Principled Agents: The Cultural Bases of Behavior in a Federal Government Bureaucracy*

John D. DiIulio, Jr.
Princeton University and the Brookings Institution

ABSTRACT

In recent years, the rational choice approach to understanding bureaucratic behavior has gained many adherents. So-called principal-agent models of bureaucratic behavior have considerable value. But they are far better at explaining why bureaucrats shirk (goof off on the job), subvert (commit acts of administrative malfeasance), or steal (use public office for private gain) than they are at explaining why bureaucrats behave as "principled agents"—workers who do not shirk, subvert, or steal on the job even when the pecuniary and other tangible incentives to refrain from these behaviors are weak or nonexistent. These workers also often perform thankless tasks, go above and beyond the call of duty, and make virtual gifts of their labor even when the rewards for behaving that way are highly uncertain at best. This article explores the cultural basis of behavior in one government agency, the Federal Bureau of Prisons (BOP). Together with what is known about other strong-culture government agencies, the case of the BOP argues for the efficacy of social, moral, and symbolic incentives in shaping bureaucratic behavior. Rational choice theorists who discount the possibility of public-spirited bureaucratic behavior are wrong, as are any who deny the capacity of agency leaders to create and sustain organizational cultures of principled agents. Future research should explore the general political, administrative, legal, and budgetary conditions under which organizational cultures of principled agents arise, persist, and change.

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I

I put my teeth in my mouth, my old badge in my pocket, and got there on the first thing smokin’.
—Retired federal prison officer who was among the retirees who rushed to the scene of a riot.

So you see, this is what you get from lousy government bureaucrats, most of whom make less than $30,000 a year—loyalty to each other, selflessness in the line of duty, and a dedication to protect the public they serve.
—Federal prison doctor who was held hostage during a riot.

The history, the pride in the seal, is a big part of why most people like working for this agency and will bust their butts to get the job done even when it’s no bed of roses, and even when, around Christmas, you feel like you’re not paid nearly enough. . . . You feel like you’re doing something important, the best it can be done, and doing it with others who feel the same.
—New federal prison warden explaining why she and her co-workers love their jobs.

It is no exaggeration to say that rational choice theorists have stood the classical theory of public administration on its head. To them, most bureaucrats behave not as public-spirited souls but as self-seeking slugs who are disposed to shirk, subvert, and steal whenever and wherever they can get away with it.

However cynical, unappealing, or tantamount to mere bureaucrat bashing it may sound, this view has an excellent theoretical pedigree and a thick empirical coat to match. It comports well with the facts of numerous case studies and lends itself to mathematical formalizations that are (depending on your taste, your math-readiness, or both) quite interesting. No competing theory of bureaucratic behavior is at once so powerful and so parsimonious.1

Indeed, rational choice theorists even have succeeded in changing the terms of much scholarly discourse about complex organizations, public and private. Drawing on the work of Nobel economist Ronald H. Coase2 and others, they have translated what generations of organizational sociologists termed "the management problem"3 into what economists call "the principal-agent problem." Arguably, little has been lost and much has been gained in the translation.

Essentially, the so-called principal-agent problem exists whenever one individual depends on the action of another. The person taking the action is called the agent; the party dependent

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on the action is called the principal. The crux of the problem is that agents often possess specialized knowledge that their principals lack, and rare are the circumstances under which principals can perfectly or costlessly monitor the agents’ actions or independently assess what agents know.

Naturally, in some principal-agent relationships the problem is minimal. For example, the fast-food hamburger customer knows whether she has gotten her same-way-every-time hamburger for the price posted. But how do patients (principals) know whether their doctors (agents) are doing what they are paying them to do? How do stockholders (principals) know whether corporate executives (agents) are doing their bidding? How do tuition-paying parents (principals) know whether college professors (agents) are on the ball?

The answer, of course, is that much of the time they do not know. In the jargon of the principal-agent model, such “informational asymmetries” open up many interesting, if rather nefarious, possibilities vis-à-vis the behavior of agents. For example, doctors out merely to line their own pockets might order unnecessary tests and visits for their unsuspecting patients. Likewise, corporate executives might juggle the books in ways that enrich themselves but rook the stockholders. And college professors might shirk duties by posting office hours but routinely cutting them short and cribbing last-minute lecture notes from outdated textbooks. (I do not speak from experience.)

For the leaders of most government bureaucracies, the problems bred by informational asymmetries supposedly are amplified by the existence of civil service personnel protections. Civil service systems make it especially difficult to detect and penalize workers who shirk, subvert, or steal on the job.\(^4\) Thus, in the rational choice logic, it follows that government bureaucracies are especially prone to attract, hire, retain, and promote persons who are highly disposed to shirk, subvert, or steal on the job. In the jargon of the principal-agent model, government bureaucracies are especially prone to "select adversely" for such people. Or, in other words, they tend to repel people who want meaningful job challenges, not just job security, and who desire extra rewards for extra efforts rather than small but certain pay increases governed by length of service or time in position.

But that is not quite the end of it. According to the principal-agent model, government bureaucrats—even those who are well meaning and public spirited—are inevitably drawn to work less hard than they are capable of working, to do no real

\(^4\)For a first-rate treatment of this reality that owes nothing to rational choice theory, see Fesler and Kettl (1991); see also Dilulio, Garvey, and Kettl (1993).
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work at all, or even to drag down the productivity of those around them. The supposed reason is that civil service personnel protections are tantamount to insurance policies that indemnify employees for such "negligent" on-the-job behavior. (A recent quip by New Jersey's former governor Thomas H. Kean makes the basic point. After leaving the governor's office, Kean became president of Drew University. Asked by a reporter to compare the two jobs, Kean stated that "they are basically the same thing. . . . I'm still working with a whole bunch of people I can't fire."

"Moral hazard" is a term that rational choice theorists have borrowed from insurance underwriters to describe certain behavior. In the jargon of the principal-agent model, when adversely selected workers exploit asymmetric information by shirking, subverting, or stealing at work they "display moral hazard."

Conceptually, the principal-agent model can be quite useful. As Terry M. Moe has observed (1984, 765-66), the politics of a democracy can be conceived as "a chain of principal-agent relationships, from the citizen to politician to bureaucrat superior to bureaucratic subordinate and on down the hierarchy of government to the lowest-level bureaucrat who actually delivers services directly to citizens." Not surprisingly, a number of political scientists have used the principal-agent model to analyze problems of democratic governance. A great deal of attention has been focused on the problem of how elected officials (principals) can know whether government bureau chiefs (agents) are doing what the lawmakers want them to do. For the most part, these studies have shown that problems of "runaway" bureaucracy are less acute than has generally been supposed; elected officials have myriad ways of tethering top-level bureaucrats to their will.

But how can top-level bureaucrats see to it that their subordinates cooperate in ways that promote agency policies, official practices, and public goals? Political scientists have not tugged very hard at this link in the democratic chain, either via principal-agent models or in other ways. There is, to be sure, a vast literature on policy implementation, but most case studies in that literature are tales of failed or faulty administration. Most of the theoretical works in it are at their best in specifying the conditions under which things go wrong.

For their part, rational choice theorists suppose that government bureaucracies are hotbeds of adverse selection, moral hazard, and other principal-agent dilemmas. Top-level bureaucrats maximize their budgets and their perks; rank and file

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bureaucrats exercise "renegade discretion" (shirk, subvert, or steal) as circumstances allow.

II

My central argument in this article is that what is captured by the rational choice approach to bureaucracy is much less interesting and important than what is missed. There are far more unassimilated data out there in the real world of public administration than the rational choice theorists allow—that is, far more in the way of documented and discoverable patterns of real world bureaucratic behavior that lie outside the theory’s considerable explanatory range than the theorists generally acknowledge.  

In particular, rational choice theories cum principal-agent models help to explain why bureaucrats shirk, subvert, and steal on the job. But they have little to say in the presence of bureaucrats who strive (work hard and go "by the book"), support (put public and organizational goals ahead of private goals), and sacrifice (go "above and beyond the call of duty") on the job. In effect, they explain why bureaucrats maximize budgets but not why they protect the public’s money as if it were their own; they explain why bureaucrats fight for turf but not why they cooperate willingly with co-workers; they explain why some bureaucrats invest in learning ways of beating the supervisory system but not why many others routinely expose themselves to grave psychological stresses and physical dangers for the sake of doing the job right.

More broadly, as Jane Mansbridge (1990, ix) has suggested, rational choice theory ends where human behavior based on "duty, love, . . . commitment to moral principles, ‘we-feeling,’ and readiness to cooperate when cooperation does not serve self-interest narrowly defined" begins. Likewise, as Steven Kelman has observed, much of human behavior, including much of bureaucratic activity, can be explained only by a view of the "wellsprings of public behavior" in which "not just personal self-interest but concern for others can motivate behavior" (Kelman 1987, 240).

Still, the explanatory limitations of rational choice theory are not inherent. Instead, they result from the simple failure of most rational choice theorists to take nonpecuniary and other intangible incentives seriously and to investigate the conditions under which it becomes rational for individuals to behave in a public-spirited manner. As James Q. Wilson (1990, 560) has noted, while "rational choice models are in principle as applicable to intangible as to tangible interests, in practice they are

*For a forthright empirical challenge to the rational choice perspective on bureaucracy, see Wilson, ed. (1980). For a more theoretical challenge to it, see March and Olson (1989).
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more easily applied—and thus more frequently used—to explain behavior on the basis of pecuniary motives. Such theories tend to understate the power of motives, such as duty or fairness, which seem at odds with any conception of immediate self-interest. . . . They rarely give full attention to interdependent utilities, and so cannot provide us with a plausible account of how the well-being of another person . . . limits the extent to which we pursue our own interests (or, conversely, induces us to act even when no interest of ours is at stake)." Likewise, as George A. Akerlof (1984, 152) has suggested, rational choice theory (and standard economic theory itself) is needlessly blind to the "at once trivial and profound" fact that people "who work for an institution . . . tend to develop sentiment for their co-workers and for that institution."

This article challenges rational choice theorists of bureaucratic behavior with the existence of what I call "principled agents"—workers who do not shirk, subvert, or steal on the job even when the pecuniary and other tangible incentives to refrain from these behaviors are weak or nonexistent, and who often perform "thankless tasks" and make virtual "gifts" of their labor even when the pecuniary and other tangible rewards for behaving that way are highly uncertain at best.

Empirically, this article spotlights a federal government bureaucracy, the Bureau of Prisons (BOP), in which principled agents are the rule, not the exception, and have been for most of the agency's sixty-three-year history. Anyone who knows even a little about the organizational history of this agency—and a little is all that can be told in this article—knows something about the social and moral dimensions of bureaucratic behavior.

Of course, no single case study, however rich, can trump a theory, however narrow.11 In and of itself, that bureaucrats in the BOP have behaved as principled agents says nothing about how, whether, or to what extent evidence of such behavior can be found in other agencies and nothing about the general conditions under which such behavior is most likely to occur.

But even in the abbreviated form that it takes in this article, the BOP case should nudge rational choice theorists of bureaucracy to be more mindful of the possibility of such behavior. Like the church-goer who was asked by a skeptical friend whether he believed in salvation through baptism, the rational choice theorist who has explored the BOP can say of altruistic and prosocial bureaucratic behavior, "Believe in it? Why, I've seen it with my own eyes."

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9The idea that some types of worker behavior can be understood as a gift to the organization is treated in Akerlof (1984, chap. 8).

10For a more detailed account see Dilulio (forthcoming).

11For a good discussion of case studies in relation to theory building and theory testing, see Eckstein (1991, chap. 5; and 1975).
By the same token, however, the BOP case should nudge critics of rational choice theory to concede that, adjusted to account for nonpecuniary incentives, the theory can account for much of the prosocial or altruistic bureaucratic behavior that interests them and can do so without rendering itself trivial, tautological, or nonfalsifiable.

III

Few of my ideas about principled agents would seem novel to Chester I. Barnard. As many scholars now recognize, Barnard’s *The Functions of the Executive* (1938) anticipates the rational choice theory of bureaucracy, transaction cost economics and many other important developments that have inched us nearer to something that might someday merit the term "organization science" (Williamson 1989, especially chap. 8). Wittingly or not, rational choice theorists of bureaucracy have taken over a great deal from Barnard’s discussion of the "economy of incentives." Generally speaking, however, they have missed his crucial points about the efficacy of social and moral rewards in building and sustaining what are now generally referred to as "strong-culture organizations."12 As Barbara Levitt and James G. March have observed:

In modern terms, Barnard proposed that an executive create and sustain a culture of beliefs and values that would support cooperation. The appeal is not to exchanges—Pareto optimality, or the search for incentive schemes; it is to the construction of a moral order in which individual participants act in the name of the institution . . . because they identify with the institution and are prepared to sacrifice some aspects of themselves for it (Levitt and March 1989, 13; see also Pfeffer 1989, 72-74).

Barnard defined the "moral factor" in strong-culture organization as "the process of inculcating points of view, fundamental attitudes, loyalties, to the organization . . . that will result in subordinating individual interest . . . to the good of the cooperative whole (Barnard 1938, 72-74)." Strong-culture organizations possess what other scholars have variously labelled "sense of mission," "character," "distinctive competence," "essence," and "reputation."13 These terms mean more than worker solidarity or high morale. Rather, they mean that workers share "a strong belief in the rightness of their tasks, [and] . . . an attachment to a distinctive way of doing things (Wilson 1978, 13-14). They denote that workers share "expectations about when cooperation and teamwork are appropriate and how they are to be reciprocated and rewarded in the long-run" (Miller 1990, 346). In short, they are ways of characterizing organizations in which the behavior of workers is predicated more on social and moral rewards than on any narrow definition or calculation of self-interest.

12For a concise overview of the topic, see Bass (1981); see also Shafritz and Ott (1992, 481-534).


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The next three sections of this article offer epitomizing examples of principled agents at work within the BOP, a strong-culture organization with "family" traditions. The concluding section briefly sketches some ideas about how organizational leaders, even those who lead in the ostensibly infertile soils of government bureaucracies, can reap cultures of principled agents.

IV

On November 21, 1987, the Federal Detention Center (FDC) in Oakdale, Louisiana had a major disturbance, followed two days later by a disturbance at the United States Penitentiary (USP) in Atlanta, Georgia. The FDC-Oakdale disturbance lasted eight days; the USP-Atlanta disturbance went on for eleven. All told, 138 hostages were taken, several mass escape attempts were made, $64.6 million in government property was destroyed, and another $48.9 million was spent to quell the uprisings and to relocate the rioters, virtually all of whom were Cuban criminals who came to the United States in the 1980 "Mariel boatlift."\(^\text{14}\)

The drama at Oakdale and Atlanta made national and international headlines. But for the 1,717 dues-paying members of the Federal Prison Retirees Association, the drama was intensely personal. They telephoned one another, gathered together, and remained glued to their radios and television sets for the latest news on the riots. Some retirees squeezed into their old uniforms in a symbolic show of support. A contingent of retirees even rushed to the scene. As one retiree proudly recounted, "I put my teeth in my mouth, my old badge in my pocket, and got there on the first thing smokin'."

The federal prison retirees cared deeply about the fate of both FDC-Oakdale and USP-Atlanta, "our institutions" or "my institutions" as they reflexively called them. But the prayers they whispered for USP-Atlanta were longer and more fervent than the ones they whispered for FDC-Oakdale. Opened in 1902, USP-Atlanta remained one of the BOP’s flagship high-security prisons. Over the years, tens of thousands of BOP employees had worked inside the imposing structure at the junction of Boulevard and McDonough Streets in the southeast corner of Atlanta, a twenty-eight acre walled compound dotted by eleven guard towers. Most BOP employees, active and retired, who had not "worked Atlanta" themselves knew and cared about someone who had.

Together with USP-Lewisberg in Pennsylvania and USP-Leavenworth in Kansas, USP-Atlanta was one of three great

\(^{14}\)During the so-called Mariel boatlift, some 125,000 Cuban refugees sailed to the United States. The Immigration and Naturalization Service (INS) detained and screened them. The vast majority were admitted into the country by the INS. But the INS found several thousand of them unfit for immediate admission due to mental illness or criminal records. Initially, the detainees were held at INS detention centers and fourteen different BOP facilities. In order to develop programs for this unique class of prisoners, the BOP consolidated its Cuban detainees in USP-Atlanta in 1981. By 1986, however, crowding at USP-Atlanta had become acute, and so the BOP began transferring Cuban detainees who had been approved for eventual release to FDC-Oakdale. At the time of the riots, USP-Atlanta housed some 1,400 Cuban detainees and FDC-Oakdale housed about 1,000.

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federal "big houses" that held much of the administrative history and lore prized by BOP employees. Thus, as word spread of the disturbance at USP-Atlanta, one BOP retiree stated, "To have to ask 'Is Atlanta burning?' is just terrible. Nobody wants to believe it. We've all experienced [other riots and disturbances]. Everybody understands that things will jump off every now and then. Still, when it happens at Atlanta, that hits home with us—hard."

In the same spirit, a BOP junior correctional officer, who was on the scene when USP-Atlanta erupted, remarked, "I haven't been with the BOP very long, but I know what this means. It's not just about a loss of control, or bad publicity, or who's gonna' get the blame. You know, everybody knows—including those inmates—we'll get the place back. But it's sort of like watching the flag burn or something. It's especially that way for the guys who've been with the outfit for years, most especially those old homesteaders." You can just see it in their faces." With trepidation marked by a nervous glance about him to see if anyone else was within earshot, the young officer added, "Hell, I saw a lot of important BOP folks crying out there the other day."

During the disturbances at FDC-Oakdale and USP-Atlanta, much of the behavior of the BOP employees was impressive, but unremarkable, and appropriately predictable. From the BOP director's office in Washington, D.C., to the five regional headquarters, to the wardens' offices at the besieged facilities, to the senior and junior correctional officers on the line, they behaved in accordance with the letter of established agency and Justice Department policies and improvised in the spirit of these policies as necessary. Thus they secured the perimeters of the facilities; gathered intelligence; negotiated with the hostage takers; made contingency plans; briefed the press; and readied their well-trained special operations response teams. Under the auspices of the Justice Department's newly-formed crisis management justice command center, they coordinated their efforts with agents of the Federal Bureau of Investigation, the U.S. Marshalls Service, and the INS.

But much behavior of the BOP employees was both remarkable and, even to one with an incipient sense of the agency's "family" traditions, quite surprising. BOP officers reached inside their flak jackets to pull out some cash for the families of the hostages. Middle-aged, gun-toting secretaries stood watch on the perimeters with uniformed officers, administrators, and counselors. Union representatives put aside outstanding disputes until the trouble had passed.

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Commenting on what he described as the "way beyond the call of official duty" efforts made by his BOP colleagues in resolving the disturbances, one former hostage remarked, "So you see, this is what you get from lousy government bureaucrats, most of whom make less than $30,000 a year—loyalty to each other, selflessness in the line of duty, and a dedication to protect the public they serve." He might have added commitment to the rule of law. Contrary to the typical postriot experiences of many state and local prison and jail systems, in the wake of the disturbances at Oakdale and USP-Atlanta, not one act of extralegal vengeance was taken by a BOP correctional officer against a rioter. As the former hostage stated about this aspect of how the incidents were resolved, "I was relieved that it was all over. Naturally, though, you want blood. You want it for yourself and for what your family, friends, and co-workers suffered... and you want to send a clear message to inmates. The cameras weren't everywhere. The central office people, the regional brass, went home. But they [the BOP line staff] didn't do any rough stuff, and they honored everyone that way."

The fires at USP-Atlanta started on the watch of veteran BOP warden Joe Petrovsky. The moment the flames were squelched and the detainees removed, Petrovsky and his prison staff set about the task of rebuilding the facility. Their seriousness of purpose in executing the repair and reopening of USP-Atlanta was astounding. Touring through the knee-deep wreckage in the famous E-block, Petrovsky stated, "It looks bad. It's a big job. But we're going to rebuild every inch of it, and we're going to do it faster and better and cheaper than you can believe. We've set deadlines for rebuilding that everyone says are impossible—so we'll do better than impossible." Standing on one of the mighty ledges that line the front of the building, he added, "It's amazing. When's the last time anyone stood here? When the place was built, maybe? This prison hasn't been quiet for decades and decades, not since the first 350 inmates arrived in 1902. It won't be quiet for long, I can promise you that. We're going to put this thing behind us, rebuild, and run it safer, cleaner, and better than ever."

It was a promise that Petrovsky and his staff worked tirelessly to keep. "It probably seems a little crazy to you," said one of his senior staff, "but we've got something to prove to ourselves and to the rest of the Bureau." An administrator at the minimum-security prison camp on the grounds of USP-Atlanta insisted, "We can do whatever we need to, and do it well. That's our feeling." An assistant to the warden observed, "I've been to other prisons [in state and local systems]. They lack the ethos,
The basic ideas we have about keeping inmates safe, keeping the place clean, keeping the programs going... Other prison systems don’t seem to give a damn. Is that it? They don’t care. Well, we do. We care like you wouldn’t believe."

Where the frenzied reconstruction of USP-Atlanta was concerned, this proved to be no empty rhetoric. Indeed, at the 1988 BOP wardens’ conference held in Jekyll Island, Georgia, the USP-Atlanta official who managed the facility’s reconstruction won the agency’s first annual Norman A. Carlson award, given for exceptional managerial performance and named for the man who directed the agency from 1970 until 1987.

At the same conference, the wardens, including Petrovsky, held frank discussions about the lessons of the disturbances, lessons that were summarized in the BOP’s exceptionally forthcoming and self-critical report to the attorney general. At times, the discussions were punctuated by intense disagreements among the wardens about what went wrong at FDC-Oakdale and USP-Atlanta and what security management and other lessons to draw from the incidents. "You’ve heard the BOP is a family organization," remarked one warden, "so welcome to family feud." Over dinners, wardens who had had heated disagreements with each other about the riots talked in a friendly way about sports, vacations, and other unofficial business. When these informal conversations drifted back to the riots (as they so often did), the mood was normally consensual, relaxed, and even jocular. "Atlanta had a problem?" joked one warden, "I thought it was just Joe throwing a barbecue for hundreds." Several wardens dubbed USP-Atlanta "Joe’s charcoal pit."

But these informal conversations always seemed to end on a serious note. Surrounded by several of his peers, one warden (the one who had joked about the barbecue) volunteered, "You see, when something happens in any organization, you can always find a scapegoat. But we don’t want scapegoats. We want excellence. We want the director, the Congress, the attorney general on behalf of the president, and the public at large to be proud of federal prisons. But above it all, we want to be proud of ourselves, from top to bottom—the director, these wardens, the officers out there on the line everyday. We want to get the job done."

As any veteran corrections official will tell you, perhaps the best way to smoke out a penological greenhorn is to ask him or her to describe the everyday administrative routine inside a

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16See U.S. Dept. of Justice (1988). This report was prepared by an oversight committee selected by the BOP. Its members were Ray Brown, director of the National Institute of Corrections; Gilbert Ingram, assistant director of the BOP’s correctional programs division; and Clair Cripe, BOP’s long-time general counsel, who drafted most of the report. Warden Petrovsky and FDC-Oakdale’s warden, J.R. Johnson, offered candid public interviews after the riots; see Millard (1988, 16-17, 20, 102). A thoughtful summary of the report is contained in the six-page letter, dated 29 April 1988, from acting assistant attorney general, Thomas M. Boyd, to Robert W. Kastenmeier, U.S. House of Representatives. The latter was chair of the Subcommittee on Courts, Civil Liberties, and the Administration of Justice, the chief congressional oversight committee for the BOP.
prison and to guess how much that routine varies from one prison to the next. If he or she describes a predictable custodial routine of counting, locking, monitoring inmate movement, frisking inmates, controlling contraband, and serving meals, and if he or she guesses that this routine varies little from one prison to the next, then, to mix colors without mixing metaphors, the penological greenhorn has been caught red-handed.

In most prisons, the daily administrative routine is not purely custodial, and there are enormous intrasystem variations in how prisons, even high-security prisons, operate. A rather well-known illustration is the difference between the California Men’s Colony (CMC), located in San Luis Obispo, and the Correctional Training Facility, located in Soledad. In the parlance of the California Department of Corrections, for years both CMC and Soledad were "level-3" facilities for maximum-security felons. In the 1960s and 1970s, several violent disorders, and the publication of a much acclaimed book by Soledad prisoner George Jackson, brought Soledad to national attention. But before, during, and after that time, Soledad’s administrative regime remained distinct from CMC’s. The former was a loose, weakly bureaucratized operation and the latter was a tight, highly bureaucratized operation. This was reflected in everything from how (or whether) inmate grievances were handled, to how (or whether) new departmental security policies were implemented, to how (and how frequently and on what terms) prisoners and staff interacted. The penological consequences of the administrative difference were interesting in their own right. (CMC had less violence, more programs, and spent less per inmate than Soledad.)

The important point for us is the administrative difference itself. The administrative life of the California prison system, and of most other prison systems, long has been defined by such operational variations. Indeed, even within a single high-security prison, the administrative routine often varies greatly (depending on which line supervisors are on duty) and from cellblock to cellblock (depending on who the officers in charge happen to be).

How many counts of the inmate population are made within a given period; whether inmates are permitted to move freely from one area of the prison to another; whether prisoners are given second helpings at breakfast, lunch, or dinner; how the tools in the prison industry are stored; whether and how long inmates are allowed to recreate in the gym, watch television, go to religious services, hang out in the prison yard, or sit in the prison library; how inmates address staff and how staff address inmates; how disruptions and emergency situations are handled; what counts as a major versus a minor disciplinary infraction—all of this and

For an overview, see Dilulio (1987, 153-59).

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much more varies widely, not only between one prison system and the next, or between two identically classified prisons within a single prison system, but within a given prison in the course of a few typical days or weeks, or from one afternoon shift to the next, or even on the watch of a single shift.

As even a penological greenhorn would correctly suppose, such variations have been less common and less pronounced in prison systems that have clung to custody-centered administrative regimes. The Texas Department of Corrections (TDC) furnishes one classic example. In the 1960s, when most other prison systems, including the BOP, were reorganizing in ways that deemphasized paramilitary bureaucratic controls, TDC was reinvigorating its paramilitary bureaucratic regime. Thus as late as the mid-1980s, if you had seen one TDC high-security operation, then, figuratively speaking, you had seen them all. Eventually, however, a number of external political and legal shocks to the system, incidents of corruption within it, and the rise of a new leadership cadre from outside it forced major changes in the way TDC administered its prisons and brought in their wake the sort of operational variations that have long defined other prison systems.18

Historically, the BOP did not cling to a custody-centered administrative regime. To the contrary, with the California prison system, the BOP was a progressive system that led the nation in demilitarizing prison operations. It is interesting, however, that it did so without giving rise to the sort of operational variations that have marked prison administration in California and most other places. As a BOP regional administrator who had worked in the California prison system observed, "CDC and BOP are two big, fine systems. Unlike Texas, they've both always done lots more than just warehouse people, and they both have very complex administrations. But in the BOP you just don't see the kinds of marked operating differences from one facility to the next that you get in California. I don't know why that is, but I know it's something that really jumped out at me when I first came aboard here." By the same token, a BOP correctional officer who had worked in the Texas prison system observed, "It's one thing to run them all the same when running them just means making the convicts march around, 'yes boss' you, and do stoop labor under the gun. But it's a horse of a different color when you've got all these different things going on besides just the old 'keep 'em alive and keep 'em inside' type military drill, and all those different federal rules and regulations to follow. But what works works. [To be honest] the BOP runs tighter than TDC ever did, and you just plain don't get as much hippity-hop in how things

18For accounts of this change, see Dilulio (1990, chaps. 2, 3, and 4).
get done from one joint to the next in the BOP as you did in TDC, even in [TDC’s] heyday."

Both former state prison workers knew of what they spoke. The operational uniformities among BOP facilities have been strikingly and surprisingly deep, at least to the outside administrative observer schooled in the ways of most other prison systems. Most BOP workers, active and retired, have taken for granted the uniformities within the system. "If you see the BOP shield on the front gate," said one warden, "then whether it’s Talladega, Memphis, or Bastrop, you know how things run inside. That uniformity is no big deal. It’s just expected." After patiently answering a string of my questions, designed to test both his awareness of these uniformities and his sense of the reasons for them, one especially good-humored BOP regional office administrator turned the tables on the interviewer with this revealing jest, "So, John, let me sum it all up for you. The architecture of our prisons varies greatly, from the old fortress type institutions to the college campus-style facilities. And, you know, it’s colder in Duluth, Minnesota, than it is in Los Angeles, California. But, if we’re talking about prisons at the same security level, then the administrative basics are all the same. Of course we do it the same way everywhere! Now, but why is that? I’ll tell you the secret. It’s because the BOP clones its people! You see, we’re all descended from the same one Alcatraz guard; and, besides, don’t Lewisberg, Leavenworth, and Lompoc all begin with ‘L’?"

Administrative Alliteration in Three Prisons

They do indeed, and to have witnessed operations in the United States Penitentiaries in Lewisberg, Leavenworth, and Lompoc is to have witnessed a form of administrative alliteration. Each of these BOP prisons is a high-security facility for males. Each holds maximum-custody inmates, most of whom are violent offenders, repeat offenders, or violent repeat offenders. By 1990, the inmate population of each had climbed to about 1,500, each had become crowded, and each had a staff of about 500. But the operational uniformities among these three facilities run deeper and wider than these superficial likenesses would lead one to expect.

Opened in 1932, just two years after the BOP started, USP-Lewisberg is located in rural Pennsylvania, about 170 miles from Philadelphia. USP-Leavenworth is located about 25 miles north of Kansas City, Kansas. It opened in 1906 and was the site of the first federal prison. USP-Lompoc (pronounced like cowpoke) is a

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19At this point in the discussion, he got up, tip-toed detective-like to his office door, and closed it.

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comparative newcomer. Acquired by the BOP in 1959 from the U.S. Army, it operated as a federal correctional institution (FCI) until 1981, when it was redesignated as a U.S. penitentiary. It is located some 175 miles northwest of Los Angeles on grounds adjacent to Vandenberg Air Force Base.

Each of these prisons has had its own institutional symbols and boasts. USP-Lewisberg’s imposing central tower has been captured on license plates, tee shirts, and other items that proclaim it "The Big House"; its motto is "Serving Law Enforcement and Community With Pride." USP-Leavenworth has long had buffalo roaming its grounds as institutional mascots; known as "The Big Top," the standard cover of its official monthly publication for staff displayed a sketch of the magnificent structure and the words "Leavenworth Pride: Proud of where we have been. Proud of where we are. Proud of where we are going. Pride in a job well done." No buffalo roam USP-Lompoc, and its late conversion to penitentiary status prevents any claims about its being a true "big house." Instead, the standard cover of its "Sea Breeze" administrative bulletins for staff has featured a sketch of a rocket taking off from Vandenberg Air Force Base, evoking a high-tech image of what its various institutional publications have repeatedly noted is "the only Level-V institution west of Leavenworth."

In the late 1980s, as during most of their respective histories, each prison was headed by a strong warden with a distinctive style. USP-Lewisberg was headed by Patrick Keohane. As is true for scores of others who have worked for the BOP, part of Keohane’s "BOP family" involves blood ties. His father, Thomas Keohane, Sr., was a BOP lieutenant who started his career in 1938 as a USP-Lewisberg correctional officer. His brother, Thomas Keohane, Jr., was a BOP warden at FCI-Miami and USP-Terre Haute; his other brother, Timothy Keohane, was a BOP warden at eight different facilities. Within the BOP, and within USP-Lewisberg, Patrick Keohane has been known as a no-nonsense administrator, but one who has a friendly, engaging, down-to-earth style.

USP-Leavenworth’s warden, Robert Matthews, was no "bureau brat." He came to the BOP with nothing like Keohane’s personal attachments to the agency. Instead, he was one of the first African-Americans to move up through the BOP ranks and the very first to lead USP-Leavenworth. Those in the BOP who have worked with him describe Matthews as an archetypal professional manager, one who goes "by the book," and, in the words of one officer, "is approachable but always beyond reproach."

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USP-Lompoc’s warden, Richard Rison, was neither a member of a distinguished BOP family nor a trailblazer in diversifying the agency’s leadership ranks. But Rison was easily one of the most intellectual and innovative wardens that facility had ever known. For example, in 1986 he wrote a research paper entitled "The Prison Warden and Participation in Organizational Life." The paper, which he completed for an advanced course in public administration at the University of Southern California, analyzed how staff at FCI-Terminal Island perceived their warden’s management style and argued strongly in favor of participative management. Both in this paper and on his feet in open-ended conversations, Rison demonstrated a command of the academic literature on prisons, including major theoretical treatises.

Thus in the late 1980s, USPs-Lewisberg, Leavenworth, and Lompoc had diverse leaders in their respective wardens’ chairs, and each maintained the particular institution’s traditions. Despite these differences, and despite the other differences that one could easily enumerate (physical distance from BOP central office, architecture and physical plant, nature and extent of prison industry operations, accreditation status), the operational uniformities across them were profound.

Three examples, each drawn from an area of prison administration where administrative variations are common and would be expected, should suffice to illustrate the centripetal character of operations across the three facilities: the warden’s administrative behavior; the administration of unit management; and the administration of disciplinary actions against inmates.

The Warden’s Administrative Behavior: "Walking and Talking"

In the BOP, as in most prison systems, the warden is responsible for everything that happens inside his or her facility—everything. Both by formal BOP policy and by general correctional custom, the warden is "captain of the ship." He or she has a role in every function and facet of institutional management. A small sample of the warden’s responsibilities might include overseeing inmate admissions and orientation programs; training, retaining, and promoting staff; negotiating contracts with correctional officer union representatives; structuring educational programs (GED, college, prison library, vocational training); organizing a number of different inmate services (food, laundry, commissary, recreation, pastoral, visiting); evaluating and maintaining the physical plant (functioning locks, computerized monitoring systems, fire safety equipment); keeping tabs on

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prison industry operations; directing the prison’s medical and mental health operations; handling inmate grievances; adjudicating rule violations by inmates; getting forms and other paper (policy directives, administrative bulletins) to flow up, down, and across the chain of command; and interfacing with police, court, and parole and other law enforcement officials.

In many prison systems, including the BOP, the warden is also formally charged and informally expected to be a "Mr. or Ms. Outside" as well. Among other activities, as the CEO of what in many places is the largest single employer in the local economy, he or she interacts with local political officials; establishes contacts with community groups (Lions Club, Rotary Club, Jaycees); does interviews with the press; gives talks at local schools; and authorizes visits by judges, extradepartmental researchers, reporters, foreign dignitaries, and others (and sometimes personally conducts the tours). Also, as one BOP warden reminded me, "We’re open twenty-four hours a day, seven days a week, every week of the year."

Given this welter of internal and external responsibilities, wardens inevitably exercise a great deal of discretion in deciding what they actually do and how they actually do it. No one could immerse himself or herself in any subset of these demanding duties and still have time for the rest, not even a workaholic warden who spends little time with family and friends and who sleeps little.

It is not surprising, therefore, that in most prison systems, wardens vary greatly in what they actually do and how they actually do it. Some wardens emphasize custody; others focus more or less exclusively on inmate programs. Some wardens turn over the administration of basic inmate services (food, laundry) to their aides; others make it a priority. Some wardens love to push paper and spend most of a typical workday doing just that; others complain bitterly about "iron bars of paperwork," and let their aides "fill in the blanks." Some wardens covet and cultivate external ties; others consider "outsiders" a nuisance, minimize extrainstitutional contacts, and accept visits only when pressured to do so by higher authorities. Not surprisingly, in most prison systems, where a warden falls on these various administrative continua is determined largely by his or her individual personality, background, self-image, previous work experience, management style, and preferences (Dilulio 1987, 139-64).

In the BOP, however, which has as many differences among its wardens as do other prison systems, the wardens all actually do much the same things in much the same ways. BOP wardens

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are not superhuman; they do not perform each responsibility to the hilt. Rather, BOP wardens routinely choose the same items from the long and diverse menu of the warden’s responsibilities. They emphasize many of the same functions, act on them in much the same way, and rationalize their administrative modus operandi in much the same terms. And they do so not because they have identical readings of relevant central office policies and procedures (although often they do), but because they have very similar ideas about the "right way" to run a prison, and a shared commitment to running it "right." The administrative behavior of BOP Wardens Keohane, Matthews, and Rison furnishes a typical case in point.

Nowhere, for example, in any official BOP policy directive, procedures manual, or training document does it specify that the agency’s wardens are required to "stand on line" in the prison dining hall, that is, to stand near the inmate food line, usually by the side of the line closest to the doors, at least once each day. Nowhere does any directive tell wardens that observing inmates during meal periods, talking informally to them on their way in or out of the dining hall—and using these interactions as a way of maintaining a high profile among staff and inmates—gathering scraps of intelligence, and "smelling problems while smelling food" is either necessary or desired procedure. But Wardens Keohane, Matthews, and Rison routinely stand on line, and so do their peers throughout the agency.

They also routinely "walk and talk," that is, get out of their offices and into the prisons’ cellblocks, hospital units, visiting rooms, recreation areas or gyms, yards, and all other nooks and crannies of the facilities, including, on some occasions, the gun towers. As they move about the facilities, they pause to talk to staff about this or that policy, procedure, or particular problem; they pause to entertain questions and complaints from inmates; they make small talk with both staff and inmates and issue everything from general greetings (Hello, how are you doing today?) to birthday wishes to particular staff and inmates.

Although official BOP policy and training doctrine make a mantra of "good communications" among and between inmates and staff, they do not mandate walking and talking. Just the same, it has been a universal administrative practice among wardens in the BOP. Echoing the view expressed by dozens of his peers, including Wardens Keohane, Matthews, and Rison, a warden who was within months of retirement explained, "Official BOP policy doesn’t say we have to do it. But anybody who gets to be a warden in this outfit knows it’s right, and knows it’s just

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expected. A warden who doesn’t walk and talk is about as bad as a warden who lets his walls crumble, lets his staff steal, lets his inmates riot and hangs out a sign that says "Escapes right this way."

A rare BOP warden who was widely known among his peers to not follow the walking and talking norm (and to be only in partial compliance with several other agency administrative norms) was the butt of several semifriendly jokes and pointed remarks. As one warden said, "That son of a bitch thinks he has x-ray vision, he truly does. He thinks he can see through the walls of his office what’s going on out there. He thinks the goddamn Washington, D.C., and regional office policy manuals are like on automatic pilot. He thinks he can let staff run it for him. I hate to say so, but he’s bound to come to grief." This hidebound warden did "come to grief"; he presided over personnel rifts and inmate disorders at several facilities and retired earlier than most BOP wardens do. The reasons for his difficulties were by no means clearly related to his hidebound administration or to his being at variance with other BOP operational norms. But none of his peers would concede as much. "He didn’t do things the right way," said a young warden who had worked under him, "so things just didn’t run the way they should."

Wardens Keohane, Matthews, and Rison each were administrative paradigms of the walking and talking BOP warden. For Keohane, this behavior was a natural outgrowth of both his hands-on interpersonal style and his family-bred sense of the proper way to run a prison. "I just couldn’t imagine doing it any other way," he said. "I know they do it differently in other systems; I’ve seen it. But I still can’t imagine it!"

For Matthews, this behavior was a defining feature of what it meant to be, in his words, "a professional manager in corrections today." The practice was second nature to two of the BOP officials he viewed as role models—J.D. Williams, the first African-American to be warden of USP-Terre Haute, and George Wilkinson, a former BOP warden Matthews described as "conservative," but one who "woudn’t permit any staff misconduct or any brutalizing of inmates. He got around inside more than anyone I’ve seen. He’d check out and follow up on everything. He’d write down an inmate’s name and investigate the inmate’s problem. I do it, too, just like you’ve seen me do."

According to Rison, this behavior was in keeping with an intellectual and moral conviction, bred both by his own experiences and his academic researches, that "being out in the units,

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communicating directly with inmates and staff, utilizing the talents of your staff at all levels and in all areas of the operation to the fullest, is the essence of good management. It’s part of a warden’s ethical duty, too; and, it’s simply the right way to go."

Although they were true believers in the approach, Wardens Keohane, Matthews, and Rison were not Pollyannish about the advantages of walking and talking or the least bit hesitant to express the administrative tradeoffs it entailed. Each was quick to say that the approach was not a form of management magic. "It can’t," said Keohane, "make violent inmates disappear or put you on to every problem with staff." Rison described it as "optimal," given the "many different demands on a warden." Matthews noted that it "sometimes gets you way behind in your paperwork. That it will!" But no one had any doubt about the wisdom or the propriety of allocating time and effort in this way, and each routinely practiced what he passionately preached.

By the same token, their respective administrative superiors in the regional offices were as one in stating that they expected walking and talking from their wardens. "It’s a juggling act, but that’s got to be the heart of what they do," said a top administrator in the northeast region. "You know when I worry?" asked a top official in the central region, "I worry when I call and get the warden on the phone right away three times in a row. That means maybe he’s spending too much time behind his desk and not enough time standing on line, talking to inmates and staff, seeing things and being seen." A top western region administrator observed, "There’s no end to the demands on a warden’s time. There are lots of people who could perform this or that part of the task. But it’s rare to find people who can keep to what’s central—getting out into those units—and do all the rest as well." Indeed, the regional administrators themselves took whatever opportunities they had to get away from the office and spend time in the facilities. "We don’t just go over paper with the warden in the front office on these visits," said one regional administrator, "we get out and walk and talk ourselves."

In this regard, both the wardens and the regional administrators were thinking and acting precisely as the leaders of the agency in Washington wished and expected them to think and act. "I’d be surprised," said former BOP director Carlson, "if you found many wardens out there who didn’t understand the importance of walking and talking, or whatever one might call it. It’s drummed into you fairly early in your career." Shortly after taking office, BOP director Quinlan echoed Carlson on this subject, "Our wardens know it’s crucial. If it’s not official policy,
it's something every bit as important and influential, a part of our shared administrative culture. No matter what other changes we may undergo, that approach will never change. It's fundamental to our shared sense of what it takes to run a good operation. We simply believe in it."

BOP leaders in the regional and central offices also share a belief that, just as a warden walks and talks on the inside, he or she must work to cultivate good relations with key people on the outside. Corrections officials are notoriously guarded about granting access to outsiders. By and large, the types of people who are good at running secure facilities are not naturally prone to practice the political arts. Thus, as one newly minted BOP warden stated, "Asking a warden to be some sort of community relations wiz is kind of like asking a slugger to box; you can do it, but it doesn't come easy." Or as one veteran BOP warden observed, "Walking and talking, whether it comes natural to you or not, is going to be an administrative reflex for most wardens within three months on the job. But getting out and dealing with community leaders and such, that is something that some just never quite get used to and that some don't like."

Just the same, within the BOP, wardens have made external relations a priority in their day-to-day administrative lives, and they have emphasized that role more strongly when called upon to do so by their administrative superiors. For example, in a June 14, 1988, memorandum on strategic planning, BOP director Quinlan ordered the wardens to "increase involvement in the local community through professional organizations, civic groups, editorial boards, etc." Within three months of this directive, the level of these activities at USPs Lewisberg, Leavenworth, and Lompoc increased, just as it did at virtually all other BOP facilities. As Quinlan and his executive staff continued to emphasize the external relations function, the wardens responded with such uniform vigor that by 1990 the pages of the agency's national newsletter, Monday Morning Highlights, were crowded with tidbits about wardens and their staffs participating in scores of community events—drug-abuse programs; safe driving campaigns; charity drives; athletic contests; programs for foreign dignitaries; and many more. All such activities impose extra burdens not only on wardens but on the entire prison staff. By and large these burdens are accepted cheerfully by all. "It's an add-on, but it's part of your duty," observed one warden, "so you might as well make the most of it." Similarly, a newly minted correctional officer noted, "During your institution familiarization training, they tell you that you'll be expected to get involved in some of the warden's community relations initiatives. I don't mind. Most of it's just a few hours, and most of it's fun."

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It would be difficult to measure with any precision the success of such community relations efforts. Still, walking and talking on the outside would seem to have its rewards. For example, FCI-Bastrop has advertized itself as "a community asset," the "second largest employer in Bastrop County," and a source of many community services. USP-Terre Haute won a commendation from the city’s streets commissioner for lending manpower to the town’s "brush-up campaign." And no one in the BOP was surprised or displeased when the mayor’s office and the city council designated June 11, 1991, as Warden John C. Gluch Day in Milan, Michigan, and issued a proclamation touting his facility’s constructive role in the local community.

The Administration of Unit Management: "No Ifs, Ands, or Cigarette Butts!"

When BOP wardens go walking and talking behind the walls, they may start or finish in any area of the prison, and they may or may not "hit" the gym, the gun towers, or the kitchen on each venture. But they almost never miss the inmates’ housing areas. Since the early 1970s, the administration of BOP facilities has been built around unit management. Under unit management, a prison is divided into physically and administratively distinct housing units that generally hold between 50 and 250 inmates. Each unit is the responsibility of a specific team of staff members. The staff usually have their offices in the units where the inmates live. Ordinarily, the unit staff consists of a unit manager who is responsible for overall unit operations and one or more case managers. Although it overstates their authority somewhat, unit managers often have been characterized as miniwardens. The case managers handle inmate classification, release, and other functions. One or more correctional counselors and one or more correctional officers work with the unit manager and case managers and are responsible for a variety of custodial and other functions. Finally, a unit typically has one or more secretaries who provide clerical support, and a teacher, psychologist, or other specialist assigned on a full- or part-time basis, depending on the mission of the unit.

The BOP pioneered unit management. Given the historic divide in corrections between treatment and custodial staff, unit-based team management was a bold idea. Many prison and jail systems, however, followed the BOP’s lead and instituted unit management systems of their own, aided in several cases by technical assistance from the BOP. While no thorough empirical assessments of the penological efficacy of unit management exist, most available evidence, systematic and anecdotal, suggests that,
other things being equal, it makes for safer, more programmatic, and less costly operations.\textsuperscript{20} While there are competing views about the degree to which the team-oriented precepts of unit management have actually been followed in the BOP and other systems that have waved this administrative flag, even the weakest forms of unit management are easily distinguishable from traditional, custody centered, command-and-control forms of penal administration.

Unit management definitely has existed within the BOP and has been administered in much the same way from prison to prison within the agency. Staff at all levels have been great boosters of the approach. The way it has been administered in the field has strongly conformed not only to official agency policy but to the expectations and preferences of agency leaders in the regional offices and in Washington.

USPs Lewisberg, Leavenworth, and Lompoc have been typical in this regard. In each prison it has been common for the unit classification teams to meet with inmates within a day or two of their commitment or transfer to the penitentiary; to discuss with inmates the results of any tests or examinations administered during their admission and orientation period; to render a complete classification of inmates within thirty days of their arrival in the unit; to assign inmates jobs, school, vocational training, counseling, drug abuse programs, or other programs and activities in accordance with official agency guidelines; and, with unit case managers in the pivotal role, to monitor inmates' progress, handle their personal (most often family-related) problems, guide them in the development of a release plan, and manage the often voluminous paper flow on each inmate to the U.S. Parole Commission and other bodies. "We do unit management by the book," quipped one senior correctional officer, "and we all read the same book."

More revealing, however, is the fact that unit management within the BOP has been the vehicle for achieving goals that, strictly speaking, are not in "the book," but that do figure prominently among the agency's operational norms. For example, unit management is inextricably linked to the agency's near fanatical emphasis on sanitation. The BOP is famous for the cleanliness of its facilities. It boasts what one agency retiree dubbed "see-yourself-in-the-shine" sanitation standards. If there were a white-glove award for prisons, the BOP would have won it most years. Sanitation is stressed in the agency's policy manuals, but the actual sanitation expectations of BOP officials exceed those mandated in official edicts, and everyone in the

\textsuperscript{20}For a brief account of how it improved part of a troubled jail system, see Dilulio (1991, 17-19). There is, however, some nontrivial contrary evidence, including the case of the BOP itself; for example, see Janus, \textit{Functional Unit Management}, undated.

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agency, from the regional administrators and the wardens to the unit managers and the junior correctional officers, knows it.

Unit management was introduced into the agency by former BOP director Carlson, whose strong belief in the importance of keeping the institutions spic-and-span has become part of agency lore. Echoing the comments of scores of senior administrators who worked under Carlson, one warden noted, "Norm believed in sanitation and in a spit-and-polish appearance for employees. He didn’t have to persuade any of us that good sanitation contributes to an orderly, professional operation and to a positive image of the BOP with visitors and the press. But he took it pretty damn far. God forbid if Norm found a cigarette butt on your floor. God forbid if he saw dirty window glass, litter on the floor, or dull, unpolished, messy offices. As we used to say, 'With Norm, no ifs, ands, or cigarette butts.'"

Whatever else it has accomplished, from its earliest days unit management was understood as a means of achieving what one BOP research analyst styled "the big Norm norm" of keeping the inmate living quarters as clean and neat as possible. "Don’t get me wrong," said one long-time unit manager, "I’m all for the concept. It works. But the unit manager isn’t a miniwarden so much as he’s a glorified sanitation engineer. But that’s OK, because sanitation matters as much as anything."

Indeed, this "Norm norm" has been widely shared and internalized by employees throughout the Bureau. Wardens Keohane, Matthews, and Rison each attested to the importance of maintaining the highest possible sanitation standards and spoke of the special responsibility unit management teams have for making the cleanliness grade. "You won’t see the pig sty conditions in our units that you’ve probably seen in other prison systems," observed Warden Keohane, "you just won’t. Soap and water are cheap." "I expect the unit workers to do everything they’re supposed to do with and for the inmates," noted Warden Matthews, "and to keep the place very clean, too." Warden Rison stated, "We’re all proud of what we do here, and keeping the units clean is a significant part of that."

Of course, unit management as it is practiced throughout the BOP also has had other real or perceived advantages. One BOP regional administrator who had served as a case manager in several penitentiaries remarked, "The unit concept works because everyone’s dedicated to it, and because you have interchangeable parts. One unit to the next, the routine and division of responsibilities are basically identical and, however they may feel at first,

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people get used to working as a team." Another regional administrator noted that unit management does not eliminate the tensions between treatment and custody goals, but it does succeed in "getting correctional officers to see the problems of the counselors and psychologists, and vice versa. It puts you in mind that we're all dealing with different pieces of the same puzzle—how to manage the inmates well."

From time to time, within USPs Lewisberg, Leavenworth, and Lompopc, as well as within other BOP facilities, units have competed against each other to reduce disciplinary infractions, increase levels of participation in programs, and, alas, improve sanitation, with the inmates in the "unit of the month" winning special recreational or other privileges for a specified period. "You'd be surprised," remarked one associate warden, "how well these inmates take to this sort of competition, and how into it their unit teams get, too."

The Administration of Disciplinary Actions: "520.7 Tells the Tale"

The same associate warden, a man who had worked in nearly a dozen federal prisons, had this to say about the administration of disciplinary actions against inmates in the BOP: "Discipline is the core of a prison operation. To be effective, it's got to be consistent, not just within an institution but throughout the system. But to make it consistent, that takes some doing. I think we do it as well as it can be done." Inevitably, prison officials exercise discretion in the disciplinary process. But in USPs Lewisberg, Leavenworth, and Lompopc, as throughout the rest of the BOP, the disciplinary process conforms to official agency policy, is valued by employees, and is administered in a way that minimizes discretion and results in like infractions receiving like penalties.

As in most prison systems, the BOP has developed a detailed policy on the administration of disciplinary actions against inmates. Over the years, this policy has been spelled out and amended in official program statements, including number 5270.7, "Inmate Discipline and Special Housing Units," dated December 29, 1987, and signed by director Quinlan. Not counting the dozens of sample disciplinary forms and flow diagrams incorporated into 5270.7, the statement has forty-five single-spaced pages. In part, its introduction reads: "So that inmates may live in a safe and orderly environment, it is necessary for institution authorities to impose discipline on those inmates whose behavior is not in compliance with Bureau of Prisons rules. . . .

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Only institution staff may take disciplinary action. . . Staff shall control inmate behavior in a completely impartial and consistent manner. Disciplinary action may not be capricious or retaliatory. Staff may not impose or allow imposition of corporal punishment of any kind."

Those words may seem simple and unexceptional. For three reasons, they are anything but that. First, contrary to the historic norms, policies, and practices of many prison systems, including the BOP itself until the late 1960s, this statement limits prison staff to disciplining inmates who violate specific rules. As one BOP retiree recalled, "In the old days, a guard could write up a convict for looking at him crossways, or for having a surly attitude, or just because he felt like it. Nobody would say too much about it, and the convicts just took it for granted as part of what 'doing time' was about." Second, 5270.7 empowers only the staff to administer discipline, prohibits arbitrary, retaliatory actions, and forbids corporal punishment. Well into the 1960s, many prison systems, especially in the South, used inmates to punish other inmates, sometimes by means of officially sanctioned inmate-on-inmate beatings. In many systems, prison officials themselves routinely used corporal punishment on unruly inmates; although such actions are now prohibited by law, in some places the administration of discipline still takes this form, albeit covertly. Third, the BOP’s program statement 5270.7 mandates that prison staff administer discipline to inmates "in a completely impartial and consistent manner." But not even in the forty-five pages of detailed instructions that follow does it establish precisely what constitutes a completely impartial and consistent disciplinary process, nor does it specify how to apply general disciplinary precepts to particular disciplinary cases. As a BOP medical worker who over the years had initiated several disciplinary actions against inmates observed, "Every medical problem is unique, every disciplinary problem is unique. In both cases, however, you’ve got to employ judgment and to apply universal principles to particular cases. There’s no two identical heart problems calling for identical bypass operations. And there’s no two identical assaults on staff calling for identical punishments. But you do your best and try to treat like cases alike, for moral and practical reasons."

BOP program statement 5270.7 comes closest to specifying what constitutes an impartial and consistent disciplinary process, and how to actually administer one, in its section, "Prohibited Acts and Disciplinary Severity Scale." This section specifies four categories of prohibited acts ("greatest"—code 100s, "high"—code 200s, "moderate"—code 300s, and "low moderate"—code 400s)

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and recommends certain sanctions for them. In the "greatest" category, for example, are such infractions as killing (code 100), rioting (code 105), and possession of illegal drugs (code 109). Among the recommended sanctions for such infractions are parole date rescission, disciplinary segregation up to sixty days, and loss of privileges. At the other end of the continuum, in the "low moderate" category, are such infractions as possession of property belonging to another person (code 400), tattooing or self-mutilation (code 405), and unauthorized physical contact (code 409). Among the recommended sanctions for such infractions are monetary restitution, loss of job, and reprimand.

Of necessity, however, there is no shortage of ambiguities in this section. For example, conduct that "disrupts or interferes with the orderly running of the institution or the Bureau of Prisons" is listed in all four categories (codes 199, 299, 399, and 499). One moderate category infraction is "being unsanitary or untidy" (code 330); one low moderate category infraction is "feigning illness" (code 402). It is simply unclear how to interpret and apply such provisions in a way that serves the end of a completely impartial and consistent disciplinary process.

It would not be surprising to find disparities and variations in the characterization of disciplinary offenses and the levying of sanctions. In most prison systems and within single prisons from one warden to the next (or even one shift to the next), such discrepancies are not difficult to spot. Within the BOP, however, the prohibited acts and disciplinary severity scale is understood and applied in much the same way by personnel at all levels throughout the system. More than that, the disciplinary process is valued by employees as an effective and fair way of (in the language of BOP program statement 5270.7) ensuring that "inmates live in a safe and orderly environment." As one central office administrator asserted to me before I had fully researched the matter, "I'm telling you, John, you might not believe it based on what you've seen in other systems, but in the BOP the discipline process is pretty damned uniform. It works in practice just like it does on paper, and we think it works mighty fine. . . . Have you seen 5270.7? . . . When you've had a chance to look into it more, tell me if 5270.7 tells the tale. I bet you find it does."

In USPs Lewisberg, Leavenworth, and Lompoc, the administration of disciplinary actions against inmates has mirrored the letter and spirit of program statement 5270.7. In all three prisons, the disciplinary process has the same five steps, and it is worth sketching them here.
Step one is the detection by one or more prison staff members of the commission of a prohibited act by one or more inmates. In all three prisons, staff estimated that about one-quarter to one-third of all potential code 300-level and 400-level disciplinary charges were dropped or resolved informally, short of a formal disciplinary report. A veteran USP-Lewisberg correctional officer noted, "If a guy is always dogging it on the (prison industry) job, you might see that he’s threatened with an incident report. After the second or third time, you might even put pen to paper. But it’s best to give him a chance to respond without having to go the whole nine yards." A USP-Leavenworth senior administrator stated, "Obviously, you can’t police every little thing. If we’re talking about repeated minor rule infractions, then, yes, they’re going to get a report on them, and they know it. They understand how far they can skate with the small stuff. But even with that, it’s generally three strikes and you’re out, we make it formal." A former USP-Lompoc correctional officer recalled, "At Lompoc, you’d have some tough guys who always had to act tough. You get these types in all of the heavier facilities. Now, guys like that, you’d be writing 300s and 400s till your arm fell off. For the petty infractions, an individual inmate’s bound to get one or two free rides. But you can’t bluff them. If they push it, it has to go on paper and you’ve got to take it to some available penalty."

The second step in the process—a step that is taken on all potential code 100-level and 200-level infractions—is the preparation and filing of a formal incident report by prison staff. The reports all follow the same basic form. They relate the who, what, when, and where of the incident. Normally, notice of the report is provided to the inmate, and the disciplinary report is filed with a lieutenant within twenty-four hours of the incident. In about 10 to 15 percent of all cases that reach the lieutenant, the charge is dropped or resolved informally.

In all other cases, a third step is taken—the warden appoints an incident investigator, who is a supervisory level employee. No one who was a party to the incident, least of all the report writer, is eligible to serve as an investigator. At USPs Lewisberg, Leavenworth, and Lompoc, lieutenants have usually served as disciplinary investigators. The investigator interviews all parties to the dispute, both staff and inmates, and writes a report. When the investigation and report are complete, the matter is automatically referred to a unit discipline committee (UDC).

The UDC represents the fourth step in the disciplinary process. As was discussed in the previous section, most BOP
prisons are administered around unit management teams, and two or more members of the unit team serve as a UDC. The UDC holds an initial hearing on the alleged misconduct. It is authorized to drop or resolve informally any code level-300 or level-400 violation and to impose minor sanctions. No good data exists on the rate at which UDCs drop charges or resolve matters informally; the best historic guesstimates for USPs Lewisberg, Leavenworth, and Lompoc range between 5 and 10 percent.

The fifth and final step in the disciplinary process occurs in code 100-level and some code 200-level cases when the UDC concludes that a severe sanction (recommendation of a later parole date, loss of time earned for good behavior, transfer to a disciplinary unit) may be in order, or that criminal charges may need to be filed, or both. In these cases, the UDC refers the matter to a discipline hearing officer (DHO), who is a specially trained supervisory level employee and who may serve in this capacity at one or more BOP prisons.\textsuperscript{22} The UDC files all materials pertaining to the case with the DHO. The inmate charged has the right to call witnesses before the DHO; the witnesses can be inmates or staff. The DHO is empowered to informally resolve the incident report, but that almost never happens at this stage; most inmates who find themselves before a DHO are found guilty.\textsuperscript{23} At any stage of the disciplinary process, inmates who are found guilty of any disciplinary infraction have the right to challenge the decision via the BOP’s elaborate administrative remedy procedure; because the disciplinary hearing process is so exhaustive, however, the chances that an inmate will have his or her punishment modified or overturned via the administrative remedy procedure are quite slim.\textsuperscript{24}

Across USPs Lewisberg, Leavenworth, and Lompoc, the vast majority of disciplinary actions against inmates (about 80 percent) have been for code 200- and 300-level violations, with the rest divided more or less evenly between the most serious (code 100-level) and least serious (code 400-level) actions. Based on the data available, it is difficult to calculate rates of disciplinary action across these three level-V facilities. BOP research analysts have reported that in the early 1980s about nine incident reports were filed per one hundred inmates per month at all level-V facilities (Janus et al. 1986, 35-43). The institutions varied little from this average, and such variations as did occur could be explained by changes in inmate population mixes and other factors rather than by any systematic differences in the way they administered disciplinary actions against inmates. The few published accounts of the BOP disciplinary process produced by independent analysts do not contradict this view.\textsuperscript{25}

\textsuperscript{22}Prior to 1986, the BOP used a three-person Institution Disciplinary Committee (IDC) at this stage in the disciplinary process. DHOs replaced IDCs in 1988.

\textsuperscript{23}A 1987 study of DHOs at six pilot facilities found that DHOs issued "not guilty" findings in only 1.9 percent of all cases; see Karacki (1987).

\textsuperscript{24}The BOP’s administrative remedy procedure has revolved around the so-called BP-9, BP-10, and BP-11 forms. Inmates who believe that they have been mistreated can file the BP-9 with institutional officials, and, if necessary, the BP-10 (with regional office officials) and the BP-11 (with central office officials) on appeal. In the mid-1980s, the agency-wide denial rates for BP-9s, 10s, and 11s were about 85 percent, 95 percent, and 95 percent, respectively. For example, in 1986, 422 USP-Lompoc inmates filed BP-9s, and 322 (89 percent) were denied; 165 of those denied by the institution filed BP-10s, and 151 (94 percent) were denied by regional office; 63 of those denied by regional office filed BP-11s and 59 (94 percent) were rejected by central office.

\textsuperscript{25}For one such account, see Fleisher (1989, 80-86).
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Indeed, four BOP employees, each of whom had worked in at least two of the three facilities under consideration here, reported that the processes were virtually identical from one prison to the next. One reported, "There’s the same what you called 'checks and balances' everywhere. This way nobody gets out of control, and everybody gets a fair shake." Another recalled, "I’d heard things about the Lewisberg staff being more into ‘kicking asses and taking names’ [than the staff at Lompoc]. But I didn’t find that to be true at all. You’re expected to follow the same procedures and make the same sort of calls here or there."

One would expect as much from looking at each prison’s inmate handbook. In each, the basics of program statement 5270.7 were conveyed in a straightforward fashion; in all three handbooks, parts of the text of 5270.7 were reprinted verbatim. To be sure, there have been some superficial differences in emphasis and presentation; for example, both the USP-Lewisberg and the USP-Leavenworth handbooks got down to business with a statement of rules and the penalties for violating them, while the USP-Lompoc handbook prefaced disciplinary information with a general statement about inmates’ rights and responsibilities and the possibility of making one’s stay in prison safe and productive.

Beneath these superficial differences, however, were profound operational uniformities in the administration of disciplinary actions against inmates. I could not find a single example of comparable incidents that were handled or disposed of in significantly different ways at USPs Lewisberg, Leavenworth, and Lompoc. Almost without exception, in each prison, reports on all sorts of minor infractions were preceded by informal warnings to the inmate-perpetrators. In each, investigating lieutenants, UDCs, and DHOs played the roles assigned to them by program statement 5270.7. In each, the relevant associate wardens (and, in cases involving serious misconduct, severe penalties, or possible criminal charges, the wardens themselves) were actively involved in making sure that the facts were straight, the penalties proportionate, and the entire process conducted in accordance with official BOP policy.

As a final test of the "5270.7 tells all" notion, I asked both a nonsupervisory employee and a supervisory employee at each penitentiary how, in terms of the administration of discipline against inmates, they would characterize and dispose of a hypothetical incident in which an inmate set fire to his cell, several officers saw him do it, and conclusive evidence was found to indicate that the inmate committed this act as part of a would-be escape plan. All six of those to whom I posed this hypothetical
incident characterized it as a 100-level or "greatest severity" offense (three of them, in fact, correctly specified it as a code 103 offense); all six summarized the disciplinary process in much the same terms, with as much excruciating detail as I would allow; and all six correctly specified the categories of sanctions that could be applied in this case. Five of the six said that the hypothetical inmate would be a likely candidate for loss of good time and, depending on where he was housed, for disciplinary transfer as well; only one said that the incident would definitely result in parole date recision. As it turned out, their responses mirrored what has actually happened in such code 103 cases.

To find that the administration of disciplinary actions followed official agency policy, and that it varied little from one prison to the next within the system, was surprising enough. But to find that the staff at all levels seemed to prize the process as a tool of correctional management left me a bit incredulous. After all, in many if not most prison systems, the dominant correctional ethos, at least among line security staff, has favored curbstone justice, not bureaucratic procedure, as a means of handling inmates who violate the rules or seriously challenge official authority in other ways. As a BOP central office administrator who had worked as an agency legal counsel explained, however, "For most of prison history, discipline was arbitrary. Sometimes, staff are going to want to just dispense justice on the spot and to get physical. But when that officer out there knows the pen is mightier than the sword, when he knows by experience that if he properly writes up an inmate for some offense the inmate really did, then the inmate’s almost certainly going to get punished, that’s all it takes." In the same vein, a regional administrator, one who had served as a DHO, remarked, "Look, when staff get used to doing things a certain way, then, even if that way is not natural, they’ll just do it, especially if it’s proven effective. That’s the story with our disciplinary process." Likewise, a junior correctional officer recalled: "They stress in [preservice] training that you don’t ever rough up an inmate. You do and you lose your job, and you may go to jail, too. But they also stress that you have a far better way to keep discipline. That’s the [incident] reports. . . . Sure, I’ve already had times when I’d like to forget about the DHOs and all that and let an inmate have it. But the older officers here would never respect that. They only respect guys who do their jobs the right way all the time."

Former BOP director Carlson was a bit amused by my interest in the disciplinary process and was completely unmoved by the finding that it seemed to work as called for in official BOP policy. "The staff get lots of training and oversight. They
administer that process every day. They know it works well, and that it’s certainly a heck of a lot better than any sort of vague, variable process, whether of the type the agency itself might’ve once had or than what they still have in many of the state systems. . . . I’m just not too surprised." Director Quinlan had much the same reaction: "I’d be shocked if it didn’t work the way it’s supposed to. When I was a warden, I found the process very useful. Again, it’s not just that it’s official policy. . . . It’s that it’s a good policy and one we really do believe in."

VI

At one point during my research at USP-Lompoc, I half-imagined that I was about to become the object of a disciplinary proceeding. On the grounds adjacent to USP-Lompoc is the BOP’s Lompoc Prison Camp. Opened in 1970, the camp, a minimum-security facility, is located about one-quarter mile from USP-Lompoc. In the late 1980s, it had an operating capacity of five hundred inmates and was the largest satellite camp in the BOP. Almost all of its inmates had no major program needs and had no history of violence; many were first-time offenders. Camp inmates worked in and around the USP-Lompoc grounds; some were assigned to landscaping crews at nearby Vandenberg Air Force Base.

During my first day at the camp, I wandered about unescorted, looking at different parts of the operation and interviewing staff. I wandered, that is, until I encountered a senior officer who gave me the coldest stare that I had ever encountered in nearly a decade of wandering in federal, state, and local penal facilities. "Who are you, and where do you think you’re going?" he demanded. I fumblingly explained that I was an extradepartmental researcher. As I talked, I noticed that this officer, though square shouldered and athletic looking, seemed older than most and that he was wearing what I recognized as a BOP twenty-five-years-of-service pin on the lapel of his jacket. "OK, sir, come with me," he replied, "I just want to check your story." He sat me down while he called the warden’s office and "checked my story." After five minutes or so, he cracked a half-smile and said, "Thank you, sir, you’re free to move about as you wish, but just be careful. They should have tagged some ID on you."

The next day, I returned to the camp, encountered this officer, and asked him if I could interview him. He agreed somewhat reluctantly. "I hope you understand what I did yesterday," he began. "It’s good to have people coming in to see what we do, but even a minimum-security prison is still a prison, and

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we've got to be vigilant." His custodial vigilance had a very special pedigree. This officer, a lieutenant, was the last active BOP employee to have worked on Alcatraz; he spent three years on Alcatraz, until the day it closed, which he instantly recalled was March 21, 1963.

To the general public, Alcatraz, located in San Francisco Bay, is a famous federal prison. People know it through movies, such as "The Birdman of Alcatraz"; through sensationalistic books and other published accounts by and about its former inhabitants, including Chicago mobster Al Capone; and through the public tours of Alcatraz Island that began in 1972 when the Island and its historic buildings were made part of the Golden Gate National Recreation Area, administered by the National Park Service. According to the National Park Service brochures, more than 750,000 people visit Alcatraz each year.

To most present and former BOP employees, however, Alcatraz is something else entirely. "For me," said the Lompoc Prison Camp officer, "it's USP-Alcatraz, not some amusement park. I worked there. Other people, both inmates and staff, lived and died there. I resent what’s been done with Alcatraz, and I doubt that many people really care to get beyond all the myths and misperceptions about it. I've sometimes asked myself, 'Why didn't they just close Alcatraz and keep it closed?' I wish they had." This sentiment was echoed by scores of BOP employees, active and retired. It also was heard at the agency’s 1991 wardens’ conference, where one featured speaker was a retired BOP captain who had spent most of his career at USP-Alcatraz.

In the taped oral histories of BOP staff who worked at USP-Alcatraz, in the deep archive of official documents relating to the institution, and in the extensive research into its operations made by several scholars, most notably by David Ward of the University of Minnesota, popular beliefs about USP-Alcatraz are shattered. For example:

- When USP-Alcatraz opened in 1934, it was not so much for notorious offenders like "Machine Gun" Kelly, though it got its share of such much-publicized "public enemies." It was mainly for inmates who had disrupted operations or had attempted to escape from other federal facilities. Many USP-Alcatraz inmates had not committed notorious or violent crimes. They were simply severe management problems, and Alcatraz was the "big stick"—no privileges, few visits, only some productive work to do, and absolutely no misbehavior tolerated.

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- Never in its three decades of operation did USP-Alcatraz reach its inmate housing capacity of 336; in most years, the population ranged between 250 and 300. During its entire history, it housed only 1,500 inmates—a tiny fraction of the inmate population that passed through the BOP in those years.

- The facility had its spectacular riots and escape attempts, including the riot of 1946 and the escape attempt of 1962. But, with a comparatively low inmate-to-staff ratio (about 3 to 1) and a strict, paramilitary custodial administration, the rate of such disorders at USP-Alcatraz was predictably low. Between 1934 and 1963, other prisons in the BOP and elsewhere had some spectacular disturbances also.

- Much has been made of the facility's D-Block, which held inmates who had violated the rules. But D-Block was built in 1940 as a disciplinary segregation unit, and other BOP high-security facilities had these units too.

- The nearly twenty-three acres of Alcatraz Island have always been a rather barren and bleak place. Many inmates who served time there recorded their psychological dread at being in a desolate place located a suicidal swim to freedom and the glittering streets of San Francisco. But the reflections of former USP-Alcatraz inmates are neither more nor less chilling (or self-pitying) than the memoirs of those who were incarcerated in other prisons at other places at other times.

- The legendary inmates of USP-Alcatraz did not seem so extraordinary to those who worked there. For example, "Birdman" Robert Stroud was most memorable for his predatory homosexual behavior (the ex-captain reported that Stroud once propositioned him) and for the interesting if wildly polemical history of the BOP he wrote while in confinement. By the same token, in one taped oral history, a former USP-Alcatraz officer described the flamboyant "Machine Gun" Kelly as a total bore.

These historical tidbits may or may not be interesting. For our purposes, however, the important thing to note is that most BOP employees, active and retired, knew and could recite some or all of this "true story" of USP-Alcatraz. Most of them learned the true story by word-of-mouth from other BOP workers; by the late 1980s, most such lessons came third- or fourth-hand, but they came just the same. When given half a chance, most of

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them recited the story with pride, and expressed a sense of ownership about USP-Alcatraz. In a typical comment, a few months after the 1991 wardens' conference, one young warden stated, "That old captain told it like it was. Alcatraz is a big part of our history, and we need to take that history back from the commercializers, the negative myth-makers, and the Park Service. They never should have let the Park Service take Alcatraz and turn it into another San Francisco tourist trap." A veteran warden observed, "With us, Alcatraz is just part of the pride that comes from our history. That pride is in our agency symbols, it's in our respect for people who have retired after contributing to the Bureau, and in the way we respond to media cheap shots or public lies about who we are and what we do."27

BOP employees' revealing take on the Alcatraz saga aside, an indication that agency history and symbols have mattered to agency workers is the fact that they have fought over these things. Indeed, when asked, every present and former BOP employee old enough to remember recounted how the "biggest fights," the "most bitter battles," the "worst rows" in the agency's history occurred over proposed changes in the official BOP seal.

There have been four BOP seals. From 1930 to 1970, the first seal displayed an open book with a key lying across it. In 1970, the seal was changed to what several BOP central administrators of the day described as a more modern design. The move to change the seal began on the watch of BOP director Myrl Alexander, who served from 1964 to 1970. The new seal was in place for the earliest days of the Carlson era, but the sentiment for the old seal remained. In fact, most staff despised the new seal. "I'd have rather," said one BOP retiree, "that they'd run a knife in me than change that seal. When they took the old seal away, they took away respect for the men who worked under it. I still think it was dead wrong." The BOP central office was flooded with unfriendly mail. One senior officer remembered getting into a "small fistfight after work" with a "young kid, just hired, who said he didn't think it mattered what damn seal we had. So I put a little nose blood on his seal—from his nose—and let him know that there was men who'd sweat blood on the old seal—their blood. In other words, I let him know I didn't take his punk remarks lightly or kindly. . . . But we got to be friends."

It is telling that the most wrenching in-house administrative dispute in the agency's history did not concern pay levels, working conditions, or labor-management disagreements, but instead centered on an attempt to change the agency's seal. That

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26In fairness, it should be noted that the National Park Service exhibit includes a superb forty-minute tape from oral histories with BOP staff who worked at USP-Alcatraz, that I have not found any factual errors in its brochures, and that it does not sell such merchandise as "Property of Alcatraz" or "Alcatraz Swim Team" tee shirts.

27This warden's reference to "media cheapshots and public lies" went not so much to the saga of USP-Alcatraz as to the controversies surrounding the BOP facility that is popularly depicted as the "new" or "second Alcatraz." USP-Marion in Illinois.
the same dispute occurred not once but twice is doubly telling. As the Lompoc Prison Camp officer who had worked at USP-Alcatraz explained, "This has never been an organization in which staff disrespected one another. But, every so often, the top people will do silly things... The first time they changed the seal to that dumb three C’s design—we called it ‘Carlson’s Can Company’—some officers swallowed hard, put it on, but put a Justice Department eagle pin on over it. But, you figured, they couldn’t do any worse. Then around 1978 they did do worse. The so-called artists came in with what looked like a couple of flying ducks or zippo lighters."

This round, however, BOP staff sentiment did not run in favor of maintaining the existing (second) symbol; and, by this time, neither was there a strong consensus among staff that a return to the first seal would be best. Instead, from all points in the agency, the call was for a fourth symbol that would, as one BOP associate warden phrased it, "be traditional and say something clear about what we do, but without looking too old-fashioned." Former BOP director Carlson was aware of that staff sentiment. "I was well aware," he noted, "of the displeasure with the new seals, and of the jokes about them." In 1982, the BOP got the seal under which it operates as of this writing. By and large, this symbol has been popular with staff, old and new. Said the Lompoc Prison Camp officer who worked at USP-Alcatraz: "It’s respectable. You can be proud of it."

Any remaining doubts about how much agency history and symbols matter to most BOP workers at all levels can be resolved by reading informal communications between BOP personnel, walking into almost any BOP administrator’s office, or visiting almost any BOP employee’s home. To take just one of scores of examples, a 1989 note from former BOP director Alexander to director Quinlan discourses on the history of the aforementioned agency newsletter, Monday Morning Highlights. The newsletter, noted Alexander, had its origins in the late 1950s when then-BOP director James V. Bennett, who ran the agency from 1937 until 1964, was on a three-month international tour. Each Friday, the agency’s executive staff prepared a summary of activities and mailed it to Bennett in the hope "that it would reach him somewhere in the world... Soon some wardens heard about it and asked to be included in the distribution... Unwittingly, for a temporary purpose, we created an infopipeline that has continued for about thirty years!"

Even if such communications did not exist, one could pick up much the same concern with agency history and symbols

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simply by walking into BOP headquarters in Washington. The offices of the director, the assistant directors, and virtually all top administrators are teeming with agency plaques, special awards, training certificates, pictures of prisons, paperweights, cartoons, prison industry sample products, flags, and much more. Near the director's office hangs a memorial to the federal prison workers who have died in the line of duty, a roll that includes the four who died before the BOP was established. A former Princeton University student of mine who went to work as an intern in the BOP's central office was struck by the symbol-laden character of the place; he noted that "there's really no end to the amount of that stuff that these guys will generate, keep, or put on display." The regional offices are much the same in this regard, as are the offices of the wardens and other prison administrators out in the field.

Even more striking is how much BOP "stuff" dots the homes of agency workers and how many employees seem to enjoy wearing BOP tee shirts, caps, and jackets while off duty. An off-duty BOP cap-wearing correctional officer, one who had worked in two state systems before joining the agency, stated: "Before the BOP, I wouldn't be caught dead in my work clothes after work, and I'd be a bit ashamed to say what I did for a living and where I worked. With the BOP, I'm proud of it all."

The only issue, it seems, is whether the symbols most highly valued are BOP or institution-specific. At most prisons, it has been the former; but at least at USP-Terre Haute in Indiana, it has been as much or more the latter. For many years, the percentage of "homesteaders" at USP-Terre Haute was higher than at most BOP facilities. At retirement time, these workers routinely were celebrated in the weekly institutional newsletter, Grapevine Observer. Opened in 1940, USP-Terre Haute was the first federal penitentiary for adult felons to be constructed without a wall. Technically, USP-Terre Haute was a level 4 facility, but many of its staff bristled at this "subpenitentiary" designation. "We're a penitentiary, and we're a level 5, period," barked one veteran USP-Terre Haute officer. Noting the inspirational inscription carved over the upper wall of the institution's inmate dining room and alluding to the words of the philosopher Bacon, carved into the arch of the USP-Lewisberg auditorium, another veteran officer joked, "You don't think they'd waste that sort of heavy stuff on any level 4, do you?" Moreover, members of the Employees' Club sported (nonregulation) caps and tee shirts that had "USP-Terre Haute" rather than the BOP seal on them; indeed, the personnel office was overstocked with BOP caps ($5.00) and tee shirts ($7.00) for sale.

28The USP-Terre Haute inscription reads: "Whatsoever is brought upon thee take cheerfully and be patient when thou art changed to a low estate; for gold is tried in fire and acceptable men in the furnace of adversity." At USP-Lewisberg, the inscription reads: "That which is past is irrevocable; wise men have enough to do with things present and to come."
Regardless, the point is that the agency’s employees have been covetous of agency history and symbols. Echoing the comments of scores of BOP employees, active and retired, one young warden stated, "The history, the pride in the seal, is a big part of why most people like working for this agency, and will bust their butts to get the job done even when it’s no bed of roses, and even when, around Christmas, you feel like you’re not paid nearly enough. . . . You feel like you’re doing something important, the best it can be done, and doing it with others who feel the same." Another warden, one whose office might well have the highest number of BOP plaques and other symbols per square inch of any in the agency, observed: "Call it ‘psychic income,’ or a group feeling, or whatever you like, it’s a big part of your reward for doing a good job here."

VII

Although the BOP may well be the single most striking example of a strong-culture government bureaucracy, it is by no means the only example. From Herbert Kaufman’s classic study (1960) of the U.S. Forest Service to Wallace Earl Walker’s underappreciated study (1986) of the U.S. General Accounting Office it has been clear that at least some bureaucrats behave in ways that do more to justify the confidence of classical public administrationists than to verify the notions of rational choice theorists. We know that at least some government bureaucracies have transcended principal-agent problems mainly by creating and sustaining cultures of principled agents.

What we do not know, however, is much about the conditions under which such strong-culture organizations, public or private, are likely to arise. Neither do we know much about the conditions under which such organizations persist or decay. As W. Richard Scott (1989, 43) has observed, much "remains to be learned about how cultures are created and how they function as systems of motivation and control."

From Barnard to the present, however, few students of the subject have doubted that leadership mattered to strong-culture organizations. Phillip Selznick, James Q. Wilson, and many other scholars have emphasized the pivotal role that leaders can play in creating strong-culture organizations. Strong-culture organizations do not just happen. They are not the accidental by-product of spontaneous interactions among workers. It is organizational leaders who either set or do not set in motion the organizational socialization processes that transcend principal-agent problems by nurturing a culture of principled agents.

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Many who believe that leadership is a key variable in the development of strong-culture organizations are not sanguine about the prospects of building such organizations within the public sector. For example, Wilson observes that the leaders of government agencies "rarely put their energies into administrative matters because they tend to be judged not by whether their agencies are well-run but by whether the policies with which they are identified succeed or fail" (Wilson 1989, 217). Likewise, Herbert Kaufman has noted that many organizational leaders, especially in the public sector, simply do not want to know how, or how well, their organizations are performing. This is their way—by no means foolproof—of avoiding or deflecting responsibility for organizational problems, failures, or acts of corruption (Kaufman 1973).

Of course, such failures of leadership are nothing new or exceptional. Indeed, one could fill a small library with the last quarter-century's blue-ribbon reports on the need for leadership in "rebuilding the public service," "achieving excellence in public service," and so on (see, for example, Sweeney and Charlesworth 1963; Foote 1989).

What is relatively new, however, is the recognition that the importance of leadership in government has less to do with cultivating outside constituency groups, fine-tuning pay-scales, or refereeing intra- or interbureaucratic battles, and more to do with establishing social and moral reward systems that make it possible for government agencies to tap the creativity, sense of duty, and public-spiritedness of their workers (for an overview, see Dilulio 1993; Dilulio et al. 1993). Such facile contemporary public-service reform slogans as "reinventing the government" mask the profound difficulty of attracting leaders who are ready, willing, and able to build strong-culture organizations. Whatever the nation's quarter-century-old experiment with public policy schools and its much longer experience with public administration schools have given us, it is most decidedly not a large class of such leaders.

What the BOP experience teaches us in this regard is trite but true. The agency had only five leaders in its first sixty-three years. This compares to an average tenure of about 2.5 years for state corrections directors. None of its leaders was perfect, but each was a careerist who cared deeply about the agency, believed in its public mission, and communicated this belief to employees at all levels. Perhaps by studying such public service outliers we can learn something about the political, administrative, budgetary, and other conditions that foster effective leadership.

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and promote cultures of principled agents within the public service.

In this regard, rational choice theories of bureaucracy are neither illuminating nor helpful. In effect, rational choice theorists of bureaucracy are half-baked Barnardians. With Barnard, they understand that organizations are devices for fostering and sustaining cooperation among self-interested individuals who have disparate beliefs, dissimilar motivations, and conflicting goals. With him, they recognize that the individual is always the basic factor in organization, that the "functions of the executive" are to induce self-interested workers to cooperate in ways that foster, rather than frustrate, achievement of organizational goals, and that money and other tangible goodies are often potent inducements.

But the rational choice theorists miss the other half of Barnard—and no small part of human nature to boot. They discount the importance of what Barnard termed the "moral factor" in leadership; some even go so far as to claim that public bureaucracies are on "autopilot" (Noll and Weingast 1991, chap. 9). More broadly, they discount the tug of social sentiments and relegate the efficacy of moral motivations to a limbo of lesser behavioral reality.

In sum, rational choice theorists of bureaucracy underestimate the propensity of people to redefine their self-interest in terms of the preferences of leaders they respect, the well-being of co-workers they care about, and the survival and reputation of organizations they labor for. It may well be true that under most conditions, most bureaucrats, especially within government, follow narrow definitions of self-interest. But that is neither the whole story nor the most important part of the story of what public servants—corrections officers, firefighters, police officers, public health workers, social workers, and others—do on a day-to-day basis. Even in the bowels of government agencies, there is more self-sacrifice, and less self-interest, than rational choice theory allows. For the principled agents of the BOP and other government bureaucracies Americans can and should be proud and thankful.

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