## CORRECTIONS in the 21st Century

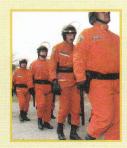


## Expanded Contents ...

Preface xviii

A Guided Tour xxvi

#### **PART 1 Introduction to Corrections**



## CHAPTER 1 Corrections: An Overview 2

#### The Corrections Explosion 4

Historical Roots of the Corrections Explosion 6 Correctional Expenditures 7

#### Crime and Corrections 8

Measuring Crime 9
The Crime Funnel 13

#### Corrections and the Criminal Justice System 14

Entering the Correctional System 15
Prosecution and Pretrial Procedure 16
Judicial Procedures 17
Sentencing and Sanctions 17

### The Correctional Subsystem 20 **Professionalism in Corrections 23**

Standards and Training 26
Basic Skills and Knowledge 27
Standard-Setting Organizations 30
Education 31

Social Diversity in Corrections 33



## CHAPTER 2 Punishments: A Brief History 40

#### **Punishments in Ancient Times 42**

Ancient Greece 42 Ancient Israel 43 Early Rome 43

#### **Physical Punishments** 43

Flogging 45
Branding 46
Mutilation 46
Instant Death 46
Lingering Death 47
The Role of Torture 48
Exile and Transportation 48
Public Humiliation 51
Confinement 51

#### Incarceration as Punishment 52

The House of Correction (1550–1700) 52 The Emergence of the Prison 53

#### The Reformers 55

William Penn 57
John Howard 57
Cesare Beccaria 58
Jeremy Bentham 60
Sir Samuel Romilly 61
Sir Robert Peel 64
Elizabeth Fry 65
Mary Belle Harris 65

CONTENTS vii



CHAPTER 3
Sentencing:
To Punish or
to Reform? 70

Sentencing: Philosophy and Goals 73

Philosophy of Criminal Sentencing 73

The Goals of Sentencing 74

Sentencing Options and Types of Sentences 83

Options 83

Types of Sentences 85

Sentencing Models 87

Indeterminate Sentencing 88

Determinate Sentencing 88

Guideline Sentencing 89

Mandatory Minimum Sentencing 97

Three-Strikes Models—Washington and California 99

Impact on Local Courts and Jails 101
Impact on State Prison Systems 102

Issues in Sentencing 103

Proportionality 103

Equity 104

Social Debt 105

Truth in Sentencing 105

Broader Issues 105

#### PART 2 Community Corrections 111



#### **\*CHAPTER 4**

Diversion and Probation: How Most Offenders Are Punished 112

### Overview of Diversion and Probation 114 Diversion 115

Rationales for Diversion 118
The Process of Diversion 118

Diversion Policy Issues 119

#### Probation 120

Reasons for and Goals of Probation 121

History of Probation 123

Characteristics of Adults on Probation 127

Who Administers Probation? 129

Does Probation Work? 132

#### What Probation Officers Do 136

Case Investigation 137

Supervision 146



#### CHAPTER 5

Intermediate
Sanctions:
Between
Probation and
Incarceration 162

#### Intermediate Sanctions 165

Value of Intermediate Sanctions 169

Varieties of Intermediate Sanctions 170

Policy-Centered Approach to Developing Intermediate Sanctions 201

Program-Centered Approach to Developing Intermediate Sanctions 202

#### **Community Corrections 203**

Community Corrections Acts 204

#### PART 3 Institutional Corrections 21



# CHAPTER 6 Jails: Way Stations Along the Justice Highway 212

## Purpose of Jails 215 Jails in History 217

First Jail in America 218

American Jails in the 20th Century 219

Architecture and Inmate Management 220

## Characteristics of Jail Inmates, Facilities, and Staff 224

Jail Inmates 224
Jail Facilities 230
Jail Staff 232

#### Jail Issues 233

Privatization 233
Overcrowding 239
Ways to Reduce Jail Crowding 239
Educational and Vocational Programs 243
Mental Health Programs 244
Religious Programs 246
Jail Accreditation 248
Jail Staff as Professionals 250



CHAPTER 7
Prisons
Today: Change
Stations or
Warehouses? 256

#### History of Prisons in America 259

Stages of Development 261
Who Is in Prison Today? 268

State and Federal Inmates Held in Privately Operated Facilities 270

State and Federal Inmates Held in Local Jails 270

Gender 270

Race 272

Age 274

Most Serious Offense 274

#### **Programs for Prisoners** 274

Classification 274

Orientation to the Institution 284

Unit Management and Faith-Based Honor Dorms and Prisons 284

Daily Routine 286

Work Assignments 287

Education and Recreation Programs 296

Health Care 299

#### Prison Organization and Administration 301

State Prison Systems 301
Federal Bureau of Prisons 307

Does Incarceration Work? 310



## CHAPTER 8 Parole: Early Release and Reentry 319

#### Parole as Part of the Criminal Justice System 32

Historical Overview 322

Reentry 327

Characteristics of Parolees 343

Trends in the Parole Population 344

Does Parole Work? 345

#### Issues in Parole 350

Can Parolees Vote? 350

Reentry Courts and Community Partnership Councils 353

Reintegration of Offenders 357

Reintegration Involving Victims 359

Legal Decisions Affecting Parole 362

Abolition of Discretionary Parole Board Release 363

CONTENTS

#### PART 4 The Prison World 371



## CHAPTER 9 The Staff World: Managing the Prison

Population 372

The Staff Hierarchy 375
The Correctional Officer—The Crucial
Professional 376

Bases of Power 377
The Staff Subculture 378
Gender and Ethnicity of Correctional Officers 382
Correctional Officer Personalities 383
Correctional Officer Job Assignments 385

#### Correctional Staff Issues 386

Female Officers 386

Stress 389

Staff Safety 392

Job Satisfaction \*393

Professionalism 396

The Impact of Terrorism on Corrections 400



## CHAPTER 10 The Inmate World: Living Behind Bars 408

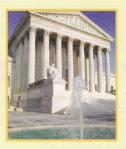
#### Men in Prison 410

What Is the Inmate Subculture? 412
How Does an Inmate Subculture Form? 413
Norms and Values of Prison Society 414
Prison Argot—The Language of Confinement 414
Social Structure in Men's Prisons 415
Sexuality in Men's Prisons 418

#### Women in Prison 421

Characteristics of Women Inmates 422
Offenses of Incarcerated Women 424

Social Structure in Women's Prisons 425
Pseudofamilies and Sexual Liaisons 426
Special Needs of Female Inmates 428
Mothers in Prison 429
Cocorrectional Facilities 436



# CHAPTER 11 The Legal World: Prisoners' Rights 442

#### The Hands-Off Doctrine 444

Decline of the Hands-Off Doctrine 445

#### Prisoners' Rights 446

Legal Foundations 446
Mechanisms for Securing Prisoners' Rights 448
Inmate Grievance Procedures 451

#### The Prisoner Rights Era (1970–1991) 455

First Amendment 457
Fourth Amendment 462
Eighth Amendment 464
Fourteenth Amendment 467
End of the Prisoner Rights Era 470

#### Female Inmates and the Courts 473

The Cases 474



#### CHAPTER 12

Special Prison
Populations:
The Elderly,
HIV/AIDS, and
the Mentally
Challenged 480

#### Special-Needs Inmates 483

Substance-Abusing Inmates 483
HIV-Positive and AIDS Inmates 485
Mentally Ill Inmates 488
Inmates with Tuberculosis 493
Older Inmates 494

#### **Drug Treatment Programs** 497

Recidivism 498

Program Evaluation 499

Recommendations for Managing Substance-Abusing Offenders 501

**Drug Courts** 504

**HIV and AIDS in Correctional Facilities** 505

Education and Prevention 506

#### Sexually Transmitted Diseases in Jail 506 Legal Issues 507

Inmates with Disabilities 508
Inmates with HIV/AIDS 509
Inmates with Mental Illness 509

#### PART 5 Issues in Corrections 519



#### **CHAPTER 13**

Prison Issues
and Concerns:
Security,
Privatization,
Technology, and
Accreditation 520

#### Overcrowding 522

Why Are Prisons Overcrowded? 523

How Can Prison Overcrowding Be Controlled? 524

What Are the Consequences of Prison
Overcrowding? 525

#### **Prison Security** 526

Prison Gangs—Security Threat Groups 526
Prison Riots and Disturbances 534

### Supermax Housing and "No-Frills" Prisons and Jails 539

Supermax Housing 540
"No-Frills" Prisons and Jails 545

#### Accreditation 549

Why Should Correctional Agencies and Facilities Be Accredited? 550

#### Privatization 552

The Debate 553

Privatizing Community Supervision 558

Future Trends 559

#### **Technocorrections** 559

Communication 559

Offender and Officer Tracking and Recognition 561

Detection 563

Implementation 563



#### **CHAPTER 14**

The Victim: Helping Those in Need 568

### A Brief History of America's Victims' Rights Movement 570

Legislation 572

The Proposal for a Federal Victims' Rights Constitutional Amendment 576

#### The Costs and Consequences of Victimization 583

Who Pays the Bill? 585

#### The Role of Corrections 586

Victim Notification 586

Victim and Witness Protection 588

Community Notification 590

Crime Impact Classes 591

Victim-Offender Dialogue 592

The Victimization of Correctional Staff 593

#### Victim Compensation 593

President's Task Force on Victims of Crime 594

Victims of Crime Act 595

Recent Trends 595

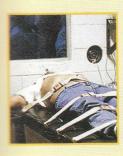
Eligibility Requirements 595

Benefit Criteria 596

Restitution 597

The Office for Victims of Crime 598
Victim Impact Statements 599
The Future of Victims' Rights 603

CONTENTS XI



#### **CHAPTER 15**

## Death: The Ultimate Sanction 608

#### History of Capital Punishment 611

Capital Punishment Around the World 612

#### Capital Punishment in the United States 613

The Federal Death Penalty 615

#### Death Row Today 618

Characteristics of People Executed Since 1977 618

Characteristics of Prisoners Under Sentence

of Death 619

Murder Rates, Race, and the Death Penalty 621

Victim Race and Gender and the Death Penalty 621

Methods of Execution 623

What Is Death Row Like? 625

Public Opinion, Politics and Capital Punishment 627

#### The Courts and the Death Penalty 632

Appealing the Death Penalty 639

#### Death Penalty Issues in the 21st Century 641

Wrongful Convictions: The Liebman Study 641

Banning the Juvenile Death Penalty 644

Banning the Execution of People with Mental Retardation 651



## CHAPTER 16 Juvenile

Corrections: End of an Era? 658

#### History of the Juvenile Justice System 661

Houses of Refuge 661
Reform Schools 662
Industrial Schools 662
The First Juvenile Court 663

### The U.S. Supreme Court and the Juvenile Justice System 664

Kent v. United States (1966) 664

In re Gault (1967) 666

In re Winship (1970) 666

McKeiver v. Pennsylvania (1971) 667

Breed v. Jones (1975) 667

Schall v. Martin (1984) 667

Impact on Juvenile Court 668

#### The Contemporary Juvenile Justice System 668

Juvenile Crime 668

Profile of the Juvenile Delinquent 669

#### The Juvenile Justice Process 670

Intake 670

Adjudication 673

Disposition 673

Transfer to Adult Criminal Court 677

#### Teen Courts 681

Youth Gangs 682

The American Correctional Association and Juvenile Justice Reform 686



#### **CHAPTER 17**

## Professionalism in Corrections 694

#### Today's Challenges 698

The Expansion of Prison Construction 698

Who Is Entering Our Jails and Prisons? 699

New Technology 699

The Effects of 9/11 700

The Public Image of Corrections 700

Safety First 701

Inmate Programs Second 701

Recruitment 703

The Importance of Training 704

Execution Teams 705

Inmates 707

#### Professionalism 707

The Need for Professionalism 707
What Is Professionalism? 708
How to Foster Professionalism 709
Relationships 711
Participation in the Larger Corrections
Community 711
Professional Development 714
Employee Recognition 419

#### **APPENDIX**

#### **Careers in Corrections**

#### Career Planning A-1

Self-Assessment A-1 Occupational Research A-2 Decision Making A-5

#### Seeking Employment A-5

Submitting an Application A-7

Writing Your Résumé A-7
Résumé Format A-8
The Cover Letter A-12
The Examination Process: Testing and Background Investigation A-15
The Job Interview A-16
The Thank-You Letter A-20

Reevaluation A-21

Endnotes EN-0
Glossary G-1
Credits CR-1
Case Index I-0
Subject Index I-1