

10. Guarding in Prison

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The job of the prison guard has remained essentially the same for the past 150 years—custody and control. The desired ways of performing this job, however, have undergone considerable stress and role definition in the development of modern penology. Today there is a new and significant interest in the prison guard. This interest is long overdue and is being stimulated by major social forces affecting contemporary corrections. These forces are largely the by-product of the great social changes in American society in the post-World War II era.

The civil rights movement, union movement in the private and public sectors, the growth of bureaucratic systems in government and industry, and the related need for sophisticated human resources and technical training have permeated the corrections world at all levels. These have impacted on the world of the contemporary correctional officer usually with the consequence of confusing the officer in his attempts to maintain his central job function of custody and control: prison guard unions have emerged, riots have occurred, bold attempts at new roles and/or job titles for the prison guard have been applied. The prison guard is all too frequently left standing in the middle, faced with the necessity of maintaining custody and control in a work environment of rapidly changing and diminishing power and authority.

When the ways of performing a job are dramatically changed and yet the job itself remains essentially the same, significant problems of role identity and confusion are likely to occur. The prison guard remains today as in the past, "the other prisoner." It is the prison guard who remains, while inmates come and go, while administrative changes are invoked, policies implemented, revised and reversed, administrative rules and regulations set by the courts, and a constant barrage of new programs established. It is the guard who is expected to somehow accommodate to all of these changes and in the process, maintain a concern for custody and control.

The problems of guarding in prison have become more complex with the advent of civil rights litigation, the development of various treatment and leisure time activity programs, and the centralization of management and administrative authority in a headquarters staff usually located outside of the prison at the state capital. The very social structure of the contemporary prison has changed drastically around the issue of race and with it an internal atmosphere of "*Us vs. Them*" held by both inmates and

guards. Furthermore, there is a new type of inmate: typically young, predominantly Black or Latino, with a self-image of being a political prisoner.

The available literature on the prison guard is very limited in scope. Gordon Hawkins has presented a succinct review of the problem observing that "when writers on the prison have seen prison guards, when they have seen them at all, they have seen them as involved in corrupt alliances with inmates, as ignorant and prejudiced functionaries of a corrupt system, or as featureless robots performing purely mechanical functions."¹ Hawkins points out the implications of this bias for limiting our understanding of the prison world and the future of imprisonment.

One can trace through the literature the confusion about the role of the guard, especially as prison operations moved through various eras of assumed change. Fogel, for example, has noted:

The fate of the keeper has always been linked to that of the kept. In colonial days, when the criminal-sinner was being detained and worked, the keeper was called upon to merely watch him. With the advent of the humanitarian reduction of death penalties, the elimination of mutilations and the accompanying rhetoric of reformation, the guard began a long journey of role obfuscation. The humanitarians did not deliver humanity to convicts. Quite to the contrary, the convict was brutalized and in this calculated schema the guard was brutalized by having to administer the program. Under the tutelage of the [19th Century wardens], and reformation was the first mistake. [Many of the early wardens were] not confused — [and] had no pretensions about reformation — but after [they were] swept out of office the guard was still holding the whip, cellular confinement was still the order of the day and reformation remained the rhetoric!²

The same social forces that have brought confusion about the basic role of the guard are also partly responsible for bringing about a new interest in the function and place of the guard within the total context of the prison. Thus, the role of the prison guard is emerging as a legitimate subject for research. Scholars are beginning to consider the guard as an essential component for a credible and complete analysis of the experience of imprisonment and the operation of the prison. Most recent criminal justice higher education textbooks now devote at least a chapter to the role and function of the guard; numerous professional journals contain papers examining the role of the guard, as well as articles on security staffing systems, training issues, union movements, recruitment, and retention.

If properly perceived and accepted, the influx of structural and operational changes brought about by inmate rights litigation, affirmative

action, accreditation, and standard setting procedures, and centralized training, can provide the guard and inmate with a "lawful and rational arena" for change. This is beginning to happen with the growth of due process in administrative review boards for inmate disciplinary hearings, *Miranda* warnings on all charges and discipline tickets issued, access to law libraries, uncensored mail, affirmative action, monitoring for cell and work assignments, and court intervention to monitor medical, dietary, recreational, and religious programs. All too frequently, corrections has seen these developments imposed as a result of administrative compliance with court orders. Inmates have very little official voice or control over such matters except, of course, by recourse to the courts. Prison guards, on the other hand, are required to help implement these new program components often without being offered underlying reasons for them or the purposes to be accomplished. The result is that all too frequently the prison guard and the prison inmate become more polarized about the "solution" to a problem than previous to program introduction. The prisoner is perplexed and soured because all of the court mandates were not implemented as quickly or effectively as anticipated, and the guard is confused and resistant because of a lack of information and training.

Such situations have developed not only as the result of the inmate rights movement. Since World War II, more subtle but equally significant forces have also affected the world of the guard. The civil rights movement, for example, had a dramatic impact on the nation's prisons. The sense of solidarity among Black and other minority inmates and their increasing numbers among prison populations shifted the traditional relationship between inmates, and between inmates and guards, resulting in drastic changes in the manner guards attempted to maintain custody and control.

The traditional roles of inmate clerks, inmate runners, or "keyboys," dwindled; thus, power negotiated by control of information and favors informally given by the guard was drastically reduced and altered. Inmates and officers found it more difficult to rely upon their previous informal arrangements; a "no man's land" evolved in place of the traditional arena of officer-inmate relations. Consequently, the guards' systems for maintaining security and custody, role identity, power and authority were directly affected:

The parole of the old cons, the rising proportion of minority inmates, and the increasing inmate turnover all contributed to the demise of the traditional inmate social system. Some of the best jobs in the prison were abolished. Shorter prison terms gave less reason to find a good job. The "rat" system died when the old cons left. The intricate accommodation system that had

joined guards and inmates together deteriorated. New racial consciousness made cooperation between guards more problematic. The few privileges that once attracted inmate cooperation became fewer and less valued. The booming economy on the outside pumped more money into prisoners' hands than ever before.³

With these changes the prison guard became increasingly alienated from both supervisors and inmates. Morale suffered. As officers observed inmates achieving greater civil rights within the prison along with more programs and services, resentment followed. This was further compounded by the practice of central administrators taking more policy and decision-making authority away from the warden and ranking security staff. For example, inmate grievance mechanism procedures permitting central office review might reverse disciplinary tickets written by line officers. The prison guard subsequently began to feel a loss of traditional support from the warden and senior officers and retreated into a state of normlessness. These changes and reforms induced a state of anomie not only among the guards, but with administrators and senior correctional officers as well. The power of the new centralized prison bureaucracy, union stewards, ombudsmen, prisoner advocates, and other external prison constituency groups affecting the internal interests of the inmates and guards caused alarm and further confusion for the prison guard:

In the [officer's] eyes, the interests and welfare of the officers have been sacrificed by the self-interests of their superiors and the inmates. The result is a general feeling that they are unsupported by their superiors, and that the disciplinary process makes them look like fools to the inmates they are expected to supervise. In consequence, the officers define their rule enforcement function in a highly personal manner. Each officer constructs his role in a manner so as to cause himself the least trouble. They view themselves not as a team working together to ensure security and control, but as individuals whose function is to minimize disorder and trouble in their individual areas of responsibility, even at the expense of overall institutional security. The officers are not working for the inmates: they are working for themselves.⁴

The emergence of the bureaucratic prison system has brought with it the need to reassess the internal support systems to maintain the guarding function. Security staff deployment models, unit management systems, officer-inmate panels, officer-administration panels, and training delivery systems are but a few of the approaches that have been considered.

Supporting Forces for the Contemporary Prison Guard

Three important factors have emerged during the last decade that, potentially, at least, can provide the support necessary for structuring and rationalizing equity for the guard in the management of the modern prison. These are the standards and accreditation process for corrections, centralized training, and the union movement. Through union representation, prison guards are achieving access to management so as to ensure justice in terms of job expectations. Through centralized training, the administration has authority to instruct and expect accountability so as to ensure justice for inmates and as much efficiency as possible in operations and management. At the same time, the standards and accreditation process can focus the field upon commonly held aspirations and help monitor operations and services throughout the system.

These factors have the potential for more clearly defining the obligations of the prison system to the guard and for providing services to the inmate as mandated by the courts and legislatures. These three factors, standards, centralized training, and the union movement, also have the potential for providing some modicum of equity and justice for prison staff in relation to perennial problems associated with the political nature of prison systems and the rapid turnover in administrators.

Standards and Accreditation

The formulation of standards and an accreditation process provides an external constituency for the prison guard and inmate in the form of a complementary support system. If given appropriate policy development and authority at the management level, accreditation can reach the very fabric of a prison system. The necessity to meet standards and the monitoring network that results should help to neutralize some of the inherent contradictions between custodial and treatment goals. Accreditation should also bring about more quantifiable goals and objectives resulting in a less ambiguous role definition for the prison guard.

The adoption of standards and an accreditation process is perhaps the most practical vehicle to bring separate groups in the prison into a joint effort for achieving fairness for inmates and staff. An appropriate way to secure standards is through training. In this sense, training could be responsive in a quantifiable manner for system-wide shared objectives and itself be tested in course content and on-the-job application. Training can serve as a common denominator for the standards and accreditation process as well as represent an important and signal feature for facilitating required changes for the agency.

Centralized Training

With the emergence of a correction academy as a system-wide institution in a prison system, the heretofore parochial nature of training inherent in most prison systems can be lessened. As Cohen writes: "Training, therefore, is no longer left in the control of the individual institution and cannot be utilized to perpetuate the tradition of the institutional autonomy resulting in an estrangement between essentially urban minority clientele and rural, non-minority staff."⁵

Centralized training gives supervision of the course content and of the trainee to the academy. "The academy represents an alternative to the traditional process by which guard recruits [are] socialized into their occupation. The civilian instructors at the academy prepare recruits to meet certain resistances among the old guards, and provide them with a professional reference group that is, to an extent, an alternative to the peer reference group inside the prison."⁶ But this view of the corrections academy as an institution providing guards and other employees with a viable reference group is contingent on the academy itself achieving a stable and significant role within the prison system. In this sense, the corrections training academy must initially overcome the problem of survival in a system during an era of scarce resources. While no one argues with the importance of training, it has become an issue of priority and a resource to be controlled within a prison system. Maintaining a priority on training becomes difficult relative to the ever-present prison manpower needs caused by understaffing, absenteeism, overtime, hospital-funeral-writ duty, and the pressing reality of emergencies, such as hostages or riot situations. Further, the viability of training is usually weakened by the deeply entrenched negative attitudes emanating from "old school" supervisory and line custody staff who question the need for centralized training at all.

Jay Cohen's comparison of the State of New York and the State of Illinois Corrections Academies considers several factors essential to the development and future of the academy as the newest "Criminal Justice System Institution." It seems that the training function, however it may be structured, must necessarily focus on the guard and other custodial/security staff. Despite initial and deliberate attempts to develop training academies with a balance of philosophy and training content that go beyond the basics of custody and security, these skill areas are emphasized in most of the training being provided in Illinois and New York. No matter how one tries to dress up the curriculum euphemistically, the training needs of guard staff will pull it back to the basics of security.

Undergirding the curriculum content is the credibility given to a corrections training academy in the overall prison system, especially the

attitude of top management toward training and requirements for staff participation. As noted in the first external evaluation project on the Illinois Corrections Academy: "Training is an aid, a supporting program, a resource at the disposal of the Department. Training does not make policy decisions, or change operations, or direct line programs . . . the burden of reforming and improving training cannot be put on training, with the operating units free to carry on as before. Training cannot do what management cannot do. But it can facilitate what management wants to do."⁷ This view recognizes training as a support system for the prison guard and other staff. Training becomes a matter fundamentally accountable to the corrections administrator. The requirement that employees continue training through on-the-job application represents the administrator's substantive commitment to training as an "essential" in prison operations. Training then becomes a work assignment, another "duty post" and will be viewed accordingly in the resource allocation process. This constitutes the successful integration of training in part with other levels of prison operations.

The concern over the survival and status of corrections academies as new and separate institutions is a serious issue, however. Inherent in the question of survival is the ultimate nature of the institution itself. Most academies as initially conceived in grant applications to LEAA and through planning within correction agencies were designed to have a broad philosophy of bringing security and other program functions together, to develop ties with academia and to become correctional learning centers. In reality, however, the demands for basic security training have eventually produced a program more in line with Law Enforcement and Police Academies. The nature of the Corrections Academy has yet to fully evolve.

Other more pertinent forces also are affecting the development of the corrections academy concept: limited time and funds for training, lack of strong or appropriate support for training from top administrators, and most importantly the inability (or perhaps unwillingness) of management to conceptualize the significance of centralized training. The issue of survival appears somewhat more settled, however, for as previously noted, the complexity of the forces affecting the operations of modern day prisons dictates the necessity of training. Academies can expand into correctional learning centers for all levels of staff, if administrators acknowledge training as essential to managing the prisons.

It is the larger issue of the ability to conceptualize the purpose and uses of centralized training and develop programs consonant with such purpose that will determine the utility of the training provided. The perception by prison officials of the corrections academy as a separate institution with the primary purpose of serving as a vehicle for staff

development and agency goal attainment should significantly open up possibilities for integrating Justice Model components in the world of the guard. There are some encouraging signs for this view. The academy concept as a model for centralized training in prison systems is now national in scope. One interesting aspect to this new and national network of state training centers is the use of academies as locales for national field training projects. For example, the American Correctional Association used state training academies in four regions to offer "Training of Trainers" workshops; registration was open to all states in a particular region and the host academy provided its facilities as a laboratory for the training content. The National Institute of Corrections has also sponsored programs utilizing and supporting these new institutions for training. NIC will fund the first National Directors of Training Seminar shortly. The American Association of Correctional Training Personnel has long advocated such a forum. Considerable exchange of information between the academies is underway. The Law Enforcement Assistance Administration has conducted follow-up evaluations and several academies have been cited for "Exemplary Project" status. This activity at the national level further strengthens state training efforts and adds variety through specialized seminars with renowned experts in the field participating.

New Developments in the Training Field

Training in both the private and public sectors has experienced a technical revolution in the past two decades. This, coupled with the growth of adult education and new research into the psychology of the adult learner, has generated a remarkable increase in sophisticated training styles, subjects, and delivery systems that are particularly adaptable for guard training. Role-play simulations, group dynamics, and other adult learning methods are being applied to the concept of "training as therapy." Cohen, for example, has noted:

It may be that one of the most important effects of the academy movement is simply giving the demoralized rank-and-file guards a sense that they are important and a target of concern independent of the content of the training program itself. An opportunity to get away from the institution may be a healthy experience for persons who work in chronically tense environments. . . . The 'therapeutic potential' of guard training could be realized by bringing guards in small groups to the academy or other 'retreats' for group experiences, which would allow them to discuss and share their problems.⁸

The techniques of Transactional Analysis and Transcendental Medita-

tion are being applied, especially with in-service officers, for stress awareness and reduction, communications, and in human relations seminars. Other examples of new trends in guard training are centralized field training models for linking work units and academy programs; team-trainer systems utilizing institutional trainers and central training personnel; assessment and role identification instruments in preparing curriculum; innovative uses of audio/visual equipment and techniques such as shoulder-pack TV cameras for taping actual incidents and/or operations demonstrations for viewing in the training classroom. A considerable product market in training films has developed in subject areas exclusively for guard training and prison operations. This activity has drawn the status of training to a higher level of credibility among its consumers — guards and administrative personnel.

Mention has already been made of the American Association of Correctional Training Personnel; this affiliate, along with the ACA's Committee on Personnel and Training, carry membership with national representation and serve as a strong lobby group for guard training. ACA is currently revising its Correctional Officer Training Guide and in so doing has solicited all current curricula in the fifty states as an exchange and accuracy base for content. ACA continues to publish monographs in topic areas germane to guard training and staffing. The National Street Law Institute and ACA's Correctional Law Project are entering their fourth year of nationally sponsored training programs for administrators and guard trainers. More recently, many other officer oriented training programs have emerged through market competition, which in itself has become a supporting force for the further growth of prison guard training. Other programs either federally funded, sponsored by ACA or by private foundations are also underway. Examples of these are the NIC — American Arbitration Association's Grievance Arbitration and Contract Administration training programs and the NIC — Law Enforcement Training and Research Association's Crisis Intervention and Hostage Situations Training Programs.

The Prison Guard Union Movement

Unionization is perhaps the most significant force for bringing about change in the role of the prison guard. It is in the interest of the union to champion training and other modernization efforts in corrections. The union steward system and management-union meetings help monitor conditions in the prison. In addition, unions are becoming involved in lawsuits in the interest of inmates and guards.

In 1976, Council 82 [AFSCME] linked its interests with those of the prisoners in a federal lawsuit charging that severe over-

crowding in the New York State prison system constituted cruel and unusual punishment for the prisoners and thereby forced officers to violate prisoners' Eighth Amendment rights. AFSCME, asserting the rights of guards and prisoners, sought an injunction against any reduction in the number of corrections officers or in the budget, which might decrease the ratio of guards to inmates. It also requested a court order requiring the Department of Correctional Services to allocate sufficient expenditures to provide adequate, decent, and safe physical facilities.⁹

Union contracts for prison guards and other staff invariably include training as mandatory, and some have expanded to include definitions of contraband and other safety and security issues. Inmate writs increasingly demand that guards and other staff be trained in such areas as firearms use, safety and certification in first aid, (CPR) cardio-pulmonary resuscitation, correctional law, report writing, and human relations. Of special note in relation to guard unions and training was the resolution of the Spring, 1979 prison guard strike in the State of New York. The New York agreement provides for stipends of two and three hundred dollars, respectively, for participation in pre- and in-service training. Additionally, the training is subject to union review in terms of content and delivery. This constitutes a totally new era for the concept of centralized training. The union with such a provision has effectively institutionalized a continuing forum for prison staff development, a forum that is not subject to either the sole whim of management or changing administrations.

Related Issues

Interest in the prison guard is also reflected in the attention given to such issues as recruitment and qualifications for employment and the hiring system itself, especially as it involves civil service exams, the use of merit boards, or direct hiring by institutions. The way this issue is resolved will have profound effects on the calibre of prison guards hired and the ability to train and retain them. The matters of entry salary, increments, overtime and hazardous duty pay, pension plans, and whether prison guards are duly recognized as Peace Officers by state law will also have important effects on recruitment and retention. Some state corrections systems are considering hiring psychologists to serve officers in the areas of job stress and alcohol abuse. Large police departments have had such programs for some time and such proposals are emerging in union contracts for prison guards.

Recognition of prison guards as an employee group with particular needs has made considerable progress in the last decade. Not unlike the situation with inmates and their newly gained civil rights, this has been

achieved as a result of exigencies external to the prison itself. The courts acted where legislatures and prison administrators left vacuums. Improvements are in some instances still marginal and it will take much time, good will, and effort to be fully achieved. There are indications, for example, that the courts are more closely scrutinizing inmate petitions. A saturation point may have been reached in litigation, especially since key constitutional rights for the incarcerated have been spelled out by the courts. If, indeed, a "back to basics" conservatism is beginning to emerge in the land, it will most likely be reflected in the management of America's prisons as well. The progress made in establishing an "arena of fairness" for the prison guard and inmate might, therefore, be threatened. Priorities could become reset in such a manner as to concentrate on security, custody, and control, at the expense of other approaches to humane management of the prisons.

Future Trends

Precedents are being established as the result of new forces impacting on both the prison guard and the inmate world. The necessity for a cooperative custody climate is being seriously considered as the constitutional rights of the incarcerated continue to be enlarged. Giving prisoners a significant sense of participation in prison management has been successfully tried in New York State, with the active support of a prison guard union.

The implementation of a prisoners' grievance procedure demonstrates that the guard union will not automatically oppose reform and may indeed make reform easier to achieve, at least, when the interests of guards are also protected . . . The committee consisted of two inmates, two line officers, and a chairman/mediator, who could be either a prisoner or a staff member. Procedures permitted inmates with complaints about institutional matters to take them before the committee and to appeal decisions that did not satisfy them . . . The present system allows an inmate with an unresolved complaint to file a formal grievance . . . The very existence of this complex grievance procedure gives prisoners significant participation in prison management . . . With respect to the scope of grievable issues, the department and the union rejected specific charges against a corrections officer and agreed that only rules, practices, and generalized complaints would be brought before the committee.¹⁰

Another example of a total prison program involving considerable inmate participation in custody management is the Vienna Correctional Center in the State of Illinois. The Vienna experience, now twelve years in the making, has created an open-custody, community climate sus-

tained through the uniqueness of the institution's architecture, through its programs, its involvement with the surrounding community, and most of all through the remarkable dexterity of management and philosophy of the former Warden Vernon Housewright.

It is the nature of the relationship between inmates and staff that is mainly responsible for Vienna's success. "You can talk to staff here," residents say: "they really listen, and they try to help." The help is substantial — first-rate job training and education, as well as counseling to deal with personal and familial problems . . . inmates recognize the fact that disorder could easily and rapidly undermine the community acceptance Vienna has gained — hence, they make sure that new residents are socialized into an inmate culture that emphasizes the value of cooperation . . . Concentrating tractable prisoners in some institutions means that rebellious inmates are concentrated in the rest. Without the stabilizing influence of the first group, the whole burden of control is placed on the guards and administration.¹¹

The development of an inmate classification system managed on an agency-wide basis and giving reduced custody assignments to deserving inmates creates a climate that helps to relieve tension while providing options and accountability to all segments of the "tripolar prison" — inmates, administrators, and guards.

The relationship of custody officers with program staff in Vienna is designed to deliberately create role diffusion: officers actively participate in inmate program team assignments and other non-security functions; a zone management system has been invoked and the training to support this system includes all staff, security and programming, for each zone. It is significant to note that many of the senior officers in the prison guard corps of the Vienna Correctional Center are career officers and have been employed previously at the major traditional maximum security institutions in Illinois (e.g., Stateville, Joliet, Pontiac, or Menard). These officers have more than adequately adjusted to the Vienna open-custody and security system and are now responsible for transmitting this to their subordinates and newly hired staff.

The justice model is based upon rhetoric easily understood by the personnel who will be the dominant force in prisons for the foreseeable future — the custody staff. The guard can understand simple fairness and reasonableness. He can also understand the need to build structure to insure justice. Measuring prisoners' progress by their lawful behavior is as plausible to the guard as is measuring his own work program and upward mobility by his lawful behavior.¹²

The Vienna experience, at work now for over a decade, represents an

attempt to embody many elements of the Justice Model.

Prisoners' rights and the guards' working environments are inseparately linked. Improvement in one affects the other. In getting both to see their community of interest lies the promise of adding meaning to attempts to reduce the tension, confusion, and danger they mutually face. The hope for the future is that as the guard learns to be more self-determining through training, unionization, and the acquisition of a new sense of dignity, he will also free himself from his previously narrowly conceived status as a part-time prisoner.

Notes

1. Gordon G. Hawkins, *The Prison*, p. 106.
2. David Fogel, ". . . We Are the Living Proof . . .", p. 103.
3. James B. Jacobs, *Stateville: The Penitentiary in Mass Society*, p. 58.
4. Leo Carroll, *Hacks, Blacks, and Cons*, pp. 54-55.
5. Jay Cohen, *The Corrections Academy*, p. 186.
6. Jacobs, p. 124.
7. Cohen, p. 189.
8. Cohen, p. 198.
9. James B. Jacobs and Norma Meachem Crotty, *Guard Unions and the Future of Prisons*, p. 44.
10. Jacobs & Crotty, pp. 46-47.
11. Charles E. Silberman, *Criminal Violence, Criminal Justice*, pp. 423-425.
12. Rudolph J. Gerber, *Contemporary Issues in Criminal Justice*, pp. 127-128.

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