Chapter 1
The Corrections System

Learning Objectives – Chpt. 1

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

- In 2008, U.S. imprisonment rate was 506 per 100,000.
- Over 3,200 people on death row.
- 14,000 serving life sentences.
- Considering all forms of corrections, more than 3% of all adults under some form of correctional control.
- Little relationship between prison population and crime rate.

Corrections Statistics

- In 2009, over 7.2 million people were on probation, in jail or prison, or on parole at year end — 3.1% of all U.S. adult residents or 1 in every 32 adults. The total correctional population declined (down 0.7% or 48,800 offenders) during 2009, the first decline observed in the population since the Bureau of Justice Statistics began reporting this population in 1980.
- At year end 2009 a total of 4,203,967 adult men and women were on probation and 819,308 were on parole or mandatory conditional release following a prison term.
- State and federal prison authorities had jurisdiction over 1,613,740 prisoners at yearend 2009: 1,405,622 under state jurisdiction and 208,118 under federal jurisdiction.
- Local jails held 760,400 adults awaiting trial or serving a sentence at midyear 2009.

Adults Under Corrections

<table>
<thead>
<tr>
<th>Year</th>
<th>Total correctional population</th>
<th>Total</th>
<th>Probation</th>
<th>Parole</th>
<th>Total</th>
<th>Jail</th>
<th>Prison</th>
</tr>
</thead>
<tbody>
<tr>
<td>2009</td>
<td>4,203,967</td>
<td>3,203,967</td>
<td>903,208</td>
<td>696,800</td>
<td>2,405,622</td>
<td>1,405,622</td>
<td>100,000</td>
</tr>
<tr>
<td>2008</td>
<td>4,203,967</td>
<td>3,203,967</td>
<td>903,208</td>
<td>696,800</td>
<td>2,405,622</td>
<td>1,405,622</td>
<td>100,000</td>
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</tbody>
</table>

U.S. Department of Justice
Office of Justice Programs
Bureau of Justice Statistics
### Adult Correctional Population

<table>
<thead>
<tr>
<th>Year</th>
<th>Jail</th>
<th>Prison</th>
<th>Probation</th>
</tr>
</thead>
<tbody>
<tr>
<td>1990</td>
<td>500,000</td>
<td>3,000,000</td>
<td>2,000,000</td>
</tr>
<tr>
<td>1995</td>
<td>2,000,000</td>
<td>4,000,000</td>
<td>3,000,000</td>
</tr>
<tr>
<td>2000</td>
<td>1,000,000</td>
<td>5,000,000</td>
<td>4,000,000</td>
</tr>
<tr>
<td>2005</td>
<td>500,000</td>
<td>1,000,000</td>
<td>900,000</td>
</tr>
</tbody>
</table>

### % Adults – Correctional Supervision

<table>
<thead>
<tr>
<th>Year</th>
<th>Male</th>
<th>Female</th>
</tr>
</thead>
<tbody>
<tr>
<td>1987</td>
<td>1%</td>
<td>0.1%</td>
</tr>
<tr>
<td>1990</td>
<td>2%</td>
<td>0.1%</td>
</tr>
<tr>
<td>1993</td>
<td>3%</td>
<td>0.1%</td>
</tr>
<tr>
<td>1996</td>
<td>4%</td>
<td>0.1%</td>
</tr>
</tbody>
</table>

Almost 5% of the adult males and 1% of the adult females in the United States were under some form of correctional supervision in 1997.

### Learning Objective 1

Learning Objective 1: Describe the range of purposes served by the corrections system.
Learning Objective 1

Purposes:
- Protecting society by punishing people who break society's rules.
- Help define the limits of behavior so everyone understands what is permissible.
- Central purpose is to carry out the criminal sentence.

Learning Objective 2

Learning Objective 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.
  - Goals
  - Interconnectedness
  - Environment
  - Feedback
  - Complexity
Learning Objective 2

- Goals:
  - Punishment
  - Protection
- When these two functions do not correspond, corrections faces goal conflict.

Learning Objective 2

- Interconnectedness:
  - Corrections can be viewed as a series of processes:
    - Sentencing
    - Classification
    - Supervision
    - Programming
    - Revocation
  - Offenders pass through system in an assembly line with return loops.

Learning Objective 2

- Environment:
  - Outside forces/influences:
    - Public opinion
    - Fiscal constraints
    - Law
  - Corrections has a reciprocal relationship with its environment.
Learning Objective 2

- Feedback:
  - Systems learn, grow, and improve according to feedback.
  - System has trouble obtaining useful feedback.
  - Correction system and environments tend to over respond to failure but remain less aware of success.

Learning Objective 2

- Complexity
  - All types of activities come under heading of corrections:
    - Pretrial drug treatment
    - Electronically monitored home confinement
    - Work centers
    - Residential treatment programs

Learning Objective 3

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

- Subunits:
  - Probation officers
  - Halfway houses
  - Prisons
- Subunits vary in:
  - Size
  - Goals
  - Clientele
  - Organizational structure

Learning Objective 3

- Federalism
  - A system of government in which power and responsibilities are divided between a national government and state governments.
- Most correctional activity takes place at state level, of all individuals in correctional system:
  - 1% of individuals on probation at federal level.
  - 10% on parole at federal level.
  - 11% in prison at federal level.

Learning Objective 3

- 102 federal prisons, 1,719 state prisons
- 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.
Direct expenditure for each of the major criminal justice functions (police, corrections, judicial) has been increasing.

In 2006, $68,747,203,000 was spent on corrections. "The average annual operating cost per state inmate in 2001 was $22,650, or $62.05 per day; among facilities operated by the Federal Bureau of Prisons, it was $22,632 per inmate, or $62.01 per day."

Alabama Crime Rate

2009 Crime Rate for Alabama

The crime rate in Alabama is about 15% higher than the national average rate. Property crimes account for around 60% of the crime rate in Alabama which is 25% higher than the national rate. The remaining 40% are violent crimes and are about 5% lower than other states. The following graph shows how Alabama compared to the rest of the states.

<table>
<thead>
<tr>
<th></th>
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<tbody>
<tr>
<td>Crime Rates</td>
<td>4,538</td>
<td>3,669</td>
</tr>
<tr>
<td>Violent Crimes</td>
<td>453</td>
<td>455</td>
</tr>
<tr>
<td>Property Crimes</td>
<td>4,083</td>
<td>3,213</td>
</tr>
</tbody>
</table>

State Crime Rates (Per 100,000 People)
Alabama Incarceration Rate

2009 incarceration rate: Alabama has a rate 28% higher than the national average of incarcerated adults per 100,000.

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<tbody>
<tr>
<td>637</td>
<td>517</td>
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</table>

Alabama Probationers

Alabama has a rate 28% lower than the national average of probationers per 100,000 people.

<table>
<thead>
<tr>
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<tbody>
<tr>
<td>1,497</td>
<td>1,963</td>
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</table>

Alabama Parolees

Alabama has a rate 28% lower than the national average of parolees per 100,000 people.

<table>
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<tbody>
<tr>
<td>226</td>
<td>315</td>
<td></td>
</tr>
</tbody>
</table>
Learning Objective 4

Learning Objective 4: Identify at least five key issues facing corrections today.
Learning Objective 4

- Five key issues facing corrections today:
  - Conflicting goals.
  - Adequate funding.
  - Making the bureaucracy of correctional services more effective.
  - Coordinating correctional activity across different agencies.
  - Dealing with correctional uncertainty.

Learning Objective 4

- Conflicting goals:
  - Rehabilitation/Punishment
  - Political ideology:
    - Liberal
    - Conservative
  - Goals as vague generalities:
    - “Protect the public”
    - “Rehabilitate offenders”

Learning Objective 4

- Adequate funding:
  - Corrections paid for by tax revenues:
    - Vie for funding
  - Conflicts among branches and levels of government.
Learning Objective 4

- Effective bureaucracy:
- Street-level bureaucrats
- Limited resources
- Bureaucratic model guarantees that services are delivered only up to a point and that goals are never fully achieved.

Learning Objective 4

- Coordinating correctional activity across different agencies:
  - Most correctional systems comprise several loosely related organizations that are themselves bureaucracies.
  - Decision making dispersed.
  - Great deal of policy is formally interconnected.
  - One agency determines the workload of the next.

Focus on Alabama...
Learning Objective 4

• Dealing with correctional uncertainty:
  • Uncertain technologies
  • Uncertain correctional strategies

Learning Objective 4

• Uncertain technologies:
  • Technology:
    ▫ A method of applying scientific knowledge to practical purposes in a particular field.
  • Validity of approaches for treating offenders remain in doubt:
    ▫ Group therapy
    ▫ Behavior modification
    ▫ Anger management

Learning Objective 4

• Uncertain correctional strategies:
  • Greater emphasis on secondary technologies:
    ▫ Design of a prison’s security apparatus
    ▫ Computer-based offender-tracking system for probation
  • What happens to offenders?
  • Corrections gets its business from the courts but also from itself.
Learning Objective 5

Learning Objective 5: Discuss what we can learn from the “great experiment of social control.”

- Great Experiment – Increase in prison population:
  - Effects on crime:
    - No likely effect
  - Effects on society:
    - Damage to families and communities
  - Pursuit of justice:
    - Have we become a more just society?

Chapter 2
The Early History of Correctional Thought and Practice
Learning Objectives

1. Understand the major forms of punishment from the Middle Ages to the American Revolution.
2. Discuss the Age of Reason and how it affected corrections.
3. Understand the contribution of Cesare Beccaria and the classical school.
4. Understand the contribution of Jeremy Bentham and the utilitarians.
5. Discuss the work of John Howard and its influence on correctional reform.

Learning Objective 1

Learning objective 1: Understand the major forms of punishment from the Middle Ages to the American Revolution.

- Earliest known comprehensive statements of prohibited behavior:
  - Sumerian Law of Mesopotamia (3100 B.C.E)
  - The Sumerians were the first Mesopotamian civilization.
  - They invented law, a system of resolving disputes based on a code of rules and retribution by a central authority rather than relying on private retribution. The Code of Hammurabi (Babylonian) is generally believed to be based on Sumerian law.
  - Code of Hammurabi (1750 B.C.E) .

Early Sources of the Criminal Law

- Code of Hammurabi – an early set of laws established by the Babylonian king Hammurabi, who ruled the ancient city from 1792 to 1750 B.C. – first body of law to survive and be available for study.
- Intended to establish property and other rights crucial to the continued growth of Babylon as a significant commercial center.
- Emphasis on retribution – penal philosophy – attempt to keep cruelty within bounds – before code: revenge seeking victims punished

Early Roman Law

- Early Roman Law derived from the Twelve Tables – written circa 450 B.C. which regulated family, religious, and economic life
- Emperor Justinian I (A.D. 527-565) – The Justinian Code – contained elements of our modern civil and criminal law and influenced Western legal thought through the Middle Ages
- Laid the groundwork of European law.

Learning Objective 1

- Lex talionis:
  - Law of retaliation; the principle that punishment should correspond in degree and kind to the offense.
- Secular law:
  - The law of the civil society as distinguished from church law.
- Wergild:
  - “Man money”; money paid to relatives of a murdered person or to the victim of a crime to compensate them and to prevent a blood feud.
Learning Objective 1

- Main criminal punishments were penance and payment of fines and restitution
  - Lower-class offenders without money received physical punishment at the hands of masters
- Church was the dominant social institution
- Benefit of Clergy:
  - The right to be tried in an ecclesiastical court, where punishments were less severe than those meted out by civil courts, given the religious focus on penance and salvation.

Learning Objective 1

- Five punishments common in Europe before the 1800s besides fines:
  - Galley Slavery
  - Imprisonment
  - Transportation
  - Corporal Punishment
  - Death

Learning Objective 1

- Galley Slavery
  - Forced rowing of large ships or galleys
- Imprisonment
  - House of Correction
    - Detention facility that combined the major elements of a workhouse, poorhouse, and penal industry by both disciplining inmates and setting them to work.
Learning Objective 1

- Transportation
  - The practice of transplanting offenders from the community to another region or land, often a penal colony.
- Hulks:
  - Abandoned ships the English converted to hold convicts during a period of prison crowding between 1776 and 1790.

Learning Objective 1

- Corporal Punishment and Death
  - Corporal Punishment
    - Punishment inflicted on the offender’s body with whips or other devices that cause pain.
      - Mutilation
        - Removing hand or finger
        - Slitting the nostrils
        - Severing an ear
      - Branding
      - Hanging

Learning Objective 2

Learning objective 2: Discuss the Age of Reason and how it affected corrections.
Learning Objective 2
- The Enlightenment, or the Age of Reason
  - The 1700s in England and France, when concepts of liberalism, rationality, equality, and individualism dominated social and political thinking
    - John Locke
    - Montesquieu
    - Voltaire

- Advances in scientific thinking led to:
  - Observation
  - Experimentation
  - Technological development
  - Sir Isaac Newton

- Scientific Revolution
  - Encouraged questioning of established institutions
  - Use of power of reason
  - Progress

Age of Reason
- Impact on Corrections:
  - Classical school of criminology emerged:
    - Rational link between gravity of crime and severity of punishment
  - Limitations on power of government emphasized
  - Proposed system of graduated penalties
Age of Reason

- Major shift in penal thought and practice
- Penal codes rewritten to emphasize adaption of punishment to the offender
- Correctional practices moved from inflicting pain to methods that would set the individual on a path of honesty and right living

Age of Reason

- Penitentiary developed as an institution where criminals could:
  - Be isolated from temptations of society
  - Reflect on their offenses
  - Be reformed

Learning Objective 3

Learning objective 3: Understand the contribution of Cesare Beccaria and the classical school.
Learning Objective 3

- Cesare Beccaria (1738-1794)
  - Italian scholar who applied the rationalist philosophy of the Enlightenment to the criminal justice system
  - True aim and only justification for punishment is utility
  - First attempt to explain crime in secular, or worldly, terms instead of religious terms

Learning Objective 3

- Classical Criminology
  - School of criminology that views behavior as stemming from free will, that demands responsibility and accountability of all perpetrators, and that stresses the need for punishments severe enough to deter others.

Classical Criminology

- Main principles:
  - Basis of all social action must be the utilitarian concept of the greatest good for the greatest number of people.
  - Crime must be considered an injury to society, and the only rational measure of crime is the extent of the injury.
**Classical Criminology**

- Main principles:
  - Prevention of crime is more important than punishment for crimes. To prevent crime, laws must be improved and codified so that citizens can understand and support them.
  - Secret accusations and torture must be abolished. Accused have a right to speedy trials and to humane treatment before trial and right to bring forward evidence on their behalf.

<table>
<thead>
<tr>
<th>2/13/2011</th>
<th>22</th>
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<table>
<thead>
<tr>
<th>Beccaria:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Punishment must be essentially public, prompt, necessary, the least possible in given circumstances, proportionate to the crime, dictated by laws.</td>
</tr>
</tbody>
</table>
Learning Objective 4

Learning objective 4: Understand the contribution of Jeremy Bentham and the utilitarians.

Learning Objective 4

Jeremy Bentham (1748-1832)
- English advocate of utilitarianism in prison management and discipline. Argued for the treatment and reform of prisoners.

Learning Objective 4

- Utilitarianism
- Doctrine that the aim of all action should be the greatest possible balance of pleasure over pain, hence the belief that a punishment inflicted on an offender must achieve enough good to outweigh the pain inflicted.
Bentham's Views

- Criminals were childlike or unbalanced, lacking the self-discipline to control their passions by reason.
- Behavior was not preordained, rather an exercise of free will.
- Crime not sinful but the result of improper calculation.
- Criminal law should be organized so that the offender would derive more pain than pleasure from a wrongful act.

Learning Objective 5

Learning objective 5: Discuss the work of John Howard and its influence on correctional reform.

- John Howard (1726-1790)
  - English prison reformer whose book The State of Prisons in England and Wales contributed greatly to the passage of the Penitentiary Act of 1779 by the House of Commons.
  - County squire
  - Social activist
  - Sheriff of Bedfordshire
John Howard

- Shocked by conditions in English correctional facilities
- Rallied legislative interest in reform
- Major proponent of the penitentiary
- English Parliament passed Penitentiary Act of 1779 based on Howard’s principles

Penitentiary Act of 1779

- A secure and sanitary structure
- Systematic inspections
- Abolition of fees
- Reformatory regimen

Chapter 3
The History of Corrections in America
Learning Objectives

2. Distinguish the basic assumptions of the penitentiary system of Pennsylvania and New York.
3. Discuss the elements of the Cincinnati Declaration.
4. Understand the reforms advocated by the Progressives.

5. Discuss the assumptions of the medical model, regarding the nature of criminal behavior and its correction.
6. Illustrate how the community model reflected the social and political values of the 1960s and 1970s.
7. Describe the forces and events that led to the present crime control model.

Learning Objective 1

Learning objective 1: Describe “The Great Law” of Pennsylvania and note its importance.
Learning Objective 1

- The Great Law of Pennsylvania
  - Based on humane Quaker principles and emphasized hard labor in a house of correction as punishment for most crimes.
  - Death reserved for premeditated murder

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.
  - First appeared in 1790
  - Philadelphia’s Walnut Street Jail
  - American penitentiary attracted world attention
    - Toqueville

Learning Objective 2

Learning objective 2: Distinguish the basic assumptions of the penitentiary system of Pennsylvania and New York.
### Pennsylvania System Principles (Separate Confinement)

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.

### Pennsylvania System Principles

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, and therefore fewer keepers would be needed and the costs of clothing would be lower.

### New York (Auburn) System

- **Congregate System**
  - Inmates held in isolation at night but worked with other prisoners during the day under a rule of silence.

- **Contract Labor System**
  - Inmate labor sold on a contractual basis to private employers who provided the machinery and raw materials with which inmates made salable products in the institution.
Development in South and West

- Lease System
  - Inmates leased to contractors who provided prisoners with food and clothing in exchange for their labor. In southern states, the prisoners were used as field laborers.
  - Leasing program used extensively in California, Montana, Oregon, and Wyoming until passage of the Anti-Contract Law of 1887.

Learning Objective 3

Learning objective 3: Discuss the elements of the Cincinnati Declaration.

Cincinnati Declaration of Principles

- 1870 Meeting of the National Prison Association:
  - Prison operations should stem from a philosophy of inmate change, with reformation rewarded by release.
  - Indeterminate length sentences replaced by fixed sentences.
  - Reformation, rather than lapse of time necessary for prisoner’s release.
Cincinnati Declaration of Principles

- Classification of prisoners on the basis of character and improvement.
- Penitentiary practices of fixed sentences, the lockstep, rules of silence and isolation seen as debasing and humiliating.

Learning Objective 4

Learning objective 4: Understand the reforms advocated by the Progressives.

- Progressives
  - Group that attacked the excesses of big business and placed their faith in state action to deal with the social problems of slums, adulterated food, dangerous occupational conditions, vice, and crime.
  - Members of the positivist school of criminology
Positivist School

- Human behavior is a product of biological, economic, psychological, and social factors and that the scientific method can be applied to ascertain the causes of individual behavior.

Positivist School Assumptions

- Criminal behavior is not the result of free will but stems from factors over which the individual has no control:
  - Biological characteristics
  - Psychological maladjustments
  - Sociological conditions
- Criminals can be treated so that they can lead crime-free lives.
- Treatment must center on the individual and the individual's adjustment.

Progressive Reforms

- Probation
  - Recognized individual differences and allowed offenders to be treated in the community under supervision.
- Indeterminate Sentences
  - Minimum and maximum terms, within which the correctional process of rehabilitation could operate.
- Parole
Learning Objective 5

Learning objective 5: Discuss the assumptions of the medical model, regarding the nature of criminal behavior and its correction.

- Medical model
  - Assumption that criminal behavior is caused by social, psychological, or biological deficiencies that require treatment.
  - 1929:
    - Congress authorized the Federal Bureau of Prisons to develop institutions to ensure proper classification, care, and treatment of offenders.

Learning Objective 5

- 1950s came to be known as the Era of Treatment.
- Prisons were to become something like mental hospitals that would rehabilitate and test the inmate for readiness to reenter society.
Learning Objective 6

Learning objective 6: Illustrate how the community model reflected the social and political values of the 1960s and 1970s.

- Social and political values of 1960s and 1970s:
  - Civil rights movement
  - War on poverty
  - Resistance to the Vietnam War
- Americans challenged government institutions dealing with:
  - Education
  - Mental health
  - Juvenile delinquency
  - Adult corrections

- Community corrections
  - Reintegrating the offender into the community should be the goal of the criminal justice system.
- Attica Prison Riot
  - Officials urged to make decarceration through community corrections the goal and make greater use of alternative such as:
    - Probation
    - Halfway houses
    - Community service
Learning Objective 7

Learning objective 7: Describe the forces and events that led to the present crime control model.

- Crime control model of corrections:
  - Criminal behavior can be controlled by more use of incarceration and other forms of strict supervision.
Learning Objective 7

- Reasons for return to crime control model:
  - Political climate change in 1970s and 1980s
  - Crime rate at historic levels
  - Response by legislators, judges, criminal justice officials
  - By 1980, crime and punishment became intense subject for ideological conflict, partisan politics, legislative action.

Next Week:

- Chapter 4: Punishment of Offenders
- Chapter 5: Law of Corrections
- Chapter 6: Correctional Client

http://filmore.net/faulknerclass/index.html