonization, coping with imprisonment, prison adaptation, social rehabilitation, escape from freedom*

INTRODUCTION

As can be seen from the statistics, the number of long-term prisoners in the world is growing. This trend is confirmed by the US data (available on the website of the Bureau of Justice Statistics) as well as by European records (data sent by all member states for the Council of Europe Annual Penal Statistics SPACE I). The same tendency can be observed in Poland. Polish statistics (kept by the Central Board of Prison Service) show an increase in the number of long-term prisoners, especially those serving the longest sentences.

Polish criminology literature rarely addresses long-term prisoners, and the available studies are of fragmentary nature – they relate to very narrow issues such as their contacts with the outside world or work. There is little focus on the length of imprisonment itself, which comes up only as a secondary issue in various studies on murderers who typically serve long-term sentences. We lack analyses presenting a comprehensive picture of long-term prisoners during their extensive period of isolation. It is beyond any doubt that such analysis is needed. In the US there are numerous publications dedicated to long-term prisoners and their often specific problems, different from the problems of prisoners with shorter sentences, one of the most important being safety requirements. They are a big obstacle for long-term inmates wishing to take up continuous activities such as work or education, which are available for short-term prisoners (Palmer, 1995, p. 222). In the American penitentiary system the length of the sentence is of predominant importance so automatically long-term prisoners are subject to the heaviest rigor when they begin serving the sentence and have no access to such activities.

According to Timothy Flanagan (et al.), those in charge of penitentiary policy have always placed long-term prisoners at the very bottom of their list of priorities. There are several reasons for such negligence. First of all, the hideous crimes for which they are doing time and long lists of previous convictions lower their chances to join innovative and experimental programs for prisoners. Besides, it is commonly believed that such prisoners are unable to undertake an effort required to participate in such programs, that they are unable to make any progress and that the risk of failure and the resulting costs are too high. Such informal beliefs along with the formal penitentiary policy

exclude long-term prisoners from participating in education programs, reentry programs, furlough programs or even disallow transport to special facilities (Flanagan, Travis, Forstenzer, Connors and McDermott, 1975). Ironically, if they finally get employed, long-term prisoners are considered the most valued employees as they are more responsible, more cautious and they respect work much more than short-term prisoners. Long sentence makes them actually attractive for employers who do not have to repeatedly train rotating short-term prisoners. Employing long-term prisoners is simply more economical (Flanagan and Maguire, 1991).

The debate on policy towards long-term prisoners, held in the United States in 1990s, raised the issue of prison placement. Some argued that placing long-term prisoners, who are more cautious, mature and responsible, among other prisoners reduces the instances of inappropriate behaviour of the latter and provides them with concepts how to use their time constructively (Mabli, Holley, Patrick and Walls, 1979). Other researchers argue that social needs of many long-term prisoners, especially older ones, are different from those of young, aggressive and noisy short-term inmates and such forced mixing of these two groups is unlikely to suit long-term prisoners. On the other hand, grouping prisoners by age or by the length of the sentence would allow to create and implement special programs for them and adjust the medical care to meet their needs (Toch, 1977). It was observed, however, that such concentration of long-term prisoners brought about improved behaviour and, consequently, resulted in an increased cooperation with the staff, which in turn meant that they started to use the privileges that were not available to other inmates. Executing security requirements assigned to this group of prisoners started to be difficult (Palmer, 1995, p. 229).

Other major problems of long-term prisoners include long parting from their families (much longer than for short-term prisoners) which may result in separation, divorce and the demise of external contacts prior to the completion of their sentence (Flanagan, 1995b; Johnson and McGunigall-Smith, 2008), aging in prison (Wormith, 1995; Crawley and Sparks, 2006) and overpopulation – the longer an inmate is kept in an overpopulated prison, the more negative effect it will have on him (Bonta and Gendreau, 1995). The same applies to inmates kept in supermax prisons (Haney, 2003; Kupers, 2008). However, once

taken for granted, it is highly arguable these days that prisoner's mental and physical health must deteriorate with the passing years in isolation, and that the full responsibility for this deterioration lies upon the institution of prison itself (Sykes, 1958; Bukstel and Kilmann, 1980; Zamble and Porporino, 1990; Van Harreveld, Van Der Pligt, Claassen and Van Dijk, 2007; Dettbarn, 2012; Leigey and Ryder, 2015; Hulley, Crewe and Wright, 2015; Miszewski, 2017).

As the world of Polish long-term prisoners seemed to me little explored, I simply tried to get to know it as well as possible, to learn as much as I could about this world without making hypotheses and assumptions. I wanted to find out what problems Polish long-term prisoners have, how they function in isolation during such a long stay in prison. The results of the research, on the other hand, I wanted to compare to the results obtained by researchers conducting this type of research in the world.

RESEARCH METHODS AND TECHNIQUES

Because I wanted to explore the reality about which very little is known I decided to use qualitative research methods. I settled on two research techniques: an interview with long-term prisoners preceded by a detailed analysis of their files.

Prison file is kept primarily by the correctional officer who is in charge of the prisoner, but it also contains comments of the psychologist who works with him on regular basis, and occasionally entries are made by other officers. Files also include records of cell inspections and inspections of the workplace, information about the course of the penalty, psychiatric observations (if necessary), awarded prizes and penalties, evaluations issued periodically by penitentiary committees (at least twice a year), records of contacts with the family and with the outside world, and many other documents. The content is obviously different for each prisoner. Some correctional officers tend to make entries more frequently, some do it less often. In a specialized therapeutic unit entries are made more often than in a regular prison unit. Evaluation of one prisoner may take up five pages, another may need fifteen. Finally the content depends simply on the length of time already served, which in the

case of my subjects was between 20 and 30 years. The average file size in such cases is 200-300 pages.

The variant of interview I used can be described as semi-structured which occasionally developed into an in-depth interview. I had prepared a list of questions which I asked each prisoner. The questions were open-ended and could hardly be answered with a simple 'yes' or 'no'. The way and the length of the answers, however, depended exclusively on the subject. Such in deed was their aim: I wanted to provoke prisoners to react freely to a well-defined issue, without making prior assumptions as to what and in what form I would expect to hear in the answer. Each prisoner received the same set of questions and in addition there were also customized questions referring to the particular experience of each prisoner and to the events in which he participated. The customized questions were based on the notes I made when analysing the files. I made a list of issues which in my opinion needed further exploration or at least clarification, and issues which I wanted to see from the prisoner's perspective.

Using these two techniques I did very detailed and extensive case studies of fifteen long-term prisoners.

SAMPLE SELECTION

Given the fact that in the USA there is no definition of a long-term prisoner (in Europe such a definition exists – the Council of Europe decided that a long-term prisoner is a convict sentenced to minimum five years in prison) and taking into consideration the resulting inconsistency in classifying prisoners as long-term (Cowles and Sabath, 1996, p. 44) as well as the tendency observed from the 1970s to move upward the length of the sentence which would categorize a prisoner as long-term (Flanagan, 1995a, p. 4), I decided to do my research on prisoners with a minimum of 20 years of uninterrupted stay in isolation. Such a choice not only eliminated any possible speculations if the selected subjects are indeed long-term prisoners, but it also allowed a thorough inspection of their adaptation over a long period of detention, not just at the time of the research. According to the data received from the Central Board

of Prison Service, there were 94 convicts in Polish prisons meeting this single criterion I laid out – a minimum of 20 years of uninterrupted imprisonment.

OBJETIVE OF THE STUDY

To be able to say something about adaptation that the subjects represented at certain stages of their imprisonment, first I had to get to know them and make myself familiar with their world. Again, because I wanted to explore the reality about which very little is known I had to find out simply as much as possible about the prisoners. To do that I made the following list of issues, each of which contained several to a dozen detailed questions:

Activities and leisure time

- Type and atmosphere of the penitentiary unit
- Adaptation from the prisoner's perspective
- Status among other prisoners/relations with other prisoners
- The closest friend / the biggest conflict
- Contacts with the outside world
- Furloughs, parole, pardon, temporary release, transfer to a low-security prison
- Relations with penitentiary personnel
- Mental and physical condition
- Prisoner's attitude to the committed crime
- Plans after leaving prison

Detailed results of the research containing responses to the issues outlined above are too complex and their results are presented in a separate book (see Miszewski, 2016). However, some generalizations will be made in the conclusions.

ADAPTATION TO PRISON ISOLATION AND THE AIMS OF LONG-TERM INCARCERATION

According to currently applicable regulations of the Code of Penal Enforcement in Poland, 'the aim of the execution of a custodial sentence is to stimulate the prisoner to develop a will to cooperate in shaping their socially desirable attitudes, in particular the sense of responsibility and the need to respect the legal order, and thus refrain from returning to crime' [article 67 § 1 Code of Penal Enforcement (Lelental, 2010, p. 117)]. These are common objectives of all types of custodial sentence, both short and long-term. The legislator set the same aims independent of the duration of the penalty (Stępniaak, 2013, p. 772). Hence the Code of Penal Enforcement considers special prevention, in its rehabilitation aspect, the basic purpose of all penalties involving deprivation of liberty (Lelental, 2010, p. 317). The purpose of long-term imprisonment, however, is not always rehabilitation. Sometimes it is elimination. Indeed, it is difficult to talk about rehabilitation in the case of convicts sentenced to life imprisonment without a possibility of parole, which happens in the United States for example (there is no such penalty in the Polish Penal Code).

Properly defined aim of the penalty is actually very essential as it determines the way the penalty is executed by the prison service. Consequently, the way the penalty is executed influences prisoner's adaptation to the conditions of detention. Obviously their adaptation does not solely depend on the conditions in prison. There are also other factors such as personality of the prisoner, his physical condition and a whole lot of other elements, e.g.: attitude of other prisoners, distance between the prison and the place of residence of visiting family members, design of the cell and access to daylight.

If a prisoner is serving the sentence in the rehabilitation model, the way he adapts to the correction facility is not only important for him, but also for the prison service and for society as a whole. For a prisoner good adaptation means he will serve his time in the most comfortable way and instinctively try to stay out of trouble. For the prison service good adaptation means that, as long as they create proper conditions, a prisoner will seek to work on himself to become a better person and this way the basic aim of the penalty will be

fulfilled, but it has to be remembered that his progress depends strictly on the adaptation conditions created in the facility. For society good adaptation of a prisoner is of paramount importance as this is where this prisoner will return after serving the sentence. Inappropriate adaptation during the detention may result in bad adaptation to society after the prisoner is released.

If a prisoner is serving the sentence in the elimination model, the only beneficiary that is not taken into consideration in context of good adaptation is society – we assume society does not care about such prisoners any more as they have been eliminated for good. However, adaptation remains of primary importance for the prisoner himself as well as for the prison service – it is in best interest of prison officers to ensure good adaptation conditions as it will guarantee their safety. So the way the prisoner adapts to the correction facility, although probably different for each model of detention, is of key importance at least for him and for the prison service.

It has to be emphasized that in the rehabilitation model adaptation is especially important in the case of long-term imprisonment. When a prisoner is to spend just three months in isolation inappropriate adaptation will not cause such damage to all involved parties as it may in the instance of eight years. We cannot expect from a prisoner who is to spend those eight years in isolation that he will not immerse in prison atmosphere just because prison is ‘a bad place’ and no one should follow behaviour patterns born here. We cannot expect that he will try to spend time in prison behaving as if he was just about to leave, looking forward to the real life waiting for him outside the prison walls. We can expect such attitude from a short-term prisoner, but for a person sentenced to eight years behind bars, as well as for all involved, adopting such a mindset can be simply harmful. For such prisoner it would be appropriate to learn the rules that govern life in prison and adapt to isolation in a constructive way, creating a sense of stability and security, which are the basis for the corrective actions in the rehabilitation process.

The question that arises here is what is the best, the most desirable adaptation in the case of a long-term prisoner? Well, everything depends, of course, whose point of view we represent: the one of society, prison service or the prisoner himself.

RESEARCH RESULTS AND CONCLUSIONS

My research confirms the thesis presented in the literature that adaptation of a long-term prisoner is a very individual process. It might be due to the fact that you can get a long-term sentence for committing a relatively wide range of crimes and the measure of such penalty is also very wide. However, even if prisoners receive the same measure of penalty and are sentenced under the same article of criminal code and have stayed in prison for a similar length of time (as in the case of the prisoners who participated in my research), the way they adapt to prison conditions is not the same. As obvious as it may sound, a killer who committed a pedophilia-related murder and a criminal who killed during a violent robbery differ a lot, so it would be unrealistic to expect that they will adapt in the same way to the conditions of prison isolation just because they are both killers. So what we must take into consideration first are personality differences and they must be juxtaposed with the differences in the environment surrounding each prisoner and his entire complex life situation. This will give us a very complex algorithm, the result of which is very difficult to predict. There is no single type of adaptation to prison isolation, which is followed by all long-term prisoners. What is more, there is not even a dominant type. Adaptation strategy depends on too many variables, and apparently even the fact of having already served a big part of the long-term sentence is not a decisive variable here. In my opinion, it is necessary to conduct further, extensive sociological and psychological research, both quantitative and qualitative, on a large sample of respondents.

The emerging picture of Polish and American long-term prisoners shows that they are similar in many ways. What our penitentiary systems definitely have in common is the lack of clear idea how to handle them. It must be admitted, however, that we do not limit the access to learning and work opportunities right at the beginning of their detention just because they are serving long sentence. Moreover, both Polish and the American long-term prisoners maintain contacts with the outside world and do not lose them over the years, although such a stereotype has already started to function almost as a dogma. Another myth is the common perception that such contacts with the outside world can bring only benefits. My research shows that maintaining

regular contact with a deeply dysfunctional family and degenerate friends brings nothing good.

My research shows that Polish convicts, in most cases, do not regret the crimes they committed and have no sense of remorse, guilt or shame. Is a serious problem, because it questions the whole aim of the detention, at least in terms of individual prevention, which is, after all, its main objective. The blame for such attitude lies not only with prisoners but also with prison psychologists who have been neglecting this issue for years. They do not work through these aspects with prisoners, so their natural impulse is to run away from what they did rather than face it. This brings another problem –when they apply for furloughs or parole this lack of remorse is actually one of the decisive factors. Prisoners are appraised for complying with requirements which nobody ever laid down, no wonder they feel offended and confused. By and large, however, long-term prisoners are not treated worse than other prisoners by prison administration. On the contrary, quite often they are treated with certain leniency – they are allowed to decorate their cells and possess objects which are not granted to prisoners with shorter sentences. This is not a question of regulations, however, but it depends on the approach of particular officers.

Generally prisoners can influence the choice of cell and cellmates with whom they will serve time. Two of the prisoners I interviewed prefer not to share the cell with other long-term prisoners and ten claim that although they do not mind the presence of short-term prisoners, it is maturity of their cellmates that is of primary importance for them, not the length of their sentence. They usually favour small, quiet cells and three of them indicated they do not like semi-open and open prisons due to the constant noise there (in such prisons cells are open during the day). But we must not forget that some prisoners consciously (or subconsciously) run away from freedom (see Fromm, 1941), are afraid of bigger autonomy and of situations in which they must be responsible for themselves. They often fail in such situations, which is clearly shown in prison records – they are degraded and go back to close security units (in Erving Goffman's typology of adaptation this type is called "colonization", for other typologies of adaptation to prison isolation see Miszewski, 2020). Five prisoners in my research sample practice 'prison

tourism' constantly changing penitentiary units, while two other prisoners have spent almost entire time in one place.

Only one prisoner belongs to prison subculture and we can get an impression that over the years prisoners distance themselves more and more from it. This stands in sharp opposition to the views of Donald Clemmer (1940), who claimed that prisoners, especially long-term prisoners, over the years will absorb the antisocial rules generated by prison subculture and these rules will guide their life in prison. My research revealed something different – although this one prisoner claims he belongs to the prison subculture, he admits at the same time that he treats their norms with a pinch of salt, and actually is a valued worker employed outside the prison.

The prisoners who participated in my research are in good physical and mental condition. The real problem lies somewhere else – half of them are afraid of the life outside prison and thinking about the end of their sentence scares them instead of giving them wings. The interviews revealed that half of the inmates have serious concerns about their future outside the prison walls. You cannot blame them, especially after such a long time spent in isolation. We must not forget however that these are only their concerns (this distinction has to be remembered in the view of the research done by Cohen and Taylor (1972)), and time will show what their future will really look like after leaving the prison, and it should not be assessed immediately after their release. According to American (Sapsford, 1978; Coker and Martin, 1985; Walker, 1995) and Polish (Korecki and Korecki, 2006) studies, the situation of long-term prisoners after they are released is actually not so bad.

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