

EXAMINATION OF THE THEME FROM THE PRISON ADMINISTRATION'S POINT OF VIEW (*)

OLE INGSTRUP (**)

I. — *General Introduction*

Before addressing the drug related issues that you expect a serious prison director to be informed about, I would like to indulge with you into a semi-philosophical approach to the drug situation in our modern society. Perhaps you will see such an opening as an early admittance of the failure to find practical solutions to what is described in my country as the over increasing drug problem. However, I do not intend to escape the pragmatic aspects of the questions and you will have to bear with me later as I describe the estimated use of legal and illegal drugs in Danish prisons, security measures — those that we have adopted and those that we refuse to implement — prevention and treatment methods, disciplinary actions and finally the estimated cost of drug related interventions.

As a prison director, I am called upon to make individual decisions on drug cases when a situation arises which cannot be dealt with by the line staff or their supervisors, another part of my functions requires that I emit new directives or alter old ones in order to respond to changing needs in the

(*) In co-operation with Ms. MARIE EVE MARCHAND.

(**) Prison Governor State Prison of Kragshovede.

management of the prison population. Thirdly in my country, prison directors are asked to participate actively in the development of overall correctional policies, and I must admit that among all the pressing issues facing us, the drug issue has been for me one of the most compelling. I find myself privileged to have been in a position to consider drug issues from three different angles but the consequence is, for me, an enormous amount of questions and very few answers.

I have been — and still am — shaken by the vocabulary that policy makers and treatment staff use freely to define the drug users who come in contact with the criminal justice system. It seems to me that we label people as « drug addicts » with as little care as we once labelled deviant or disturbed persons as « psychopaths ». Words like « dope-fiends » or « junkies » are also used frequently as synonyms for « drug addicts ». They serve to create an ever greater distance between these offenders and the people who control or treat them. Reports regularly describe drug offenders as inherently deficient people, sick, inept with deep down personality problems. The personal files of these offenders are filled with horror stories about their physical and mental state at the time they were arrested. Their hallucinations, convulsions, cold sweats, sudden accesses of aggressivity are described in detail and contribute to make respectable decision-makers feel totally different from these individuals. But are drug addicts indeed so different from the « normal » populations? I read in a US-report published in 1977 by the National Institute on Drug Abuse that hospitals in the United States admit millions of respectable citizens suffering of overdose of barbiturates or valiums. It was also stated in that report that valium was associated with 10 % of all reported drug abused cases, the larger proportion of these cases involving persons who never come to the attention of the police but are referred immediately to medical authorities. Furthermore, the same report estimated that there was over 1,000,000 barbiturate or tranquillizer hidden addicts who are protected from police intervention by their status, their race, and their social networks.

In Denmark and Scandinavia we also have thousands of successful citizens whom we can call and who are « hidden addicts » protected through the medical system. In my

profession, the drug abusers that I have to make decisions about are those who are not protected by the established power, and I still have to be convinced that the uneducated youngster who is picked up by the police on an overdose of « red devils » (the name of seconal on the black market) is more sinful or criminal than the professional who takes an overdose of prescribed seconal. I also have to be convinced yet that the withdrawal symptoms of the first one are more ugly than the withdrawal symptoms of the latter.

The point I wish to stress here is that we all live in a « pain-pill-pleasure » society and the abuse of drugs is a common phenomenon. Drug abusers in our prisons are not alien to our society: they are an integral part of it. They seek an escape from depression, tension, or anxiety, they seek an artificial paradise as do the millions of non criminal citizens who serve themselves happily at the pharmacological cafeteria available to them

As Aldous Huxley wrote in « Doors in the Wall »,

« Most men and women lead lives at the most
so painful at the best so monotonous
poor and limited that the urge to escape,
the longing to transcend themselves if
only for a few moments is and has always
been one of the principal appetites of the soul ».

My first personal conclusion on the overall drug problem is that the usage of drug in itself does not justify the harsh labelling that we have used for drug addicts that come into contract with the criminal justice system.

I have found it important for myself to dwell on this parallel between the legal drug addicts and « illegal » drug addicts because in the last few years, I have been faced with a mounting fear among prison staff about the drug usage and the drug dealings that take place behind the walls of our prisons. I certainly acknowledged the fear and distress of the staff as a reality but what has been striking to me was the marked difference between the feared situation and the obvious facts that are revealed when analyzing the situation. An hypothesis could be that the imagery around drug users

which is developed and spread by the media — often American media — is contributing enormously to the catastrophic expectations of prisons personnel. Pushing even further the comparison between drug offenders and the normal population I come to a second conclusion that not only drug addicts were not that alien to our society but that was also the case of drug dealers.

Drug dealers sell the most wanted product in our morden society: an escape from it. They do this with a profit motivation, a low sense of ethics and a sense of challenge in conducting their business.

I advance for your consideration that those who climb up the drug ladder are not as different from the rest of the population as they are reported to be. A recent article by Robert H. Crunks in Fall 1981 issue of the journal of drug issues demystifies the life of a drug addict. The brief moment of euphoria that follows an administration of heroin constitute only a fraction of their daily life. If you observed their life from a social learning model, they are hard workers, — they have to be on their toes 24 hours a day, they have to obtain money, secure supplies of drugs, avoid the police, make contracts, and sell their drugs. The reward is perhaps one hour on a high if they are among those who take drugs themselves. Drug dealers strive for status. They have to win the confidence and admiration of piers (incidentally, one of the ways to ensure this is to go to jail). They live for their work and they are highly individualistic, they have a sense of secrecy. Their business comes before anything else. The drug dealer is completely motivated by profit. Seen in that way, they are both clever and insentisive business-men. This is precisely their insensitivity to the damage they do that make us classify them as dangerous offenders. The tricks that drug pushers use to hook youngsters, the poisonous concoctions that they sell without trembling, the drug rackets that they organize inside prisons, the ways of getting paid for the drugs rightly arise the wrath of society.

However, I have discovered lately that drug pushing at all costs is not the sole territory of dealers and traffickers that we find in prisons. I have come across advertisements of mood altering drugs in specialized medical and psychiatric journals.

message being conveyed by the drawing of a bottle of valium with a champagn cork on it. Sinequan shows the hand of a woman in her home, opening the closed window of her life. Anafranil presents itself as the treatment of choice agitated, depressive persons with exacerbated obsessive compulsive illness. In very fine print, this drug warns you that adverse reaction include visual hallucinations, confusion, activation of psychosis, manic episodes, anorexia, convulsions. The rest is all for the benefit of the patient. Serentil promises to help the newcomer in town who cannot make friends, the organization man who cannot adjust to altered status in his company, the woman who cannot get along with her new daughter in law, the executive who cannot accept retirement. This powerful tranquillizer has a few side effects which could be, vomiting, dizziness and various cardiac vascular ailments. The very fine print states also that sudden and unexpected deaths have apparently occurred while taking the drug.

These corporations who advertise and sell these medications are not considered criminal.

They are part of our society. We respect them and their leaders as clever businessmen. Only the drug pushers are criminals.

II. — *The drug situation with special reference to Danish prisons*

In the following I shall try to describe the drug problem as it is seen from the prison administration's point of view but I have to underline that the picture will be a very rough one, and a very incomplete one. — I think it is true for all prison systems that we have to admit that our knowledge is extremely limited in this area.

Throughout the latest years we have experienced a marked change in the characteristics of the prison population. The prisoner nowadays seem to have heavy criminal record than previously and in addition to that there seems to be a tendency that prisoners nowadays are more difficult to handle in the institutions than was the case a few years ago. In general I think it is fair to say that the clientele to-day have a longer criminal history than previously, partly due to the fact that the crime policy throughout Europe has been changed throu-

ghout the seventies. First and foremost because of the depenalisation policy that has dominated our way of looking at minor property crimes. The less serious property crimes to-day much more frequently lead to non-custodial sentences or to the measurement of shorter sentences of imprisonment than was the case in the sixties and in the early seventies.

As far as the drug users are concerned, we experienced from the early seventies an increase in the number of inmates that were using drugs. In Denmark we saw an increase from 1973 to 1974 from about 300 to about 400 inmates of that kind. Because we have experienced a decline in the total number of inmates since 1973 and because the number of drug users have been rather constant with a slightly increasing tendency, the proportion of drug users in percentage has increased from about 2 % in 1973 to nearly 40 % at the beginning of the eighties.

In the open prisons, however, we have experienced a decrease in the number of criminal drug users. This decrease must be seen in the light of the fact that a considerable number of these clients belong to a group that come back to prison year after years. This group to a certain extent has become so much involved in crime that it is no longer considered defensive to let them serve their sentences in open prisons.

Parallel with the above mentioned, we have experienced that the number of inmates sentenced for drug dealing and drug trafficking without being drug users themselves has increased considerably from the beginning of the seventies until to-day. As far as Denmark is concerned we had in 1971 37 inmates out of about 3,500 prisoners or about 1 % of the average daily prison population that were drug dealers without at the same time being drug users. In the beginning of the eighties this number has increased to about 150 or more than 5 % of the daily average prison population. This group of inmates has in Denmark an overrepresentation of foreign prisoners.

An increase is also noted in the number of inmates with considerable psychiatric problems as well as an increase in the number of inmates sentenced for crime of violence.

Finally in Denmark like in the rest of Europe the prison population has increased faster than the prison capacity — a situation that added difficulties in prison management.

III. — *The situation in the seventies*

Partly because of the financial situation in our country — as in many other European countries — partly because of the organisation development philosophy that has dominated the prison administration, we have experienced a rather marked reduction in the number of prison officers.

Throughout the seventies we have experienced in addition to that a general tendency towards delegation of competence: firstly from the central prison administration to the individual institution. Then, inside the individual institution from the top management to the unit managers and finally from the unit managers to the staff members. This was seen as the means of making better use of the knowledge and expertise that exists among personnel who work directly with the inmates in their daily life.

Finally, as an important factor in describing the framework for the serving conditions that decreased in the middle of the seventies led to a decision of closing down different parts of existing institutions — parts that could not be reopened when the number of prisoners again increased to the normal average — 3,500 prisoners.

These structural changes including the closing down of parts of existing institutions did have a considerable impact on the personnel. In fact, so much energy was devoted to these changes that only a limited amount of resources was left to consider and reconsider the contents of the deprivation of liberty including the question how to deal with the drug problem in our institutions.

In addition to what I have already said, it is important to take into account at least as far as the situation in Denmark is concerned, that the most recent tendency in our country is that we experience an increasing criminality and that more sentences than previously are measured as «long sentences» that is sentences with a length of one year of imprisonment or above. This means that a lot of energy nowadays has to be devoted to an extension of the prison capacity which again means that energy is taken away from considerations about contents of the prison sentence and devoted instead of that to structural problems.

IV. — *The buildings*

Most closed institutions in most countries — at least this is true in Denmark — can be characterized as extremely out-dated. The old closed institutions were based on the philosophy that the inmates outside working hours were isolated, and the main feature of buildings was that of panoptic wings open in the middle in the whole height of the buildings and with a sort of bridge in front of the inmates' cells. Only two of the closed institutions in Denmark can be regarded as reasonably up-to-date seen from an architectural point of view.

Throughout the last 10 — 15 years many reconstructions have taken place in the closed institutional sector so that the individual floors in the wings have been separated from others and so that each floor has been established a common room for the inmates, where they can spend at least part of their leisure time. There is, however, a lot more to change, if these institutions should meet the requirements to a closed institution of to-day. The financial situation as it is at the moment in most European countries does not give us too many reasons to be optimistic as for as major changes in our closed prisons are concerned.

V. — *The development in rules, regulations, and their administration*

In the years up to 1973 the comprehensive reform work took place as far as rules and regulations for the inmates were concerned. The reform work was aiming at giving the serving of sentences a new content. A content with a more humane, a more liberal face or just a face more in accordance with the general cultural level in our society.

In these years a considerable extension has taken place as far as the inmates' home-leave possibilities are concerned and a liberalisation has taken place concerning the regulation of mail and visits, concerning the inmates' possibilities to

keep their own belongings with them during their prison stay, and concerning the inmates' possibilities to use money earned in the institutions for labour. As far as parole is concerned, a more liberal approach also characterizes the last decade.

Since 1973 the changes in the regulations have been characterized by other factors than liberalisation. In the years after 1973, procedure rules aiming at strengthening the inmates' legal position have dominated the evolution of correctional regulations. The development of procedural safeguards and the clarification of existing procedures have become of priority in order to protect prisoners who, for instance, are placed in security cells or in solitary confinement. The use of handcuffs is also subjected to strong regulations and so are all disciplinary procedures and sanctions.

In order to limit the possibilities for smuggling and in order to reduce drug dealing among the inmates some regulations were changed in the seventies. These changes reduced the inmates' possibilities to keep some of their belongings upon their arrival in prison. New regulations governed the mail or parcels sent to the inmates, and others governed the prisoners' possibility to sell things to other inmates, the possibilities for the inmates to use their own money for various transactions.

As far as visiting arrangements are concerned, the circle of persons by whom the inmates can be visited has been limited to persons with whom the inmates have a personal relation. In reality, prisoners are only denied visits from persons who are under suspicion of abuse for narcotics or are suspected of drug smuggling. As far as the visiting control is concerned it was stated in the beginning of the seventies that visits in general should take place without the presence of prison officers, thus reducing control to the minimum level necessary to ensure that visits took place in a reasonable way. Still to-day visual control only is exercised and, in most cases, the visits take place without any control at all.

As far as the inmates' leisure time is concerned, until the late sixties inmates who wanted to be together with other inmates during the leisure time could do so in the living rooms located in the units in another common area, such as sport areas or hobby rooms.

During the course of the seventies this possibility of being together with fellow prisoners has been extended so that prisoners, normally, can be together with fellow prisoners in their cells and, in a number of institutions, in leisure time centres established for the whole institution. One of the closed institutions that made an experiment with such leisure time centres for all prisoners has been forced to close down that centre because of a number of bad experiences, especially with drug trafficking.

The regulations about mail and visits in closed institutions, include censorship of letters to or from the inmates. In practice letters are censored only in case of suspicion regarding particular inmates. Incoming mail, however, is opened in order to control attempts of smuggling illegal effects — for instance drugs.

Finally, as far as the development of the home-leave regulations is concerned the number of home-leaves in closed institutions has increased from about 3,400 home-leaves in 1971 to about 4,500 in the late seventies and beginning of the eighties.

Smuggling of goods, drug trafficking, threats and violence among the inmates in Danish prisons (as in many other countries) has arisen public interest, and it goes without saying that throughout the last decade this trafficking has been dealt with at different levels in the prison administration.

The central administration as well as the local levels have been ceased with the problem and both have had to make decisions and develop policies. Drug related issues, violence, threats have been dealt with with an increasing frequency at meetings between prison directors. Until the middle of the seventies prison directors observed that an increasing drug problem existed in our prison and that in connection with that problem a great deal of illegal transactions took place often in a way that put the weakest inmate in a losing position. Altogether, however, it was seen as a problem under control and of not such importance that it was disturbing significantly the daily routine of the prisons.

In the last half of the seventies the nature of this debate changed in a decisive way. Especially in closed prisons the problem became extremely serious.

It was now reported more and more frequently that the daily life in the prisons was perturbed by more and more incidences of drug smuggling. In addition, occurrences of violence among the inmates became more and more frequent and it became more difficult to protect the weak persons among the inmates.

Also changes have taken place since the beginning of the seventies in the staff attitude. They often felt that they were unable to handle situations of drug dealing, drug trafficking, drug smuggling in the prison, or to handle the consequences of these drug related situations. This new phenomenon, a number of staff members openly admitted, made them feel insecure. These irregularities in the prison seemed to be well organized by some of the inmates. It became increasingly apparent that a small dominating group of inmates had taken the power over the other inmates and that these dominating inmates kept their power threatening fellow inmates and staff. At the same time — the figures clearly showed that an increasing number of inmates wanted to be isolated because they were afraid of close contact with their fellow inmates.

The above mentioned situations are not a constant and permanent phenomenon in all our prisons. Rather this phenomenon dominates the prison life only from time to time and it takes place mainly when some strong and dominating inmates, well identified, serve their sentences in these institutions.

In the late seventies, following a discussion between the central prison administration and the prison directors, the directors of the closed institutions were asked to consider together what kind of measures should be taken in order to reduce or eliminate these unwanted drug activities in the closed institutions.

At about the same time — and especially since the fall of 1978 — the prison conditions gave raise to a considerable public debate. The Minister of Justice expressed his opinion in parliament in November 1978 by saying that the situation in some of the closed institutions could be at times described as absolutely worrying. The minister declared that a working group would be established in order to recommend adequate measures to stop unwanted activities behind prison walls.

The working group submitted a report to the Minister of Justice in December 1979.

VI. — *Basis for evaluation of the drug situation*

The basis from which one can attack the drug problem in the prisons is a very loose one, and the information is to a considerable extent coming from the inmates themselves, from the staff or from the inmates' relatives. Those persons who tell the prison staff about the drug situation do not want to pass information that is too exact and too concrete because of the real or imagined risk of doing so. Therefore, much of this information cannot be used in concrete cases but only as elements to form a subjective description of the situation. The informants often do not want to give names or if they do give the prison staff names of persons involved in drug dealings, they very often make it clear that they will not repeat the information in any official connection, for instance to the prison protocol or in police or in courts.

Despite the very loss of basis for evaluating the situation and its quasi total uselessness in a legal connection, there is no doubt about the fact that in all prisons — at least in Denmark — there is a certain amount of hashish. Often hard drugs are found — for instance heroin — to an extent that is unacceptable for the institution and unacceptable to society.

The presence of drugs in prisons — and I am thinking mainly about hard drugs — means that it is not possible to create in the institution a drugfree milieu, which is supposed to be the first condition for a former drug user to get rid of his dependence on drugs. In addition many prison directors are familiar with cases where inmates who had not previously taken drugs, have started their drug career in prison. Such inmates are often those with considerable alcoholproblem. It is impossible to have an objective count of inmates that have started their drug career in prisons.

The few pieces of research carried out in Denmark indicate however that the number of inmates that started to use drugs in prison is much lower than is often expected.

One important side-effect of drug use in prisons is to create immense financial difficulties not only for the user himself but also for his relatives outside the prisons. It is easy to see the link between that situation and the necessity for the prisoner to remain in a criminal milieu after his release.

For instance, it has been proved that family members from time to time have been put under pressure to use their money — maybe received as social welfare support — to support the drug needs of an inmate either his own or for supporting other inmates' drug habit.

Furthermore, there are incidences where prisoners' wives have been pressed to earn money by prostitution in order to get money for drugs in the prison. Sometimes it is not possible to cover the expenses of drugs in prison by means of money from wives or other relatives; there is a number of known examples of the drugs being sold on « credit »: the prisoner under serious threats has been pressed to accept to commit new crime after his release.

Finally, it should be mentioned that there are known examples of inmates who, during their staying in prison, are losing anything of value that belong to them, such as TVs and stereosystems. In these situations the prisoners send back home their stereo-systems or TV-set or whatever other object and, from their homes, the object is sent further to those who are in reality financing the drugs in prison. These threatening actions cannot be stopped by means of existing regulations concerning dealings between the inmates when they are in prison. It is a common belief drug dealings financed in that way represent a considerable loss for the inmates because the price for their goods is very low.

Seen from an institutional point of view, it has been an extremely negative thing that it has been necessary to invest huge amounts of resources in control functions, disciplinary reactions towards the inmates etc. The professionalisation that has characterized parts of the drug dealing and has led to a lot of increased control in prisons has thereby led to the fact that the atmosphere became more and more tense.

VII. — *Drug users in the prison system*

We have in the Danish Prison Administration decided to maintain a distribution whereby the average percentage of the drug users in the prison system as such will be about 20 % in each institution.

The solution is certainly not an ideal solution and it apparently does not solve most of the problems but it seems to be a solution — at least according to Scandinavian experiences — that is less unacceptable than other solutions taken in other countries.

VIII. — *Final remarks*

It is obvious that we, in the Danish prison system, and in most prison system, have experienced a very tragic development as far as the use, dealing, and trafficking of drugs are concerned. However, it would not be fair to say that it is a development that appears to be completely unnatural. One has to realize that outside prisons, drugs have become an increasing problem throughout the last 10 to 15 years. The drug user milieu has become harder and drugs used have become harder.

In assessing the situation, we have to take into consideration that various complications linked with drug use have been more outspoken. Tendencies in society at large have of course a tendency to appear with an increased strength in total institutions, where a considerable number of drug users are to be found and not only together but often with hard drug dealers. It is certainly a tendency that is not specific to the Danish prisons but a tendency that is seen in most European systems.

Apart from that, it goes without saying that the deprivation of liberty itself creates a number of problems of a psychiatric nature, the psychological pressure is increased for a clientele that already, before arriving in prison belonged to a heavily burdened group of people. Their need to take drugs in situations where they are deprived of their liberty appear therefore with a particular strength.

When we put a few facts together, for instance that the drug marked outside the prisons had been much better organized throughout the latest decade, that the number of dealers spend part of their time inside prisons thus becoming very familiar with the strengths and weaknesses of the prisons, it is not surprising that we are facing a problem for which the solution is difficult to see. It is, however, worrying to expe-

rience that nearly all efforts have been concentrated on increased control and increased suppression of prisoners' rights, instead of concentrating on alternative measures that could help some against the drug problem itself in our prisons.

RIASSUNTO

La prima parte dell'esposto presenta la droga come un fenomeno che influisce sulla società nel suo insieme. Partendo dall'osservazione che sotto il profilo medico non vi è differenza tra la tossicomania di coloro che si procurano la droga legalmente e quella di chi la ottiene dal mercato nero, l'autore si domanda perché assumiamo un approccio di tipo assolutistico verso i primi e un approccio di tipo punitivo verso i secondi. L'Autore sottolinea il processo di etichettamento nei riguardi dei tossicomani che entrano in contatto con il sistema di giustizia criminale.

Inoltre i più denigrati tra coloro che violano le leggi in tale campo — i trafficanti di droga — sono paragonati nel loro comportamento ai direttori delle ditte farmaceutiche che, senza farsi scrupolo, pubblicizzano i psicofarmaci nelle riviste mediche guardandosi bene dal sottolinearne i pericolosi effetti collaterali. Sia gli uni che gli altri sono motivati dal profitto e non tengono conto delle conseguenze delle loro attività commerciali.

La seconda parte dell'esposto descrive la situazione della droga nelle prigioni danesi e l'approccio dell'amministrazione verso il problema. In Danimarca la proporzione dei tossicomani è passata dal 2 % nel 1973 al 40 % all'inizio degli anni '80 con un aumento più elevato per i detenuti stranieri. Alla fine degli anni '70 il sistema carcerario danese ha concentrato il suo impegno sull'obiettivo di modifiche strutturali normative e procedurali volte a proteggere meglio i diritti dei detenuti. Ciò ha portato ad una liberalizzazione del sistema.

Alcuni dei provvedimenti più liberali sono stati tuttavia modificati in questi ultimi anni al fine di prevenire lo spaccio e il contrabbando di droga. Gli episodi di violenza legati allo spaccio di droga si sono fatti più frequenti e il personale carcerario cerca di proteggere i detenuti e le loro famiglie.

Secondo un gruppo di lavoro creato nel 1979 il numero dei detenuti che hanno iniziato in carcere un'attività nel settore della droga sembrerebbe inferiore al previsto. La direzione delle carceri si preoccupa di distribuire trafficanti e tossicomani tra le varie istituzioni carcerarie in modo da evitare una concentrazione del problema. In ogni istituzione carceraria i detenuti con problema di droga non dovrebbero superare il 2 per cento.

In conclusione, il mercato della droga è ben organizzato sia all'interno che all'esterno delle carceri. Purtroppo il problema viene affrontato aumentando i controlli piuttosto che cercando soluzioni alternative che attengono alla situazione sociale nel suo complesso.

RESUME

La première partie du rapport présente la drogue comme un phénomène qui influe sur l'ensemble de la société. Partant de l'observation que, d'un point de vue médical, il n'y a aucune différence entre la toxicomanie de ceux qui se procurent la drogue illégalement et de ceux qui l'achètent au marché noir, l'auteur se demande pourquoi nous avons une approche de type absolutiste envers les premiers et une approche de type punitif envers les seconds. L'auteur souligne le processus d'étiquetage des toxicomanes qui entrent en contact avec le système de la justice criminelle.

En outre, les plus déniés parmi ceux qui violent les lois dans ce domaine — les trafiquants de drogues — sont comparables aux directeurs des maisons pharmaceutiques qui, sans aucun scrupule, font la publicité de médicaments dans les revues médicales en se gardant bien d'en souligner les dangereux effets collatéraux. Les uns et les autres sont motivés par le profit et ne tiennent pas compte des conséquences de leurs activités commerciales.

La seconde partie du rapport décrit la situation de la drogue dans les prisons danoises et l'approche de l'administration relative au problème. Au Danemark, la proportion des toxicomanes est passée de 2 % en 1973, à 40 % au début 1980, avec une augmentation considérable des détenus étrangers. A la fin des années 70, le système pénitentiaire danois a concentré ses efforts sur les modifications des structures normatives et procédurales dans le but de mieux protéger les droits des détenus. Cela a entraîné une libéralisation du système.

Toutefois, certaines des mesures les plus libérales ont été modifiées ces dernières années afin de prévenir le trafic et la contrebande de drogue. Les épisodes de violence liés au trafic de drogue sont devenus de plus en plus fréquents et le personnel pénitentiaire essaie de protéger les détenus et leur famille.

Selon un groupe de travail créé en 1979, le nombre des détenus ayant commencé en prison une activité dans le secteur de la drogue serait inférieur à celui prévu. La direction des prisons essaie de répartir trafiquants et toxicomanes dans les diverses institutions pénitentiaires de façon à éviter une concentration du problème. Dans chaque institution, les détenus ayant des problèmes avec la drogue ne devraient pas dépasser 2 %.

En conclusion, le marché de la drogue est bien organisé, tant à l'intérieur qu'à l'extérieur des prisons. Malheureusement, le problème est affronté davantage avec l'augmentation des contrôles que par la recherche de solutions alternatives qui concernent la situation sociale dans son ensemble.

SUMMARY

The first part of the exposé presents drugs as a phenomenon that affects society as a whole. The author wonders why, if there is no medical difference between the addiction of respectable citizens who obtain drugs legally and those who obtain the drugs on the black market, we take a problem solving approach towards the first group and a punishment approach towards the latter. Attention is drawn onto the labelling process directed towards the drug abusers coming in contact with the criminal justice system.

Furthermore, the most despised droug among drug offenders — the drug dealers — is presented as similar in its drive and behavior to company directors who advertize shamelessly mood altering drugs in medical journals, without drawing attention to their terrible side effects. Both groups are motivated by profit and insensitive towards the consequence of their capitalistic enterprise.

The second part of the exposé describes the drug situation in the Danish prisons and the management's approach to it. In Denmark, the proportion of drug users increased from 2 % in 1973 to 40 % at the beginning of the eighties with an overrepresentation of foreign inmates. During the late seventies, the Danish prison system focused its energy towards structural regulatory and procedural changes aimed at better protecting inmates' rights. This results in a marked liberalization of the system.

However, some of the very liberal measures had to be altered during the last few years in order to prevent drug dealing and drug smuggling. Occurrences of violence related to drug dealing have been more and more frequent and institutional staff seeks to protect the weaker inmates and their families.

It would appear, according to a working group established in 1979, that the number of inmates who start a drug career in prison is lower than anticipated. The prison management attempts to divide the drug offenders population between institutions in order to avoid a concentration of the problem. No more than 20 % of the population of an institution should be composed of inmates having a drug problem.

In conclusion, the drug market is well organized outside prisons and inside, unfortunately we attack the problem by increasing control rather than finding alternative solutions to the overall social situation.