Conjugal Association Practices in Prisons of the American Nations

Ann Goetting
Western Kentucky University

ABSTRACT: Information from a recent survey describes conjugal association practices in the prisons of the nations of the Americas. Such practices are concentrated in those nations with a strong Spanish heritage. Possible explanations for such an occurrence are provided, and implications for family stability and prison policy in the United States are considered.

Conjugal association behind prison walls, while a relatively new concept in Canada and the United States (with the exception of Mississippi and South Carolina), is an established practice in many Latin American countries. A heated debate surrounds the moral, practical, and legal considerations associated with allowing heterosexuality on prison grounds in the United States (Goetting, 1982), yet in parts of Latin America such "sexual license" is viewed as life's natural order.

The purpose of this paper is to describe the current status of conjugal association practices in prison in the nations of the Americas, and to explore differences in terms of cultural content. A case-study account of family practices in one Latin American prison system, that of Guatemala, is included to expatiate and lend depth to the issue. Implications for family stability associated with this particular alternative lifestyle for prisoners and their families are considered.

To date, very little information has been collected on familial and sexual practices in prisons around the world. In 1958, Cavan and Zemans surveyed such policies and practices in twenty-eight countries, four of them in the Americas. That same year, Verborgen (1958), a German criminologist reported the results of his more extensive survey including information on twenty-two American countries. More...
recently, Hayner (1972) reported revelant information on ten Latin American prison systems. In December of 1980, with the release of the Federal Standards for Prisons and Jails by the United States Department of Justice which recommended implementation of family visiting programs in federal prisons by 1984, the topic has become a timely social issue of increased interest to criminologists, family specialists, criminal justice personnel and social scientists in general.

The material reported in this study is derived from four sources: (1) published information, (2) a 1980–1981 survey, (3) personal observation, and (4) interviews. The survey elicited information through the mailing of questionnaires to various government officials and other selected persons. The account of Guatemala prisons was obtained during the summer of 1980, while the author was a participant in the Group Project in Faculty Development in Guatemala and Costa Rica sponsored by the Kentucky Council for International Education. The material is derived from two interviews with Prof. Mario Enrique de Paz Lemus, the Director of Prisons in Guatemala, and from tours through four of the six main prisons in that country.

Canada

While provincial prisons in Saskatchewan, Canada have been practicing private family visiting since 1968 (Hopper, 1969: 12) it was not until recently that such programs were implemented in federal institutions. In December of 1980 Correctional Service Canada (Canada's federal prison system) initiated its Private Family Visiting Program at Millhaven Institution in the Ontario Region. Since that time six other federal prisons, five maximum security and one medium security for men and the maximum/medium security Prison for Women at Kingston, have followed suit. The program is expected eventually to be expanded to include all maximum and medium security federal prisons.

The stated purpose of the Private Family Visiting Program is to assist in the maintenance of family ties and to prepare inmates for positive reintegration into society. To this end, policy allows spouses, common-law partners, children, parents, foster parents, siblings, grandparents, and in-laws to participate in visits. Families are accommodated in mobile homes and cottages situated on penitentiary grounds. Visits are permitted once every three months if facilities are available, and may not exceed forty-eight hours for maximum security inmates and seventy-two hours for medium security inmates. To be eligible for the program, an inmate must have served a minimum of six