

ANALYSIS OF DISCIPLINARY OFFENSES AND DISCIPLINARY PUNISHMENT IN THE CLOSED PENITENTIARY IN ZENICA IN THE PERIOD FROM 2020 TO 2022¹

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The Purpose of the Research

The problem of resocialization in correctional institutions is basically related to the psychological problem of the effectiveness of punishment and reward in changing the attitudes and behaviour of individuals. At the same time, it is always an open question to what extent the imposed prison sentence is a “revenge” of society, and to what extent this is a factor of resocialization and how the prisoner subjectively feels about it. In most cases, they do not feel guilty and consider the punishment unfair, or at least inadequate. Modern penological principles of resocialisation emphasize it as the goal of punishment. However, if the prisoners do not accept the punishment, then they essentially do not accept resocialization based on punishment and reward. For this reason, resocialization treatment should have certain content that is maximally adapted to the specific personality. In practice, resocialisation work is mainly based on one type of behavioural therapy, that is on conditioning, which means that motivation for work, schooling and behaviour is realised in accordance with house rules, based on punishment and reward. They represent the basic method of resocialization treatment and its ultimate content³.

In principle, it could be said that punishment is the main form of resocialization, and reward is an additional one, whose basic function is to reduce the deprivation of prisoners.

The core of punishment in prison is a disciplinary offense for which the prisoner is brought to a disciplinary report where a disciplinary measure is imposed. Punishment causes frustration, and if it is carried out preventively, it has mainly negative effects on the personality. Of course, we cannot give up punishment as a form of resocialization, especially in the conditions of work in prisons⁴. In the relationship between the prisoner’s disciplinary offense and the sentence imposed, there are several factors on which the effects of punishment depend. These factors are:

1. The strength of the prisoner’s motivation for practicing punishable behaviour,
2. The existence or non-existence of the possibility of alternative behaviour that can satisfy the motive in a permissible way,
3. Characteristics of punishment, i.e., its intensity, frequency, consistency, succession,

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³ In essence, the theory of exchange warns us that perpetrators of disciplinary offenses satisfy a certain need for reward through their activity, regardless of disciplinary punishment.

⁴ Prisoners recognize that the use of power in prison is necessary, desirable, and can be legitimate, even when it is used ‘against’ them (Crewe, Liebling, 2017, p. 899).



4. The relationship between the punisher and the punished,
5. Circumstances under which the penalty is applied,
6. Orientation of punishment to the person or to the procedure.

In prison conditions⁵, the effectiveness of punishment is probably greatly influenced by the attitude of the prison community⁶, its public opinion and the group to which the person in question belongs, that is, the support he receives. However, the significance of punishment cannot be denied. It quite successfully suppresses illegal forms of behaviour.

The prison community differs by a number of variables such as: educational and social structure, social milieu and background, age and intellectual abilities and character traits, type of crime, length of sentence and attitude towards the crime, contact with family, etc., which have a significant impact on the effects and effectiveness of punishment and reward. At the same time, these variants have a great influence on the behaviour of prisoners during their sentence, and thus on the overall state of discipline in prison, the type of frequency and severity of disciplinary offences. Bearing in mind that the state of discipline and the effectiveness of punishment and reward are mutually conditioned, and depend on almost the same variables, in our research we decided to emphasize discipline in order to make an easier definition of the term, as well as an easier operationalization of the subject of research.

From the presented research problem, it follows that in this paper we want to emphasize its applicative significance, without neglecting the social and scientific aspect of the problem, because its ultimate goal is the verification of the disciplinary situation in a certain period of time. The applied significance of this research is also reflected in its diagnostic and prognostic value, and can be the basis for preventive action, undertaking the necessary corrections, as well as for planning further work and development of resocialization treatments.

The social significance of this research stems from society's interest in raising the security situation in prison to a higher level, as well as in further humanizing and individualizing the execution of punishment. The scientific significance of the research is reflected in the systematic collection of facts in an area over a long period of time, because prison is largely closed to the public and scientific research work.

Theoretical Approaches to the Phenomenon of Disciplinary Offenses in Prison

The act of confronting of the prisoner to prison staff is in refusing to assist the prison officer in any way in connection with his work, what also includes the denial of the authority they are formally given. Prisoners are generally glad to comment on the work of official staff. The source of this value is their feeling of social isolation, and the official staff is representative of those who isolated them (legal system). The official staff is the transmission of the legal society in the prison system, and, as a response to rejection (punishment), the prisoner's response is position of confrontation to prison staff. The continuum of confrontation to the official staff is not equal in relation to every position, and the most

5 Dominant form of punishment is imprisonment. Thomas Mathiesen (2000) offer radical explanation of social functions of imprisonment, he draws attention to the fact that commission of socially harmful acts is by no means the prerogative of one particular section of society. Socially dangerous acts are increasingly being committed by individuals and classes with power in society even though they are most unlikely to be punished for their transgressions (Cavadino, Dignan & Mair, 2013).

6 Within the prison community, as the creator of the prison code, there is a significant number of actors who commit offences (Butterfield, 2002).



often it is towards the prison guard. The dynamics and direction of confrontation depends on the strategic goals of the profitability of confrontation, that is, if confrontation will not result in the abolition of some status issues and privilege.

Gresham Sykes and Sheldon Messinger (Sykes&Messinger,1962, according to Špadijer-Džinić, 1973:156-158) reviewed the literature, and on basis of series of researches, they noted a certain normativity within the prison code which referred to the relationship between prisoner and official staff and relationship between prisoner and prisoner:

1. Norm of prohibition of assisting staff in the sense of providing information or “snitching”. The ban protects the prison community from the reaction of the formal system concerning the prohibited actions regulated by house rules. This norm produces a norm of loyalty and tolerance towards another prisoner;
2. The norm of control and conflicts which arise from this, should be minimal in order not to disturb the balance within the community, that is, the minimal conditions of tolerability;
3. The norm of relation to material values, the prisoner should generally share material goods with others.
4. The norm of dignity refers to the ideal type of prisoner, labeled as a “right guy”.
5. Norm of non-recognition of reputation and respect for prison staff and the society they stand for.

Recent research (Hemedl & Monina,2021:18-22) emphasizes some aspects of prisoner disciplinary offenses through a wider structure such as physical force (the threat of physical offence, sexual offence, psychological harm or manipulation) which is the first thing that comes to mind, but they include also structural and cultural offence. Structural offence (or indirect offence) implies systematic, structural or institutional ways through which people are kept from accessing the resources needed to meet their basic needs. Cultural offence has its roots in the values, religion and ideology of a society. Cultural offence has impact on violent behaviour or shaping how conflicts begin and end, and whether offence in prison is celebrated, condoned, or condemned. Cultural offence may include a cynical attitude by staff towards prisoners, feelings of superiority of one group over the other.

Edgar Kimmitt (Kimmitt, 2015:20) in the understanding of prisoner offenses starts from the definition of conflict which means situations as competing interests which the parties pursue in uncompromising ways. The most important factors that contribute to offensive behavior are: tactics, such as intimidation or threats, that tend to aggravate disputes, theft, exploitation, and other forms of victimisation, racial and cultural tensions and misunderstandings, emotions, such as frustration, anger and shame, transitory relationships, lack of familiarity with peers and low self-esteem. In another work (Kimmitt, 2018:6-9) Kimmitt developed the idea of conflict as a cause of offenses in prison through two models of cycles of violence. For the first key variable is feeling of danger and key answer is how prisoners deal with their fears for their personal safety. Feeling unsafe leads to psychological preparation to use force in defence then to defensive reactions which result in aggravate disputes and, finally, use of force to demonstrate toughness to ‘audience’. Another model of cycles of violence refers to private justice. This model starts from the fact that prisoner feels risk of being cheated, defrauded, or exploited, then, material deprivations increase the urgency to defend personal property, so cultural norms hold that wrongdoing merits punishment and at the end of process who feels exploited will react with violence

James McGuire (McGuire,2018:1-3) considers that the occurrence of offences assault in prison is a challenging problem. He made Analytical Summary Reports which concern the findings of a rapid



evidence assessment (REA) into the causes of physically violent assaults by male adult prisoners. He reviewed 97 research studies published since 1st January 2000. Key findings are:

- Most of the published research is focused on imported characteristics – the personal characteristics of men who are violent in prison;
- Crowding-evidence that crowding in and of itself was a direct cause of violence;
- Prison activity- places within a prison where prisoners are engaged in purposeful activities they consider valuable are less prone to be sites of aggression. Violence is more likely to occur in places that offer less purpose, have fewer formal ground-rules, and lower staff oversight;
- Situational control- means organisation of space designed to reduce violence oriented towards situational control aspects of day-to-day prison management. The open research questions set for REA were as follows:

1. Who (which prisoners) is the most likely to commit incidents of violent disorder within establishments?
2. When are incidents of prison violence most likely to occur?
3. Where are the incidents of prison violence most likely to occur?
4. Which are the strongest drivers of prison violence, taking into account interactions amongst the various drivers (covering the dimensions of who, when and where)?
5. What are the key lessons for operational policy and/or delivery in terms of mitigating and reducing the risk of violent disorder?
6. Are there any clear protective factors.

He found out that the studies were grouped into categories according to the focus of the research. Number of research studies and used theoretical model are:

- Importation model / individual variables 25;
- Integrative model 14;
- Tests of predictor scales 10;
- Mental disorder 9;
- Administrative / procedural / managerial factors 9;
- Deprivation model / prison conditions / situational factors 8; Gang effects 5;
- Race/ethnicity differences 5;
- Bullying 4;
- Crowding / overcrowding / density 3;
- Gender differences 3;
- Strain theory 2

Total included for full review 97.

Our earlier research (Šabani, 1999: 163) also confirms this relationship. In 1990 it was noted that conflicts between the prisoner and official staff occurred in 21.2% of cases, in 1991 in 27%, in 1993 in 26.6% of the total number of disciplinary offences. In the prisoner-prisoner conflict, the percentage is somewhat lower. In 1990 this type of conflict was present in 7% of conflicts, in 1991 in 12.8%, and in 1993 in 16.3% cases of conflicts. The afore mentioned conflicts were also the most frequent conflicts out of the total number of disciplinary offences. Regarding the frequency of disciplinary offences (up to two offences) in the period 1993, 1994 and in 1997 the percentage was 28.3% of total number of offences, and on two or more offences referred 11% of cases. The relationship between age and disci-



iplinary offences throughout the observed period showed that prisoners under the age of 29 who committed more than one offence are represented in 41% of cases. The participation of other age structures is negligible in disciplinary offences. According to the type of crime, the most frequent perpetrators of disciplinary offences were prisoners convicted of robbery (56.2%), followed by those who committed murder (34.6%). Regarding the previous convictions, prisoners who were convicted once committed a disciplinary offense in 38.5% cases, and those who were convicted multiple were presented in 69.6% cases. Therefore, the more evident the previous conviction, the greater the tendency to commit disciplinary offences.

Research Methodology

The main hypothesis

1. Does the frequency of disciplinary offences and reports, and the severity of imposed disciplinary measures in the period from 2020 until 2021, indicate a deterioration or an improvement in discipline in the observed period?

Research goal

1. The goal of the research is to determine what are the tendencies of disciplinary behaviour in prison, i.e., whether the disciplinary situation is worsening or improving?

Research tasks

1. Determine the frequency of disciplinary offences and disciplinary reports in the period from 2020 until 2021.
2. Determine the most common types of disciplinary offences in the period from 2020 until 2021.
3. Determine whether there is a tendency disciplinary offense, committed by the same prisoner, to be frequently repeated in the period from 2020 until 2021.
4. Determine the position of conditional solitary confinement in the total set of disciplinary reports, that is, the correlation between conditional solitary confinement and the length of the conditional period.
5. Determine whether the imposed disciplinary measure has been standardized in the period from 2020 until 2021.

Research set and subset

In the mentioned period, an average of 892 prisoners per year were serving their sentences in prison. Due to the impossibility of monitoring fluctuation, we took this number as the average number, so a total of 2,696 prisoners. Out of that number of prisoners, a total of 842 disciplinary reports were recorded, and in this way a subset was formed, which is at the centre of our research interest. In the structure of perpetrators of disciplinary offences, the most represented are members of the Bosnian nation (n=679), followed by Croats (n=94), Albanians (n=49), and Serbs (n=19). This structure is expected considering that prison is located on the territory of FBiH.

In the analysis, we relied on the empirical data that were available to us in the research of Sadagić (2015), which related to the basic socio-demographic-criminological characteristics of the prison community in the period between 2007 and 2012. As the main characteristics of the prison community, it was stated that the most frequent crimes were theft and aggravated theft, robbery and murder. The average age of the perpetrators of murder and attempted murder was around 37 years, while



the average age of prisoners convicted for theft was 29 years, and of robbery 26 years. The majority had completed high school, while 28.3% had completed primary school and 20.8% did not complete school. Regarding the perpetrators of murders and attempted murders, 55% of prisoners had completed high school, and 32.5% have completed primary school, while 10% have not completed school. Among prisoners convicted of theft and aggravated theft, 45% had completed high school, 30% had completed elementary school, and 25% had not completed school. Regarding prisoners convicted for robbery, 49.7% had completed high school, 22.5% had completed primary school and 27.5% had no completed school. Regarding work qualifications, 52.5% of the perpetrators of murder had qualifications, and 35% had no qualifications. Regarding the prisoners convicted of theft, 45% had a qualification, 35% had a partial qualification and 25% had no qualification. Regarding the crime of robbery, 55% had a qualification, 17.5% had a partial qualification and 27.5% had no qualification. Most of the prisoners were unemployed at the time of the crime, i.e., 93.3% of them. Prisoners convicted of robbery were not employed at the time of the crime. Most of the prisoners from that period were born in the city and smaller towns, but the village, as a place of birth, is completely negligible. Regarding the criminal offense of murder and attempted murder, it was concluded that these perpetrators are mostly from a smaller town, while the perpetrators of robbery and theft are from the city. (Sadagić, 2015; p. 56-57).

Although we did not have access to the mentioned variables in our research, it is justified that the quality of the structure of the prison community did not change significantly during the period of our research. In almost all the analyses of the criminal population of prison in Zenica, perpetrators of the crime of theft and serious theft, murder and severe murder, and robbery dominate (Bogojević, 1991, Šabani 2005). By analogy, it is to be expected that the perpetrators of the most frequent criminal acts are most likely to participate in the acts of disciplinary offenses.

Variables

I Dependent variable:

a) Disciplinary behaviour of the prisoners in the period from 2020 until 2021.

II Independent variables

a) Types of disciplinary punishments.

b) Critical time periods or critical months during the year.

Methods

Based on the method of collecting and analysing facts, it can be said that the empirical-non-experimental survey method was applied in this research. The choice of the applied method was based on the goal and tasks of the research, as well as from its primarily applied significance, which helped the elaboration and the level of generalization of the collected facts. Two techniques were used in this research:

I Analysis of documentation

II Statistical data processing

The book of disciplinary reports was used to analyse the documentation.

The prison community differs by a number of variables such as: educational and social structure, social milieu and background, age and intellectual abilities and character traits, type of crime, length of



sentence and attitude towards the crime, contact with family, etc., which have a significant impact on the effects and effectiveness of punishment and reward. At the same time, these variants have a great influence on the behaviour of prisoners during their sentence, and thus on the overall state of discipline in prison, the type of frequency and severity of disciplinary offences. Bearing in mind that the state of discipline and the effectiveness of punishment and reward are mutually conditioned and depend on almost the same variables, we decided to emphasize discipline in this research, due to easier definition of the term and subject of research. as well as easier operationalization.

Under the disciplinary offense of a prisoner, we mean the definitions given in The Law on the Execution of Criminal Sanctions in the Federation of Bosnia and Herzegovina (Article 93), where it is stressed that prisoners are subject to disciplinary liability for behaviour committed contrary to the law, to rulebook on prison rules and to orders of the institution's officials.

Serious disciplinary offenses are (marked from T1 to T19 T- means serious disciplinary offenses which we marked for easier statistical counting):

T1-1) refusal of the orders of official persons;

T2-2) providing active or passive resistance to officials;

T3-) escape or preparation of escape from serving a sentence, or helping other persons to escape or in preparing to escape;

T4-4) removal from the institution or workplace without the approval of an official;

T5-5) consumption and taking into prison alcohol and narcotic drugs;

T6-6) possession of illegal items;

T7-7) unjustified lateness from free outings, absences or vacations;

T8-8) mutual quarrels and fights;

T9-9) making any kind of items, and doing private jobs for yourself or others without permission of official persons;

T10-10) singing, uproar, shouting from room to room, i.e. through the window or in the corridors, creating unnecessary crowds when lining up, entering or leaving the building;

T11-11) rude behaviour towards officials;

T12-12) avoiding to greet officials;

T13-13) improper maintenance of accommodation, bed linen, clothes and shoes;

T14-14) smoking in a forbidden place, throwing waste and rubbish in the corridors and similar;

T15-15) entering bedrooms and other rooms at the time when it is prohibited;

T16-16) mutual resale or exchange of any items, theft, gambling, illegal gambling games

T17-17) bringing the items that prisoners are not allowed to have with them into the institution;

T18-18) offence of provisions on electronic surveillance;

T19-19) all other actions prohibited by the rulebook on house rules, instructions and orders of the head of the institution.

Another part of definition disciplinary offense is Rulebook on House Rules in the Zenica Closed Penitentiary Article 94.) which belong to minor disciplinary offenses of prisoners (marked from L1 to L13- L means minor disciplinary offenses which we marked for easier statistical counting).

Minor disciplinary offenses are:

L1-1. intentional or rough negligent damage to property and Institute inventory or to property of other prisoners;



- L2-2. failure to maintain personal and collective hygiene;
- L3-3. untidy bedroom and bed;
- L4-4. encouraging other prisoners to commit disciplinary offenses;
- L5-5. lying down and sleeping at unauthorized times;
- L6-6. entering the dormitories with shoes on;
- L7-7. wearing clothes and shoes that do not comply with the Order on daily activities;
- L8-8. delay in counting of prisoners;
- L9-. stay in places where it is not allowed;
- L10-10. movement near the walk surrounding the Institute;
- L11-11. preparing meals and making coffee, and making other drinks in the premises where prisoners reside and live;
- L12-12. written and oral presentation of untruths that harm officials.
- L13-13. other offenses determined by this Rulebook, instructions and orders of the Director of the Institute.

Findings and Discussion

Based on the collected facts, we performed an analysis, on the basis of which we tried to formulate the structural characteristics of disciplinary offences in the closed-type prison in Zenica in the specified period.

In table No. 1 we present the most frequent disciplinary offenses per year. The criterion for the significant presence of a certain disciplinary offence was the limit of 10 cases and more.

Table 1 *Most Frequent Disciplinary Offenses per Year*

Disciplinary offence	2020		2021		2022		UKUPNO	
	Count	%	Count	%	Count	%	Count	%
T8	61	19.6%	101	33.8%	63	27.2%	225	26.7%
T1	43	13.8%	42	14.0%	15	6.5%	100	11.9%
T5	20	6.4%	30	10.0%	41	17.7%	91	10.8%
T17	7	2.3%	10	3.3%	24	10.3%	41	4.9%
T11	9	2.9%	16	5.4%	11	4.7%	36	4.3%
T14	6	1.9%	16	5.4%	7	3.0%	29	3.4%
L1	7	2.3%	9	3.0%	12	5.2%	28	3.3%
T16	2	.6%	11	3.7%	11	4.7%	24	2.9%
T3	11	3.5%	12	4.0%	1	.4%	24	2.9%
T19	13	4.2%	2	.7%	2	.9%	17	2.0%
T6	9	2.9%	2	.7%	6	2.6%	17	2.0%
L12	5	1.6%	3	1.0%	4	1.7%	12	1.4%
L8	3	1.0%	3	1.0%	6	2.6%	12	1.4%
Others	115	37%	42	14%	29	13%	186	22%
Total	311	100%	299	100%	232	100%	842	100%

Chi Square =314,452 P = 0.000



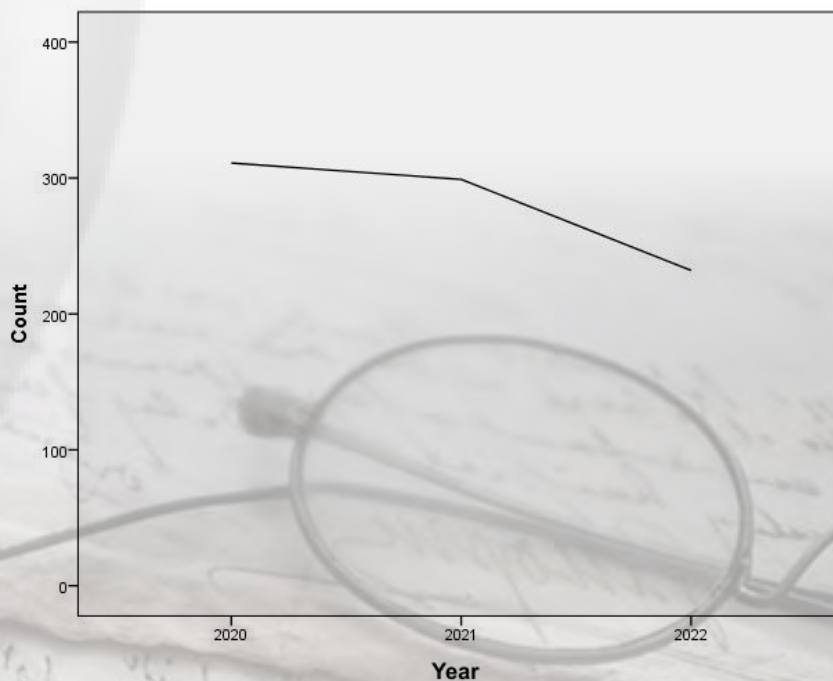
In Table 1 we note that out of a total of 311 offenses in 2020 were committed mostly in relation to mutual quarrels and fights (n = 61), refusal of orders from officials (n=41), enjoyment and taking of alcohol and narcotic drugs into the institution (n = 20), actions prohibited by the Rulebook on prison rules, instructions and orders of the head of the institution (n = 13). It also refers to the refusal of prisoners to comply with the regulations related to the Covid-19 epidemic. 11 cases refer to escape and preparation of escape from serving a sentence, or helping other persons to escape. Thus, 47.5% of the total number of offences this year refers to the mentioned offences.

In 2021 the largest distribution of disciplinary offences related to mutual quarrels and fights (n = 101), and refers to almost every third offence. This is followed by the offenses of refusing orders from officials (n = 42), consumption and bringing of alcohol and drugs into the institution (n = 30), rude behaviour towards official staff (n=16), smoking in a forbidden place (n = 16) and mutual resale and barter (n = 11).

In 2022 mutual quarrels and fights dominate (n = 63), enjoyment and bringing into the institution of alcohol and drugs (n = 41), bringing into the institution objects that prisoners are not allowed to have with them (n = 24), refusing the orders of officials (n = 15), written and oral telling of untruths that harm official staff (n=12), rude behaviour towards official staff (n = 11) and mutual resale or barter, gambling (n =11).

In the total period of observation (n=842), the offenses of mutual quarrels and fights (n = 225), refusal of orders from officials (n = 100) and enjoyment and bringing of alcohol and drugs into the institution (n = 91) dominate, which represents 416 disciplinary offences or 49.4% out of total offences. 2021 appears to be a dominant year in which these offences were somewhat more intense. Compared to earlier studies, prisoners, alcohol and drug addicts, appear to be an important group of offenders who commit disciplinary offences.

In graph number 1, we show the number of disciplinary offences by year



Graph 1 Disciplinary Offenses per Years



Graph No. 1. shows us that the number of disciplinary offences decreased in the given period, but it would be a wrong conclusion that the disciplinary situation has been improved. Namely, the disciplinary situation tends towards the stabilization of the most common disciplinary offenses in terms of qualitative characteristics, and a significant deterioration was observed in 2021.

Based on these indicators, we believe that it is a question of structural disciplinary offences because they appeared in earlier periods as well (Bogojević, 1988). It will probably appear in future periods as a permanent attribute of the disciplinary situation in prison. This fact can be considered an aspect of unsolvable problems and to some extent calls into question the treatment ideology.

We tested the difference in the number of disciplinary offences within the observed period.

Table 2 *Testing Differences in the Number of Offenses Among Three Years*

	Year		
	Number of Cases	Expected N	Residual
2020	311	280.7	30.3
2021	299	280.7	18.3
2022	232	280.7	-48.7
Total	842		

Chi-Square=12,914; df=2; Asymp. sig. = .002

The presented table indicates that the number of disciplinary offences decreased in 2022 compared to previous periods. In 2020 the current Covid-19 pandemic was still on, and it acted as an intervening variable. It increased the already existing set of deprivations of prisoners. Chi-Square shows that the difference is at the limit of significance, but we can safely claim that the disciplinary situation in 2021 worsened, and stabilized again in 2022 in a qualitative sense. Dominant disciplinary offences have crystallized. It means that a group of prisoners, who tend to commit disciplinary offences, significantly appeared to be present during the whole observed period.

In the observed period, all the listed offenses were not punished with solitary confinement, and we were interested in the structure and strategy of punishment with solitary confinement (n=329). We present all the cases for a more precise insight.

Table 3 *Average Number of Solitary Days for Each Disciplinary Offense*

Disciplinary offense profile	Mean	Std. Deviation	N
L1T1T2T10	20.00		1
T1T6T8	20.00		1
T3T4	20.00		1
T6T19	20.00		1
T7	20.00		1
T1T8T17	18.33	2.887	3
T1T8T15T17	17.50	3.780	8
T2T8	17.00		1
T3	16.36	5.387	14
L4L8T12	15.00	7.071	2
T14	15.00		1
T4T10T14	15.00		1



T5T17	15.00		1
T9T16T17	15.00		1
T6	13.83	3.764	6
L1	13.50	6.028	4
T10	13.50	2.121	2
L8	13.00		1
T10T19	12.00		1
T11T19	12.00		1
T1T8	11.67	5.686	3
T4	11.67	2.887	3
T16	10.50	3.317	4
T1T2T10T11	10.33	4.041	3
	10.00		1
L4L9	10.00		1
T11T13	10.00		1
T12	10.00		1
T1T11	10.00	0.000	2
T3T19	10.00		1
T4T11	10.00		1
T5T8T17T19	10.00		1
T6T8	10.00		1
T9	10.00		1
T8	9.97	3.579	91
T1T2	9.80	3.271	5
T17	9.62	4.011	13
T5	9.11	4.058	45
T1	8.69	3.948	58
T19	8.67	2.251	6
T18	8.63	5.041	8
L12	8.50	2.121	2
T1T9	8.50	2.121	2
T1T5T8	8.00		1
T11	7.50	2.204	8
T2	7.50	2.887	4
L11	7.00		1
L12T1	7.00		1
L1L5	7.00		1
L2	7.00		1
L2L8	7.00		1
L4	7.00		1
T1T5	7.00		1
T5T7	7.00		1
L2L5L8	5.00		1
T1T15	5.00		1
Total	10.33	4.487	329



From the presented table, we note that the maximum penalties are imposed in those cases where there are simultaneously several combined disciplinary offences, concerning the act of committing, but the number of perpetrators is negligible. Predominant punishments were imposed for mutual quarrels and fights (n=91), refusal of orders from officials (n=58), consumption and bringing of alcohol and drugs into the institution (n=45), escape (n=14) and introduction of illegal substances into prison (n=13). In the total number of imposed disciplinary punishments, the average length of solitary confinement is 10.33 days, with $sd=4.48$. Dominant disciplinary offenses have a significant impact on these indicators and mostly the punishments are predictable and standardized.

Table 4 *Structure of Prisoners According to Repetition of Disciplinary Offences Repeaters*

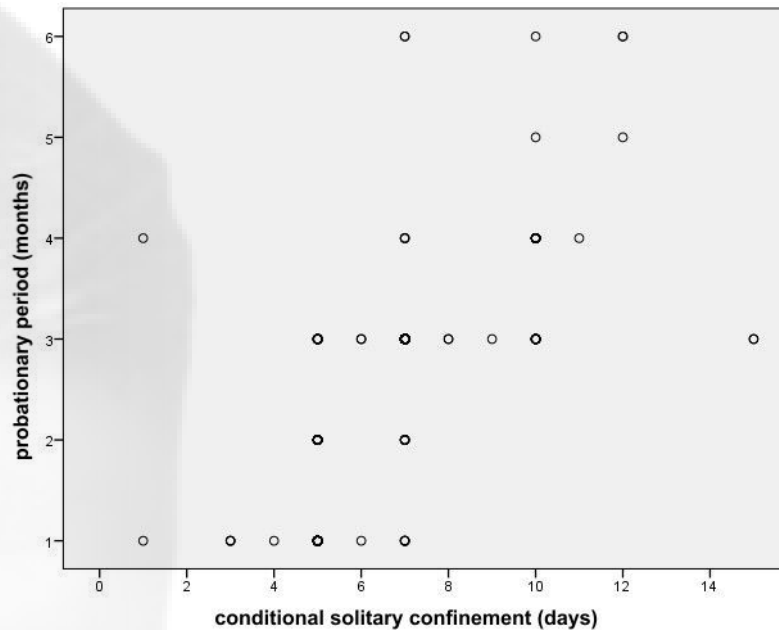
Repeaters	Frequency	Percent
1	266	31.6
2	160	19.0
3	150	17.8
4	76	9.0
5	20	2.4
6	60	7.1
7	35	4.2
9	27	3.2
11	22	2.6
12	12	1.4
14	14	1.7
Total	842	100.0

From the presented table, it is evident that a group of prisoners who frequently commit disciplinary offences has stood out, and, that in fact, they represent the basic security and risk factor in the functioning of prison. It also indicates the fact that the prison community is deeply divided within itself, and that there is no communication among them despite the fact that they share the same categories of time/space as the prison. That's how the social roles⁷ of prisoners are formed. Thus, the relationship between repression and the prison code, as elements of the prison's social climate, gain importance (Moos, 1960, 1968, 1974). In our earlier research (Šabani, 2005; p.261-267) we determined the correlation coefficient $r_{RK}=0.34$ in 1993 in 1994 $r_{RK}=0.70$, in 1997 $r_{RK}=0.64$, and in 2016 $r_{RK}=0.36$ (Šabani, 2018). Correlations of repression and the prison code maintained statistical significance in the mentioned periods, which points the conclusion that the conflict between the formal and informal community took place in the direction of a greater presence of repression, and the prison community was thus kept under control and directed towards desirable and acceptable behaviour. The multitude of subgroups within the prison community, such as multiple perpetrators of disciplinary offences, indicate the differentiation of this community. In relation to them, classic forms of penal treatment have lost their influence, such as work therapy, individual and group work, rewards and the like.

The imposition of conditional solitary confinement, as a compromise solution, and reaction to a disciplinary offense, is cantered on a suspended sentence in duration of 3 months (59.7%). Accordingly, we can say that this disciplinary measure is also standardized, what is also indicated by the corresponding correlation coefficient of $r=0.685$. This is also shown in the graph below.

7 Empirical regularities of groups of roles Schrag calls "configurations of roles" Pseudo-social prisoner, (Schrag,1962, according to Špadijer- Džinić, 1973, p. 110-132).





$r=0.685; p=0.000$

Graph 2 Correlation of Probationary Period and Its Duration

Financial fines, as a form of disciplinary measure, were imposed in the observed period in 67 cases, most often for causing damage to prison property. A fine of 20 KM prevails.

We were interested in the qualification and direction of the offense in terms of prisoner-prisoner, prisoner-official and self-directed offense.

In the inmate-prisoner relationship, we have included the disciplinary offenses of mutual quarrels and fights^{8 9 10}, mutual bartering, gambling, reselling and inciting other prisoners to commit disciplinary offences. We have found that 29.5% of the total number of disciplinary offences relate to this relationship, and as expected, the largest number refers to fights and quarrels.

Disciplinary offenses in relation between a prisoner and an official person¹¹ include refusing orders from officials, offering active or passive resistance to officials, rude behaviour towards officials, avoiding greeting officials, and written and oral untruths that harm an official. As expected, the most common disciplinary offense is refusing an official's order (11.9%), and together with other offenses, it accounts to 17.6% of the total number of offences.

Self-directed offense is a type of disciplinary offense committed by a prisoner on his own initiative. We classified them according to motives:

- a) deprivation of freedom - refers to escape and preparation of escape from prison (2.9%),

8 Aggression is any reaction (physical or verbal) carried out with the intention of causing damage or injury of any kind to someone, and aggressiveness is a relatively permanent and stable personality characteristic that determines the degree and frequency of a certain person's manifestation of aggression in different (primarily provoking) situations.

9 Assaults sometimes also occurred in the context of a trading relationship. A key function of assaults was conflict-management. Crudely speaking, prison conflicts were sometimes dealt with through force (O'Donnell & Kimmel, 1998a:10-16).

10 In dominance dyads the aggression is almost entirely pro-active (O'Donnell & Edgar, 1998b:268-269).

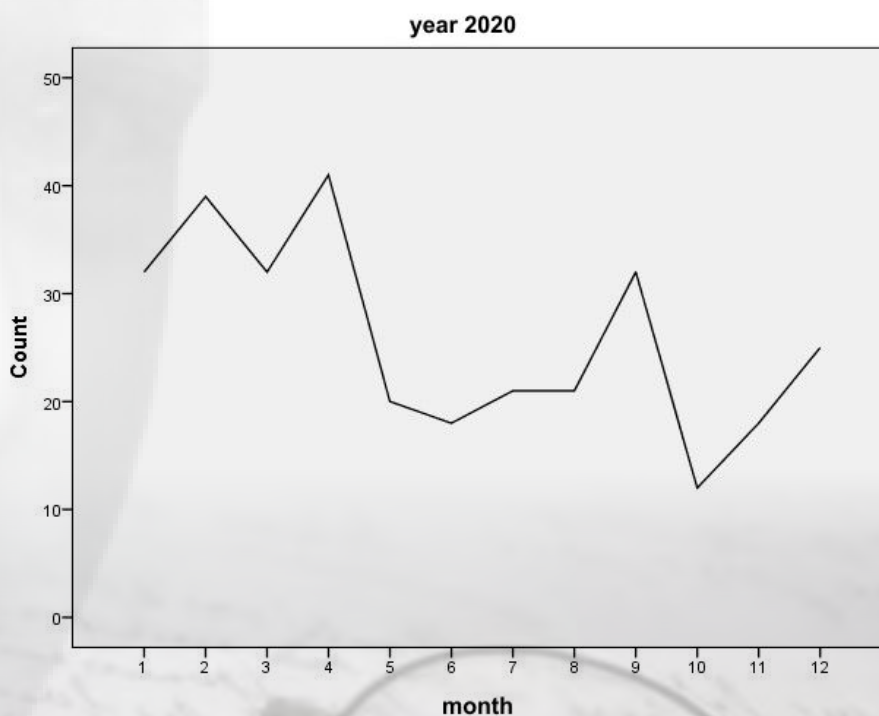
11 Self-legitimacy affects the performance of prison workers and their willingness to establish the legitimacy of their position in relation to prisoners (Hacin, Fields & Mesko, 2019).



- b) deprivation of material goods and services¹² – refers to the possession of illegal objects (2%), bringing objects into the institution that the prisoners are not allowed to have with them (4.9%). This type of offense refers to 6.9% of the total number of disciplinary offences,
- c) addictions – disciplinary offenses related to the bringing of alcohol and drugs into the institution amount to 10.8% of the total number of disciplinary offences¹³.
- d) social neglect - refers to indiscipline, hygienic neglect and tendency to lasciviousness. In this type of offense, we have included untidy maintenance of premises, smoking in an unauthorized place, entering bedrooms, hygienic neglect and offence of provisions on electronic surveillance. This type of offense is represented by 6.3% in relation to the total number of disciplinary offences.

It is evident that the distribution of disciplinary offenses is dominant such as conflicts with officials, fights and arguments between prisoners, and deprivation of freedom¹⁴. These are the structural attributes of disciplinary offenses that are constantly repeated in the categories of time/space, and belong to the intractable problems of serving the sentence. Since they are constant attributes of the phenomenology of disciplinary offences, we consider them to be key problems of serving the sentence. These problems may vary depending on the wider surrounding social conditions, but it could be considered successful if these offences do not cross the limits of tolerance.

We were interested in whether disciplinary offences vary by month.

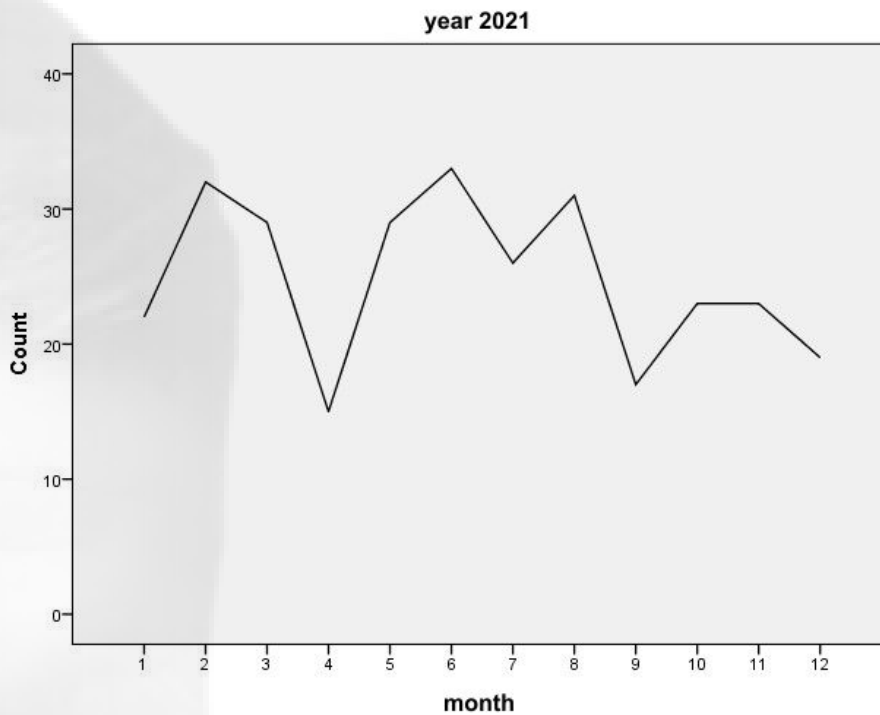


Graph 3 *Distribution of Disciplinary Offences by Month in 2020.*

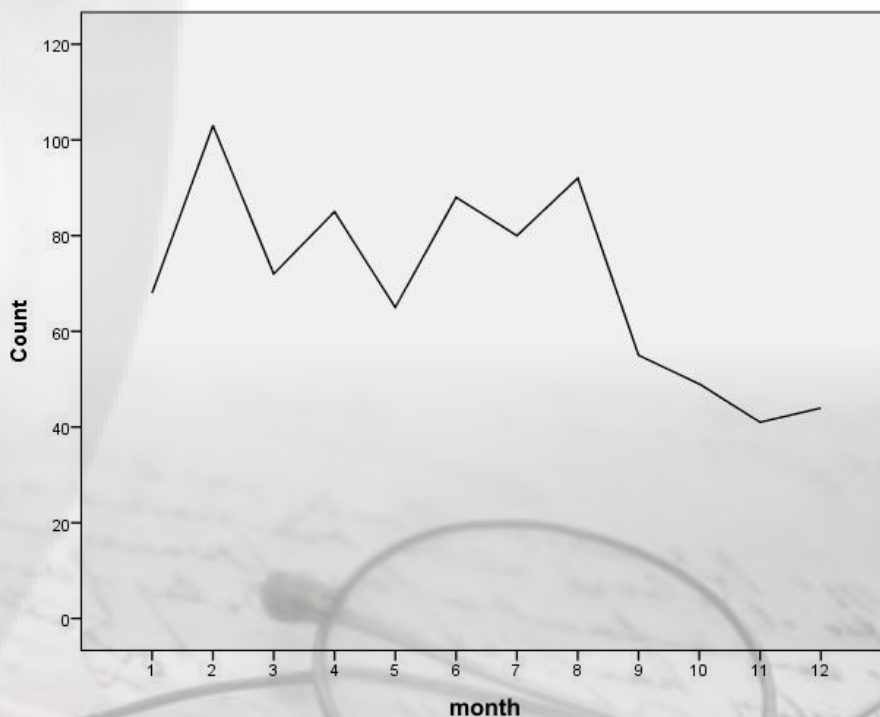
12 Deprivations are very strong motives for committing disciplinary offences. For example, food has several symbolic meanings in prison community(Einat & Davidian ,2019).

13 The prevalence of alcohol and drug addiction within the criminal population is also indicated by the Dictionary of American Slang, which lists 560 expressions and phrases (Kipfer, 2007, p.579-584).

14 Prison situation, its reality, its social climate or a number of simultaneous facts make an event that is naturally variable, however, multiple measurements can crystallise the main components or events that constitute a prison situation. (Moos, 1960, 1968, 1974, Šabani, 2005).



Graph 4 *Distribution of Disciplinary Offenses by Month in 2021.*



Graph 5 *Frequency by Month – the Whole Period*

From the presented graph for 2020, we note that the largest number of disciplinary offences occurs in February, April and August, while the graph for 2022 suggests that February is also highly represented in terms of disciplinary offences, as well as August and June.



According to the total number of disciplinary offences in the analysed period, it is evident that February and August remain the dominant months in which the largest number of disciplinary offences occur. We can attribute this to the fact that February is an extremely unstable month in terms of weather and that many prisoners are exposed to the impossibility of controlling their health. August is a month of great heat and vacations, and it is possible that these facts cause increased feelings of deprivation of freedom, heterosexual needs and material goods.

Originality

Based on the presented analysis, several important conclusions emerge:

- In the total period of observation, offences of mutual quarrels and fights, refusal of orders of official persons and enjoyment and bringing of alcohol and drugs into the institution dominate of total offences.
- 2021 appears as a key year in which these offences were somewhat more intense. In comparison with whole period, the most important group of perpetrators of disciplinary offenses are prisoners who are addicts of alcohol and drugs, and probably prisoners who committed the crime of theft and robbery.
- In the observed period, the number of disciplinary offences decreased successively, the disciplinary situation tends towards the stabilization of the most common disciplinary offenses in terms of qualitative characteristics (a significant deterioration was observed in 2021).
- In the total number of imposed disciplinary punishments, the average length of solitary confinement is 10.33 days, with $sd=4.48$ and we can conclude that these punishments are predictable and standardized.
- In the observed period, a group of prisoners who often commit disciplinary offences stood out and that represent the basic security and risk factor in the functioning of prison.
- Repeat offenders of disciplinary offenses are the most active core in the disruption of discipline in prison. It means that the prison community is deeply divided within itself (prosocial prisoners opposite antisocial, asocial, addicts) and that there is no communication between them despite the fact that they share the same categories of time/space as prison. Future research should prove this assumption
- With regard to conditional solitary confinement, conditional solitary confinement in duration of 3 months was standardized.
- In the relation prisoner-prisoner (disciplinary offences are mutual quarrels and fights, mutual bartering, gambling, reselling and inciting other prisoners to commit disciplinary offences) amounts almost a third of the total number of offences. As we expected, the largest number refers to fights and quarrels among prisoners.
- In disciplinary offenses in the relationship between a prisoner and an official, the most common disciplinary offense is refusal of an official's order, and together with other offenses, it accounts to 17.6% of the total number of offences.
- Self-directed offense is a type of disciplinary offense committed by the prisoner on his own initiative. In the substructure of this type of offense, the following stood out:
 1. deprivation of freedom- refers to escape and preparation of escape (2.9%),
 2. deprivation of material goods and services - refers to the possession of illegal objects (2%), bringing objects into the institution that a person is not allowed to have with him (4.9%). This type of offense refers to 6.9% of the total number of disciplinary offences,



3. addictions - disciplinary offenses related to bringing of alcohol and drugs into the institution amount to 10.8% of the total number of disciplinary offences,
 4. social neglect - refers to indiscipline, hygienic neglect and tendency to laziness. This type of offense is represented by 6.3% in relation to the total number of disciplinary offences.
- According to the total number of disciplinary offences in the analysed period, it is evident that February and August remain the dominant months in which the largest number of disciplinary offences occur. We can attribute this fact to the influence of health-deprivation factors on the number and scope of disciplinary offences in these months.

Implications

It is obvious that at the centre of the drama in prison are the prisoners who often committed offences and these are the structural problem in prison which lead to the intractable problems of serving the sentence. It means that there is a need to intervene in this direction by improving treatment procedures. We also believe that the official staff (specially prison guards) should be re-educated through various trainings, and in this sense, we propose several ideas:

- Conflict as type of micro-drama is a source of stress for guard in his relation with prisoners who tend to conflict behaviour. It is important to stress that the personality characteristics of guards influence the choice of their conflict strategies in relation to prisoners. First, guard must be trained in self-efficacy, perceived as a belief in own abilities to act effectively in certain conflict events. People with a higher perception of self-efficacy manage their behaviour by constructing successful consequences, instead of dwelling on things that could go wrong. Second, self-regulation, as strategy is the ability to start, direct and maintain the instructions that an individual lead himself through a task. Self-regulation can moderate the impact of negative events. Third, self-control ability to undertaking adaptive actions. Fourth, emotional intelligence, as a set of abilities that contribute to the assessment and expression of own emotions, as well as the assessment of other people's emotions. It is about using emotions for adaptive purposes in conflict situation.

The complexity of the tasks which are demanded from each prisoner guard requires skill, efficiency in any conflict situation concerning prisoner and the adequate education. The constant presence of guards, the observation of emerging difficulties and problems, as well as their objective presentation of the potential, and the real problem, as well as desire to resolve them, greatly contribute to the realization of the principle of individualization of punishment.

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