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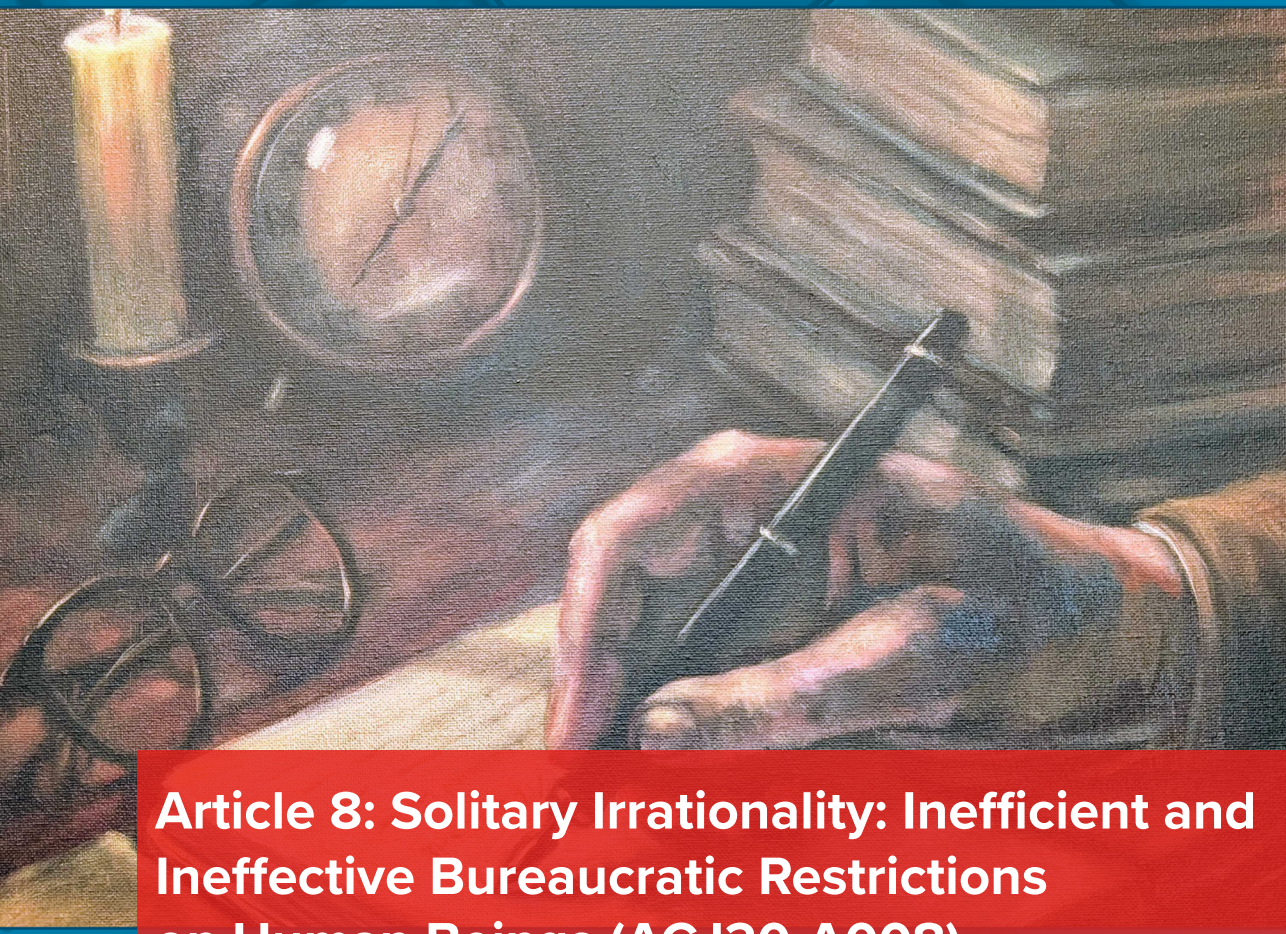

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SOLITARY IRRATIONALITY: INEFFICIENT AND INEFFECTIVE BUREAUCRATIC RESTRICTIONS ON HUMAN BEINGS

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Abstract

There are two primary arguments against placing human beings in restricted housing units within carceral institutions, and one overarching argument for the practice. The arguments opposing restricted housing rest on the explicit and implicit harm caused to individuals via the practice (Haney, 2018; Luigi et al., 2020) and the lack of positive outcomes that the practice yields (Cloud et al., 2021; Woo et al., 2019). These contentions generally stem from research scientists from psychology, social work, criminology, and sociology and humanitarian advocates working with or for a litany of non-profit and governmental organizations. On the other hand, penal institutions and their associated staff and stakeholders typically favor using restricted housing as a means of instituting control, safety, and/or security within carceral environments to ensure the well-being of both staff and incarcerated individuals (Labrecque, 2015). Framing the current arguments against the use of restricted housing, this paper uses rigorous scientific/research findings to suggest that this practice is not only harmful to incarcerated individuals and does not yield better outcomes (such as misconduct reduction) but it is also a hugely inefficient and ineffective process that resembles organizational *irrationality* rather than sound decision making in carceral spaces. The paper concludes with background regarding decision biases and how to overcome these challenges to improve both correctional practice and human lives.

Keywords: Restricted housing units, solitary confinement, organizational rationality, carceral reform

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INTRODUCTION

Carceral institutions take shape around key tenants of Weberian bureaucratic formal systems (1946). These include written records, prescribed rules/procedures, hierarchical authority, a division of labor, impersonality, and a separation between personal and professional lives. Nearly every carceral facility possesses files that document both incarcerated residents[1] and staff, academy and in-service training and procedural manuals, memos, quasi- or fully militaristic employment hierarchies, tasks separated by position or role, and the implicit and explicit mandate for staff to remain impartial, relatively impersonal, and to not take their work home with them. Yet, a crucial part of bureaucracies includes the *people* working within them, and people are not entirely rational…*they are human after all.* They make decisions that often appear irrational given the constraints they face in time, information, and resources (Haggarty & Bucerius, 2021; Simon, 1955).

Two fundamental parts of the bureaucratic form include the goals of *efficiency* and *effectiveness*. However, much of the science on carceral institutions (and the theories that these institutions follow including incapacitation, deterrence, rehabilitation, and/or retribution) suggests incarceration as a punishment mechanism and jails/prisons as the delivery vessel are both inefficient and ineffective (Crank & Brezina, 2013; Haggerty & Bucerius, 2020; Heaton et al., 2017; Loeffler & Nagin, 2022; Nagin, 2013). In fact, some scholarship even suggests that incarceration may increase criminogenaity (Cullen et al., 2011). One poignant place to examine the failing goals of efficiency and effectiveness within carceral institutions is via the use of restricted housing units (RHUs; also called solitary confinement, segregated housing, or lockdown) where bureaucracy is on full display. Science strongly suggests the inefficient and ineffectual nature of locking human beings down in this way. In this paper, we explore how RHUs can be inefficient and ineffective and introduce promising pathways forward.

BUREAUCRACY, BOUNDED RATIONALITY, EFFICIENCY, & EFFECTIVENESS

Bureaucracy. Bureaucracy is considered a rationalized form of organizing. Formal rationalization occurs when organizations organize to use the most efficient means to achieve goals (Weber, 1946). Bureaucracies are the embodiment of rationality through the formal-rational authority that emerges from the use of clear hierarchies, a division of labor, impersonality, and standardized rules—all designed to maximize efficiency and effectiveness. The individuals working in bureaucracies make choices and decisions within this environment operating under a framework of "bounded rationality" (Simon, 1955) as the choices they make occur from limited options, driven by imperfect information, cognitive limitations, and time constraints. In bureaucracies, people make decisions in ways that use heuristics (mental short cuts) and satisficing (finding *a* solution to a problem, not necessarily the *best* one). While these decisions do not always align perfectly with organizational goals (due to self-interest and human error), it is expected that people working for organizations do, at least at some level, strive toward organizational goals.

Carceral Facilities as Bureaucracies. Exhibiting all the components of rationalization, prisons/jails model a logical or reasonable system. In theory, they should be efficient and effective systems that meet their goals. However, overly rational systems are often inefficient and ineffective (Henry, 2003). Abundant literature denotes the negative outcomes associated with incarceration. These

1 *Throughout this paper we use the term "residents" or "incarcerated people/persons" to include any/all incarcerated people. We chose these terms to humanize individuals who reside in prisons rather than other terms like "offenders," "prisoners," and/or "inmates" as these terms render an identity rather than a living status.*

include: dehumanizing conditions (Haggerty & Bucerius, 2020); goal displacement/confusion (Merton 1938; Marti et al., 2017), staff corruption (Novisky et al., 2022), staff apathy or lack of organizational commitment (Lambert et al., 2017), and resident misconduct (Peterson et al., 2023; Steiner et al., 2014). While prisons/jails appear to offer an example of a rational bureaucracy, they overly rationalize rules and processes. The decision-making process by the humans implementing these often leads to irrationality. This in turns leaves prisons/jails unable to meet their goals.

Efficiency & Effectiveness. As two indicators of an organization's performance, *efficiency* and *effectiveness* (Mouzas, 2006) are sometimes used interchangeably. However, efficiency focuses on processes and effectiveness focuses on outcomes. Organizational efficiency is a measurement of the relationship(s) between inputs and outputs or how successfully the inputs have been transformed into outputs (Low, 2000). If an organization is efficient it will likely be resourceful and will work to streamline processes. On the other hand, effective organizations focus on the output itself. Effectiveness is situation-specific (Quinn & Rohrbaugh, 1981), making it difficult to measure due to competing goals and the challenge of operationalizing all aspects of organizational performance. Here, we adhere to a basic definition that notes an effective organization is one that achieves its goal(s).

Efficiency and Effectiveness within Carceral Organizations. Carceral institutions strive for both efficiency and effectiveness. While prisons/jails have multiple and often competing goals, the overarching and regularly acknowledged goals of control, rehabilitation, safety, and security generally drive carceral practices (Marti et al., 2017; McPherson & Rudes, 2022). Prisons/jails show efficiency by using the best, most direct, and most suitable means to achieve these goals. When they achieve the goals in ways that are both measurable and demonstratable, they are considered effective. The question then is: *Is using the RHU as a means of achieving control, safety, and security effective and efficient?*

RESTRICTED HOUSING

Brief Overview. RHU practices typically include removing a individual from a general housing unit and placing them into a more restrictive unit where their privileges may be diminished and they are typically locked in their cells for 22+ hours per day. Restricted housing consists of three primary types (although these vary in name and form by institution): 1) administrative segregation (e.g., for persons who are a risk to themselves or others); 2) disciplinary segregation (e.g., for misconducts), and 3) protective custody (for persons at risk of harm), with some entire institutions devoted to segregation (i.e., supermax facilities). There are no global estimates on the number of people housed in RHUs, but a recent report estimates there are more than 122,000 people held in RHUs on any given day in the U.S. alone (Solitary Watch, 2023).

RHU Efficiency and Effectiveness. If carceral institutions strive for control, behavioral change, safety, and security and they work toward these goals using incapacitation, deterrence, retribution, and rehabilitation, then RHUs may actually be working in direct opposition to these goals. That is, a focus on short-term control, safety, and security may present as an easier option when situations seemingly demand immediate action and when their use is normative. However, the social and financial costs involved with short-term, normative/bounded decisions to complex human problems renders nearly any amount of time in RHUs as inefficient and ineffective for longer term outcomes including

rehabilitative behavioral change.

Data Showing Harm

For Incarcerated People. Decades of research finds that confinement in RHUs is tied to negative physiological and psychological effects, including anxiety, depression, stress, aggression, insomnia, cognitive disfunction, paranoia, hopelessness, headaches, heart palpitations, oversensitivity, and loss of appetite (Cloud et al., 2023; Grassian, 1983; Haney, 2018; Luigi et al., 2020; Smith, 2006). Additionally, evidence suggests that the use of RHUs may be counterproductive for maintaining institutional order and safety. Studies find that placing individuals in RHUs is ineffective for reducing misconducts post-release from segregation (Labrecque & Smith, 2019; Luigi et al., 2022; Meyers et al., 2023). Studies focused on specific populations such as people on short-term placement in RHUs (Morris, 2016), gang-affiliated people (Motz et al., 2020), and women (Toman, 2022) report similar results. Scholars also find that placement in RHUs may actually have a criminogenic effect leading to an increased likelihood of misconducts (within custody) and new crimes (post carceral release) because of the tense and challenging environment (Cloud et al., 2015; Cloud et al., 2021; Haney, 2018; Lovell et al., 2007; Woo et al., 2019). Collectively, these studies challenge the efficacy of using RHUs as a deterrence-based punishment for a disciplinary infraction.

For Staff. RHUs also harm staff. Research finds that RHU staff experience pains akin to the "pains of imprisonment" (Sykes, 1958). Officers feel *deprived of liberty* when they are physically separated from the rest of the facility and *deprived of relationships* when their work issues spill over into their home life (Mears et al., 2023; Rudes et al., 2022). Aranda-Hughes and Mears (2023) found that staff working in RHUs experience heightened emotional numbing because of the tense and often violent interactions they have with incarcerated people and the high rates of self-harm and suicide they witness—all of which are exacerbated within RHUs. Emotional numbing has adverse consequences for work performance, mental and physical health, and relationships. RHUs efficacy and effectiveness are hampered because its practice harms both incarcerated individuals and staff.

For Carceral Systems & Institutions. RHUs are exorbitantly expensive. The Vera Institute of Justice (James & Vanko, 2021) reports that in 2013, housing someone in a federal prison's general population cost about $86 per day, compared to $216 per day in solitary confinement. In Illinois, annual costs were similarly higher—about $22,000 for general population versus $60,000 for solitary confinement. These costs are higher due to the need for staff to bring nearly everything to individuals housed in RHUs and the increased cost of unit procedures that often include frequent staff checks on residents and having two or more staff involved in all movements (e.g., to shower or yard). In a New York City study, Venters (2019) reports, "We conservatively estimate that for every 100 acts of self-harm, 2,760 hours of officer escort time and 450 clinical hours were required."

Inconclusive Data or Data Suggesting Limited Harm

RHUs are often considered tools for reducing misbehavior and enhancing control, safety, and security by limiting opportunities for violence and deterring misconducts (Labrecque, 2015). While a litany of research on RHUs finds it is an unhelpful and harmful practice, some scholars report findings to the contrary. Morgan and colleagues (2017) contend that existing studies of RHUs suffer methodological flaws (e.g., small samples, lack of baseline measures) meaning conclusions "do not paint a complete

picture" (p. 19). Their meta-analysis found that RHUs had significant but small detrimental effects on people's mental and physical functioning – suggesting harms are not universally experienced. Yet even "small" effects represent real suffering for some. Wooldredge and colleagues (2024) found that RHU confinement was more common and longer for those with poor mental health at intake but did not worsen functioning over time or after release. Siennick and colleagues (2022) found that residents in the RHU reported increased service use, improved functioning, and fewer crises. This conclusion warrants caution, however, since most RHUs provide only limited and as-needed services (Rudes et al., 2022). Finally, some scholars argue the physical structure itself is not the problem; rather, staff create the unit culture. Gendreau and Bonta (1984) write, "People create problems for each other. Physical environments are often relatively innocent bystanders" (p. 474). From this perspective, outcomes hinge on implementation, not architecture. Yet we argue the structure and staff practices are inextricably linked, together shaping the realities of RHUs.

DISCUSSION

RHUs are a commonly used means for achieving control, safety, and security. However, the relatively easier and quicker fix that arises from placing individuals into restricted housing comes at a significant cost to the well-being of residents *and* staff. The practice of using RHUs is a means to achieve an end, but in using that means several ends are achieved and several of these are detrimental. While control, safety, and security may temporarily improve, the level of control, safety, and security also lessens as individuals experience the harms that accompany this type of confinement. Research finds that the resulting biproducts of RHUs include increased violence and recidivism and, at best, statistically insignificant differences between misconducts of individuals placed or not placed in RHUs for misconduct. Thus, the punishment goal of deterrence is not achieved, rendering RHUs as ineffective.

Additionally, while RHUs achieve incapacitation (the removal of a person) and perhaps retribution (vengeance for a misconduct), the process is inefficient as it does little to minimize the use of resources like time, money, and effort; it is not a streamlined process. In fact, removing an individual from general population and placing them in RHUs is costly in several ways. These include the time, effort, and resources expended to remove the individual from general population housing and transfer/transport them to the RHU, the re-classification and intake process that occurs upon entry, and the often mandatory processes including transferring files, posting name placards on cell doors, and notifying meal, medical, and psychological services about the revised housing assignment to fulfill any legal mandates or institutional policies. These are just some of the tasks and responsibilities that come with transferring an individual from a general population unit to an RHU and these processes will again be required upon transfer back to general population. Moreover, these are just the bureaucratic processes! Add these to the physical and psychological harms that living and working in the RHU brings, and the picture of ineffectiveness and inefficiency is amplified.

RECOMMENDATIONS

While many staff and carceral organizations argue that RHUs are a necessary tool for control and security, there are a multitude of other options. To understand how to maneuver away from RHUs, it is imperative to understand how these irrational actions (against strong science) take shape and hold on. For this, we turn to the concept of irrationality itself. Rational irrationality occurs when "people hold systematically biased, low-information, higher certitude beliefs" (Caplan, 2001, p. 4). When the price of the irrational belief is low enough that real, practical consequences are not expected, the rational

irrationality takes hold. In carceral environments, the view that RHUs are necessary and effective is a rational irrationality. From here, a type of "decision tunneling" occurs whereby "decision makers pursue ever-diminishing 'utilities' [gains] at progressively higher risk...[and organizational actors] are caught in a string of choices among spiraling 'disutilities'" (Schulman, 1989, p. 33). This represents a form of "decisional trap" based on means-ends thinking. When decisions are made to employ RHUs as a security/control option and to place individuals in RHUs as a response to misconduct (for example), the choice for restrictive housing is a low-risk option. It adheres to formal rules, immediately yields an incapacitation effect, and offers temporary relief. However, a more moderately risky decision involves engaging in alternatives that may lessen security in the short-term, but in the longer term, will yield an overall safer environment for both staff and residents and potentially families and communities as inter-carceral and/or community recidivism risk lessens.

Rather than focus on one or more "ideal" replacements for RHUs, science suggests that it is best for carceral systems to work with researchers to identify and/or develop sets of alternative options that are culturally appropriate for their organizational climate and have scientifically supported results in similarly situated carceral environments. For example, for many decades carceral institutions viewed both mental illness and substance use disorder as misconducts (rule-breaking) but with the help of rigorous science and training, many carceral institutions now view both as medical issues in need of treatment rather than punishment. Pathways toward this important change include what climate researchers call "making use of the biases." Rabaa and colleagues (2024) note the importance of creating and enforcing target commitments, providing frequent and ample information, instituting reward structures, using a step-wise approach to introducing change slowly, amplifying the evidence of harm caused and the potential damage incurred by maintaining the status quo, creating a culture of ownership over the evidence and the proposed changes, highlighting successful movement away from current operations and into new behaviors, and creating a positively driven policy structure that engages and enhances the workplace environment while supporting the change. *Yes, this is a tall order*. It involves a multi-faceted, complex negotiation between what is and what could be. But the most important part of this change process includes the belief in science and the innate or instilled desire to reduce harm by improving efficiency and effectiveness.

Practitioner-researcher partnerships are a wise strategy for tackling problems like this. Not only for the benefit of having both insider and outsider perspectives and not only for the expertise expansion possible through these collaborations, but also, and perhaps most importantly, because tearing down existing structures with deeply rooted history, imposed values, and perceived legitimacy is hard... *really hard.* Correctional leaders are ill-equipped to do this work alone. The strongest team knows the value of each of its players and uses them to fulfill the overall goal of winning. Right now, carceral systems that rely on RHUs as a primary mechanism of control, safety, and security are *not winning*...in fact, research suggests they are losing. Band-aiding the problem with short-term fixes like reforms to policies that include fewer days in restricted housing is a good start, but it is not ultimately a solution worth keeping. The only way to win is to privilege human dignity as *THE* carceral goal and to instill in everyone that only efficient actions that lead to that goal will ever be considered effective. Of course, maintaining control, safety, and security is imperative. And of course rehabilitation is crucial. But none of these goals should ever be expected, approached, or even tolerated if they include the intended or unintended consequences of harm to human beings. We already have the science, now we need to focus on the *action*.

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Bryce Kushmerick-McCune, M.A., is a doctoral student in Criminal Justice and Criminology at Sam Houston State University. She is affiliated with the Center for Advancing Correctional Excellence (ACE!). Her work involves qualitative research focused on incarcerated people's experiences in prisonsand jails as well as people's experience with community supervision. Her research interests include institutional corrections, prisonization and adjustment to incarceration, and societal reactions to crime and punishment.

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