

Reintegration of convicts Class 5

Long-Term Prisoners



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Introduction

The depth and weight of loneliness in prison can be intense.
Loneliness is one of „the pains of imprisonment”

- ▶ Sense of being physically alone and separated from loved ones
- ▶ Experience of abandonment and hopelessness (social exclusion)
- ▶ Disruption and empty time
- ▶ Boredome
- ▶ Guilt and shame (they feel remorse)

- Incarceration is a time when relationships are broken
- Inmates may find making new friends in prison difficult
- Prisoners who are withdrawn in themselves, have little or no contact with others, will certainly be lonely

- ▶ Mental and physical health can be severely affected by loneliness and social isolation, especially in prison.

Introduction

- ▶ The prevalence rates of poor mental health for long-term prisoners in penitentiary units are very high, including over half with conduct disorders and around a third of them having a major depression.
- ▶ There are also high levels of loneliness among prisoners housed in the extreme social isolation of solitary confinement (tzw. kara celi izolacyjnej) or in the isolation in „dangerous prisoners regime” (na oddziale dla skazanych szczególnie niebezpiecznych).



Long-Term Prisoners

- ▶ Sentences for more serious crimes are longer than others
- ▶ 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.

Long-Term Prisoners

- ▶ Criminology literature rarely addresses long-term prisoners – 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
- ▶ In the US there are many articles dedicated to long-term prisoners and their specific problems, different from the problems of prisoners with shorter sentences.

Although all inmates suffer from restricted contact with family and friends outside the prison, long-term prisoners fear that such relationships will be completely lost.

- ▶ Long-term inmates are also concerned about their physical and mental condition while in prison as they sense that they have lost control over experiences that make life worth living.
- ▶ Another issue is possibility of continuing education or work - which is easier for short-term prisoners.
- ▶ Rehabilitation process of long-term inmates should:
 1. maximize their opportunities for choice within the prison environment,
 2. create opportunities for the inmate to cultivate meaningful experiences and activities while in prison,
 3. and provide opportunities for the inmate to maintain contact with life and relationships outside the prison

Adaptation to prison

- ▶ Adaptation to prison isolation of long-term prisoners is an extremely individual matter
- ▶ 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.
- ▶ For a prisoner good adaptation means he will serve his time in the most comfortable way and will try to abide the law and all rules.
- ▶ Polish long-term prisoners experience similar problems as inmates in the USA, Canada or Western Europe.
- ▶ They face same problems (e.g. lack of ideas from the Prison Service what to do with them, postponing their cases to „later”, prisoners becoming too familiar with prison conditions, resulting in fear of leaving prison after serving their sentences).



Definition of long-term penalty

- ▶ There is no legal definition of long-term punishment and long-term prisoners
- ▶ Scientist can't agree on that
- ▶ Whilst there is no official definition of how long a person needs to spend in prison to be classified as a 'long-term' prisoner or „long-term” penalty, The Council of Europe decided that **all sentences over 5 years of imprisonment or more imprisonment should be considered as long-term penalties**



Long-term penalties in Poland

▶ Penalties are enumerated in a Polish Criminal Code **in art. 32.**

1. Fine
2. Limitation of liberty
3. Imprisonment (**new regulation- now from** 1 month to 30 years)
4. ~~25 years of imprisonment~~
5. Life sentence

Previous regulation: from 1 month to 15 years

Previous regulation: 25 years of imprisonment

▶ So according to The Council of Europe, Long-term penalties in Poland are:

1. **Imprisonment (from 5 years and more)-** prisoners can apply for parole *after serving at least half of the penalty (recidivists after serving 2/3 of the penalty and multi-recidivists after serving 3/4 of the penalty)*
2. **25 years of imprisonment-** prisoners can apply for parole *after 15 years of imprisonment*
3. **Life sentence-** prisoners can apply for parole *after serving minimum 25 years of their sentence (or more- it depends on court but minimum is 25 years).* ! Recently the Polish government has adopted regulations to toughen the country's criminal code by introducing **life imprisonment without parole** for the gravest crimes.

Previously: polish life sentence prisoners had always possibility to apply for parole - no matter what crime they committed

The Prison Service statistics

- * Primary data source - Central Board of Prison Service Statistics

The screenshot shows the website of the Polish Prison Service (Służba Więzienna). The header includes the logo and name of the service, its mission statement: "Ochrona społeczeństwa, Humanitarne i praworządne traktowanie osób pozbawionych wolności, Resocjalizacja skazanych", and a search icon. A navigation menu contains links for "SŁUŻBA WIĘZIENNA", "DZIAŁANIA", "REKRUTACJA", "ZAMÓWIENIA PUBLICZNE", "DLA MEDIÓW", "KONTAKT", "STATYSTYKA", and "PATRONAT DG SW". A breadcrumb trail shows "Strona główna > Statystyka". The main heading is "Statystyka". Below it are five dark blue buttons with white text and right-pointing arrows:

- Informacja o zaludnieniu aresztów śledczych i zakładów karnych
- Statystyka miesięczna
- Statystyka kwartalna
- Statystyka roczna
- Przeznaczenie aresztów śledczych i zakładów karnych

Long-term prisoners

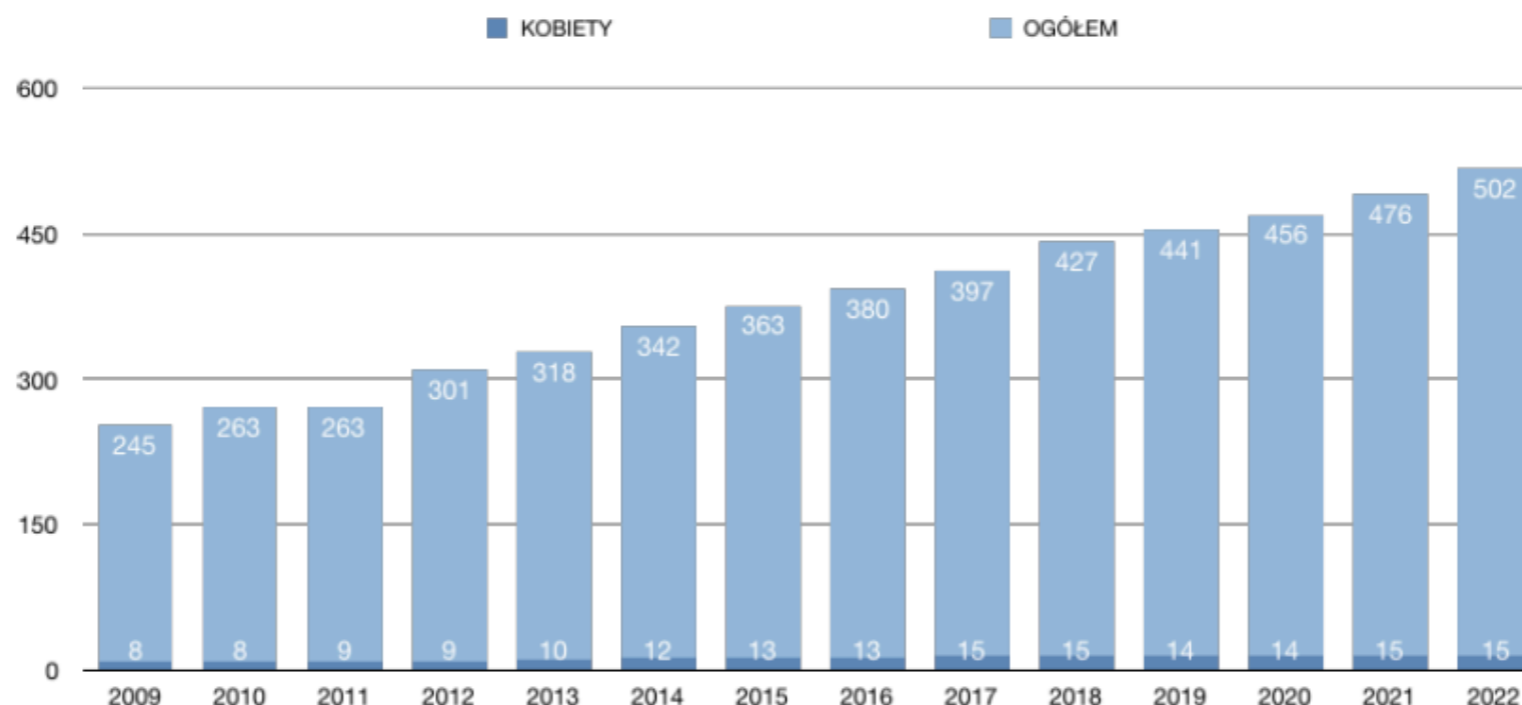
Number of long-term prisoners: 10,705 (14.5%)

Number of people convicted to life sentence: According to the data provided by Central Board of Prison Service as of 31 December 2022, 502 prisoners were serving life sentence (including 15 women).

Number of people condemned to 25 years of imprisonment: 1 670 prisoners were serving 25 years of imprisonment (including 67 women).

- * In the years 2009 – 2022 the number of prisoners serving 25 years of imprisonment has increased by over 200 prisoners (10%), and at the same time the number of life sentenced prisoners has increased by 104 %

Wykres nr 2. Skazani odbywający karę dożywotniego pozbawienia wolności w Polsce (orzeczenia prawomocne) w latach 2009 – 2022 (źródło: opracowanie własne na podstawie statystyk Centralnego Zarządu Służby Więziennej) ⁵⁹⁸.



Long-term prisoners

▶ Long-term penalties in Poland- summary

A long sentence is considered as such from 5 years.

Sentences can not be cumulated.
According to Polish law, penalties cannot be cumulated. The court can apply absorption of penalties or combine them.

Life-sentenced prisoners are also allowed to work (inside the prison)

England and Wales

Two types of life sentences:

Normal Life sentences & Mandatory life sentences

Normal life sentence: when a judge passes a life sentence, they must specify the minimum term an offender must spend in prison before becoming eligible to apply for parole (sometimes called the tariff).

Mandatory life sentence: Parliament has decided that judges must give a life sentence to all offenders found guilty of murder. The judge will set a minimum term an offender must serve before they can be considered for release by the [Parole Board](#).

Whole life order: for the most serious cases of murder, an offender may be sentenced to a life sentence with a 'whole life order.' This means that their crime was so serious that they will never be released from prison. As of 30 June 2020 there were 63 whole-life prisoners.

Life sentence - USA

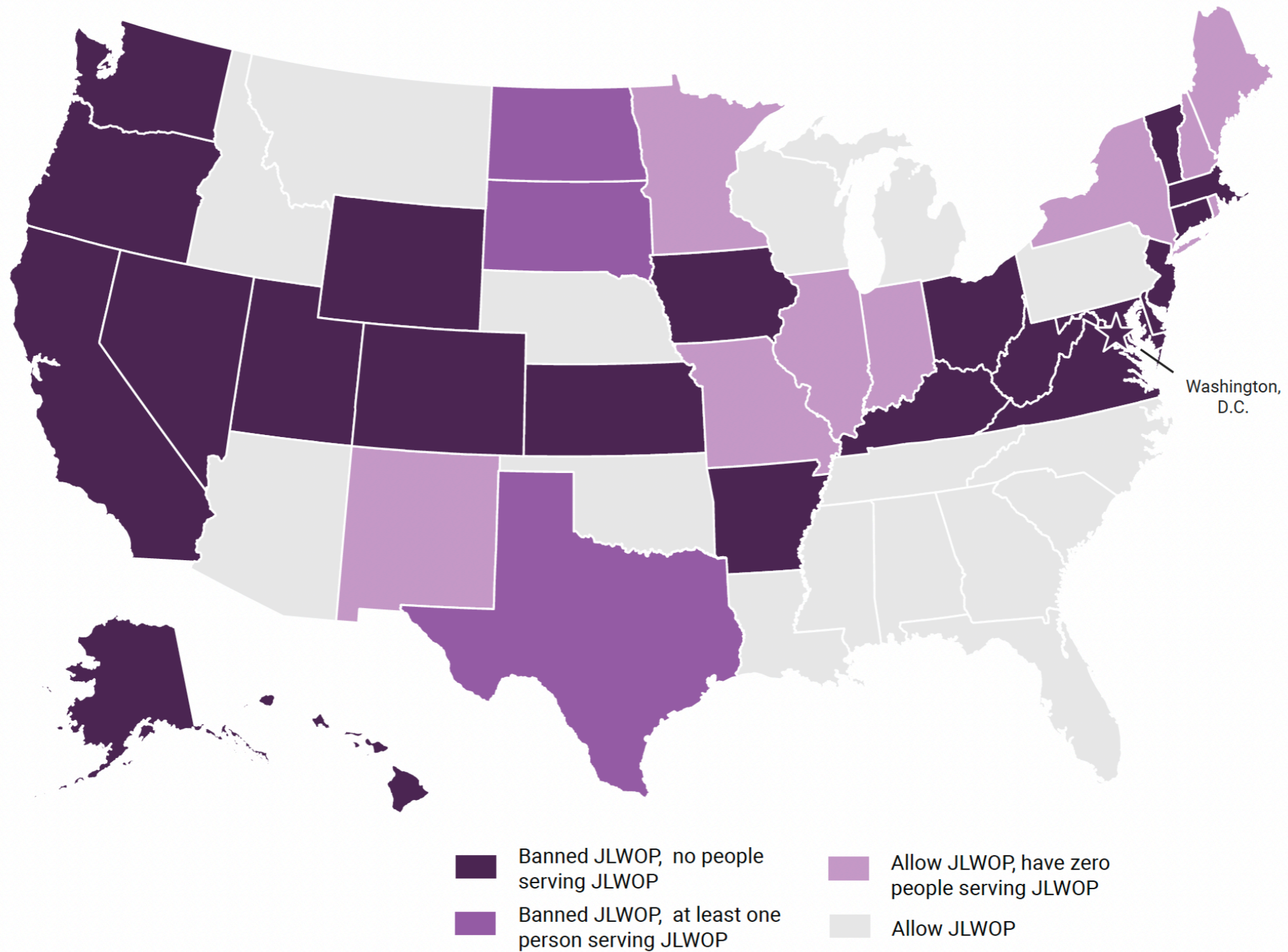
1. **LWP (Life with Parole)**- prisoners can apply for Parole
2. **LWOP (Life without Parole)**- prisoners must spend the rest of their life in prison.
3. **Virtual Life**- Virtual life sentences are sentences with a term of years that exceed an individual's natural life expectancy. Sentences of 50 years or more.

▶ The United States stands alone as the only nation that sentences people to life without parole for crimes committed before turning 18.

▶ Approximately 2,500 children have been sentenced to **juvenile life without parole (JLWOP)** in the United States.

Life sentence - USA

States that have banned or limited the use of juvenile life without parole sentences, 2021



Source: Data collected by The Sentencing Project

LWOP/Death penalty

1. LWOP is a sentencing alternative in all 27 states that practice the death penalty
2. A sentence of life without parole means exactly what it says—those convicted of crimes are locked away in prison until they die

- ▶ There is no death penalty in Poland. Abolition of the death penalty is now a requirement of EU membership. Poland abolished capital punishment in 1997, but the last execution was in 1988.
- ▶ For now, Polish criminal code doesn't permit life sentence without parole either- but the government is working on the amendment which will add that life sentence without parole. It will also remove 25-year prison sentence from the criminal code

Psychological Effects of Long Term Incarceration

Living in prison environment means that they must learn to conform to the rules not only of the prison itself, but also of the other prisoners that make up their whole world.

1. As a result, nonviolent offenders may experience anxiety and changes in their personality as well as changes in their judgment making.
2. The length of the prison sentences in these situations is important because those with long sentences are “unable to avoid witnessing some traumatizing events”.
3. These events leave them psychologically damaged and change the way they view other human beings.

Psychological Effects of Long Term Incarceration

Leaving prison for an environment that is so different outside of its walls can lead to overwhelming feelings of confusion and frustration that causes the former inmates to further distance themselves from society.

1. The structure that they were forced to abide by in prison is no longer present and because they were not exposed to anything outside of this structure, they leave unprepared for the changes that have occurred in the world and the challenges that they will face upon their release.

Psychological Effects of Long Term Incarceration

For prisoners with long term sentences, the possibility of seeing the world outside of their cells can be both exciting and discouraging at the same time.

1. The monotonous life they live in the strictly structured world of incarceration may sometimes feel to them like a nightmare that they are unable to wake up from.
2. The chaotic fast world they face when they finally leave their nightmare is often times more intimidating than anything they have ever had to deal with.
3. Observations of prisoners who were close to their release times revealed that they often experienced anxiety, restlessness, irritability, and inability to sleep; researchers found that these emotions were caused by the fear of being unprepared for the outside world

Psychological Effects of Long Term Incarceration

Prisoners with long term sentences must change the way they socialize with others and the way they make decisions to survive.

1. Social skills that they learn in prison (with other inmates) are not acceptable when they re-enter society.
2. They must re-learn how to behave and even how to talk.
3. Something as simple as using less profanity or interacting with the opposite sex is difficult for them because they did not use these skills for so long that they forget them
4. For many of them, the problem is not that they have forgotten how to use their social skills; it is that they were never able to use them before and so they never learned how.

The loneliness in prison and a suicide prevention

- ▶ The lack of contact with the outside world/ the lack of social support for prisoners means that they are more prone to loneliness
- ▶ For prison staff it is important to recognize the warning signs that may tell that inmates may have suicidal thoughts (when prison guards suspect that prisoner have suicidal thoughts has to monitor his/her behavior and even ask there inmates about his/hers well being)
- ▶ Access to psychologist is very important



The solitary confinement

- ▶ Solitary confinement subjects prisoners to extreme forms of social isolation and social exclusion that, in turn, produce very high levels of suffering and pathology and nearly unprecedented degrees of loneliness.

„Dangerous prisoner” regime is also one form of intensive isolation

- They are aggressive and deeply demoralized prisoners- the most dangerous perpetrators of crime and the persons directly involved, and often holding managerial positions, within the framework of organized crime
- Dangerous prisoners serve their sentence [in closed-type units](#).
- A dangerous prisoners are send to a "maximum technical security" cells, which has all furniture and equipment firmly fixed to the walls and the floor of the cell. The prison administration is using the CCTV to monitor his or her cell.
- They have minimum contact with the outside world and prison guards
- and no contact with the other prisoners (they can't meet each other)

Solitary confinement as a prison health issue

Key points:

- ▶ Solitary confinement is used in prison systems across the world.
- ▶ Research demonstrates that solitary confinement has a negative impact on the health and well-being of those subjected to it, especially for a prolonged time.
- ▶ Those with pre-existing mental illness are particularly vulnerable to the effects of solitary confinement.
- ▶ Solitary confinement can affect rehabilitation efforts and former prisoners' chances of successful reintegration into society following their release.
- ▶ International human rights law requires that the use of solitary confinement must be kept to a minimum and reserved for the few cases where it is absolutely necessary, and that it should be used for as short a time as possible.

How does solitary confinement affect health and well-being?

Psychological symptoms occur in the following areas and range from acute to chronic:

- ▶ anxiety, ranging from feelings of tension to full-blown panic attacks
 - ▶ depression, varying from low mood to clinical depression
 - ▶ anger, ranging from irritability to rage:
 - ▶ cognitive disturbances, ranging from lack of concentration to confused state weakness
 - ▶ perceptual distortions, ranging from hypersensitivity to hallucinations heart palpitations
 - ▶ paranoia and psychosis, ranging from obsessional thoughts to full-blown psychosis
 - ▶ self-harm and suicide.
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- ▶ **Particularly vulnerable groups:** while the effects of solitary confinement vary from one individual to another and depend on the factors listed above, some individuals are particularly vulnerable to the negative effects of isolation, including those with pre-existing mental and learning disabilities, children and young people and pre-trial detainees.

How to Deal with Prison Loneliness?

- ▶ Long-term prisoners who can work during incarceration feel less lonely
- ▶ As well as those who are involved in education
- ▶ It's important to use such restrictive, intensive isolation measures (like solitary confinement) as rarely as it is possible (only when it is necessary)
- ▶ It's also important to monitor their mental wellbeing

- ▶ **Rehabilitation process of long-term inmates should:**
 1. maximize their opportunities for choice within the prison environment,
 2. create opportunities for the inmate to cultivate meaningful experiences and activities while in prison,
 3. and provide opportunities for the inmate to maintain contact with life and relationships outside the prison

Therapeutic system

- Therapeutic system- In some prisons, there are therapeutic units/ wards for prisoners with non-psychotic mental disorders or sexual disorders, mentally ill or disabled and prisoners addicted to drugs or alcohol. Such prisoners are detained in a closed penitentiary institution with conditions adjusted to their needs.
- Convicts are sent to such units after previous diagnosis and stay there only for the duration of the therapy. The medical staff in such units includes psychologists, a therapists and educators. Inmates can enjoy a large range of activities and individual therapies.
- Prisoners are provided range of therapies including: pharmacotherapy, psychotherapy, addiction therapy, therapy meetings and even art therapy (including drama therapy).
- If prisoners show some signs of depression they may also be sent to such unit and they are provided with help

Art psychotherapy in prison (drama therapy)

- It is a tool for rehabilitation
- It decreases loneliness- it helps prisoners to open themselves / open up to another human being
- It reduces stress and negative emotions
- It can improve self-esteem of prisoners
- They can share their feelings without being judged



My study

I also conducted study among long-term prisoners (in 2020 & 2021). I visited Strzelce Opolskie Prison, Wołów Prison and Rawicz Prison.

1. I did very detailed and extensive case studies of 189 long-term prisoners.
2. Each prisoner received the same set of questions and in addition I asked them about their future/ their plans for the first day after release.
3. The prisoners who participated in my research turned out to be in good physical and mental condition. Most of them stay in touch with families and have plans for the future (even lifers).
4. Life sentence prisoners gave the best, the most elaborate answers. They were the most cooperative and willing to help
5. The real problem is somewhere else – a lot of them are afraid of the life outside prison and thinking about the end of their sentence scares them instead of giving them wings.
6. The interviews revealed that a lot of the inmates have serious concerns about their future outside the prison walls.

Task to complete

Answer this question briefly (in a few words):

- Q1: Does it seem possible that some inmates may continue to commit criminal acts in prison just to avoid being released into an unknown and unfamiliar world??