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THE CONJUGAL VISIT AT MISSISSIPPI STATE PENITENTIARY

COLUMBUS B. HOPPER*

The Mississippi State Penitentiary is located in Sunflower County on the old Parchman plantation. Parchman, as the institution is called, is probably the world's largest penal farm system. Although a state penitentiary, it is essentially a large plantation comprising almost 22,000 acres of rich delta farm land, which the inmates till while repaying a debt to society. After a long period of experimentation in various penal adaptations, Mississippi, during the years from 1895 to 1906,¹ made the transition to the penal plantation system, an adaptation which from all indications has been well-suited to the economy and culture of the state.

Since it is basically a plantation, the buildings and other physical facilities at Parchman differ considerably from those which one finds at the average state prison in the United States. The buildings are of many different types: administration, hospital, barns, storehouses, cotton gins, equipment sheds, and repair shops. Other large buildings are found in the inmate camps. Parchman's 2,100 inmates are housed in racially segregated camps located at various places throughout the plantation. The female inmates, few in number, are housed in one camp. Each male camp contains anywhere from 150 to 200 inmates. The male camps are crowded at the present time, and thus a new camp, intended to be used for first offenders, is under construction and well on the way toward completion.

Each camp at Parchman is a separate community within the plantation and is overseen by a sergeant responsible for the work of the camp as well as discipline and order. A camp consists primarily of a large building surrounded by a wire fence. This building includes living space for inmates, toilets, kitchen, separate quarters for trust-

ies, and a dining room which also serves as an educational and recreational room. The living quarters for the regular "gunmen"² are divided into two parts; each part sleeps 65 to 70 inmates in the white camps, while each part houses from 90 to 100 inmates in the Negro camps. Lights are kept on all night in the camps, and trusties pace the hall which connects the quarters at all times. Each camp has a concession counter run by an inmate appointed by the sergeant of the camp. Each section also has a television set which the inmates may watch until ten p.m. if they choose. When the inmates leave the camp for work they are searched and a "court-off"³ is held; this procedure is repeated when the inmates return to the camp from work in the fields.

The camps at Parchman work and play in competition with each other. The work is allotted by camp and varies with the season. The work may be planting, gathering, slaughtering hogs, or whatever is most urgently needed at any particular time. Since cotton is the chief crop grown, most of the work, especially in the fall, centers around the production of this crop. There are inter-camp sports and organized quartets and bands which promote considerable rivalry among the camps. There is also a monthly magazine entitled *Inside World* which is written and published by inmates.

One camp at Parchman, the maximum security camp, varies from the general pattern. This camp is a square unit surrounded by a high fence with electrically controlled gates that slide open only after the guard is positive of the identity of the person or persons entering the restricted area. In maximum security one finds "death row," where the condemned prisoners await their execution dates. Maximum security also contains cells for the inmates sent from the regular camps for disciplinary reasons, usually for a period of 30 to 90 days.

For the married inmate, an important part of every male camp except maximum security is the little building, divided into private rooms, located near the main camp building. When an inmate's

² Term used for inmates who must be guarded at all times. Unlike most prisons, much of the guarding of inmates at Parchman is done by trusties.

³ A method of roll-taking.

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¹ For a good account of the various periods and experiments in the history of Mississippi's prison system, see Foreman & Tatum, *A Short History of Mississippi's State Penal Systems*, 10 Miss. L.J. 255 (1938).

wife comes to visit him, he is permitted to go with her to this building. Here in the "red house," as the building is called, the inmate and his wife may have privacy and engage in the physical phase of the conjugal relationship. The visiting hours are every Sunday from one to three p.m., and every third Sunday from one to five p.m. Each red house has between five and ten rooms.

The conjugal visit at Parchman is apparently unique in United States penal practice. Although the conjugal visit has been proposed from time to time as a partial solution to the problem of sexual adjustment in prison, it is generally concluded that the conjugal visit would be wholly unrealistic in American culture and that it would have no rehabilitative influence, but would tend instead to heighten rather than relieve tension in the prison.⁴ As a consequence of this reasoning, although sexual problems are among the greatest which confront prison administrators,⁵ prisons in the United States have been evaluated as having "failed rather signally to develop any satisfactory solution to sex problems and the wardens have believed they were more or less powerless to do anything about such matters."⁶ Although deprivation of marital contacts in other countries is less likely to be made a part of punishment than in the United States, with the exception of Mexico, most countries throughout the world do not favor conjugal visits within the prison.⁷ Thus conjugal visits have found little favor among prison administrators in general and especially among prison administrators in the United States.

Criticisms of the conjugal visit are in the main well taken. In the United States, the chief objection is that such visits would be incompatible with existing mores, since the visits seem to emphasize only the physical satisfactions of sex.⁸ Another objection is that married inmates who could engage in conjugal visits satisfactorily are those who can adjust best to prison life even without sex relations; likewise, those inmates who present the greatest sexual problems, i.e., homosexuals and other sex deviates, are the ones least likely to benefit from conjugal visits. Additional objections are that con-

jugal visits offer no solution to the sexual tension of either single male prisoners or female prisoners,⁹ and that wives may become pregnant, creating further problems for both the state and the prisoners, especially in the case of long-term prisoners. The modern professional consensus in the United States is well stated by Tappan as follows:

"So long as the society requires under its official mores that youths delay heterosexual expression for several years after they reach maturity, we shall probably not provide for normal sexuality in prison. So long as we consider it appropriate to continue numerous forms of deprivation in our correctional institutions, we shall make no exception for sex."¹⁰

In view of such cogent objections to the conjugal visit, one would expect that it would be practically impossible for such a system to develop in the United States. Nevertheless, the conjugal visit shows considerable evidence of becoming an important and integral part of the Mississippi State Penitentiary.

The conjugal visit at Parchman should not be viewed as an isolated phenomenon; it is only a part of the general visitation and leave program which has been in operation in the penitentiary since 1944 and which is the most liberal in the United States. In a survey carried out in 1956,¹¹ Parchman was the only prison among 47 institutions surveyed which permitted inmates to make home visits for other than reasons of emergency. Under the Mississippi program, called the Holiday Suspension program, each year from December 1 until March 1, inmates who have been in the penitentiary at least three years with good behavior records may go home for a period of ten days. As evaluated by Mississippi prison and state officials, this program has proved a success and an important element in the rehabilitation and morale of the inmates. The conjugal visit at Parchman is a part of the family visitation plan in which the children as well as the wives are allowed to visit. One camp has a picnic area which includes swings and other toys for the children to use during their visits. The family visit is emphasized at Parchman, and the conjugal visit is seen as a logical part thereof.¹²

⁹ Conjugal visits are almost always proposed for male inmates only.

¹⁰ TAPPAN, *op. cit. supra* note 4, at 680.

¹¹ Zemans & Cavan, *Marital Relationships of Prisoners*, 49 J. CRIM. L., C. & P.S. 50, 52 (1958).

¹² For a popular magazine description of Parchman's visitation program, see Knight, *Family Prison; Parchman Penitentiary*, *Cosmopolitan*, March, 1960, p. 62.

⁴ TAPPAN, *CRIME, JUSTICE AND CORRECTION* 680 (1960).

⁵ See, especially, FISHMAN, *SEX IN PRISON* (1934); CLEMMER, *THE PRISON COMMUNITY* ch. 10 (1958).

⁶ ELLIOTT, *CRIME IN MODERN SOCIETY* 674 (1952).

⁷ Cavan & Zemans, *Marital Relationships of Prisoners in Twenty-Eight Countries*, 49 J. CRIM. L., C. & P.S. 133, 139 (1958).

⁸ *Ibid.*

Although the conjugal visit has apparently taken place unofficially for quite some time at Parchman,¹³ only in recent years has it become a recognized part of the penitentiary itself; it may still be thought of as in the early developmental stage. Officials and staff members at Parchman, however, consistently praise the conjugal visit as a highly important factor in reducing homosexuality, boosting inmate morale, and—in conjunction with the home leave and family visitation programs—comprising an important factor in preserving marriages.

Inmate attitude toward the conjugal visit at Parchman is consistently favorable. The inmates usually emphasize the good effect which they feel it has in saving marriages. The following statements are typical of the opinions expressed by the inmates at Parchman regarding conjugal visiting as currently practiced:

A. is married and has a small child. His wife visits him every other week. He went to college two years and has a very high I.Q. He has been in penal institutions for the better part of his adult life and until recently was considered to be a trouble-maker and a bad risk for rehabilitation. His statement is as follows:

"I think that it [conjugal visiting] is a good thing for the penitentiary as a whole because it strongly cuts down on homosexuality, at least on the part of married men, and also it helps to stop wandering on the part of married women that have husbands here in the penitentiary for they know that they can be with their husbands as often as they please. I would like to see better facilities provided for this purpose as the present situation shows some disregard for feelings and as long as they are going to have them they might as well do it right and provide good quarters. Even with somewhat neglected quarters the program is very worthwhile and should be instituted in every prison."

J., a married inmate with a fourth grade education, stated the following:

"I think that it is the best thing that has ever happened. I also think that it needs repair work on the rooms as we have a bus that is converted into a house. I have never had any trouble over these visits when my wife comes down and it is a relief in more ways than one. A man not only

¹³ It is not the intention of the writer to give an account of the development of the conjugal visit at Parchman; this information, however, became apparent from conversations with employees at Parchman.

needs the physical relief but also he needs to just talk in private with his wife. It is one way to keep a man from messing up if he knows his wife is coming and he will be allowed to be with her. I never had any complaints nor has anything been said about the visits by any other inmates. My wife was a little timid the first time but now she thinks nothing about it. Every institution should have these visits for so many reasons that I cannot even name them all as the above are just a few reasons."

C. is a single man who was reared in a relatively stable home until he reached the age of 14, when his foster parents divorced, and he became unmanageable, finally ending up in the penitentiary. Of conjugal visiting, C. said:

"I approve of conjugal visits between families where the husband is incarcerated although I am single. I have spent a total of seven years in several different institutions and of these only one allows conjugal visits. In this institution [Parchman] I have seen less rioting, less homosexuality, and an altogether different attitude in the inmates in general. I have also seen many families remain intact here which I sincerely believe would have been broken in any other institution. I say this because these visits allowed these families to continue a normal and healthy married life on visiting days and many problems were solved during the privacy and closeness of these visits that would have resulted in violent arguments and hard feelings where these visits are not allowed."

F., a married man who has been to college two years, is considered an exceptionally good prisoner and prospect to make a successful adjustment upon his release. He said:

"Conjugal visiting privileges are perhaps the most progressive step taken toward the rehabilitation of the offender. The intimate contact does much to keep the marriage intact. Unfortunately, and necessarily, its benefits are not spread over a broad base, as many inmates are unmarried. Also, I should say that men who have a normal sexual outlet refrain from homosexual activity."

Although the conjugal visit at Parchman has not had official sanction long enough to warrant a meaningful evaluation, the experience at Parchman does point to certain conclusions. Apparently, much of the success of conjugal visits depends on

the adequacy of the facilities provided for the privacy of the inmate and his wife. One staff member, an employee of the system for the past eleven years, has noticed considerable change in the inmates' attitudes towards conjugal visits. When he first came to the institution the facilities provided for conjugal visits were few in number, in poor condition, and afforded little privacy. Consequently, the inmates were reluctant to engage in the program. As the facilities have begun to improve, the number of inmates using the privilege has greatly increased.

Although the red houses at present are still unsatisfactory in terms of absolute privacy and appearance of facilities, especially if evaluated by one unfamiliar with prison conditions in general, an idea of what the future may hold for conjugal visiting at Parchman is afforded by the new first offenders' camp under construction at this writing (1961). This camp, built almost entirely by inmate labor, is a beautiful brick structure. On one side of the main camp building is a chapel, and in back of the main camp building, with the same fine workmanship, is the red house. The rooms in this house afford complete privacy and are not greatly different from the accommodations one finds at many motels.

An important element in the Parchman system of conjugal visiting appears to be the small community-camp arrangement. This arrangement seems to be amenable to the conjugal visit. It affords more freedom of visitation in general since each camp is somewhat isolated. The visitors go directly to the camp they wish to visit, where the sergeant searches the male visitors and the sergeant's wife searches the female visitors. Since usually less than half of the inmates are married, and not all of the wives live within visiting distance or visit on the same day, the number of inmates wishing to use the red house is never large. The small numbers add a more respectable atmosphere and provide a more informal situation.

While it may be that conjugal visits are completely unrealistic in the American culture in general, the experience at Parchman calls for evaluation. The fact that the only institution in the

United States in which conjugal visiting is practiced considers the visits important and successful enough to include facilities for such visits in future building and construction plans may indicate that conjugal visiting, at least in certain types of institutions, can be developed into not only an acceptable practice but one which has positive merit as well. At Parchman the conjugal visit at least has developed from an unofficial practice into one likely to endure. One staff member was heard to say, "I know one thing for sure, I wouldn't want to be around this place if the conjugal visit were taken away. It would be the greatest blow to the morale of the inmates which I can imagine."

It is altogether feasible that what is completely unrealistic in one prison system complex might be a satisfactory arrangement in another system differently constructed and differently operated. The fact that homosexuality is considered a minor problem at Parchman may not be related to the conjugal visit, but may instead be a function of the inmates working almost completely outside or of the cultural backgrounds of the inmates themselves. In any event, the point to be considered is that the conjugal visit appears to have become an important and respected part of the system at Parchman. A system of conjugal visiting which has not only the approval but the praise of the staff and inmates of the institution concerned deserves further study and analysis. Zemans and Cavan concluded their discussion of the conjugal visit by saying, "Apparently any serious consideration of conjugal visiting awaits further analysis as to the purpose that it would serve and as to its relative comparison with other types of marital relationships."¹⁴ While this statement is well founded, the experience at Parchman seems to warrant the conclusion that conjugal visiting should be studied not only in comparison with but in conjunction with other types of marital relationships and in a variety of institutions. Parchman's experience does not prove that the objections to conjugal visiting are invalid; it suggests, however, that conjugal visiting, at least in some penal situations, cannot be ruled out as a possible adaptation.

¹⁴ Zemans & Cavan, *op. cit. supra* note 11, at 54.