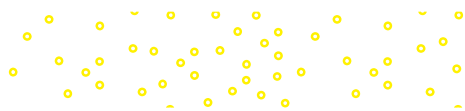


Corrections in the 21st Century







Corrections in the 21st Century

ninth edition

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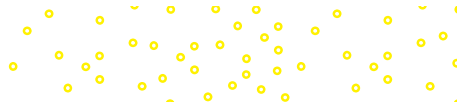
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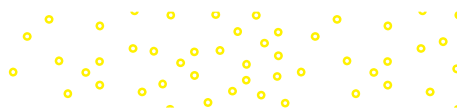


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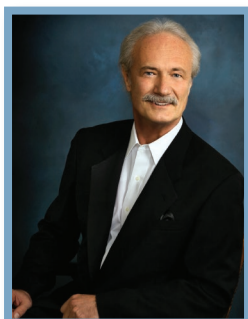


For my granddaughters, Ava and Malia
—*Frank Schmallegger*

For my granddaughter, Harper Grace, and
my grandson, Holden Fate
—*John Smykla*



About the Authors



Frank Schmalleger

Frank Schmalleger, PhD, is Distinguished Professor Emeritus at the University of North Carolina at Pembroke.

Dr. Schmalleger holds a bachelor's degree from the University of Notre Dame and both a master's and a doctorate in sociology from The Ohio State University with a special emphasis in criminology. From 1976 to 1994, he taught criminal justice courses at the University of North Carolina at Pembroke, serving for many years as a tenured full professor. For the last 16 of those years, he chaired the Department of Sociology, Social Work, and Criminal Justice. As an adjunct professor with Webster University in St. Louis, Missouri, Dr. Schmalleger helped develop a graduate program in security management and loss prevention that is currently offered on U.S. military bases around the world. He taught courses in that curriculum for more than a decade, focusing primarily on computer and information security. Dr. Schmalleger also has taught in the New School for Social Research online graduate program, helping build the world's first electronic classrooms for criminal justice distance learning.

Dr. Schmalleger is the author of numerous articles and many books, including *Criminal Justice Today* (Prentice Hall, 2021), *Criminal Justice: A Brief Introduction* (Prentice Hall, 2020), *Criminology Today* (Prentice Hall, 2021), and *Criminal Law Today* (Prentice Hall, 2016). He is founding editor of the journal *Criminal Justice Studies* (formerly *The Justice Professional*) and has served as imprint advisor for Greenwood Publishing Group's criminal justice reference series.

Dr. Schmalleger is also the creator of a number of award-winning websites (including the former cybrary.info and crimenews.info). He is a member of the Academy of Criminal Justice Sciences, the American Society of Criminology, and the Society of Police Futurists International (where he is a founding member). Schmalleger's author page on Amazon.com can be viewed at amazon.com/author/frankschmalleger. Follow him on Twitter @schmalleger.



John Ortiz Smykla

John Ortiz Smykla, PhD, is Retired director and professor of the School of Criminology and Criminal Justice at Florida Atlantic University. He also held appointments at the University of Alabama, where he served as professor and chair of the Department of Criminal Justice;

the University of South Alabama, where he served as professor and chair of the Department of Political Science and Criminal Justice; and the University of West Florida, where he served as professor and chair of the Department of Criminal Justice and Legal Studies and was named Distinguished University Professor. He earned the interdisciplinary social science PhD in criminal justice, sociology, and anthropology from Michigan State University. He holds bachelor's and master's degrees in sociology from California State University at Northridge.

Dr. Smykla has authored or edited five corrections books, including *Probation, Parole, and Community Based Corrections* (2013) and *Offender Reentry: Rethinking Criminology and Criminal Justice* (2014). His coauthored data set *Executions in the United States, 1608–2003: The Espy File*, funded by a grant from the National Science Foundation, is one of the most frequently requested criminal justice data files from the University of Michigan's Inter-University Consortium for Political and Social Research.

Dr. Smykla has published more than 75 research articles on corrections and policing issues. He recently completed a multiyear analysis of federal reentry court and the impact of police body cameras.

In 1986, Dr. Smykla was a Senior Fulbright Scholar in Argentina and Uruguay. He is a member of the Academy of Criminal Justice Sciences and the Southern Criminal Justice Association. In 1996, the Southern Criminal Justice Association named him Educator of the Year. In 1997, he served as program chair for the annual meeting of the Academy of Criminal Justice Sciences. In 2000, he served as president of the Southern Criminal Justice Association. In 2017, Dr. Smykla and his colleagues received Springer's Outstanding *American Journal of Criminal Justice* Article Award for their research on police body cameras, and in the same year, another of their articles on police body cameras was named Most Read in *Criminal Justice and Behavior*. He was inducted into the Michigan State University School of Criminal Justice Wall of Fame in 2019.

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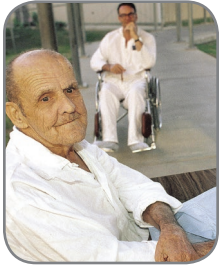
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PREFACE

Corrections, when seen as the control and punishment of convicted offenders, has been an important part of organized society from the earliest days of civilization. It has not always had a proud past, however. In pre-modern times, atrocious physical punishment, exile, and unspeakable torture were the tools used all too often by those called upon to enforce society's correctional philosophies—especially the strongly felt need for vengeance.

Important changes in correctional practice began around the time of the American Revolution when the purposes of criminal punishments were closely examined by influential reformers. More recently, corrections has become an important field of study in which scientific techniques are valued and reasoned debate is encouraged.

The best, however, is yet to come. Only within the past 30 years have conscientious corrections practitioners begun to embrace the notion of professionalism—wherein ethics, a sense of high purpose, a personal long-term career commitment, a respect for the fundamental humanity of those supervised, and widely agreed-upon principles and standards guide the daily work of correctional personnel. Corrections professionalism, although not yet as well-known as police professionalism, has garnered support from policymakers and is winning respect among the public. It serves as this textbook's organizing principle.

Corrections in the 21st Century:

- provides an in-depth look at the past, present, and future of corrections;
- identifies the many *subcomponents* of modern-day corrections;
- highlights the *process* of modern-day corrections;
- focuses on the *issues* facing the correctional enterprise today;
- provides an appreciation for contemporary real-world correctional *practice*;
- examines the opportunities represented by new and developing corrections *technologies*; and
- points students in the direction of the still emerging ideal of corrections *professionalism*.

It is our belief that a new age of corrections is upon us. It is an age in which the lofty goals of corrections professionalism will take their place alongside the more traditional components of a still developing field. It is our hope that this textbook will play at least some small

part in helping bring about a new and better correctional enterprise—one that is reasonable and equitable to all involved in the justice process.

THE NINTH EDITION

The following changes have been made in the Ninth Edition of *Corrections in the 21st Century* to better focus reader attention on the key learning materials in each chapter:

- Web-based instructional videos featuring the authors, and emphasizing key learning points are now available.
- Enhancement of the photo program to better grab student interest and draw readers into the text.
- Integration of additional evidence-based information throughout the book and frequent citation of the literature relating to such practices.
- A number of new stories, many focusing on what's happening internationally in corrections, now open the chapters.
- Incorporation of reviews of the most recent data and literature throughout.
- Updates to statistics and data throughout the book.

Significant chapter-specific content changes include the following:

Chapter 1

- New chapter-opening story.
- A press release from the Bureau of Justice Statistics has been added to the chapter that discusses results from the most recent National Crime Victimization Survey.
- Updated information on salaries for correctional officers.
- Discussion of how the FBI's Uniform Crime Reporting Program is transitioning to the National Incident-Based Reporting System (NIBRS).
- A new scan code has been added to the chapter that leads to a recording of a recent prison telephone conversation between convicted murderer Jodi Arias and rapper Kareem Williams.
- The role of risk assessment in correctional management is now stressed.

Chapter 2

- The results of a 2018 comprehensive study of California's Proposition 47 as it impacts crime in that state is now included.
- A new QR scan code has been added to the chapter that allows readers to view a video describing opportunities for women who want to work in corrections.
- The QR code that allows readers to view a document on evidence-based correctional practices has been updated.

Chapter 3

- The chapter objectives have been clarified.
- The chapter line art is updated.
- Data throughout the chapter have been updated, as has the discussion of capital punishment.
- Discussions of the U.S. Supreme Court cases of *Deck v. Missouri* and *Hurst v. Florida* have been added.
- A new study on wrongful convictions is explored.
- A brief history of the Innocence Project is now provided.
- A discussion of the Second Chance Act has been added to the chapter.
- Mention of the First Step Act has been added.
- The chapter now describes six types of reform implemented by the states and the federal government in an effort to reduce prison populations.
- Photos have been updated.
- Updated end-of-chapter exercises.

Chapter 4

- A new web-based video featuring the authors has been added to the chapter. It is entitled *Probation*.
- Revised chapter title and new chapter-opening story on Chicago probation officers wearing body cameras have been added.
- Latest data on the characteristics of adults on probation.
- A new discussion is included on probation reform bills and how success is measured.
- The Bureau of Justice Statistics press release on probation is included.
- New QR codes that direct students to videos and podcasts to extend the ideas discussed in the chapter.

Chapter 5

- The chapter has been retitled as *Intermediate Sanctions and Community Corrections* to better

understand the role of intermediate sanctions in the corrections continuum.

- New chapter-opening story about an 11-year-old girl who threatened to shoot up a school and received house arrest.
- Evidence-based findings on intermediate sanctions updated and new exhibit on notable fines and penalties charged to corporations.
- The discussion on the number of drug courts and the defendants they serve has been updated.
- New web-based videos featuring the authors have been added to the chapter. They are entitled *Intermediate Sanctions* and *Day Fines*.
- New QR codes direct students to videos and podcasts to extend the ideas discussed in the chapter.
- The chapter has a new section on drug courts and the opioid crisis.
- A new Centers for Disease Control and Prevention press release on opioid-related deaths has been added.
- Coverage has been expanded on the new types of drug courts: veterans treatment court, DWI court, family drug court, reentry court, juvenile drug court, reentry drug court, tribal healing to wellness court, and the Back to TRAC clinical justice model.
- Coverage of the Trump administration move to cut the federal Bureau of Prisons Residential Reentry Centers.
- New coverage on the failure of boot camps to reduce reoffending.
- New coverage on how the fiscal crisis is influencing governors' and legislators' interest in intermediate sanctions.

Chapter 6

- New web-based videos featuring the authors have been added to the chapter. They are entitled *Jails* and *Jail Privatization*.
- New chapter-opening story on mass incarceration.
- The chapter has been significantly restructured.
- New coverage on the problems of the nation's money bail system and what the American people want in its place.
- New exhibit has been added on the myths and facts of using risk and needs assessments to reduce disparities in the justice system.
- Latest data on the characteristics of jail inmates and facilities.
- The Bureau of Justice Statistics press release on jail inmates is new.

- New coverage on deflection as a strategy to remove the mentally ill from jail.
- Revised discussion of the most recent data on the increase in the jail suicide rate.
- New coverage on the role of private foundations to reduce jail populations.
- New QR codes that direct students to videos and podcasts to extend the ideas discussed in the chapter.

Chapter 7

- New web-based videos featuring the authors have been added to the chapter. They are entitled *Prison Industries* and *Prison Overcrowding*.
- New chapter reorganization.
- New chapter-opening story on the prison sentence of Lawrence Gerard Nassar.
- Inclusion of Criminal Justice Reform as a new stage in the evolution of U.S. prison history.
- New focus on mass incarceration.
- New Bureau of Justice Statistics press release on prisoners.
- Latest data on characteristics of adults under jurisdiction of state and federal prisons.
- New QR codes that direct students to videos and podcasts to extend the ideas discussed in the chapter.
- Updated discussion of states' use of Justice Reinvestment.
- Expanded coverage on evidence-based programming in prison education and employment.
- Expanded coverage of the move to limit the use of solitary confinement.

Chapter 8

- New web-based videos featuring the authors have been added to the chapter. They are entitled *Parole and Reentry* and *Parole: The Good and the Bad*.
- New chapter-opening story on Patricia Cushwa, acting chairwoman of the U.S. Parole Commission.
- New coverage on the First Step Act and reauthorization of the Second Chance Act.
- Updated Legal Action Center states' scorecard on the legal obstacles that the formerly incarcerated face.
- Expanded coverage on "ban the box" in college and university admission.
- New research on what judges, parole officers, and inmates believe what it takes to stay out of trouble.

- Streamlining of the presentation and discussion of granting parole, the parole hearing, conditions of parole, and types of parole.
- New QR codes that direct students to videos and podcasts to extend the ideas discussed in the chapter.
- New coverage on What Works in Reentry Clearinghouse.
- Latest data on characteristics of adults on parole are included.
- Updated discussion on felon disenfranchisement, reentry courts, and prisoner reentry and community policing.

Chapter 9

- Statistics on the pay of correctional officers have been updated.
- The discussion of the terrorist threat inside of America's prisons has been expanded.

Chapter 10

- A Federal Bureau of Prisons press release dealing with the BOP's i-Connect educational program has been added.
- Updated data reported under the federal Survey of Sexual Victimization in correctional facilities.
- The list of prison argot has been expanded.
- Updated data on imprisoned women and the growth of women's imprisonment.
- Added discussion of the federal First Step Act that eliminated the practice of shackling women prisoners while they are giving birth.

Chapter 11

- Discussion of a new case in which the U.S. Supreme Court denied an Islamic inmate's request to have an Iman by his side during his execution is now included.
- The discussion of law libraries has been updated and amended.

Chapter 12

- Latest data on the prevalence of HIV in prison.
- Updated data on HIV testing policies in state and federal prisons.
- New questions concerning the fate of the Affordable Care Act's ability to use Medicare for the cost of prison medical care.
- Updated and expanded data from the U.S. Department of Justice Bureau of Justice Statistics.

- New coverage of the Unger case and implications for the release of elderly prisoners.
- Discussion of the First Step Act's provision on compassionate release for federal prisoners.
- New QR codes that direct students to videos and podcasts to extend the ideas discussed in the chapter.

ORGANIZATION

The Ninth Edition of *Corrections in the 21st Century* has been shortened to better reflect aspects of the correctional process. Chapters are grouped into four parts, each of which is described in detail in the following paragraphs.

Part One, "Introduction to Corrections," provides an understanding of corrections by explaining the problem of mass incarceration and the goals underlying the correctional enterprise and by describing the how and why of criminal punishments. Part One identifies professionalism as the key to managing correctional personnel, facilities, and populations successfully. Standard-setting organizations such as the American Correctional Association, the American Jail Association, the American Probation and Parole Association, and the National Commission on Correctional Health Care are identified, and the importance of professional ethics for correctional occupations and correctional administrators is emphasized.

Part Two, "Community Corrections," explains what happens to most convicted offenders, probation, and intermediate sanctions.

Part Three, "Institutional Corrections," provides a detailed description of jails, prisons, and parole. The reentry challenges facing inmates released from jail and prison are explained. Education, vocational preparation, and drug treatment programs that are intended to prevent reoffending also are explored.

Part Four, "The Prison World," provides an overview of life inside prison from the points of view of both inmates and staff. Part Four also describes the responsibilities and challenges surrounding the staff role. Chapter 12 focuses attention on special correctional populations, including inmates who are elderly, have HIV/AIDS, are substance abusers, and are mentally and physically challenged. We have chosen to integrate our coverage of women in corrections—including information about the important NIC report titled "Gender Responsive Strategies: Research, Practice, and Guiding Principles for Women Offenders"—throughout the body of the text rather than isolating it.

PEDAGOGICAL AIDS

Working together, the authors and editor have developed a learning system designed to help students excel in the corrections course. In addition to the many

changes already mentioned, we have included a wealth of new photographs to make the book even more inviting and relevant.

To this same end, our real-world chapter-opening vignettes give the material a fresh flavor intended to motivate students to read on; our photo captions, which raise thought-provoking questions, actively engage students in the learning process. Carefully updated tables and figures highlight and amplify the text coverage. And chapter outlines, objectives, and reviews, plus marginal definitions and an end-of-book glossary, all help students master the material.

The Schmallegger/Smykla learning system goes well beyond these essential tools, however. As mentioned, *Corrections in the 21st Century* offers a unique emphasis on corrections professionalism, an emphasis that has prompted us to create a number of innovative learning tools that focus on the real world of corrections:

- **A concentration on *Evidence-Based Corrections***—What actually works in correctional settings? that is, what correctional programs are effective in reducing recidivism and in preventing future crimes? Evidence-based corrections is an exciting new development in the corrections field, and a number of agencies, institutions, and organizations now emphasize the use of scientific evidence. Evidence-based policy, which builds on evidence-based corrections, is an approach that helps people make well-informed decisions about policies and programs by putting the best available evidence from research at the heart of policy development and implementation.
- ***Career Profiles***—enlightening minibiographies of corrections professionals, such as a parole officer, a victims' advocate, a corrections officer, a youth counselor, and a substance abuse manager.
- ***Press Releases***—boxes throughout the text containing press releases from the FBI, the Bureau of Prisons, the Bureau of Justice Statistics, and the Centers for Disease Control and Prevention complement chapter discussions.
- ***Ethics and Professionalism***—boxes that highlight ethical codes and critical concerns from America's premier corrections-related professional associations. Included are features from the American Correctional Association, the American Jail Association, the American Probation and Parole Association, International Association of Community Corrections, the International Association of Correctional Training Personnel, National Association of Pretrial Services Agencies, and others. Included in each Ethics and Professionalism

box are author-created Ethical Dilemmas, which present students with ethical questions from the corrections field and guide them to an insightful resolution. Ethical Dilemmas are supplemented with web-based resources maintained by the authors and specifically selected to help students navigate particular ethics-related issues.

- *CrimeSolutions.Gov*—boxes that use the National Institute of Justice’s research to rate the effectiveness of programs and practices in achieving criminal justice–related outcomes in order to inform practitioners and policymakers about what works, what doesn’t, and what’s promising in criminal justice.
- *Author-Created Videos*—videos that were shot specifically to accompany this book, indicated with video icons and summaries.

In addition to the features we have developed to further our goal of creating a uniquely practical, professionally oriented text, we also have included end-of-chapter review material to help students master the concepts and principles developed in the chapter:

- *Chapter Summary*—a valuable learning tool organized into sections that mirror the chapter-opening objectives exactly; the summary restates all of the chapter’s most critical points.
- *Key Terms*—a comprehensive list of the terms defined in the margins of the chapter, complete with page references to make it easy for students to go back and review further.
- *Questions for Review*—objective study questions (exactly mirroring the chapter-opening objectives and summary) that allow students to test their knowledge and prepare for exams.
- *Thinking Critically About Corrections*—broad-based questions that challenge students to think critically about chapter concepts and issues.
- *On-the-Job Decision Making*—unique experiential exercises that enable students to apply what they have learned in the chapter to the daily work of correctional personnel.
- *QR Codes*—unique machine-readable codes in every chapter directing students to videos and podcasts that extend the ideas discussed in the chapter, providing a truly interactive learning experience.



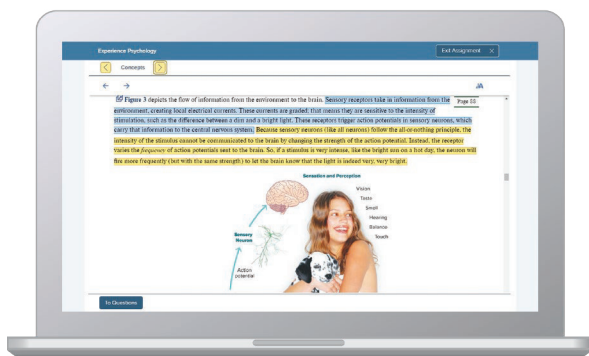
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The Ninth Edition of *Corrections in the 21st Century* is now available online with Connect, McGraw-Hill Education's integrated assignment and assessment platform. Connect also offers SmartBook 2.0 for the new edition, which is the first adaptive reading experience proven to improve grades and help students study more effectively. All of the title's website and ancillary content is also available through Connect, including:

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Frank Schmallegger

John Smykla

Introduction to Corrections

PART [1]

Part One develops an understanding of corrections by examining the purposes of corrections and by describing the forces molding contemporary corrections.

Today, crime rates are falling but the number of people under correctional supervision (on probation or parole or in jail or prison) has only started to decline from historical highs. Get-tough-on-crime attitudes, the War on Drugs, and the reduction in the use of discretionary parole explain what some have seen as the overuse of imprisonment in the past few decades. The current period of mass incarceration is the result.

Professionalism is the key to effectively managing correctional populations—and that is especially true today in today's mass incarceration era. Standard-setting

organizations such as the American Correctional Association, the American Jail Association, the American Probation and Parole Association, and the National Commission on Correctional Health Care offer detailed sets of written principles for correctional occupations and correctional administrators.

Nevertheless, professional credentialing in corrections is relatively new.

The professional nature of corrections is also seen in the way sanctions are developed. From a time when theory and practice advocated indeterminate sentences to the legislatively mandated determinate sentences of today, correctional decision makers have had to use their knowledge of human behavior, philosophy, and law to

construct sanctions that are fair and just. The correctional goals of retribution, just deserts, deterrence, incapacitation, rehabilitation, and restoration have produced the sanctions of probation, intermediate sanctions, jail, prison, parole, and capital punishment.

Part One also discusses evidence-based corrections (EBC) or the use of social scientific techniques to determine the most workable and cost-effective programs and initiatives. Choosing the best programs means understanding the political, social, economic, human, and moral consequences of crime control. For that reason, corrections is a field in which complex decision making requires the skills of trained professional staff and administrators.



Jim West/Alamy Stock Photo



Justice Research Association

CORRECTIONS

An Overview

CHAPTER OBJECTIVES

After completing this chapter you should be able to do the following:

- 1** Describe the corrections explosion of the past 40 years, including the recent leveling off of correctional populations.
- 2** Describe how crime is measured in the United States, and list the kinds of crimes that cause people to enter correctional programs and institutions.
- 3** List and describe the various components of the criminal justice system, including the major components of the corrections subsystem.



The growth in incarceration rates in the United States over the past 40 years is historically unprecedented and internationally unique.

—National Research Council, 2014



A few years ago, in what was a historic first, a drone dropped a package of heroin, marijuana, and tobacco into the

prison yard at Ohio's Mansfield Correctional Institution, leading to a fight among as many as 75 inmates who struggled over the drugs. The drone, which was captured on security cameras, flew off and disappeared—leaving investigators few clues about where it originated.¹

Drone-delivered contraband is just one of the many issues facing correctional administrators today. In a typical year, for example, inmates across the country file around 175,000 fraudulent income tax returns, claiming refunds totaling more than \$2.5 billion.²

Similarly, prisoners' use of outlawed cell phones to make calls from inside correctional institutions has grown exponentially as the number of phones in general circulation has expanded. Recently, for example, California correctional officers seized nearly 6,000 banned cell phones from the state's prisoners, while officials with Maryland's Department of Public Safety and Correctional Services confiscated over 3,600 cell phones in the past three years.³

Drug-dropping drones, illicit cell phone usage, fraudulent tax return filing, and similar other outlawed⁴ activities that occur behind prison bars illustrate the close connection that inmates retain to the outside society, and raise the question, "Do prisons really make us safe?"⁵ What about other corrections programs, such as probation, parole, jails, alternative sentencing programs, and institutions for juvenile offenders? If they make our society a safer place in which to live, then the recent and rapid growth in correctional populations that took place over the past 40 years—and that is discussed in the next section of this chapter—may be understandable. If they don't contribute much to safety and security, however, then we must look elsewhere to understand why such rapid growth occurred.

The Guardian, "Drone's Heroin Delivery to Ohio Prison Yard Prompts Fights Among Inmates," <http://www.theguardian.com/us-news/2015/aug/04/drone-drug-delivery-ohio-prison-fight-heroin-marijuana-tobacco>

Introduction to Corrections

What is corrections, and why should you learn about it?



A remote-controlled drone. How do drones illustrate some of the problems that prison administrators face today?

Doxieone Photography/Getty Images

The Corrections Explosion

What is the "corrections explosion"? What brought it about? How can we control it?



THE CORRECTIONS EXPLOSION: WHERE DO WE GO NOW?

One amazing fact stands out from all the contemporary information about corrections: While serious **crime** in the United States consistently declined throughout much of the 1990s, and while such declines continued into the first decades of the 21st century, the number of people under correctional supervision in this country—not just the number of convicted offenders sent to **prison**—continued to climb, and only started to level off after 2010. Crime rates are approximately 20 percent lower today than they were in 1980. In fact, they are near their lowest level in 25 years

CO1-1



Please read the National Research Council's report from the Committee on Causes and Consequences of High Rates of Incarceration, entitled *The Growth of Incarceration in the United States: Exploring Causes and Consequences*, at <http://www.nap.edu/read/18613/chapter/1#ii>, or scan this code with the QR app on your smartphone or digital device to view it.

crime

A violation of a criminal law.

prison

A state or federal confinement facility that has custodial authority over adults sentenced to confinement.

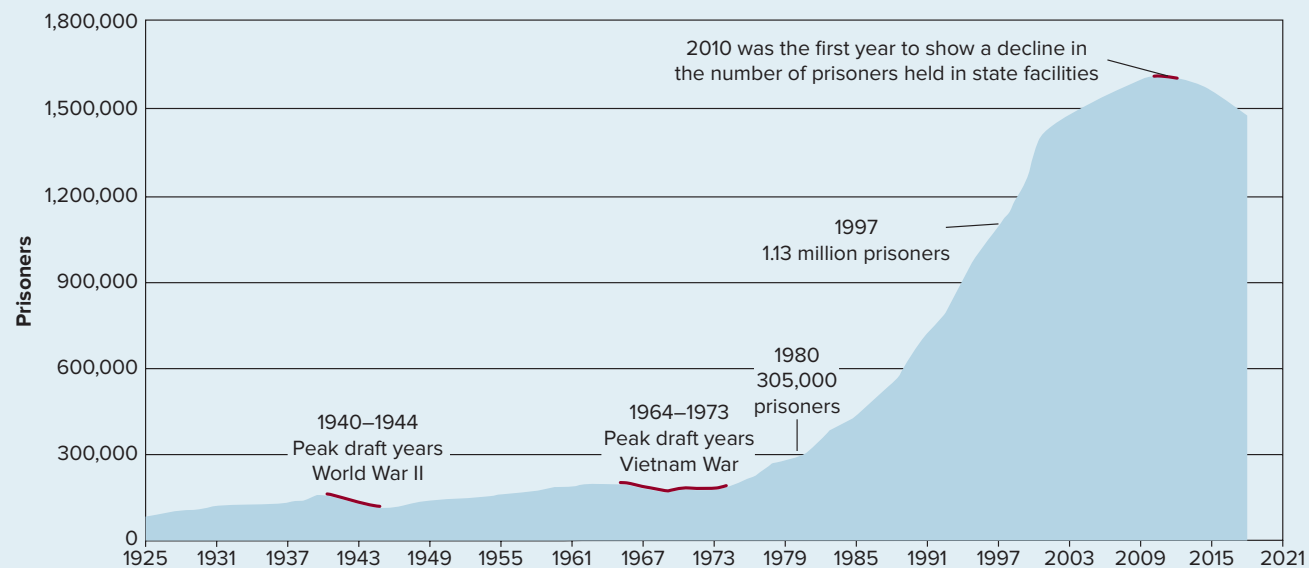
mass incarceration

The overuse of correctional facilities, particularly prisons, in the United States—as determined by historical and cross-cultural standards. We live in an era of mass incarceration.

(see the Bureau of Justice Statistics Press Release in this chapter). But the number of people on probation is up almost 300 percent since 1980, the nation's prison population has increased by more than 400 percent, and the number of persons on parole more than doubled. Between 1980 and 2014, the federal imprisonment rate increased 500 percent, reaching a peak. It went from 11 inmates for every 100,000 U.S. residents to 68. During the same period, annual spending on the federal prison system rose 600 percent, from \$970 million to more than \$6.7 billion in inflation-adjusted dollars. Prison expenditures grew from 14 percent of the Justice Department's total outlays to 23 percent.⁶ States, like the federal government, recorded sharp increases in incarceration and corrections costs over the past three decades. However, between 2007 and 2019, some states made research-driven policy changes to control prison growth, reduce recidivism, and contain costs. While the federal imprisonment rate continues to rise, the state rate has begun to decline. Still, numbers like these show that we continue to live in an era of **mass incarceration**, and the provision of correctional services of all kinds has become a major strain on governments at all levels. Exhibit 1–1 illustrates trends in national prison populations.

The question is, “Why?” Why did the correctional population increase so dramatically in the face of declining crime rates? And why is the United States now in the midst of an era of mass incarceration? The answer to these questions, like the answers to most societal enigmas, is far from simple, and it has a number of dimensions.

First, it is important to recognize that get-tough-on-crime laws, such as the three-strikes (and two-strikes) laws that were enacted in many states in the mid-1990s, fueled rapid increases in prison populations. The conservative attitudes that gave birth to those laws are still with us, and most of the increase in state prison populations has come from imprisoning more people for violent crimes for longer periods of time.⁷ At the federal level, the Violent Crime Control and Law Enforcement Act of 1994 encouraged

EXHIBIT 1–1 The Growth of Imprisonment in the United States

Source: Bureau of Justice Statistics, 2018.

EXHIBIT 1–2 Number of State Prisoners by Offense, 2017

Type of Offense	All	Male	Female
Violent offenses	710,900	675,200	35,400
Property offenses	226,100	201,300	24,900
Drug offenses	190,100	166,800	23,500
Public-order offenses	153,100	143,500	9,600

Source: Bureau of Justice Statistics.

Note: Detail may not sum to total due to rounding.

longer prison sentences for more crimes and led to the adoption of harsher sentencing regimes throughout the nation.⁸

A second reason correctional populations have rapidly increased can be found in the nation's War on Drugs. The War on Drugs led to the arrest and conviction of many offenders, resulting in larger correctional populations in nearly every jurisdiction (especially within the federal correctional system). A 2015 report by the congressional Colson Task Force on Federal Corrections, for example, found that "The biggest driver of growth" in the federal prison population was "federally sentenced drug offenders, almost all of whom were convicted of drug trafficking." Many drug offenders—especially traffickers—are sentenced to lengthy prison terms, further increasing the number of people behind bars, and many such offenders have multiple convictions, including use (or possession) of a firearm during a drug transaction.⁹ In Exhibit 1–2, compare the total number of individuals incarcerated for drug offenses with, for example, the total incarcerated for property offenses. Although they account for a large portion of the nation's correctional population, drug arrests do not figure into the FBI's calculations of the nation's rate of serious crimes. Hence, the War on Drugs goes a long way toward explaining the growth in correctional populations even while the rate of "serious crime" in the United States appeared to be declining.

Third, parole authorities, fearing civil liability and public outcry, became increasingly reluctant to release inmates. This contributed to a further expansion of prison populations.

Fourth, as some observers have noted, the corrections boom created its own growth dynamic.¹⁰ As ever increasing numbers of people are placed on probation, the likelihood of probation violations increases. Prison sentences for more violators result in larger prison populations. When inmates are released from prison, they swell the numbers of those on parole, leading to a larger number of parole violations, which in turn fuels further prison growth. Statistics show that the number of criminals being sent to prison for at least the second time has increased steadily, accounting for approximately 35 percent of the total number of admissions.¹¹

One recent analysis of the dramatic increase in imprisonment, found that it "was not driven by a centralized national-level strategy for dealing with crime and was not based on a coherent body of empirical knowledge demonstrating that prisons improved public safety."¹² Instead, said the report, "it was the product of layers of legislative decisions, primarily enacted at the state level, to charge and imprison more offenders, increase sentences, limit prison releases, and expand" prison capacity. These decisions led to a new era in which prisons became primary weapons in the nation's war on crime.



U.S. correctional populations have grown dramatically over the past 40 years, as this image of inmates living in a modified gymnasium at the Mule Creek State Prison in Ione, California, illustrates. What factors led to a substantial increase in the use of imprisonment in this country beginning in the 1980s?

©Justin Sullivan/Getty

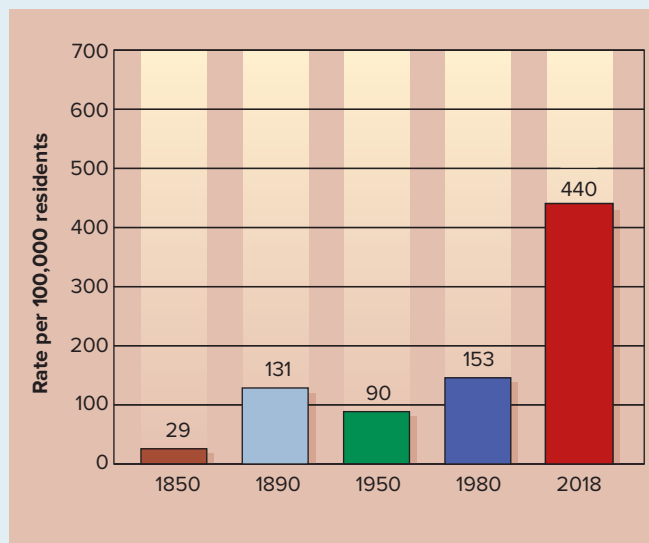
Historical Roots of the Corrections Explosion

Seen historically, the growth of correctional populations may be merely the continuation of a long-term trend. A look at historical data shows that correctional populations continued to increase through widely divergent political eras and economic conditions. Census reports show an almost relentless increase in the rate of imprisonment over the past 160 years. In 1850, for example, only 29 people were imprisoned in this country for every 100,000 persons in the population.¹³ By 1890, the rate had risen to 131 per 100,000. The rate grew slowly until 1980, when the rate of imprisonment in the United States stood at 153 per 100,000. At that point, a major shift toward imprisonment began. While crime rates rose sharply in the middle to late 1980s, the rate of imprisonment rose far more dramatically. Today, the rate of imprisonment in this country is around 440 per 100,000 persons—close to an all-time high.¹⁴ Exhibit 1–3 illustrates changes in the rate of imprisonment over the past 160 years. Probation statistics—first available in 1935—show an even more amazing rate of growth. Although only 59,530 offenders were placed on probation throughout the United States in 1935, around 3.7 million people are on probation today.¹⁵ Finally, it is worth noting that although prison populations finally started to decrease a few years ago, much of that decrease was due to initiatives such as California’s realignment strategy (discussed elsewhere in this text), which repositioned sentenced inmates from state facilities to those at the county level—thus lowering the “official” rate of imprisonment but not necessarily resulting in a decline in the number of people held behind bars.

Turning the Corner

While get-tough-on-crime attitudes continue to persist in American society today, they have largely been trumped by the economic realities brought on by the Great Recession of the early 21st century. State budgets were hard pressed to continue funding prison expansion, and the number of people behind bars began to show a slow decline beginning around 2010. Alternatives to imprisonment, most of which will be discussed in coming chapters, are many and include probation, fines, and community service—to

EXHIBIT 1–3 Rate of Imprisonment in the United States, 1850–2018



Source: Bureau of Justice Statistics.

PRESS RELEASE



September 10, 2019

BUREAU OF JUSTICE STATISTICS RELEASES 2018 NATIONAL CRIME VICTIMIZATION SURVEY RESULTS

Washington, DC The Bureau of Justice Statistics' National Crime Victimization Survey (NCVS) is one of two major sources of crime statistics in the United States. It collects information on nonfatal crimes by surveying a nationally representative sample of U.S. households.

After declining by more than 60 percent from 1994 to 2015 (the most recent year in which a 1-year decline was observed), the number of violent-crime victims rose from 2015 to 2018... BJS announced today in a report based on the NCVS.

Among U.S. residents age 12 or older, the number of violent-crime victims rose from 2.7 million in 2015 to 3.3 million in 2018, an increase of 604,000 victims. This overall rise was driven by increases in the number of victims of rape or sexual assault (from 204,000 in 2015 to 347,000 in 2018), aggravated assault (from 561,000 to 694,000) and simple assault (from 1.7 million to 2.1 million).

From 2015 to 2018, the portion of the U.S. population age 12 or older who were victims of violent crime increased from 0.98 to 1.18 percent (up 20 percent). Over that same span, the portion of white persons age 12 or older who were victims of violent crime increased from 0.96 to 1.19 percent (up 24 percent), while the portion of males who were violent-crime victims increased from 0.94 to 1.21 percent (up 29 percent). The portion of females who were violent-crime victims increased from 1.03 to 1.16 percent (up 13 percent)...

Based on the 2018 survey, the offender was of the same race or ethnicity as the victim in 70 percent of violent incidents involving black victims, 62 percent of those involving white victims, 45 percent of those involving Hispanic victims, and 24 percent of those involving Asian victims.

While violent crime rose in recent years, property crime fell, as the percentage of households that were victims of property crime decreased from 7.99 percent in 2014 to 7.27 percent in 2018. Over that same span, the percentage of households that were victims of burglary fell from 1.27 percent to 1.07 percent The decline in serious

crimes was driven by a decrease in the portion of persons who were victims of completed burglary, which fell from 1.22 percent in 2014 to 0.98 percent in 2018.

The total number of violent victimizations (that is, the total number of times that people were victims of violent crime) increased from 5,007,000 victimizations of U.S. residents age 12 or older in 2015 to 6,386,000 victimizations in 2018. Across that period, the rate of violent victimizations increased from 18.6 to 23.2 victimizations per 1,000 persons age 12 or older. Excluding simple assault, the rate of violent victimizations increased from 6.8 to 8.6 victimizations per 1,000 persons age 12 or older.

The increase in the rate of violent victimizations was largely due to crimes that were not reported to police. From 2015 to 2018, the rate of violent victimizations that went unreported to police rose from 9.5 to 12.9 per 1,000 persons age 12 or older, while the rate of violent victimizations that were reported to police showed no statistically significant change.

Source: Adapted from Bureau of Justice Statistics.

which convicted offenders are being sentenced in increasing numbers. In order to reduce correctional expenditures even further, some states are using forms of early release from prison, shortening time served, reducing the period of probation or parole supervision, and shifting the responsibility of supervising convicted offenders to county-level governments (and away from state responsibility). We will examine these innovations at various places throughout this text, especially in a number of Economic Realities and Corrections boxes that are found in various chapters.

As states grappled with the economic realities of reduced revenues and constrained budgets, it became increasingly important to get the most “bang for the buck,” so to speak, out of correctional programs. Moreover, responsible legislators and other policymakers began to realize that past spending policies would not work in the future. Recently, in her presidential address to the Academy of Criminal Justice Sciences, Melissa Hickman Barlow outlined a plan for the implementation of **sustainable justice**. Barlow defined sustainable justice as “criminal laws and criminal justice institutions, policies, and practices that achieve justice in the present without compromising the ability of future generations to have the benefits of a just society.”¹⁶ Barlow’s call for affordable justice, based on principles and operating practices that can be carried into the future without bankrupting generations yet to come, represents an important turning point in our nation’s approach to corrections and other justice institutions.

As we will see in the next chapter, the evidence-based movement in corrections, which seeks to evaluate programs and services to see which are the most effective relative to their costs, plays an important role in correctional administration today—and should contribute much to the call for sustainable justice.

sustainable justice

Criminal laws and criminal justice institutions, policies, and practices that achieve justice in the present without compromising the ability of future generations to have the benefits of a just society.

Correctional Employment

Growing correctional populations and increasing budgets have led to a dramatically expanding correctional workforce and enhanced employment opportunities within the field. In 2019, for example, the Texas Department of Criminal Justice offered a bonus of up to \$5,000 for new correctional officers. It required a one-year commitment to work in a state corrections facility after hiring.¹⁷



EXHIBIT 1–4 Careers in Corrections

Academic teacher	Field administrator	Psychologist
Activity therapy administrator	Fugitive apprehension officer	Recreation coordinator
Business manager	Human services counselor	Social worker
Case manager	Job placement officer	Statistician
Chaplain	Mental health clinician	Substance abuse counselor
Chemical dependency manager	Parole caseworker	Unit leader
Children’s services counselor	Parole officer	Victim advocate
Classification officer	Presentence investigator	Vocational instructor
Clinical social worker	Probation officer	Warden/superintendent
Correctional officer	Program officer	Youth services coordinator
Dietary officer	Program specialist	Youth supervisor
Drug court coordinator	Programmer/analyst	

According to historical reports, persons employed in the corrections field totaled approximately 27,000 in 1950.¹⁸ By 1975, the number had risen to about 75,000. Combined estimates, published by the National Institute of Corrections (NIC) and the Bureau of Labor Statistics (BLS), in 2018 show that a total of 761,355 government employees throughout the United States worked in corrections, with a total monthly payroll exceeding \$3 billion.¹⁹ BLS also found that the average hourly and annual wage for correctional officers and jailers was \$20.94 and \$43,550, respectively; for correctional first-line supervisors, wages were \$29.31 and \$60,970, respectively; and for probation officers, it was \$25.18 and \$52,380, respectively.²⁰ Exhibit 1–4 shows some of the employment possibilities in corrections.

New prisons mean jobs and can contribute greatly to the health of local economies. Some economically disadvantaged towns—from Tupper Lake, in the Adirondack Mountains of upstate New York, to Edgefield, South Carolina—cashed in on the prison boom, having successfully competed to become sites for new prisons. Until recently, the competition for new prison facilities was reminiscent of the efforts states made years ago to attract new automobile factories and other industries.

CRIME AND CORRECTIONS

The crimes that bring people into the American correctional system include felonies, misdemeanors, and minor law violations that are sometimes called *infractions*.

Felonies are serious crimes. Murder, rape, aggravated assault, robbery, burglary, and arson are felonies in all jurisdictions within the United States, although the names for these crimes may differ from state to state. A general way to think about felonies is to remember that a **felony** is a serious crime whose commission can result in confinement in a state or federal correctional institution for more than a year.

In some states, a felony conviction can result in the loss of certain civil privileges. A few states make conviction of a felony and the resulting incarceration grounds for uncontested divorce. Others prohibit convicted felony offenders from running for public office, voting, or owning a firearm, and some exclude them from professions such as medicine, law, and police work.

Huge differences in the treatment of specific crimes exist among states. Some crimes classified as felonies in one part of the country may be misdemeanors in another. In still other states, they may not even be crimes at all! Such is the case with some drug law violations and with social order offenses such as homosexual acts, prostitution, and gambling.

felony

A serious criminal offense; specifically, one punishable by death or by incarceration in a prison facility for more than a year.

misdemeanor

A relatively minor violation of the criminal law, such as petty theft or simple assault, punishable by confinement for one year or less.

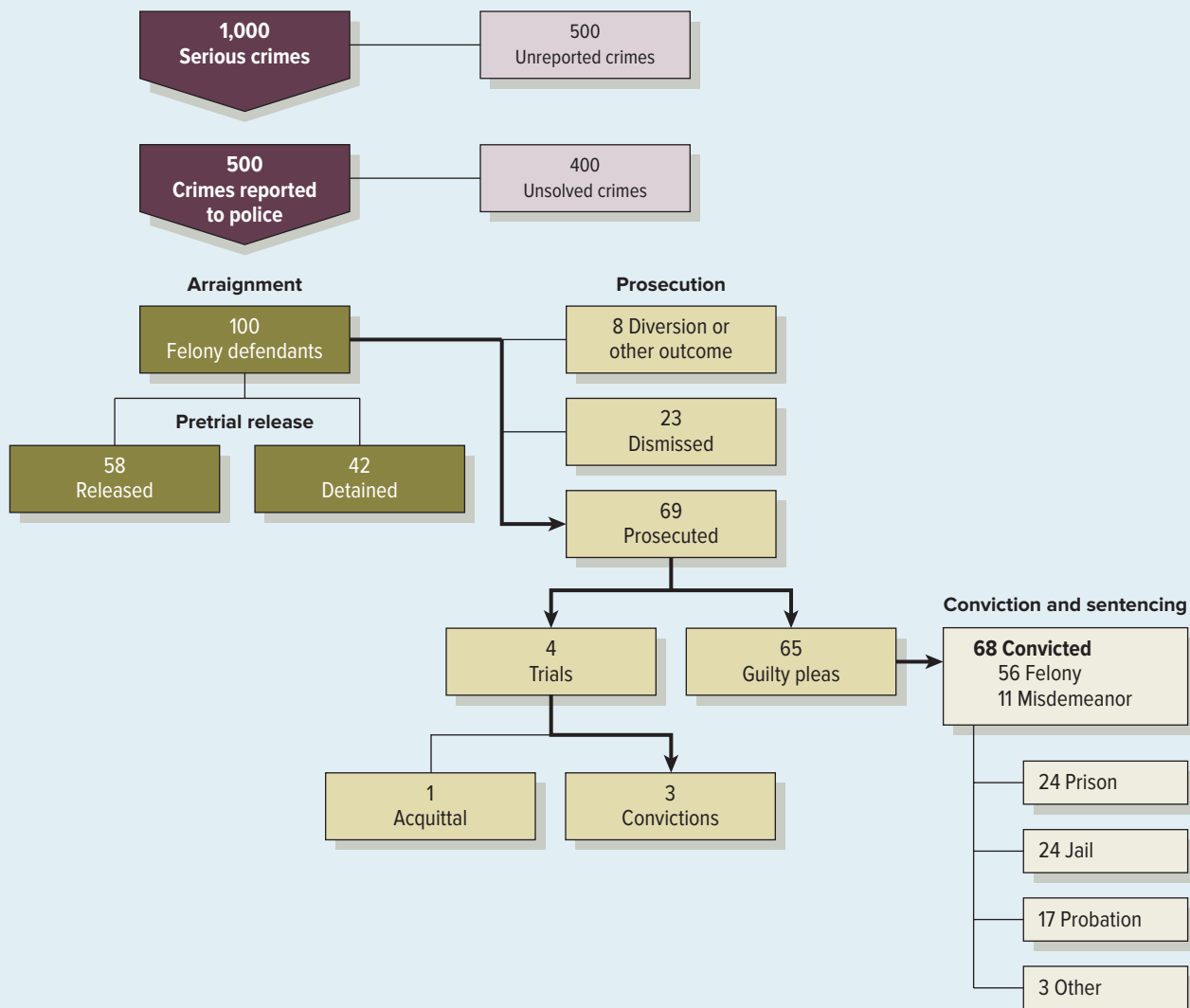
infraction

A minor violation of state statute or local ordinance punishable by a fine or other penalty, or by a specified, usually very short term of incarceration.

Misdemeanors, which compose the second major crime category, are relatively minor violations of the criminal law. They include crimes such as petty theft (the theft of items of little worth), simple assault (in which the victim suffers no serious injury and in which none was intended), breaking and entering, the possession of burglary tools, disorderly conduct, disturbing the peace, filing a false crime report, and writing bad checks (although the amount for which the check is written may determine the classification of this offense). In general, misdemeanors can be thought of as any crime punishable by a year or less in confinement.

Within felony and misdemeanor categories, most states distinguish among degrees, or levels, of seriousness. Texas law, for example, establishes five felony classes and three classes of misdemeanor—intended to guide judges in assessing the seriousness of particular criminal acts. The Texas penal code then specifies categories into which given offenses fall.

A third category of crime is the **infraction**. The term, which is not used in all jurisdictions, refers to minor violations of the law that are less serious

EXHIBIT 1-5 The Crime Funnel

Source: Bureau of Justice Statistics.

than misdemeanors. Infractions may include such violations of the law as jaywalking, spitting on the sidewalk, littering, and certain traffic violations, including the failure to wear a seat belt. People committing infractions are typically ticketed—that is, given citations—and released, usually upon a promise to appear later in court. Court appearances may be waived upon payment of a fine, which is often mailed in.

Measuring Crime

Two important sources of information on crime for correctional professionals are the FBI's Uniform Crime Reporting Program (UCR) and the Bureau of Justice Statistics' National Crime Victimization Survey (NCVS). Corrections professionals closely analyze these data to forecast the numbers and types of **correctional clients** to expect in the future. The forecasts can be used to project the need for different types of detention and rehabilitation services and facilities. It is important to note that the UCR program is transitioning to a new set of reporting criteria under the developing National Incident-Based Reporting System (NIBRS). NIBRS, which should be fully implemented by 2021, provides more detailed data about criminal incidents than had previously been available under the older UCR.

CO1-2

correctional clients

Prison inmates, probationers, parolees, offenders assigned to alternative sentencing programs, and those held in jails.

The Crime Funnel

Not all crimes are reported, and not everyone who commits a reported crime is arrested, so relatively few offenders enter the criminal justice system. Of those who do, some are not prosecuted (perhaps because the evidence against them is insufficient), others plead guilty to lesser crimes, and others are found not guilty. Some who are convicted are diverted from further processing by the system or may be fined or ordered to counseling. Hence, the proportion of criminal offenders who eventually enter the correctional system is small, as Exhibit 1–5 shows.²¹

CORRECTIONS AND THE CRIMINAL JUSTICE SYSTEM

CO1-3

Corrections is generally considered the final stage in the criminal justice process. Some aspects of corrections, however, come into play early in the process. Keep in mind that although the term **criminal justice** can be used to refer to the justice *process*, it can also be used to describe our *system* of justice. Criminal justice agencies, taken as a whole, are said to compose the **criminal justice system**.

The components of the criminal justice system are (1) police, (2) courts, and (3) corrections. Each component, because it contains a variety of organizations and agencies, can be termed a *subsystem*. The subsystem of corrections, for example, includes prisons, agencies of probation and parole, jails, and a variety of alternative programs.

The *process* of criminal justice involves the activities of the agencies that make up the criminal justice system. The process of criminal justice begins when a crime is discovered or reported.

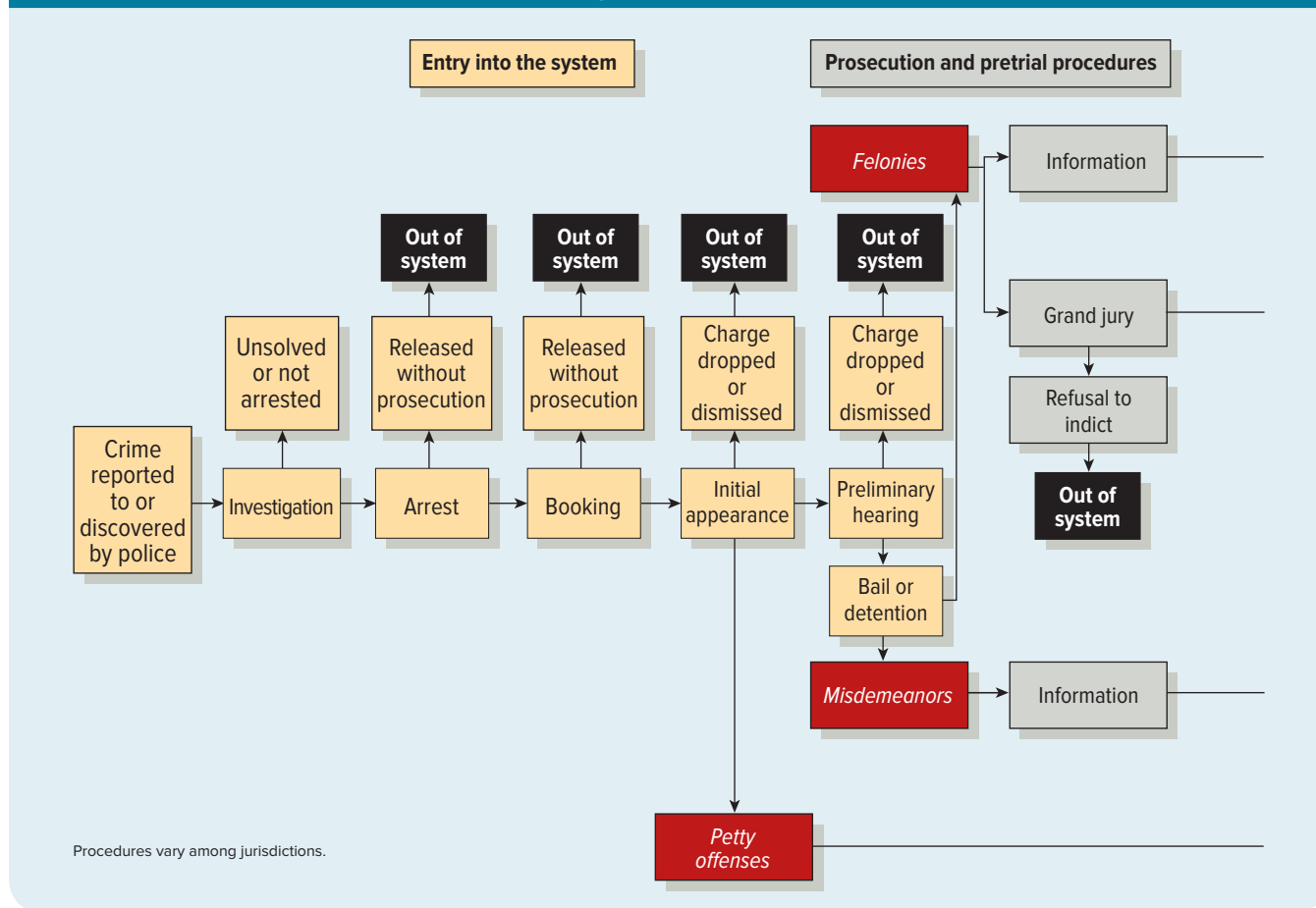
Court decisions based on the due process guarantees of the U.S. Constitution require that specific steps be taken in the justice process. Although the exact nature of those steps varies among jurisdictions, the description that follows portrays the most common sequence of events in response to serious criminal behavior. Exhibit 1–6, which diagrams the American criminal justice system, indicates the relationships among the stages in the criminal justice processing of adult offenders.

criminal justice

The process of achieving justice through the application of the criminal law and through the workings of the criminal justice system. Also, the study of the field of criminal justice.

criminal justice system

The collection of all the agencies that perform criminal justice functions, whether these are operations or administration or technical support. The basic divisions of the criminal justice system are police, courts, and corrections.

EXHIBIT 1–6 The Adult Criminal Justice System

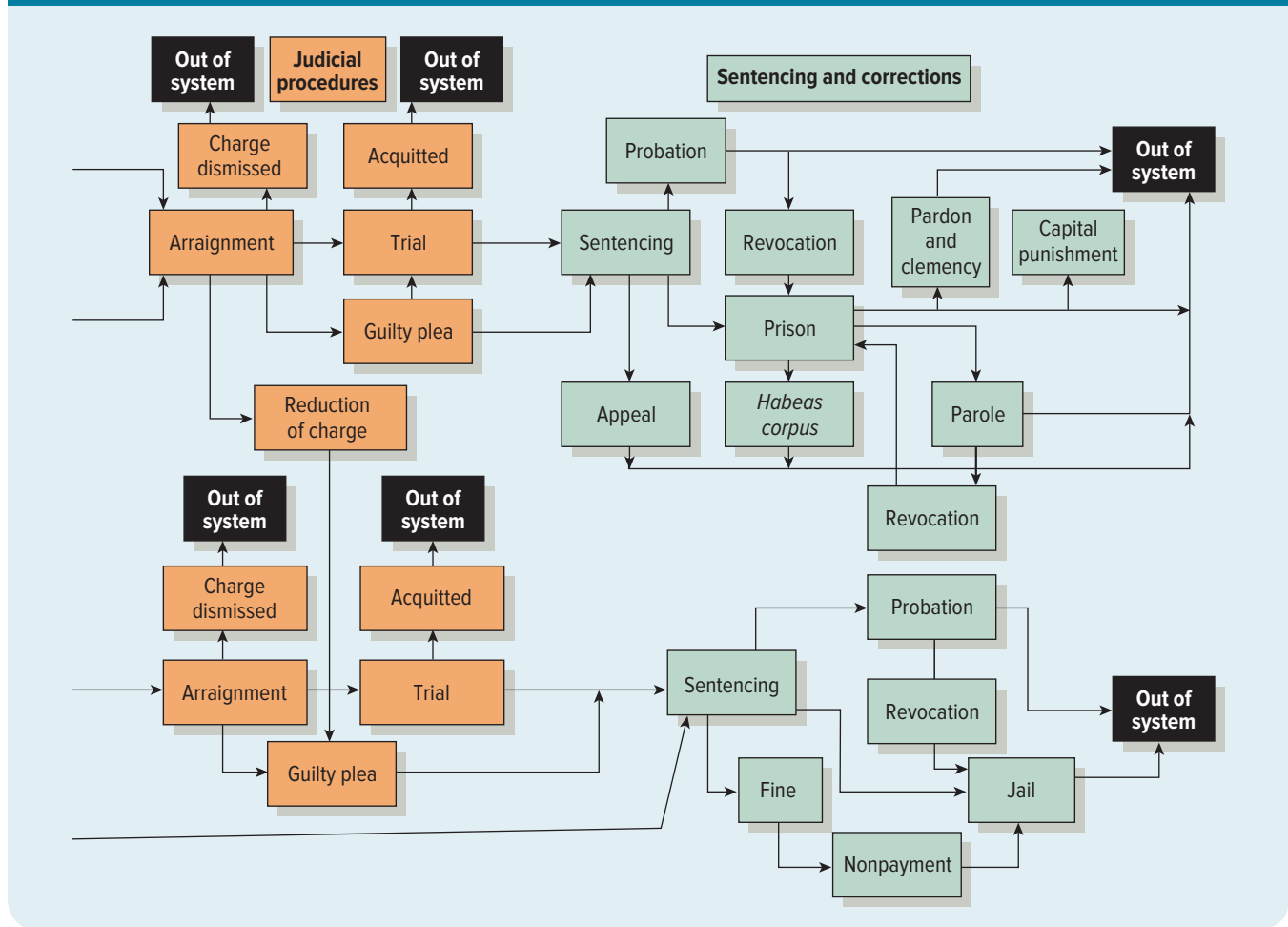
Entering the Correctional System

The criminal justice system does not respond to all crime because most crimes are not discovered or reported to the police.²² Law enforcement agencies learn about crimes from the reports of citizens, through discovery by a police officer in the field, or through investigative and intelligence work. Once a law enforcement agency knows of a crime, the agency must identify and arrest a suspect before the case can proceed. Sometimes a suspect is found at the scene; other times, however, identifying a suspect requires an extensive investigation. Often no one is identified or apprehended—the crime goes unsolved. If an offender is arrested, booked, and jailed to await an initial court appearance, the intake, custody, confinement, and supervision aspects of corrections first come into play at this stage of the criminal justice process.

Prosecution and Pretrial Procedure

After an arrest, law enforcement agencies present information about the case and about the accused to the prosecutor, who decides whether to file formal charges with the court. If no charges are filed, the accused must be released. The prosecutor can also drop charges after filing them. Such a choice is called *nolle prosequi*; and when it happens, a case is said to be “nolled” or “nollied.”

A suspect charged with a crime must be taken before a judge or magistrate without unnecessary delay. At the initial appearance, the judge or

EXHIBIT 1-6 The Adult Criminal Justice System (Continued)

magistrate informs the accused of the charges and decides whether there is probable cause to detain him or her. Often, defense counsel is also assigned then. If the offense charged is not very serious, the determination of guilt and the assessment of a penalty may also occur at this stage.

In some jurisdictions, a pretrial release decision is made at the initial appearance, but this decision may occur at other hearings or at another time during the process. Pretrial release on bail was traditionally intended to ensure appearance at trial. However, many jurisdictions today permit pretrial detention of defendants accused of serious offenses and deemed dangerous in order to prevent them from committing crimes in the pretrial period. The court may decide to release the accused on his or her own recognizance, into the custody of a third party, on the promise of satisfying certain conditions, or after posting a financial bond. Conditions of release may be reviewed at any later time while charges are still pending.

In many jurisdictions, the initial appearance may be followed by a preliminary hearing. The main function of this hearing is to determine whether there is probable cause to believe that the accused committed a crime within the jurisdiction of the court. If the judge or magistrate does not find probable cause, the case is dismissed. However, if the judge finds probable cause for such a belief, or if the accused waives the right to a preliminary hearing, the case may be bound over to a grand jury.

adjudication

The process by which a court arrives at a final decision in a case.

arraignment

An appearance in court prior to trial in a criminal proceeding.

nolo contendere

A plea of “no contest.” A no-contest plea may be used by a defendant who does not wish to contest conviction. Because the plea does not admit guilt, however, it cannot provide the basis for later civil suits.

A grand jury hears evidence against the accused, presented by the prosecutor, and decides whether there is sufficient evidence to cause the accused to be brought to trial. If the grand jury finds sufficient evidence, it submits an indictment to the court.

Not all jurisdictions use grand juries. Some require, instead, that the prosecutor submit an information (a formal written accusation) to the court. In most jurisdictions, misdemeanor cases and some felony cases proceed by the issuance of an information. Some jurisdictions require indictments in felony cases. However, the accused may choose to waive a grand jury indictment and, instead, accept service of an information for the crime.

Judicial Procedures

Adjudication is the process by which a court arrives at a decision in a case. The adjudication process involves a number of steps. The first is **arraignment**. Once an indictment or information is filed with the trial court, the accused is scheduled for arraignment. If the accused has been detained without bail, corrections personnel take him or her to the arraignment. At the arraignment, the accused is informed of the charges, advised of the rights of criminal defendants, and asked to enter a plea to the charges.

If the accused pleads guilty or pleads *nolo contendere* (accepts a penalty without admitting guilt), the judge may accept or reject the plea. If the plea is accepted, no trial is held and the offender is sentenced at this proceeding or at a later date. The plea may be rejected if, for example, the judge believes that the accused has been coerced. If this occurs, the case may proceed to trial. Sometimes, as the result of negotiations between the prosecutor and the defendant, the defendant enters a guilty plea in expectation of reduced charges or a light sentence. *Nolo contendere* pleas are often entered by those who fear a later civil action and who therefore do not want to admit guilt.

If the accused pleads not guilty or not guilty by reason of insanity, a date is set for trial. A person accused of a serious crime is guaranteed a trial by jury. However, the accused may ask for a bench trial, in which the judge, rather than a jury, serves as the finder of fact. In both instances, the prosecution and defense present evidence by questioning witnesses, and the judge decides issues of law. The trial results in acquittal or conviction of the original charges or of lesser included offenses. A defendant may be convicted at trial only if the government’s evidence proves beyond a reasonable doubt that the defendant is guilty, or if the defendant knowingly and voluntarily pleads guilty to the charges.

Sentencing and Sanctions

After a guilty verdict or guilty plea, sentence is imposed. In most cases, the judge decides on the sentence, but in some states, the sentence is decided by the jury, particularly for capital offenses, such as murder.

To arrive at an appropriate sentence, a court may hold a sentencing hearing to consider evidence of aggravating or mitigating circumstances. In assessing the circumstances surrounding a criminal act, courts often rely on presentence investigations by probation agencies or other designated authorities. Courts may also consider victim impact statements.

The sentencing choices available to judges and juries frequently include one or more of the following:

- incarceration in a prison, a jail, or another confinement facility;
- community service;
- probation, in which the convicted person is not confined but is subject to certain conditions and restrictions;
- fines, primarily as penalties for minor offenses;



Jodi Arias on the witness stand in 2013. She was convicted of killing her lover, Travis Alexander. He had been shot in the face, stabbed 29 times, and had his throat slashed. Arias was sentenced to spend the rest of her life in prison, and is currently housed in the Arizona State Prison Complex-Perryville. What happens to defendants after they enter the correctional system?

AP Photo/Ross D. Franklin, Pool

- restitution, which requires the offender to provide financial compensation to the victim; and
- the death penalty.

In many states, *mandatory minimum* sentencing laws require that persons convicted of certain offenses serve a minimum prison term, which the judge must impose and which may not be reduced by a parole board or by “good-time” deductions. Sentencing is discussed in greater detail in Chapter 3.

After the trial, a defendant may request appellate review of the conviction to see whether there was some serious error that affected the defendant’s right to a fair trial. In some states, the defendant may also appeal the sentence.

At least one appeal of a conviction is a matter of right. Any further appeal (to a state supreme court or in the case of federal court convictions, to the U.S. Supreme Court) is *discretionary*, which means that the higher court may or may not choose to hear the further appeal. After losing all their available *direct* appeals (also known as *exhaustion of state remedies*), state prisoners may also seek to have their convictions reviewed *collaterally* in the federal courts via a writ of *habeas corpus*. In states that have the death penalty, appeals of death sentences are usually automatic, and extensive federal *habeas corpus* review often takes place before the sentence of death is actually carried out.



Scan this code to listen to a recent prison telephone conversation between convicted murderer Jodi Arias and rapper Kareem Williams (aka “Lefty”) from Arizona’s Perryville prison. The conversation, which centers on domestic violence and PTSD, can also be heard on YouTube at <https://youtu.be/6aHXamijolg>.

The Correctional Subsystem

After conviction and sentencing, most offenders enter the correctional subsystem. Before we proceed with our discussion, it is best to define the term *corrections*. As with most words, a variety of definitions can be found.

In 1967, for example, the President’s Commission on Law Enforcement and Administration of Justice wrote that *corrections* means “America’s prisons, jails, juvenile training schools, and probation and parole machinery.” It is “that part of the criminal justice system,” said the commission, “that the public sees least of and knows least about.”²³

Years later, in 1975, the National Advisory Commission on Criminal Justice Standards and Goals said in its lengthy volume on corrections, “*Corrections* is defined here as the community’s official reactions to the convicted offender, whether adult or juvenile.”²⁴ The commission noted that “this is a broad definition and it suffers . . . from several shortcomings.”



Police arrest a drug dealer. While marijuana and some other previously illicit drugs are freely available in many states today—especially to those who are sick—not all drugs have been decriminalized. What role does corrections play in the maintenance of social order?

moodboard/Getty Images

institutional corrections

That aspect of the correctional enterprise that involves the incarceration and rehabilitation of adults and juveniles convicted of offenses against the law, and the confinement of persons suspected of a crime awaiting trial and adjudication.

We can distinguish between institutional corrections and noninstitutional corrections. A report by the Bureau of Justice Statistics (BJS) says that **institutional corrections** “involves the confinement and rehabilitation of adults and juveniles convicted of offenses against the law and the confinement of persons suspected of a crime awaiting trial and adjudication.”²⁵ BJS goes on to say that correctional institutions are prisons, reformatories, jails, houses of correction, penitentiaries, correctional farms, workhouses, reception centers, diagnostic centers, industrial schools, training schools, detention centers, and a variety of other types of institutions for the confinement and correction of convicted adults or juveniles who are adjudicated delinquent or in need of supervision. [The term] also includes facilities for the detention of adults and juveniles accused of a crime and awaiting trial or hearing.

According to BJS, **noninstitutional corrections**, which is sometimes called **community corrections**, includes “pardon, probation, and parole activities, correctional administration not directly connectable to institutions, and miscellaneous [activities] not directly related to institutional care.”

As all these definitions show, in its broadest sense, the term *corrections* encompasses each of the following components, as well as the process of interaction among them:

- the *purpose* and *goals* of the correctional enterprise;
- jails, prisons, correctional institutions, and other *facilities*;
- probation, parole, and alternative and diversionary *programs*;
- federal, state, local, and international correctional offices and *agencies*;
- counseling, educational, health care, nutrition, and many other *services*;
- risk *assessment* and risk *management*;
- correctional *clients*;
- corrections *volunteers*;
- corrections *professionals*;
- fiscal appropriations and *funding*;
- various aspects of criminal and civil *law*;
- formal and informal *procedures*;
- effective and responsible *management*;
- community *expectations* regarding correctional practices; and
- the machinery of *capital punishment*.

When we use the word *corrections*, we include all of these elements. Fifteen elements, however, make for an unwieldy definition. Hence, for purposes of discussion, we will say that **corrections** refers to all the various aspects of the pretrial and postconviction management of individuals accused or convicted of crimes. Central to this perspective is the recognition that corrections—although it involves a variety of programs, services, facilities, and personnel—is essentially a management activity—especially one that focuses on risk assessment and risk management (particularly as

EXHIBIT 1–7 American Correctional Association**Public Correctional Policy on the Role of Corrections**

The overall role of corrections is to enhance public safety and social order. Adult and juvenile correctional systems should:

- implement court-ordered sanctions and provide supervision of those accused of unlawful behavior prior to and after adjudication in a safe and humane manner;
- offer the widest range of correctional programs that are based on exemplary practices, supported by research and promote pro-social behavior;
- provide gender- and culturally-responsive programs and services for preadjudicated and adjudicated offenders that will enhance successful reentry to the community and that are administered within the least restrictive environment consistent with public, staff and offender safety;
- address the needs of victims of crime;
- routinely review correctional programs and reentry services to ensure that they are addressing the needs of offenders, victims, and the community; and
- collaborate with other professions to improve and strengthen correctional services and to support the reduction of crime and recidivism.

Source: Reprinted with permission of the American Correctional Association, Alexandria, VA.

**noninstitutional corrections
(also community corrections)**

That aspect of the correctional enterprise that includes pardon, probation, and parole activities, correctional administration not directly connectable to institutions, and miscellaneous activities not directly related to institutional care.

corrections

All the various aspects of the pretrial and postconviction management of individuals accused or convicted of crimes.

it relates to the likelihood of reoffending). Rather than stress the role of institutions or agencies, this definition emphasizes the human dimension of correctional activity—especially the efforts of the corrections professionals who undertake the day-to-day tasks. Like any other managed activity, corrections has goals and purposes. Exhibit 1–7 details the role of corrections as identified by the American Correctional Association (ACA).

REVIEW AND APPLICATIONS**SUMMARY**

- 1 Although crime rates are at their lowest level in more than 20 years, correctional populations have been increasing for decades because of get-tough-on-crime attitudes, the nation's War on Drugs, and the increasing reluctance of parole authorities, fearing civil liability and public outcry, to release inmates. Consequently, we have witnessed an era of mass incarceration. At the same time, growth in correctional populations and in spending on prisons and jails led to a dramatically expanding correctional workforce and to enhanced employment opportunities within the field. Today, however, political realities and budgetary limitations appear to have begun a reduction of the numbers of people held in our nation's prisons—a reduction that is likely to continue into the future.
- 2 Two important sources of crime statistics are the FBI's Uniform Crime Reporting Program (UCR) and the National Crime Victimization Survey (NCVS), published by the Bureau of Justice Statistics. The crimes that bring people into the American correctional system include felonies, which are relatively serious criminal offenses; misdemeanors, which are less serious crimes; and infractions, which are minor law violations. It is important to note that the traditional UCR is being replaced by the FBI's new National Incident-Based Reporting System (NIBRS).
- 3 The main components of the criminal justice system are police, courts, and corrections. Each can be considered a subsystem of the criminal justice system. The major components of the corrections subsystem are jails, probation, parole, and prisons. Jails and prisons are examples of institutional corrections, while probation and parole are forms of noninstitutional corrections. This chapter stresses that the management of correctional resources and clients is a central part of the correctional enterprise—including the assessment and management of risk for reoffending.

KEY TERMS

crime, p. 3	infraction, p. 10	<i>nolo contendere</i> , p. 14
prison, p. 3	correctional clients, p. 11	institutional corrections, p. 16
mass incarceration, p. 4	criminal justice, p. 11	noninstitutional corrections, p. 17
sustainable justice, p. 8	criminal justice system, p. 11	community corrections, p. 17
felony, p. 9	adjudication, p. 14	corrections, p. 17
misdemeanor, p. 10	arraignment, p. 14	

QUESTIONS FOR REVIEW

- 1 Why have correctional populations in the United States dramatically increased over the past few decades? How does the rise in correctional populations compare with changes in crime rates over time? What will the future bring?
- 2 What are the kinds of crimes that cause offenders to enter correctional institutions? To enter other kinds of correctional programs?
- 3 What are the major components of the criminal justice system? What aspects of the corrections subsystem can you identify?

THINKING CRITICALLY ABOUT CORRECTIONS

Vision

Dianne Carter, former president of the National Academy of Corrections, once said, "Too often in corrections, only

worker skills are targeted for training, and the organization misses a significant opportunity to communicate its vision and mission."²⁶ What did she mean?

ON-THE-JOB DECISION MAKING

Training

Today is the first day of your job as a correctional officer. A severe statewide shortage of officers required you to begin work immediately before training, which you are scheduled to attend in three months. When you arrive at the facility, you are ushered into a meeting with the warden. He welcomes you and gives you a brief pep talk. He asks if you have any concerns. You tell him, "Well, I feel a little uneasy. I haven't gone through the academy yet." "Don't worry," he says, "all our new recruits get on-the-job experience before a slot in the academy opens up. You'll do fine!" He shakes your hand and leads you to the door. After you leave the warden's office, you are given a set of keys and a can of mace. The shift supervisor, a sergeant, gives you a brief tour of the prison. Then he tells you that as

you learn your job, you will spend most of your time with another officer, though pairing up will not always be possible.

The officer you are assigned to accompany is Harold Gates. At first, you follow Officer Gates across the compound, getting more familiar with the layout of the facility. Then you spend an uneventful afternoon working with Officer Gates in the yard. At 4:30, Officer Gates instructs you to make sure that all inmates have left the classroom building in preparation for a "count." As you enter the building, you encounter a group of six inmates heading toward the door. Before you can move to the side, one of the inmates walks within an inch of you and stares at you. The others crowd in behind him. You can't move. You are pinned to the door by the men. The man directly in front of you is huge—over 6 feet tall and about 280 pounds. His legs look like tree trunks, and his arms are

held away from his body by their sheer bulk. You're staring at a chest that could easily pass as a brick wall. With a snarl he growls, "What do you want?"

1. How do you respond? Would you feel more confident responding to a situation like this if you had had some training?
2. If you tell the inmates that it's time for a count and to move along, what will you do next? Will you ask anyone for guidance in similar future situations or just chalk up the encounter to a learning experience? To whom might you talk about it?
3. Suppose you are a manager or supervisor at this facility. How would you handle the training of new recruits?

Leadership

You are a correctional officer at the McClellan Correctional Facility. You and your coworkers have been following, with high interest, the events at Brownley, another correctional facility located approximately 35 miles away. Prisoner rioting at Brownley during the past four days has left 4 correctional officers and 19 prisoners seriously hurt. It now appears, though, that while tensions remain high, the riot has been contained and the prisoners at Brownley are settling back down. The uneasy truce, however, mandates resolution of the issues that led to the riot in the first place.

The main issue leading to the riot was the prisoners' claims of mistreatment at the hands of certain members of the Brownley correctional staff. State correctional administrators have determined that an essential first step in preventing future riots is replacement of certain members of the correctional staff at Brownley. You are called to your supervisor's office, where she informs

you that you are being reassigned temporarily to Brownley, with a possibility that the reassignment may become permanent.

This news does not make you happy. The logistical impact alone is irritating because it will mean a significant commute each day. More important, though, is that you will be leaving a cohesive team of skilled and dedicated correctional officers with whom you have developed a close bond. You trust one another, and you trust your leaders. There's no telling what you will encounter at Brownley.

Your worst fears are realized when you report for your first shift and your new sergeant takes you aside. "We can't let them win on this," he says. "You know the drill. Stay on 'em hard, and don't cut 'em any slack. We need to let them know from the get-go that things haven't changed—we're still in charge, whether they like it or not, and we ain't gonna take any guff from the likes of them!"

It is immediately apparent to you that your sergeant has a strong "us-against-them" perspective. Your experience tells you that such an attitude at the leadership level likely induces similar, often stronger attitudes at the correctional officer level, and your common sense tells you that this is probably the root of the problem at Brownley.

1. How do you respond to your new sergeant?
2. If you elect to keep this information to yourself, how will you establish yourself with the Brownley inmates as a CO who does not subscribe to the other CO's practices without appearing weak or exploitable?
3. If you elect to bring this information to the attention of someone higher up in the supervisory chain, how will you deal with potential adverse reactions from your new coworkers?

ENDNOTES

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CORRECTIONS TODAY

Evidence-Based Corrections and Professionalism

CHAPTER OBJECTIVES

*After completing this chapter
you should be able to do the
following:*

- 1 Define evidence-based corrections, and explain the important role that it plays in corrections professionalism today.
- 2 Explain the importance of professionalism in the corrections field, and describe the characteristics of a true professional.
- 3 Understand what is meant by social diversity, and explain why issues of race, gender, and ethnicity are important in corrections today.



AP Photo/Steve Pope



The use of evidence-based practices in corrections and public policy is now considered the gold standard for policy and program development.

—Richard Tewksbury and Jill Levenson, “When Evidence Is Ignored: Residential Restrictions for Sex Offenders.” *Corrections Today*, December 1, 2007, p. 34



Recently, the *Washington Post* reported on the consequences of California’s Proposition 47—a voter-approved measure intended to put an end to the mass incarceration era in California.¹ The proposition was meant to save the state money by keeping low-level offenders out of prison and by releasing some nonviolent offenders who were already behind bars. Specifically, the measure permits offenders who are currently serving felony prison sentences for certain nonviolent

crimes to apply to have their sentences reduced to misdemeanors—meaning they would likely be released and placed on probation.

The *Post*, however, found what it called “unintended effects” of changes in the law brought about by Proposition 47. Less than a year after its passage, 4,300 state prisoners had seen their sentences lowered and had been released. Financial savings were considerable, but police chiefs across the state began reporting that their officers had to deal with many of those released offenders “again and again.” The term “frequent flier” came to be applied to offenders who knew how to lawfully use the provisions of Proposition 47 to stay out of prison, while continuing to violate the law.



A newly released state prisoner being fitted with donated clothing. California’s Proposition 47 has led to the release of thousands of inmates who had been imprisoned for nonviolent offenses. Did the Proposition meet its intended goals?

Jim West image BROKER/Newscom

One Riverside, California, criminal, for example, was arrested for stealing appliances on 13 different occasions over the course of three months, only to be charged with a misdemeanor and be quickly released each time.

The *Post* also found that a year after Proposition 47 passed, robberies were up by 23 percent in San Francisco, property thefts had risen 11 percent in Los Angeles,

and certain other categories of crime were up 36 percent in La Mirada, and 68 percent in Desert Hot Springs. While the *Post* said that it was too early to tell whether passage of Proposition 47 had led to these crime increases, it did say that there had not been enough evidence for voters to know which way to vote on the issues—or to assess the likely consequences of the proposition’s passage. Not everyone agrees. In 2018, the first-ever comprehensive study of the impact of Proposition 47 on crime in California found no evidence that violent crime increased as a result of its passage. The study, however, did show that some minor crimes, such as larceny and thefts from motor vehicles, rose following passage—by as much as 9%. Although certain other types of crimes also increased, the study’s authors said that their findings revealed that those increases were simply continuations of trends that existed in the state before the proposition’s passage.²

Evidence-Based Corrections

What is evidence-based corrections? Why is it regarded as the gold standard in assessing the effectiveness of correctional programs?



CO2-1

EVIDENCE-BASED CORRECTIONS (EBC)

Many would say that California voters would have been well served by the prior availability of evidence depicting the likely consequences for the state if Proposition 47 was enacted. Had they known the likely consequences of the proposition’s passage, they would have been better informed voters. Unfortunately, no such studies existed at the time that the proposition was voted on.

The scientific study of corrections and of correctional policies and programs is referred to as **evidence-based corrections (EBC)**. The evidence-based model uses empirical data to determine what works in correctional settings—that is, which correctional programs are effective at meeting correctional goals, such as reducing recidivism and preventing future crimes. EBC is a hallmark of contemporary corrections and is regarded as the gold standard by which correctional programs and services are evaluated today. EBC uses ongoing, critical reviews of research literature to identify credible scientific evidence and involves rigorous quality assurance to ensure that evidence-based practices are replicated with fidelity and that new practices are evaluated to determine their effectiveness.

The National Institute of Corrections says that **evidence-based practice (EBP)** (1) implies that there is a definable outcome(s), (2) works to identify the best available strategy or program, (3) uses measurable program features and measurable outcomes, and (4) is defined according to practical realities (i.e., public safety, recidivism, victim satisfaction, etc.) rather than immeasurable moral- or value-oriented standards or beliefs.³

EBP, a closely related concept, refers to the implementation of programs that have been studied and found to be effective. Although EBC and EBP are different sides of the same coin, EBC is primarily concerned with study and evaluation, while EBP focuses on the practical use of programs that have been found to be effective.

One important component of EBC is **cost-benefit analysis**, which seeks to assess the effectiveness of correctional approaches relative to their costs. While EBC is a theme of this text, another theme is economic realities in corrections. As you will see, the two themes go hand in hand.

The History of EBC

The evidence-based model began to be used in this country in 1992 when it was first applied to the medical sciences. Soon, the value of EBP was recognized in many fields, including education, psychology, psychiatry, sociology, and criminal justice.

In the mid-1990s, two separate efforts were made to identify crime and justice-related programs that were effective and to assess the methodological quality of each of the studies.⁴ The first effort was undertaken in 1996, when the Center for the Study and Prevention of Violence (CSPV) at the Institute of Behavioral Science, University of Colorado–Boulder, developed the Blueprints for Violence Prevention program. The program, which remains well-known today, identified 10 model programs for delinquency prevention and intervention that met strict scientific standards of program effectiveness. That same year, Congress mandated a “comprehensive evaluation of the effectiveness of Department of Justice grants to assist state and local law enforcement communities in preventing crime.” The result was a highly visible effort to identify EBPs in criminal justice. The evaluations were undertaken by faculty members at the University of Maryland, who reviewed research studies carried out in various settings nationwide. The Maryland study was one of the first large-scale efforts to “score” the



Visit <https://www.youtube.com/watch?v=1legHJ16Ums> to watch a video about correctional officers on the front line of evidence-based corrections, or scan this code with the QR app on your smartphone or digital device to view it.

evidence-based corrections (EBC)

The application of social scientific techniques to the study of correctional practices, programs, and procedures for the purpose of increasing effectiveness and enhancing the efficient use of available resources.

evidence-based practice (EBP)

The implementation of programs that have been studied and found to be effective.

cost-benefit analysis

A systematic process used to calculate the costs of a program relative to its benefits. Programs showing the largest benefit per unit of expenditure are seen as the most effective.



Susan Turner, director of the Center for Evidence-Based Corrections at the University of California, Irvine. Turner is shown at the Orange County (California) jail. What is evidence-based corrections?

Courtesy of the University of California, Irvine

criminal justice studies that it reviewed based on the strength of the scientific methods that they employed.

Only a year later, in what many say was the official beginning of the evidence-based movement in corrections, came the 1997 publication of a lengthy report to the U.S. Congress, entitled *Preventing Crime: What Works, What Doesn't, What's Promising*.⁵ The report, known as a meta-analysis because it assessed more than 500 previously completed studies of various crime prevention programs, looked at the effectiveness of correctional programs in seven different settings: families, police, community, place security, labor markets, schools, and the criminal justice system. Researchers discovered that a number of the evaluated programs could be declared successful. Successful efforts became known as *what works* programs—defined as those that are reasonably certain to reduce recidivism. Other programs were found likely to fail to reduce recidivism and were listed in the category of what does not work. Finally, some programs, which fell into a middle ground, were termed *promising*.

It was not long before other universities focused on EBPs, and in 2005 the University of California–Irvine announced the creation of its Center for Evidence-Based Corrections. The center, which continues to thrive today, seeks “to put science before politics when managing state correctional populations” and to help “corrections officials make policy decisions based on scientific evidence.”⁶ Similarly, the Center for Advancing Correctional Excellence at George Mason University, another well-known institution of higher learning, espouses an evidence-based model.

EBC has become worldwide in scope. Australia’s famed Griffith University, for example, runs the Global Centre of Evidence-Based Corrections and Sentencing, and other major universities around the world have similar programs or are developing them.

Today, the federal government, through the National Institute of Justice, identifies and showcases successful EBPs via its Crime Solutions website (crimesolutions.gov). The site lists hundreds of programs that have been evaluated by expert reviewers who rate them as “effective,” “promising,” or having “no effect.”

What Is Evidence?

In any discussion of EBC (also known as *evidence-based penology*), it is important to remember that the word *evidence* refers to scientific evidence, not to criminal evidence. Corrections professionals who adhere to an evidence-based philosophy acknowledge the problem-solving potential of social science research methods, read correctional publications and journals, and keep abreast of the latest findings in their field. They also work to implement the most successful evidence-based programs of relevance to their programs or jurisdictions.

How EBP Is Utilized in Corrections

Law enforcement and correctional agencies are always seeking the best methods to deter individuals from committing crimes or to prevent them from reoffending. When crimes are committed, law enforcement professionals apprehend the perpetrators, and correctional professionals process, monitor, and rehabilitate those individuals throughout their confinement.

In order to reduce recidivism, an ever increasing number of correctional programs and agencies at both the federal and state level are instituting EBP as the standard for all policies and procedures. Instead of using procedures



EVIDENCE-BASED CORRECTIONS

Incarceration-based Therapeutic Communities for Adults



Practice Goals/Target Population Incarceration-based therapeutic communities (TCs) are separate residential drug treatment programs in prisons or jails for treating substance-abusing and addicted offenders. The defining feature of TCs is the emphasis on participation by all members of the program in the overall goal of reducing substance use and recidivism.

Practice Theory The TC theory proposes that recovery from substance abuse involves rehabilitation to learn healthy behaviors and habilitation to integrate those healthy behaviors into a routine (NIDA 2015). TCs differ from other models of treatment by their focus on recovery, overall lifestyle changes, and the use of the “community” as the key instrument for that change (De Leon and Wexler 2009; NIDA 2015; Welsh 2007; Vanderplasschen et al. 2012). The community includes inmate peers and facility staff. TCs use a stepping-stone model in which participants progress through several levels of treatment. As they progress through each treatment level, their level of responsibility also increases. TCs are implemented in a residential setting to help inmates adjust to the idea of a community working together toward a common goal (Welsh 2007). Treatment includes aftercare and reentry services as a means of providing continued support and relapse prevention after leaving the community (NIDA 2015).

Practice Components Residents of TCs progress through treatment in three stages 1) induction and early treatment, 2) primary treatment, and 3) reentry. The first stage provides the resident with an introduction to the TC rules and procedures, staff, and community members. During this stage, residents begin TC model treatment and are integrated into the community. The second stage is the main treatment phase, which focuses on changing attitudes and behavior related to substance use as well as addressing other needs. Common treatment approaches include cognitive behavioral therapy and motivational interviewing. Other treatment services provide assistance with social, familial, medical, and mental health needs. The third stage prepares the residents for their transition from the program and includes aftercare services. During this final stage, resident discharge planning provides referrals for reentry services available in the community once the participants are released (NIDA 2002; 2015).

Specific treatment interventions vary by facility, but there are several common components of TCs. Residents of TCs are housed separately from other inmates in order to establish and maintain a drug-free, rehabilitative, prosocial environment. Residents must follow strict community rules and norms, reinforced with set rewards or punishments, as a way to facilitate self-control and responsibility. Routines are established to teach goal planning and accountability. Residents must participate in TC-related roles, as assigned, based on a hierarchy of increasing responsibilities and privileges. Residents must also participate in TC-related activities such as community meetings, individual and group counseling, games, and role playing (NIDA 2002; 2015). These roles include chores and jobs for maintaining the community and its daily operations. All activities, aside from individual counseling, occur in group formats (CSAT 1999). In addition to their assigned community-related work, residents typically participate in 4 to 5 hours of treatment a week (NIDA 2015).

Source: Adapted from Bureau of Justice Statistics.

that may work in one situation but not in another, EBP provides guidelines that determine the most effective strategy for a given locale based on the results of research.

Recently, for example, the state of West Virginia formed the Justice Center for Evidence-Based Practice (JCEBP) whose job it is to use the best available evidence for informed decision making in justice agencies throughout the state. Similarly, the Pennsylvania Commission on Crime and Delinquency (PCCD) created the Resource Center for Evidence-Based Prevention and Intervention Programs and Practices to help increase the use of EBPs





Graduates from a corrections academy celebrate at the completion of their studies. What are the components of corrections professionalism?

AP Photo/Mary Altaffer

throughout Pennsylvania's justice-related agencies. Finally, Colorado's Department of Public Safety has created a statewide Evidence-Based Practices Implementation for Capacity (EPIC) program intended to enhance the capabilities of the state's justice system within existing budgetary limits.

The National Criminal Justice Association (NCJA) notes that the state-level programs described here "all represent a shift from reliance solely on outside experts to having internal subject matter experts and a state driven commitment to utilizing evidence-based practices and programs."⁷ NCJA believes that "as policymakers around the country continue to see and understand the potential for using EBP's to decrease crime, victimization, and criminal justice expenditures, other states may soon adopt similar programs." With the sobering budget realities of the coming years, the work of state-level centers for EBPs provide a blueprint for not only continuing the success of state programs but also for protecting the investments of time and energy that have already gone into changing the way that the criminal justice system uses resources, sees research and evaluation, and reacts to new and innovative ways of protecting the public.

The Reach of Evidence-Based Studies in Corrections



Some evidence-based studies focus on particular programs and practices, while others are more far-reaching. An example of the former is a study conducted by the Minnesota Department of Corrections, which found that prison visitation has a significant impact on recidivism, with "frequent and recent visits" being closely associated with a decreased risk of recidivism. A surprising finding from the study was that "any visit reduced the risk of recidivism by 13 percent for felony reconvictions."⁸

One recent, and some would say surprising, large-scale evidence-based assessment of the effectiveness of imprisonment, in general, concluded that "there is little evidence that prisons reduce recidivism and at least some evidence to suggest that they have a criminogenic effect." The study authors noted that "the policy implications of this finding are significant, for it means that beyond crime saved through incapacitation, the use of custodial sanctions may have the unanticipated consequence of making society less safe."⁹

If the findings of this study are validated by further investigation, then it would seem that the wider use of community corrections, reentry programs, and sentences that divert offenders from prison will serve the rehabilitative goals of society better than imprisonment and will likely lead to a reduction in corrections-related budgets.



Visit <http://justicestudies.com/qrcodes/ebcp.pdf> or scan this code with the QR app on your smartphone or digital device and read *Evidence-Based Correctional Practices*, a paper that introduces some important concepts in the field of evidence-based corrections.

Corrections Professionalism

What is corrections professionalism? Why is it important?



CO2-2



PROFESSIONALISM IN CORRECTIONS

Only a few decades ago, some writers bemoaned the fact that the field of corrections had not achieved professional status. Happily, much has changed over the past half century. By 1987, Bob Barrington, who was then the executive director of the International Association of Correctional Officers, was able to proclaim, in a discussion about prisons, that "correctional

facilities . . . run smoothly and efficiently for one basic reason: the professional and forward-thinking attitudes and actions of the correctional officers employed."¹⁰

Writers on American criminal justice have said that the hallmark of a true profession is "a shared set of principles and customs that transcend self-interest and speak to the essential nature of the particular calling or trade."¹¹ This description recognizes the selfless and ethical nature of professional work. Hence, "professionals have a sense of commitment to their professions that is usually not present among those in occupational groups."¹² Work within a profession is viewed more as a "calling" than as a mere way of earning a living. "Professionals have a love for their work that is above that of employment merely to receive a paycheck."¹³

Although it is important to keep formal definitions in mind, for our purposes, we will define a **profession** as an occupation granted high social status by virtue of the personal integrity of its members. We can summarize the *attitude* of a true professional by noting that it is characterized by the following:

- a spirit of public service and interest in the public good;
- the fair application of reason and the use of intellect to solve problems;
- self-regulation through a set of internal guidelines by which professionals hold *themselves* accountable for their actions;
- continual self-appraisal and self-examination;
- an inner sense of professionalism (i.e., honor, self-discipline, commitment, personal integrity, and self-direction);
- adherence to the recognized ethical principles of one's profession (see the Ethics and Professionalism box in this chapter); and
- a commitment to lifelong learning and lifelong betterment within the profession.

Most high-status occupations have developed practices that foster professionalism among their members.



profession

An occupation granted high social status by virtue of the personal integrity of its members.



Offices of the American Correctional Association (ACA) in Alexandria, Virginia. The ACA is a leading proponent of professionalism in corrections. What does corrections professionalism entail?

Reprinted with permission of the American Correctional Association, Alexandria, VA.

Standards and Training

Historically, professional corrections organizations and their leaders have recognized the importance of training. It was not until the late 1970s, however, that the American Correctional Association's (ACA) Commission on Accreditation established the first training standards. The commission did the following:

- set specified standards for given positions within corrections;
- identified essential training topics;
- set specific numbers of hours for preservice (120) and annual in-service training (40); and
- specified basic administrative policy support requirements for training programs.¹⁴

Following ACA's lead, virtually every state now requires at least 120 hours of preservice training for correctional officers working in institutional settings; many states require more. Probation and parole officers are required to undergo similar training in most jurisdictions, and correctional officers working in jails are similarly trained.

Through training, new members of a profession learn the core values and ideals, the basic knowledge, and the accepted practices central to the profession. Setting training standards ensures that the education is uniform. Standards also mandate the teaching of specialized knowledge. Standards supplement training by doing the following:

- setting minimum requirements for entry into the profession;
- detailing expectations for those involved in the everyday life of correctional work; and
- establishing basic requirements for facilities, programs, and practices.

From the point of view of corrections professionals, training is a matter of personal responsibility. A lifelong commitment to a career ensures that those who think of themselves as professionals will seek the training needed to enhance their job performance.

Basic Skills and Knowledge

In 1990, the Professional Education Council of the American Correctional Association developed a model entry test for correctional officers. The test was intended to increase professionalism in the field and to provide a standard criminal justice curriculum.¹⁵

The council suggested that the test could act "as a quality control measure for such education, much as does the bar exam for attorneys." The standard entry test was designed to "reveal the applicant's understanding of the structure, purpose, and method of the police, prosecution, courts, institutions, probation, parole, community service, and extramural programs." It was also designed to "test for knowledge of various kinds of corrections programs, the role of punitive sanctions and incapacitation, and perspective on past experience and current trends."

More recently, Mark S. Fleisher of Illinois State University identified four core traits essential to effective work in corrections.¹⁶ The traits are as follows:

- **Accountability.** "Correctional work demands precision, timeliness, accountability and strong ethics." Students may drift into patterns of irresponsibility during their college years. Once they become correctional officers, however, they need to take their work seriously.
- **Strong writing skill.** Because correctional officers must complete a huge amount of paperwork, they need to be able to write well. They should also be familiar with the "vocabulary of corrections."

Ethics and Professionalism

American Correctional Association Code of Ethics

1. Members shall respect and protect the civil and legal rights of all individuals.
2. Members shall treat every professional situation with concern for the welfare of the individuals involved and with no intent to gain personally.
3. Members shall maintain relationships with colleagues to promote mutual respect within the profession and improve the quality of service.
4. Members shall make public criticism of their colleagues or their agencies only when warranted, verifiable, and constructive.
5. Members shall respect the importance of all disciplines within the criminal justice system and work to improve cooperation with each segment.
6. Members shall honor the public's right to information and share information with the public to the extent permitted by law subject to individuals' right to privacy.
7. Members shall respect and protect the right of the public to be safeguarded from criminal activity.
8. Members shall refrain from using their positions to secure personal privileges or advantages.
9. Members shall refrain from allowing personal interest to impair objectivity in the performance of duty while acting in an official capacity.
10. Members shall refrain from entering into any formal or informal activity or agreement that presents a conflict of interest or is inconsistent with the conscientious performance of duties.
11. Members shall refrain from accepting any gifts, services, or favors that are or appear to be improper or imply an obligation inconsistent with the free and objective exercise of professional duties.
12. Members shall clearly differentiate between personal views/statements and views/statements/positions made on behalf of the agency or Association.
13. Members shall report to appropriate authorities any corrupt or unethical behaviors for which there is sufficient evidence to justify review.
14. Members shall refrain from discriminating against any individual because of race, gender, creed, national origin, religious affiliation, age, disability, or any other type of prohibited discrimination.
15. Members shall preserve the integrity of private information; they shall refrain from seeking information on individuals beyond that which is necessary to implement responsibilities and perform their duties; members shall refrain from revealing nonpublic information unless expressly authorized to do so.
16. Members shall make all appointments, promotions, and dismissals in accordance with established civil service rules, applicable contract agreements, and individual merit, rather than furtherance of personal interests.
17. Members shall respect, promote, and contribute to a work-place that is safe, healthy, and free of harassment in any form.

Adopted by the Board of Governors and Delegate Assembly in August 1994.

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Ethical Dilemma 2–1: In light of tight state budgets and overcrowded prisons, should governors use their authority to provide early release for some inmates? If so, under what circumstances? For more information, go to Ethical Dilemma 2–1 at www.justicestudies.com/ethics09.

Ethical Dilemma 2–2: You are the warden of the only medium security prison in your state. Your nephew is sentenced to serve 10 years in your institution. Using the ACA Code of Ethics as a guide, determine what ethical issues you will face. For more information, go to Ethical Dilemma 2–2 at www.justicestudies.com/ethics09.

Ethical Dilemma 2–3: One of your fellow correctional officers accepts candy and snacks from one of the inmates. She doesn't ask for the snacks, nor does she do any favors for the inmate. Should you report this activity? Will you report it? Using the ACA Code of Ethics, determine the ethical issues, if any, involved in this behavior. For more information, go to Ethical Dilemma 2–3 at www.justicestudies.com/ethics09.

- **Effective presentational skills.** "A correctional career requires strong verbal skills and an ability to organize presentations." Effective verbal skills help officers interact with their peers, inmates, and superiors.
- **A logical mind and the ability to solve problems.** Such skills are essential to success in corrections because problems arise daily. Being able to solve them is a sign of an effective officer.