

Factors Affecting the Disciplinary Misconduct of Prisoners in Thailand

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Abstract

The purpose of this study is to examine factors affecting prisoners' disciplinary misconduct and obtain solutions to rectify the problem of disciplinary infractions in Thai prisons. A multiple regression analysis was employed to examine data from a sample of 202 prisoners conveniently selected from 434 disciplinary violators in Thailand's Nakhon Pathom Central Prison. Preliminary findings based on a bivariate correlation analysis examining the relationships between the independent factors and the level of disciplinary infractions in prison revealed four factors significantly related to the level of disciplinary misconduct, including classification of prisoners, association and learning, rational decision making, and low self-control. However, results from a multiple regression analysis found that rational decision making, and low self-control were the only two factors that were statistically significant. This finding supports the rational choice theory and self-control theory. To solve the disciplinary misconduct problem, prisons are recommended to improve measures of checking and employing harsher penalties. Additionally, policy recommendations to address prison overcrowding to facilitate the prevention of disciplinary misconduct were also discussed.

Keywords

Disciplinary Misconduct, Prison, Thailand, Rational Choice, Low Self-control

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INTRODUCTION

In recent years, Thailand's prisons have been faced with the overcrowding problem. According to statistics from the Correction Department, the total number of prisoners in Thailand amount to over 300,000, far exceeding the 110,000 capacity (Pootrakul & Khruakham, 2015; Pootrakul, Terdudontham, Khruakham, & Poonyarit, 2019). Prison overcrowding is a source to various problems and affects correctional programs resulting in ineffective penological rehabilitation for prisoners to return to society. The overcrowding problem not only contributes to deteriorating prison environment but also impacts prisoner's daily routine manipulated by prison officers. As a result, it causes difficulty in managing welfare, training and treating prisoners. Living populously in overcrowded prisons also means a number of prisoners are at leisure given the lack of space and insufficient work to be distributed among all prisoners. This causes distraction among prisoners leading to more rule breaking. Overcrowding also presents an obstacle for developing, training and correcting prisoners to return to society without the tendency to reoffend. Moreover, the number of prisoners continuously increase while the number of prison officers remain the same, causing a disproportion that further exacerbates the problems. As such, a central issue in managing the prison is the disciplinary infraction problem that increases accordingly with the number of prisoners.

People are put in confinement in prisons according to the judgment or legal order as a means to separate them from the external society, to be rehabilitated and ameliorated into good citizens of society. Nevertheless, some prisoners still exhibit deviant behaviors against prison rules such as gambling, altercation, tattooing, smuggling prohibited items into the prison and using drugs. These misbehaviors should not occur in prisons where criminals are being controlled and punished as well as rehabilitated. Therefore, disciplinary procedure is another crucial function which prison officers must meticulously carry out to run prisoners' daily activities in an orderly manner. Moreover, disciplinary procedure regulates prisoners as prisons serve the purpose of retribution and removing criminals from society as well as correcting and improving prisoner's behaviors to become good citizens of society. Research findings have established correlation

between disciplinary misconduct and recidivism after being released from prison (Cochran, Mears, Bales, & Stewart, 2014; Flanagan, 1983; French & Gendreau, 2006). As prisons represent a whole other society where a large number of people who have violated the law live and interact together, it is essential to have rules, regulations and/or authorized orders to serve as guidelines to effectively maintain peace and order of prisoners. A principal law that prisons abide by as a tool to control prisoners is the “Correction Act of 2017 (B.E. 2560)”. The Act explicitly consists of rules, regulations, authorized orders and procedures for prisoners to live in prisons, particularly, in Chapter 7 (Disciplines and Penalties). For example, Section 68 states that a prisoner who violates or disobeys prison officer’s orders and prison rules or regulations, is deemed to be in breach of discipline. Moreover, Sections 69 and Section 70 imposes penalties on prisoners who violated disciplinary rules.

Given the limited research on disciplinary misconduct by prisoners in Thailand, there is still insufficient understanding and application in this field to effectively and extensively address the problem (Kaewpriwan, 2007) when compared to other countries that have studied this discipline for several decades (Hanks, 1940; Pompoco, Wooldredge, Lugo, Sullivan, & Latessa, 2017). The study aims to empirically analyze factors affecting disciplinary infractions within prisons to deepen understanding and to ultimately apply useful findings to recommend appropriate guidelines in addressing problems related to disciplinary infractions among prisoners.

LITERATURE REVIEW

Prison misconduct is not a general crime which is against criminal law, but disciplinary infraction is an action that deviates from the majority of people in prison and is against prison rules that prisoners are expected to obey. However, some disciplinary infractions are crimes if the actions are illegal such as possessing or taking drugs. While discussions regarding disciplinary offenses often fall under criminological perspectives and concepts as well as other criminal and deviant behaviors within the general society, criminological concepts in this study are discussed through the viewpoint of social learning theory, differential

association theory, self-control theory, and rational choice theory. The four criminological theories were selected to establish a research framework due to the review of previous studies.

Social learning theory and differential association theory are a group of concepts explaining how misconduct is acquired through social learning processes. It explains that learning processes which lead to misconduct are caused by associating with people who have committed crimes and perceive the techniques as well as motives to follow their criminal path. This often refers to friends who have been together (Sutherland, 1939), whereby criminal behavior is learned during the interaction with other persons in a process of communication. Learning depends on association levels in terms of frequency, duration, priority and intensity till the time that it was developed to be more comprehensive and suitable for social change by combining the concept of reinforcement and concept of imitation (Akers, 1997). Imitation on the other hand, is shaped through behavioral observation from others and following it. The modelled behaviors can be based on the person in close contact with the imitators or based on the media with which imitators never associate with in person. Imitation depends on the models' behaviors and effects of such behaviors, of which induces imitators to either copy or not. Extending from Sutherland's theory, association with the same characteristics is a reinforcement that makes one feel important. Accordingly, disciplinary misconduct of prisoners can occur due to associating with prisoners who have committed disciplinary infractions and thus the imitation of those behaviors.

Self-control theory or general theory of crime rationales can be applied to explain prison misconduct based on the concept that self-control is distinctive in each person. It depends on socialization such as how one was raised and cultivated, support by parents and emphasis on education and training by schools or other social institutions. It is hypothesized that persons with high degrees of self-control will have less tendency to commit a crime throughout their lives, while those with low degrees of self-control will have a higher tendency to commit a crime. Crimes happen when there are facilitating factors or opportunities (Gottfredson & Herschi, 1990). Persons with low self-control is generally characterized by impulsivity, simple tasks, risk-taking, physical activities, self-centeredness and bad temper. Therefore, in this context, prisoners with low

self-control will commit more frequent disciplinary infractions than those with high self-control.

Rational choice theory relates to the process of thinking and decision making, where rationality in the decision to commit an offense or not is based on evaluating the benefits and costs of action (Cornish & Clarke, 1986). This concept is derived from the Classical School of Criminology, based on the credence that human requirement is the pursuit of happiness (Hedonism), whereby humans naturally seek satisfaction (Pleasure), while avoiding what causes them pain. Hence, the decision to commit an act requires weighing the outcomes of whether such an act will result in more or less benefits (happiness) or costs (pain). If the outcome causes more benefits than costs, then one will choose to act, whereas if the outcome involves more costs, one will choose not to act. Consequently, crime prevention can be carried out by causing fear of punishment which will impose a higher cost in the process of weighing the outcome of the act. Within this theoretical framework, the decision to commit disciplinary infractions will be based on weighing the outcome of misconduct in terms of benefits and costs.

A review of relevant research analyzing factors affecting prisoners' disciplinary infractions found several significant factors that influences the level disciplinary infractions which are summarized as follows:

1) Personal factors: a number of researches examined the impact of multiple personal factors on disciplinary infractions including age, marital status, convict history, relatives' visits, sentence and classification of prisoners. The variable that is frequently found to have an effect on disciplinary misconduct is age, whereby young prisoners were found to have committed more frequent disciplinary offenses than older prisoners (Hanks, 1940; Flanagan, 1983; Goetting & Howsen, 1986; Kuanliang & Sorensen, 2008; Lahm, 2009; Pompoco et al., 2017; Rocheleau, 2014). For marital status, research findings found that unmarried prisoners committed disciplinary offense more frequently than married ones (Flanagan, 1983; Goetting & Howsen, 1986). With regards to convict's history prior to recent imprisonment, it was found that prisoners who have been sentenced in prison or have committed offenses prior to imprisonment committed more frequent disciplinary offenses than others (Cyayton & Carr, 1984; Goetting & Howsen, 1986; Rocheleau, 2014). The sentence or a term of imprisonment imposed by a court was also examined in this research since previous studies found that

prisoners who were sentenced to short term imprisonment tend to commit more frequent disciplinary offenses than long term prisoners (Goetting & Howsen, 1986). On the other hand, there were studies that also found no effect of sentencing on disciplinary misconduct (Hanks, 1940; Rocheleau, 2014). Furthermore, there were research findings that established correlation between relatives' visits and disciplinary misconduct (Jen & MacKenzie, 2006), as well as research that found no such correlation (Flanagan, 1983; Goetting & Howsen, 1986). In a recent study, it was found that after seeing relatives, prisoners increasingly tend to commit disciplinary offenses (Immarigeon, 2013). Another personal factor, classification of prisoners, appears to be a rather distinctive factor for Thailand as penitentiaries in the country has a different system of management and control of prisoners. In a previous correlation study, prisoner classification was found to be a statistically significant factor explaining frequency of disciplinary offenses whereby prisoners under good classification committed less disciplinary offenses than those under bad classification (Lerdsena & Khruakham, 2019). Therefore, this variable was taken into consideration in the analysis.

2) Associating and learning is the variable within the theoretical framework of differential association and learning theories. Relevant research found that friendship or association had an effect on disciplinary misconduct in prison. Associating with friends who have committed disciplinary offenses plays a role in persuasion of or support to other prisoners to commit (Reid, 2017). The result of an initial examination found a statistically significant correlation between association and disciplinary misconduct.

3) Rational decision making is a variable which was not found in any research in other countries, yet rational choice before any infractions in criminal activity is indeed an important variable. This is supported by the results from an initial evaluation which found high statistically significant correlation between rational decision making and disciplinary misconduct (Lerdsena & Khruakham, 2019). Therefore, this variable will be taken to the next level of analysis.

4) Low self-control is a variable related to mental and personal character of prisoners. There are different measurements which are typically self-assessment questions. Most research found that prisoners who suffer from mental and personal problems expressed through low self-control character, tend to commit disciplinary offenses more frequently than other groups. (Edens, Poythress, & Lilienfeld, 1999;

Fox, 1958; Goetting & Howsen, 1986; Hanks, 1940; Kuanliang & Sorensen, 2008; Rocheleau, 2014).

Prisoners' Disciplinary Misconducts in the Thai Context

Thailand has recently faced the prison overcrowding problem, approximately 328,998 prisoners held in prisons around the country (Table 1). This situation certainly has a negative impact on administering the prison and cause a lack of effective control of prisoners.

Table 1. Statistic of Prisoners from All Prisons in Thailand on February 1, 2019

Types	Male	Female	Total	Percentage (%)
1. Convicted prisoners	269,904	40,911	310,815	82.080
2. Inmates during	56,063	8,319	64,382	17.002
2.1 Appellate procedure	27,958	4,194	32,152	8.491
2.2 Assize	8,749	1,586	10,335	2.729
2.3 Investigation	19,356	2,539	21,895	5.782
3. Juveniles in custody	70	1	71	0.019
4. Detainees	19	0	19	0.005
5. Restrictions	2,942	444	3,386	0.894
Total	328,998	49,675	378,673	100.00

Source: Correction Department, 2019

Table 2 presents the disciplinary infractions by prisoners in Nakhon Pathom Central Prison, which illustrates that despite the presence of rules and regulations, infractions still occur. In the long run, such infractions will increasingly occur, and prisoners will get indoctrinated with bad behaviors. Consequently, as prisoners return to society, there is a possibility that they will misbehave as they have become accustomed to such behaviors in prison. This goes against prison provisions which focus on controlling, correcting and developing prisoners' behaviors to enable them to return to society as decent and worthy individuals. Whether the problem of misbehavior in prisons is entirely resolved or not, these habitual misbehaviors are a factor that influences recidivism rates.

Table 2. Types of Disciplinary Offenses in Nakhon Pathom Central Prison

Types of Disciplinary Offenses	Amount of disciplinary offenders in prison			Total
	2015	2016	2017	
Altercation/ Assault	34	42	56	132
Possession of prohibited items	14	11	41	66
Gambling	45	65	32	142
Use drugs and intoxicant	10	1	8	19
others	23	28	24	75
Total	126	147	161	434

Source: Nakhon Pathom Central Prison, 2018b

Research Hypotheses

Based on the review of relevant theories and researches, the following hypotheses were formulated for the present study:

- 1) Personal factors, including age, marital status, convict history, relatives' visits, sentence, and classification of prisoners have a significant impact on disciplinary misconduct in prison.
- 2) Association and learning have a positive significant impact on disciplinary misconduct in prison.
- 3) Rational decision making has a positive significant impact on disciplinary misconduct in prison.
- 4) Low self-control has a positive significant impact on disciplinary misconduct in prison.

METHODS

Research Site

Nakhon Pathom Central Prison is the central administration department belonging to department of Corrections under the Ministry of Justice, responsible for custody of both male and female convicted prisoners who are sentenced for life imprisonment, penal operating, education and learning, correctional behavior and vocational training, as well as managing welfare and prisoners' health care. The prison is separated into 9 wings of controlling zones. Wings 1, 2 and 4 houses convicted male prisoners. Wing 3 houses male prisoners convicted of heavy penalty. Wing 5 houses male inmates during process of judgement. Wing 6 is the cooking area. Wing 7 is for female prisoners. Wing 8 is the medical center and Wing 9 is for persons under investigation, detainees, restrictions and assistant prisoners. According to the Department of Correction operational plan in 2016-2019, the central prison, which is the chief of boundary 7, is responsible for consultation and handling of prisons in Kanjanaburi, Samut Sakhon, Samut Songkarm, Prachuap Khirikhan, Suphanburi, Petchaburi, and Ratchaburi, consisting of 127 male officers and 27 female officers. The Nakhon Pathom Central Prison alone has approximately 5,500 prisoners (Nakhon Pathom Central Prison, 2018).

Table 3. Statistic of Prisoners in Nakhon Pathom Central Prison (1 January 2018)

Types	Male	Female	Total	Percentage
1. Convicted prisoner	3,929	498	4,427	78.72
2. Inmates during trial	1,031	128	1,159	20.61
3. Juveniles in custody	2	2	4	0.07
4. Detainees	12	3	15	0.27
5. Restrictions	18	1	19	0.34
Total	4,992	632	5,624	100.00

Source: Nakhon Pathom Central Prison, 2018a

The Samples

The sample group consists of 209 male prisoners from a total of 434 who have committed disciplinary misconduct in the central prison of Nakhon Prathom. The samples were derived through the Taro Yamane formula (1973) with 95% confidence level. The samples were selected through nonprobability sampling and quota sampling by dividing quotas according to the proportion of prisoners who committed disciplinary infractions in each territory.

Research Instrument

To collect data from the sampled prisoners, questionnaires were designed from reviews of relevant theories and researches and were separated into six parts including questions measuring the independent variables such as personal characters, association and learning, rational choice and low self-control under parts 1 to 4. Questions measuring the dependent variable, disciplinary misconduct, are under part 5 while question seeking suggestions are contained under part 6. The responses to questions pertaining to the independent and dependent variables, except for personal characters, utilized a five-point rating scale (Likert scale). Respondents could choose to answer based upon their opinions where a rating of “1” refers to “least agree” and a rating of “5” refers to “most agree”. Validity and reliability tests of the questionnaire was conducted before data collection. The questionnaires were submitted to three academic experts for evaluating validity of content by calculating out index of item-objective congruence (IOC) and adjusted according to experts’ suggestions. A trial run of the revised questionnaires was carried out among a group of 30 prisoners who committed disciplinary offenses but were not part of the selected samples. The result of reliability test by employing the Cronbach’s alpha showed a coefficient of more than 0.70, indicating that the questionnaire was significantly reliable.

Independent Variables

Independent variables for this study consisted of 4 parts which were personal characters, association and learning, rational decision making, and low self-control. These variables were selected based on reviews of related literature.

Personal characters variables were arrived at through reviews of relevant

researches which studied the impact of personal characters on disciplinary misconduct. The characters included age (Hanks, 1940; Flanagan, 1983; Goetting & Howsen, 1986; Kuanliang & Sorensen, 2008; Lahm, 2009; Pompoco et al., 2017; Rocheleau, 2014), convict history (Cyayton & Carr, 1984; Goetting & Howsen, 1986; Rocheleau, 2014), relatives' visits (Flanagan, 1983; Goetting & Howsen, 1986; Immarigeon, 2013; Jen & MacKenzie, 2006), marital status (Flanagan, 1983; Goetting & Howsen, 1986), sentence (Goetting & Howsen, 1986; Hanks, 1940; Rocheleau, 2014), and classification of prisoners (Lerdsena & Khruakham, 2019). Analytically, all the examined variables, except age, were converted into dummy variables, except for convict history (Mean = 1.94, S.D. = 0.99) and relatives' visits (Mean = 1.09, S.D. = 1.21). The converted variables were age (0 = 21-30 years old, 1 = over 31 years old), marital status (0 = single, divorced, separated and other, 1 = married), sentence (0 = 0-5 years, 1 = over 5 years) and classification of prisoners (0 = moderate class, bad and very bad class, 1 = good, very good and excellent class).

Association and learning (Reid, 2017) (Mean = 2.60, S.D. = 0.91) is based on the theoretical frameworks of social learning theory and differential association theory. It was created from responses to 8 questions using the 5-point Likert's scale ratings on committing disciplinary offenses by learning from other prisoners, committing disciplinary offenses by being persuaded, consulting with close friends, disciplinary infraction techniques taken from friend, groups of friends having effects on decision making to commit disciplinary offenses, and viewing disciplinary infraction as normal.

The rational decision making variable (Lerdsena & Khruakham, 2019) (Mean = 2.30, S.D. = 0.93) drew upon the theoretical framework of rational choice theory. It was based on responses to 7 questions using the 5-point Likert's scale rating on satisfaction on committing disciplinary offenses, feeling pleasure after infraction, not to commit disciplinary offenses whether knowing the possibility of being caught, searching for opportunities to commit disciplinary offenses, outcome of disciplinary misconduct is worthy, deciding to commit disciplinary offenses if there were no officers or no security cameras, and getting rewarded from committing disciplinary offenses.

The low self-control variable (Edens, Poythress, & Lilienfeld, 1999; Fox, 1958; Goetting & Howsen, 1986; Hanks, 1940; Kuanliang & Sorensen, 2008;

Rocheleau, 2014) (Mean = 2.64, S.D. = 0.95) is based on the theoretical framework of self-control theory. It was based on responses to 6 questions using the 5-point Likert's scale ratings regarding being snappish, irritable and indulgent, solving problem with other prisoners with violation, viewing disciplinary infraction as challenging, committing disciplinary infraction due to lack of restraint and recklessness, unable to suppress emotions while getting provoked, and no regret for committing disciplinary offenses. These questions reflect the characteristics of low self-control.

Dependent Variable

The dependent variable which is the level of disciplinary infractions (Range = 7-35, Mean = 12.22, S.D. = 6.86), was derived from responses to 7 questions utilizing the 5-point Likert's rating scale on disciplinary misconduct which consists of altercation or assault, possession of prohibited items such as drugs, weapons, etc. gambling, tattooing, use of drug or intoxication, escape or escape attempt and insubordination. The respondents were asked to rate their disciplinary misconduct level for each category of infraction ranging from 1 to 5, where 1 means never or very few and 5 means very often.

Table 4. Descriptive Statistics of Dependent and Independent Variables

Variables	Minimum	Maximum	Mean	Std. Deviation
Age (AGE)	0	1	.56	.498
Marital status (MSTATUS)	0	1	.17	.374
Classification of prisoners (CLASS)	0	1	.40	.491
Sentence (SENTENCE)	0	1	.55	.499
Relatives' visits (VISIT)	0	1	.71	.453
Convict history (PREHIST)	1	5	1.94	1.017
Association and learning (LEARN)	1.00	4.38	2.6005	.91228
Rational choice (REASON)	1.00	4.57	2.3014	.93428
Low Self-control (SELFCON)	1.00	4.83	2.6380	.94647
Prisoner's misconduct (MISCON)	7.00	35.00	12.2249	6.86001

Data Analysis

The research employed the Multiple Regression Analysis in examining data deemed as a suitable statistical technique for examining the effect of several independent variables which were metric variables on one dependent metric variable. This statistical technique enables the researcher to examine the overall effects of independent variables on the dependent variable and the effects of each independent variable on the dependent variable together with the effects of other independent variables taken into the model. In order to employ the multiple regression analysis, some statistical assumptions must be met. To fulfil the assumptions, the following tests were undertaken, the linearity test, normality test, homoscedasticity test, and multicollinearity test (Mertler & Vannatta, 2010). After the required tests were conducted, seven cases were deleted. Consequently, this research employed a total sample of 202 cases.

RESULTS

The primary results of a bivariate correlation analysis between the examined variables revealed that the level of disciplinary misconduct which was the dependent variable in this research was significantly correlated with the variables of classification of prisoners (CLASS), association and learning (LEARN), rational choice (REASON), and low self-control (SELFCON) at the statistically significant level of 0.01. This indicates that when other factors are not controlled for, there were 4 factors that had a significant effect on disciplinary misconduct. The correlation of each factor is shown below.

Table 5. Analysis Result of Correlation between Examined Factors and Disciplinary Misconduct.

	X1	X2	X3	X4	X5	X6	X7	X8	X9
MSTATUS (X2)	.182(**)								
CLASS (X3)	-.034	-.059							
SENTENCE (X4)	.077	.061	.051						
VISIT (X5)	-.141(*)	.135	-.010	.037					
PREHIST (X6)	.289(**)	-.018	-.348(**)	.082	-.235(**)				
LEARN (X7)	.131	.084	-.227(**)	.080	-.225(**)	.167(*)			
REASON (X8)	.063	.014	-.353(**)	-.022	-.208(**)	.165(*)	.755(**)		
SELFCON (X9)	.028	-.008	-.278(**)	-.004	-.100	.162(*)	.700(**)	.705(**)	
MISCON (Y)	.091	.011	-.303(**)	-.075	-.109	.081	.574(**)	.646(**)	.614(**)

* $p \leq 0.05$ ** $p \leq 0.01$

Classification of prisoners and disciplinary misconduct are negatively related ($r = -0.303$, $p \leq 0.01$) indicating that prisoners in the moderate class, bad class and very bad class tended to commit disciplinary offenses more than those in the excellent class, very good class and good class. Furthermore, association and learning and disciplinary misconduct show a positive relationship ($r = 0.574$, $p \leq 0.01$), meaning that prisoners who have a bad attitude and learn from prison friends who commit disciplinary offenses will follow their friends. For the rational decision making, there was a positive correlation to disciplinary misconduct ($r = 0.646$, $p \leq 0.01$), signifying that prisoners consider whether outcomes and opportunities of committing disciplinary offenses have a high tendency of success for which they are more likely to commit disciplinary offenses. Low self-control also had a positive correlation with disciplinary misconduct ($r = 0.614$, $p \leq 0.01$), implying that prisoners who have low self-control are likely to commit disciplinary offenses.

The results of a multiple regression analysis taking all the independent variables into the analytical model revealed that the model created from a combination of all independent variables is able to explain 49% of the variance in the dependent variable ($R^2 = 0.491$, $R^2 \text{ adj} = 0.467$, $F(9,193) = 20.683$, $p <$

0.001) as shown in table 6. Also, it was found that rational decision making ($B = 2.334$, $p < 0.001$) and low self-control ($B = 1.934$, $p < 0.001$) had a significant effect on the level of disciplinary infraction while controlling for the effects of the other independent variables. This indicates that when the effects of other variables are being controlled for, prisoners who see the value of benefits and opportunities of disciplinary infractions will tend to commit disciplinary infractions. Similarly, prisoners with a high level of low self-control will be more likely to commit disciplinary infractions. The other seven variables including convict history, relatives' visits, marital status, sentence, classification of prisoners and factor of association and learning, had no statistical significant effect on the level of disciplinary misconduct.

Table 6. The Results of Multiple Regression Examining the Effect of the Factors on Level of Disciplinary Misconduct.

	Unstandardized Coefficients		Standardized Coefficients	t	Sig.
	B	Std. Error	Beta		
(Constant)	.955	1.699		.562	.575
Age (AGE)	1.023	.708	.080	1.445	.150
Marital status (MSTATUS)	-.354	.923	-.021	-.384	.701
Classification of prisoners (CLASS)	-1.400	.768	-.108	-1.823	.070
Sentence (SENTENCE)	-.866	.667	-.068	-1.297	.196
Relatives' visit (VISIT)	.113	.782	.008	.145	.885
Convict history (PREHIST)	-.580	.373	-.093	-1.555	.122
Association and learning (LEARN)	.812	.614	.116	1.322	.188
Rational decision making (REASON)	2.334	.620	.332	3.767	.000
Low self-control (SELFCON)	1.934	.541	.282	3.574	.000

DISCUSSION

From the primary results of the bivariate correlation analysis, it was found that there were four factors that significantly affected the level of disciplinary infractions at the statistical significance level of 0.05, consisting of classification of prisoners, association and learning, rational decision making, and low self-control. However, results of the multiple regression analysis found only two variables, rational decision making and low self-control to be significant (see Edens et al., 1999; Fox, 1958; Goetting, & Howsen, 1986; Hanks, 1940; Kuanliang, & Sorensen, 2008; Rocheleau, 2014). This result supports the concept of rational choice theory (Cornish & Clarke, 1986) and self-control theory (Gottfredson & Herschi, 1990). This indicates that prisoners, who think rationally and have low self-control characteristics including impulsivity, simple tasks, risk-taking, physical activities, self-centeredness and bad temper, are more likely to violate the disciplinary rules in the prison. Theoretically, prisoners with low self-control frequently perceived costs from getting caught and penalties with less importance compared to the norm, including perceiving greater benefits from committing disciplinary offenses. As such, they are less capable in restraining their desires or endure for benefits from disciplinary infraction and therefore decide to commit disciplinary offenses to fulfil their urge.

Although the effect of association and learning was found to be significant in the bivariate analysis, it was found to have no significant effect on the level of misconduct in the multiple regression analysis. A possible explanation is that the prison is a closed area where all prisoners are familiar with each other, causing an indifferent learning process for the prisoners within the prison. Consequently, the decision to commit disciplinary infractions mostly depends upon individual attitudes and preferences which is related to the concepts of rational choice theory and self-control theory.

Classification of prisoners is another interesting factor despite showing no statistical significant effect at the 0.05 level. However, when considering its significant correlation level of 0.07 in the multiple regression model and its significant correlation with the level of misconduct in the bivariate analysis ($r = -0.303$, $p < 0.01$), it is interesting to discuss the relationship between classification

of prisoners and disciplinary misconduct. Arguably, prisoners in the bad classification (bad, very bad and moderate) tended to commit more disciplinary offenses than those in the good classification (good, very good and excellent). This relationship can be explained through the self-control theory and labeling theory that bad-class prisoners generally have less self-control but higher convict history ($r = -0.348$, $p < 0.01$) than those in the good-class ($r = -0.278$, $p < 0.01$). Prisoners in the bad class are always stigmatized by officers and labeled as bad and unreliable persons. Consequently, they are treated unequally or oppressed by prison officers, likely causing a negative attitude towards prison officers or other prisoners and they would, in turn, react with misbehavior, such as altercation, disobey with order, and demonstrate other aggressive behaviors as a result of the labeling (Becker, 1963; Khruakham, 2015).

Other personal factors, such as age, marital status, convict history, sentencing and relatives' visits, were all found to have no statistically significant effect on the level of disciplinary infractions. However, this is not surprising as few other researches also showed no significant impact. Overall, personal factors have less effect on disciplinary misconduct of prisoners. As such, rational decision making and self-control should be factors considered by prisons when formulating solutions to the problem of disciplinary misconduct.

RECOMMENDATIONS

Practical Recommendations

Although the results showed that the factors of rational decision making and self-control had a significant impact on disciplinary misconduct, only suggestions to reduce problems of disciplinary infractions by prisoners based upon rational choice theory were discussed. This is due to that self-control theory suggests that self-control is constant on time, resulting in difficulty to change the behaviors of prisoners who have low self-control. It is recommended to improve measures of checking and employ harsher penalties on prisoners who commit disciplinary offenses to reduce opportunities and increase penalty as well as increase costs caused from disciplinary misconduct into cognitive and decision making process. This recommendation is consistent with the principle of rational choice theory,

suggesting that to effectively prevent disciplinary misconduct is to lessen benefits or to increase costs as well as to lower the worthiness or to amplify risks of getting penalized for committing disciplinary offenses. Therefore, creating a better prisoner inspection system and imposing harsher penalties is feasible for reducing problems of disciplinary misconduct. This can be carried out by increasing security cameras and installing body scan machines to check prisoners before access into prison or dormitory. These tools are helpful in detecting and preventing some disciplinary misconduct, such as possession of prohibited items, altercation/assault, prison escaping, sexual issues, tattooing, and use of drugs or intoxicant.

Policy Recommendations

Reducing the number of prisoners is a sound policy recommendation that would help alleviate the problem of disciplinary offenses in prisons. The reason being that overcrowded prisons will most certainly be faced with various setbacks such as very consuming budgets, disproportionate number of correction officers to prisoners, difficulties in rehabilitating and controlling prisoners (Cyayton & Carr, 1984; Fox, 1958; Jen & MacKenzie, 2006; Reid, 2017). Comparatively, a good example in managing the prison overcrowding problem could be found in the Malaysian Kajang Prison, where a policy was established to reduce the number of prisoners by two-thirds within two years. Subsequently, some new guidelines were created and implemented to reduce the number of prisoners such as those deemed to be harmless to the overall society, and a pre-release with probation for prisoners who had a remaining penalty of less than one year of imprisonment (Pootrakul, Terdudontham, Khruakham, & Poonyarit, 2019). This strategy has been widely promoted by the United Nation (UNODC, 2006; 2007; 2011).

Additionally, various strategies could be carried out to reduce the number of prisoners at different stages of the criminal justice procedures. For example, during the pre-prosecution stage, the number of offenders brought into the criminal justice system could be reduced by decriminalizing some soft drug-related offenses, using more pretrial diversion measures, encouraging the use of restorative justice and community justice, and constructing social support and involvement for released prisoners not to recidivate. During the prosecution and on-going trial stage, the number of offenders being brought into the prison can be reduced by

improving the bail release system such as by making funding increasingly available to offenders under poverty, employing plea-bargaining, and supporting the use of non-custodial measures as identified in the Tokyo Rules. At the sentencing disposition stage, it is suggested that the court use non-custodial sanctions for the offenders committing less serious or less harmful offenses and use more intermediate punishments such as monetary penalties, community service order, restitution to the victim or probation and judicial supervision. As for the post-sentencing stage, it is recommended that institutionalization be avoided and to assist offenders for early reintegration into society by employing post-sentencing alternatives such as half-way houses, work or education release, various forms of parole, remission, or pardon.

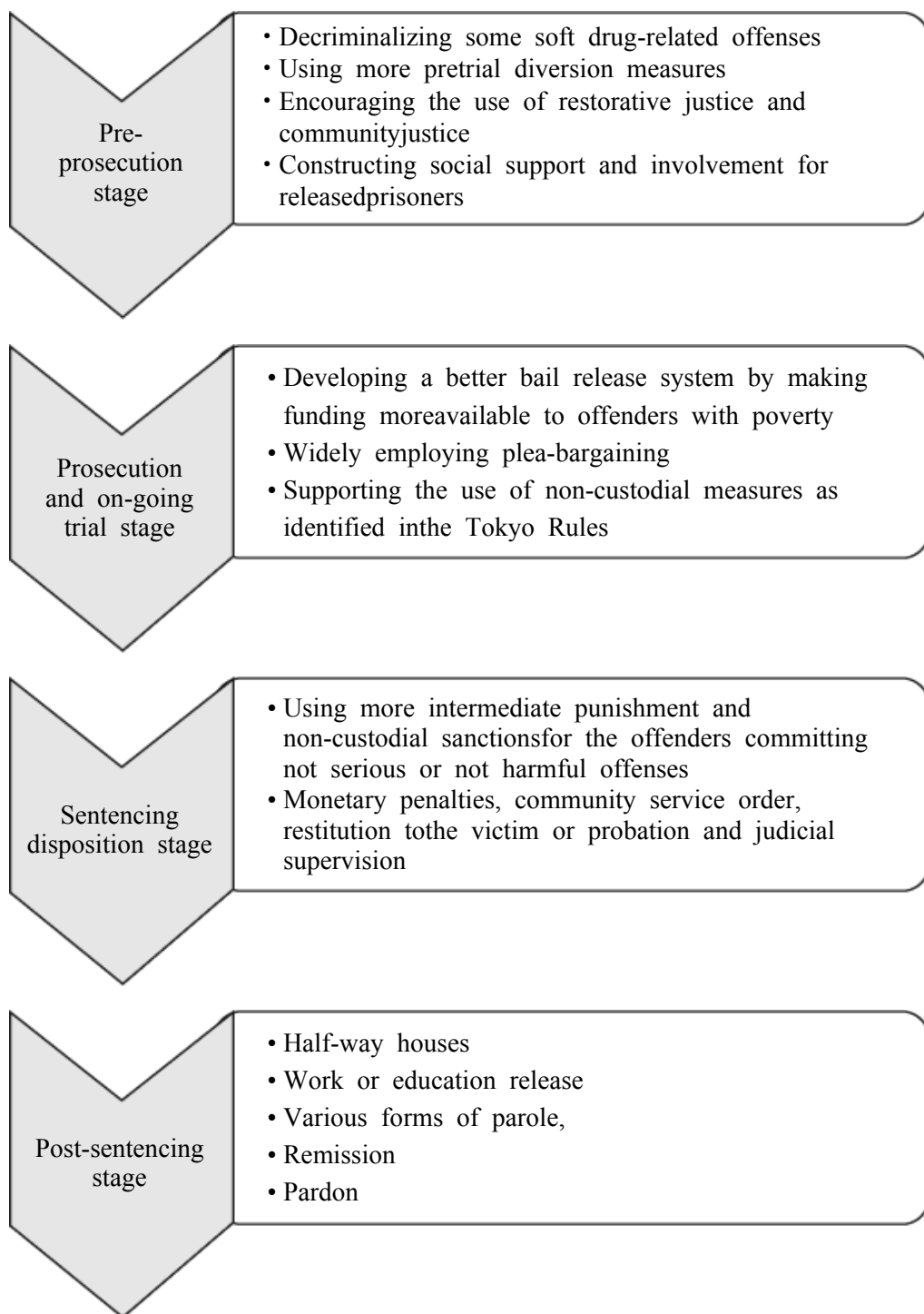


Figure 1. Summary of Policy Recommendations for Reducing the Number of Prisoners

Limitations and Recommendations for Future Research

There were various limitations in this research, such as the studied samples from a single prison may not be statistically representative of all prisoners in the country. This would affect the general applicability of the research results to prisoners in other prisons throughout the country. Another limitation was the conversion of personal characteristic variables into dummy variables which could result in the loss of information for the analysis. Also, the measurement of dependent variable was imprecise. This might affect the findings of the study; therefore, a higher level of measurement of personal factors and the dependent variable with more accurate measurement should be included for future research. Moreover, preceding research also found that the influence of these macro variables were greater than individual factors, but none of the macro variables or prison characteristics, such as structure of prison, number of prisoners, prisoner's programs/activities etc., were examined in this study (Jen & MacKenzie, 2006). Therefore, future research should aim to include data from various prisons in order to examine the effects of prison characteristics as macro variables. This would academically substantiate some potentially effective guidelines to prevent disciplinary infractions in prisons.

References

- Akers, R. (1997). *Criminological Theory: Introduction and Evaluation*, 2nd ed. Los Angeles, CA: Roxbury Publishing Company.
- Becker, H.S. (1963). *Outsiders: Studies in the Sociology of Deviance*. New York: Free Press.
- Cochran, J. C., Mears, D. P., Bales, W. D., & Stewart, E. A. (2014). Does inmate behavior affect post-release offending? Investigating the misconduct-recidivism relationship among youth and adults. *Justice Quarterly*, 31(6), 1044–1073.
<https://doi.org/10.1080/07418825.2012.736526>.
- Cornish, D.B. & Clarke, R.V. (1986). *The Reasoning Criminal: Rational Choice Perspectives on Offending*. New York, NY: Springer-Verlag.
- Correction Department.(2019).*Statistics of Prisoners in Thailand*. Retrieved from http://www.correct.go.th/stat102/display/select_type.php#.
- Cyayton, O. & Carr, T. (1984). The effects of prison crowding upon infraction rates. *Criminal Justice Review (Georgia State University)*, 9(2), 69–77. Retrieved from <http://search.ebscohost.com/login.aspx?direct=true&db=i3h&AN=14245171&site=ehost-live>.
- Edens, J. F., Poythress, N. G., & Lilienfeld, S. O. (1999). Identifying inmates at risk for disciplinary infractions: a comparison of two measures of psychopathy. *Behavioral Sciences & the Law*, 17(4), 435–443.
[https://doi.org/10.1002/\(SICI\)1099-0798\(199910/12\)17:4<435::AID-BSL356>3.0.CO;2-Z](https://doi.org/10.1002/(SICI)1099-0798(199910/12)17:4<435::AID-BSL356>3.0.CO;2-Z).
- Flanagan, T. J. (1983). Correlates of institutional misconduct among state prisoners. *Criminology*, 21(1), 29–39.
<https://doi.org/10.1111/j.1745-9125.1983.tb00249.x>.
- Fox, V. (1958). Analysis of prison disciplinary problems. *Journal of Criminal Law, Criminology & Police Science*, 49(4), 321–326.
<https://doi.org/10.2307/1141587>.
- French, S. A. & Gendreau, P. (2006). Reducing prison misconducts: What works!. *Criminal Justice and Behavior*, 33, 185–218.
- Goetting, A., & Howsen, R. M. (1986). Correlates of prisoner misconduct. *Journal of Quantitative Criminology*, 2(1), 49–67.
<https://doi.org/10.1007/BF01064595>.
- Gottfredson, M.R. & Hirschi, T. (1990). *A General Theory of Crime*. Stanford, CA: Stanford University Press.

- Hanks Jr., L. M. (1940). Preliminary for a study of problems of discipline in prisons. *Journal of Criminal Law & Criminology* (08852731), 30, 879–887. <https://doi.org/10.2307/1137316>.
- Immarigeon, R. (2013). Do Visits make inmates behave better or worse? *Corrections Managers' Report*, 19(2), 17–22. Retrieved from <http://search.ebscohost.com/login.aspx?direct=true&db=i3h&AN=91682599&site=ehost-live>.
- Jen, C. C., & MacKenzie, D. (2006). Taiwan prisoner's infraction problems: a multilevel approach. *Conference Papers -- American Society of Criminology*, 1–2. Retrieved from <http://search.ebscohost.com/login.aspx?direct=true&db=i3h&AN=26955680&site=ehost-live>.
- Kaewpriwan, R. (2007). *Factors influencing female prisoners to violate prison rules in Samut Sakorn Prison*. (Master thesis). Thammasat University. Retrieved from <http://tdc.thailis.or.th/tdc/>.
- Khruakham, S. (2015). *Crime Criminology and Criminal Justice*. Nakhon Pathom: Petchakasem Printing.
- Kuanliang, A., & Sorensen, J. (2008). Predictors of self-reported prison misconduct. *Criminal Justice Studies*, 21(1), 27–35. <https://doi.org/10.1080/14786010801972662>.
- Lahm, K. F. (2009). Educational Participation and Inmate Misconduct. *Journal of Offender Rehabilitation*, 48(1), 37–52. <https://doi.org/10.1080/10509670802572235>.
- Lerdsena, P. & Khruakham, S. (2019). Causal factors and prevention guidelines on disciplinary rule breaking of prisoners in Nakhon Pathom Central Prison. *The 5th Piboonsongkram National Research Conference*, 15 March 2019, Piboonsongkram Rajabath University.
- Mertler, C. A., & Vannatta, R. A. (2010). *Advanced and multivariate statistical methods: Practical application and interpretation* (4th Ed.). Glendale, CA: Pyrczak.
- Nakhon Pathom Central Prison. (2018a). *Mission and Structure of Nakhon Pathom Central Prison*. Note of Office of Administration.
- Nakhon Pathom Central Prison. (2018b). *Statistics of Inmates' Disciplinary Rule Violation*. Note of Office of Central Prison Control.
- Pootrakul, K. & Khruakham, S. (2015). *Analysis of Data on Production Possession and Consumption of Narcotic Drugs (Cannabis and Mitragyna speciosa)*. Institution of Criminology and Justice

- Administration, College of Public Administration, Political Faculty, Rangsit University. Sponsored by Office of the Narcotics Control Board.
- Pootrakul, K., Terdudontham, Th., Khruakham, S. & Poonyarit, S. (2019). *The Development of the Effective of Correctional System in Thailand as Compared to Malaysia*. Institution of Criminology and Justice Administration, College of Public Administration, Political Faculty, Rangsit University. Sponsored by Thailand Research Fund.
- Pompoco, A., Wooldredge, J., Lugo, M., Sullivan, C., & Latessa, E. J. (2017). Reducing Inmate Misconduct and Prison Returns with Facility Education Programs. *Criminology & Public Policy*, 16(2), 515–547. <https://doi.org/10.1111/1745-9133.12290>.
- Reid, S. E. (2017). The (Anti)Social Network: Egocentric Friendship Networks of Incarcerated Youth. *Deviant Behavior*, 38(2), 154–172. <https://doi.org/10.1080/01639625.2016.1196962>.
- Rocheleau, A. M. (2014). Prisoners' Coping Skills and Involvement in Serious Prison Misconduct. *Victims & Offenders*, 9(2), 149–177.
- Sutherland, E. (1939). *Principles of Criminology* (3rd Ed). Philadelphia: Lippincott.
- Woo, Y., Lu, R., & Stohr, M. K. (2016). Social support and the gendered experience of incarceration in South Korean prisons. *Journal of Ethnicity in Criminal Justice*, 14(3), 172–194. <https://doi.org/10.1080/15377938.2016.1144544>.
- Yamane, T. (1973). *Statistics: An Introductory Analysis* (3rd Ed). New York: Harper and Row Publication.