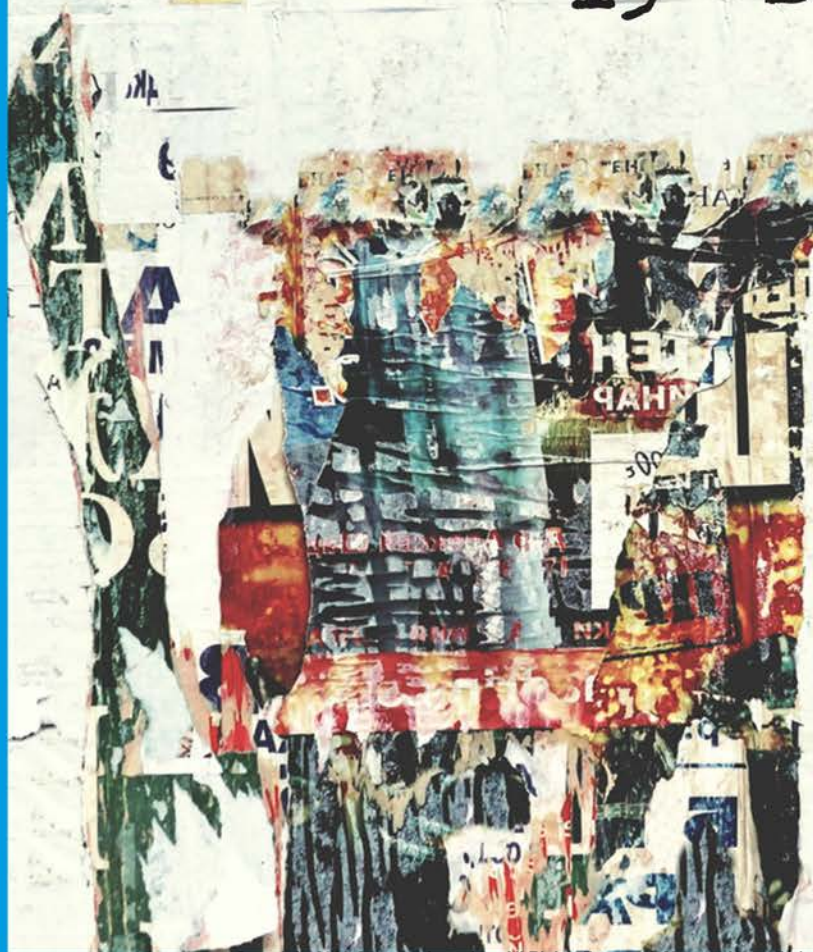
CENGAGE

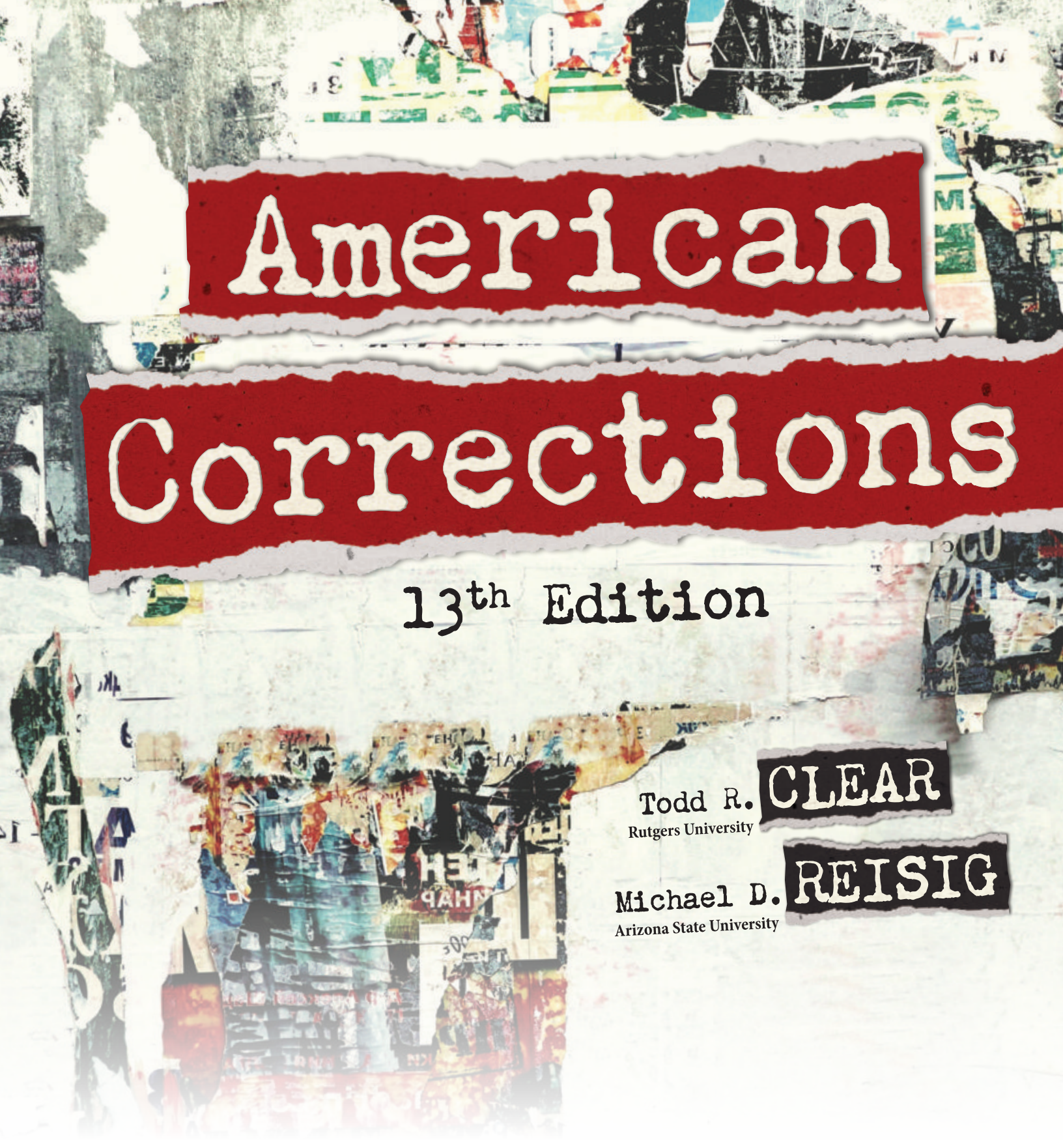
American Corrections

13th Edition



Todd R. CLEAR

Michael D. REISIG



American Corrections

13th Edition

Todd R. CLEAR
Rutgers University

Michael D. REISIG
Arizona State University

CENGAGE

Australia • Brazil • Canada • Mexico • Singapore • United Kingdom • United States

American Corrections,
Thirteenth Edition
Todd R. Clear and Michael D. Reisig

Senior Vice President, Higher Education & Skills Product: Erin Joyner

Product Director: Matthew Seeley

Product Manager: Michael Worls

Content Manager: Aiyana Moore

Marketing Manager: Mark Linton

Marketing Coordinator: Haley Hulett

Intellectual Property Analyst: Deanna Ettinger

Intellectual Property Project Manager: Kelli Besse

Production Service: MPS Limited

Art Director: Felicia Bennett

Text Designer: Felicia Bennett

Cover Designer: Chris Doughman

Cover Image: iStockPhoto.com/AVNphotolab

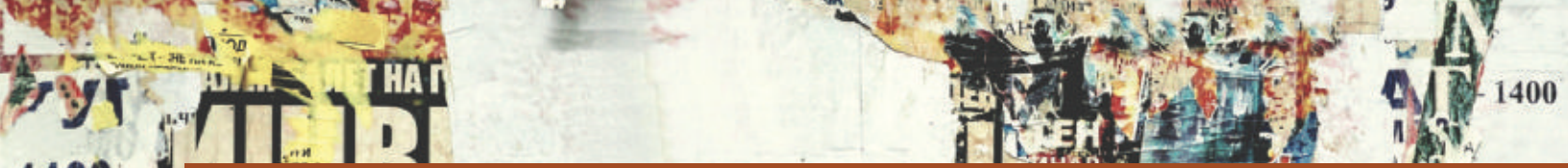
Library of Congress Control Number: 2020952226

Student Edition:
ISBN: 978-0-357-45653-8

Loose-leaf Edition:
ISBN: 978-0-357-45659-0

Cengage
200 Pier 4 Boulevard
Boston, MA 02210
USA

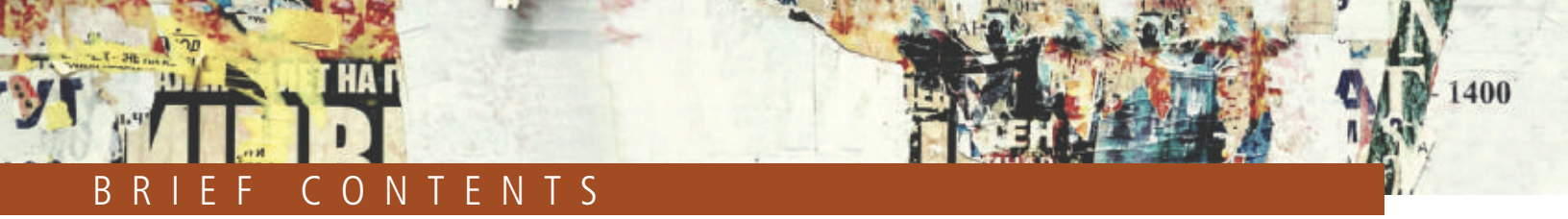
Printed in the United States of America
Print Number: 01 Print Year: 2021



ABOUT THE AUTHORS

TODD R. CLEAR is University Professor of Criminal Justice at Rutgers University-Newark, where he previously served as Dean of the School of Criminal Justice and Provost of the University. In 1978 he received a Ph.D. in Criminal Justice from the University of New York at Albany. Clear has also held professorships at Ball State University, Florida State University (where he was also Associate Dean of the School of Criminology and Criminal Justice), and John Jay College of Criminal Justice (where he held the rank of Distinguished Professor). He has authored 12 books and more than 100 articles and book chapters. His most recent book is *The Punishment Imperative* (NYU Press, 2014). Clear has served as President of the American Society of Criminology, the Academy of Criminal Justice Sciences, and the Association of Doctoral Programs in Criminology and Criminal Justice. He was the founding editor of the journal *Criminology & Public Policy*, published by the American Society of Criminology.

MICHAEL D. REISIG is Professor of Criminology and Criminal Justice at Arizona State University. He received his Ph.D. from Washington State University in 1996. Previously, he was a faculty member at Michigan State University and Florida State University. His research focuses on institutional corrections and on women who are returning to the community. His studies have appeared in several leading criminology journals, including *Criminology, Crime & Delinquency, Criminology & Public Policy, Justice Quarterly,* and *Punishment & Society*.

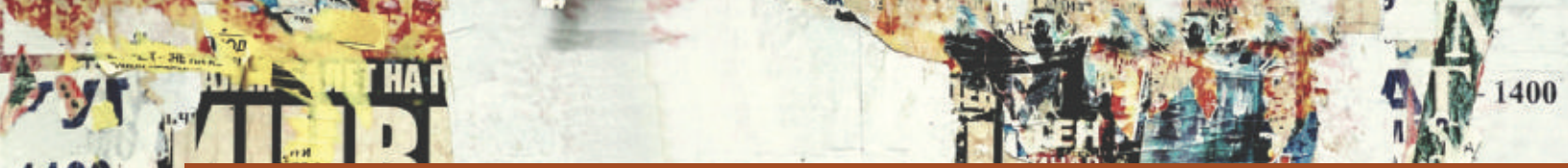


BRIEF CONTENTS

PART ONE CORRECTIONAL CONTEXT

PART TWO CORRECTIONAL PRACTICES

PART THREE CORRECTIONAL ISSUES AND PERSPECTIVES



CONTENTS

PART 1 CORRECTIONAL CONTEXT

Jefferson Siegel/Pool/Sipa USA

© Jon Stinchcomb/News Herald


Photo/FBI


© Briana Sanchez/Argus Leader


Fred Squillante–USA TODAY NETWORK

Carol Rosenberg/Miami Herald/MCT/Sipa USA

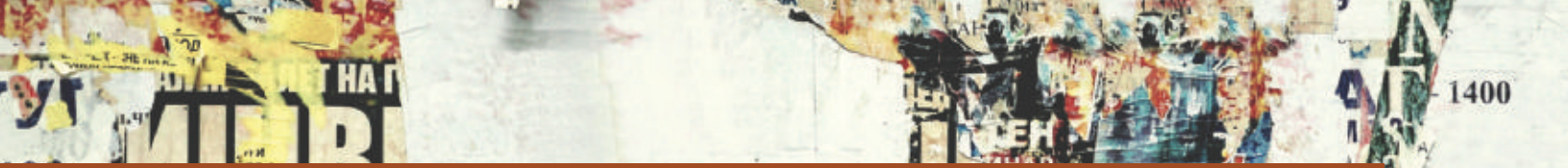

Olivier Douliery/Sipa USA


© Robert Hanashiro, USAT

© Kelly Wilkinson/IndyStar file photo


Aerial Archives/Alamy Stock Photo


Michael Santos



PREFACE

The publication of the thirteenth edition of a textbook is a cause for celebration. This is especially true if the book is *American Corrections*, which has been a leader in the field for more than 30 years and has introduced more than half a million students to this most interesting portion of the U.S. criminal justice system.

The first edition of *American Corrections* was inspired by our shared belief that undergraduate students must be exposed to the dynamics of corrections in a manner that captures their attention and encourages them to enter the field. The thirteenth edition continues this tradition.

We celebrate this milestone, but we also recognize that, as authors, we have a responsibility to provide readers with the most up-to-date factual material, policy trends, and changes in correctional practices.

Since 1986, when *American Corrections* was first published, this dynamic field has undergone many revolutions of both policy and practice. For example, the shift to mass incarceration was already under way then, with state and federal prisons holding 463,000 people—equal to a rate of 188 per 100,000 Americans. At that time, few policy makers would have dreamed that the rate would continue to rise to more than 600 per 100,000 in 2010, until it began to decline as a result of declining crime and changes in correctional policy. We also note the shift away from the goal of rehabilitation, dominant in the 1970s, to the primacy of crime control goals since the 1980s. During the past quarter-century, corrections has also seen the rise and fall of boot camps, the growth of privately owned and operated prisons, interest in community and restorative justice, and the present emphasis on evidence-based decision making. *American Corrections* has kept pace with these and countless other shifts.

Corrections is so rich in history, innovative in practice, and challenged by societal problems that it deserves to be taught in a way that is both interesting and accurate. Fortunately, our teaching and research cover different areas of corrections so that each of us can focus on our strengths while challenging the other to do his best work. We hope that this book reflects our enthusiasm for our field and the satisfaction we have found in it.

The looming economic recession caused by the COVID-19 pandemic has already placed great fiscal burdens on local, state, and federal governments, and their often severe budgetary deficits have greatly affected corrections. As criminal justice students know, corrections has little to no control over the inflow of people to community corrections, jails, and prisons; nonetheless, correctional budgets also often face cuts imposed by fiscally strapped governments. To operate with the resources mandated, some corrections systems have had to release prisoners, cut back rehabilitative programs, expand community supervision caseloads, lay off staff, and take other actions to save money.

To address these problems, correctional professionals and the public are increasingly focusing their attention on research by scholars who have demonstrated the shortcomings of correctional practices and have urged alternatives. In the thirteenth edition, we thus not only examine the history of corrections and the exciting changes that have occurred to make the field what it is today, but we also look to the future of corrections by examining research-based solutions to current problems.

In *American Corrections*, thirteenth edition, we offer an accurate analysis of contemporary corrections based on up-to-date research. By acknowledging the problems with the system, we hope that our exposition will inspire suggestions for change. We believe that when human freedom is at stake, policies must reflect research and be formulated only after their potential effects have been carefully considered. In other words, we hope

that any changes we inspire will be good ones. We also hope that a new generation of students will gain a solid understanding of all the aspects of their complex field.

THE APPROACH OF THIS TEXT

In learning about corrections, students gain a unique understanding of how social and political forces affect the way that organizations and institutions respond to a particular segment of the community. They learn that social values come to the fore in the correctional arena because the criminal sanction reflects those values. They also learn that in a democracy, corrections must operate not only within the framework of law but also within the boundaries set by public opinion. Thus, as a public activity, corrections is accountable to elected representatives, but it must also compete politically with other agencies for resources and "turf."

Two key assumptions run throughout the book. One is about the nature of corrections as a discipline; the other concerns the best way to analyze correctional practices:

- **Corrections is interdisciplinary.** The academic fields of criminal justice, sociology, psychology, history, law, and political science contribute to our understanding of corrections. This cross-fertilization is enriching, yet it requires familiarity with a vast literature. We have structured our text with a strong focus on coherence to make this interdisciplinary approach comprehensive yet accessible.

- **Corrections is a system.** In our book the concept of a system serves as a framework for analyzing the relationships among the various parts of corrections and the interactions between correctional professionals and their clients. The main advantage of this perspective is that it allows for dispassionate analysis of correctional practices.

ORGANIZATION

Correctional officials and political leaders are continually asking "Where is corrections headed?" In this thirteenth edition of *American Corrections* we explore the context, practices, and special issues of corrections in three major sections. Each part opens with a guest perspective by a recognized expert who discusses correctional innovations and ideas related to the topics presented in that part. Marc Mauer, Executive Director of the Sentencing Project, opens Part 1: The Correctional Context by assessing criminal justice reform. Mauer notes that we are currently on the cusp of significant changes in corrections, changes that could result in a major policy reformulation for the entire corrections system. Part 2: Correctional Practices opens with a guest perspective by Glenn Martin, founder of JustLeadershipUSA (JLUSA). Among the most respected correctional reformers in the nation, Martin explains why it is crucial to have people who have been affected by the justice system engaged in reform debates. To open Part 3: Correctional Issues and Perspectives, Fatimah Loren Muhammad, Director of the Trauma Advocacy Initiative, Equal Justice USA, describes the importance of understanding how trauma affects both the victims of violent crime and the people who engage in that violence. Each of these guest perspectives lays the groundwork for the chapters that follow.

In Part 1 we describe the historical issues that frame our contemporary experience of corrections. We examine the general social context of the corrections system (Chapter 1) and the early history of correctional thought and practice (Chapter 2). We also focus on the distinctive aspects of correctional history in the United States (Chapter 3), analyze current theory and evidence regarding methods of punishment (Chapter 4), and survey the impact of law on corrections (Chapter 5). In Chapter 6 we portray the correctional client. We consider the correctional client in relation to criminal legislation, criminal justice processing, and larger societal forces that are associated with crime. Part 1 thus presents

the foundations of American corrections: context, history, goals, organizations, and correctional clients.

In Part 2 we look at the current state of the major components and practices of the system. The complexity of correctional organization results in fragmentation and ambivalence in correctional services. Jails and other short-term facilities are scrutinized in Chapter 7, probation in the community, by which most correctional clients are handled, in Chapter 8, and the new focus on intermediate sanctions in Chapter 9. Because imprisonment remains the core symbolic and punitive mechanism of corrections, we examine it in detail. We discuss incarceration (Chapter 10), the prison experience (Chapter 11), the incarceration of women (Chapter 12), institutional management (Chapter 13), and educational, industrial, and treatment programs in correctional institutions (Chapter 14). In being both descriptive and critical, we hope to raise questions about current incarceration policies. In Chapters 15 and 16 we examine the process of releasing people from incarceration and the ways that formerly incarcerated people adjust to supervised life in the community. In Chapter 17 we describe the separate system of corrections for juveniles. Thus, in Part 2 we focus on the development, structure, and methods of each area of the existing corrections system, portraying them in light of the continuing issues described in Part 1.

In Part 3 we analyze those current correctional issues and trends that deserve individual attention: incarceration trends (Chapter 18), race, ethnicity, and corrections (Chapter 19), the death penalty (Chapter 20), immigration (Chapter 21), and community justice (Chapter 22). In Chapter 23, "American Corrections: Looking Forward," we take both a retrospective view of American corrections and a view of its future. These chapters are designed to raise questions in the minds of readers so that they can begin to grapple with important issues.

SPECIAL FEATURES

Several features make this book an especially interesting introduction to corrections. Each of these features has been revised for the thirteenth edition.

- **Opening vignettes:** Each chapter opens with a description of a high-profile correctional case. Taken from today's headlines, each vignette dramatizes a real-life situation that draws the student into the chapter's topic. Instructors find these "lecture launchers" an important pedagogical tool to stimulate interest. We have made special efforts to provide new vignettes for this edition. For example, Chapter 17, "Corrections for Juveniles," describes Connecticut's impending changes to its juvenile justice laws. This leads into a discussion of the distinctions applied to the juvenile corrections system.

- **Critical Thinking:** Each chapter includes critical-thinking boxes that pose questions linked to the opening vignette. We believe that this feature will prompt students to reexamine their initial thoughts about the vignette.

- **Focus on . . . :** In this feature the real-world relevance of the issues discussed in the text is made clear by vivid, in-depth accounts by correctional workers, journalists, formerly incarcerated persons, people on parole, and relatives of those who are in the system. In this thirteenth edition we have increased the number and variety of these features, which are placed into three categories: People in Corrections, Correctional Policy, and Correctional Practice. We believe that students will find that the material in each feature enhances their understanding of the chapter topic.

- **Thinking Outside the Box:** Corrections needs new ideas, and some of the most significant new ideas propose major changes to the way that the corrections system does its work. This feature draws attention to today's most innovative evidence-based practices or programs, designed to get students thinking beyond traditional aspects

to new possibilities. Examining these new ideas provides fresh insight regarding the future prospects of corrections.

- **Do the Right Thing:** Correctional workers are often confronted with ethical dilemmas. In each of these boxes we present a scenario in which an ethical question arises. We then provide a writing assignment in which students examine the issues and consider how they would act in such a situation.
- **Evidence-based practice:** Correctional professionals are being encouraged to base decisions on research evidence. This is especially true in probation, intermediate sanctions, and parole. Implementation of this approach is presented in the relevant chapters.
- **Myths in Corrections:** Faculty have told us that they spend much of their classroom time debunking popular myths about corrections. In this new edition, most chapters contain a special boxed feature presenting research that challenges correctional myths.
- **Careers in Corrections:** In appropriate chapters throughout the book, students will find one or more boxes in which a particular correctional occupation is described. The material includes the nature of the work, required qualifications, earnings and job outlook, and a source of more information.
- **Glossary:** One goal of an introductory course is to familiarize students with the terminology of the field. We have avoided jargon in the text but include terms that are commonly used. Such indispensable words and phrases are set in bold type, and the term and its definition have been placed in the margin. A full glossary with definitions of all terms is located at the back of the book.
- **Graphics:** We have created tables and figures that clarify and enliven information so that it can be perceived easily and grasped accurately. For this thirteenth edition, tables and figures have been fully updated wherever possible.
- **Photographs:** The thirteenth edition contains an enlarged program of dynamic photographs spread throughout the book. These reveal many aspects of corrections ordinarily concealed from the public eye. The photographs provide students with a real view of correctional policies and practices.
- **Other student aids:** The beginning of each chapter includes an outline of the topics to be covered, followed by a set of learning objectives. These tools are designed to guide students as they progress through the chapter. Many chapters also offer brief biographies of people who have made an impact on the field of corrections. At the end of each chapter, students can find a summary keyed to the learning objectives, a list of any key terms presented in the chapter, discussion questions, and suggestions for further reading.

OTHER CHANGES IN THE THIRTEENTH EDITION

As textbook authors, we have a responsibility to present current data, provide coverage of new issues, and describe innovative policies and programs. Toward this end we have completely updated and rewritten this edition, line by line. We have been assisted by the comments of an exceptionally knowledgeable team of reviewers who pointed out portions of the text that their students found difficult, suggested additional topics, and noted

sections that should be dropped. Among the new or expanded topics found in this thirteenth edition are the following:

- **Death penalty:** Public support for the death penalty is declining, partly because the regular exonerations of people on death row erode public confidence in the accuracy of death penalty verdicts. Juries in many states now seem to prefer life imprisonment without the possibility of parole. Still, 2016 saw 20 executions. But many problems with the death penalty remain, including difficulties with lethal injection, effectiveness of counsel, execution of people with mental illnesses and developmental disabilities, execution for crimes not involving murder, and erroneous convictions (issues examined in Chapters 4 and 20). The death penalty continues to provide a major source of debate.

- **Incarceration trends:** After rising almost continuously for the past four decades, incarceration rates have dropped over the last seven years. This seems not to be related to a drop in violent crime—which for many years has been at 1973 levels—but rather because of doubts about the wisdom of mass incarceration and budgetary pressures at all levels of government. In many states, prisons have been closed, and judges are under pressure to incarcerate fewer people convicted of a felony. The potential long-term implications of correctional downsizing are only now starting to be felt.

- **Reentry:** Each year more than 600,000 people are released from prison and returned to their communities. Disturbingly, the largest group of new admissions to prison in some states is made up of recidivists. A concerted effort by both liberal and conservative policy makers is now focused on ways to reduce recidivism. Assisting people convicted of a felony in the reentry process has become a major focus of correctional policy, and a plethora of new programs are being proposed to make reentry more successful. The problems encountered by people on parole as they adjust to the community are dealt with extensively in Chapters 15 and 16.

- **Evidence-based practice:** There has been a growing movement for "evidence-based" practice in dealing with those under community supervision. Probation and parole officers are encouraged to make decisions based on methods that have been shown to be effective by well-designed research methods. Public statements by former U.S. Attorney General Eric Holder and the development of programs within the U.S. Justice Department's Office of Justice Programs have spurred this thrust. The Justice Department maintains a website called "Crime Solutions" that contains information and research on "what works" for all aspects of the criminal justice system.

- **Incarceration of women:** Reflecting important ongoing research on the impact of maternal incarceration on children, correctional administrators have revisited the importance of programs for women. In particular, several states have devised programs to provide opportunities for women to maintain contact with their children. Chapter 12 describes the "Achieving Baby Care Success Program" at the Ohio Reformatory for Women.

- **Privatization:** Since the advent of private prisons in the 1970s, questions have been raised about whether they are more cost-effective than public prisons. Until recently, research on this question has been lacking. As states deal with severe budgetary problems, the future of private prisons remains uncertain. However, the privatization movement has now carried over into nonprison areas, with proposals for private contracts for community-based correctional methods. Chapter 22 discusses the advent of social impact bonds, which attempt to create fiscal incentives for privately funded innovation in corrections.

- **Corrections as a profession:** With all these changes in correctional policy and practice, there is a need for a "new correctional professional." Throughout this book we describe the challenges that the changes in corrections pose for people who work in

the field, and we offer new ideas about the skills and knowledge that correctional professionals will have to bring to their work in order to be successful.

- **Immigration justice:** No issue has been more at the forefront than problems related to immigration. The corrections system is called upon to deal with immigration issues, of course, but the response to immigration illustrates the systems aspect of all justice actions—we describe how law enforcement and adjudication interact with corrections to produce an immigration justice system. We also show how evidence bears on policies regarding immigration.
- **Language:** In this thirteenth edition we have made a shift in language. People who have been caught up in the corrections system—people whose voices we repeatedly turn to in this book—tell us that terms such as "inmate" and "offender," even though they are commonly used, promote painful stereotypes and make reintegration to society harder. To the extent we can, we have edited our language in this edition to move away from these labels and refer to those caught up in the justice system as "people."

ANCILLARY MATERIALS

For the Instructor

MindTap for *American Corrections* MindTap from Cengage Learning represents a new approach to a highly personalized online learning platform. A fully online learning solution, MindTap combines all of a student's learning tools—readings, multimedia, activities, and assessments—into a singular Learning Path that guides the student through the curriculum. Instructors personalize the experience by customizing the presentation of these learning tools for their students, allowing instructors to seamlessly introduce their own content into the Learning Path via digital applications that integrate into the MindTap platform. Additionally, MindTap provides interoperability with major learning management systems (LMS) via support for open industry standards, and fosters partnerships with third-party educational application providers to provide a highly collaborative, engaging, and personalized learning experience.

Online Instructor's Resource Manual and Lesson Plans for *American Corrections* Revised to reflect new content in the thirteenth edition, the instructor's manual includes learning objectives, key terms, a detailed chapter outline, a chapter summary, lesson plans, discussion topics, student activities, "what if " scenarios, media tools, and a sample syllabus. The learning objectives are correlated with the discussion topics, student activities, and media tools.

Online Test Bank The expanded test bank includes 30 percent more questions than the prior edition. Each chapter of the test bank contains questions in multiple-choice, true/false, completion, essay, and new critical-thinking formats, with a full answer key. The test bank is coded to the learning objectives that appear in the main text and includes the section in the main text where the answers can be found. Finally, each question in the test bank has been carefully reviewed by experienced criminal justice instructors for quality, accuracy, and content coverage so instructors can be sure they are working with an assessment and grading resource of the highest caliber.

Cengage Learning Testing Powered by Cognero This assessment software is a flexible, online system that allows you to import, edit, and manipulate test-bank content from the *American Corrections* test bank or elsewhere, including your own

favorite test questions; create multiple test versions in an instant; and deliver tests from your LMS, your classroom, or wherever you want.

PowerPoint® Lectures for *American Corrections* Helping you make your lectures more engaging while effectively reaching your visually oriented students, these handy Microsoft PowerPoint® slides outline the chapters of the main text in a classroom-ready presentation. The PowerPoint® slides are updated to reflect the content and organization of the new edition of the text, are tagged by a chapter learning objective, and feature additional examples and real-world cases for application and discussion.

For the Student

MindTap for *American Corrections* MindTap from Cengage Learning represents a new approach to a highly personalized online learning platform. A fully online learning solution, MindTap combines all of a student's learning tools—readings, multimedia, activities, and assessments—into a singular Learning Path that guides the student through the curriculum. Instructors personalize the experience by customizing the presentation of these learning tools for their students, allowing instructors to seamlessly introduce their own content into the Learning Path via digital applications that integrate into the MindTap platform. Additionally, MindTap provides interoperability with major learning management systems (LMS) via support for open industry standards, and fosters partnerships with third-party educational application providers to offer a highly collaborative, engaging, and personalized learning experience.

ACKNOWLEDGMENTS

In writing this thirteenth edition of *American Corrections*, we were greatly assisted by people who merit special recognition. Instructors and students who used prior editions were most helpful in pointing out strengths and weaknesses; we took their comments seriously and hope that new readers will find their educational needs met more fully.

We have also been assisted in writing this edition by a diverse group of associates. Chief among them is Michael Worls, Product Manager, who supported our efforts and kept us on course. Aiyana Moore, Content Manager, reviewed our efforts and made important suggestions in keeping with the goals of this revision. Mark Linton, Senior Marketing Director for Criminal Justice, has skillfully guided the presentation of *American Corrections*, thirteenth edition, to faculty and students. The talented Felicia Bennett and Chris Doughman designed the interior and cover of the book, respectively. Many other people worked hard on the production of the thirteenth edition of *American Corrections*, including Production Manager Greg Hubit, Copy Editor Donald Pharr, and Proofreader Debra Nichols. Ultimately, however, the full responsibility for the book is ours alone.

Todd R. Clear
tclear@rutgers.edu

Michael D. Reisig
reisig@asu.edu

PART ONE

Correctional Context

Part I of *American Corrections*—"the Correctional Context"—describes the corrections system, its history, the way people are punished for crimes, the law as it relates to prisons and corrections works, and the clients of corrections. As you study these chapters, consider the approach from Square One, that emphasizes the importance of the social and historical context for a just correctional system. What do you think of this approach to correctional reform? What obstacles must be overcome if it is to work?

GUEST PERSPECTIVE

Square One Thinking

JEREMY TRAVIS
BRUCE WESTERN
KATHARINE HUFFMAN

Katharine Huffman

It is now well-documented that the American penal system is the largest in the world. With more than two million people incarcerated in U.S. prisons and jails, one out of five of all incarcerated people on the planet resides in the United States. Although only a minority of the U.S. population, over half of the incarcerated population is Black or Latino.

Since 2008, the U.S. incarceration rate has fallen slightly, reversing 35 years of uninterrupted increase. The policy conversation has also begun to change. Crime rates have been low by historical standard since the early 2000s, and community representatives and policymakers have begun to look beyond the era of mass incarceration to reimagine a different kind of justice system that does not rely on harsh punishment concentrated in low-income communities of color.

What ideas could guide a different kind of justice system? The past decade has seen a variety of incremental changes that have reduced sentences for drug crime, restricted a system of cash bail that incarcerates poor people, and elected a new slate of prosecutors who are open to criminal justice reform. These are steps in a new and better direction, but to what end?

Despite these advances, recent reforms will not fundamentally change mass incarceration. People convicted of drug crimes account for less than 20 percent of the state prison population. Bail reform mostly reduces the number of very short jail stays, and leaves long prison sentences untouched. Even a new generation of more progressive prosecutors still must operate in a legal context that imposes very long terms of imprisonment.

Some advocates, scholars, and policymakers say it is time to go both deeper and broader—to go to a new square one on justice policy. Going to square one means reimagining the very foundations of the system in an effort to design something that makes a break with our ugly and racist history of overpolicing and overincarceration.

Square one thinking is built on three big ideas as a way of addressing the challenges of crime and violence—individual, state, and structural—that arise in contexts of poverty and deep racial inequality: reckoning with history, empowering communities, and placing the value of human dignity at the center of doing justice.

This undertaking is about much more than how to run a safe prison or supervise people in the community or deal with the challenges of jail administration. Properly understood, "going to square one" requires engagement with fundamental questions of the purposes of the criminal law, the appropriate limits on human liberty, the role of the state in exercising control over the polity, and the potential for human thriving and transformation.

Prisons, jails, police, and courts are powerful institutions, rooted in inertia, and often staffed by those with a strong stake in the status quo. Ultimately the transformation of these institutions will depend in significant part on the leadership of newcomers to the field and the contributions of embedded change-makers who are seeking to make a break with the past and chart a new vision of the future.

People who have leadership positions in the criminal justice system, whether running government agencies or in the private sector, have an opportunity to grapple with the challenge of institutional change. In the larger enterprise of creating a just society, incarceration is intertwined with systems of health, education, housing, and civic life. A new generation of leaders needs a larger vision for justice that encompasses the work being done in these adjacent fields. For those working within existing agencies, each interaction with a person under some form of correctional control presents an opportunity to reinforce human dignity, to demonstrate fairness and respect, and to advance the cause of justice broadly defined.

Being a "reformer from the inside," always risks strengthening the status quo. Professionals in the field have an opportunity—an obligation we would say—to challenge that status quo, and to continually ask hard questions of themselves and all around them. Why do we do things this way? Are we contributing to foundational change, even if in small steps, or are we simply rearranging deck chairs on a titanic system that has become the largest and farthest reaching tool of racial oppression in our society? Do we know the role of police and prisons in a long history of racial oppression? Are we building stronger communities rather than dividing and exploiting them? Are we promoting the dignity and human potential of all, including those who have come into conflict with the law?

The project to reimagine justice from square one requires the creation of a big table with a wide range of perspectives represented in the decision-making process. Beyond traditional stakeholders, this table must be led by those who are under state control, their families, those harmed by crime, those historically marginalized by the operations of the justice system, and the communities that serve as the wellsprings of safety and justice. Doing the hard work of reimagining justice in this inclusive way will not only bring us closer to thriving, equitable communities, but also honor the imperative that our democracy serve as the ultimate guarantor of justice.

CHAPTER 1

The Corrections System

What can be done with a prison that has been closed down? Here, weeds are overtaking Mid-Orange Correctional Facility in Warwick, NY, closed in 2011 because the state's prison population had dropped so much it was no longer needed. Vacant for nearly a decade, it was set up for recreation with a nearby bike path. It finally found an investor to refurbish its old buildings for the state's expanding hemp industry.

A PROFOUND CHANGE IS HAPPENING TO THE CORRECTIONAL SYSTEM OF THE UNITED STATES.

It started at year end of 2008, when, for the first time in nearly 40 years, the total number of people under correctional control—either in prison, in jail, on probation, or on parole—was smaller than the year before. At the time, many thought it was an anomaly. After all, the growth of the corrections system had been continual for over a generation. But what happened in 2008 has now repeated itself every year for a decade. What seemed at the time like a quirk turned out instead to be a true turning point. By the time a decade had passed, the system had declined by about 1 percent, and the total corrections population was down by almost 10 percent. The number of people in prison is down 7 percent.[1]

These changes have come after nearly *four decades* of uninterrupted correctional growth (see "The Great Experiment in Social Control"). The scope of America's long-term commitment to a big corrections system has been described as one of the greatest policy experiments in modern history. In 1973 the prison incarceration rate was 96 per 100,000 Americans. For 38 consecutive years after that, the number of people in prison increased—during periods when crime went up, but also during periods when crime declined; during good economic times and bad; during times of war and times of peace. (See "Myths in Corrections.") By 2010, the U.S. prison incarceration rate had grown to exceed 500 per 100,000 Americans—more than a fivefold increase—and many people thought that this generation-long pattern had become a more or less permanent feature of U.S. penal policy.

LEARNING OBJECTIVES

After reading this chapter, you should be able to . . .

1. Describe the range of purposes served by the corrections system.
2. Define the systems framework and explain why it is useful.
3. Name the various components of the corrections system today and describe their functions.
4. Identify at least five key issues facing corrections today.
5. Discuss what we can learn from the "great experiment in social control."

FOCUS ON

CORRECTIONAL POLICY: The Great Experiment in Social Control

About two-thirds of the members of the current U.S. population, including most of the readers of this book, were born after 1971. For them it has been entirely normal to see yearly increases in the number of Americans in prison, in jail, and under correctional supervision. This group of citizens has seen corrections grow every year—in good economic times and bad, during periods of rising crime and of dropping crime. This growth trend began with the "baby boom" generation: When Americans born in the two decades after World War II hit their twenties and thirties, the peak crime-prone age, they clogged the criminal justice system.

The large and growing correctional populations that seem so normal have not always been so. From 1900 until about 1970, U.S. prison populations were quite stable, hovering between 90 and 120 per 100,000 citizens. After more than 35 years of steady growth, the rate of incarceration is now five times as high as it was in 1973. In 2007 the correctional population reached its highest point in U.S. history—by most accounts the largest correctional population in the world, with the United States putting more people in prison than China, which has four times more citizens.

This period of U.S. history could be called the "great experiment in social control," for it has defined a generation of Americans who have witnessed the greatest expansion in government control ever undertaken by a democratic state. Researchers have tried to explain the sources of this growth. Some of it stems from increases in crime, but most of this crime growth occurred during the first half of the "experiment." Some is because of increased effectiveness at apprehending, arresting, and convicting criminally involved people. But this aspect of the "experiment" is minor compared with changes in punishment policy. In the United States the chances of a person convicted of a felony getting a prison sentence instead of probation have increased steadily for several decades, to the point where the chance of getting a probation sentence is now a fraction of what it used to be. One reason prison sentences became more common is that the drug war increased the number of arrests in defendants' criminal histories, which led judges to impose more severe sanctions.

Therefore, more people are going to prison, and they are serving longer terms as well. Further, the strictness of postrelease supervision has also increased so that more people on probation than before are being sent back to prison because of a failure to abide by strictly enforced rules. This triple whammy—less probation, longer prison terms, and stricter postsentencing supervision—has fueled a continuing increase in correctional populations, especially prison populations, even when crime rates are dropping.

Some scholars have tried to explain the unprecedented punitiveness of the late-twentieth-century U.S. policy (see "For Further Reading"). They discuss the importance of U.S. politics and culture, and they expressly point to the effects of two decades of the "war on drugs." This is certainly a part of the explanation, but nationally less than 15 percent of people in prison are there for a drug crime.[2] Yet *why* this punitiveness occurred is far less interesting than *what* its results have been. Today, researchers, scholars, and intellectuals will begin to try to understand what we have learned from this great experiment.

The effects of this experiment in social control fall into three broad categories: its effects on crime, on society, and on the pursuit of justice. First, and most important, how has the growth of corrections affected rates of crime? Because so many factors affect crime, we cannot easily distinguish the effects of a growing corrections system from those from other factors, such as the economy or times of war. Researchers who have tried to do so have reached divergent conclusions, but even the most conservative scholars of the penal system agree that further growth will have little impact on crime. Others note that because the crime rate today is about the same as it was in the early 1970s, when the penal system began to grow, the corrections system has not likely had a large effect on crime.

Second, there is a growing worry that a large corrections system—especially a large prison system—damages families and communities, and increases racial inequality. For example, as many as six million children have a parent who has been to prison or in jail.[3] How do these experiences affect their chances in life? And what does it mean that more than one in four male African Americans will end up in prison?

Third, how does a large penal system affect the pursuit of justice? Do people feel more confidence in their justice system? Is it right to have people who break the law end up punished the way that America punishes them? In this great experiment in social control, have we become a more just society?

One theme in this book is that things are not as simple as they look. New laws and policies seldom achieve exactly what they were intended to do, and they often have unintended consequences. In this text we explore the most important issues in penology, from the effectiveness of rehabilitation to the impact of the death penalty, with the knowledge that each has more than one side.

We begin with a seemingly simple question: What is the purpose of corrections? In exploring the answer to this question, you will discover a pattern that recurs throughout the book. Any important correctional issue is complicated and controversial. The more you learn about a given issue, the more you will see layers of truth, so your first findings will be bolstered by evidence and then challenged by further investigation and deeper knowledge.

In the end, we think you will see that there are few easy answers but plenty of intense questions. Near the beginning of each chapter we present questions for inquiry that each chapter will explore. We hope that these will help focus your exploration of corrections and serve as a study guide, along with the summary at the end of each chapter.

Sources: Ryan D. King, "Cumulative Impact: Why Sentences Have Increased," *Criminology* 57 (no. 1, 2019): 157–180.

It was not only the prison systems that were growing. Counts of people on probation, parole, or in jail grew at a similar pace. By 2006, one American in every 31 was under some form of correctional control—more than 3 percent of the population.[4]

During this time, correctional budgets grew by over 600 percent. The United States now has almost 3,000 people on death row[5] and another 206,000 serving life sentences, nearly a third of them ineligible for any parole.[6] Counting **prisons** and **jails**, almost 2.2 million citizens are incarcerated, making the adult incarceration rate 860 per 100,000 adult citizens—nearly 1 percent.[7] When all forms of corrections are taken into account—including probation, parole, and community corrections—more than one out of every 40 adults are under some form of correctional control.[8] The extensive growth of the correctional population since 1980 is shown in Figure 1.1 and Figure 1.2.

prison An institution for the incarceration of people convicted of crimes, usually felonies.

jail A facility authorized to hold pretrial detainees and sentenced misdemeanants for periods longer than 48 hours. Most jails are administered by county governments; sometimes they are part of the state government.

Some say that when prison populations grow, crime rates decline because prisons prevent crime. But between 1973 *and* the early 1990s, we saw both imprisonment growth and increases in crime. Most observers concluded that when more people commit crime, more people end up behind bars. This suggests that as crime declines, so will correctional caseloads. But studies show that, aside from the 1970s, there has been little relationship between the nation's crime rate and the size of its prison population. Between 1990 and 2007, for example, the swelling prison population seemed to be entirely caused by tougher criminal justice policies, since crime rates were falling.

But now the long-lasting period of correctional growth has ended, replaced by a decade-long period of declining numbers of people under correctional control. To be sure, the current pace of decline does not come close to matching the pace of growth over the preceding 38 years. But it is clear that we have entered a new era. For the first time in more than a generation, it seems that the long-term pattern of correctional growth may be changing. And by any measure, the U.S. corrections system has seen a sustained period of remarkable, steady growth for more than a generation.

Why is the U.S. correctional system contracting? One answer is that crime has been declining: between 2007 and 2015, violent crime dropped by almost one-fourth. But the drop in crime is not enough of an explanation. Between 1991 and 2007, violent crime

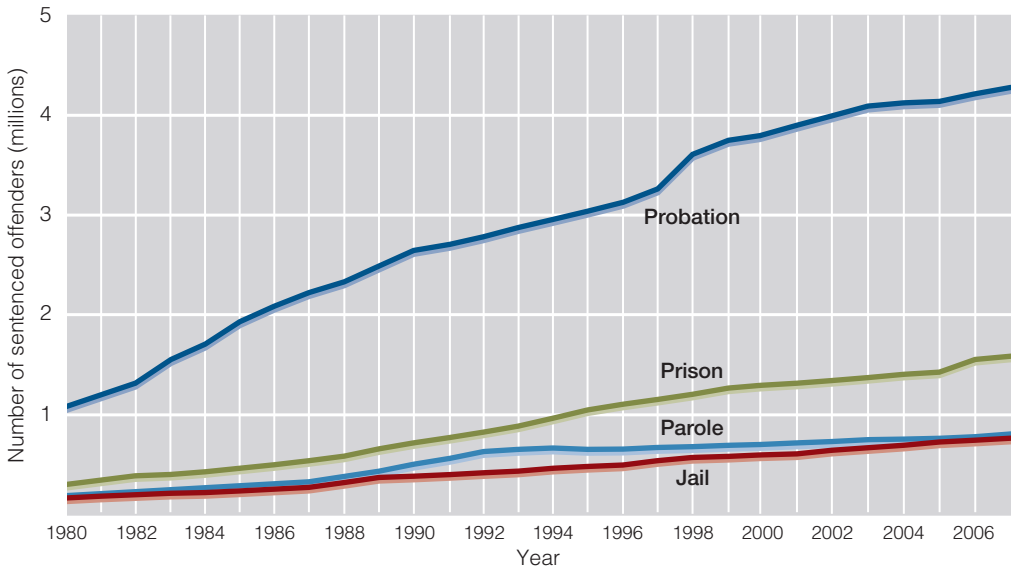


FIGURE 1.1 Correctional Population Growth in the United States, 1980–2007

Although the increase in prison population received the most publicity, a greater proportion of correctional growth occurred in probation and parole.

Sources: Latest data available from the Bureau of Justice Statistics correctional surveys, www.ojp.usdoj.gov: Bureau of Justice Statistics, Annual Probation Survey, Annual Parole Survey, Annual Survey of Jails, Census of Jail Inmates, and National Prisoner Statistics Program, 2000 and 2005–2007.

MYTHS in Corrections

High U.S. Crime Rates

THE MYTH: The United States has such a large prison system, compared with the prison systems of other countries, because it has much more crime.

THE REALITY: Using rates of homicide and rape reported to the police in the United States and in Europe, as the basis of comparison, the United States imprisons its citizens between two and four times higher than any of those countries. While the European nations have somewhat less violent crime, their incarceration rates are much lower than that of the United Sates.

Sources: M. F. Aebi and Tiago MM. *SPACE-2018: Prison Populations* (Strasbourg: Council of Europe, 2019), http://wp.unil.ch/space/files/2019/06/FinalReportSPACEI2018_190611-1.pdf; World Population Review. 2020. *Crime Rate by Country 2020,* http://worldpopulationreview.com/countries/crime-rate-by-country/#dataTable; Jennifer Bronson and E. Ann Carson, *Prisoners in 2019* (Washington, DC: U.S. Department of Justice, 2020).

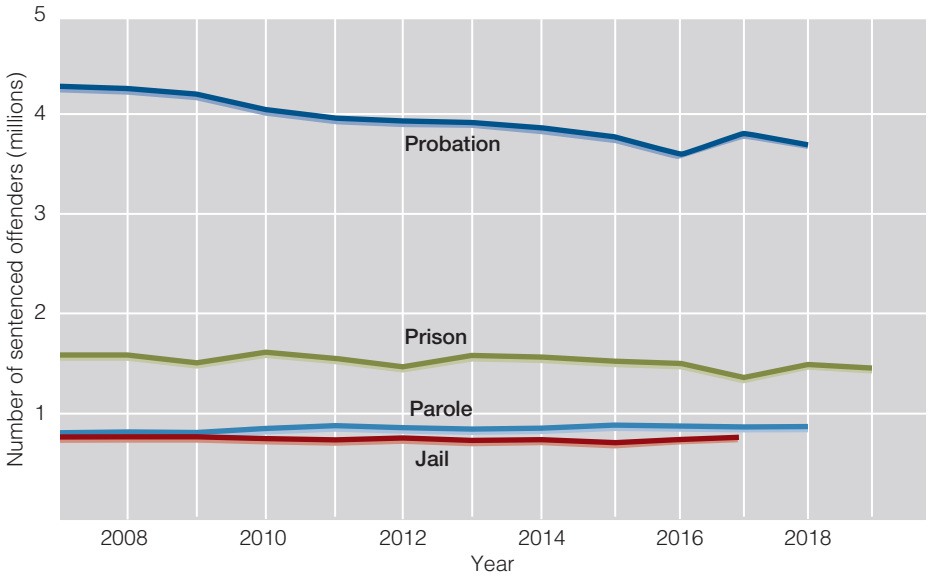


FIGURE 1.2 Correctional Population Contraction in the United States, 2008–2019

After a generation of growth, the correctional system has been declining.

Sources: Latest data available from the Bureau of Justice Statistics correctional surveys, www.ojp.usdoj.gov: Bureau of Justice Statistics, Annual Probation Survey, Annual Parole Survey, Annual Survey of Jails, Census of Jail Inmates, and National Prisoner Statistics Program, 2008–2019.

dropped by more than one-third, yet the corrections system increased by more than 50 percent.[9] A much bigger factor than the drop in crime is that policy makers have been busy reforming the correctional system with the goal of reducing its size. Political leaders all over the country, once the loudest voices for ever-tougher penal policies, are suddenly instead looking for ways to control the size, scope, and costs of the corrections system. One census of prison-related reforms found that 46 of the states have passed legislation designed to reduce the number of people going to or returning to prison and jail.[10] This pattern is true in traditionally conservative states, such as Texas, which has actually closed three prisons,[11] to more-liberal states such as Michigan, which reduced the prison population by 23 percent and closed more than 20 prisons.[12] During 2019, almost two-thirds of the states in the United States had actual reductions in the number of people in prison.[13] Since 2010, in fact, more than half the states have reduced both their imprisonment rates and their crime rates.[14]

These changes reflect a new liberal–conservative consensus that most people who are convicted of nonviolent crimes need not end up in prison. There is a growing idea that the penal system, especially prisons, has grown too much. People all across the political spectrum believe that "mass incarceration" has become a problem in its own right. Concerns about burgeoning probation caseloads and high jail counts have arisen as well. Both liberals and conservatives rightfully worry that the expansion of corrections has affected some groups more than others. African Americans are five times more likely to be in prison than whites; in some states, 5 percent of all black men are in prison.[15] Nearly 12 percent of all African American men 20–40 years old—the age of most fathers—are now locked up. One in six male African Americans has been to prison.[16]

Both liberals and conservatives also share a concern that the cost of corrections, nearly $80 billion per year, is out of line. Prison budgets—by far the most expensive portion of the penal system—grow even when monies for education and other services lag.[17] Probation caseloads and daily jail populations have also grown, and they cost money, too. With growing public concern about the quality of schools and health care, people of all

political persuasions are tempted to ask if so much money is needed for corrections. They are especially leery about continuing to invest in what many political leaders, especially conservatives, see as a system that is not as effective as it ought to be.[18]

Corrections, then, is a topic for public debate as never before. A generation ago, most people knew very little about corrections. Prisons were alien "big houses," infused with mystery and located in remote places. The average American had no direct knowledge of "the joint" and no way of learning what it was like. Most people did not even know what probation and parole were, much less have an opinion about their worth.

However, more than 6.6 million Americans are now in the corrections system. This number includes one-third of all African Americans who have dropped out of high school; in fact, 70 percent of this group will go to prison during their lifetime.[19] Add to these numbers the impact on fathers and mothers, brothers and sisters, aunts and uncles, and husbands, wives, and children, and you have an idea of how pervasive corrections is today—especially for poor Americans and people of color.

Further, crime stories dominate our news media. Read any local newspaper or watch any local nightly newscast, and you will encounter a crime story that raises questions about corrections: Should the person have been released? Is the sentence severe enough? Should laws for this type of crime be tougher? In short, corrections now maintains a profound place, not only in the public eye, but also in the public experience. But are the images we form—based on media reports and our own experiences—accurate? Do they tell us all we need to know about corrections?

The coming years will be an exciting period for people interested in corrections. After decades of "get-tough" corrections, today we find ourselves in a new era, characterized by a search for innovative strategies to deal with crime that are more effective and less costly—financially and socially—than the policies that had dominated the landscape for almost 40 years. This is a time when those who study corrections can help shape a new generation of policies and practices. The demand for correctional professionals will continue to grow, but openness to new ideas will be greater than ever before.

People who study corrections want to learn more about the problems that rivet attention. They want to see beyond the three-minute news story, to understand what is happening to people caught in the system. And they suspect that what seems so simple from the viewpoint of a politician arguing for a new law, or from the perspective of a news reporter sharing the latest crime story, may in fact be far more complex for the people involved.

Algerina Perna/Baltimore Sun/TNS/Sipa USA

◀ *Clara, aged 8, visits with her mother in Maryland Correctional Institution for Women as a part of Girl Scouts Beyond Bars. Programs such as this help bridge the gap between the community and people in prison.*

LO 1

Describe the range of purposes served by the corrections system.

THE PURPOSE OF CORRECTIONS

It is 11:00 A.M. in New York City. For several hours, a five-man crew has been picking up trash in a park in the Bronx. Across town on Rikers Island, the view down a corridor of jail cells shows hands gesturing through the bars as people converse, play cards, share food—the hands of people doing time. About a thousand miles to the south, almost 349 people sit in isolated cells on Florida's death row. In the same state a woman on probation reports to a community control officer. On her ankle she wears an electronic monitoring device that tells the officer if she leaves her home at night. On the other side of the Gulf of Mexico, sunburned Texans in stained work clothes tend crops. Almost due north in Kansas, a grievance committee in a maximum-security prison reviews complaints of guard harassment. Out on the West Coast, in San Francisco, a young man on his way to work checks in with his parole officer and drops off a urine sample. A short 30-minute drive North, in San Quentin prison, students serving time in prison open their text books in a college-level class on Greek Philosophy. All these activities are part of **corrections**. And all the central actors are under correctional authority.

corrections The variety of programs, services, facilities, and organizations responsible for the management of individuals who have been accused or convicted of criminal offenses.

Punishing people who break society's rules is an unfortunate but necessary part of social life. From the earliest accounts of humankind, punishment has been used as one means of **social control**, of compelling people to behave according to the norms and rules of society. Parents chastise their children when they disobey family rules, groups ostracize individuals who deviate from expected group norms, colleges and universities expel students who cheat, and governments impose sanctions on those who break the law. Of the various ways that societies and their members try to control behavior, criminal punishment is the most formal, for crime is perhaps the most serious type of behavior over which a society must gain control.

social control Actions and practices, of individuals and institutions, designed to induce conformity with the rules and norms of society.

In addition to protecting society, corrections helps define the limits of behavior so that everyone in the community understands what is permissible. The nineteenth-century sociologist **Emile Durkheim** argued that crime is normal and that punishment performs the important function of spotlighting societal rules and values. When a law is broken, citizens express outrage. The deviant thus focuses group feeling. As people unite against the law violator, they feel a sense of mutuality or community. Punishing those who violate the law makes people more alert to shared interests and values.

Three basic concepts of Western criminal law—offense, guilt, and punishment—define the purpose and procedures of criminal justice. In the United States, Congress and state legislatures define what conduct is considered criminal.

The police, prosecutors, and courts determine the guilt of a person charged with a criminal offense. The postconviction process then focuses on what should be done with the guilty person. The central purpose of corrections is to carry out the criminal sentence. The term *corrections* usually refers to any action applied to people after they have been convicted and implies that the action is "corrective," or meant to change them according to society's needs. Corrections also includes actions applied to people who have been accused—but not yet convicted—of criminal offenses. Such people are often waiting for action on their cases and are under supervision—sitting in jail, undergoing drug or alcohol treatment, or living in the community on bail.

BIOGRAPHY

EMILE DURKHEIM (1858–1917)

Important French scholar, known as the "Father of Sociology," who argued that criminally involved people and their punishment are functional in society, helping define norms and demonstrating to the public the nature of societal expectations for conformity.

When most Americans think of corrections, they think of prisons and jails. This belief is strengthened by legislators and the media, which focus much attention on incarceration and little on community corrections. As Figure 1.3 shows, however, more than two-thirds of all people under correctional supervision are living in the community on probation or parole.

Corrections thus encompasses all the legal responses of society to some prohibited behavior: the variety of programs, services, facilities, and organizations responsible for managing people accused or convicted of criminal offenses. When criminal justice researchers, officials, and practitioners speak of corrections, they may be referring to any number of programs, processes, and agencies. Correctional activities are

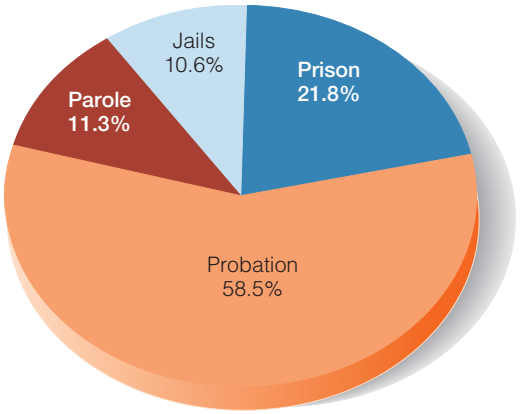


FIGURE 1.3 Percentage of People in Each Category of Correctional Supervision

Sources: Latest data available from the Bureau of Justice Statistics correctional surveys, www.ojp.usdoj.gov: Bureau of Justice Statistics, Annual Probation Survey, Annual Parole Survey, Annual Survey of Jails, Census of Jail Inmates, and National Prisoner Statistics Program.

performed by public and private organizations; involve federal, state, and local governments; and occur in a variety of community and closed settings. We can speak of corrections as a department of the government, a subfield of the academic discipline of criminal justice, an approach to the treatment of those who have broken the law, and a part of the criminal justice system.

Corrections is all these things and more.

LO 2

Define the systems framework and explain why it is useful.

A SYSTEMS FRAMEWORK FOR STUDYING CORRECTIONS

Because it reflects social values, corrections is as complex and challenging as the society in which we live today. Corrections is a legal intervention to deter, to rehabilitate, to incapacitate, or simply to punish or achieve retribution.

Having a framework will help you sort out the complex, multidimensional nature of corrections. In this book we use the concept of the corrections system as a framework for study. A **system** is a complex whole consisting of interdependent parts whose operations are directed toward common goals and are influenced by the environment in which they function. For example, interstate highways make up a transportation system. The various components of criminal justice—police, prosecutors, courts, corrections—also function as a system.

system A complex whole consisting of interdependent parts whose operations are directed toward common goals and are influenced by the environment in which they function.

Goals

Corrections is a complicated web of disparate processes that, ideally, serve the goals of fair punishment and community protection. These twin objectives not only define the purpose of corrections but also serve as criteria by which we evaluate correctional work. Correctional activities make sense when they seem to punish someone fairly or offer some sense of protection. The thought of an unfair or unsafe correctional practice distresses most people.

When these two functions of punishment and protection do not correspond, corrections faces goal conflict. For example, people may believe that it is fair to release people

FOCUS ON

CORRECTIONAL POLICY: The Interconnectedness of Parole and Prison Population Counts

Since 2007, the nation's prison population has dropped an average of 1.2 percent each year. By contrast, the national parole population has increased by .6 percent annually. It is understandable that the parole system would grow when the prison system is declining. One of the ways prison populations decline is through accelerated release from prison. When authorities release more people from prison, parole caseloads naturally grow. In those state correctional systems that have seen the largest declines in their prison counts, parole counts have often risen as a result (see "The Big Three in Corrections"). Conversely, when parole systems resist accepting people from prison, incarceration numbers remain high.

on parole once they have served their sentences, but they may also fear any possible threats that the person poses to the community. Further, such goal conflicts can cause problems in the way the system operates.

Interconnectedness

Corrections can be viewed as a series of processes: sentencing, classification, supervision, programming, and revocation, to name but a few. Processes in one part of the corrections system affect, in both large and small ways, processes in the rest of the system.

For example, when a local jail changes its policies on eligibility for work release, this change will affect the probation caseload. When a parole agency implements new drug-screening practices, the increased number of violators uncovered by the new policy will affect jails and prisons within the system. When writers fail to check their facts for a presentence investigation report, poorly reasoned correctional assignments may result.

These processes all affect one another because people pass through corrections in a kind of assembly line with return loops (see "The Interconnectedness of Parole and Prison Population Counts"). After people are convicted, a selection process determines which ones go where, and why. This sifting process is itself uncertain and often hard to understand. Most, but not all, people convicted of a violent crime are sent to prison. Most, but not all, people who violate probation or parole rules receive a second chance. Most, but not all, people who are caught committing crimes while supervised by correctional authorities will receive a greater punishment than people who were not under supervision during the crime. Figure 1.4 shows examples of interconnections among correctional agencies as they deal with people who have been given different sentences.

Environment

As they process people through the system, correctional agencies must deal with outside forces such as public opinion, fiscal constraints, and the law. Thus, sometimes a given correctional agency will take actions that do not seem best suited to achieving fairness or public protection. At times, correctional agencies may seem to work at odds with one another or with other aspects of the criminal justice process.

Corrections has a reciprocal relationship with its environment. That is, correctional practices affect the community, and community values and expectations in turn affect corrections. For example, if the prison system provides inadequate drug treatment, people return to the community with the same drug problems they had when they were locked up. When citizens subsequently lose confidence in their corrections system, they tend not to spend tax dollars on its programs.

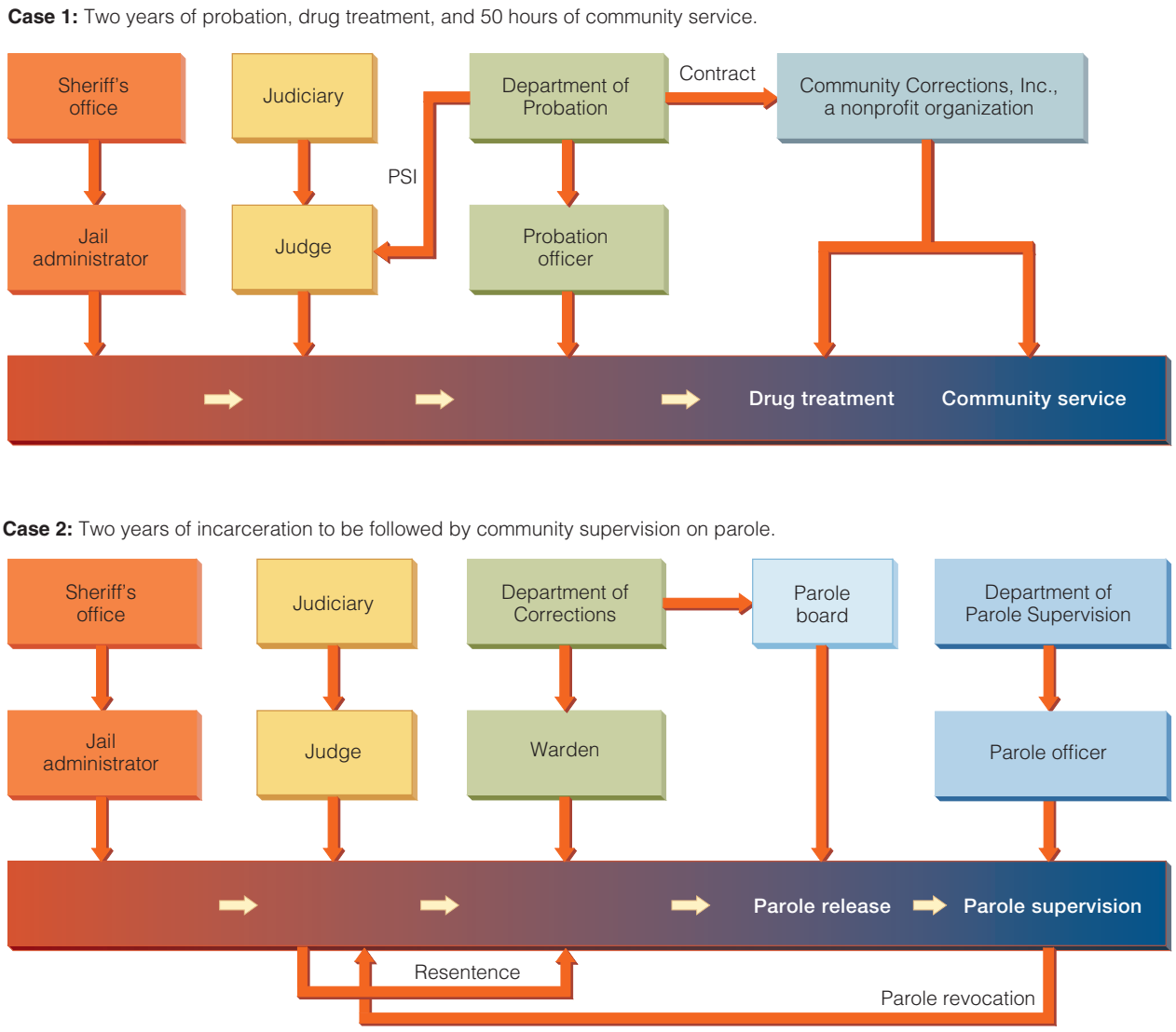


FIGURE 1.4 Interconnectedness of Correctional Agencies in Implementing Sentences

Note the number and variety of agencies that deal with these two cases. Would you expect these agencies to cooperate effectively with one another? Why or why not?

Feedback

Systems learn, grow, and improve according to the feedback they receive about their effectiveness. When a system's work is well received by its environment, the system organizes itself to continue functioning this way. When feedback is less positive, the system adapts to improve its processes.

Although feedback is crucial for corrections, this system has trouble obtaining useful feedback. Success in corrections is best indicated by absence of feedback, such as no new crimes or no prison riots—that is, something that *might* have occurred but did not. Recognizing these absences is difficult at best. By contrast, when corrections fails, everybody knows: The media report new crimes or expose scandals in administration. As a result, corrections systems and their environments tend to overrespond to correctional failure but remain less aware of success.

TABLE 1.1 The Distribution of Correctional Responsibilities in Philadelphia County, Pennsylvania

Note the various correctional functions performed at different levels of government by different agencies. What correctional agencies does your community have?

Correctional Function	Level and Branch of Government	Responsible Agency
Adult Corrections		
Pretrial detention	Municipal/executive	Department of Human Services
Probation supervision	County/courts	Court of Common Pleas
Halfway houses	Municipal/executive	Department of Human Services
Houses of corrections	Municipal/executive	Department of Human Services
County prisons	Municipal/executive	Department of Human Services
State prisons	State/executive	Department of Corrections
County parole	County/executive	Court of Common Pleas
State parole	State/executive	Board of Probation and Parole
Juvenile Corrections		
Detention	Municipal/executive	Department of Public Welfare
Probation supervision	County/courts	Court of Common Pleas
Dependent/neglect	State/executive	Department of Human Services
Training schools	State/executive	Department of Public Welfare
Private placements	Private	Many agencies
Juvenile aftercare	State/executive	Department of Public Welfare
Federal Corrections		
Probation/parole	Federal/courts	U.S. courts
Incarceration	Federal/executive	U.S. Bureau of Prisons

Sources: Taken from the annual reports of the responsible agencies.

Complexity

As systems grow and mature, they tend to become more complex. Thirty years ago, the "three Ps"—probation, prisons, and parole—dominated correctional practice. Today, all kinds of activities come under the heading of corrections, from pretrial drug treatment to electronically monitored home confinement; from work centers, where people can earn money for restitution, to private, nonprofit residential treatment programs.

The complexity of the corrections system is illustrated by the variety of public and private agencies that compose the corrections system of Philadelphia County, Pennsylvania, as Table 1.1 shows. Note that correctional clients are supervised by various service agencies operating at different levels of government (state, county, municipal) and in different branches of government (executive and judicial).

LO 3

Name the various components of the corrections system today and describe their functions.

THE CORRECTIONS SYSTEM TODAY

The U.S. corrections system today employs more than 700,000 administrators, psychologists, officers, counselors, social workers, and others. The federal government, the 50 states, more than 3,000 counties, and uncounted municipalities and public and private organizations administer corrections at an average annual cost of more than $81 billion, according to one recent estimate.[20]

Corrections consists of many subunits, each with its own functions and responsibilities. These subunits—probation offices, halfway houses, prisons, and others—vary in size, goals, clientele, and organizational structure. Some are administered in institutions, others in the community. Some are government agencies; others are private organizations contracted by government to provide specific services to correctional clients. A probation office is organized differently from a halfway house or a prison, yet all three are part of the corrections system and pursue the goals of corrections.

However, there are important differences among subunits of the same general type. For example, the organization of a five-person probation office working closely with one judge in a rural setting differs from that of a more bureaucratized 100-person probation office in a large metropolitan system. Such organizational variety may either help or hinder the system of justice. **Federalism**, a system of government in which power and responsibility are divided between a national government and state governments, operates in the United States. All levels of government—national, state, county, and municipal—are involved in one or more aspects of the corrections system. The national government operates a full range of correctional organizations to handle people convicted of breaking federal laws; likewise, state and local governments provide corrections for people who have broken their laws. However, most criminal justice and correctional activity take place at the state level. Less than 3 percent of individuals on probation and parole, and 9 percent of those in prison, are under federal correctional supervision.[21] (See "The Federal Corrections System Dials Back on Its Agenda of Reform.")

federalism A system of government in which power and responsibilities are divided between a national government and state governments.

FOCUS ON

CORRECTIONAL PRACTICE: The Federal Corrections System Dials Back on its Agenda of Reform

The federal corrections system is larger than any of the state systems, and it handles all violations of federal law. Community corrections, including pretrial services, probation, and parole, are provided by the U.S. Probation and Pretrial Services, which is a part of the U.S. court system. Institutional corrections is operated by the Federal Bureau of Prisons, a part of the U.S. Department of Justice. At last count, there were 92 federal probation offices serving district courts; the U.S. Bureau of Prisons has 110 institutions and 25 residential reentry facilities.

Unlike the situation with state corrections systems, until very recently there has been little pressure to stem the growth of the federal corrections system. Today there are 131,700 people under the supervision of U.S. probation officers, an increase of more than 10 percent over the last five years. People on parole represent less than 10 percent of the total number supervised by probation. There are 209,600 people incarcerated in the federal system, and since 1990 the federal prison system has grown more rapidly than almost any of the 50 state systems. Just under 20 percent of those who are confined in federal prisons are housed in private facilities or local jails under contract with the federal system.

© Jack Gruber-USA TODAY NETWORK

▲ *Serving in the administration of President Donald J. Trump, U.S. Attorney General William P. Barr reversed course on many of the correctional reforms previous administrations had undertaken.*

CORRECTIONAL PRACTICE: The Federal Corrections System Dials Back on its Agenda of Reform (*continued*)

Concerned about this growth, former U.S. Attorney General Eric Holder announced in 2013 the first significant reform of the federal justice system since the establishment of sentencing guidelines in 1984: Under his leadership, federal prosecutors often asked for lower penalties, especially for drug crimes. The federal prison population dropped nearly 10 percent.

Under President Trump, this changed. His first U.S. Attorney General, Jeff Sessions, told federal prosecutors to pursue the most-severe penalties possible, including for drug crimes. Subsequently, AG William P. Barr, reinstituted Federal executions and criticized reformers as "pushing America's cities back toward a more dangerous past."

Joe Biden was elected on a platform of reform for criminal justice. Sensitive to criticisms that his past legislative history as a US Senator includes support for penalties that helped create mass incarceration, he has promised a new, more humane vision for the penal system. Does this signal yet another change for the Federal justice system?

Sources: Dannielle Kaeble and Lauren E. Glaze, *Correctional Populations in the United States, 2016* (Washington, DC: U.S. Bureau of Justice Statistics, 2016); Michael Brice-Sadler, "41 Prosecutors Blast Attorney General Barr for 'Dangerous and Failed' Approach to Criminal Justice," *The Washington Post*, February 13, 2020.

Despite the similarity of behaviors that are labeled criminal, important differences appear from state to state among specific definitions of offenses, types and severity of sanctions, and procedures governing the establishment of guilt and subsequent treatment. In addition, many variations in how corrections is formally organized appear at the state and local levels. The corrections systems in California, Georgia, and Texas handle nearly one-third of all people in state prisons and about one-fourth of all those who are under correctional control in the United States, but each state has developed different organizational configurations to provide corrections (see "The Big Three in Corrections").

FOCUS ON

CORRECTIONAL PRACTICE: The Big Three in Corrections

Three states from three different regions in the United States dominate the corrections scene: Texas, California, and Georgia. They account for more than one-fourth of all people under correctional authority (see Table 1 for a breakdown of the key numbers). Georgia, the smallest of the Big Three, is one-third larger than the next in line (Pennsylvania). These three states stand alone at the top of the list. Each comes by its correctional numbers in different ways, with recent correctional histories that are quite different.

TABLE 1 The Big Three by the Numbers

	Rate/100K Adults	Community	Incarceration
Texas	3,290	482,900	219,600
California	1,770	333,300	200,200
Georgia	6,960	430,800	53,700

Sources: Bureau of Justice Statistics, most recent reports for each state.

TEXAS

Texas supplanted California with the nation's largest prison system in 2012. Not only is the Texas prison system the biggest; everything about Texas criminal justice is "big." The rate of Texans under correctional control is higher than that of any other state in the Union except Georgia and Idaho. More than 10 percent of people on probation in the United States live in Texas. But the story in Texas is changing, and Texas is among the vanguard of states that seek to reduce the number of people in their prisons.

All adult corrections in Texas are housed under the Department of Criminal Justice, which is supervised by a nine-person board appointed by the governor. This department administers corrections through three separate divisions: institutions, parole supervision, and probation. In addition, the parole board reports to the Board of Criminal Justice. The Institutional Division manages all state custodial facilities and monitors the local jails. The Texas Youth Commission handles all juvenile institutions and aftercare. Organized on a county basis, adult probation and juvenile probation are run separately by chief probation officers locally appointed by the county judiciary. Standards for both probation functions are established and monitored by state authority. Adult probation is monitored by the Department of Criminal Justice; juvenile probation is monitored by the Juvenile Probation Commission. Because Texas has more than 200 counties, coordinating the work of these commissions is extremely complicated.

The Texas imprisonment rate was roughly stable during the 1980s. Then, because of a round of punitive sentencing reforms, the Texas incarceration rate doubled between 1990 and 1996, leading the nation. During this time, Texas corrections operated under something of a siege mentality. After losing a series of lawsuits, Texas prisons had a tight population cap, forcing the rest of the system to absorb growing numbers. But decision-making fragmentation made it nearly impossible to develop a coordinated response to the prison overcrowding problem. A federal judge eventually threatened to fine the state more than $500,000 per day if it failed to comply with court-ordered standards. In 2010, when Texas's prison population peaked, the Texas Department of Corrections floated a plan to add 17,000 more prison beds at the cost of almost $1 billion. That led conservatives around the state to take the lead in a broad agenda of criminal justice reform. Since then, the Texas prison population has declined each year, and is now down about 4 percent from the 2010 peak—a number that many Texans are proud of but is less than the national average drop for that same period. For juvenile justice, though, the numbers are almost astonishing: a 76 percent reduction in confinement in the last decade. Texas has now closed four adult prisons and almost all of its juvenile prisons.

Reforms continue to be on the table in Texas, growing from a coalition that includes the "right-on-crime" conservatives and the ACLU liberals. Recent public opinion surveys show strong support for rehabilitation instead of punishments and nonprison alternatives for people convicted of drug crimes and other nonserious felonies. A bipartisan "Cut50" campaign advocates for reducing Texas prison numbers by half. The campaign will try to reduce penalties for low-level drug crimes, and there is talk of raising the age of juveniles from 17 to 18. As oil revenues continue to decline, pressure to constrain the costs of corrections remains high. There is strong public support for reform, which has been helped by substantial drops in Texas crime rates. Texas is "big," not just in size but also in ideas.

CALIFORNIA

California's rate of adults under corrections, 1,770 per 100,000 adults, is below the national average (2,630). The state gets into the Big Three because the state itself is so big. But it has been trying to downsize its correctional system for almost a decade.

In 2011, the state enacted a historically unprecedented approach to reduce dramatically the number of people incarcerated in the state's prison system. In the process, California has dropped its prison count by more than one-fourth since the peak in 2007, a reduction of almost 46,000 people—more than the entire state prison populations of all but seven states. The California story is not only an exemplar in what is possible in prison population reduction, but it also offers a lesson in the public-policy consequences of a change of this magnitude. The system is still large, housing about one in every eleven people in state prisons, but the state has gone from an incarceration rate well above the national average to one of the lowest rates in the West (328 people in prison per 100,000 adult residents, as compared to the national average of 390).

The California adult corrections system is administered by the Adult Authority, and juvenile institutions are administered by the Youth Authority. Both the Adult Authority and the Youth Authority are part of the state government's executive branch. Adult and juvenile probation services are provided by the executive branch at the county level and administered by a chief probation officer. For many years, a portion of the county probation costs was subsidized by the state, but the size of these subsidies started declining in the 1980s. Local taxes pay for jails and probation services, but these taxes have been capped for more than a decade. Local corrections capacity became overloaded when caseloads grew without increases in funding. State correctional facilities were no better off, overcrowded at more than 180 percent capacity. Californians seemed to want to be tough on law violators but didn't want to pay for the repercussions.

In 2006, with every aspect of the corrections system desperately overcrowded, operating with daily chaos, then Governor Arnold Schwarzenegger declared a "state of emergency." Yet his proposed reforms faced deep political resistance, especially from law enforcement. So in 2009 the federal courts stepped in and declared the California system unconstitutional, citing chronic overcrowding, woeful health care, and routine violence. The courts ordered newly installed Governor Jerry Brown to reduce the California prison population by at least 40,000, a requirement affirmed by the U.S. Supreme Court (*Brown v. Plata*). In response, the legislature enacted the California Public Safety Realignment Act in 2011, which devised a new system of sentencing and correctional policies designed to strengthen local correctional capacity and divert a large number of people from the prison system.

Realignment has changed California's correctional numbers. The prison population has dropped by more than 20 percent since 2011. But probation, parole, and local jail counts have also decreased, and the system's overall numbers are down more than 40 percent since Schwarzenegger's original declaration of emergency.

Critics of realignment argue that it has made the public less safe, having put some 18,000 people on the streets who would otherwise have been in prison or jail. These fears were fueled by a small, statewide increase in crime in 2016 as well as a handful of heavily publicized new crimes committed by people released from custody because of realignment. But several careful studies show that violent crime has not been affected by realignment and the small spike in California's crime has since disappeared. Overall, now, crime is down since realignment took effect, and Californians appear to support it. Momentum for cutting down on prisons is so strong that in 2014 Californians overwhelmingly passed Proposition 47, which reduced a list of nonserious felonies to misdemeanors so that people found guilty of them cannot be sent to prison. The fact that felony arrests dropped by more than 50,000 (almost 30 percent) in 2016 foretells continuing reductions in the number of Californians who end up behind bars.

CORRECTIONAL PRACTICE: The Big Three in Corrections (*continued*)

GEORGIA

Georgia joins the Big Three because of the way it uses probation—at a far higher rate than any other state of the union. Its rate of imprisonment is ninth highest in the nation, but its adult probation rate (5,570 per 100,000) is almost twice as high as the next highest state (Rhode Island, at 2,822). The Georgia probation system is, by any standard, massive. About 40 percent of Georgians on probation were placed there for having committed a felony crime—even without misdemeanants, Georgia has among the three highest probation caseloads.

Georgia's prison system has not been declining as rapidly as the rest of the nation. Since its peak in 2009, the prison population has declined by 4 percent, a little more than half the national rate of decline. In the most recent year, the prison population even grew slightly, a sign that the previous reforms may already have run their course.

The state of Georgia administers all institutional corrections through a state-level Department of Corrections, which operates 28 state prisons, four probation revocation centers, and a dozen re-entry offices. The state also has three private prisons. Probation and parole supervision for adults and juvenile is administered by the Department of Community Supervision, which operates dozens of field offices around the state. Juvenile correctional facilities are managed by the Department of Juvenile Justice.

Governor Nathan Deal made criminal justice reform one of his signature policy issues. He was concerned about the large number of citizens who were under correctional authority, and during his eight years in office policies were enacted to reduce some crimes from felonies to misdemeanors, strengthen the role of treatment (including drug courts), and improve re-entry support.

The reforms enacted by Governor Deal were a potent political issue in the 2018 gubernatorial campaign, and Brian Kemp was elected on a get-tough platform in one of the nation's most closely watched elections. He has already started changing the tone of criminal justice, having proposed tougher laws for sex trafficking and gang activity, while reducing funding for the public defender system and specialized courts. The reform trajectory Georgia was once on may have just shifted.

Sources: California: Most recent data available from the U.S. Bureau of Justice Statistics; U.S. Department of Justice; Public Policy Institute of California; *California's Historic Corrections Reforms* (San Francisco, CA: Public Policy Institute of California, 2016); Bradley J. Bartos and Charis E. Kubrin, "Can We Downsize our Prisons and Jails Without Compromising Public Safety?" *Criminology & Public Policy* 17 (no. 3, 2018): 693–715; *Brown v. Plata*, 563 U.S. 2011. Mike Males, *California's 2019 Urban Crime Rate Falls to Record* SF: Center on Juvenile and Criminal justice, May, 2020. Texas: Prison Policy Initiative, www.prisonpolicy.org /profiles/TX.html, 2016; Scott Henson, "Raising the Bars: What's Next for Texas Criminal Justice Reform? *The Observer*, www.texasobserver.org/raising-the-bars-criminal-justice-reform, March 21, 2016; Angela Thielo, Frances T. Cullen, Derek M. Cohen, and Cecilia Chouhy, "Rehabilitation in a Red State: Support for Correctional Reform in Texas," *Criminology & Public Policy* 15 (no. 1, 2016): 137–71. Georgia: Bill Rankin, "Nathan Deal's Criminal Justice Reforms Leave Lasting Legacy," *ACJ*, December 21, 2018; Greg Bluestein and Maya T. Prabhu, "Kemp Pursues a New Criminal Justice Policy, Unnerving Critics," *AJC*, January 22, 2020.

The extent to which the different levels of government are involved in corrections varies by state. The scope of the states' criminal laws is much broader than the federal criminal laws. About 320,000 adults are under federal correctional supervision in more than 100 federal prisons.[22] A recent national count found that the United States holds almost 2.3 million people in 1,833 state prisons, 110 federal prisons, 1,772 juvenile correctional facilities, 3,134 local jails, 218 immigration detention facilities, and 80 Indian Country jails as well as military prisons, civil commitment centers, state psychiatric hospitals, and prisons in the U.S. territories.[23]

The last official count of U.S. prisons listed 110 federal prisons and about 1,000 state prisons. Jails are operated mainly by local governments, but in six states they are integrated with the state prison system.

As noted in Figure 1.5, criminal justice costs are borne by each level of government, with well over 90 percent of correctional costs falling on state and local governments. In most states the agencies of community corrections—probation and intermediate sanctions—are run by the county government and are usually part of the judicial branch. However, in some jurisdictions the executive branch runs them, and in several states this part of corrections is run by statewide organizations.

That the United States is a representative democracy complicates corrections. Officials are elected, legislatures determine the objectives of the criminal law system and appropriate the resources to carry out those objectives, and political parties channel public opinion to office-holders on such issues as law and order. Over time the goals of correctional

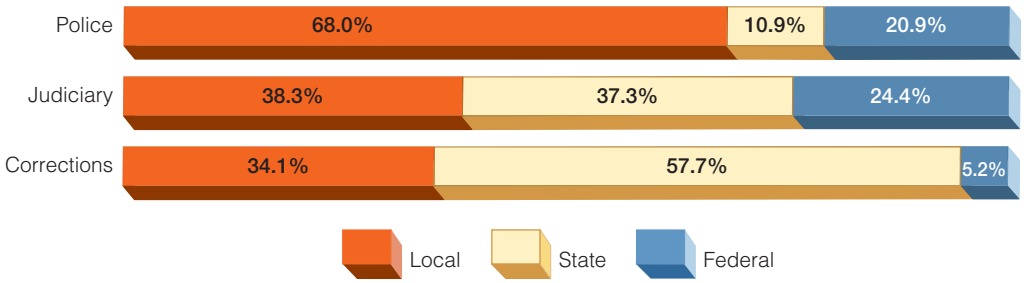


FIGURE 1.5 Distribution of Justice System Expenditures by Level of Government

State and local governments bear the brunt of the costs of correctional activities.

Source: U.S. Bureau of Justice Statistics, Percentage Distribution of Expenditure of the Justice System by Type of Government, Fiscal 2016.

policies have shifted. For example, between 1940 and 1970, corrections was oriented toward liberal rehabilitative policies; between about 1970 and 2000, conservative, get-tough crime control policies have influenced corrections. Now, we are in an era of reform. Questions of crime and justice are thus inescapably public questions, subject to all the pressures and vagaries of the political process.

Clearly, corrections encompasses a major commitment on the part of U.S. society to deal with people convicted of criminal law violations. The increase in the number of people under supervision in the past decade required a major expansion of correctional facilities, staff, and budgets. The size of the system has started to decline, but budgets have remained high in almost all areas of the country.

LO 4

Identify at least five key issues facing corrections today.

KEY ISSUES IN CORRECTIONS

Like all other government services, corrections is buffeted by frequently shifting social and political forces that greatly complicate administration. These forces are also part of what make corrections so interesting to examine. In this section we describe some of the controversies, issues, and themes that arise in the study of corrections. These are divided into three main areas: managing the correctional organization, working with people, and upholding social values.

Managing the Correctional Organization

The ways in which different correctional organizations are managed depend on various factors, including goals, funding, bureaucracy, and interagency coordination.

Goals The theory inherent in the term *corrections*, the assumption that people who have broken the law can be "corrected," faces much dispute. For example, some people believe that most of them can never be rehabilitated, that only social maturation can convince most people to abide by the law. Others argue that the penal system should not be concerned with the future behavior of people who have committed a crime, that the only appropriate response to wrong-doing is punishment. Yet from the end of World War II until the 1970s, the corrective function was so widely accepted that treatment and reform were virtually the only issues in criminal justice deemed worthy of serious attention.

Corrections has constantly faced the challenge of deciding which goals to emphasize. Conflict over goals stems precisely from the shifting forces that directly influence corrections. For example, political ideology often colors the analysis and development of

Andy Cross/Getty Images

▲ *Corrections operates under a system of values, and these values can vary from one corrections system to another. How is policy affected by having different values guide different corrections systems?*

correctional policy. Liberals believe that corrections should follow one path; conservatives prefer another. Goals set by conflicting interests do not usually mesh.

In response to conflicting political forces, correctional leaders offer conflicting (or at least divergent) justifications for a given policy in order to maintain an appearance of consensus. For instance, a program of private-industry employment for people in prison can be extolled to liberals as rehabilitative training, to free-enterprise advocates as expansion of the private sector, and to conservatives as a get-tough policy designed to make people put in prison pay the costs of their incarceration. Although this tactic helps preserve support for the prison's industrial operations, it also creates managerial problems for correctional leaders because when the program is implemented, the goals of treatment, profit, and punishment may well conflict.

Further, correctional leaders who state precise objectives risk alienating various important groups or constituencies. Thus, they tend to frame goals as vague generalities, such as "to protect" or "to rehabilitate." The effects of this vagueness extend well beyond public relations; often it is difficult for correctional staff members to make goal-oriented choices because they are unsure of what the leaders want. This conflicted situation has led some observers to argue that corrections does not work to achieve an overriding goal but rather seeks to balance stated and unstated goals so that no single goal is sacrificed.

Funding At all political levels, corrections is only one of many services operated by government and paid for by tax revenues. Thus, corrections must vie for funding not only with other criminal justice agencies but also with agencies supporting education, transportation, social welfare, and so on (see "For Critical Thinking"). Per capita spending on all criminal justice activities ranges from less than $100 in West Virginia to more than $400 in Alaska and New York.

Understandably, corrections does not always receive the funding it needs; people may want garbage collected regularly more than they want quality correctional work performed. Recall, too, that corrections is largely invisible until a problem occurs, such as when a person on parole commits a heinous crime or a prison riot breaks out. An

even greater difficulty stems from the perceived undesirability of those corrected; it is not easy to win larger budgets to help people who have broken the law.

Conflict among the branches and levels of government also creates problems for corrections. Local governments are often responsible for correctional programs for people convicted of minor crimes; state governments handle those who will be longer term because of their more-serious crimes. Often the two levels vie for operating funds, and each seeks to avoid responsibility for people supervised by the other. Given this fragmentation, correctional services and programs may overlap.

Officials of the executive branch often complain that legislatures enact correctional codes and prescribe operational responsibilities without providing sufficient funds to carry them out. Both branches complain that court rulings set unfair constraints on their ability to handle assigned caseloads. In developing and implementing policies, correctional agents must consider not only the sociopolitical environment but also the government setting in which corrections functions.

One result of funding squabbles is dispute over organizational "turf." Most probation offices are attached to the judiciary and funded by county governments. Do they then fall within the domain of corrections, or do they belong to the judiciary? Should the sheriff be in charge of transporting people from jail to prison, or should the prison administrators be responsible? To what extent should social service agencies become involved with the needs of correctional clients in a halfway house? Should parole officers or the police be responsible for tracking people down who have violated the conditions of their release?

Struggles for resources also occur between corrections and related social service agencies. A department of corrections may vie with a department of mental health for funds to set up a drug rehabilitation program; both departments may view the new resources as a way to expand. Often, correctional departments take such empire-building actions to keep themselves strong and viable.

FOR CRITICAL THINKING

For many people, the huge cost of corrections, especially prison, is the main reason that it seems like the time has come to reduce the corrections system. But is money alone a sufficient justification for this view? After all, the corrections system is an important public investment through which we achieve justice and promote public safety.

1. Is it fair to let financial pressures determine how much we are willing to spend to promote justice and public safety?
2. Do we need to consider other issues to determine whether the U.S. corrections system is too large?
3. What might some of those reasons be? Are they more important than money?

Bureaucracy Michael Lipsky has provided perhaps the most vivid portrait of the problems facing correctional workers. He coined the term **street-level bureaucrats** to refer to the following:

> Public service workers who interact directly with citizens in the course of their jobs, [including] teachers, police officers and other law enforcement personnel, social workers, judges, public lawyers and other court officers, health workers and many other public employees who grant access to government programs and provide services within them.[24]

street-level bureaucrats
Public service workers who interact directly with citizens in the course of their work, granting access to government programs and providing services within them.

Lipsky's provocative generalizations about street-level bureaucrats apply to virtually all individuals who have face-to-face contact with people under the authority of the corrections system. They work with inadequate resources and face ever-increasing demands. Frequently, they find themselves theoretically obligated to provide higher-quality treatment for their clients than they can afford. Thus, street-level bureaucrats soon learn that "with any single client they probably could interact flexibly and responsibly. But if they did this with too many clients, their capacity to respond flexibly would disappear."[25] For example, probation officers may feel obliged to find jobs for their clients. If they took time to do so, however, they could not provide other services. An officer may genuinely desire to work hard for those who show promise, but not for others. Officers facing such conflicts may become alienated from their clients because

they cannot satisfy their clients' needs: Maintaining a working relationship proves too frustrating.

Limited resources force administrators of service bureaucracies to carefully monitor the way workers apply their time and energies. Bureaucracies that process people develop categories for their clients, seeking to use personnel or agency resources in the best way and to succeed with some clients, even though they cannot succeed with all.

Lipsky concludes that delivering street-level policy through bureaucracy presents an inherent contradiction. One person delivering service to another suggests human interaction, caring, and responsibility. But delivering service through a bureaucracy suggests detached, inflexible treatment based on limited resources. Conflicting, ambiguous goals, combined with difficulties in measuring work performance, may reduce effectiveness and commitment to the work. Thus, the bureaucratic model guarantees that services are delivered only up to a point and that goals are never fully achieved.

Is Lipsky's conclusion too pessimistic, or just realistic? Certainly, correctional workers and their clients face formidable obstacles. Workers must make daily decisions under conditions of technical uncertainty and sporadic negative feedback; clients must comply both with legal mandates and with less explicit parameters established by the needs of the correctional organization. Yet bureaucratic worker–client relationships offer benefits as well. As their time and tasks grow more structured, workers have less discretion and thus less capacity to abuse their positions. Further, limited organizational resources force agencies to clarify their goals and to direct services toward those people who most need staff time. Given the extensive power of correctional agencies, conditions in bureaucracies may restrain abuse of state power.

Interagency Coordination Managing correctional agencies is further complicated by the fact that most corrections systems comprise several loosely related organizations that are themselves bureaucracies. Thus, decision making is dispersed—no one person can implement the full range of correctional practices. For example, the sheriff who runs the jail and the probation officer who runs the pretrial release program are both affected by jail crowding and delays in sentencing hearings. Even so, they may resist working together because each is busily protecting an area of managerial control. Furthermore, line workers in corrections, those in direct contact with the system's clients, seldom influence organizational policies, even though they must implement those policies daily. Corrections itself cannot determine the type and number of its clients. Others in the criminal justice system, primarily judges, do that, and correctional officials cannot halt or regulate the flow. Thus, the efforts of correctional workers are sometimes sporadic, uncoordinated, or inconsistent merely because various bureaucracies are loosely interconnected. Within the corrections system a great deal of policy is formally interconnected. In some states as many as half or more of all people who go to prison do so because they have violated a requirement of probation or parole; in other states these rule violators are less frequently sent to prison. In other words, the enforcement policies of the supervising agencies help determine prison intake. In most systems, however, prison authorities have little control over policies for enforcing probation rules. Similarly, a probation officer's caseload is determined by the number of people on probation and the length of their probation terms. Even though officers have a finite amount of time for supervision, they generally have little or no control over their caseloads. As people flow through the system after being convicted of a crime—from probation to revocation to prison to work release to parole—one agency determines the workload of the next.

These informal interconnections create an uneasy tension. Agency directors understandably may take steps to protect their piece of the system from encroachment by the rest of it. Each correctional unit commonly insulates itself from the pressures faced by the other units because the others often produce unwanted caseload increases;

for example, crowded jail conditions may encourage judges to put more people on probation.

This isolation makes it more likely that the other units will run into problems resulting from a lack of cooperation and that these problems will haunt all the units when the corrections system as a whole is criticized.

Working with People

"People work" is central to corrections because the raw material of the system consists of people—those who work in the system and those who are under the system's authority. In doing their work, correctional staff must deal with uncertain technologies, engage in exchange relationships with their clients, and follow uncertain correctional strategies.

Professional Versus Nonprofessional Staff The term *staff* in the corrections system refers to probation officers, correctional officers, counselors, and others responsible for the daily management and supervision of people under correctional control. Correctional staff includes both professional and nonprofessional employees. For example, psychologists, counselors, and administrators usually hold at least one college degree. They view themselves as members of various professions, with all the rights that adhere to such callings. They believe they should be able to work without supervision and to make decisions without always consulting rulebooks or guidelines. These professional employees work closely with nonprofessional staff, such as jail or prison correctional officers. The nonprofessional staff members frequently have only a high school education, and they function under close, often paramilitary (military-style) supervision and enforce rules with physical means when necessary. The different perspectives of these two groups and the ways they communicate with each other have caused problems—for example, conflicts over the best ways to deal with people who have broken the law and distrust of each other's motives and expertise—in some types of correctional organizations.

Uncertain Technologies The term **technology** refers to methods of applying scientific knowledge to practical purposes in a particular field. Correctional technologies are not as sophisticated as those of, say, engineering, but their subjects—human beings—are far more complex. Methods of dealing effectively with people who are being "corrected" are highly uncertain. Although knowledge of human behavior has developed significantly during the past century, the validity of the various approaches of treatment—such as group therapy, behavior modification, and anger management—remains in doubt. ("Thinking Outside the Box: Doing What Works" shows one way to deal with uncertain technologies.)

technology A method of applying scientific knowledge to practical purposes in a particular field.

Thus, corrections is expected to implement programs of questionable impact. Correctional organizations face serious problems related to human behavior: Not all those who are released from prison adjust successfully to free society; not all mental health referrals result in emotional adjustment; not all people on probation prove trustworthy. Correctional decisions are prone to error. In fact, correctional organizations may approach the technical problem of human ignorance about humans by seeking to reduce types of error rather than to eliminate error altogether. Further, any organization develops routines just to keep it operating. Like most people, workers in correctional organizations want regular and predictable responsibilities. They do not want to venture into uncharted seas where they may make an uninformed decision and then be penalized for it. Uncertainty declines when people reduce operations to routines—patterns that repeat and thus become familiar. Recognizing these routines is essential for understanding corrections.

THINKING OUTSIDE THE BOX

DOING WHAT WORKS

For much of its history, the field of corrections has based its practices on what might be called ideas of justice—carefully considered hypotheses about what a good corrections system ought to be like. Quite often, these ideas were promoted because their advocates claimed they would be more effective—that they would produce better citizens or deter more crime. But these ideas were seldom put to an empirical test. Generally speaking, whenever traditional correctional strategies have been evaluated, they have been found wanting, even counterproductive. Some of our most cherished ideas simply do not work in practice.

Today, there is an ever-growing evidence base of programs and strategies that have proven effective upon careful evaluation. Descriptions of these approaches are sprinkled throughout this book. Although there is still a great deal to be learned about correctional effectiveness, the truth is we already know a lot about what we should be doing. That does not mean these empirical lessons are always reflected in policy—policy makers seem often to base their choices on ideas of justice rather than evidence. This would never happen in other fields. For example, could you imagine a doctor basing his or her methods on what should work in an ideal world, rather than what does work in practice?

What if correctional policy and practice had to be based on evidence of "what works"? What would happen if correctional leaders had to justify their practices by pointing to specific evidence that strategies either *have* worked in the past or *should* work based on what we know from studies?

Source: National Institute of Justice, *Crime Solutions.gov: Reliable Solutions Real Results*, www.crimesolutions.gov, 2017.

Exchange A key facet of corrections is the degree of interdependence between staff and the people they deal with. The unarmed, outnumbered correctional officer assigned to a prison or jail has surprisingly little raw power with which to exact cooperative behavior. Similarly, a probation officer can do little with a client who resists the officer's influence. Meanwhile, the person in the prison cell depends on the work of the correctional officer, and the person on parole often feels powerless under supervision. Thus, staff and the people they are responsible for are interdependent: To achieve personal goals, each depends on the other. The officer needs cooperation to convince superiors that the officer is performing properly; the person who is in prison needs the officer's recommendation for favorable termination of parole.

exchange A mutual transfer of resources based on decisions regarding the costs and benefits of alternative actions.

The interdependence of people in corrections makes the concept of exchange important to understanding their daily world. **Exchange** occurs when two parties trade promises or concessions that make each person's work easier or more predictable. For example, a person on probation cooperates by reporting regularly and attending an alcohol treatment program; in return, the officer is more likely to overlook incidental, minor violations of probation. Each party's situation is made easier by the voluntary decisions of the other.

Because exchange relations are quite important, they are often subject to informal enforcement. For instance, a someone who is rowdy is removed from his cell and placed in solitary until he "settles down" and recognizes officials' authority. A juvenile on probation is arrested and "detained" (locked up) for the weekend while awaiting a hearing on her truancy from school, even though officials have no intention of revoking her probationary status. Conversely, a guard who is hostile or condescending finds it takes much longer to return people to their cells for the morning count or to quiet down those who are noisy. Subtle and not-so-subtle pressures unceasingly reinforce the need for keepers and the kept to stay aware of each other's needs.

In sum, correctional transactions almost uniformly involve some aspect of worker–client contact and interaction. Because staff members and those they deal with depend on each other to achieve their goals, each person can influence evaluations made by the other. This process must be managed through screening and processing routines, staff training and evaluation programs, and so forth. (See "What Does the Great Experiment in Social Control Cost?")

FOCUS ON

CORRECTIONAL POLICY: What Does the Great Experiment in Social Control Cost?

It has been estimated that the annual budgets of the state and federal correctional agencies total $80.7 billion. For elected officials, the cost of the corrections system is an economic hindrance to the ability to fund other public priorities. For example, in 2014, 11 states spent more on their corrections systems than they did on higher education. Trying to drive down correctional costs is a major motivating factor for many of today's chief executives and legislators.

As big as that $80.7 billion figure is, recent analysts have argued that the heavy U.S. reliance on incarceration to deal with crime carries a host of "hidden" costs—that is, expenditures that show up in other public and private budgets, but not in the corrections budget. They say that a proper accounting of the total costs would include law enforcement and judicial systems, which spent another $92.2 billion annually. But even if the costs of the police and the courts are taken out of the picture, individuals and their families who end up in the corrections system incur significant personal costs: $4.5 billion in civil asset forfeiture, $1.4 billion in court fees, and $2.9 billion in family cash support for people when they are in jail.

While it is often harder to put a dollar figure on the human costs of the U.S. prison system, new research has tried to identify some of the ways that it costs society to have so many people behind bars. These problems include damage to children, families, and communities when individual and collective economic capacity is obstructed.

All of these effects are costly for society, even if a state's budget does not reflect them. Overall, many leading thinkers have begun to agree that there will be significant economic advantages if the U.S. prison system needs to be scaled back.

Sources: Vera Institute of Justice, *The Price of Prisons: What Incarceration Costs Taxpayers* (New York: Author, 2012); Peter Wagner and Bernadette Rabuy, *Following the Money of Mass Incarceration* (Washington, DC: Prison Policy Initiative, 2017); The White House, *Economic Perspectives on Incarceration and the Criminal Justice System* (Washington, DC: Author, 2016).

Uncertainty About Correctional Strategies Throughout the chapters to come we explore an important theme: that correctional workers and managers cannot predict with certainty what effect their choices will have on the system. How does the correctional official organize staff, choose programs, and manage people in them when the consequences of such actions are so ambiguous? Given this uncertainty, organizational theorists say that the correctional environment is unstable and that, as a result, one of management's main concerns is avoiding negative feedback from the community—the courts, political leaders, the public, and so forth.

Because the effectiveness of correctional strategies is so uncertain, organizations often place greater emphasis on secondary technologies in which they have more confidence—the design of a prison's security apparatus, a computer-based tracking system for probation, and so on. But the core work of corrections concerns the interactions of people—staff and people on probation—which will always remain hard to predict and control, no matter what the technology.

There are two points of interest here. First, people in the corrections system are obviously handled in a variety of ways. Who determines what happens to them, and how they make this determination, is a key issue in this book. Second, and even more central, corrections gets its "business" not only from the courts but also from itself. Policies and practices determine how strictly the rules will be enforced, how dire the consequences will be when they are broken, and how much latitude that staff will have in assigning people to programs. See "Do the Right Thing" for more.

Upholding Social Values

LO 5

Discuss what we can learn from the "great experiment in social control."

All these problems combine to make the field of corrections controversial, and therefore engrossing for those who study it. Yet as compelling as these problems may be, they are only a sidelight to the central appeal of the field of corrections. The questions that corrections raises concerning social control are fundamental to defining society