

Life Spent, Adjustment, and Rehabilitation of Death-row Inmates in Bangkwang Central Prison

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Abstract

This research used qualitative research methods, including in-depth interviews and non-participant observation. The samples of 10 death-row inmates were resolute inmates, being convicted for death penalty by the Court of First Instance and detained in the Bangkwang Central Prison. They were selected from 2 main types of offenses, namely, narcotics and common offenses. In addition, the data were collected from 10 other key informants who worked in the Department of Corrections with experiences in the aforementioned matters, comprising the top management of the Department of Corrections and related authorities of the Bangkwang Central Prison.

The prison context regarding treating death-row inmates was related to the physical environmental management of buildings and surrounding areas, including the canteen, kitchen, dispensary, dormitory, bathroom, toilets, and sports-grounds. Bangkwang Central Prison can appropriately treat death-row inmates in accordance with the minimum rules of the United Nations for the treatment of prisoners, and correspond with the international standard of good prison governance, as well as complying with the Penitentiary Act B.E.2479 [1936], a domestic law, in terms of controls, rehabilitation, healthcare and welfare provided for inmates. In addition, the context regarding treatment of death-row inmates should focus on both strict controls and rehabilitation in line with their aptitude and individual needs in an up-to-date manner so as to meet with the expectations of the external society throughout their terms spent in the max security prison in order to reduce their tension, ease worries over their cases, and enable them to spend time valuably.

The results of this research found that regarding their life adjustment in Bangkwang Central Prison, the death-row inmates had learned to adjust themselves by living valuably and hopefully, as well as optimizing their life in the prison. However, their adjustment was imperfect as they could adjust themselves to the prison environments, but their anxieties, fear, and tension still remained. These death-row inmates needed to consult from specialists so that they could

accept their guilt, reduce their tension, and have a perceived self-worth. In addition, this research proposes six death-row inmates' rehabilitation models: 1) organizing education at all levels to meet the requirements of each inmate; 2) providing vocational training in accordance with external societies; 3) spiritual development; 4) promoting hygienic health under the international standards; 5) adopting specific programs, such as personality development and stress management program and; 6) adopting other related models or approaches, such as arts therapy, leisure activities, marching band, boy scouts, and writing inmates' stories.

Keywords: Life spent, Adjustment, Rehabilitation, Death-row inmates

Background and Problems

Currently, the primary goal of corrections is to restore people to society. Restoring people herein means to make people aware and behave in compliance with rules and regulations of the society. Importantly, they must have perceived self-esteem, possess professional integrity, not be a burden on society, live a normal life and not engage in recidivism. (Sinlapawattanaporn, 2012). Such goals will be unachievable if the inmates are repeat offenders. Savitri Pritoon (2010) has stated that any person who commits a wrongdoing will be more likely to commit a wrong doing again because such a person does not realize the positive and negative outcomes that will occur in the future. This is also consistent with the research of Prawut Thawornsiri (1988) who found that repeat offenders are those with emotional and behavioral problems, and they are unable to resist temptations, as well as view that the imprisonment is not normal.

Therefore, the development of human resources, especially inmates, to become quality persons through rehabilitation in prison before exoneration and not to return to recidivism is important. In addition to developing inmates, in the general prison population, other prisoners, such as those sentences to death, should not be overlooked. Cesare Beccaria (Carlson, Hess, & Orthmann, 1999), stated that the death penalty is a kind of punishment to scare offenders, and then other people in the society will not make that mistake again. As for any peaceful country, the State's death sentence will be adopted in the case that the death penalty is the only way to stop the wrongdoings of other citizens in the society.

For Thailand, a total of 325 executions took place from 2478 B.E. (1935) to 2554 B.E. (2011) although the death penalty enforcement had been retarded during the year 2478 B.E. (1935) – 2493 B.E. (1950) and during 2531 B.E. (1988) – 2538 B.E. (1995). The enforcement of the death penalty, including the methods of execution has varied over time, ranging from cutting off someone's head which was left for public humiliation (beheading) to shooting someone with a

pistol. Up until June 13, 2546 B.E. (2003), as amended by the Criminal Code Section 19, execution was changed from shooting someone to death penalty by lethal injection (Thongchai, 2010), which is considered more humane. At present, a total of 51 crimes are subject to the death penalty, including cases relating to national security threats and narcotics distribution.

The number of death-row inmates reported is 642 people (Department of Corrections, Planning Division), as shown in below Table 1

Table 1 Number of Death-Row Inmates in Thailand.

Types of Prisoners	Male, Types of offenses		Total	Female, Types of offenses		Total
	Narcotics	Common offenses		Narcotics	Common offenses	
Convicted prisoners	90	63	153	9	1	10
Pending appeal prisoners	162	195	357	34	8	42
Petition appeal prisoners	23	57	80	-	-	-
Total	275	315	590	43	9	52

Source: Department of Corrections, Planning Division. (April 18, 2014)

Upon a death penalty sentence by the court, inmates will be sent to a Maximum Security Prison, such as Bangkwang Central Prison, Nonthaburi province. Such death-row inmates will likely feel conflicted toward the justice process. When walking into prison, a prisoner loses their freedom and is separated from their family members, friends, and the general public. Death-row inmates hated everything that was opposed to him. This feeling can be disturbing. Some inmates keep these feelings inside, others can't which may be seen through various forms of aggression (Sangkanakin, 2002).

When inmates form their own sub-culture, they make adjustments within the prison, and come up with the idea that they are valuable. The adjustment is used as a mechanism to protect themselves, reduce stress, anxiety, and frustration that they have encountered in the prison. This is consistent with the study of Jackson and Lassiter (2001) which found that when individuals gain self-esteem, they will be able to adjust themselves to their environment.

In addition to the sub-culture and adaptation that happen in the context and environment of death-row inmates, a royal pardon is used to reduce animosity towards society in the sense of death-row inmates, and further contribute to the consciousness of doing good things in support of the policy to encourage inmates to behave as good citizens. This is consistent with Criminology and Penology (Department of Corrections, 2011). Nevertheless, with regard to a royal pardon, the King exercises his royal administrative power in considering a petition to his decision, or consecration of the advice of the cabinet. With regards to a royal pardon graciously bestowed upon prisoners to be released or reduced, as the case may be, the Statistics of the Department of Corrections in only clemency cases during the year 2547 B.E. [2004] – 2554 B.E. [2011] revealed that among a total of 4,396 inmates who filed a petition, only 3,506 cases could be humbly presented, and a royal pardon to be released and reduced was bestowed upon 150 and 188 prisoners respectively, while the petition of 258 cases was dismissed, totaling 596 cases receiving a royal judgment. (Department of Corrections, 2011)

Before taking steps to enforce the death penalty, actions are to be taken through the court process, and initially comply with the code of criminal procedure in connection with forgiveness in a complete manner. Such procedure (starting from the accused person arrested to the consideration by the Court of First Instance, Court of Appeals, and Supreme Court, as well as practice on forgiveness) requires a certain period of time. Each case will take time to consider, depending on the complication of each case. Based on an example in the operation manual of the probation practice in 2554 B.E. [2011] regarding the timing of the trial for a death penalty case, it was found that a crime was committed on January 26, 1995, and the male inmate came to justice on March 6, 1995, and finally Bangkwang Central Prison executed such male inmate on April 18, 2001, taking a total period of 6 years (Department of Corrections, 2011). As a result, the Department of Corrections needs to control and oversee these inmates for a long time. It is therefore more difficult to tackle problems regarding crowded inmates in the prison and rehabilitations for prevention of recidivism.

Further to the aforementioned problems, the Department of Corrections has attempted to find other methods of implementation so as to achieve its mission under the limited resources available. Therefore, the researcher viewed that turning to study internal factors of inmates' psychology will help improve the quality of oversight and correction provided for inmates quickly, properly, and effectively, as well as minimize the use of external limited resources. Moreover, there is not much research about death because the study of death cannot be conducted in advance, and it really affects individual feelings. In particular, most researches on death-row prisoners focus on the attitudes of people towards the death penalty, appropriate measures of the use of the death penalty, or the cancellation of the death penalty (Jitsawang, 2010), as well as various reasons or factors causing death-row inmates to commit crimes. Consequently, the researcher realized that a group of death-row inmates are important and

valuable to the study because they have not been made aware of their death in advance, or it can be said that they are facing against approaching death. There are many factors that determine whether death-row inmates have perceived self-esteem in order to be ready to make adjustment to the context of the prison, including controls and rehabilitation. Thus, the researcher is interested in studying the adjustment and rehabilitation therapy for those sentenced to death so that the Department of Corrections can obtain the data from this study as a practice guideline on controls and rehabilitation which will further create understanding and be able to set guidelines or policy of criminology and penology for a group of death-row inmates correctly and appropriately.

Research Objective

The objectives of this research were to study the way of life in the prison context regarding treating of death-row inmates, death-row inmates' adjustment, and their rehabilitation development at Bangkwang Central Prison.

Review of Literature

Definition of adjustment

Adjustment is a human body as a single unit and not separate from each other, what the mind of any living system, whether it comes to the consequences to any unit. Will affect both the system and the response that occurs as a response to it. Appears much less clear, depending on the severity of the impact nature. As well as the ability to adapt to human. (Roy, 1970). Later, Roy and Roberts (1981) provided another definition. Adjustment is a process in which individuals have a positive response to the changing environment, both external and internal.

The adjustment Roy refers to considers how individuals respond throughout their life. When there is a disturbance or a change in their environment they maintain a balanced state of physical, mental and social well-being which results in a condition of good health. Being able to adjustment is an ability individual's use when face with conflict.

According to a concept of adjustment, adjustment is an ability individual's have to face conflicts, anxiety, and various grievances, and be able to fulfill the needs of the body and mind, including the ability to adjust to their environment and other people, and to live happily in society. Adjustment will be made in the following three ways:

1. Personal adaptation means to adapt both physically and mentally.

2. Social adaptation refers to the ability to adapt to various groups and individuals.
3. Environmental adaptation means to be able to adapt to the existing or changing environment.

Circumstances where individuals need to adjustment possibly derive from uneasiness, grievances, anxiety, and stress, which can be summarized as follows:

1. Economic grievances (Frustration)
2. Situations of conflict (Conflict)
3. Economic tension (Tension)

A review of the literature showed that a person who can adjust easily is someone who can face problems without mental conflicts, and live happily in society under relevant social rules. On the contrary, an individual who lacks the ability to adapt is usually a person who has faced problems with a quandary, tries to solve problems without accepting the truth, struggles to distinguish themselves from others, and is afraid of encountering various situations. This also affects perceived self-esteem which means that those who adapt well will also have perceived self-esteem.

This is consistent with a study done by Rogers (1961) which suggested that self-evaluation of individuals is significant in enabling a person to develop self-esteem. If a person has the ability to make self-assessment on competency, experiences, and physical conditions accurately, such person will be able to see his/her true potential, gain self-confidence, self-acceptance, self-esteem and have interpersonal skills. Falling in a situation of uncertainty, such person will have the emotional stability to assess the situation and their ability in order to find solutions to the problem properly. As a result, they are hopeful to live their lives. Satisfaction with themselves and others increases their perceived self-esteem. In other words, self-esteem is to accept one's own identity as actual, have self-satisfaction, and see one's actual capabilities.

Also, the concept of adjustment and self-esteem is associated with the concept of human needs (Maslow, 1970) describing 5 stages of human needs. Human beings need to be recognized by others that they are valuable, competent, and possess self-esteem.

According to my literature review, there is research on the association of self-esteem and the adjustment of individuals. The findings of Negy, Woods and Carlson (1997) found that the self-esteem of women prisoners who were the target group of their study were able to easily adapt. The prisoners who have high self-esteem will adapt easily in prison. Varaporn Tragoolsrid (2001) stated that people will attempt to adapt when facing uncomfortable issues, stress, anxiety, and frustration.

Throughout the literature, self-esteem is associated with the adjustment of individuals (Wattanakul, 2011; Novero, Loper & Warren, 2011; Tongeren & Klebe, 2010; Phonbun, Pinyosupasit & Yongnarongdachkul, 2010; Kitpitak, 2009; Islam-Zwart et al., 2004; Ploysasri, 2003; Reidy, Cunningham & Sorensen, 2001; McShane & Williams, 1989). Negy et al. (1997)

found that the self-esteem of women prisoners have positive relationship with the adaptation in prison. The prisoners who have high self-esteem will have to adapt to prison as well. This is consistent with Tragoolsrid (2001) says that people will use self-esteem to justify their efforts.

Minimum Rules for the Treatment of Prisoners

According to the United Nations Standard Minimum Rules for the Treatment of Prisoners, death-row inmates possess the same status as a prisoner. Therefore, death-row inmates are entitled to the same basic rights. Their obvious basic rights include the right to receive medical treatment in case of illness, the right to receive visits or contact visitors, especially from a lawyer. One of important rights is the right to submit a clemency petition (Department of Corrections, 2011). Based on my literature review, some research supports the United Nations Standard Minimum Rules for the Treatment of Prisoners and Death-row inmates. According to a study from the Department of Corrections (2005) entitled "Certified standard of prisons and effectiveness of correctional system in Thailand", the standards for the correctional system in Thailand comes from the UN minimum standards governing the treatment of prisoners. The results showed that the implementation of the standards pursuant to the provisions of the UN minimum standards governing the treatment of prisoners in respect of food, visits and contact with relatives and custody of inmates. The preparation of the registration, healthcare, housing, and inmate grievances achieved the highest level of practice, followed by the use of restraints, fitness and sports, and discipline and punishment. The issues that have only moderate practice include the classification of prisoners for incarceration purpose, especially the prisoners during the trial, due to space restrictions and the number of inmates, which makes it impossible to definitely separate the inmates' zone. As for the implementation of the standards regarding the five basic requirements of medical services, it was found that most of the problems involve the implementation of waste management standards, followed by the standards of nursing, and workhouses, respectively, as the standards of waste management are related to the physical characteristics of the prison. Most prisons and jails have been constructed for a long time. Area capacity is limited, so they can't accommodate more inmates at present. The problems of standards of nursing, mostly involved nurses staffing issues which are insufficient for the number of inmates.

Rehabilitation of Inmates

The Department of Corrections is responsible for controlling inmates according to the judgment of the court. The Department of Corrections currently does not seek punishment to only frighten inmates, but to fairly rehabilitate inmates in a proper manner with consideration regarding the penalty imposed and the cause of the offense. In addition, the measures and guidelines for rehabilitation or improvement of the behavior of the correctional inmates in each country will be different. However, they also have some similar characteristics.

The rehabilitation of inmates in foreign countries is performed by building prisons that are clearly categorized and appropriate to control inmates, as well as holding the development activities, such as education, vocational training, treatment, and so on, for prisoners. The main function of a prison is to change the behavior of offenders. Approaches to the rehabilitation of inmates should focus on achievements in line with the treatment or correction of the behavior of offenders. Murphy (1973) has defined prison as an organization to change the behavior of offenders that it involves the development of behavioral change of after the release through educational and mental development, all of which are cumbersome and tedious tasks for several important reasons (Sintoppan, 2002) as follows:

Firstly, fix the culprit. This mission is related to the socialization of human behaviors, which are of different patterns, values, goals, and personalities. In particular, the behavior transformation of offenders who have a different level of standards of conduct and character from the general populace will inevitably make the mission become doubly harder.

Secondly, this is the process of rehabilitation of inmates (correctional processes) who have different causes of criminal behavior, such as personality disorders, lack maturity, lack of opportunity in education and employment, or social degradation. This mission requires multiple professionals to treat offenders, namely, administrators of corrections, penologists, lawyers, social workers, psychiatrists, physicians, educators, architects, chaplains, controllers, staff for vocational training on agriculture and industry. However, in practice, prisons have experienced problems recruiting qualified individuals to perform functions because most high-potential individuals have attitudes towards corrections that working in prisons is not a prestigious job, a lot of work, and usually involves some risk because of inmates.

From my review of the literature related to the study of death-row inmates in both Thailand and abroad, I found that most studies focus on three key issues, including the issue of attitudes or opinions towards the death penalty, the issue of patterns and laws relating to the death penalty, and the last issue of research focuses on the behavior of death-row inmates. His research uses both quantitative and qualitative research methodology. As for the research "Life spent, adjustment and rehabilitation of death-row inmates in Bangkwang Central Prison," this is

a study involving the death penalty in respect of the behavior of death–row inmates. Research Objectives are summarized as three major issues, i.e.

1. Life-spent in the prison context regarding the treatment of death-row inmates at Bangkwang Central Prison.
2. The death-row inmates' self-adjustment at Bangkwang Central Prison.
3. The model or approach toward rehabilitation of death-row inmates' at Bangkwang Central Prison.

Research Scope

1. Content Scope

This research was conducted using qualitative research methodology through the use of in-depth interviews. Information was collected on death–row inmates in respect to their way of life in the prison context, and their treatment adjustment and rehabilitation at Bangkwang Central Prison. It was done by means of non-participant observation which helps support other information acquired from the interview. This research was divided into 2 stages to answer the research questions as described below.

Step 1 Literature review was the synthesis of concepts and related research from the literature review on the treatment, adjustment, and rehabilitation of death–row inmates through. In this step, the researcher studied the related concept papers by searching through documents, internet databases, and interviews. Then, the data were analyzed for consistency (Method of Agreement) to verify the accuracy of the information. Analysis of concept reliability used content analysis and content synthesis to acquire inmates' treatment, self-adjustment and rehabilitation. This is a concept we created as a model to explain the studied phenomena and how it is likely to be. From this step, the researcher prepared a draft format 1 (Model 1).

Step 2 was the study on treatment, adjustment, and rehabilitation of death–row inmates by using qualitative research methods. The researcher divided the research process as shown below in Figure 1.

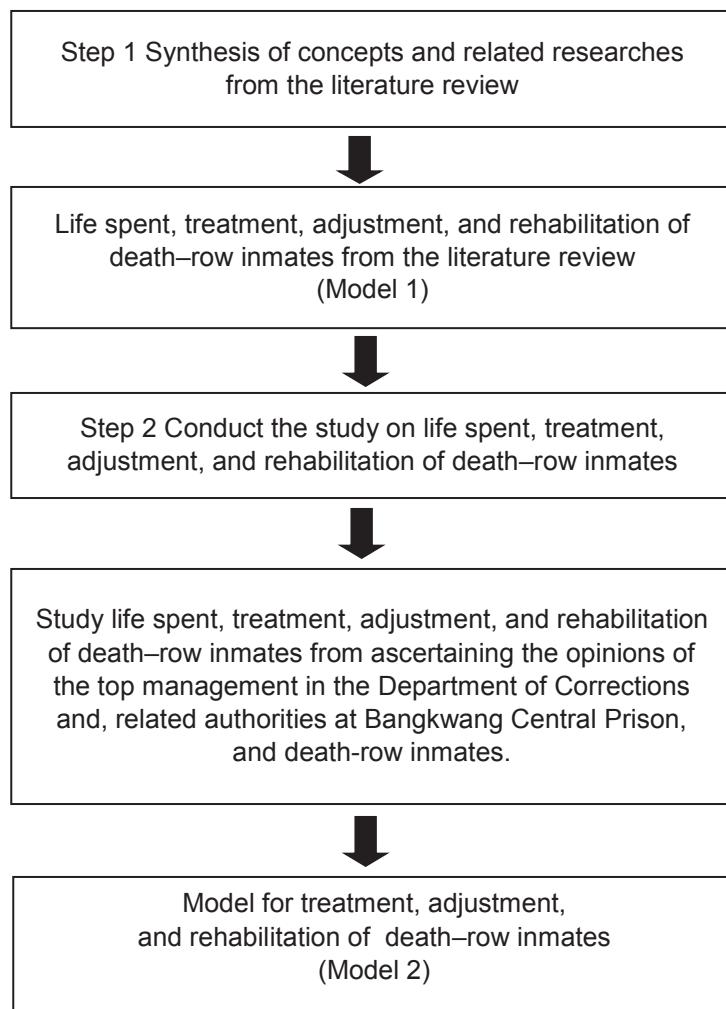


Figure 1 The process of conducting research

In order to obtain data consistent with the research objectives, selection was made by using purposive sampling (criterion based selection) based on maximized variation covering characteristics of the target group and the nature of the behavior (Patton, 2002). This research included the following samples:

Individuals included top management at the Department of Corrections, related authorities at Bangkwang Central Prison, and 20 death-row inmates (stakeholders), which are divided by categories as follows:

1. 5 managers at the Department of Corrections.
2. 5 authorities at Bangkwang Central Prison.

3.10 Thai death-row inmates, who don't have any mental disabilities, and are willing to cooperate in answering interview questions. Importantly, they must be convicted prisoners who were sentenced to death penalty by the Court of First Instance. Of the interviewees, 5 were found guilty of narcotics cases, and 5 were found guilty of general cases.

Methodology

1. Research Tools

The qualitative research employed structured in-depth interviews with the following interview process:

The interview is an important research tool. For this research, the interview was conducted with top management of the Department of Corrections, related authorities at Bangkwang Central Prison, and death-row inmates, with the following issues:

Part 1: Treatment of prisoners based on the United Nations Standard Minimum Rules.

Part 2: Information about self-adjustment of death-row inmates.

Part 3: Practices and opinions towards the treatment and rehabilitation of death-row inmates.

2. Data analysis

The researcher presented results of the data analysis in sequences of studied. Interpretation was made for concrete conclusions or phenomenon seen by inductive analysis (analytic induction).

Research Findings

The results of the study on prison life, inmates' treatment, self-adjustment and rehabilitation from the literature review (Model 1) found that:

The three (3) main operations in the prison context to treat death-row inmates are:

1. Control operations, such as primary principle, registration, classification and segregated imprisonment while awaiting trial, inmates' residences, discipline and punishment, fetters, information provided to inmates and petition, safeguarding inmates' property, death notifications, sickness, relocation, inmates' transportation, and so on.
2. Rehabilitation operations, such as religious belief, inmates' correction, inmates' privileges, inmates' prison works, education and recreation, and so on.

3. Healthcare and welfare operations, such as personal health, cloth and mattress, food, medical services, physical exercises and sports, contact with outside world, socialization and post-dismissal care, and so on.

Self-adjustment of the death-row inmates involves the following:

1. Behavioral self-adjustment in prison in 3 areas, i.e.,
 - 1.1 Social self-adjustment in prison
 - 1.2 Self-adjustment in prison context
 - 1.3 Inmates' self-adjustment process
2. Causes of inmates' self-adjustment, i.e.,
 - 2.1 Tension and anxiety
 - 2.2 Fear
 - 2.3 Restraint
3. Self-adjustment models, i.e.,
 - 3.1 Idling time daily model
 - 3.2 Reaping benefits model

The 6 models of rehabilitation for death-row inmates are:

1. Organizing educational programs
2. Organizing vocational skills training
3. Organizing spiritual development
4. Organizing health promotion programs
5. Organizing specific group rehabilitation
6. Other models or approaches

The results of the study on prison life, inmates' treatment, self-adjustment, and rehabilitation from interviews with the top management, related authorities, and death-row inmates (Model 2).

The first group contains 10 key informants of which five (5) were death-row inmates guilty of narcotics cases and the other five (5) death-row inmates guilty of general crimes; and the second group contains 10 key informants that were top management at the Department of Corrections and related authorities at Bangkwang Central Prison. The results of the study are summarized as follows:

1. Ways of life within the prison context regarding treatment of death-row inmates in compliance with the UN minimum standards

The researcher has explored related documents of the Department of Corrections and found that the official Action Plan of the Department of Corrections during 2012-2015 specified its mission with two (2) dimensions, namely, professional controls of inmates and effective rehabilitation (Department of Corrections, 2012). From the two missions, it has been found that

they are coherent with the UN minimum standards but healthcare and welfare were segregated into another division since both missions are involved in the operations of the Department of Corrections and correspond with the Corrections Act 1936 which has been adhered to treating inmates in prisons and correctional institutions.

2. Environmental management at Bangkwang Central Prison

This prison has stood for 80 years since 1933 and when mentioning its environmental management, it refers to lights, ventilations, temperatures, sounds, cleanliness, hygienic conditions and sanitations. Such environmental management is differs by buildings or zones and longstanding services, but they have been improved to properly serve current operations and to always accommodate the number of inmates.

From the interviews and observation, the researcher found that:

2.1 The canteen and kitchen are appropriate to a certain extent. The floors of the canteen and the kitchen are clean. It is airy with storage for rice grains and dry food, proper space to prepare vegetables and cooking with spacious cooking apace. Menus are on notice-boards for all of the three daily meals, as well as being awarded with the certificate of "Clean Food Good Taste" from Ministry of Public Health.

2.2 Dispensary building – it is appropriate to a certain extent with specific medical examination room, medicine dispensing room, and waiting room for medical examination. Its surrounding is clean with hanging fans, polished gravel floors, light blue walls, considerable spaces to organize medical activities, sufficient medicine and medical supplies for treatment of common diseases. In general, the dispensary is of moderate quality.

2.3 The dormitory building for inmates - since it is an old prison, it is appropriate for imprisonment at a certain level. Even though it has been in service for so long, its specification can comply with the standard of the Department of Corrections, for example, Zone II in which death-row inmates stay contains a two-storey dormitory and each floor accommodates 24 rooms with both large and small ones. The large cell is 5x8 meters while the small cell is $\frac{1}{2}$ or $\frac{1}{3}$ time of the standard cell. The zone for the death-row inmates accommodates 17 standard cells, a room of $\frac{1}{2}$ time and two rooms of $\frac{1}{3}$ time of the standard cell. Every room in the dormitory is fixed with mosquito wire screen and not too congested to accommodate inmates. For example, a dormitory will not accommodate more than 30 inmates, while providing a clean mattress, pillow, and a blanket for each inmate. Dormitory bedding provided for each inmate is sufficiently clean and meets the number of inmates. Inmates sleep on both sides facing each other. The floor covered with tiles is clean in an airy building equipped with ceiling and safety insulated electricity cables. There are 8 barred windows in the front and another 8 windows in the rear of the dormitory building.

2.4 The bathing area and toilets have been well provided for inmates. They are sufficient to accommodate the number of inmates. There are two types of bathing areas, i.e., traditional ones containing a meter high large well located next to the canteen; and another modern bathroom with 10 shower sections accommodating one person each.

2.5 Sports ground – the space for inmates' physical exercises has a good level of physical environmental management. The prison encourages inmates to take physical exercise based on their aptitude and the prison physical condition, such as boxing project support, cement ground for basketball or takraw, and so on. The Bangkwang Central Prison allows death-row inmates to have an hour exercise each day during 08.00-09.00 hrs. in the adjoining area of the Execution Zone II.

3. Human rights practices of the Department of Corrections

3.1 Control Operations

With regard to human rights practice for inmates, especially death-row inmates at Bangkwang Central Prison, the Control or Administrative Section and Penological Operation Section have been assigned to comply with human rights based on the UN minimum standards in respect of the primary principle.

3.2 Operations of Healthcare and Welfare for Inmates

With regard to human rights practice for inmates, especially treating resolute inmates regarding healthcare and welfare, in the Bangkwang Central Prison, the prison dispensary and Welfare Section have been assigned to comply with the human rights under the UN minimum standards in respect of the medical services.

3.3 Action Taken for Inmates' Rehabilitation

With regard to human rights practice for inmates, especially the resolute inmates regarding their rehabilitation, in the Bangkwang Central Prison, the Penological Operation Section, Welfare Section, and Inmate Development Section have been assigned to comply with the human rights under the UN minimum standards.

4. Inmates' self-adjustment

Regarding the performance of related authorities and their responsibility in overseeing a large number of inmates, the number of inmates is inconsistent with the number of authorities in the prison, and possibly results in inefficient performance. The authority's daily performance is witnessed by the death-row inmates and that makes them understand and feel sympathetic towards the authorities. It makes inmates attempt to avoid breaching disciplines in order not to overload the works of the authorities. Therefore, if the inmates' self-adjustment will be evaluated, it is necessary to study inmates' social adjustment, particularly to study the relationship between the death-row inmates and other individuals in the prison which might affect their self-adjustment

from their admission into prison until their acceptance of punishment. From field works, the researcher found inmates' social adjustment as follows:

4.1 Inmates' social adjustment

4.1.1 Adjustment between inmates and inmates

At Bangkwang Central Prison, death-row inmates and common inmates can talk and participate in activities. These inmates mostly talk about their cases, compliance with the prison regulations, way of life in prison, and so on. During their discussion, they must exchange ideas and attitudes which can affect their adjustment or behavioral change at the prison. Their adjustment or behavioral changes happen in various forms, such as perception of life experience from the narrations of other inmates which leads to self-adjustment, and inmates with extensive stay in prison are likely to gain acceptance from other inmates. Sharing of good and appropriate experiences will be conveyed to other inmates for imitating and spending their lives in prison happily. Even when inmates witness behaviors of other inmates facing problems in spending life in prison, they will adopt those models to adjust their behaviors and adjust themselves in order not to harm themselves in the same way as other inmates have encountered. When problems arise, inmates usually seek help and advice from other acceptable inmates. The relationship among death-row inmates involves the exchange of ideas and more perceived self-esteem. They dare to speak what they want to speak. They have the encouragement to do what they are doing at the present. They accept their sentences. They adjust themselves to the prison. These groups specially sympathize with each other and take care of each other to the best of their abilities. They respect and honor each other. Their discussion contributes to good relationships and helps them adjust themselves to live in prison happily.

4.1.2 Adjustment between inmates and the prison authorities

Most death-row inmates are likely to seek advice, consultation, and assistance from the prison authorities whom they respect and trust. Under the restriction of the prison, the authorities might be insufficient for all death-row inmates who are seeking advice. Since death-row inmates usually have a prolonged stay at Bangkwang Central Prison and they are familiar with the authorities, these inmates understand the limited number of the authorities. Nevertheless, the authorities control and treat all inmates equally, without discrimination, and comply with the prison rules and regulations on inmates' treatment, adhering to reasons rather than prejudice or personal mood. Most inmates have positive attitudes towards the prison authorities regarding both work-related and personal affairs.

4.2 Adjustment to Prison Contexts

4.2.1 Adjustment to prison rules and regulations

Rules and regulations are difficult to control in a large group. Likewise in a prison which has to control and oversee inmates, it is necessary to have rules and regulations. The prison rules and regulations have two characteristics: formal rules and regulations are to adhere

to the Correction Act 1936; and informal rules and regulations which are not enacted but seem to be a common agreement among inmates, while also acknowledged by the prison authorities and accepted to be enforced among inmates. Death-row inmates are segregated based on how they are being punished. In each dormitory, inmates will look after each other. Each dormitory will be divided into cell appropriate to the number of inmates and each cell will elect their chief and these chiefs will elect the Head Chief of the dormitory through the approval of the authorities. This is to help support co-existence among these inmates. If problems arise, those problems will be reported to the authorities for consultation, advice, and assistance.

Another significant adjustment to the prison contexts is “Salutation for the Authority”. As for such matter, the death-row inmates are informed that the practice or the expression of saluting the authorities is what inmates must do and they learn from generation to generation. It is not forced by rules, regulations, or enactment.

4.2.2 Adjustment plan for controls and rehabilitation at Bangkwang Central Prison

The Bangkwang Central Prison thoroughly organized many activities for inmates through classification. The Classification Committee will determine the controls and the correctional plans, which will examine appropriateness and willingness of each inmate, including their health, aptitude, interest, and previous work before imprisonment. Activities and action plans are organized for inmates to fruitfully spend their leisure time. They are diverse activities. All activities will be informed to all inmates and they are required to report their participation. If there are many inmates reporting their participation, the authorities will select them as deemed appropriate. There are many types of activities in the prison. A type which is easy for inmates to do under the prison rules and regulations and on voluntary basis is “Letter Writing” which is a basic activity that all inmates can do under the enforced rules and regulations. Generally, most death-row inmates contact their families and any other person who makes them feel comfortable. In addition, most death-row inmates also regularly practice “Religious Rites”. Death-row inmates can participate in religious rites depending on their beliefs. The prison regularly organizes religious rites. Buddhist activities provide dharma practices under the “Project of Cell House Dharma House” and welcome all inmates and death-row inmates to participate in activities involving dharma training and practices. In addition, inmates are free to have a private study and practice during their leisure time. Some Christian inmates have church every Sunday. Other religions are also supported.

In addition, there is “Vocational Training.” Every inmate has to pass classification and action plans are designed to be appropriate for each inmate. The vocational training is to allow inmates to spend their leisure time fruitfully and to correct themselves and to create good relationships between inmates and the prison authorities. Also, the prison approves dividends for

inmates which encourages pride and self-esteem. Inmates who are not visited by their relatives and helps prisoners to generate extra income in the prison.

The results from the study showed that in addition to the aforementioned prison context, there are other factors influencing ideas, feelings and affect the adjustment of death-row inmates, i.e., gossips or rumors heard by death-row inmates or through words of mouth, and the delay of executions. After the year 2009, no death-row inmates have been executed. These death-row inmates hope to be granted royal amnesty and have their punishment reduced. This encourages them to improve themselves, see themselves as valuable, and have the opportunity of dismissal or acquittal. The death-row inmates have discussed the opportunity of royal amnesty which brings hope to them.

4.2.3 Methods or the process of death-row inmates' adjustment

The study found the following 3 factors or causes influence the self-adjustment of death-row inmates:

4.2.3.1 Tension and anxiety

Upon a death penalty sentence, inmates should be fearful, especially in relation to the feeling of their families, surrounding people, and anxiety about their families' life without them. Therefore, they become stressed and anxious.

4.2.3.2 Fear

Besides tension and anxiety, key informants reported that fear is another cause that complicates adjustment. Death-row inmates are fearful of death. In addition, the results showed that apart from the fear of death, there are fears of separation and being burdensome to their family. When death-row inmates are fearful, they have the following characteristics:

1. The fear of separation: death-row inmates tell themselves they must continue living, care for their health while waiting for acquittal, and tell their families to also take care of themselves until they return home.

2. The fear of being burdensome to their family: since life spent in prison where freedom is restricted and inmates are unable to go to work as common people prior to the imprisonment it makes the death-row inmates fear they are a burdensome to their families, they have to adjust themselves by working in the prison and attending the vocational training so that they can spend their free time fruitfully. It helps reduce tension, alleviate burden to the family, and produces dividends which are sent to their families. In addition, they have meals prepared by the prison. They buy only necessary things in the prison, and request for support or welfare from the prison and outsiders.

4.2.3.3 Restraining the mind to accept punishment

This is the most significant process for death-row inmates' self-adjustment. These inmates know that they have to live in a new environments and become members of the prison society which is totally alien to them. The process of self-adjustment involves restraining the mind

to accept punishment and be submissive to accept the results of the case, as well as to be submissive in prison. The study results can be analyzed and concluded that there are 2 models of self-adjustment among the death-row inmates at Bangkwang Central Prison.

1. Idling Daily

Some death-row inmates use this method of adjustment as they consider that they avoid difficulties in prison, spend their lives in compliance with rules and regulations, and believe they should “mind their own business”. This type of death-row inmates pursue vocational training, playing sports, and choosing to work for their benefit, such as applying to be the authority’s assistant or working in the kitchen so that they can have more food intake than other inmates. It is not only their own for self-benefits, but also to avoid difficulties and not to make friends with problematic inmates, possibly leading to disciplinary action and affecting their benefits in respect of penological operation, such as acquittal, promotion, petition for royal amnesty, being appointed as one of the authority’s assistants, and so on.

2. Reaping Gains

When death-row inmates enter prison, they are worried and fearful. To reduce tension and anxiety, they pursue vocational training or continue their education in school.

5. Models of Inmates’ Rehabilitation

Death-row inmates are a critical and special group because they have a prolonged -stay in prison. This requires specific approach for their rehabilitation. However, 5 models of the inmates’ rehabilitation are the educational program, the vocational skills, the spiritual development, the health promotion, and the specific group rehabilitation. The results of the study are as follows:

5.1 Bangkwang Central Prison allocates a special zone for education and other activities for inmates without any difference between common inmates and death-row inmates. This is in compliance with the UN minimum standards. Bangkwang Central Prison organizes education for inmates under the National Education Act which requires education focusing on rehabilitating inmates to satisfy the needs of societies, communities, with the aim of rehabilitating their conducts, behaviors, and attitudes. As a result, inmates will acquire knowledge and skills for their career in order to earn and to live rightfully after their acquittal base on their own potential. Bangkwang Central Prison organizes the following educational programs.

- 5.1.1 Basic education (General Education)
- 5.1.2 Career development (vocational program)
- 5.1.3 Higher Education

5.2 The organization of vocational skills training. Bangkwang Central Prison organizes vocational skill development or vocational training programs for its inmates aiming to help them

with rehabilitation and to achieve a peaceful life after dismissal. The prison prioritizes organizing a variety of vocational programs as follows:

- 5.2.1 Carpentry and household crafts training
- 5.2.2 Painter, polisher and lacquerer
- 5.2.3 Mason and plasterer
- 5.2.4 Barber
- 5.2.5 Thai traditional massage

5.3 The organization of spiritual development. The spiritual development for inmates at Bangkwang Central Prison has been organized as follows:

- 5.3.1 Orientation for new inmates
- 5.3.2 Training on dharma (elementary level, intermediate level, and advanced level)
- 5.3.3 Spiritual meditation training (samadhi vipassana)
- 5.3.4 The Project “Cell House Dharma House”

5.4 Hygienic health promotion. The prisons in Thailand have adhered to the order of the Department of Corrections by implementing projects that promote hygienic health for inmates as follows:

- 5.4.1 Hygienic health promotion for common inmates
- 5.4.2 Hygienic health promotion for inmates in the working age group
- 5.4.3 Hygienic health promotion for elderly inmates

5.4.4 Specific group rehabilitation. Most prisons organize programs to rehabilitate each specific group of inmates similarly, but do not discriminate against them whether they are death-row inmates or not. Those programs are for common inmates, elderly inmates, sick inmates, mental disorder inmates, influential inmates, narcotics case inmates (retailers), sexual abusers, and so on. The prison prioritizes specific group rehabilitation pursuant to the policy of the Department of Corrections with the assumption that inmates are able to be rehabilitated if they have the opportunity.

Conclusions

1. Life spent at Bangkwang Central Prison regarding the treatment death-row inmates appeared as Model 1, and integrated with Model 2 acquired from in-depth interviews, resulting in the context of the Bangkwang Central Prison which meets the minimum obligation in treating inmates announced by the UN and it is coherent with the Corrections Act 1936. This affects inmates' self-adjustment. This study revealed that operations must begin with physical environmental management of the prison in respect to the buildings for controlling and rehabilitating inmates. They are canteen, kitchen, dispensary, dormitory, bathing area, toilets,

sports ground, and the physical exercise area. All of these must be appropriate and standardized.

After being able to appropriately manage the physical environment in respect of buildings, operations based on the principle of the UN minimum standards in treating inmates, which is the international standards, and the Corrections Act 1936, which is the national standards, in three aspects, i.e., 1) Controls, 2) Inmate Rehabilitation, and 3) Inmate Healthcare and Welfare, will also be efficient.

The way of life of the death-row inmates at Bangkwang Central Prison matches the UN minimum standards and is coherent with action plans from the Department of Corrections during 2012-2015 determining two missions, i.e., professionally controlling inmates, and efficiently rehabilitating inmates. It is also correspondent with the Corrections Act 1936, which is abided by correctional personnel in treating inmates, and ten (10) standards of the prisons as stipulated by the Department of Corrections.

As for the treatment of death-row inmates at present, the two groups of key informants—top management from the Department of Corrections and the prison authorities—viewed that both controls and rehabilitation should be emphasized. Treating death-row inmates in the max security prison needs rigid controls coupled with rehabilitation throughout the term of imprisonment. It is correspondent with the concept of the modern prison which places emphasis on the community correction. Currently, the objective of prison operations are not only to control inmates, but also to be coupled with rehabilitation so that they return to quality people, such as Areerak Sintoppan (1988) who found that the treatment of inmates in Thailand corresponded with 42 items of the UN minimum standards. It also corresponded with the research from The Department of Corrections (2008), which found that most prisons and correctional institutions follow all the aspects of the UN minimum standards such as classification and segregation of inmates, medical services, clothes, sleeping kits and inmates' residences and so on. It is witnessed that such obligations are the attempts to standardize the protection of inmates' human rights considering their rights in life, freedom and security, which are inherited to them at birth

2. The results of the literature reviews (Model 1) and in-depth interviews with three groups of key informants (Model 2) revealed that the self-adjustment of death-row inmates involves the following issues:

2.1 Social adjustment in prison - the study found that their social adjustment is made with other inmates and with the prison authorities of Bangkwang Central Prison.

2.2 Adjustment to the prison context - the study found that self-adjustment is made with the prison rules and regulations, the action plan regarding controls, and the rehabilitation plan of Bangkwang Central Prison.

2.3 The death-row inmates' families – the study found that they must adjust themselves to their families during their imprisonment in Bangkwang Central Prison.

2.4 Duration of the imprisonment term - the study found that they must adjust to the imprisonment term, their punishment, and time consumed for trial from Court of First Instance until Supreme Court.

2.5 Causes of self-adjustment involve four main aspects as follows:

2.5.1 Tension and anxiety – Prior to their death sentence, inmates admit that they fear imprisonment, while their family and surrounding people will not be able to accept the death sentence. Such fears lead to their tension and anxiety.

2.5.2 Fear – They are fearful of death and isolation from their families while staying in the Bangkwang Central Prison. They also fear the burdens of their families due to prolonged imprisonment, and their families have to lose additional expenses to visit them.

2.5.3 Restraining the mind to accept punishment – when the death-row inmates are imprisoned at Bangkwang Central Prison for a while, they might admit the verdict of the trial and are submissive to the context or surroundings in the prison where they are confined.

2.5.4 Loneliness or desolation – upon the death penalty verdict, the death-row inmates will be transferred to Bangkwang Central Prison. They have to change their lifestyle in the prison, and their relatives might not visit often. All of these things make them feel lonely and desolated during the early stage of their imprisonment.

2.6 Self- adjustment patterns or models – there are two main models as follows:

2.6.1 Model of daily idling and hopelessness or lifelessly spending their day - some death-row inmates use this model as they consider that staying at Bangkwang Central Prison is by necessity and suffering their penalty for idling the time. This is the time for adjustment in an attempt to rapidly spend daily life, while maximizing their benefits, as well as avoiding all difficulties in the prison. They comply with rules and regulations. They might not be interested in vocational training provided by the prison. They are unlikely to become involved with prison activities, or they cooperate in order to gain benefits rather than to improve themselves. They seem to reject their punishment.

2.6.2 Maximizing gains and hopefulness model - inmates adopting this model are those accepting guilt and punishment, and being submissive to the prison context and the surroundings of Bangkwang Central Prison. Therefore, they adjust themselves by participating in activities for purpose of their rehabilitation. They have perceived self-esteem and consider that they still have the opportunity to return to the communities outside if they are granted a royal pardon or a punishment reduction. They then use this model to ease their tension and anxiety when they are in prison. This corresponded with Flippo (1987). This study found that when death-row inmates move to a new context, there must change their bodies and their minds.

They must adjust to survive under different limitations, rules and regulations from outside. This corresponded with the study of imprisonment pain by Sykes (1958).

3. Models and Approaches for Death-row Inmates Rehabilitation

Bangkwang Central Prison has coordinated with various related organizations in providing their authorities, activists, experts, and speakers to participate in inmate rehabilitation and organize interdisciplinary activities with the prison authorities for specific inmate groups. This is to motivate and attract inmates to join activities as planned without making them feel fearful to fully participate in the activities. This study showed that the Bangkwang Central Prison applies six (6) models of inmate rehabilitation, namely, 1) education arrangement, 2) vocational training arrangement, 3) spiritual development, 4) healthcare promotion, 5) specific group rehabilitation, and 6) other models/ approaches.

With regard to the issue of inmate rehabilitation, it is necessary to apply programs that reduce tension and anxiety or recreation within small size groups, such as arts therapy, music therapy, and arbitrary activities. The said results of the study are acquired through in-depth interviews with the top management, the prison authorities, and the death-row inmates who were key informants.

This study also found that common rehabilitation models, such as education, spiritual development, and vocational training, are ineffective. Inmates still break regulations. They continue to behave poorly and never feel guilty of their offense while tending to commit recidivism if they have the opportunity of dismissal. Mekmanee (1980) said that results from rehabilitation of the Department of Corrections are the compensation of their good conduct. It is critically aimed to encourage inmates to pay attention to their rehabilitation and cooperate with the authorities to become disciplined and develop themselves.

Therefore, key informants in this research commented that the prison should provide new rehabilitation models or new activities in association with the existing common approaches as follows:

1. Mental easing model or activities.
2. Small group recreation model or activities.
3. Personality development model or activities to alleviate tension and ease their mind, and to encourage inmates to have self-esteem and accept their own guilt.
4. Arbitrary or voluntary model or activities based on the interest of each inmate.
5. Models or activities such as arts therapy, music therapy, family therapy, boy scouts, writing inmates' direct experiences, physical exercise promotion, showing performance competition outside the prison, and so on.

The results of Model 1 and Model 2 showed that the models or the approaches of death-row inmates' rehabilitation at Bangkwang Central Prison adhere to the principles to rehabilitate inmates with various programs as designed by the Department of Corrections in their

master plan on rehabilitating inmates without discriminating death-row inmates. The plan focuses on inmates-centered development based on the 5 P's – Prison: the prison structure and management, Personnel: the rehabilitation of personnel, Program: rehabilitation programs, Prisoner: inmates, and Partner: people involved in rehabilitation. This is a systematic and practical operation. Yodudom (2009) explains that correctional jobs should provide- rehabilitation but at present the objectives of the prison jobs are not just only controlling but also encourage inmates to become good citizens. Jitsawang (1998) stated that using prison as a measure to treat offenders has evolved for over two centuries to replace corporal punishment such as torturing and whipping.

Recommendations

1. The study also indicated that the prison confining inmates with the death penalty, i.e., more than 30 years of imprisonment and execution, is required to segregate death-row inmates from common inmates. These death-row inmates certainly face problems of tension, anxiety, self-adjustment to the prison contexts, as well as mental problems, such as desolation, because they fear that their case might not have a royal pardon granted, and are fearful of execution, and so on.
2. The Department of Corrections should promote activities or treat the death-row inmates continuously so as to enhance their benefits and self-esteem in alignment with their needs, and potential.
3. The study showed that the inmate rehabilitation models or approaches should maintain common models, such as education, spiritual development, and vocational training. The Department of Corrections should consider specific rehabilitation models by adopting new models for application besides the regular ones, such as marching band, chorus, and arts therapy, to alleviate their tension and anxiety. Inmates may be encouraged to write stories so that they can convey their life-failures and help provide a guideline to help others. It is necessary to emphasize the process of enhancing potential to strengthen their mind and to invigorate them to defeat their problems, which will create an intrinsic drive for rehabilitation, such as personality development, creation of self-esteem, and so on.
4. In the process of rehabilitating death-row inmates, the Department of Corrections should emphasize the involvement of their families in the process. The Department should focus on case management, establish an advisory system, and assign the prison authorities to be advisors to each death-row inmate. They should explore each inmate's historical records and plan individual rehabilitation programs for each inmate.

5. Following the process of rehabilitation, the Department of Corrections should support every section of the prison to work collaborately on rehabilitation. This will create synergy and co-responsibility, as well as rehabilitate inmates by an interdisciplinary approach which will maximizes benefits for the death-row inmates.

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