



# Racial (in)variance in prison rule breaking<sup>☆</sup>

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## ABSTRACT

**Purpose:** Sampson and Wilson (1995) argued that the sources of crime are invariant across race, and are instead rooted in the structural differences between communities. This study involved an examination of the applicability of this thesis to incarcerated individuals.

**Methods:** Random samples totaling 2,388 blacks and 3,118 whites were drawn from 46 prisons in Ohio and Kentucky. Race-specific and pooled bi-level models of violent and nonviolent rule violations were estimated. Differences between race-specific models in the magnitude of regression coefficients for the same predictors and outcomes were compared.

**Results:** Findings revealed that individual and environmental effects were very similar between black and white inmates, although rates of violent and nonviolent rule breaking were higher for blacks. Within prisons, black inmates were also more likely than white inmates to engage in rule breaking. The individual-level relationship between race and violence was stronger in prisons with a lower ratio of black to white inmates and in prisons where inmates were more cynical towards legal authority.

**Conclusions:** Findings seemingly refute the applicability of the racial invariance hypothesis to an incarcerated population.

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## Introduction

Between 1970 and 2003, the United States experienced an unprecedented seven-fold increase in the size of its confined correctional population (Glaze & Parks, 2012; Western, 2006). The growth in the U.S. penal population has affected black persons more so than white individuals; such that, by 2004, black men were eight times more likely to be incarcerated than white men (Glaze & Parks, 2012; Western, 2006). Although much of the racial disparity in imprisonment rates has been attributed to the disproportionate involvement of blacks in crimes that typically result in imprisonment (e.g., Petit & Western, 2004), few researchers have inquired whether incarceration alters the offending patterns of blacks relative to whites during incarceration.

Offending within a prison involves deviations from the formal rules of conduct that govern and regulate inmate behavior (Dilulio, 1987; Irwin, 2005). If the sources of crime are invariant across race, and instead rooted in the structural differences between communities (Peterson & Krivo, 2005; Sampson & Wilson, 1995; Wilson, 2010), then examination of the relationship between race and deviance among an incarcerated population could be informative because incarceration arranges inmates in structurally similar environments, which could result in similar odds of rule breaking among blacks and whites. On the other hand, ethnographic studies have revealed that black inmates and white inmates experience prison differently (e.g., Carroll, 1974; Goodman, 2008), and so there may be environmental characteristics of prisons that coincide with race-based differences in rule breaking. If these environmental influences perpetuate race-based differences in offending patterns, then the consequences of imprisonment may be more severe for blacks versus whites. Using a rich dataset with information collected from over 5,000 black and white individuals confined in 46 prisons, we examine race-based differences in prison rule breaking.

## Racial invariance in prisons

Sampson and Wilson (1995) theorized that the structural barriers and social isolation common to disadvantaged neighborhoods encourage cultural adaptations that may legitimate or at least provide a basis for

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cynicism towards legal authority and tolerance of deviance. Since black persons are overrepresented in disadvantaged neighborhoods, they are more likely to be exposed to these cultural orientations that make crime and deviance more likely. However, white residents of these types of neighborhoods should be similarly affected, and so the sources of crime should be invariant across race in similar environments.

From Sampson and Wilson's (1995) statement, it can be inferred that the odds of offending among black and white individuals residing in structurally similar environments should be the same. Researchers have found support for this thesis (e.g., Peterson & Krivo, 2005, 2010; Sampson, 2012). Incarceration relocates individuals of different races into either the same or structurally similar environments (e.g., sterile buildings designed for security, controlled opportunity structures, power differentials between the officials and the inmates, inmates basic needs are provided for). And prisons, much like neighborhoods, are spatially defined macro-social units characterized by structural circumstances (e.g., physical design, rules, supervision levels) and established patterns of interaction that generate environmental stability, despite changes in the composition of inmate and staff populations (Clemmer, 1940; Harer & Steffensmeier, 1996; Steiner & Wooldredge, 2009; Sykes, 1958). Prisons, therefore, offer a unique social laboratory to examine the racial invariance thesis.

Researchers have often included race in statistical models of prison rule breaking (e.g., Berg & DeLisi, 2006; Camp, Gaes, Langan, & Saylor, 2003; DeLisi, Spruill, Peters, Caudill, & Trulson, 2013; DeLisi, Trulson, Marquart, Drury, & Kosloski, 2011; DeLisi et al., 2010; Drury & DeLisi, 2011; Griffin & Hepburn, 2006; Morris, Carriaga, Diamond, Piquero, & Piquero, 2012; Steiner & Wooldredge, 2008, 2013, 2014a,b; Trulson & Marquart, 2009; Wooldredge & Steiner, 2013; Worrall & Morris, 2012), though the evidence concerning race effects across these studies is mixed. For instance, a recent review of the evidence concerning the correlates of prison inmate misconduct revealed that race effects were nonsignificant across the majority of models from related studies, but a sizeable minority of studies did find a significant relationship between race and prison misconduct (Steiner, Butler, & Ellison, 2014). As far as we are aware, only two studies have focused specifically on the link between race and rule breaking among the confined and provided a framework for these findings. Both studies uncovered a positive relationship between race (black) and violence, but either a negative or null relationship between race and the odds of perpetrating nonviolent offenses (Harer & Steffensmeier, 1996; Steiner & Wooldredge, 2009). Thus, the findings pertaining to violence from these studies are not compatible with the racial invariance thesis, while the findings pertaining to nonviolent rule breaking are generally consistent with this perspective.

We draw from the racial invariance perspective and seek further clarification regarding the relationship between race and rule breaking among the incarcerated. Based on studies of the link between race and crime in the general population, we examine the potential race-prison rule breaking relationship in two different ways. First, we compare race-specific samples across the distribution of predictors of prison rule breaking (e.g., Krivo & Peterson, 2000). Based on the racial invariance thesis, we expect that once compositional differences in the respective black and white incarcerated populations are controlled, there will be no race-specific differences in rates of prison rule breaking across prisons. Any observed differences in these rates would then be attributed to differences in the prison environments in which black and white persons are placed. We elaborate on these environmental sources of race-specific rule breaking below.

Second, we examine the black-white gap in rule breaking within the same prison environment (e.g., Sampson et al., 2005). Also following the racial invariance thesis, we expect that black inmates and white inmates would have similar odds of rule breaking in the same prison. If black-white differences in the odds of rule breaking are observed, however, this relationship may differ in magnitude across prisons owing to differences in prison environments.

## Environmental sources of race-based differences in prison rule breaking

The position that the sources of crime are invariant across race and instead rooted in the structural differences between communities (Sampson & Wilson, 1995) implies that if individuals are placed in the same or similar environments, then their odds of offending should be the same. Such a scenario should occur once individuals are incarcerated, but ethnographic studies have uncovered that black inmates and white inmates experience the same structural prison environments differently (e.g., Carroll, 1974; Goodman, 2008; Jacobs, 1977). Thus, there could be characteristics of prisons that moderate the relationship between race and rule breaking and amplify the consequences of imprisonment among black persons more so than whites. Researchers have uncovered that characteristics of prison environments effect rates of rule breaking and moderate inmate-level relationships across prisons, but the evidence concerning the relevance of any particular prison-level predictor variable is mixed (e.g., Griffin & Hepburn, 2013; Huebner, 2003; Steiner & Wooldredge, 2008, 2009). To our knowledge, no studies have focused on the effects of prison environments on rates of rule breaking among black inmates versus the effects of rates of rule breaking among white inmates.

### Prison-level structural effects on rule breaking

The social structure of a prison refers to the arrangement of social positions, roles and networks of social ties, whereas the environmental structure of a prison refers to the physical design, resources, and distribution of inmates and staff (see Wilson, 2010 for a similar description of social structure in the general population). We expect that certain structural features of prisons may impact rates of rule breaking. For instance, drawing from the racial invariance thesis, the degree of "isolation" experienced by black persons (or white persons) could impact race-specific rates of prison rule breaking because experiencing isolation could generate a fear for self that could in turn generate protective and even violent responses (Anderson, 1999, Harer & Steffensmeier, 1996). Thus, rates of offending among black inmates may be higher when black persons are less represented within a prison, while rates of offending among white inmates may be higher when white persons are less represented. Similarly, the ratio of black to white inmates might also moderate an individual-level race effect if this effect varies across facilities. If, for example, black inmates have higher odds of engaging in rule breaking, then this effect might become weaker in prisons with higher ratios of black to white inmates if these environments are less "isolating" for blacks. The greater relevance of the racial/ethnic composition of the prison population for predicting race-specific rates of misconduct or moderating individual-level race effects might explain why evidence regarding the main effects of the racial composition of inmates across prisons on rates of prison rule breaking is mixed (e.g., Camp et al., 2003; Steiner, 2009; Steiner & Wooldredge, 2009).

Administrative control theory predicts that inmate deviance results from ineffectual or weak prison management (Dilulio, 1987; Useem & Kimball, 1989). It follows that prisons that have higher levels of supervision or use disciplinary segregation more frequently might have less deviance owing to the higher certainty of apprehension and punishment of rule violators in these prisons (Steiner, 2009). From an administrative control perspective, then, prisons with higher levels of supervision and/or a greater use of segregation might have lower levels of rule violations because these factors promote order and safety within a prison (e.g., Dilulio, 1987; Griffin & Hepburn, 2013; Irwin, 2005; Steiner, 2009; Wooldredge & Steiner, 2009).

### Prison-level cultural effects on rule breaking

Researchers of race and crime in the general population have underscored the relevance of neighborhood structure for understanding

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