

This is an Open Access document downloaded from ORCA, Cardiff University's institutional repository: <https://orca.cardiff.ac.uk/id/eprint/144858/>

This is the author's version of a work that was submitted to / accepted for publication.

Citation for final published version:

Vladu, Alexandra, Kalebic, Natasha, Audley, Jody, Stevens, Alisa and Taylor, Pamela J. 2021. Benefits and risks of conjugal visits in prison: A systematic literature review. *Criminal Behaviour and Mental Health* 31 (5) , pp. 343-361. 10.1002/cbm.2215

Publishers page: <https://doi.org/10.1002/cbm.2215>

Please note:

Changes made as a result of publishing processes such as copy-editing, formatting and page numbers may not be reflected in this version. For the definitive version of this publication, please refer to the published source. You are advised to consult the publisher's version if you wish to cite this paper.

This version is being made available in accordance with publisher policies. See <http://orca.cf.ac.uk/policies.html> for usage policies. Copyright and moral rights for publications made available in ORCA are retained by the copyright holders.



**Benefits and risks of conjugal visits in prison:
A systematic literature review**

Alexandra Vladu 1, Natasha Kalebic 1, Jody Audley 1, Alisa Stevens 2 and Pamela J. Taylor
1

1 Division of Psychological Medicine and Clinical Neurosciences, School of Medicine,
Cardiff University, Cardiff, UK

2 School of Social Sciences, Cardiff University, Cardiff, UK

Correspondence Pamela J. Taylor, Division of Psychological Medicine and Clinical
Neurosciences, School of Medicine, Cardiff University, Hadyn Ellis Building, Maindy Rd,
Cardiff CF24 4HQ, UK. Email: taylorpj2@cardiff.ac.uk

Abstract

Background: Imprisonment impacts on lives beyond the prisoner's. In particular, family and intimate relationships are affected. Only some countries permit private conjugal visits in prison between a prisoner and community living partner.

Aims: Our aim was to find evidence from published international literature on the safety, benefits or harms of such visits.

Methods: A systematic literature review was conducted using broad search terms, including words like 'private' and 'family', to maximise search sensitivity but strict criteria for inclusion – of visits unobserved by prison staff and away from other prisoners. All included papers were quality assessed. Two of us independently extracted data from included papers, according to a prepared checklist. Meta-analysis was considered.

Results: Seventeen papers were identified from 12 independent studies, all but three from North America. The only study of health benefits found a positive association with maintaining sexual relationships. The three before-and-after study of partnership qualities suggested benefit but conjugal visiting was within a wider family-support programme. Studies with in-prison behaviour as a possible outcome suggest small, if any, association, although one US-wide study found significantly fewer in-prison sexual assaults in states allowing conjugal visiting than those not. Other studies were of prisoner, staff or partner attitudes. There is little evidence of adverse effects, although two qualitative studies raise concerns about the visiting partner's sense of institutionalisation or coercion.

Conclusions: The balance of evidence about conjugal visiting is positive, but there is little of it. As stable family relationships have, elsewhere, been associated with desistance from crime, the contribution of conjugal visiting to these should be better researched.

Key words: 'Prisoners'; 'imprisonment'; 'conjugal visit'; 'private visiting'; 'consensual sex in prisons'

Background

Imprisonment impacts on lives beyond the prisoner's. In particular, family and intimate relationships are affected. In some countries, in recognition of this, extended, private visits are permitted in prisons, when the prisoner may spend time with family or others without direct staff observation. Such visits may afford adult partners the opportunity for sexual relations while one of them is still in prison. We will refer to these as conjugal visits, regardless of the legal status or sexual orientation of the couple. In other jurisdictions, visits are always communal, occasionally partially screened, but almost always within full sight of the prison staff and, often, security cameras. While it has been observed that at some times and in some countries such circumstances are not necessarily a barrier to sexual relationships taking place (Hayner, 1972), it is more likely that in such countries use of temporary release of well-behaved prisoners is the route for such consummation, albeit often only late in a sentence.

Denial of appropriate privacy for sexual intercourse in prison has sometimes led to legal challenge, generally on rights based arguments, for example in the USA (Esposito, 1980). For the 47 countries of the Council of Europe, Article 8 of the European Convention on Human Rights affords everyone the right to respect to private and family life, qualified by the statement: 'except such as is in accordance with the law and is necessary in a democratic society in the interests of national security, public safety or the economic well-being of the country, for the prevention of disorder or crime, for the protection of health or morals, or for the protection of the rights and freedoms of others' (www.echr.coe.int/Documents/Convention_ENG.pdf). Thus, fulfilment of the right is open to interpretation and sometimes challenged at national level. The one successful challenge in this context of which we are aware was on grounds of discrimination; occasional conjugal visits in Lithuania were subsequently permitted for convicted but not remand prisoners (*Varnas v. Lithuania*, 2013). The United Nations, setting out the standard minimal rules for treatment of prisoners worldwide in the Mandela Rules, does not say more than 'Where conjugal visits are allowed, this right shall be applied without discrimination' (https://www.unodc.org/documents/justice-and-prison-reform/GA-RESOLUTION/E_ebook.pdf).

There are researchable questions about the benefits or harms of such visits. While family visiting generally may be associated with better prisoner health and reduced recidivism (De

Claire and Dixon, 2017; Mitchell et al, 2016), do conjugal visits add particular benefits or risks? There are three main testable hypotheses about them: 1) they benefit the psychological health or wellbeing of prisoners who have them, and possibly their partner's; 2) they help to sustain marital or similar partnerships, contributing to successful resettlement and rehabilitation after release; 3) they are associated with reductions in in-prison violence or unwanted sexual behaviours there.

Our aim was to seek evidence through systematic literature reviewing of the benefits and risks of those visits in prison between adult prisoners and spouses/partners that are not directly observed by staff for the duration of the visit and during which sexual activity between the prisoner and an adult partner could take place. Our main research questions were:

1. What objective and empirical outcome measures have been studied in relation to such visits?
2. To what extent, according to these measures, have such visits been shown to have benefits or adverse effects?

Methods

A systematic review of academic literature was conducted to identify and assess studies of private visits in prisons. We defined these as visits that are unobserved by prison staff and away from other prisoners, generally in a purpose designed room or facility. Although our primary interest was in conjugal visits, we used broader concepts of family visits in the search in order to maximise sensitivity.

The literature search was conducted using six online databases from their inception years (given in brackets after each) up to 10th December 2019: ASSIA (1987), Scopus (1970), Social Services Abstracts (1979), Web of Science (1900), PsycInfo (1806) and ERIC (1962). The search strategy, as follows, was created by generating search terms for offender or prison and for private or conjugal visits, using the following search strategy: (offender OR offend* OR criminal* OR prison* OR jail OR penitentiary OR imprison* OR incarcerate*) AND (Conjugal OR "private visit*" OR "intimate visit*" OR Extended OR EFV OR "consensual sex") AND (visit*) adjusting syntax according to requirements of the database. Major subject heading (MeSH) terms were used where available.

To check for still unpublished data, a seventh online data base, ProQuest, was searched for dissertations and theses, from its inception year (1983), limiting the search to only “conjugal visit”. All 619 titles generated were checked.

All references were downloaded to EndNote (desktop version).

The first 100 titles and abstracts were screened independently by two researchers (AV & NK) against the inclusion/exclusion criteria to check for reliability of selection.

For inclusion, studies must have been with adult prisoners, whose spouse or partner was not incarcerated and who had access to any type of private visits including specified conjugal visits or family visits *when sexual intercourse between prisoners and their partner/spouse would be possible*. It follows, therefore, that studies were excluded if they referred only to offenders under 18 years-old, to offenders where both partners were in prison, to prisoners who only had access to visits with their partner with at least one member of prison staff physically in the room or otherwise directly observing throughout, or if they referred only to private visits with professionals such as lawyers or doctors. No study was excluded solely on methodological grounds, but papers were excluded if there were no abstract in English and no primary data. As this is an area that is likely to invoke powerful emotional responses and opinions, that may affect or even drive policy, we retained attitude survey studies.

There was 97% agreement on selection; minor disagreement related to three papers, easily resolved by discussion. Remaining titles and abstracts were screened by the first author alone, referring to the team as perceived helpful. Full texts were obtained where a selection decision was considered unsafe on title and abstract alone and for all papers included in this review.

After paper selection, reference lists of those selected for inclusion were checked for any further potentially relevant studies. In addition, journals which had ever published such a study were hand-searched for the years 2010-2019. These were: *American Journal of Criminal Justice, Criminal Justice and Behavior, Criminal Justice Review, Ethnography, Federal Probation, International Journal of Offender Therapy and Comparative Criminology, Journal of Correctional Health Care, Journal of Offender Counselling Services Rehabilitation, Journal of Offender Rehabilitation, Journal of Violence among Women, The Prison Journal.*

All studies included were quality-assessed using a Critical Appraisal Skills Programme (CASP) checklist relevant to the study's methods (<https://casp-uk.net/casp-tools-checklists/>). These tools are not designed to yield a score, but provide a systematic framework for checking study quality. Most studies were considered to be of at least moderate quality, with a clear question, methodological design appropriate to the question and allowance for potential confounding factors, although some were purely simple descriptive accounts of a defined sample; some of the earlier Mississippi-based studies, particularly, fell into the simple description category. Because of considerable overlap between them, however, we consider that we were able to extract information which is robust enough for further consideration. More detailed indicators of quality are provided in the online supplement.

Data extraction was performed for all included papers by at least two of us (AV and PJT), initially blind to each other's extraction. Data extraction from two books identified in the search was by AV only. There were minimal discrepancies in data extraction, resolved on discussion.

Data analysis is descriptive. Meta-analysis was considered, but the studies that could be included proved to be too methodologically varied to allow for this.

Results

The search identified 4,957 unique titles from the database searches. As Figure 1 shows, the selection process ultimately yielded 17 papers and three books. Two of the latter (Hopper, 1969; Carlson & Cervara, 1992) included study reports overlapping with peer reviewed papers by these authors, so we relied on the papers only here. We could find no peer reviewed papers relating to the third book (Burstein, 1977), so, with caution, include some data from this.

Figure 1 about here

One study alone was directly relevant to our question about prisoner health (Carcedo et al, 2015), albeit indirectly. Conducted in a penitentiary in Spain, it was a two-stage interview study, focussing primarily on the relationship between self-reported sexual satisfaction and structured ratings of psychological health of the prisoners; as about two-thirds of the 91 male and 82 female prisoner participants were in a romantic partnership and just over half of these

prisoner-partners (29 men and 64 women) had had sexual relationships in prison the six months prior to interview, we retained this study. All activity had been heterosexual and, with one exception, consensual. About three-quarters of this reported sexual activity occurred in one of the conjugal visiting rooms with an outside partner, but the rest involved male and female prisoners only in areas where the men and women had educational, work or social activities together. In the statistical model which controlled for age, nationality, partner status, total time in prison, actual sentence served and time to parole, social loneliness was significantly lower and sexual satisfaction higher among those in sexual relationships in prison. The more sexually satisfied gave ratings on the psychological health subscale of the *World Health Organisation Quality of Life Scale* that indicated significantly better psychological health.

Just five papers included reported measured outcomes relating strictly to conjugal visits, including the two papers presenting different analyses of the same data by Hensley and colleagues (2000a, 2002a; see table 1). The remaining papers were staff or prisoner attitude surveys, some qualitative research with visiting partners and one more quantitative study of sexual function in the visiting partners. With the exception of one study of prisoners' perspectives in Israel (Einat & Rabinovitz, 2012), the prisoner health study just described from Spain (Carcedo et al, 2015) and a Brazilian study of visiting partner sexual function (Silveira et al, 2015), all the studies identified had been conducted in the USA, although one of the US record surveys also included data from Canada. Conjugal visits are not allowed in Federal prisons in the USA; a state challenge established that no constitutional right to such visits exists [Lyons v. Gilligan, 382 F. Supp. 198 (N.D. Ohio 1974)]. Nevertheless, some individual state laws permit such visits, with the numbers so doing fluctuating over the years. The first state to do so and the state from which much of the research has been reported – Mississippi - ended conjugal visiting in 2014: *'What had begun as a practice to control inmates and provide them an incentive to work in the early 1900s had fallen victim to changing times and a declining state budget'* (McElreath et al, 2016; p753).

At the time of writing, just four states retain the possibility of conjugal visits in state prisons: California, Connecticut, New York and Washington.

Comparison of outcomes between prisoners allowed conjugal visits and those not

There have been just two repeated questions about outcomes after conjugal visits – whether they may reduce in-prison violence, including sexual violence, and whether they may help family cohesiveness. Two studies (Carlson & Cervera, 1991 a&b; Hensley et al, 2000a) examined potential benefits for families (Table 1). In the former, in New York State, conjugal visiting for male prisoners was embedded in a family reunion programme, so did not evaluate conjugal visiting alone.

Carlson and Cervera (1991 a&b) found that those who participated in this programme felt significantly closer to their wives and children afterwards than before; self-reports also indicated that they were closer to their wives and children than those who were not programme participants. Wives' reports of closeness to their husbands were in the same range as the husbands' reports; although there was no difference between programme and non-programme women, the former reported a significant improvement in their sense of closeness over time. It is difficult to draw firm conclusions about outcomes from this study because, as the authors acknowledge, allocation to programme participation was not random. A reasonably stable relationship and good behaviour in the prison was required for programme entry, possibly biasing towards better outcomes for the programme group. Furthermore, the possibly more objective scaled measures of relationship cohesion and adaptability showed no significant differences between groups or over time.

In the second study, Hensley et al (2000a, 2002a), in Mississippi, simply compared those prisoners who had had conjugal visits with those who had not. Self-rated family stability was higher in the conjugal visiting group.

Table 1 about here

One of the three studies, in New York State, questioning the impact of conjugal visiting on in-prison behaviour, but measured it only as part of a family reunion programme (Davis, 1988). In Mississippi, Hensley et al, (2002a) asked prisoners whether they had ever had a visit and to rate their threatening or actual violent behaviour in prison. In the third, D'Alessio et al (2013) measured the 'intervention' at even further remove – simply in terms of whether, across the USA, states allowed conjugal visiting or not. Although a slightly lower percentage of the prisoners in the family reunion programme in Davis's study had disciplinary infractions (see also table 1), this difference was not significant and, they point out, any trend

has to be understood within the context that only men who had demonstrated good behaviour may access the programme. Another New York-based study, not detailed in the table because the findings are simply descriptive, showed that two-thirds of men (36/55) were refused the programme because of disciplinary infractions but if still in the prison 8 months later had then qualified for the programme (Howser et al, 1984). It cannot, strictly, be said that the improvements were because of the likelihood of conjugal visits, but the authors thought it likely. The two Mississippi study reports, although using the same data, contradict each other on relationship between conjugal visiting and in-prison violence by prisoners (Hensley et al, 2000a, Hensley et al, 2002a).

By contrast, D'Alessio et al (2013), taking an overview of the difference in in-prison serious sexual assault rates between states allowing or prohibiting conjugal visiting found a significant difference, favouring states which allowed such visits, even after allowing for potentially confounding variables such as prison officer: prisoner ratios. The main problem in interpreting these findings is that the measure was not of visits taken up, but of their possibility. Furthermore, possible confounders not allowed for were of general attitude and political climate, including respect for prisoners' rights.

Attitudes to conjugal visiting in prisons

Most of the rather sparse work on attitudes to conjugal visiting has been with prison staff (table 2a) or prisoners themselves (table 2b). Four of the five papers were from the single project across Mississippi State prisons, discontinued in 2014.

Table 2 [a&b] about here

Hopper's published work, entirely about the century-long Mississippi project, seems dated given his preoccupation with homosexuality and the racial issues but, in its time, the work was quite pioneering. This research was mostly survey work that suggested that prison officers and prisoners alike, and regardless of whether the latter received visits, were broadly content with arrangements (tables 2a & b), and that these attitudes changed little over time (Hopper, 1989). In his 1989 paper he further notes:

Since 1962, I have conducted small surveys of public opinion on attitudes toward the practice. The responses have broken down as follows: 34.0% highly favor conjugal visits for

married prisoners; 36.1% somewhat favor them; 10.5% express no opinion, while 11.2% somewhat disfavor them and 8.2% strongly disapprove.

Prison staff attitudes to conjugal visits appear to have been studied only in the USA (table 2a). Whether prison administrators or frontline staff are surveyed, those who have worked in prisons with such programmes tend to be more favourable towards them.

Publications on prisoners' attitudes seem to be exclusively from Mississippi (table 2b), where they were largely positive. Burstein's (1977) book, describing conjugal visiting in Soledad prison in California, however, suggests that while prisoners appreciate the possibility that conjugal visiting keeps their marriages together, they have concerns about the use, or even misuse, of such visits for controlling in-prison behaviour. One additional study is worth noting as being from outside the USA – in Israel – and exclusively about women (Einat & Rabinovitz, 2012). In semi-structured interviews with all eight women in marriages or long-term relationships who had been imprisoned for more than 15 years in a prison for 189 women, positive themes emerged of the visits helping to strengthen their relationships and tolerate the pains of imprisonment, although they cited poor facilities as inhibiting capacity to benefit.

Comfort's qualitative study of women 'concerned about their partners' potential desensitization to carceral existence and their ensuing loss of ability to function outside of the penitentiary walls' (Comfort, 2002:467) was the only study found of partners' attitudes. These women attempted to bring everyday activities, including their already established sexual relationship, into the prison – San Quentin, California – to create 'Papa's House'. In fact, it emerged that the women became troubled that the institutionalising power of the prison outweighed the humanising effect of family creating 'paradoxical institutionalisation of their own family life'. An additional Canadian qualitative study, already known to one of us (AS), was about the perceptions of 35 women who had participated in at least one, three-day visit with their imprisoned partners. While only one woman reported experiencing physical violence during the visit, some women had felt emotionally or psychologically coerced by their partner into agreeing to these visits (Toepell & Greaves, 2001). In addition, some of them reported experiencing humiliating and degrading treatment from supervising prison staff. This could represent a continuation or replication of partners' abusive or controlling behaviours pre-incarceration.

One final study of possible impact on partners visiting was conducted in Brazil. Silveira et al (2015) evaluated the relationship between the sexual satisfaction of women visiting men in prison compared with a group of women attending a local gynaecological clinic. They proved to be well matched for length of relationship, number of children and employment status, but the prison visiting women were slightly younger, likely to have experienced sexarche at an earlier age and be more depressed and anxious. Nevertheless, the prison visiting women were significantly more likely to report a good quality relationship with their man.

Discussion

Research into conjugal visits is limited both in quantity and by its qualities. It has a collective bias that most of it comes from highly selected samples in the USA. Nevertheless, taken together, it suggests that not only those immediately involved may have modest gains in subsequently better health and behavioural indicators, but that the wider prison community may benefit through a related reduction in assaultive behaviours and, where family cohesion is supported, society generally is likely to benefit too. Only five studies, however, had experimental designs suitable for outcome determination and the power of conjugal visiting *per se* was not always clear because of two key factors – it was likely to be embedded in a wider family programme and it was likely that prisoners would have to have an established pattern of good behaviour in the prison to qualify, introducing possible bias into selection for the opportunity. An important overview point is that these few studies do collectively suggest that it is feasible to conduct outcome studies in this field. Further, some of these studies pave the way to doing so.

There was little evidence of harms resulting from such visits in the more experimental studies with larger numbers of participants, although only Carlson & Cervera (1991 a&b) included data from visiting partners. Toepell & Greaves (2001), a qualitative study drawing on in-depth interviews with visiting partners, may have had some bias because it was in part driven by concerns for the safety of visiting partners after a woman was killed by her partner during a private family visit; they found that some women reported feeling somewhat coerced into these visits. We found no other reports of such a serious correlate of conjugal visiting, but we examined only research literature. Comfort's (2002) study also evidenced some concerns that the institutionalising power of the prison can overwhelm by giving visiting partners a sense that their lives are being institutionalised too.

The finding that research evaluation of conjugal visiting is so rare outside the USA raises other important questions. Conjugal visits have, at least at some stage, been supported in most South American countries (Hayner, 1972), but we found only one relevant paper (Silveira et al, 2015). Only one relevant paper was found from Europe (Carcedo et al, 2015), even though conjugal visits in prisons are currently supported in most European countries (Vladu et al, in preparation). Where sanctioned by prison authorities, however, they commonly occur as activities simply chosen by prisoners and their partners, not as a minor element in a programme of family work for evaluation. In Europe, there is no suggestion of using such visits as a form of prisoner control or treatment; on the contrary, they seem to follow from a rights-based philosophy. Does this inhibit research? If a conjugal visit is a right which must be honoured, does this necessarily mean there is no case for its evaluation? This would seem unlikely, since there is a moderately large literature on family visiting more generally, which consistently evidences benefits for family (De Claire and Dixon, 2017; Mitchell et al, 2016; Schubert et al., 2016) and prisoners (Bales & Mears, 2008; Pierce et al., 2018). Further, questions arise about optimising such visits. To what extent does timing or frequency matter on any measure - from mutual satisfaction to enduring positive effects on intimate relationships and even long-term benefits for prisoners' desistance from offending, ability to co-parent constructively, and positive engagement with wider society?

The hypothesis that having conjugal visits could improve prisoner behaviour in prison seems to have driven much of the US-based research. Findings are equivocal and anyway raise uncomfortable questions about use of an arrangement which would be regarded as a right in some jurisdictions to control behaviour in others, at its most extreme using the prisoner's spouse or partner as an instrument of social control. By contrast, focus on the extent to which conjugal and other private visiting helps the couples' relationship and perhaps family cohesion for the longer term could inform research that could optimise rehabilitation and reduce the inter-generational trauma of imprisonment. One important step would be a robust outcome study of the benefits and burdens for the visiting partner. A consideration in allowing private, conjugal visits is that imprisonment is not intended to be a punishment for the family as well as the offender, but this is generally a key side effect – or collateral damage. On the other hand, expectations of conjugal visits may prove toxic if the visiting includes extended travel it may be stressful, if the visiting environment is impoverished and the inevitable checks too intrusive, and/or if the relationship was unhappy, coercive or

frankly abusive, conjugal visiting rights may merely extend suffering for the community-based partner.

Examination of prison staff attitudes to conjugal visiting may be of more value than it first appears. Certainly, it is important for authorities to know the extent to which staff support for a policy might already be forthcoming, but the interest here lies in other factors related to staff attitudes. Taking the studies together, on the one hand staff were generally more positive towards conjugal visits if they worked in a prison that already allowed them and, on the other, there was a tendency for prisoner behaviour in prison to be less sexually or generally aggressive in prisons where conjugal visits were allowed than where they were not. There is an important researchable question about the direction of relationships here. Longitudinal study of prison staff attitudes where conjugal visiting is introduced could reveal important truths about optimal working with prisoners. Allowing that permission in principle for conjugal visits rests with government departments and high level administrative staff, to what extent are staff attitudes merely the substrate in which conjugal visiting may thrive and to what extent are they moulded by different perspectives on the prisoners? Are innately more liberal, flexible and creative staff more likely to run calmer, more tolerant prisons which, coincidentally, are also more likely to support healthy conjugal relationships? Or, if conjugal visiting is allowed, does visible exposure to prisoners as part of an ordinary family and concern for that whole family's well-being foster flexibility and creativity in the officers?

Strengths and limitations

We confined our search to data based literature in academic journals and theses, although we also checked reference lists in the books and papers identified by these searches and hand searched journals in which papers had been found in the electronic search. One important strength is that we entered broad search terms, including the unqualified term 'visit' to increase the sensitivity of the search.

Conclusions

Research into the role of conjugal visits between prisoners and their established partners is rare, with only three studies in this millennium and most of all studies being from North America. Two main themes emerge: the possible impact of such visits on the conjugal

partnership and possible impact on in-prison behaviour of the prisoner, although it is arguable that a third theme – prisoner health – is also important. More interest in the safety and wellbeing of the visiting partner is needed. Some evidence of benefits to relationships may be confounded by their context, being a small element within a wider family programme. Prisons which allow conjugal visits have better disciplinary records than those that do not, even after allowing for resource differences, including staff numbers. Data on staff attitudes towards such visiting, at their most positive when experienced around such visits, pose interesting, researchable questions about the direction of benefit.

References

- Bales, W. D., & Mears, D. P. (2008). Inmate social ties and the transition to society: Does visitation reduce recidivism? *Journal of research in crime and delinquency*, 45(3), 287-321. <https://doi.org/10.1177/0022427808317574>
- Bennett, L. A. (1989). Correctional Administrators' Attitudes Toward Private Family Visiting. *The Prison Journal*, 69(1), 110-114. <https://doi.org/10.1177/003288558906900114>
- Burstein J. Q. (1977) *Conjugal Visits in Prison: Psychological and Social Consequences*. Lexington, MA: Lexington Books
- Carcedo, R. J., Perlman, D., López, F., Orgaz, M. B., & Fernández-Rouco, N. (2015). The relationship between sexual satisfaction and psychological health of prison inmates: The moderating effects of sexual abstinence and gender. *The Prison Journal*, 95(1), 43-65. <https://doi.org/10.1177/0032885514563271>
- Carlson, B. E., & Cervera, N. (1991a). Inmates and their Families: Conjugal Visits, Family Contact, and Family Functioning. *Criminal Justice and Behavior*, 18(3), 318-331. <https://doi.org/10.1177/0093854891018003005>
- Carlson, B. E., & Cervera, N. J. (1991b). Incarceration, coping, and support. *Social Work*, 36(4), 279-285.
- Carlson BE & Cervera N (1992) *Inmates and their wives: incarceration and family life*. Greenwood Publishing Group: Westport, CT, USA.
- Comfort, M. L. (2002). 'Papa's House': The Prison as Domestic and Social Satellite. *Ethnography*, 3(4), 467-499. <https://doi.org/10.1177/1466138102003004017>
- D'Alessio, S. J., Flexon, J., & Stolzenberg, L. (2013). The effect of conjugal visitation on sexual violence in prison. *American Journal of Criminal Justice*, 38(1), 13-26. <https://doi.org/10.1007/s12103-012-9155-5>

- Davis, R. (1988). Education and the impact of the family reunion program in a maximum security prison. *Journal of Offender Counseling Services Rehabilitation*, 12(2), 153-159. https://doi.org/10.1300/J264v12n02_12
- De Claire, K., & Dixon, L. (2017). The effects of prison visits from family members on prisoners' well-being, prison rule breaking, and recidivism: A review of research since 1991. *Trauma, Violence, & Abuse*, 18(2), 185-199. <https://doi.org/10.1177/1524838015603209>
- Einat, T., & Rabinovitz, S. (2012). A warm touch in a cold cell: Inmates' views on conjugal visits in a maximum-security women's prison in Israel. *International Journal of Offender Therapy and Comparative Criminology*, 57(12), 1522-1545. <https://doi.org/10.1177/0306624X12461475>
- Esposito, S. C. (1980). Conjugal visitation in American prisons today. *Journal of Family Law* 19(2): 313-330.
- Hayner, N. S. (1972). Attitudes toward conjugal visits for prisoners. *Federal Probation* 36(1): 43-49.
- Hensley, C., Rutland, S., & Gray-Ray, P. (2000a). The effects of conjugal visits on Mississippi inmates. *Corrections Compendium*, 25(4), 1-3.
- Hensley, C., Rutland, S., & Gray-Ray, P. (2000b). Inmate attitudes toward the conjugal visitation program in Mississippi prisons: An exploratory study. *American Journal of Criminal Justice*, 25(1), 137. <https://doi.org/10.1007/BF02886816>
- Hensley, C., Koscheski, M., & Tewksbury, R. (2002a). Does participation in conjugal visitations reduce prison violence in Mississippi? An exploratory study. *Criminal Justice Review*, 27(1), 52-65. <https://doi.org/10.1177/073401680202700104>
- Hensley, C., Tewksbury, R., & Chiang, C. P. (2002b). Wardens' Attitudes Toward Conjugal Visitation Programs. *Journal of Correctional Health Care*, 9(3), 307-319. <https://doi.org/10.1177/107834580200900307>
- Hopper, C. B. (1965). Conjugal visiting at the Mississippi state penitentiary. *Federal Probation*, 29(2), 39-46.
- Hopper, C. B. (1969). *Sex in prison: The Mississippi experiment with conjugal visiting*. Baton Rouge: Louisiana State University Press.
- Hopper, C. B. (1989). The evolution of conjugal visiting in Mississippi. *The Prison Journal*, 69(1), 103-109. <https://doi.org/10.1177/003288558906900113>
- Howser, J., Grossman, J., & Macdonald, D. (1984). Impact of family reunion program on institutional discipline. *Journal of Offender Counseling Services Rehabilitation*, 8(1-2), 27-36. https://doi.org/10.1300/J264v08n01_04

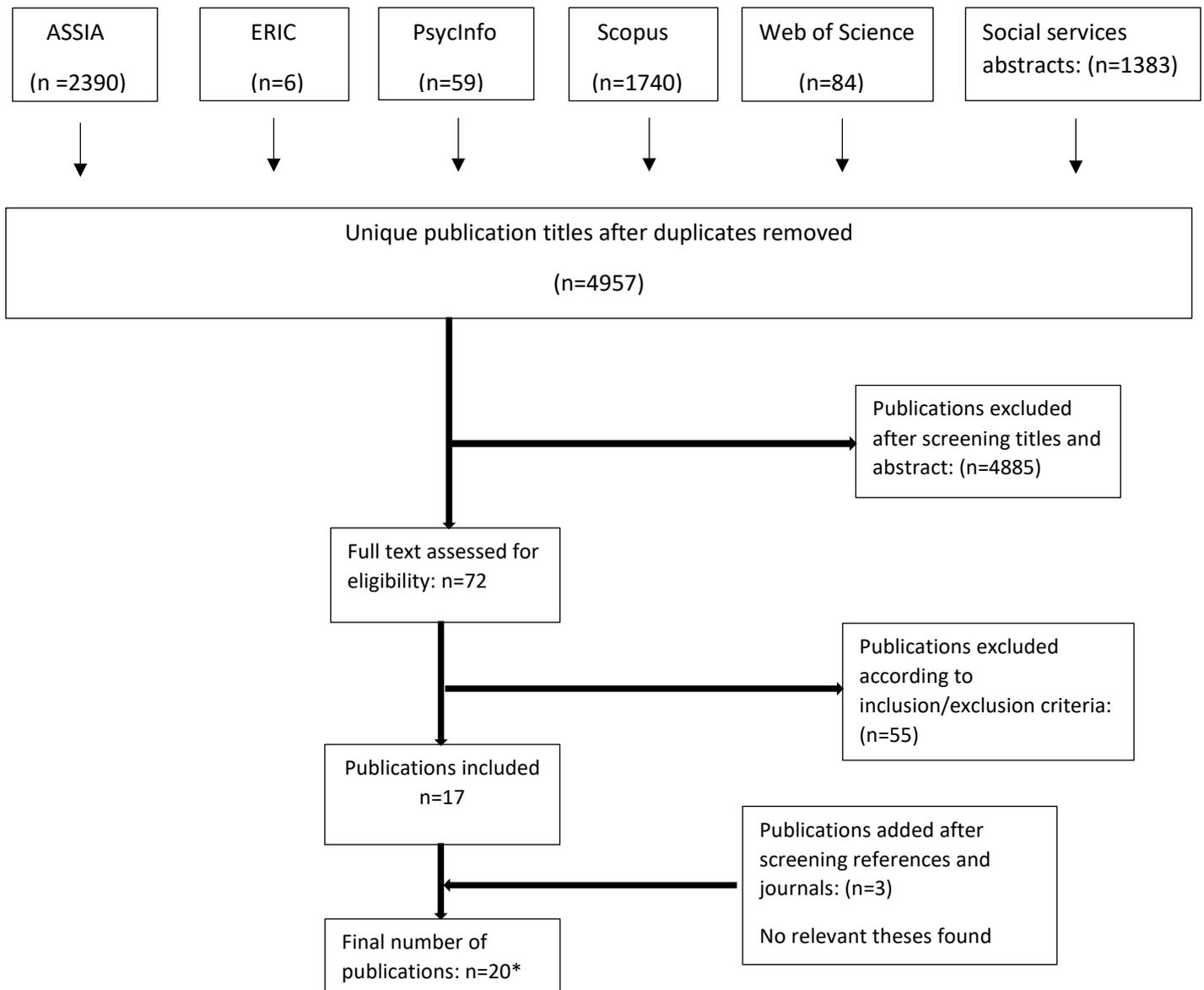
- McElreath, D. H., Doss, D. A., Jensen III, C. J., Wigginton, M. P., Mallory, S., Lyons, T., ... & Jones, D. W. (2016). The end of the Mississippi experiment with conjugal visitation. *The Prison Journal*, 96(5), 752-764. <https://doi.org/10.1177/0032885516662644>
- Mitchell, M. M., Spooner, K., Jia, D., & Zhang, Y. (2016). The effect of prison visitation on reentry success: A meta-analysis. *Journal of Criminal Justice*, 47, 74-83. <https://doi.org/10.1016/j.jcrimjus.2016.07.006>
- Pierce, M. B., Freiburger, T. L., Chapin, J. R., Epling, B., & Madden, T. J. (2018). Assessing the impact of visitation on inmate misconduct within a county jail. *Security Journal*, 31(1), 1-20. <https://doi.org/10.1057/s41284-016-0086-6>
- Schubert, E. C., Duinick, M., & Shlafer, R. J. (2016). "Visiting Mom: A pilot evaluation of a prison-based visiting program serving incarcerated mothers and their minor children." *Journal of Offender Rehabilitation*, 55(4), 213-234. <https://doi.org/10.1080/10509674.2016.1159641>
- Silveira, L. R., Romão, A. P. M. S., Vieira, C. S., de Sá Rosa e Silva, A. C. J., Reis, R. M., Ferriani, R. A., ... & Lara, L. A. D. S. (2015). Sexual Function of Women Practicing Sex in Nonconventional Settings. *Journal of Sex & Marital Therapy*, 41(3), 294-303. <https://doi.org/10.1080/0092623X.2014.889055>
- Toepell, A. R., & Greaves, L. (2001). Experience of abuse among women visiting incarcerated partners. *Violence Against Women*, 7(1), 80-109. <https://doi.org/10.1177/10778010122182316>
- Vladu A, Kalebic NL, Stevens A and Taylor PJ. (in preparation) Conjugal visiting in prisons: A European survey. Further information available from the last author (corresponding author of this paper).

Court Cases

Lyons v. Gilligan, [1974] (382 F. Supp. 198) N.D. Ohio

Varnas v. Lithuania, [2013] (no. 42615/06). ECHR Strasbourg

Figure 1: Identification and selection of data based studies about conjugal visits in prison



*papers in journals: Bennett, 1989, Carcedo et al, 2015; Carlson & Cervera, 1991^{3a}&b³; Comfort, 2002; D’Alessio et al, 2013; Davis, 1988; Einat & Rabinovitz, 2012; Hensley et al, 2000^{a1}; Hensley et al, 2000^{b1}; Hensley et al, 2002^{a1}; Hensley et al, 2002^{b1}; Hopper, 1965², 1989²; Howser et al, 1984; Silveira et al, 2015; Toepell & Greaves, 2001.

1 – these Hensley papers reported from the same data set

2- these Hopper papers reported from the same data set

3- these Carlson & Cervera publications use the same data set

Books which included primary data: Burstein, 1977; Carlson & Cervera, 1992³; Hopper, 1969.

Three papers were identified for which only the abstract was available in English, but none appeared to contain primary data, except for Duarte which provided a count and description of prisoners receiving such visits.

Padovani, N. C. (2011) In the eye of the hurricane: Homosexual conjugality and the conjugal visit right in the Female Prison of São Paulo Capital." *Cadernos Pagu*(37): 185-218.

Duarte, T. L. (2014). Intimacy in prison: Profile of prisoners registered to make intimate visits in Rio de Janeiro. *Dilemas* 7(3): 607-640.

Bassani, F. and N. M. P. De Fátima Guareschi (2016). Sexualidade, prisão e governo da vida: Utilidades do sexo na gestão das populações encarceradas do passado. *Dilemas* 9(1): 163-181.

Table 1. Comparisons of outcomes between prisoners allowed conjugal visits (CVs) and those not

Author, date, country	Research question	Study design	Sample	Conjugal visit details	Measures and Analyses	Results	Authors' conclusion
Carlson & Cervera, 1991 a&b NY, USA	<i>Are families in the Family Reunion Program (FRP) – with conjugal visits - more cohesive and adaptive than those not? Are FRP prisoners & wives closer to one another than those not participating? Are FRP participants closer to their children than non-participants?</i>	Exploratory comparison of prisoners and their wives across five prisons: 1 medium security with & 1 without programme (31 men) 1 high security with & 2 without (32 men)	63 prisoners 39 wives 33 prisoners in FRP 28 not 27 wives in FRP 12 not	To qualify men must have good in-prison behaviour & be legally married Most >2 yr in programme Mean n. conjugal visits 14.42 (SD 12.65, range 2-48)	Responses to semi-structured interview <i>and two</i> self-rated structured interviews: FACES III ¹ F-COPES ² Descriptive analyses	FRP prisoners rated themselves as significantly closer to their wives after participating in FRP than before (6.49: 4.94; t[32] = 5.41, p < 0.0001) and to their children (6.45: 5.29, (t[30] = 2.85, p < 0.008) FRP prisoners self-rated as significantly closer than non-FRP men to their wives (6.47: 5.62, t[57] = 2.26, p < 0.014) and their children (6.45: 5.76, t[56] = 1.76, p < 0.042) Cohesion & Adaptability: N.S. differences between groups or after programme	Families in both groups were cohesive but not adaptable, and FRP inmates reported feeling closer to their families than non-FRP inmates.
D'Alessio et al, 2013 USA - all 50 states.	Do conjugal visits 'attenuate' sexual violence in prisons?	Pooled cross-sectional time-series, from annual state records for: 2004, 2005, 2006. Comparison between 5 states allowing conjugal visits: <i>California [CA] Mississippi [MS] New Mexico [NM] New York [NY], Washington [WA]</i> and 45 not	All prison residents in all 50 USA states for years 2004, 2005, 2006 State average 23,688 (SD 31,415)	Binary variable: state allows conjugal visits, state does not No details of visit arrangements, nor of n of prisoners taking up the option	Sexual violence reports by Correct ¹ Authorities and <i>CWR Journal of International Law</i> ³ <i>Dependent variable:</i> n. reported sexual offences/year <i>Independent variables:</i> Conjugal visits allowed/not allowed State prison pop ⁿ Officer: prisoner ratio % officers assaulted % offers resigned prisoner demographics	Rate of inmate on inmate sexual offending per 100,000: 56.9 in conjugal visit states 225.95 non-conjugal visit states Other significant associat ⁿ : higher prison pop ⁿ with more assaults After multi-variate regression, effect of conjugal visits still significant R ² 0.492 p<0.05 Supplementary analyses: Conjugal visits ass ^d with fewer non-consensual sexual acts b = -59.47, p<0.01 or abusive sexual acts b= -23.81, p<0.05	States permitting conjugal visitation have significantly fewer instances of reported rape and other sexual offenses in their prisons. Conjugal visits also have other positive effects such as on inmates' well-being, improving marital relationships, improving inmates' behaviours while incarcerated and their post-release success.

<p>Davis, R. (1988).</p> <p>USA, New York.</p>	<p>Are Family Reunion Programmes (FRP) more or less effective in reducing disciplinary infractions than education? Does education affect any such relationship?</p>	<p>Cross sectional period (2-day) prevalence comparison study</p> <p>Group-administrated questionnaires.</p>	<p>346 (89%) of 490 randomly selected men in a prison housing 970</p> <p>41% in FRP 59% not in FRP</p>	<p>Prisoners can live with spouse/family in trailer home in prison grounds for up to 44 hours every 3-4 months Inmates with prison disciplinary infractions denied; if behaviour improves, may be approved</p>	<p>Disciplinary infractions relating to prison programme completion</p> <p>Descriptive analysis</p>	<p>At least one disciplinary infraction: 19.6% in Family Reunion Programme 25% not in - n.s. difference</p> <p>N.S. trend towards fewer infractions in Family Reunion Programme among those with lower educational levels.</p>	<p>Data from 346 inmates at the Eastern Correctional Facility in New York State support the hypothesis that educational programs on the college level and above are more important than Family Reunion Programs in promoting behavior in prison.</p>
<p>Hensley et al. 2000a, 2002a</p> <p>Mississippi, USA</p>	<p>1 Are conjugal visits associated with higher levels of family stability?</p> <p>2 Are those having conjugal visits less likely to be violent to other prisoners than those without such visits?</p> <p>3 Are those having conjugal visits less likely to engage in homosexual activity in prison than those without such visits?</p>	<p>Anonymous questionnaire survey of prisoners in two Mississippi prisons (in 1994)</p> <p>Demographics, security level, remaining sentence, total sentence, type of offence & participation in CV also recorded</p>	<p>130 women from 4 randomly selected female units, central correctional facility and 126 men from 2 randomly selected units at the Mississippi state penitentiary</p> <p>18% women 40% men had participated in CVs Unrepresentative of Mississippi prison population: higher proportion of white (32%), female (52%) & CV prisoners</p>	<p>Inmates who engage in CVs must be legally married, housed in minimum or medium security & have consistently good behaviour</p> <p>Special houses provided within prison</p>	<p>Responses self-rated on 6 item Family Stability Scale, created for this study</p> <p>& to 8 items on violence/violence threats in prison</p> <p>& to 4 items on same sex activities</p> <p>Scales distributed while in association; help with reading if necessary</p> <p>Logistic regression, allowing for demographic and prison unit differences</p>	<p>Raw scores for family stability not given</p> <p>49, 39% of all men 44, 35% women made violent threats towards other prisoners</p> <p>36, 29% men 21, 17% women reported actual acts of violence towards other prisoners</p> <p>Participation in conjugal visits associated with significantly higher family stability scores (B 5.703, β 0.453, $p=0.000$) and significantly lower levels of violence in prison (B1.789, β 0.250, $p=0.008$) but had no relationship to homosexual behaviours in prison (B-0.074, β -0.030, $p=0.765$)</p>	<p>While the earlier publication reported 'conjugal visits had a significant positive effect on family stability' and 'a significant negative effect on an individual's involvement in prison violence'.</p> <p>The later study, using the same data reported: 'a relationship was not uncovered between participation in conjugal visitation programs and the threat or actual commission of violence'.</p>
<p>Burstein, 1977</p> <p>USA, CA [book]</p>	<p>Is participation in conjugal visits conducive to marital stability?</p>	<p>Group comparison interview study;</p>	<p>20 prisoners with at least 3 conjugal visits with wives in 4 mths before interview 20 prisoners ordinary visits with wives</p> <p>Follow-up sample - 23 prisoners with conjugal visits, 15 prisoners ordinary visits</p>	<p>Special facilities (cottages/trailers) in prison</p> <p>Legally married couples only</p>	<p>Follow-up marital status questionnaire.</p> <p>Inmates were asked to indicate their marital status at that time and to describe their marriage (from a choice of 4 statements, from minimal problems to divorced)</p>	<p>Separation and divorce rate: 3 (13%) conjugal visit group; 7 (47%) ordinary visit group</p> <p>Most prisoners in experimental group (18 (78%) had minimal and moderate problems; these were considered to exist in almost any marital relationship.</p>	<p>... though prisoners have access to private and/or ordinary visits, most prisoners and many penal administrators acknowledge that what prisons do is to isolate the offenders from society and to punish them; ... Visiting is meaningless and its potential for being a source of healthy socialisation is sabotaged by circumstances in which it takes place.</p>

Abbreviations: CV, conjugal visit; FRP, family reunion programme.

1 Family Adaptability and Cohesion Evaluation Scales (FACES III) Olson, Portner, & Lavee, 1985; 2 Family Crisis Oriented Personal Evaluation Scales (FCOPES) McCubbin, Larsen, & Olson, 1981; 3 Data for 2004–2006, extracted from American Correctional Association (2005, 2006, 2007). The 2005, 2006, 2007 Directories (respectively) of adult and juvenile correctional departments, institutions, agencies, and probation and parole authorities. American Correctional Association: Alexandria, VA, with supplementary material from Wyatt, R. (2006). Male rape in U.S. prisons: are conjugal visits the answer? *Case Western Reserve Journal of International Law*, 37, 579–614.

Table 2a. Prison staff opinions about and attitudes towards conjugal visits

Author, date, place	Research question	Study design	Sample	Conjugal visit details	Measures and analyses	Results	Authors' conclusion
Hopper, 1965 Mississippi, USA	What are camp sergeants' opinions about conjugal visits?	Semi-structured interviews with the camp sergeants	14 camp sergeants These were prison staff living close to the prison, may be available 24 hours a day, often 12 hours at a time with prisoners and commonly knew their families	Special houses provided within secure perimeter	Narrative analyses of responses to questions about prisoner-prisoner homosexuality, discipline, work, and prisoner cooperation	<i>All</i> : prisoners allowed CVs less homosexual behaviour Other effects: disciplinary problems: 6 no difference; 4 less trouble; 4 much little less trouble work (5 more willing; 5 slightly more; 4 no difference All thought visits helped sustain marriages None considered conjugal visits created more work	The small, semi-isolated camp structure was favourable to the development of conjugal visits
Hensley et al, 2002b Mississippi, USA	How do demographic & institution related variables impact on prison staff beliefs about the potential benefits of conjugal visit (CV) programmes?	Anonymised questionnaire survey of a random sample of 'wardens' in Mississippi prisons	226 wardens (52.1% response rate), representative in gender & race 83% men 77% white, 18% African American, 5% other	Special houses provided within secure perimeter	Mailed responses to: Do you believe that conjugal visits: 1. maintain/promote family stability? 2. reduce prison violence? 3. reduce homosexual behaviour in prison? Multivariate analyses allowed for: demographics, time as warden; facility by gender, security level, n. prisoners, staff: prisoner ratio & CV	Overall proportions <u>not</u> believing that conjugal visits significantly contribute to (n=226): inmate's family stability – 75.5% reduction in institutional violence – 84% reduction in incidence of homosexual behaviour – 87% Proportions among wardens with CV availability (n=20): inmate's family stability – 24.5%* reduction in institutional violence – 40%* reduction in incidence of homosexual behaviour – 74% * differences significant, after allowing for potential confounders	Wardens overseeing facilities having a CV program and with higher educational levels are more likely to believe that conjugal visits maintain family stability and reduce prison violence. In general, wardens of state-operated correctional facilities do not believe that CV programs have [these] significant positive effects
Bennett, 1989 USA-wide	What are prison administrator attitudes to conjugal visits?	Paper survey of prison admin' attitudes in all 41 prisons with CVs & every 3 rd prison in US directory (20%) without	38/41 institutions with private family visiting facilities - 92% response rate 116/171 individuals without PFV - 68% response	None – restricted to availability of facilities	Unclear, but probably participants' responses to multichoice attitude options Descriptive stats	46% overall approval/ strong approval; 47% not <i>Some opinion details:</i> 69% CVs help strengthen family ties 53% improve inmate morale 48% lead to more positive parole planning 49% reduce disciplinary problems 43% reduce sexual assaults 48.% reduce violence – all while in prison 52% could cause negative public reactions 48% cost: benefit not effective 60% greatly increases risk of contraband in prison 61% not morally degrading [12% thought it was] CV experienced sign ^y more positive; trend to women governors more supportive of private visits	Overall, attitudes of wardens and superintendents are very complex, dependent upon experience with the program, gender, and the specific area or behavior ...there has been an increase over time in favorable attitudes toward this type of programming, with the present level of positive views higher than program activity (eight out of 54 jurisdictions have Private Family Visiting Programs and 41 institutions out of 5

2b. Prisoner attitudes to conjugal visits

Author, date, country	Research question	Study design	Conjugal visit details	Measures and analyses	Results	Authors' conclusions
Hensley et al, 2000b Mississippi, USA	How do attitudes of prisoners participating in the conjugal visiting programme in Mississippi compare with those who do not?	Questionnaire survey of prisoners in randomly selected (see Hensley 2002a, Table 1) Mississippi state prisons where conjugal visiting allowed medium and minimum security)	Binary variable yes/no of direct experience	Yes/no answers to following: 1 Should inmates married during incarceration receive conjugal visits? 2 Should inmates with an incarcerated spouse receive conjugal visits? 3 Inmates should use birth control during conjugal visits 4 Staff should monitor conjugal visits 5 Conjugal visits reduce tension in prison 6 Conjugal visits reduce same-sex activity in prison Multivariate analyses, controlling demographics, security level, remaining sentence time (<1 year, 1-3 years, >3 years), total sentence length (same split)	Responses and characteristics heavily inter-correlated and small size differences; raw data not given White prisoners less likely than ethnic minorities to argue inmates married during incarceration should receive visits (-1.60*) & more likely to feel conjugal visits reduce tension (1.31*) Men less likely than women to argue that prisoners having visits should use birth control (-1.16*) & contend visits reduce same sex activity (1.23*) Married prisoners more supportive of max security inmates being eligible for visits (1.80*)	Logistic regression analyses reveal no differences between participant and nonparticipant attitudes toward the conjugal visitation program. However, differences exist among gender and racial lines and several of the attitudinal issues regarding the program.
Hopper, 1965 Hopper 1989 Mississippi, USA	What are prisoners' opinions about conjugal visits?	Prisoner attitude survey	Binary variable yes/no of direct experience	Yes/no responses to questionnaire (not provided) in 1963 and 1984 Simple descriptive statistics	Most unmarried prisoners did not resent the CV programme: 737, 90% Views on benefits of conjugal visiting [1984 figs]: 234, 50% [140, 60%] - keeps marriages together 75, 16% [40, 17%]- reduces homosexuality 19, 4% [12, 5%]- makes inmates more cooperative 19, 4% [15, 6%]- helps rehabilitate inmates 39, 8% [8, 3%] makes inmates easier to control 10, 2% [17, 7%] makes inmates work harder 68, 15% [2, 1%] - helpful for all equally	The fact that the practice of conjugal visiting is believed to help in keeping marriages and families from breaking up helps the people of Mississippi not only accept the practice but also gives them pride in it.