



THIRD EDITION

AMERICAN
CORRECTIONS

IN★BRIEF

TODD R. CLEAR
MICHAEL D. REISIG
CAROLYN PETROSINO
GEORGE F. COLE



AMERICAN CORRECTIONS IN BRIEF

THIRD EDITION

TODD R. CLEAR

Rutgers University

MICHAEL D. REISIG

Arizona State University

CAROLYN PETROSINO

Bridgewater State University

GEORGE F. COLE

University of Connecticut



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Todd R. Clear, Michael D. Reisig,
Carolyn Petrosino, George F. Cole

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Senior Product Manager: Carolyn Henderson Meier

Associate Content Developer: Jessica Alderman

Product Assistant: Valerie Kraus

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Managing Art Director: Andrei Pasternak

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Lumina Datamatics

Text Researcher: Lakshminarasimhan Venkatraman,
Lumina Datamatics

Production Service: Greg Hubit Bookworks

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Text and Cover Designer: Lisa Delgado

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PREFACE

This is the third edition of *American Corrections in Brief*. We wrote this text in order to offer faculty who have used *American Corrections*, now in its eleventh edition, a briefer, more applied corrections text that lives up to the authors' rigorous standards for scholarship and state-of-the-art coverage. This text is designed to thoroughly introduce students to the dynamics of the corrections system without overwhelming them, in a format that students will find exciting and that will encourage them to achieve at a higher level.

We developed *American Corrections in Brief* to be not simply an abridged version of *American Corrections* but to be a whole new book. This third edition strengthens what teachers found most useful in the first two editions and reworks some of the material to provide more complete topical coverage of the field of corrections. The result is, we think, an *American Corrections in Brief* that offers exceptional coverage of the field in a format that is accessible, applied, and richly informed by scholars, reviewers, and adopters like yourself.

AN OVERVIEW OF THE TEXT

American Corrections in Brief introduces students to the subject of corrections in just thirteen chapters—fewer than any other textbook available for the course—and features a special emphasis on applying theory and research to the real world of correctional practice. To enhance student orientation to this real-world focus, we have developed special elements that “tell it like it is.” These elements will assist students as they become informed citizens and especially if they consider corrections as a career. Students will also find the Careers in Corrections boxes informative, because these features describe such essentials as the nature of the job, requirements for entry, earnings, and future outlook.

Throughout the book, examples from today's headlines are used to link the concepts and information to actual correctional situations relevant to today's students and tomorrow's practitioners. What's more, we have labored to produce a text that is truly reflective of today's correctional environment. As most of us are aware, the corrections system is changing more rapidly today than perhaps at any other time in the last 40 years. Today, the political left and right have aligned for the first time in decades, and there is a broad national call for downsizing the corrections system. How will this play out in the realm of policy and practice? Critical-thinking exercises and discussion questions found throughout the book raise the types of dilemmas that future correctional leaders will face.

In today's world, correctional professionals are increasingly focusing their attention on research by scholars who have demonstrated the shortcomings of correctional practices and have urged alternatives. In this book, we thus not only examine the history of corrections and the exciting changes that have occurred to make the field what it is today but also look to the future of corrections by appraising research-based solutions to current issues.

In *American Corrections in Brief* we offer a provocative analysis of contemporary corrections that is based on up-to-date research and reflects current weaknesses in the system. By acknowledging the system's problems, we hope that our account will inspire

suggestions for change. We believe that when human freedom is at stake, policies must reflect research and be formulated only after their potential effects have been carefully considered. In other words, we hope that any changes we inspire will be good ones. We also hope that a new generation of students will gain a solid understanding of all the aspects of their complex field.

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

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

- **Corrections is interdisciplinary.** The academic fields of criminal justice, sociology, psychology, history, law, and political science contribute to our understanding of corrections. This cross-fertilization is enriching, yet it requires familiarity with a vast literature. We have structured our text with a strong focus on coherence to make this interdisciplinary approach comprehensive yet accessible.
- **Corrections is a system.** In our book the system concept serves as a framework for analyzing the relationships among the various parts of corrections and the interactions between correctional professionals and offenders. The main advantage of this perspective is that it allows for dispassionate analysis of correctional practices. It also makes students aware that corrections is a dynamic, changing system where discretion by administrators and officers influences the lives of those under supervision.

ORGANIZATION OF THE TEXT

Correctional officials and political leaders are continually asking, “Where is corrections headed?” Does the future hold that American corrections will continue to lead the developed world in numbers incarcerated? Might there be a return to the rehabilitation emphasis of the past? Will there be further calls to privatize corrections? In *American Corrections in Brief* we explore these and other issues in four major sections: the correctional context, corrections in the community, institutional corrections, and correctional issues.

In Part One, “The Correctional Context,” we describe societal issues that frame our contemporary experience of corrections. We examine the general social context of the corrections system and the history of American corrections (Chapter 1). The purpose of punishment, forms of the criminal sanction, and the sentencing process are examined in Chapter 2. Part One thus presents the foundations of American corrections—context, history, goals, organizations, and offenders—and does so in vastly fewer pages than most texts, which leaves us with more time to spend on institutional and community corrections as well as the complex emerging issues and challenges that characterize the corrections system in the twenty-first century.

In Part Two, “Corrections in the Community,” we look at the current state of correctional practices at the local level. It is in the community where most offenders are supervised. Jails and other short-term facilities are scrutinized in Chapter 3; probation and intermediate sanctions, by which most offenders are handled, in Chapter 4; and community supervision practices in Chapter 5.

Because imprisonment remains the core symbolic and punitive mechanism of institutional corrections, Part Three, “Institutional Corrections,” examines it in detail. We discuss prisons at the state and federal level (Chapter 6), the prison experience (Chapter 7),

and prison management (Chapter 8). Chapter 9 is devoted to the developing recognition of the unique correctional needs of the various groups of people managed within the correctional context, indicating a greater willingness of correctional officials to address new realities. Taken together, Parts Two and Three offer a succinct yet comprehensive introduction to the development, structure, and methods of each area of the existing corrections system, portraying them in light of the continuing issues described in Part One of the text.

Part Four, “Correctional Issues,” is unique to this text in that we examine a number of cutting-edge issues and trends that are at the forefront of correctional discussions. These issues have been chosen because of their currency and focus. They present dilemmas for correctional researchers and administrators who are trying to deal with problems that are new to the system. Chapter 10 describes the great expansion of the number of incarcerated offenders reentering the community and the current efforts to more effectively manage those offenders who struggle with adjustment, short of reincarceration. Chapter 11 deals with legal issues surrounding prisoners’ rights as well as the law with regard to the death penalty. This chapter, perhaps more than any other, illustrates the dynamic nature of the law. Prisoners’ rights is far from being a settled area, as new and interesting questions are periodically taken up by the courts. For example, although the use of lethal injections is lawful, certain chemicals used in the process may not be. This question is now on the calendar of the U.S. Supreme Court. Chapter 12 offers an expanded treatment of juveniles, drawing lessons from long-standing reform movements that have been taking place in that arena. In Chapter 13, “The Future of Corrections,” we take both a retrospective view of American corrections and a view toward its future. These chapters are designed to raise questions in the minds of readers so that they can begin to grapple with important issues.

WHAT’S NEW IN THE THIRD EDITION

We have made a number of changes and improvements in this edition. Throughout the book, we have updated all tables, figures, and text with the most recent data available, which means that you will gain an understanding of the most current trends in corrections. For example, we give extended discussion to today’s decline in the number of people in the correctional system, describing the implications for correctional policy and practice.

In order to provide additional currency, we have reworked many of the chapter-opening vignettes and boxed features. In addition, we have expanded coverage of timely, pressing topics such as private prisons, women in prison, and developments in community corrections. Following is a list of chapter-by-chapter changes to this new edition.

Chapter 1—What Is Corrections? starts with a new chapter introduction updated with current statistics and correctional trends. One emerging trend, private prisons, is introduced here. This chapter also discusses evidence-based corrections and justice reinvestment as two movements that may indicate a new era in correctional policy. Lastly, we have updated the Focus on Correctional Practice box (“Two States Struggle with Mass Incarceration: Texas and California”) with more recent data.

Chapter 2—The Punishment of Offenders presents more thorough coverage of “three strikes” laws and restoration. We have also included a new chapter-opening vignette about Bob Bashara, who was convicted of hiring a man to murder his wife. Much of the boxed feature content has been reworked, including a new Focus on Correctional Practice box (“Early Methods of Execution”), a revised Focus on Correctional Policy box (“Politics and Sentencing: The Case of Crack Cocaine”), and a new Myths in Corrections box regarding California’s Proposition 36 and recidivism rates (“Three Strikes and You’re Out”).

Chapter 3—Jails: Corrections at the Local Level includes several new topics, such as the debate over private jails and the declining populations and changing gender mix in jails. There are two new boxes: the Focus on Correctional Policy box (“California Turns to Its Jails to Deal with Crowding”) and a Do the Right Thing box, which takes a look at “pay to stay” programs in jails. The Careers in Corrections box (“Correctional Officer—Local Jails”) has been updated to include the most current earnings information.

Chapter 4—Community Corrections: Probation and Intermediate Sanctions contains two new boxes: the Focus on Correctional Policy box (“How Much Are the Various Alternative Sanctions Used?”) and the Focus on Correctional Practice box (“Rethinking Revocation of Community Supervision”). We have also updated the Focus on Correctional Technology box (“Objective Risk-Assessment Systems”).

Chapter 5—Probation Supervision takes an expanded look at the contents of a presentence investigation and has new coverage regarding the use of power by probation officers, including the issue of probation officers carrying firearms.

Chapter 6—Prisons picks up the discussion of private prisons from Chapter 1 and explains more about this controversial trend.

Chapter 7—The Prison Experience has a new Focus on Correctional Practice box (“Prison Commissary Items”) and an updated “The Prison Economy” section.

Chapter 8—Prison Management starts with a new chapter-opening vignette detailing a prison attack on two correctional officers. This chapter also expands upon the connection between prison architecture and violence, detailing a new study (2014) that shows differing levels of violent activity in prisons with varying layouts. Both the Myths in Corrections box (“Sexual Victimization in State Prisons”) and Careers in Corrections box (“Correctional Officer”) have been updated.

Chapter 9—Special Populations contains a more detailed section on elderly offenders, as well as an extended dialogue regarding how the policy of deinstitutionalization has facilitated the development of the mentally ill in prisons. We have also included a new section on the military veteran prisoner and the challenges of this group as a special correctional population.

Chapter 10—Reentry into the Community begins with a new chapter-opening vignette concerning the former governor of Virginia, Robert McDonnell, who was found guilty of public corruption. We elaborate more on release mechanisms, including the trend of prisoners maxing out, and have a fuller discussion of revocation.

Chapter 11—Legal Issues and the Death Penalty more thoroughly examines the issues experienced by women in prisons, specifically the controversy concerning the shackling of female prisoners while they are in active labor and/or during delivery; this practice has Eighth Amendment challenges. There is a new section titled Lethal Injections—Are They Painless? This section addresses the most recent debate about the effectiveness of particular drugs used in lethal injection executions.

Chapter 12—Corrections for Juveniles incorporates a new chapter-opening vignette about Adolpho Davis, who was sentenced to life in prison without parole for murders he committed as a juvenile, and introduces the implications of *Miller v. Alabama* for previously sentenced minors. We have also written a new Do the Right Thing box that outlines the ethical implications in the case of Carlton Franklin, a middle-aged man tried in juvenile court for a murder he committed at age 15.

Chapter 13—The Future of Corrections contains an expanded section on correctional leadership as well as a new discussion about the current prison reform climate and the need to restructure prisons and the correctional system in general.

SPECIAL FEATURES

Several features make this book an especially interesting introduction to corrections:

- **Opening vignettes:** Each chapter opens with a description of a high-profile correctional case. Taken from today's headlines, each vignette dramatizes a real-life situation that draws the student into the chapter's topic. Instructors will find these "lecture launchers" an important pedagogical tool to stimulate interest. For example, Chapter 10, "Reentry into the Community," describes the rise and fall of convicted felon and ex-governor of Virginia, Robert Francis McDonnell. Students will consider the importance of resources and social capital implied in this vignette when it comes to community supervision in contrast to that of most offenders returning to society.
- **Focus On:** In this feature, the real-world relevance of the issues discussed in the text is made clear by vivid, in-depth accounts by correctional workers, journalists, prisoners, parolees, and the relatives of those who are in the system. *American Corrections in Brief* includes three types of Focus boxes: Correctional Technology, Correctional Policy, and Correctional Practice. Each box provides an example of the focus and presents critical-thinking questions for analysis and discussion. Focus on Correctional Technology presents examples of the use of contemporary technologies such as the use of "telemedicine" in prisons found in Chapter 7. Focus on Correctional Policy in Chapter 5 examines policies to meet current challenges such as dealing with people convicted of drug offenses. Focus on Correctional Practice describes contemporary practices such as the experience of a young offender's experience in jail (Chapter 3). We believe that students will find that the material in each Focus box enhances their understanding of the chapter topic. Instructors will find that the Focus boxes will provoke class discussion that will enhance the text.
- **Myths in Corrections:** This feature contrasts popular beliefs about corrections with the reality as presented by research findings. One of the big challenges for people who teach about corrections is that students come in with preconceptions that are often inaccurate. By showing that "the facts" can counter commonly held perceptions, we make it possible for teachers to point out other areas where commonly held opinion is not necessarily completely correct.
- **Careers in Corrections:** In appropriate chapters, students will find one or more boxes in which a particular occupation is described. The material includes the nature of the work, required qualifications, earnings, and job outlook, plus a source for further information.
- **Do the Right Thing:** Correctional workers are often confronted with ethical dilemmas. In these boxes we present a scenario in which an ethical question arises. We then ask students to examine the issues and consider how they would act in such a situation. The scenarios have been developed to encourage students to grapple with the "right thing" and to provide the basis of a writing assignment.
- **Glossary:** One goal of an introductory course is to familiarize students with the terminology of the field. We have avoided jargon in the text but include terms that are commonly used in the field. Such indispensable words and phrases are set in bold type, and the term and its definition have been placed in the margin. A full glossary with definitions of all terms is located at the back of the book.

- **Graphics:** We have created tables and figures that clarify and enliven information so that it can be perceived easily and grasped accurately.
- **Photographs:** *American Corrections in Brief* contains a complete program of dynamic photographs spread throughout the book. These reveal many aspects of corrections ordinarily concealed from the public eye. The photographs provide students with a real-world view of correctional policies and practices.
- **Integrated Learning Objectives and Other Student Aids:** At the beginning of each chapter is an outline of the topics to be covered, followed by the learning objectives mentioned above. These tools are designed to guide students as they progress through the chapter. At the end of each chapter, students will find a summary (again, keyed to the learning objectives) as well as discussion questions and a list of key terms.

CORRECTIONS: A DYNAMIC FIELD

As textbook authors, we have a responsibility to present current data, provide coverage of new issues, and describe innovative policies and programs. As noted above, we have been assisted by the comments of an exceptionally knowledgeable team of reviewers who suggested current issues that they wanted to discuss in their classrooms. Among these topics are the following:

- **The death penalty:** The introduction in the 1970s of lethal injection as an execution method has resulted in a flurry of court cases challenging this approach as a violation of the cruel and unusual punishment clause of the Eighth Amendment to the Constitution. In 2008 this claim was examined by the U.S. Supreme Court, which ruled in *Baze v. Rees* that attorneys for the death row inmates had not proven that lethal injection was in conflict with the amendment. However, the last word on this issue seems not to have been spoken, as botched executions continue to command headlines and new cases enter the judicial system. Because an ever-increasing number of death row inmates are being released when new evidence shows that they were erroneously convicted, the use of the death penalty will continue to be a major source of debate among legislators, scholars, and correctional officials.
- **Incarceration trends:** Although rates of violent crime have dropped to 1970 levels, the incarceration rate remains high. Today, however, there is an emerging consensus that incarceration rates are too high and policy makers should find ways to reduce the number of people behind bars. Advocates on both the left and the right are now urging states to find ways to begin to cut down on the number of prisoners. As almost half the states now experience small reductions in prison populations, there will be ripple effects throughout the corrections system. These issues are discussed in Chapter 1 and elsewhere throughout the book.
- **Reentry:** Each year approximately 700,000 offenders are released from prison and returned to their communities. Disturbingly, in some states recidivists make up the largest group of new admissions to prison. In response, assisting felons in the reentry process has become a major focus of correctional policy. The problems encountered by parolees as they adjust to the community are dealt with extensively in Chapter 10.
- **Management of prison staff:** The introduction of women as correctional officers in prisons for males and the increased staffing of males in prisons for women have created problems in the workplace. Initially, questions were raised about the effectiveness of women as correctional officers, but in recent years charges of sexual abuse by male officers have also created problems for prison administrators.
- **Evidence-based practice:** There has been a growing movement for “evidence-based” practice in dealing with those under community supervision—probation or parole.

Public statements by former U.S. Attorney General Eric Holder and the development of programs within the U.S. Justice Department's Office of Justice Programs have spurred this thrust. Probation and parole officers are encouraged to make decisions based on methods that have been shown to be effective by well-designed research methods.

- **Correctional law:** Beginning in the 1970s, the U.S. Supreme Court started developing an extensive case law designed to uphold the rights of probationers, prisoners, and parolees. Many of these decisions were in response to the prisoners' rights movement, which directed attention to the conditions of confinement in many penal institutions. Although the Court has not been as active in developing new laws during the past decade, prisoners continue to bring cases that challenge aspects of their incarceration.
- **Incarceration of women:** As the number of female prisoners has increased, so too has research on the impact of maternal incarceration on children. Administrators in a number of states have devised programs to provide opportunities for women to maintain contact with their children.
- **Private prisons:** Since the advent of private prisons in the 1970s, questions have been raised about whether they are more cost-effective than public prisons. Until recently, research on this question has been lacking. As states deal with severe budgetary problems, the future of private prisons is uncertain.
- **The prison experience:** Prison gangs have been a major problem in some corrections systems for some time. Different strategies have been developed to deal with these gangs. Prison rape is also an issue that has brought a national spotlight on inmate safety. New evidence provides national estimates on the prevalence of sexual violence in prisons and how correctional officials handle victimization reports.
- **Technology in corrections:** The introduction of the newest technological devices and systems is having a major impact on corrections. For example, from the 1980s, when the first tracking devices were attached to probationers, to today's use of global positioning systems, to telemedicine in prisons, corrections has been at the forefront in the use of technology. The impact of technology on corrections is only now being measured, as seen by the results of research in many states. As "evidenced-based decision making" becomes a high priority of correctional administrators, the use of the latest technology is bound to greatly influence future policies and practices.

ANCILLARY MATERIALS

Cengage Learning provides a number of supplements to help instructors use *American Corrections in Brief* in their courses and to aid students in preparing for exams. Supplements are available to qualified adopters. Please consult your local Cengage Learning sales representative for details.

To access additional course materials, please visit www.cengagebrain.com. At the CengageBrain.com home page, search for the ISBN of your title (from the back cover of your book) using the search box at the top of the page. This will take you to the product page where these resources can be found.

For the Instructor

ONLINE INSTRUCTOR'S MANUAL The manual includes learning objectives, key terms, a detailed chapter outline, a chapter summary, lesson plans, discussion topics, student activities, "what if" scenarios, media tools, and a sample syllabus. The learning objectives are correlated with the discussion topics, student activities, and media tools. The

manual is available for download on the password-protected website and can also be obtained by e-mailing your local Cengage Learning representative.

ONLINE TEST BANK Each chapter of the test bank contains questions in multiple-choice, true/false, completion, essay, and critical-thinking formats, with a full answer key. The test bank is coded to the learning objectives that appear in the main text, references to the section in the main text where the answers can be found, and Bloom's taxonomy. Finally, each question in the test bank has been carefully reviewed by experienced criminal justice instructors for quality, accuracy, and content coverage. The Test Bank is available for download on the password-protected website and can also be obtained by e-mailing your local Cengage Learning representative.

CENGAGE LEARNING TESTING, POWERED BY COGNERO This assessment software is a flexible, online system that allows you to import, edit, and manipulate test bank content from the *American Corrections in Brief* test bank or elsewhere, including your own favorite test questions; create multiple test versions in an instant; and deliver tests from your LMS, your classroom, or wherever you want.

ONLINE POWERPOINT® LECTURES Helping you make your lectures more engaging while effectively reaching your visually oriented students, these handy Microsoft PowerPoint slides outline the chapters of the main text in a classroom-ready presentation. The PowerPoint slides are updated to reflect the content and organization of the new edition of the text and feature some additional examples and real-world cases for application and discussion. Available for download on the password-protected instructor companion website, the presentations can also be obtained by e-mailing your local Cengage Learning representative.

For the Student

MINDTAP FOR AMERICAN CORRECTIONS IN BRIEF With MindTap™ Criminal Justice for *American Corrections in Brief*, you have the tools you need to better manage your limited time, with the ability to complete assignments whenever and wherever you are ready to learn. Course material that is specially customized for you by your instructor in a proven, easy-to-use interface keeps you engaged and active in the course. MindTap helps you achieve better grades today by cultivating a true understanding of course concepts, with a mobile app to keep you on track. With a wide array of course-specific tools and apps—from note taking to flashcards—you can feel confident that MindTap is a worthwhile and valuable investment in your education.

You will stay engaged with MindTap's video cases and career scenarios and remain motivated by information that shows where you stand at all times—both individually and compared to the highest performers in class. MindTap eliminates the guesswork, focusing on what's most important, with a learning path designed specifically by your instructor and for your corrections course. Master the most important information with built-in study tools such as visual chapter summaries and integrated learning objectives that will help you stay organized and use your time efficiently.

ACKNOWLEDGMENTS

Ours has been a collective effort in which drafts of each chapter were reviewed by at least one other author, revised, and then set out to review by a group of criminal justice faculty who teach at a range of colleges and universities. These reviewers were enthusiastic about the project and gave us helpful advice on the text's organization and content. We hope that this book reflects our enthusiasm for our field and the satisfaction we have found in it.

In writing *American Corrections in Brief* we were greatly assisted by people who merit special recognition. Criminal justice instructors who reviewed the second edition of the text were most helpful in pointing out its strengths and weaknesses; we took their comments seriously and hope that readers will find their educational needs met more fully. We gratefully acknowledge the valuable contributions of the following reviewers:

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Todd R. Clear
tclear@rutgers.edu

Michael D. Reisig
reisig@asu.edu

Carolyn Petrosino
cpetrosino@bridgew.edu

George F. Cole
University of Connecticut

THE CORRECTIONAL CONTEXT

Chapter 1
What Is Corrections?

Chapter 2
The Punishment
of Offenders

Part One examines the social context of the corrections system. Chapter 1 asks the question “What is corrections?” and examines the purposes of corrections within the criminal justice system. The systems framework of analysis is introduced because it provides a means of understanding the interconnections of corrections with other criminal justice units. To further the understanding of corrections, a brief history of American corrections from the Revolutionary War to the present shows the development of ways that society has dealt with problems of social control. Chapter 2 looks at punishment, with an examination of the history of penology from the Middle Ages to the American Revolution. Next, the theoretical basis for the objectives of punishment is discussed, followed by the forms of the criminal sanction as implemented through the sentencing process. The issue of unjust punishment completes the chapter. ■

CHAPTER

1

What Is Corrections?

Something remarkable is happening in American corrections. For over 40 years—longer than most readers of this book have been alive—the corrections system has been growing. Between 1973 and 2010, the corrections system grew more than six-fold, a faster rate of growth than any other social

statistic applying to the United States. In other words, nothing else in contemporary U.S. history has grown the way corrections has grown.

The expansion of imprisonment illustrates these changes. In 1973, when the current increase in the number of people in

Learning Objectives

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

- 1 Describe the growth of the U.S. corrections system in the last 40 years and discuss at least three issues raised by that growth.
- 2 Define the systems framework and explain why it is useful.
- 3 Name the various components of the corrections system today and describe their functions.
- 4 Discuss what we can learn from the “great experiment of social control.”
- 5 Distinguish the basic assumptions of the penitentiary systems of Pennsylvania and New York.
- 6 Discuss the elements of the Cincinnati Declaration.
- 7 Understand the reforms advocated by the Progressives.
- 8 Discuss the forces and events that led to the present crime control model.
- 9 Describe the changes that are going on today and why they are important.



Marjorie Kamys Cotera/Daemrich Photos/The Image Works

For most of the last 40 years, the American correctional system has been on a steady path of growth, with ever-increasing numbers of people on probation, on parole, in jail, and in prisons.

prison first started, the prison incarceration rate was 96 per 100,000 Americans. For the next 37 years, the number of prisoners increased—during periods when crime went up, but also during periods when crime declined; during good economic times and bad; during times of war and times of peace.

At first, for most of the 1970s, this growth was caused by rising rates of crime. But the prison population growth continued during the 1980s, when crime rates stabilized, and continued to grow throughout the 1990s, even though crime rates fell between 1993 and 2008 by more than

- **American Corrections Today**
- **The Purpose of Corrections**
- **A Systems Framework for Studying Corrections**
 - Goals
 - Interconnectedness
 - Environment
 - Feedback
 - Complexity
- **The Corrections System Today**
- **The History of Corrections in America**
 - The Colonial Period
 - The Arrival of the Penitentiary
 - The Reformatory Movement
 - Corrections in the Twentieth Century
 - Where Are We Today?
- **The Correctional Challenge**

(continued from previous page)

50 percent.¹ Since 1990, the swelling prison population seems to be entirely the result of tougher criminal justice policies rather than changes in crime rates.² (See “Myths in Corrections: High U.S. Crime Rates.”)

In 2008 the U.S. imprisonment rate reached 506 per 100,000. Correctional budgets had grown by over 600 percent during that 35-year period. Today, almost 3,000 people are on death row,³ and another 140,000 are serving life sentences.⁴ Counting prisons and jails, more than 2.2 million Americans are incarcerated, making the total incarceration almost 700 per 100,000 residents, a stunning 1 percent of all adults. ■

AMERICAN CORRECTIONS TODAY

Although most Americans think of prisons when they think of corrections, about 70 percent of persons under supervision are not in prisons or jails but live in the community on probation or parole. The story of a generation-long period of growth occurred for these noninstitutional forms of corrections as well. (The pattern of growth for American corrections since 1980 is shown in **Figure 1.1**.) This means that Americans have experienced one of the greatest policy experiments in modern history. Never before has the United States seen such growth in its corrections system—an expansion that has lasted for a full generation.

There are signs that this long-term pattern may be beginning to change. Between 2009 and 2012, state prison populations dropped over 2 percent, led by a nearly 20-percent drop in California’s prison population.⁵ The nation’s imprisonment rate dipped below 500 per 100,000 for the first time since 2006, and in 2010 half the states had net reductions in the number of prisoners.

One result has been that correctional costs are also declining for the first time. From 1982 to 2001, total state expenditures on corrections more than tripled. But faced with growing fiscal pressures, states have begun to try to control their correctional costs, and since 2002 those expenditures have decreased almost 10 percent.⁶ Today, 16 states are planning to *close* at least one prison, and six of those have actually closed prisons.⁷ And prisons are not the only part of the corrections system that is declining. For the fifth consecutive year, probation caseloads have dropped, and the number of people in jail has declined for the fourth consecutive year.⁸

This pattern is remarkable, given U.S. history during the past 40 years, but it is too early to know whether this is the start of a new trend. Indeed, the prison population once again grew in 2013 by almost 4,000 people, and the number of people on parole increased by 2,000. However, the size of the federal correctional population declined for the first time

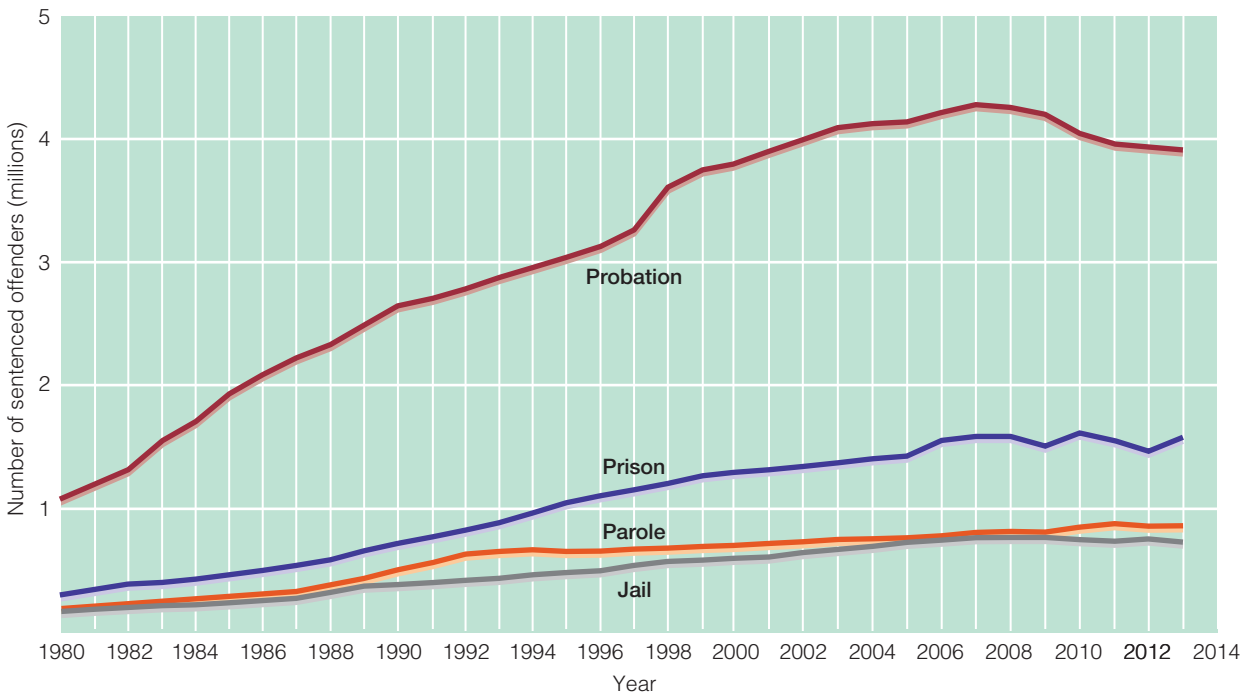


FIGURE 1.1
Correctional Populations in the United States, 1980–2013

Although the increase in prison population receives the most publicity, a similar level of correctional growth has occurred in probation and parole.

Sources: Latest data available from the Bureau of Justice Statistics correctional surveys, www.ojp.usdoj.gov: *Annual Survey of Jails*, *Annual Parole Survey*, *Annual Probation Survey*, *National Prisoner Statistics Population Midyear Counts*, *Correctional Populations in the United States*, 2013.

since the 1970s. And even though many states had reductions in the number of prisoners, the overall prison population grew in half the states.

So, while something remarkable is going on in the American corrections system, whether we are seeing a brand-new trend or just a slowing down of the old one is yet to be determined. Either way, by any measure, the U.S. corrections system has seen a sustained period of extraordinary, steady growth for more than a generation. This is something that has never happened before in the United States or anywhere else (see “Focus on Correctional Policy: The Great Experiment in Social Control”). Unless something changes, it has been estimated that almost 7 percent of people born in 2001—teenagers today—will go to prison at some time during their lives.⁹

Today, a chorus of voices debates the wisdom of the large corrections system. Both liberals and conservatives rightfully worry that the expansion of corrections has affected some groups more than others. Nearly one-third of all African American men in their twenties are under some form of correctional control, and one in six African American males has been in prison.¹⁰ Americans of all political stripes also share a concern that the costs of corrections, more than \$70 billion per year, are out of line. Prison budgets—by far the most expensive portion of the overall penal system—grow even when money for education and others services lag. Probation caseloads and daily jail populations have also grown, and they obviously cost money, as well. With growing public concern about the quality of schools and health care, people of all political persuasions are tempted to ask if so much money is needed for corrections. This is especially true during a period when budget deficits loom large in most states. Political leaders are particularly leery about continuing to invest in what many, especially conservatives, see as a system that is not as effective as it ought to be.¹¹ As crime continues to go down, more and more people wonder if we need so many fellow citizens under correctional control.

MYTHS in Corrections

High U.S. Crime Rates

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

THE REALITY: Compared with the burglary rates of Australia and England, America's is the lowest, and its assault and robbery rates fall in between those of the other two countries. The U.S. incarceration rate is four times higher than that of either country.

Source: The Sentencing Project, *New Incarceration Figures: Growth in Population Continues* (Washington, DC: Author, 2006).

Corrections, then, is a topic for public debate as never before. A generation ago, most people knew very little about corrections. Prisons were alien “big houses,” infused with mystery and located in remote places. The average American had no direct knowledge of “the joint” and no way of learning what it was like. Most people did not even know what probation and parole were, much less have an opinion about their worth. About 6.9 million Americans are now in the corrections system. Of today's men in their thirties, almost 1 in 28 has been in prison; if current patterns continue, 11 percent of male children born this year (a third of male African Americans) and 2 percent of female children will go to prison.¹² Add to these numbers the impact on fathers and mothers, brothers and sisters, aunts and uncles, and husbands, wives, and children, and you have an idea of how pervasive corrections is today—especially for poor Americans and people of color.

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

Some of those who study corrections will choose the field as a professional career. They will become a part of the ever-changing landscape of a field that is as fascinating as it is immensely rewarding. Among them will be the field's future leaders, people who will be a part of the next generation of corrections, as the field continues to grow. In the chapters that follow, we describe an array of professional positions that people might choose as they begin their correctional career. We have written this book to provide the kind of foundation a person will need to be effective as a correctional professional in the complex environment in which corrections operates.

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

More than two out of every five Americans are under some form of correctional supervision. Most of them live among us in the community.



David R. Frazier Photolibrary, Inc./Alamy

focus on correctional policy

The Great Experiment in Social Control

Most of you reading this were born after 1972. Indeed, nearly half of the U.S. population was born after 1972. For members of this group, it is entirely “normal” to see the populations of Americans in prison, in jail, and under correctional supervision increase every year. For their entire lives, they have seen corrections grow in good economic times and bad, during periods of rising crime and of dropping crime, while the “baby boom” generation (Americans born between 1946 and 1964) hit their twenties and thirties—the peak crime-prone age—and clogged the criminal justice system.

The large and growing correctional populations that seem so normal have not always been so. From 1900 until about 1970, U.S. prison populations were quite stable, hovering between 90 and 120 inmates per 100,000 citizens. After nearly 40 years of steady growth, the rate of incarceration is now five times as high as where it started. By 2010, the number of prisoners reached the highest point in U.S. history—and the highest in the world. Further, at no other time in history, here or elsewhere, has a 35-year growth in prisoners occurred.

We might call this phenomenon the “great experiment in social control,” for it has defined a generation of Americans who have witnessed the greatest expansion in government control ever undertaken by a democratic state.¹³ Researchers have tried to explain the sources of this growth in the U.S. corrections system. Some of it is caused by increases in crime, just as some is caused by the increased effectiveness of criminal justice at apprehending, arresting, and convicting criminals. But mostly this experiment has to do with changes in punishment policy. In the United States the chances of a felon getting a prison sentence instead of probation have increased steadily for several decades, to the point where the chance of getting a probation sentence is now a fraction of what it used to be. Not only are more felons being sent to prison rather than receiving probation; the amount of time they face in prison has increased as well.

Some scholars have tried to explain the unprecedented punitiveness of the late-twentieth-century U.S. policy. They discuss the importance of American politics and culture, and they expressly point to the effects of two decades of the “war on drugs.” Simply put, the policy experiment in social

control came about as people grew ever more exasperated with crime and disorder, and a multitude of changes in sentencing and correctional practices came together to make correctional populations grow, whether crime rates rose or not.

Yet why this punitiveness occurred is far less interesting than what its results have been. Over the coming years, researchers, scholars, and intellectuals will begin to try to understand what we have learned from this great experiment.

The effects of the great experiment in social control fall into three broad areas. First and foremost, there is the question of crime: How has the growth in the corrections system affected rates of crime? Because so many factors affect crime, it is not easy to isolate the effects of a growing corrections system from other factors, such as the economy or times of war. Researchers who have tried to do so reach divergent conclusions, but even the most conservative scholars of the penal system now seem to agree that further growth will have little impact on crime.¹⁴ Others note that because the crime rate today is about the same as it was in the early 1970s, when the penal system began to grow, it is not likely that the effects of the corrections system on crime have been large.¹⁵

A second category of effects is social. Here, there is a growing worry that a large corrections system—especially a large prison system—damages families and communities and increases racial inequality.¹⁶ For example, it is estimated that more than 1.5 million children have parents in prison. How does that experience affect their life chances? And what does it mean to have more than one in four African American males end up in prison?

Critical Thinking

1. How does a large penal system affect the pursuit of justice?
2. Is it right to have people who break the law end up being sanctioned in the way that America punishes them?
3. Have we become a more just society as a result of this great experiment in social control?

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

In the end we think you will acknowledge that there are few easy answers but plenty of intense questions. Near the beginning of each chapter we present areas of inquiry that each chapter will explore.

THE PURPOSE OF CORRECTIONS

It is 11:00 A.M. in New York City. For several hours, a five-man crew has been picking up trash in a park in the Bronx. Across town on Rikers Island, the view down a corridor of jail cells shows the prisoners' hands gesturing through the bars as the prisoners converse, play cards, share cigarettes—the hands of people doing time. About a thousand miles to the south, almost 400 inmates sit in isolated cells on Florida's death row. In the same state, a woman on probation reports to a community control officer. On her ankle she wears an electronic monitoring device that tells the officer if she leaves her home at night. On the other side of the Gulf of Mexico, sunburned Texas inmates in stained work clothes tend crops. Almost due north in Kansas, an inmate-grievance committee in a maximum-security prison reviews complaints of guard harassment. Out on the West Coast, in San Francisco, a young man on his way to work checks in with his parole officer and drops off a urine sample at the parole office. All these activities are part of **corrections**. And all the central actors are offenders.

corrections

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

social control

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

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

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

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

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

When most Americans think of corrections, they think of prisons and jails. This belief is strengthened by legislators and the media, which focus much attention on

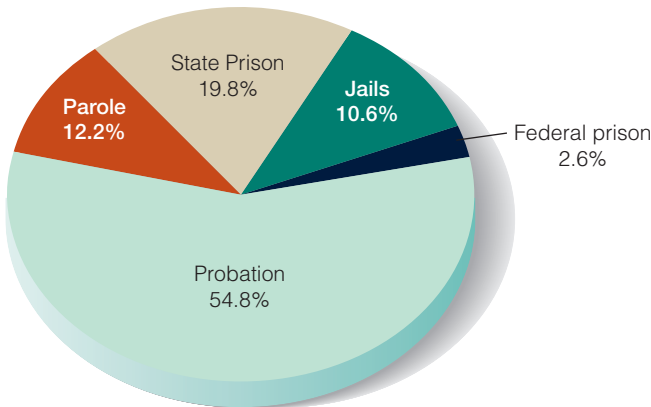


FIGURE 1.2
Percentage of People in Each Category of Correctional Supervision

Although most people think of corrections as prisons and jails, about two-thirds of offenders are in fact supervised within the community.

Source: Bureau of Justice Statistics, www.ojp.usdoj.gov/bjs, December 2014.

incarceration and little on community corrections. As **Figure 1.2** shows, however, almost two-thirds of all people under correctional supervision are living in the community on probation or parole.

Corrections thus encompasses all the legal responses of society to some prohibited behavior: the variety of programs, services, facilities, and organizations responsible for managing people accused or convicted of criminal offenses. When criminal justice researchers, officials, and practitioners speak of corrections, they may be referring to any number of programs, processes, and agencies. Correctional activities are performed by public and private organizations; involve federal, state, and local governments; and occur in a variety of community and closed settings. We can speak of corrections as a department of the government, a subfield of the academic discipline of criminal justice, an approach to the treatment of offenders, and a part of the criminal justice system.

Corrections is all these things and more.

A SYSTEMS FRAMEWORK FOR STUDYING CORRECTIONS

Corrections is every bit as complex and challenging as the society in which we live. Having a framework will help you sort out the complex, multidimensional nature of corrections. In this book we use the concept of the corrections system as a framework for study. A **system** is a complex whole consisting of interdependent parts whose operations are directed toward common goals and are influenced by the environment in which they function. For example, interstate highways make up a transportation system.

Students of criminal justice are used to thinking of it as a system that deals with crime. The various components of criminal justice—police, prosecutors, courts, corrections—are seen as integral parts of that system. Corrections functions within that system as a set of operations that processes people who have been accused of or convicted of crimes. But what does this term really mean? Can the systems concept also be used as a framework for the study of corrections? To answer this question, we outline some of the important elements of the system and apply them to corrections.

system

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

Goals

Corrections is certainly a complicated web of processes that, ideally, serve the goals of fair punishment and community protection. These twin goals—punishment and protection—not only define the purpose of corrections but also serve as a criterion by which we evaluate correctional work. Correctional activities make sense when they seem to punish offenders fairly and offer some community protection.

When these two functions of punishment and protection do not correspond, corrections faces goal conflict. For example, people may believe that it is fair to release offenders on parole once they have served their sentences, but they may also fear possible threats that parolees pose to the community.

Interconnectedness

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

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

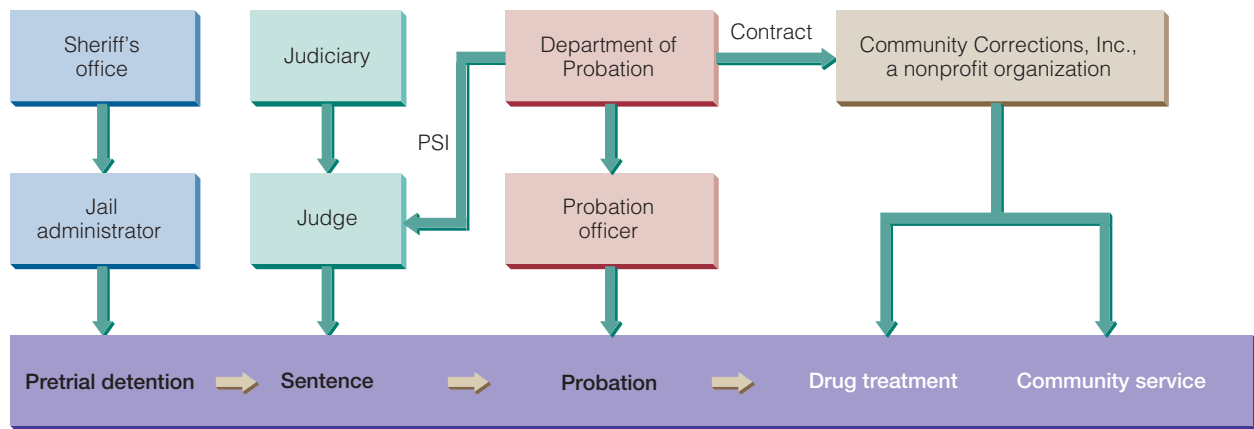
These processes all affect one another because offenders pass through corrections in a kind of assembly line with return loops. After criminals are convicted, a selection process determines which offender goes where, and why. This sifting process is itself uncertain and often hard to understand. Most, but not all, violent offenders are sent to prison. Most, but not all, violators of probation or parole rules receive a second chance. Most, but not all, offenders caught committing crimes while supervised by correctional authorities will receive a greater punishment than offenders not under supervision.

Figure 1.3 shows examples of interconnections among correctional agencies as they deal with offenders who have been given different sentences. Note that in Case 1, the offender is sentenced, presumably for a misdemeanor, to probation, drug treatment, and community service. This offender was detained in jail prior to sentencing. An officer of the Department of Probation has prepared a presentence investigation report that recommends the sentence to be imposed by the judge. The Department of Probation then provides supervision of the offender, and through a contract with a nongovernmental agency, Community Corrections, Inc., the drug treatment and community service requirements of the sentence are carried out. Because the offender presumably fulfilled the terms of the sentence, no feedback loops are indicated where the offender's probation has been revoked with resentencing. Even with this somewhat "routine" case, note the interconnectedness of the criminal justice agencies involved.

Case 2 is more complex in that it involves incarceration followed by community supervision by a parole officer. Here, a different set of correctional agencies must deal with the offender, in part because the person experienced a period of incarceration. After prison, the person in Case 2 did not fulfill the conditions of his release on parole; the figure indicates that at some point it was revoked, and he was resentenced, presumably to further incarceration. There was a close interdependence between the way parole operated and the eventual actions of the prison system, with several points of feedback between the community-based correctional staff and those who work in the prison.

These are only two examples of the wide variety of ways a person can be processed through the corrections system. A large number of possible combinations of actors and decisions can occur in corrections, although the cases in Figure 1.3 are among the most common ways that the system operates. To get its work right, the system adapts and innovates, and new ways of processing people who have been convicted of crime emerge.

Case 1: Two years of probation, drug treatment, and 50 hours of community service.



Case 2: Two years of incarceration to be followed by community supervision on parole.

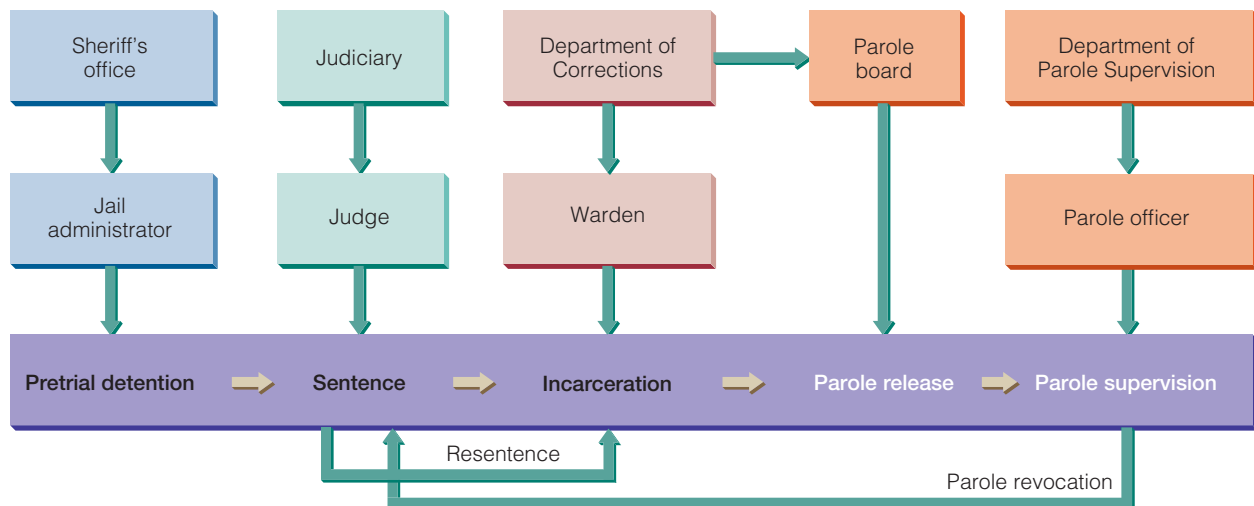


FIGURE 1.3

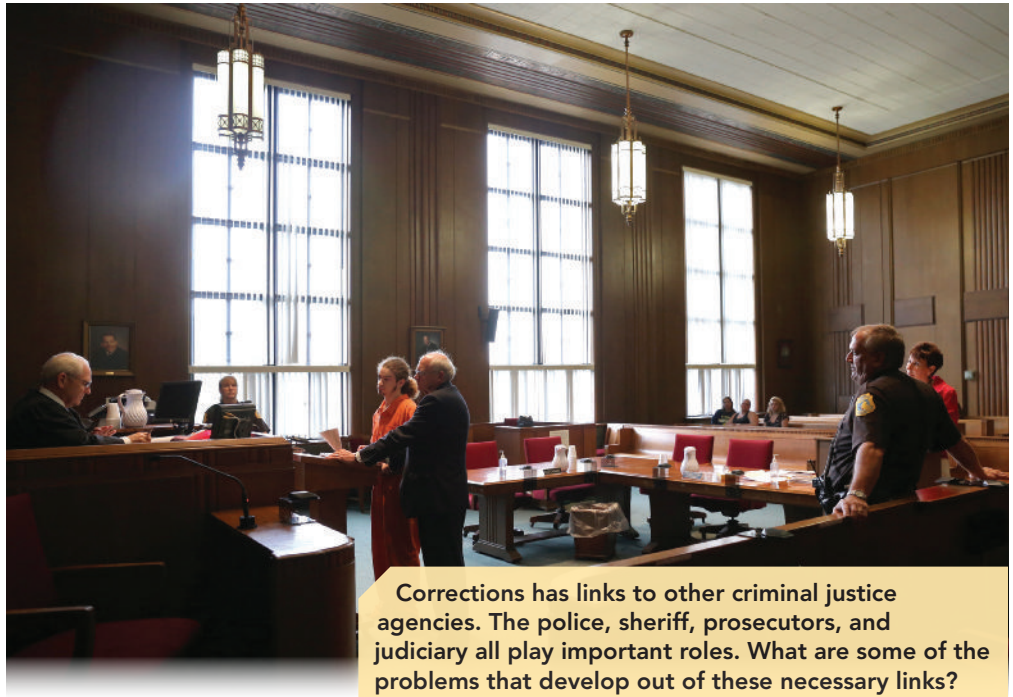
Interconnectedness of Correctional Agencies in Implementing Sentences

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

Environment

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

Corrections has a reciprocal relationship with its environment. That is, correctional practices affect the community, and community values and expectations in turn affect corrections. For example, if the prison system provides inadequate drug treatment, offenders return to the community with the same drug problems that they had when



Corrections has links to other criminal justice agencies. The police, sheriff, prosecutors, and judiciary all play important roles. What are some of the problems that develop out of these necessary links?

AP Images/Newspaper Member/Kalamazoo Gazette-MLive Media Group/Mark Bugnaski

they were locked up. When citizens then lose confidence in a corrections system, they tend not to spend tax dollars on its programs.

Feedback

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

Although feedback is crucial for corrections, this system has trouble obtaining useful feedback. When things go well, the result is the absence of something—no new crimes or no prison riots—those are things that *might* have occurred but did not. Figuring out such things is difficult at best. In contrast, when corrections fails, everybody knows: The media report new crimes or expose scandals in administration. As a result, corrections systems and their environments tend to overrespond to correctional failure but remain less aware of success.

Complexity

As systems grow and mature, they tend to become more complex. Twenty-five years ago, the “three P’s”—probation, prisons, and parole—dominated correctional practice. Today, all kinds of activities come under the heading of corrections, from pre-trial drug treatment to electronically monitored home confinement, from work centers, where offenders earn money for restitution, to private, nonprofit residential treatment programs.

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

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

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

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

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

THE CORRECTIONS SYSTEM TODAY

The American corrections system today employs more than 700,000 administrators, psychologists, officers, counselors, social workers, and others. The federal government, the 50 states, more than 3,000 counties, and uncounted municipalities and public and private organizations administer corrections at an average annual cost of over \$50 billion.¹⁷

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

However, there are important differences among subunits of the same general type. For example, the organization of a five-person probation office working closely with



Wendy Maeda/Boston Globe/Getty Images

federalism

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

prison

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

jail

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

probation

An agency that supervises the community adjustment of people who are convicted of crimes but are not sentenced to confinement in prison or jail.

intermediate sanctions

A variety of punishments that are more restrictive than traditional probation but less severe and costly than incarceration.

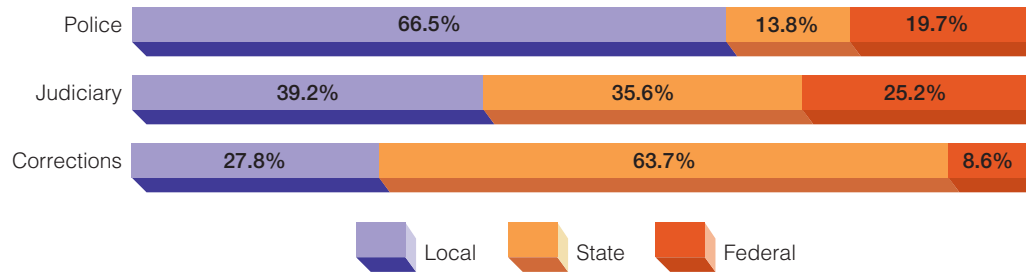
one judge in a rural setting differs from that of a more bureaucratized 100-person probation office in a large metropolitan system. Such organizational variety may help or hinder the system of justice.

Federalism, a system of government in which power and responsibility are divided between a national government and state governments, operates in the United States. All levels of government—national, state, county, and municipal—are involved in one or more aspects of the corrections system. The national government operates a full range of correctional organizations to deal with the people convicted of breaking federal laws; likewise, state and local governments provide corrections for people who have broken their laws. However, most criminal justice and correctional activity takes place at the state level. Only about 1 percent of individuals on probation, 10 percent of those on parole, and 11 percent of those in prison are under federal correctional supervision.

Despite the similarity, from state to state, of behaviors that are labeled criminal, important differences appear among specific definitions of offenses, types and severity of sanctions, and procedures governing the establishment of guilt and treatment of offenders. In addition, many variations in how corrections is formally organized appear at the state and local levels. For example, four state corrections systems—California, Florida, New York, and Texas—handle more than one-third of all state prisoners and about two-fifths of all offenders under correctional control in the United States; each of these four states has developed different organizational configurations to provide corrections.

The extent to which the different levels of government are involved in corrections varies. The scope of the states' criminal laws is much broader than that of federal criminal laws. As a result, just over 400,000 adults are under federal correctional supervision. At last count, there were 102 federal **prisons** and 1,719 state prisons. **Jails** are operated mainly by county governments, but in six states they are integrated with the state prison system.

As noted in **Figure 1.4**, criminal justice costs are borne by each level of government, with well over 90 percent of correctional costs falling on state and local governments. In most states the agencies of community corrections—**probation** and **intermediate sanctions**—are run by the county government and are usually part of the judicial branch. However, in some jurisdictions the executive branch runs them, and in several

**FIGURE 1.4****Distribution of Justice System Expenditures by Level of Government**

Over the past 40 years the American corrections system has seen a sustained period of remarkable growth, with the costs of corrections mostly borne by state governments.

Source: BJS Bulletin, May 2004.

states this part of corrections is run by statewide organizations. In all states, **parole** is a function of the executive branch of state government.

In the last 25 years, there has been a substantial growth in the use of **private prisons**—prisons that are operated by private companies under contract with the government, generally turning a profit for the company and its investors. Private prisons operate at all levels of the corrections system—county jails, as well as state and local facilities, both for adults and for juveniles. It has been estimated that 8 percent of all those who are incarcerated are held in one of the more than 100 private facilities.¹⁸ Private prisons are controversial, for reasons we explore in Chapter 6.

That the United States is a representative democracy complicates corrections. Officials are elected, legislatures determine the objectives of the criminal law system and appropriate the resources to carry out those objectives, and political parties channel public opinion to officeholders on such issues as law and order. Over time the goals of correctional policies have shifted. For example, between 1940 and 1970, corrections was oriented toward liberal rehabilitative policies; since about 1970, however, conservative, get-tough crime control policies have influenced corrections. Questions of crime and justice are thus inescapably public questions, subject to all the pressures and vagaries of the political process.

Clearly, corrections encompasses a major commitment on the part of American society to deal with people convicted of criminal law violations. The increase in the number of offenders under supervision in the past decade has caused a major expansion of correctional facilities, staff, and budgets; some might say that corrections is now a big business.

How did we get here? What happened to create the corrections system we know today—this big, complex, and multifaceted system? To answer these questions requires a review of the history of corrections. We begin our review of contemporary corrections in the United States by looking back to the colonial period.

parole

A system of supervision of those who have been released from confinement, sometimes including the option of early release from confinement before the expiration of the sentence.

private prison

The operation of a prison by a private company under contract with a local, state, or the federal government, often as a for-profit business.

THE HISTORY OF CORRECTIONS IN AMERICA

The Colonial Period

During the colonial period (1620–1776), Americans lived under laws and practices transferred from England and adapted to local conditions. As in England, banishment, corporal punishment, the pillory, and death were the common penalties. But unlike the mother country, with its crowded jails and houses of corrections, the colonies seldom used institutions for confinement.

In 1682, with the arrival of William Penn, the founder and proprietor of what became Pennsylvania, that colony adopted “The Great Law.” This was based on humane Quaker principles and emphasized hard labor in a house of correction as punishment for most crimes. Death was reserved for premeditated murder. The Quaker Code in Pennsylvania survived until 1718, when it was replaced by the Anglican Code, which was already in force in other colonies. The latter code listed thirteen capital offenses, with larceny the only felony not punishable by death. Whipping, branding, mutilation, and other corporal punishments were prescribed for other offenses, as were fines. Enforcement of this code continued throughout the colonies until the Revolution.

During the colonial period, jails were used mainly to hold people awaiting court action or those unable to pay their debts. Only rarely were convicted offenders jailed for their whole sentences; the stocks, whipping post, and gallows were the places for punishment. Little thought was given to reforming offenders; such people were considered naturally depraved.

The Arrival of the Penitentiary

From 1776 to around 1830, a revolution occurred in the American idea of criminal punishment. The new correctional philosophy reflected many ideas of the Declaration of Independence, including an optimistic view of human nature and of individual perfectibility. Emphasis shifted from the assumption that criminal behavior was part of human nature to a belief that offenders could be reformed.

In the first decades of the nineteenth century, the creation of **penitentiaries** in Pennsylvania and New York attracted the attention of legislators in other states, as well as investigators from Europe. American reformers were influenced by the Englishman John Howard, whose book *The State of Prisons in England and Wales* (1777) described the horrible conditions and lack of discipline in those institutions. English reaction to Howard’s book resulted in Parliament passing the Penitentiary Act of 1779, which called for a house of hard labor based on four principles:

1. A secure and sanitary building
2. Inspection to ensure that offenders followed the rules
3. Abolition of fees charged offenders for their food
4. A reformatory regime

At night, prisoners were to be confined to their cells. During the day, they were to work silently in common rooms. Prison life was to be strict and ordered. The new institution should be a place of industry. More importantly, it should be a place that offered criminals opportunities for penitence (sorrow and shame for their wrongs) and repentance (willingness to change their ways). In short, the penitentiary served to punish and to reform.

Howard’s idea of the penitentiary was not implemented in England until 1842, 50 years after his death, but in the United States his ideas were applied much more quickly.

THE PENNSYLVANIA SYSTEM In 1790 the Pennsylvania legislature authorized construction of institutions for the solitary confinement of “hardened and atrocious offenders.” The first of these was created out of a portion of Philadelphia’s Walnut Street Jail. This three-story building had eight dark cells on each floor. A yard was attached to the building. Only one inmate occupied each cell, and no communication of any kind was allowed. From a small grated window high on the outside wall, inmates “could perceive neither heaven nor earth.”

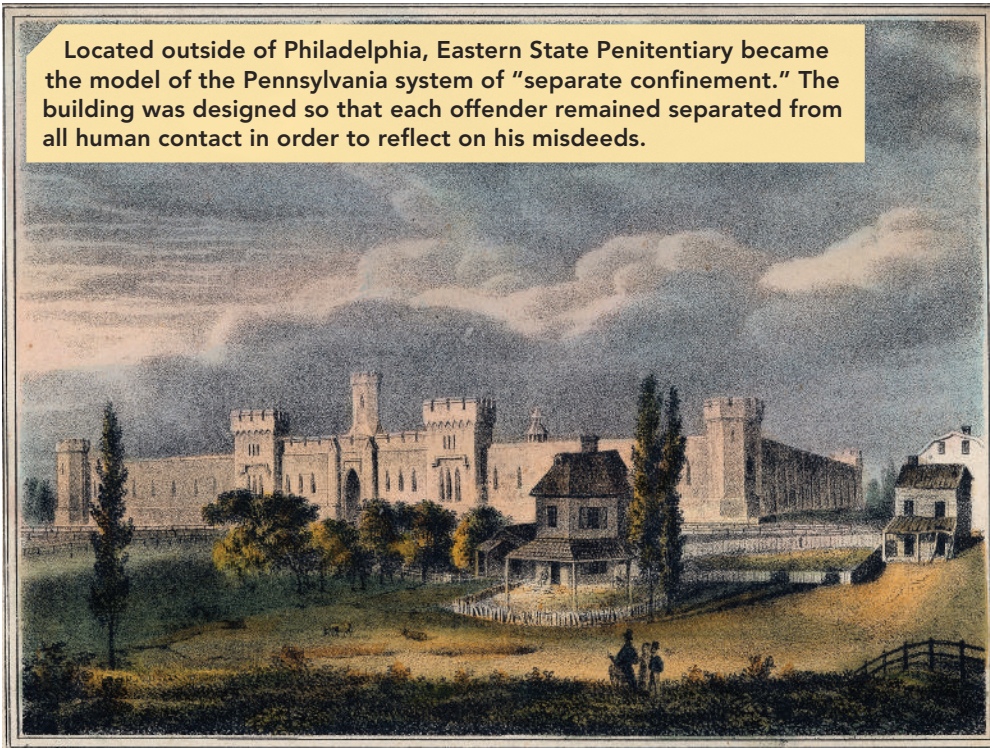
When the Walnut Street Jail soon became overcrowded, the legislature approved construction of additional institutions for the state: Western State Penitentiary, on the outskirts of Pittsburgh, and Eastern State Penitentiary, in Cherry Hill, near Philadelphia. The opening of Eastern in 1829 marked the full development of the penitentiary system based on **separate confinement**.

penitentiary

An institution intended to isolate prisoners from society and from one another so that they could reflect on their past misdeeds, repent, and thus undergo reformation.

separate confinement

A penitentiary system developed in Pennsylvania in which each inmate was held in isolation from other inmates, with all activities, including craft work, carried on in the cells.



The Eastern Penitentiary, Philadelphia, printed by Wild & Chevalier, c.1838 (litho). Wild, John Caspar (c.1804–46)/Library Company of Philadelphia, PA, USA/Library Company of Philadelphia/The Bridgeman Art Library

Eastern State Penitentiary was designed with cell blocks extended from a central hub like the spokes of a wheel. Each prisoner ate, slept, worked, and received religious instruction in his own cell. The inmates did not see other offenders. In fact, their only human contact was the occasional visit of a clergyman or prison official.¹⁹

The Pennsylvania system was based on five principles:

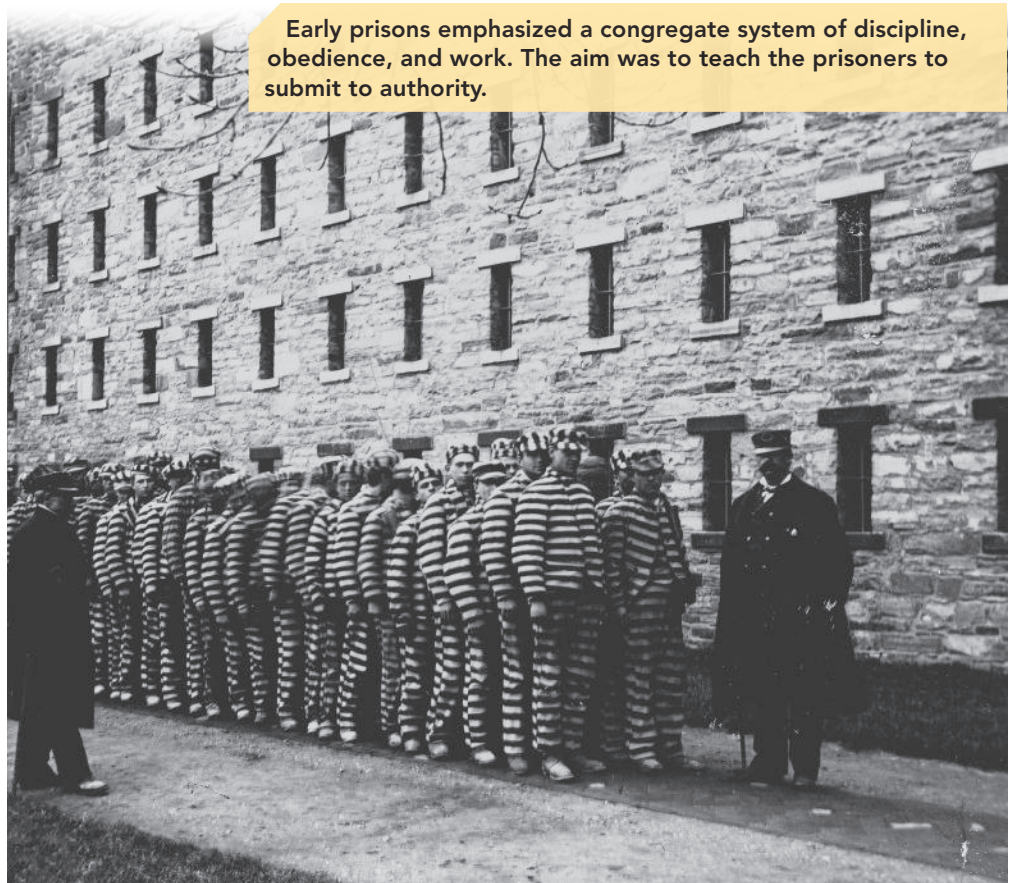
1. Prisoners would not be treated vengefully but should be convinced that through hard and selective forms of suffering they could change their lives.
2. Solitary confinement would prevent further corruption inside prison.
3. In isolation, offenders would reflect on their transgressions and repent.
4. Solitary confinement would be punishment because humans are by nature social beings.
5. Solitary confinement would be economical because prisoners would not need long periods of time to repent, fewer keepers would be needed, and the costs of clothing would be lower.

Within five years after its opening, Eastern endured the first of several investigations. The reports detailed the extent to which the goal of separate confinement was not fully observed, physical punishments were used to maintain discipline, and prisoners suffered mental breakdowns because of the isolation. Separate confinement had declined at Eastern by the 1860s, when crowding required doubling up in each cell, but Pennsylvania did not abolish it until 1913.²⁰

THE NEW YORK (AUBURN) SYSTEM In 1819 New York opened a penitentiary in Auburn that became a rival to Pennsylvania's concept of separate confinement. In 1821 Elam Lynds became the warden at Auburn. Instead of duplicating the complete isolation practiced in Pennsylvania, Lynds worked out a new **congregate system** of prison discipline. Inmates were held in isolation at night but congregated in workshops during the day. They were forbidden to talk or even to exchange glances while on the job or at meals. Lynds believed that industrial efficiency should be the main purpose of the prison. He instituted a reign of discipline and obedience that included the lockstep and

congregate system

A penitentiary system developed in Auburn, New York, in which inmates were held in isolation at night but worked with other prisoners during the day under a rule of silence.



Museum of the City of New York/The Art Archive at Art Resource, NY

the wearing of prison stripes. Furthermore, he considered it “impossible to govern a large prison without a whip.”²¹

Whereas inmates of the Pennsylvania penitentiaries worked in their cells, those in New York were employed in workshops both as therapy and as a way to finance the institution. Convict labor for profit became a major part of Auburn and other northeastern penitentiaries. Through this system the state negotiated contracts with manufacturers, which then delivered raw materials to the prison for conversion by the inmates into finished goods. By the 1840s, Auburn was producing footwear, barrels, carpets, carpentry tools, harnesses, furniture, and clothing. Wardens who adopted the New York system seemed to be more concerned with instilling good work habits than with rehabilitating prisoners’ character.

DEBATING THE SYSTEMS During this era, advocates of both the Pennsylvania and the New York plans debated on public platforms and in the nation’s periodicals over the best methods of punishment (see [Table 1.2](#)). Proponents of the New York system maintained that inmates first had to be “broken” and then socialized by means of a rigid discipline of congregate but silent labor. Advocates of Pennsylvania’s separate system rejected such harshness, renouncing physical punishments. The New Yorkers countered that their system cost less, efficiently tapped convict labor, and developed individuals who eventually would be able to return to the community with the discipline necessary for the industrial age. The Pennsylvanians responded that New York had sacrificed the principal goal of the penitentiary (reformation) to the goal of cost-effectiveness. They contended that exploiting inmates through large-scale industry failed to promote the work ethic and only embittered them.

PRISONS IN THE SOUTH AND WEST Scholars tend to emphasize the nineteenth-century reforms in the populous Northeast and neglect penal developments in the

Table 1.2 Comparison of the Pennsylvania and New York (Auburn) Penitentiary Systems

	Goal	Implementation	Method	Activity
<i>Pennsylvania (Separate System)</i>	Redemption of the offender through the well-ordered routine of the prison	Isolation, penance, contemplation, labor, silence	Inmates are kept in their cells for eating, sleeping, and working	Bible reading, work on crafts in cell
<i>New York (Auburn) (Congregate System)</i>	Redemption of the offender through the well-ordered routine of the prison	Strict discipline: obedience, labor, silence	Inmates sleep in their cells but come together to eat and work	Work together in shops making goods to be sold by the state

South and the West. Early in the nineteenth century, prisons, some on the penitentiary model, were built in Georgia, Kentucky, Maryland, and Virginia. Later prisons, such as in Jackson, Mississippi (1842), and Huntsville, Texas (1848), were built on the Auburn model. But further expansion ended with the Civil War. After the Civil War, southerners began the task of rebuilding their communities and primarily agricultural economy. They lacked funds to build prisons but faced an increasing (especially African American) population of offenders. Given these challenges, southern states developed the **lease system**, whereby, for a fee, the state provided inmate labor to private contractors engaged in agriculture, logging, mining, and construction.

With the exception of San Quentin (1852), the sparse population of the West did not lend itself to the construction of many prisons until the latter part of the nineteenth century. Prior to statehood, western prisoners were held in territorial facilities or federal military posts or prisons. Until Congress passed the Anticontract Law of 1887, restricting the employment of federal prisoners, leasing programs existed in many western states.

lease system

A system under which inmates were leased to contractors who provided prisoners with food and clothing in exchange for their labor.

The Reformatory Movement

By the mid-1800s, reformers were disillusioned with the penitentiary. Within 40 years of being built, penitentiaries had become overcrowded, understaffed, and minimally financed. Discipline was lax, brutality was common, and administrators were viewed as corrupt.

Across the Atlantic, Alexander Maconochie urged England to use the **mark system** of graduated terms of confinement. Penalties would be graded according to the severity of the crime, and offenders would be released from incarceration according to their performance. A certain number of marks would be given at sentencing, and prisoners could reduce the number by voluntary labor, participating in educational and religious programs, and good behavior. Maconochie thus argued for sentences of indeterminate length and a system of rewards. Through these incentives, offenders would be reformed so that they could return to society. Although Maconochie's ideas were not implemented in England, they did cross the Atlantic and influenced penologists in America.

mark system

A system in which offenders are assessed a certain number of points at the time of sentencing, based on the severity of their crime. Prisoners could reduce their term and gain release by earning marks through labor, good behavior, and educational achievement.

CINCINNATI, 1870 The National Prison Association (predecessor of the American Correctional Association) and its 1870 meeting in Cincinnati embodied a new spirit of reform. In its famous Declaration of Principles, the association advocated a new design for penology: Prisons should be operated on a philosophy of inmate change, with reformation rewarded by release. Sentences of indeterminate length would replace fixed sentences, and proof of reformation would be a requirement for release. Classification of prisoners on the basis of character and improvement would encourage the reformation program. However, like the reformers before them, the 1870 advocates looked to



The reformatory movement emphasized education and training. On the basis of their conduct and achievement, inmates moved toward their release.

"The Pageant of America" Collection/v. 10 - American idealism/unpublished photographs/Prison reform.

institutional life and programs to effect rehabilitation. Inmates would be made well-adjusted citizens, but the process would take place behind walls.

reformatory

An institution for young offenders that emphasized training, a mark system of classification, indeterminate sentences, and parole.

THE ELMIRA REFORMATORY The first **reformatory** took shape in 1876 at Elmira, New York, when Zebulon Brockway was appointed superintendent. Brockway believed that diagnosis and treatment were the keys to reform and rehabilitation. He questioned each new inmate to explore the social, biological, psychological, and "root cause(s)" of the offender's deviance. An individualized work and education treatment program was then prescribed. Inmates followed a rigid schedule of work during the day, followed by courses in academic, vocational, and moral subjects during the evening. Inmates who did well achieved early release.²²

Designed for young, first-time felons, the approach at Elmira incorporated a mark system of classification, indeterminate sentences, and parole. Once the courts had committed an offender to Elmira, the administrators could determine the release date; the only restriction was that the time served could not exceed the maximum prescribed by law for the particular offense.

A three-grade system of classification was linked to the indeterminate sentence. Each offender entered the institution at grade 2, and if the inmate earned nine marks a month for six months by working hard, completing school assignments, and causing no problems, he could be moved up to grade 1—necessary for release. If he failed to cooperate and violated rules of conduct, thus showing indifference to progress and lack of self-control, he would be demoted to grade 3. Only after three months of satisfactory behavior could he reembark on the path toward eventual release.²³ In sum, this system placed "the prisoner's fate, as far as possible, in his own hands."²⁴

Elmira's proclaimed success at reforming young felons was widely heralded, and by 1900 the reformatory movement had spread throughout much of the nation. Yet by the outbreak of World War I, in 1914, it was already declining. In most institutions the architecture, the attitudes of the guards, and the emphasis on discipline differed little from past orientations. Too often, the educational and rehabilitative efforts took a back seat to the traditional emphasis on punishment. Yet the reformatory movement contributed such practices as the indeterminate sentence, inmate classification, rehabilitative programs, and parole, all of which inspired prison reformers well into the twentieth century.

Corrections in the Twentieth Century

In the first two decades of the 1900s, reformers known as the Progressives attacked the excesses of big business and urban society. They advocated government actions against the problems of slums, vice, and crime. As members of the **positivist school** of criminology, the Progressives looked to social, economic, biological, and psychological factors rather than religious or moral explanations for the causes of crime, and they applied modern scientific methods to determine the best treatment therapies. The positivist school shifted the focus from the criminal act to the offender. By the 1920s, probation, indeterminate sentences, presentence reports, treatment programs, and parole were being promoted as a more scientific approach to criminality. These elements had been proposed at the 1870 Cincinnati meeting, but the Progressives and their allies in corrections were now instrumental in implementing them throughout the country.

Although the Progressives' focus on rehabilitation has been much criticized, probation, indeterminate sentences, and parole remain dominant elements of corrections to this day. Perhaps this is because they provide authority to criminal justice officials and affirm the vitality of the rehabilitative idea. However, these three crucial reforms provided the structure for yet another change in corrections.

THE RISE OF THE MEDICAL MODEL Much Progressive reform was based on the idea that criminals could be rehabilitated through treatment, but not until the 1930s were serious attempts made to implement what became known as the **medical model** of corrections. Under the banner of the newly prestigious social and behavioral sciences, the emphasis of corrections shifted to treating criminals as people whose social, psychological, or biological deficiencies had caused them to engage in illegal activity.

The concept of rehabilitation as the primary purpose of incarceration took on national legitimacy in 1929, when Congress authorized the new Federal Bureau of Prisons to develop institutions that would ensure the proper classification, care, and treatment of offenders. By the 1950s, many states, particularly California, Illinois, New Jersey, and New York, developed programs designed to reform prisoners. Most other states adopted at least the rhetoric of rehabilitation, changing statutes to specify that treatment was the goal of their corrections system and that punishment was an outdated concept. Prisons were thus to become something like hospitals and would rehabilitate and test the inmate for readiness to reenter society. In many states, however, the medical model was adopted in name only: Departments of prisons became departments of corrections, but the budgets for treatment programs remained about the same.

Because the essential structural elements of parole, probation, and indeterminate sentences existed in most states, incorporating the medical model required only adding classification systems to diagnose offenders and treatment programs to cure them.

Initially, the number of treatment programs was limited, but it increased sharply after World War II. Group therapy, behavior modification, shock therapy, individual counseling, psychotherapy, guided group interaction, and many other approaches all became part of the “new penology.” However, the administrative needs of the institution often superseded the treatment needs of the inmate. For example, prisoners tended to be assigned to the facilities, jobs, and programs that had openings rather than to those that would provide the prescribed treatment.

Critics of prison treatment programs pointed out that even during the 1950s, when the medical model was at its height, only 5 percent of state correctional budgets was allocated for rehabilitation. Although states adopted the rhetoric of the medical model, custody remained the overriding goal of institutions.

FROM MEDICAL MODEL TO COMMUNITY MODEL As we have seen, social and political values in the broader society greatly influence correctional thought and practices. During the 1960s and 1970s, the United States experienced the civil rights movement, the war on poverty, and resistance to the Vietnam War. Americans also challenged governmental institutions dealing with education, mental health, juvenile delinquency, and

positivist school

An approach to criminology and other social sciences based on the assumption that human behavior is a product of social, economic, biological, and psychological factors and that the scientific method can be applied to ascertain the causes of individual behavior.

medical model

A model of corrections based on the assumption that criminal behavior is caused by social, psychological, or biological deficiencies that require treatment.

corrections. In 1967 the President's Commission on Law Enforcement and Administration of Justice reported the following:

Crime and delinquency are symptoms of failures and disorganization of the community. . . . The task of corrections, therefore, includes building or rebuilding social ties, obtaining employment and education, securing in the larger senses a place for the offender in the routine functioning of society.²⁵

community corrections

A model of corrections based on the assumption that reintegrating the offender into the community should be the goal of the criminal justice system.

This analysis was consistent with the views of **community corrections** advocates, who felt that the goal of the criminal justice system should be the reintegration of offenders into the community.

The 1971 inmate riot and hostage taking at New York State's Attica Correctional Facility aided the move toward community corrections. After four days of negotiations, a helicopter began dropping CS gas (an incapacitating agent) on the inmates milling around in the prison yard. After the gas came a rain of bullets from state police guns that hit 128 men and killed 29 inmates and 10 hostages.

For many, the hostilities at Attica showed prisons to be counterproductive and unjust. They urged officials to make decarceration through community corrections the goal and pressed for greater use of alternatives to incarceration such as probation, halfway houses, and community service.

Community corrections called for a radical departure from the medical model's emphasis on treatment in prison. Instead, prisons were to be avoided because they were artificial institutions that interfered with the offender's ability to develop a crime-free lifestyle.

Proponents argued that corrections should turn away from psychological treatment in favor of programs that would increase offenders' opportunities to become successful citizens. Probation would be the sentence of choice for nonviolent offenders so that they could engage in vocational and educational programs that increased their chances of adjusting to society. For the small portion of offenders who had to be incarcerated, the amount of time in prison would be only a short interval until release on parole. To further the goal of reintegration, correctional workers would serve as advocates for offenders as they dealt with governmental agencies providing employment counseling, medical treatment, and financial assistance.

The reintegration idea was dominant in corrections for about a decade, until the late 1970s, when it gave way to a new punitiveness in conjunction with a rise in crime. Advocates of reintegration claim, as did advocates of previous reforms, that the idea was never adequately tested. Nevertheless, community corrections remains one of the significant ideas and practices in the recent history of corrections.

THE DECLINE OF REHABILITATION Beginning in the late 1960s, the public became concerned about rising crime rates. At the same time, studies of treatment programs

The attack by the New York National Guard to quell the inmate riot at Attica State Prison in 1971 took the lives of 39 people. The public's reaction aided the move to community corrections.



AP Images

challenged their worth and the Progressive assumption that state officials would exercise discretion in a positive manner. Critics of rehabilitation attacked the concepts of indeterminate sentence and parole, urging that treatment be available on a voluntary basis but that it not be tied to release. In addition, proponents of increased crime control called for longer sentences, especially for career criminals and violent offenders.

According to critics of rehabilitation, its reportedly high rates of recidivism (offenders committing new crimes after release) proved its ineffectiveness. Probably the most thorough analysis of research data from treatment programs was undertaken by Robert Martinson. Using rigorous standards, he surveyed 231 reports of rehabilitation programs in corrections systems. They included such standard rehabilitative programs as educational and vocational training, individual counseling, group counseling, milieu therapy, medical treatment, parole, and supervision. Martinson summarized his findings by saying, “With few and isolated exceptions, the rehabilitative efforts that have been reported so far have had no appreciable effect on recidivism.”²⁶

Critics of the rehabilitation model also challenged as unwarranted the amount of discretion given to correctional decision makers to tailor the criminal sanction to the needs of each offender. In particular, they argued that the discretion given to parole boards to release offenders is misplaced because decisions are more often based on the whims of individual members than on the scientific criteria espoused by the medical model.

THE EMERGENCE OF CRIME CONTROL As the political climate changed in the 1970s and 1980s, and with the crime rate at historic levels, legislators, judges, and officials responded with a renewed emphasis on a **crime control model**. By 1980, the problem of crime and punishment had become an intense subject for ideological conflict, partisan politics, and legislative action.²⁷

The critique of the rehabilitation model led to changes in the sentencing structures of more than half of the states and to the abolition of parole release in many. The new determinate sentencing laws were designed to incarcerate offenders for longer periods of time. In conjunction with other forms of punishment, the thrust of the 1980s was toward crime control through incarceration and risk containment.

The punitive emphasis of the 1980s and 1990s appeared in the importance placed on dealing more strictly with violent offenders, drug dealers, and career criminals.²⁸ It was also reflected in the trend toward intensive supervision of probationers, the detention without

crime control model

A model of corrections based on the assumption that criminal behavior can be controlled by increased use of incarceration and other forms of strict supervision.



The crime control model was based on the idea that tough penalties imposed severely would deter people from committing crimes and prevent recidivism. It has not worked out that way.

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bail of accused persons thought to present a danger to the community, reinstitution of the death penalty in 37 states, and the requirement that judges impose mandatory penalties for persons convicted of certain offenses or having extensive criminal records.

A NEW ERA OF RATIONAL STRATEGIES? By the beginning of the twenty-first century, the effect of these “get-tough” policies was evidenced by the record numbers of prisoners, the longer sentences being served, and the size of the probation population. Some observers point to these policies as the reason why the crime rate has begun to fall. Others ask whether the crime control policies have really made a difference given demographic and other changes in the United States.

As the national economy soured in 2007, states began to rethink the costs associated with the crime control model. Actions have been taken in a number of states to reduce correctional budgets, especially the high cost of incarceration. At the same time, an “**evidence-based corrections**” movement has emerged. Policy makers and legislators are increasingly expecting correctional leaders to justify their programs by pointing to a body of research that supports their effectiveness. To support this movement, for example, the federal government has established a new center that promotes evidence-based practices in the correctional system.²⁹ This development emphasizes the role of research and careful planning in the design and implementation of correctional programs (see “Do the Right Thing”).

There are now signs that the change is becoming more than a blip on the correctional radar. Conservatives and liberals alike are developing a new consensus that prison is not the answer to crime and that strategic thinking is needed to contain costs and protect the public, but also to reduce the overuse of imprisonment as a correctional tool. These ideas call for a renewed focus on effective prisoner reentry, which will reduce recidivism rates. They also support “**justice reinvestment**” strategies that save money by reducing the number of prisoners and then use some of those funds to invest in crime prevention in the community. The National Research Council of the National Academies of Science recently published a report that signals the weaknesses of a prison-based correctional policy and the need for a reduction in its use.³⁰ This emerging consensus, not unlike the one that led to the get-tough movement in the 1970s, may herald a new era in the correctional history of the United States. Only time will tell.

Table 1.3, which traces the history of correctional thought and practices in the United States, highlights the continual shifts in focus.

Where Are We Today?

In this first quarter of the twenty-first century, the time may be ripe for another look at correctional policy. The language now used in journals of corrections differs markedly from that found in their pages 40 years ago. The optimism that once dominated

evidence-based corrections

A movement to ensure that correctional programs and policies are based on research evidence about “what works.”

justice reinvestment

A movement in which money saved by reducing prison populations is used to build up crime-prevention programs in the community.



the Right Thing

You are the assistant to the chief of probation in a medium-sized jurisdiction. The judge in your court is running for reelection. You just returned from a conference in Washington, DC, where a new program designed to provide housing and good jobs for people on probation was described and the evaluations showing its effectiveness were presented. You have informed your boss and the judge about the new program, and you tell them that you think your probation department should implement it. But the judge has

her doubts because she is afraid it will be used against her during the election as being “soft on crime.” Your boss says the new program does not sound “new” at all, but instead is something that has been tried before—and it failed. But they both say it is up to you.

Critical Thinking

Write a short essay saying how you would approach this problem. What would you do, and why?

Table 1.3 History of Corrections in America

Note the extent to which correctional policies have shifted from one era to the next and how they have been influenced by various societal factors.

CORRECTIONAL MODEL							
Colonial (1600s–1790s)	Penitentiary (1790s–1860s)	Reformatory (1860s–1890s)	Progressive (1890s–1930s)	Medical (1930s–1960s)	Community (1960s–1970s)	Crime Control (1970s–2010s)	Rational Strategy?
<i>Features</i>							
Anglican Code Capital and corporal punishment, fines	Separate confinement Reform of individual Power of isolation and labor Penance Disciplined routine Punishment according to severity of crime	Indeterminate sentences Parole Classification by degree of individual reform Rehabilitative programs Separate treatment for juveniles	Individual case approach Administrative discretion Broader probation and parole Juvenile courts	Rehabilitation as primary focus of incarceration Psychological testing and classification Various types of treatment programs and institutions	Reintegration into community Avoidance of incarceration Vocational and educational programs	Determinate sentences Mandatory sentences Sentencing guidelines Risk management	Focus on reentry Evidence-based programs Justice reinvestment
<i>Philosophical Basis</i>							
Religious law Doctrine of predestination	Enlightenment Declaration of Independence Human perfectability and powers of reason Religious penitence Power of reformation Focus on the act Healing power of suffering	NPA Declaration of Principles Crime as moral disease Criminals as “victims of social disorder”	The Age of Reform Positivist school Punishment according to needs of offender Focus on the offender Crime as an urban, immigrant, ghetto problem	Biomedical science Psychiatry and psychology Social work practice Crime as signal of personal “distress” or “failure”	Civil rights movement Critique of prisons Small is better	Crime control Rising crime rates Political shift to the right New punitive agenda	Need to do “what works” Need to reduce “mass incarceration” Crime best handled by prevention, not punishment

corrections has waned. For the first time in four decades the financial and human costs of the retributive crime control policies of the 1990s are now being scrutinized (see “Focus on Correctional Practice”). With budget deficits in the billions, states are facing the fact that incarceration is very expensive. Are the costs of incarceration and surveillance justified? Has crime been reduced because of correctional policies? Are we safer today?

People worry that the answer to these questions is “no.” Indeed, compared to the mid-1970s, today we have six times the number of people under correctional authority, and we spend much more than six times the amount on the corrections system. But crime rates, after having fluctuated wildly for 30 years, are today about what they were back then. Anyone who stands back and looks at this history and today’s world has to ask, “How might we better organize and carry out the corrections system so that we might preserve what is best about it, while jettisoning some of the least effective, most undesirable aspects of corrections today?”



focus on correctional practice

Two States Struggle with Mass Incarceration: Texas and California

The two largest state prison systems in the nation are operated by California and Texas. At the end of the first decade of the 2000s, both systems faced a crisis. They approached the crisis in quite different ways, but their story illustrates the new conversation about incarceration in America.

California houses one in seven of all state prisoners, and its taxpayers cough up more than \$9 billion annually to do so, a whopping \$43,000 per locked-up person per year. Its facilities are so overcrowded and their management so strained that a series of court cases declared various aspects of California prison conditions faulty, and in 2005 the state prisons were placed under court supervision, including medical and dental care, mental health care, juvenile incarceration, and due process for parolees. Court-ordered fixes for these and other deficits cost California more than \$8 billion.

Ironically, California's incarceration rate is not far above the national average, and it sends felons to prison at about the same rate as the nation as a whole. But it has for years had the highest recidivism rates of any state in the country, returning two-thirds of its parolees to prison within three years of release. This return rate helped sustain a high prison population through repeated

recycling of people through the prison system. California also has a very influential prison officers' union, the California Correctional Peace Officers Association, which has grown so large that its members constitute 16 percent of California's state employee pool, spending \$8 million each year lobbying for higher pay and tougher correctional policies.

Few experts expected California to be able to deal with the crisis. Facing a projected revenue deficit of \$42 billion, the state could not afford an aggressive program of prison expansion. Finally, in 2011 the U.S. Supreme Court stepped in to order California to reduce its prison population, and the crisis peaked. Governor Edmund G. Brown announced a new policy of "public safety realignment" that called for local governments to take responsibility for many of the nonviolent people in the state prison system.

In the first year, public safety realignment transferred more than 20,000 people from the prison system to local correctional programs, saving the state about \$1.5 billion and helping California reduce its prison population by almost 10 percent, the largest drop in the nation. Then, California voters approved two propositions, Proposition 36 (in 2012), which rolled back some of California's most-severe repeat

THE CORRECTIONAL CHALLENGE

As we have described the history of corrections, a pattern emerges. Much of the correctional story is about *ideas* that often run in cycles. There have been periods of time when dominant correctional thought emphasized the inherent redeemability of people who break the law, and correctional authorities sought to organize their efforts in ways that encouraged redemption. At other times, a belief in strictness and authority has prevailed, and authorities have emphasized the need for rules that are closely monitored and strictly enforced. Sometimes the field has experimented with a strong commitment to institutionally based strategies; other times the creative center of corrections has been in community-based approaches. Almost any "new" idea can be traced back to an earlier idea.

The challenge for the field of corrections is to learn from this history effectively. The question is not so much how to avoid repeating history—correctional history seems ever to be repeated. The question is how to advance correctional success even as old ideas return to the fore.

The problems we have described are what combine to make the field of corrections controversial and therefore engrossing for those who study it. Yet as compelling as these problems may be, they are only a sidelight to the central appeal of the field of corrections. The questions that corrections raises concerning social control are fundamental to defining society and its values. Seemingly, every aspect of the field raises questions that concern deeply held values about social relations. For example, what kinds of services and treatment facilities should inmates infected with HIV/AIDS receive? Should corrections be more concerned with punishing offenders for crimes or with providing programs to help them overcome the problems in their lives that contribute to crime?

offender sentencing reforms of the 1990s, and Proposition 47 (in 2014), which reduced nonserious and nonviolent property and drug crimes from felonies to misdemeanors, eliminating prison as a sentencing option.

Still, California has not met the prison population goals set by the federal court. Instead of reducing the population to no more than 37 percent above designed capacity by 2014, the state's numbers fell short. The court has extended its deadline for meeting the population requirement to 2016. However, it is clear that California will struggle to do so: In 2014 the total prison population grew by 1,400.

Fiscal realities led the **Texas** legislature to change directions with its prison policy, as well. After California, Texas has the largest prison population in the United States, putting people behind bars at a rate of 160 percent of the national average. In 2005 the state's experts said the prison system would be facing a shortfall of 17,000 beds over the next five years, and the Texas Department of Criminal Justice proposed spending \$400 million to build 4,000 new beds. A strapped state legislature did the math and figured that even if it ponied up the one-time funds to build these cells, running them would add more than \$100 million to every year's correctional operating budget. Leaders sought another way.

Instead, a nonpartisan state commission recommended that Texas try to reduce the demand for prison space by reducing recidivism rates. The state's conservatives and liberals agreed that simply expanding prisons made little sense. Texas undertook a new strategy involving a \$200-million investment in treatment programs that divert

people from prison, a reduction in the length of the supervision term for probationers and parolees, and an enhancement of the capacity of probation to provide supervision early in the sentence. The package, which was passed with strong legislative support, was expected to save up to \$250 million in its first two years. And for the first time in its history, Texas will be closing a prison—a century-old prison in Sugar Land.

The early results seemed to justify this new approach, with judges sentencing more people to probation with drug treatment, and the parole board is releasing people from Texas prisons at twice the historical rate. But more recent data are troubling. After a decline of almost 1 percent in the state's prison population just after these reforms, prison numbers started creeping back up. With a combination of increased prison admissions and a decrease in parole releases, the state added almost 2,000 prisoners in 2013.

Critical Thinking

1. Why are states working so hard to control their prison populations?
2. What are the social and political implications of the Texas strategy, compared to California's?
3. Which correctional system would you rather live under, and why?

Sources: Joan Petersilia, "California Prison Downsizing and Its Impact on Local Criminal Justice Systems" *Harvard Law & Policy Review*, May 2014; E. Ann Carson, "Prisoners in 2013," *BJS Bulletin*, September 2014.

Is placing surveillance devices in people's homes a good idea or an invasion of privacy? Questions of interest to researchers, students, and citizens hardly end here. Crucial public and private controversies lurk at every turn. In your own studies and throughout your life, you will find you cannot answer the questions inherent in these controversies without referring to your own values and those of society.

People who undertake careers in corrections often do so because they find the field an excellent place to express their most cherished values. Probation and parole officers frequently report that their original decision to work in these jobs stemmed from their desire to help people. Correctional officers often report that the aspect of their work they like best is working with people who are in trouble and who want to improve their lives. Administrators report that they value the challenge of building effective policies and helping staff perform their jobs better. The field of corrections, then, helps all these individuals to be fully involved with public service and social life. Corrections is interesting to them in part because it deals with a core conflict of values in our society—freedom versus social control—and it does so in ways that require people to work together.

Summary

- 1 Describe the growth of the U.S. corrections system in the last 40 years and identify at least three issues raised by that growth.

The U.S. prison system has grown for almost 40 years, and today it supervises six times more

people than it did in 1972, when the prison system started to grow. In 2010 jails, probation, and prisons declined. The correctional growth situation raises issues of costs, effectiveness, and fairness.

2 Define the systems framework and explain why it is useful.

A system is a complex whole consisting of interdependent parts whose operations are directed toward common goals and influenced by the environment in which they function. It is a useful concept because it helps us understand how the various aspects of corrections can affect one another.

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

Corrections consists of many subunits. Institutional corrections includes prisons and jails, and it confines people who have been sentenced by the courts (or, in the case of jails, people who are awaiting trial). Community corrections supervises people who are either awaiting trial or have been sentenced by the court but are still living in the community. There are also private organizations that provide various services to people under correctional authority.

4 Discuss what we can learn from the “great experiment of social control.”

The growth in the corrections system has been more a result of deliberate policies that increase the severity of sentences, and has not had as much to do with changes in crime rates.

5 Distinguish the basic assumptions of the penitentiary systems of Pennsylvania and New York.

The penitentiary ideal, first incorporated in Pennsylvania, emphasized the concept of separate confinement. Inmates were held in isolation, spending their time in craft work and considering their transgressions. In the New York (Auburn) congregate system, inmates were held in isolation but worked together during the day under a rule of silence.

6 Discuss the elements of the Cincinnati Declaration.

A Declaration of Principles was adopted at the 1870 Cincinnati meeting of the National Prison Association. The declaration stated that prisons should be organized to encourage reformation, rewarding it with release. It advocated indeterminate sentences and the classification of prisoners based on character and improvement. The reformers viewed the penitentiary practices of the nineteenth century as debasing, humiliating, and destructive of inmates’ initiative.

7 Understand the reforms advocated by the Progressives.

The Progressives looked to social, economic, biological, and psychological factors rather than religious or moral explanations for the causes of crime. They advocated the development of probation, indeterminate sentences, treatment programs, and parole.

8 Discuss the forces and events that led to the present crime control model.

The rise of crime in the late 1960s and questions about the effectiveness of rehabilitative programs brought pressure to shift to a crime control model of corrections, with greater use of incarceration and other forms of strict supervision.

9 Describe the changes that are going on today and why they are important.

A combination of concerns about the huge costs of the prison system and the belief that more-effective strategies exist for dealing with people who are convicted of crimes has led to an emerging conservative and liberal consensus to deemphasize prisons and increase the importance of “strategies that work.”

Key Terms

community corrections 22
congregate system 17
corrections 8
crime control model 23
evidence-based corrections 24
federalism 14
intermediate sanctions 14
jail 14

justice reinvestment 24
lease system 19
mark system 19
medical model 21
parole 15
penitentiary 16
positivist school 21
prison 14

private prison 15
probation 14
reformatory 20
separate confinement 16
social control 8
system 9

For Discussion

1. Contrast the role of crime with the role of politics in the growth of corrections. Why is this contrast important?
2. What do you see as some of the advantages and disadvantages of the systems concept of corrections?
3. Feedback is an important aspect of a system. How does the corrections system get feedback? In what ways does feedback affect corrections?
4. Assume that the legislature has stipulated that rehabilitation should be the goal of corrections in your state. How might people working in the system displace this goal?
5. Suppose that you are the commissioner of corrections for your state. Which correctional activities might come within your domain? Which most likely would not?

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