ESSENTIALS OF CORRECTIONS
For Brenda;
Greg, Lisa, Mina, Robert, and Knox;
Gelaine, Gabe, Lucy, Oliver, Cooper, and Maggie.

Larry Mays

For Richard Vandiver, teacher, scholar, and mentor.
For Edwin E. Jeffery, husband, father, grandfather, great-grandfather, and good friend.
You both are missed.

Tom Winfree
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T here are a variety of television shows and movies that deal with various aspects of law enforcement, some fictional and some real. However, the corrections component of the criminal justice system does not seem to garner the same amount of attention. This is interesting given that there are over 7 million adults in the United States under some form of correctional supervision, in addition to juveniles supervised and confined by the juvenile justice system. Furthermore, there are nearly 800,000 people employed in corrections at the local, state, and federal levels accounting for nearly $80 billion in annual payroll. By any measure, correctional agencies and operations in the United States are big business. Nevertheless, for many people much of the corrections component of the criminal justice system remains out of sight, and out of mind.

The two authors of this book have found the world of corrections to be both fascinating and frustrating. Collectively, we have spent more than 60 years working around, researching, and teaching about corrections. In some ways, the two of us feel like we know less now than when we began. Why is that? Several reasons seem apparent.

The field of corrections involves a complex array of people, places, institutions, and agencies. The successes of the dedicated people who work in this field seldom are publicized. The failures make local, state, national, and even international news. When we talk to our former students who work in corrections, they express an optimism that is borne of the conviction that they are doing something really worthwhile for society. By the same token, they are often disappointed that legislators, the general public, and the news media do not understand what they do, and thanks are seldom conveyed to them for a job well done. They also feel that the growing correctional populations and insufficient resources to manage those populations further handicap them. Like many employees of the criminal justice system, of which corrections is a big part, they point to the role that politics plays in the administration of punishment.

Additionally, the field of corrections is an ever-changing enterprise, and it is much different today than it was 20 or even ten years ago. Correctional agencies have been affected by changing laws at the state and federal levels, and the influence of prisoner litigation is an ever-present reality.

Finally, movements to improve the quality of correctional employees, their work environment, professionalization, and a heightened sense of ethics all play a major part in contemporary corrections. These three factors have made it challenging for us as we have worked on each successive edition of this book. Beginning with the first edition, our intent was to present a thorough but tightly focused textbook covering the essentials of corrections. The first edition had 11 chapters. When we did the second edition, we added an entire chapter on careers in corrections. The third edition brought two additional chapters: one on race and ethnicity and another on gender, and in this edition we have added a separate chapter on special needs inmates. Throughout the process, we have tried to maintain our focus on a book that covers the basics in the most thorough way possible.
THE GOALS OF THIS BOOK

The changing forces of corrections in the United States have now brought us to the fifth edition, one that presented its own challenges. As with past editions, we have pursued a number of goals in preparing this edition.

First, although we recognize that instructors must teach from the book, we want the book to be accessible intellectually to students from a variety of backgrounds and degrees of preparation. If students cannot grasp the material we have presented, then our efforts have been in vain. Comprehension is an essential step in mastery. So we view the students as our target audience.

Second, we have made every effort to present the material in a logical format. We want the material to flow from one chapter to the next and for the book to “tell a story.” In this regard, we have attempted to minimize our separate voices in the writing process and to present the material as if it were written by one person. In each successive edition, this has become easier.

Third, we want to present the broad sweep of the corrections component to students who may or may not end up working in corrections. Although the aim was to make this an “essentials” book, we have been as thorough as possible without drowning students in a sea of interesting, but nonessential, information. We recognize that some colleges and universities may require this course whereas others offer it as an elective. Whichever the case, we want the students who read this book and complete the course to feel relatively secure in the breadth if not depth of their knowledge of corrections in the United States and the world beyond.

Fourth, we continue to include some materials that we consider classics in the field of corrections while focusing on the most recent material available. The newer material is taken from scholarly monographs, research articles, or federal government documents prepared by the Bureau of Justice Statistics or otherwise available through the National Criminal Justice Reference Service. However, as we (and most authors) are quick to acknowledge, as soon as a book is published the material included is already somewhat dated. Therefore, most of the data we have included ends with 2010. This date was chosen because it gave us the most complete figures for corrections operations, and it allowed us to compare “apples with apples” more readily.

As a result of these goals, we have pursued two strategies diligently in the creation of the fifth edition of our collaborative work: (1) We have updated and added material throughout the entire book at the suggestion of several reviewers and instructors who have used previous editions; and (2) we have eliminated some of the topics that no longer seem as essential. Nevertheless, we have retained our original promise to ourselves that we wanted a book that was understandable by students. Therefore, in the next section, we will outline the many changes that have occurred in the revision and production of this book.

THE FIFTH EDITION

Before considering the individual chapters, it is useful to outline some of the new features of this edition. In terms of reorganization, we have added an entirely new chapter on special needs inmates. Some of this information was included in different chapters in previous editions of the book, but this edition pulls all of this material together in one chapter and adds significant sections on immigration detainees and gay, lesbian, bisexual, and transgender inmates.

Most of the chapters have boxed materials dealing with current issues and controversies in corrections. Additionally, we have included boxes on international corrections in all chapters. We have had the feeling for some time that looking at how other countries address their correctional populations and problems helps students understand better what we do in the United States and why.

At the end of each chapter, we have provided three different devices that should help students develop a mastery of the material. First, we provide a list of key terms. These terms are emphasized and are defined for the students in the book’s extensive glossary.
Second, we include a series of critical review questions. Rather than asking students simply to repeat information discussed in the text, our intent was for students to use these questions to test themselves on the degree to which they really grasp the material presented in the chapter. However, we believe that the questions can be used in quite a few different ways. For example, students can be assigned to answer the questions in small groups. The questions could also be used for essay exams.

Finally, we both believe very strongly in developing students’ abilities to write, so in addition to the critical review questions, we have expanded the list of writing assignments in this edition. Each of these writing assignments is designed to have students create short (typically one to two page) essays that make them think critically and then express their answers in written form. We believe that both students and instructors will find these writing assignments useful and thought provoking.

**ORGANIZATION OF THE TEXT**

**CHAPTER 1** *Introduction to Corrections* continues to provide an overview of the criminal justice system component that we call corrections. It gives students a brief look at the sweep of correctional agencies and institutions, and provides them with the basic terminology that they will need throughout the book.

**CHAPTER 2** *A Brief History of Punishments and Corrections* deals with the issues of history and theory. These may not seem to be the most exciting topics to students, but we have long maintained that both are essential to understanding where we are today and how we got here. We have made every effort not to present material in this chapter as dry and boring statistics, but to make both history and theory come alive for students.

**CHAPTER 3** *Sentencing and Criminal Sanctions* covers the topic of sentencing and criminal sanctions. We believe that students need to understand how offenders come into the domain of the corrections system. Some of this material may have been covered in a previous class such as Introduction to Criminal Justice or Criminal Law. However, we are committed to making sure that students have a complete grasp of the material whether they have heard it before or not.

**CHAPTER 4** *Probation and Community Corrections* contains material that has been substantially revised and updated. In previous editions, probation and parole were included in one chapter, and that chapter came much later in the text. Beginning with the fourth edition, we placed probation much earlier in the book (where it usually falls in the process) and combined it with material on community corrections (which was a separate chapter in the first three editions).

**CHAPTER 5** *Jails and Detention Facilities* deals with jails and other types of short-term detention facilities. Often jails get little or no treatment in corrections books, but they represent the front door to all correctional processing that will follow. Not everyone in jail will be placed on probation or go to prison, but virtually everyone on probation or in prison has been in jail at some point.

**CHAPTER 6** *Institutional Corrections* focuses on the institutional aspect of corrections, primarily jails and prisons. In some ways, institutional corrections gets an inordinate amount of attention. This element of the corrections work world certainly is the focus of much of the funding, research, and public thought when the word *corrections* is introduced.

**CHAPTER 7** *Jail and Prison Inmates* covers information on the inmates housed in jails and prisons around the United States. This is one chapter where recent information is readily available from the US Bureau of Justice Statistics (BJS). Students can access the BJS website (http://www.ojp.usdoj.gov/bjs/) if they are interested in finding statistics for this class or other classes. They can also access current studies of a more general nature on corrections and related topics from the National Criminal Justice Reference Service (NCJRS) (www.ncjrs.gov). Instructors also might assign a little “scavenger hunt” by having...
students find facts and figures about certain correctional topics through either BJS or NCJRS.

**CHAPTER 8 Special Needs Inmates** deals with an increasingly problematic issue in corrections: inmates who have more than usual needs in terms of medical care, mental health care, treatment programming, and living arrangements. The groups incorporated into this chapter’s discussions include adolescents and young adults; inmates with communicable diseases (especially HIV/AIDS and tuberculosis); those who are drug and alcohol dependent; inmates with mental health problems and mental illness; gay, lesbian, bisexual, and transgender inmates; and individuals being detained for immigration violations.

**CHAPTER 9 Parole and Prisoner Reentry** was added to the previous edition and, fortunately, several recent studies and data sources were available to help in the revision of this section. Although not prescriptive in its approach to prisoner reentry, the chapter does suggest that much more can be done to facilitate success in the lives of those who leave prison to live among us once again.

**CHAPTER 10 Careers in Corrections** first appeared in the third edition, although the title was a bit vague. Beginning with the fourth edition, we made this chapter’s title much more explicit: *Careers in Corrections*. Furthermore, we have updated the information available from the Bureau of Labor Statistics that covers job outlook and potential salary structure for corrections positions nationwide. As always, students should be encouraged to check with their state corrections department to get the most up-to-date local information. Chapter 10 also has expanded discussions of professionalization and ethics for corrections employees.

**CHAPTER 11 The Administration of Corrections Programs** deals with professionalization and ethics, topics of continuing concern throughout criminal justice agencies. In this chapter, the discussions focus on the challenges faced by correctional administrators. We recognize that students will not step from college into an administrative position, but they will be working in an administrative environment and working for managers and administrators. Our goal in this chapter was to sensitize students to the challenges faced by administrators (not only in corrections, but in practically every criminal justice organization).

**CHAPTER 12 Corrections Law and Inmate Litigation** discusses the crucial area of law and litigation. Whether they want to admit it or not, students who work in corrections will be involved in a career with high litigation potential. They may not be sued personally—although some might—but their agencies and organizations will be sued regularly. This chapter also updates some of the major cases (and changes) dealing with the death penalty in the United States.

**CHAPTER 13 Gender Issues in Corrections** was added to the third edition of the book, and we have continued to revise and update it for this edition. At any point in the criminal justice system, the inclusion of an in-depth discussion of women and their role as either clients or service providers is rare. We tried to raise the bar for discussions of gender in corrections by reversing this trend in Chapter 13. We review the worlds of incarcerated women and those in alternative programming, as well as suggest areas where women’s needs are unique and distinct from those of male offenders. We close with an admittedly brief discussion of women as correctional employees. As we began work on the fifth edition we realized that this, unfortunately, is an area still somewhat overlooked by policy makers and corrections researchers.

**CHAPTER 14 Race, Ethnicity, and Corrections** delves into some critical and often provocative topics, including the definitions of race and ethnicity, sentencing disparities, disproportionate minority contacts with the criminal justice system, and the death penalty. In it, we introduce students to the various ways race and ethnicity affect offenders’ lives, whether they are confined in prisons and jails or placed on probation and parole.

**CHAPTER 15 The Future of Corrections** is not, as in some textbooks, something of a throwaway. We have always wanted Chapter 15, *The Future of Corrections*,...
to present substantive material. Some of the discussions are clearly based on current research in terms of what works and what does not. Other discussions are speculative, and they deal with what might be called the science fiction of corrections. We have taken current technologies and some technologies under development, and have extrapolated these to imagine what the future of corrections might look like. We want this chapter to be significant, but also fun for both students and instructors.

COMPREHENSIVE ONLINE ANCILLARY RESOURCES

The revised and expanded ancillaries for this text are available on its companion website. To begin using this site please visit www.wiley.com/go/mays5e

Unlike the case of many textbook ancillaries, both the Instructor’s Section and the Student Section have been prepared by the two authors of the text. We consider this to be a value-added feature, as the ancillaries for many introductory texts are written by third parties hired by the publisher.

These ancillaries have been substantially revised and expanded to go along with the new organization of the book. Additionally, the Instructor’s Section includes new materials that we did not have space for in the text itself. We provide numerous suggestions for classroom exercises (such as discussions and group work), films, other books, and the types of guest speakers that might be appropriate at various points in the course.

Wiley has made available to students and instructors the following online resource materials:

- A new student study guide: This study guide is a new feature of the fifth edition. It is located in the Student Section. The guide will help students review materials from the chapters and help prepare them for classroom discussions, assignments, and examinations. We want to acknowledge Dr Carolyn Dennis of Keiser University who prepared the study guide.
- A list of web resources keyed to each chapter: Both students and instructors will benefit from using these sites listed to update data in the chapters—and also to further explore topics that, of necessity, are covered somewhat briefly in the text. There is also a list of state-by-state corrections department websites provided.
- Links to open-source videos. These can be used along with the text to illustrate points covered in class and in the book’s chapters.
- Sample syllabi. These will be especially helpful for instructors teaching this class for the first time, or who have not taught the course on a regular basis.

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G. Larry Mays
L. Thomas Winfree, Jr.
INTRODUCTION TO CORRECTIONS

Outline

Current Trends
Philosophies of Punishment
Outlooks on Corrections
The Role of Criminological Theories
Corrections Programs

Objectives

● To provide you with an understanding of the breadth and depth of corrections
● To acquaint you with the various philosophies and goals of punishment
● To reveal to you the role of criminological theory as a means to understand offenders
● To provide you with a contemporary view of corrections and a prospective look into its future
● To give you an overview of the various subjects explored in this textbook

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INTRODUCTION

What comes to mind when you hear the word corrections? Do you think about prisons with massive stone walls and downtrodden inmates like those portrayed in dozens of movies? Perhaps you think about chain gangs, inmates in orange jumpsuits picking up trash along a highway, or prisoners in white uniforms hoeing in a line in a field. Do these images accurately reflect contemporary corrections?

The answer is yes, to a degree. But today corrections encompasses much more than the custodial supervision of convicted offenders inside or outside a secure facility. According to the US Department of Justice, at the end of 2010, an estimated 7.1 million adults in the United States (1 in 48 adults) were under some type of correctional supervision (Glaze 2011). Of this total, 4.06 million adults were on probation and another 840,676 were on parole. The rest, nearly 2.3 million adults, were confined in prisons and jails.

Probation. Parole. Prisons. Jails. These are critical components of corrections in the twenty-first century, but they are by no means the only components. According to the US Department of Justice, corrections “includes all government agencies, facilities, programs, procedures, personnel, and techniques concerned with the intake, custody, confinement, supervision, or treatment, or presentencing or predisposition investigation of alleged or adjudicated adult offenders, delinquents, or status offenders” (1981, 53). As used in this textbook, corrections refers to all government actions intended to manage adults who have been accused or convicted of criminal offenses and juveniles who have been charged with or found guilty of delinquency or a status offense.

In this chapter, we explore the philosophical and practical underpinnings of contemporary corrections. In order to gain a better understanding of our nation’s formal response to criminals, we examine the philosophies that provide the foundation for “correcting” convicted offenders. Then we review the public and political attitudes that shape contemporary corrections policy, and the effects of those attitudes. Next we explore the explanations for crime that criminologists have developed over the past several centuries. Their theories will be especially useful when we start to consider the methods of treating convicted criminals. We conclude the chapter with a look at the nation’s corrections programs. Before we begin our exploration of the essentials of corrections, however, we turn to an overview of current trends.

CURRENT TRENDS

Between the early 1980s and the end of the century, the United States experienced an enormous increase in the number of individuals under the supervision of adult correctional programs. In 1980, fewer than 2 million people were under any form of institutional or community supervision. As noted above, the nation’s correctional systems reported more than 7 million detainees, inmates, and supervisees in 2010. As Figure 1.1 shows, between 1980 and 2007, the climb in the number of people age 18 and older under some form of supervision, especially in prisons and on probation, was steady and unrelenting. Beginning in 2009, after a 2 year plateau, the numbers started to move downward, led mainly by declines within the probation and jail populations.

Comparisons of prisoners by race and ethnicity yield controversial results (Guerino, Harrison, and Sabol 2011; Humes, Jones, and Ramirez 2011):

- In 2010, blacks accounted for 13.6 percent of the roughly 309.3 million people in the United States, or about 42 million individuals, but 40 percent of the inmates in state and federal facilities were black.
- About 50.5 million people, 16.3 percent of the total US population in 2010, were Hispanics, but they constituted 20 percent of the prison population that year.
- Non-Hispanic whites accounted for most of the remaining 196.8 million US residents in 2010, 63.7 percent of the total, but whites made up just 35 percent of the inmate population.

Another way to examine the racial and ethnic distribution of inmates is to look at incarceration rates,
the number of people in a secure facility for every 100,000 (referred to in this text as per capita) people in a specific racial or ethnic group. Those rates confirm the race and ethnic disparities found within the nation’s prison populations. For example, in 2010, the incarceration rate for every 100,000 black males in the United States ages 25 to 29 was 8,932 (down from 10,376 in 2002); among Hispanic males in the same age group, the rate was 3,892 (up from 2,394 in 2002); and among white males, the rate was 1,437 (up from 1,229 in 2002) (Glaze 2011; Har- rison and Beck 2003). 1

Since 2000, the rates for blacks and Hispanics have generally gone down, while those for non- Hispanics whites have increased, pushing the overall per capita incarceration rates for all racial and ethnic groups up from 476 in 2002 to 500 in 2010. Stated another way, and assuming current incarceration rates do not change, about one in three black males, one in six Hispanic males, and 1 in 17 white males are expected to go to prison during their lifetimes (Bonczar 2003).

We also find disproportionate rates for condi- tional release: three in ten probationers and four in ten parolees are black; and one in about eight proba- tioners and nearly one in five parolees are His- panic (Glaze and Bonczar 2011). Whites account for more than half of probationers but only four in ten parolees. Blacks and Hispanics as a group make up 43 percent of the nation’s probationers and 57 percent of the parolees, well above their combined proportion in the general population. Since the late 1980s, the trend has been toward fewer black and Hispanic probationers and more black and Hispanic parolees, something we would expect given the explosion in incarceration rates for racial and ethnic

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**FIGURE 1.1** Total population under the supervision of adult correctional systems and annual percent change, 1980–2010. Source: Glaze (2011, 1).

**NOTE:** Annual percentage change was based on within-year change in the probation and parole populations and year-to-year changes in the prison and jail populations. The annual percentage change in 1998 and 1999 was adjusted to account for expanded coverage of probation agencies during those years.
minorities that began in the 1980s (Glaze and Bonczar 2011).

This unequal representation of blacks and Hispanics is often referred to as disproportionate minority contact (DMC). Many corrections experts consider the overrepresentation of racial and ethnic minorities among those convicted and sentenced in the United States to be a national tragedy, a problem that begins with minority group member–police contacts. We review race and ethnicity at various points in the chapters that follow, and we examine disparities in sentencing and confinement in detail in Chapter 14.

Although women historically are underrepresented in the nation’s correctional population, their proportion is growing. The number of female prisoners increased 21 percent (versus 13.4 percent for men) between 2000 and 2010: by the end of 2010, women accounted for 7 percent of all prisoners (Guerino, Harrison and Sabol 2011). In spite of these changes in women’s incarceration, the 2010 incarceration rate for men was, at 943 per 100,000 males US residents, 14 times higher than for females (67 per 100,000 female US residents). In 2010, women made up 24 percent of those on probation (a 2 percent increase from 2000) and 12 percent of those on parole in both 2000 and 2010. As we relate later in this text, the growing involvement of women as clients of the nation’s criminal justice system has created new and unique problems for correctional policy makers and practitioners alike.

What these statistics demonstrate is that corrections is a significant part of the criminal justice system in the United States. Moreover, the problem of expanding prison systems is not limited to the United States (see Box 1.1).

**PHILOSOPHIES OF PUNISHMENT**

In this book, we look at many different corrections programs, agencies, and institutions. Each one is guided by a punishment philosophy, a set of beliefs that defines both the potential and the limitations of corrections treatment. Throughout history, different philosophies have dominated the corrections field at different times. In this section, we explore the origins of these sometimes contradictory philosophies.

**RETRIBUTION**

One of the oldest correctional philosophies is retribution. In simplest terms, retribution is the belief that punishment must avenge for a harm done to another. Archaeologists have unearthed written codes dating back more than 3,500 years that clearly are based on retribution. For example, the Code of Hammurabi, which dates back to the eighteenth century BCE, provided, “If a man destroy the eye of another man, they shall destroy his eye. If he break a man’s bone, they shall break his bone. If a man knock out a tooth of a man of his own rank, they shall knock out his tooth.” Likewise, the Law of Moses stipulated that “thou shalt give life for life, eye for eye, tooth for tooth, hand for hand, foot for foot, burning for burning, wound for wound, stripe for stripe” (Exod. 21:23–25). From such harsh rules has come the _lex talionis_, the law of retaliation or revenge, a legal principle that requires a response in kind for crimes committed (Encarta World Dictionary 2009).²

The ancient concept of retaliation has aroused renewed interest since the 1970s. In the mid-1970s, the criminal justice system’s ability to effect prosocial changes in criminals came under severe criticism (see the discussion of rehabilitation later). Simultaneously, a derivative of the _lex talionis_ emerged. This new rationale for punishment, called _just deserts_ or _retaliative justice_, suggests that criminals earn society’s wrath and deserve to be punished for the sake of punishment (Fogel 1975). Whether they learn to change (rehabilitation) or are frightened away from their criminal behaviors (deterrence) is irrelevant. They simply deserve punishment, much as those who violated laws in the days of the _lex talionis_ deserved punishment. Only the forms of punishment are different, not the reasons for using them.

In the 1990s, critics of the corrections system suggested that the retributive justice philosophy had evolved into a philosophy of penal harm—the belief that punishment, particularly incarceration, should be uncomfortable. Since the 1980s, the prison population in the United States has increased at a far
Observers note that prisons in the United States have undergone three decades of growth. This statement appears to be true internationally as well. For example, in 2000, Germany allocated the equivalent of $1.25 billion for new prison construction. This expansion plan was to increase prison capacity in the eastern German states by 50 percent and in the western states by 25 percent.

In general, the prison population in European nations grew 20 percent during the 1990s, but in more than half of these nations (not counting very small states) the prison population grew by 40 percent. In Mexico, Argentina, Brazil, and Colombia, the rate of growth was between 60 and 85 percent. The prison population in the United States grew by 65 percent over the decade. By comparison, Canada’s prison population grew by only 12 percent. The Australian prison population grew 50 percent; in New Zealand, the growth rate was 38 percent. In South Africa, the prison population increased by 33 percent between 1990 and 1999. Even Japan, a nation with historically low crime rates, saw prison populations grow by 10 percent in the 1990s. In 86 of the 118 nations for which figures are available, the prison population increased in the last decade of the twentieth century.

Why are we seeing widespread growth in incarceration rates? The answers are complex and go beyond growth in crime rates. Roy Walmsley (2009) suggests five possibilities:

- the increasing belief in many countries that prison is the most effective response to crime;
- an increased fear of crime;
- a general loss of confidence in the criminal justice system;
- disillusionment with positive treatment alternatives (prison is a negative alternative); and
- a growing need for retribution.

We should not lose sight of the fact that the United States, with just 5 percent of the world’s population, has roughly 20 percent of the world’s 9.9 million prison inmates. Nearly half of all sentenced prisoners are held in the United States. Moreover, although Western European nations have experienced dramatic prison population increases, the custody rate per 100,000 residents in most of these nations is less than 100. In the United States, the per capita rate for individuals held in state or federal prisons or in local jails is currently 732—the world’s highest rate.

Greater rate than the prison system’s ability to deal with it. The chief mechanisms of change were mandatory sentencing laws and restrictions on or even the abolition of discretionary parole.3 “By promoting prison overcrowding and its related evils, the penal harm movement has clearly extended degradation, provocation, and deprivation well beyond the act of imprisonment to the daily conditions of confinement” (R. Wright 1996, 135).

**DETERRENCE**

The deterrence philosophy assumes that certain and severe punishment can “discourage future crime by
the offender and by others” (US Department of Justice 1988, 90). This definition owes much to the writings of Cesare Beccaria, Jeremy Bentham, and other eighteenth-century philosophers.

Notice that there are two important dimensions here. The first is specific deterrence, the assumption that punishment dissuades the offender from repeating the same offense or committing a new one. The ultimate form of specific deterrence is the death penalty: we know with certainty that people who are executed for their crimes will not commit other crimes in the future.

Although specific deterrence may be very important in contemporary corrections, the second dimension—general deterrence—seems equally important. Specific deterrence would punish the individual offender so that he or she will not commit another offense; by contrast, general deterrence would punish the individual to prevent others in society from committing the same or similar crimes. This philosophy assumes that people can learn through the experience of others that punishments meted out to others serve as object lessons for the rest of us.

**REHABILITATION**

The most prominent correctional philosophy in this country for many years was rehabilitation, the belief that “providing psychological or educational assistance or job training to offenders” makes “them less likely to engage in future criminality” (US Department of Justice 1988, 90). Rehabilitation is based on the notion that people—whatever their age or their crime—can change. The key to change is treatment—individual and group counseling, drug and alcohol treatment, remedial education, and vocational education.

Between the 1950s and the 1970s, rehabilitation was the philosophy most frequently promoted by penologists, people who systematically study punishment. However, in the mid-1970s, an assessment of correctional programs brought the efficacy of rehabilitation into question (Lipton, Martinson, and Wilks 1975). Some critics wondered whether rehabilitation worked; others went even further, arguing that “nothing works” (Martinson 1974). In a matter of years, other studies found that rehabilitation is a viable basis for corrections (see, for example, Cullen and Gilbert 1982).4

If rehabilitation can work, why was such a gloomy picture painted in the 1970s? We have several possible answers. First, correctional treatment programs often were created with no evaluation component. Only after a few years of operation did someone (usually a funding agency) decide that it might be a good idea to find out whether a program was working. In the absence of formal evaluation criteria, assessments were based on anecdotal evidence or intuition, and often they were wrong. Many treatment programs were assumed not to work, often in the absence of hard evidence.

Second, many treatment program evaluations during the 1960s and 1970s made use of inadequate statistical techniques. Some of the programs that initially appeared not to work proved to work on reexamination.

Third, some treatment programs were almost designed to fail. They had no theoretical underpinnings, and their designers and implementers had only vague notions about what the programs should achieve. A number of the juvenile justice diversion programs system fit this category (Decker 1985). The stated purpose of these programs was to divert certain juvenile offenders from the formal process of adjudication, but no one specified where these youngsters should be diverted to.

In summarizing the research on rehabilitation, Joseph Rogers and Larry Mays (1987, 519–20) made several key points, ones that are no less relevant after nearly three decades:

- No treatment program works with every possible offender.
- Some programs may not work with any offender.
- Some programs have a high degree of efficacy; that is, they work with a broad range of offenders.
- Unfortunately, some offenders cannot be rehabilitated.

Participants in correctional rehabilitation programs, much like clients of drug and alcohol treatment
programs, get better when they want to get better and work towards that goal.

**ISOLATION**

Isolation is a very old correctional philosophy that has served two purposes throughout recorded history. The first is isolation as punishment: offenders were incarcerated in dungeons or towers to separate them from most human contact. The second is what we call the “rotten apple” response to criminal offenders: offenders were isolated to protect the rest of society from “spoiling.” In this way, prisons and jails became dumping grounds for people society rejected because they were dangerous or simply unpleasant (see Welch 1996). What may also have been at work here is a defense mechanism of sorts. Inmates have low visibility: they are out of sight, out of mind. Criminals who are in jail are not a threat to law-abiding citizens, nor are they a reminder of the law’s failure to protect those citizens.

**INCAPACITATION**

The contemporary version of isolation is incapacitation, “separating offenders from the community to reduce the opportunity for further crime while they are incarcerated” (US Department of Justice 1988, 90). At the core of this philosophy is the work of Marvin Wolfgang and his colleagues. Their Philadelphia birth cohort studies identified a group of high-risk and high-rate offenders (Wolfgang, Figlio, and Sellin 1972), who were later labeled “career criminals.” An assortment of strategies—in particular, selective incapacitation—was developed to address the problems created by persistent offenders (Walker 2011).

At the heart of selective incapacitation lies the assumption that career criminals can be identified early on, as preteens or teens. Once these offenders are identified, the full force of the criminal justice system is brought to bear on them. Policymakers use selective incapacitation to ensure that career criminals are caught, convicted, and sentenced to a significant period of incarceration. The goal of policymakers is to reduce the crime rate substantially by removing persistent offenders from society for most if not all of their crime-prone years.

As some critics have pointed out, the career-criminal concept and the selective incapacitation approach are based on assumptions that are open to interpretation and challenge (Greenwood 1982; Walker 2011). The early identification of career criminals has been problematic. Also, selective incapacitation assumes that there is a finite number of high-rate criminals, and that if we catch those who are most persistent, no others are going to take their places. Both national and state governments have pursued this expensive strategy despite the lack of consensus on its value. Why? One answer may be that the image of the career criminal frightens the public, which creates an opportunity for savvy politicians. The upshot is that we are likely to continue to see references to career criminals and programs designed to deal with them for years to come.

**REINTEGRATION**

In the late 1970s through the early 1980s, most corrections professionals began to focus on reintegration. Reintegration recognizes the fact that a high percentage of the people in prison—probably more than 90 percent—eventually get out (Travis 2000). Once they get out, many of these offenders have a difficult time making a transition back into society. They must readjust to their families, to work, and to the label ex-con. Therefore, something must be done to help them make the transition from institutional life back into society.

The reintegration process is important for the inmate who has been released and for society. Most former inmates who fail to reenter society commit new crimes, usually within months of their release. By helping them make the transition to the free world, the corrections system can prevent crime and the offenders’ eventual return to prison.

**RESTITUTION**

Restitution entails “having the offender repay the victim or the community in money or services” (US Department of Justice 1988, 90). Restitution was
designed as an alternative to incarceration (Cromwell and Killinger 1994, 279–80), but in many jurisdictions today, judges incorporate restitution orders into probation conditions. Critics argue that restitution has become a probation add-on, a way of making probation more punitive, and part of the general trend toward requiring greater accountability from offenders.

RESTORATION

The most recent philosophy to gain followers in the field of corrections is restoration (see Box 1.2). Restorative justice, or the balanced approach, has been applied to juvenile and adult offenders (Armstrong, Maloney, and Romig 1990; Maloney, Romig, and Armstrong 1988). According to Gordon Bazemore (1992), the approach is based on three key elements:

- **Accountability** requires offenders to repay or restore victims’ losses, much like restitution.
- **Community protection** weighs both public safety and the least costly, least restrictive correctional alternative.
- **Competency development** emphasizes remediation for offenders’ social, educational, or other deficiencies when they enter the correctional system.

As Bazemore emphasizes, the key is balance: each of these elements should play an equal role in correcting deviant behavior (see Box 1.2).

What is the state of contemporary corrections? Do any of these philosophies underlie current correctional programs? Actually, they all do in one form or another. Does one of them dominate? The answer is probably no. Much like the mental health field 30 or 40 years ago, contemporary corrections is caught

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**SPOTLIGHT ON INTERNATIONAL CORRECTIONS: RESTORATIVE JUSTICE IN BELGIAN PRISONS**

Does restorative justice sound like a “New Age” correctional philosophy, cooked up by liberals at the end of the twentieth century? In fact, restorative justice’s foundations can be seen in the practices of the ancient Greeks, Arabs, Romans, and Germanic peoples after the fall of Rome. The idea of restoring community harmony and balance after a crime has been committed is also found in numerous religious tracts associated with, among others, Buddhism, Hinduism, Taoism, and Confucianism.

Restorative justice is more than a philosophy; in many nations, it is a series of practices designed to change people’s behavior. For example, in 1998, six Belgian prisons implemented restorative-justice programs that were intended to create a more positive prison culture. We will see in Chapter 7 that the culture inmates create in prisons tends to be negative and antiauthoritarian, not environments in which prosocial goals are likely to be met. In the Belgian prisons, restorative principles helped prisoners begin dealing with the aftermath of their crimes more personally and more openly while they were in prison. Inmates were encouraged to take responsibility for their actions. Through individual counseling and group work, staff members helped offenders recognize the physical, psychological, and emotional consequences of their offenses. Staff members also gave victims a brochure that described prison life for the offenders and the likely outcome of incarceration. Finally, the staff worked to end polarization between victim aid services and offender aid services, to build bridges between them and to explore the possibility of victim–offender communications while offenders were jailed. The pilot project was a success, and today each of Belgium’s 30 prisons has a counselor who works to introduce restorative-justice concepts and practices inside the facility.

**Sources:** Braithwaite (1999); Newell (2001); Winfree (2002).