

INTRODUCTION TO CORRECTIONS



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Preface

Corrections is a major component of the criminal justice system, and yet it is often the least understood and as a result, the most maligned. As society and the courts continues to grapple with questions of accountability, justice, fairness and punishment, understanding the correctional system—its primary responsibility of public safety, its structure, its goals, and its challenges—has never been more critical.

This textbook, *Introduction to Corrections*, was designed with both the aspiring student and the seasoned criminal justice professional in mind. Whether you're new to the field or seeking a more comprehensive understanding of how corrections operates within the broader criminal justice system, this textbook provides a foundational exploration of the history, philosophy, policies, practices, and evolving dynamics of the corrections.

From the origins of punishment and the rise of penitentiaries to the complexities of modern-day incarceration, juvenile delinquency and corrections, probation, parole, and community-based alternatives, this text seeks to offer a balanced, evidence-based perspective. Special attention is given to current issues such as correctional staff roles and the challenges of reentry into society.

Throughout this textbook, I've integrated real-world examples, recent data, case law, and critical thinking questions to promote active learning and engagement.

As you begin this journey into the world of corrections, I encourage you to approach each chapter with curiosity, empathy, and a willingness to question assumptions. The future of a thriving society depends on informed individuals who understand the complexities of the criminal justice system and are committed to contributing to its ongoing improvement.

Welcome to the study of corrections.

1: CORRECTIONS AND THE CRIMINAL JUSTICE SYSTEM



Figure 1.1: Opensource Apple Pages Images 2026

Why do we have a system of corrections? Well to answer that question we have to analyze the entire criminal justice system because corrections is just one component of that system. The other two components are policing and the courts. Each one of these systems plays a pivotal role in maintaining an safe and orderly society. These systems are known as a social controls. **Social control** refers to ways in which a society tries to prevent and sanction behavior that violates norms. The term norms is synonymous with laws. The criminal justice system is a public social control. Our society also has social controls that are private, such as our family and our places of worship. Each of these social controls are employed to compel people within a society to behave a certain way. When people don't behave the way they're supposed to, it's referred to as deviant behavior and that's usually when the criminals justice system gets involved to either get the offender to change their behavior or to punish the offender. **Deviant behavior** is behavior that is outside and contrary to the social norms of a society. In the case of the criminal justice system, deviant behavior and punishments for that behavior are cataloged in the penal code and other criminal codes throughout the United States. And that's where the system of corrections comes into play.¹

We're putting the cart in front of the horse so to speak so let's break this down into smaller bites. We have the three components of the criminal justice system, police, the courts and corrections. Each one of these departments are interconnected between one another. They cannot function without the cooperation of the other departments. Criminal justice is a system that is designed to uphold the law by detecting violations of law, ruling on the alleged violations and punishing those who violate it. Law enforcement agencies, courts, and correctional institutions, all of which work together to ensure that justice is served. The criminal justice system is a critical component of any society, and its effectiveness is essential to maintaining social order.¹

1.1: Law Enforcement, Courts, and Corrections

1.2: Responsibilities, Issues and Goals of Corrections

1.3: Terms and Critical Thinking Questions

¹Pressbooks, 2016

1.1: Law Enforcement, Courts, and Corrections

Law Enforcement

Law enforcement agencies like the police, sheriffs, FBI and Highway Patrol are the first line of defense in the criminal justice system. **Law enforcement agencies** are responsible for preventing crime, investigating criminal activity, and apprehending suspects. The police force is the most common law enforcement agency, and their primary responsibility is to protect citizens and their property. Police officers have a wide range of duties, which include responding to emergencies, enforcing traffic laws, and investigating crimes. When responding to an emergency, police officers must assess the situation quickly and decide how to proceed. They may need to secure the area, evacuate people, or provide first aid. When investigating a crime, police officers must gather evidence, interview witnesses, and apprehend suspects. They may work in specialized units, such as homicide or drug enforcement units, to investigate specific types of crimes. Once a suspect has been

apprehended, the police officer must read the suspect their Miranda rights and take them into custody. The right to stay quiet and the right to counsel are two of the Miranda rights. These rights are intended to protect the suspect's constitutional rights and prevent coerced confessions.

Courts

The second element of the criminal justice system is the court system. **Courts** are responsible for interpreting the law, adjudicating criminal cases, and sentencing offenders. The court system is made up of both state and federal courts, each with their own jurisdiction. The criminal court process begins with an arraignment, where the defendant is formally charged with a crime. The defendant has the right to an attorney, and if they cannot afford one, one will be provided to them. Thereafter, the defendant will enter a plea of guilty or not guilty. If the defendant pleads guilty, the court will proceed to sentencing. If the defendant pleads not guilty, the case will proceed to trial. During the trial, the prosecution and defense will present evidence and arguments to the jury, who will decide whether the defendant is guilty or not guilty. Sentences can include fines, probation, or incarceration. The severity of the sentence will depend on the nature of the crime, the defendant's criminal history, and other mitigating or aggravating factors.

Corrections

Corrections is the third component of the criminal justice system and the one we will focus on in this textbook. **Corrections** is responsible for carrying out the ruling of the court by incarcerating convicted offenders and providing them with rehabilitative opportunities and other services as well as holding persons accused of a crime in pre-trial detention. This is the primary duty of Corrections. Correctional institutions include prisons, jails, and other facilities some of which may be private, each of which serves a specific purpose. Prisons are typically long-term facilities that house inmates who have been convicted of serious crimes. Jails are short-term facilities that hold inmates who are awaiting trial or sentencing or have short term sentences, usually under one year. In addition to providing housing for inmates, correctional institutions provides a range of services, including education, vocational and educational training, mental health and substance abuse treatment. These services are intended to help inmates develop the skills they need to successfully re-enter society after their release. Juvenile corrections there is also a component of corrections which includes incarceration/ detention, probation and parole supervision as well as educational/trade/training school. Corrections does not just stop at prisons and jails, it also includes probation and parole services which includes post release monitoring to safeguard the public and to provide assistive services to the probationer or parolee to help them re-integrate into society.²

²Leoy, Martin, 2023

1.2: Responsibilities, Issues and Goals of Corrections

Corrections is one of the largest law enforcement organizations in most states. In California, there are approximately 30000 sworn uniformed and non-uniformed peace officers within the California Department of Corrections and Rehabilitation (CDCR) and the Division of Adult Parole Operations (DAPO). To put that in perspective, the next largest law-enforcement organization in California is the Los Angeles Police Department with a little over 8800 sworn peace officers. Having that many sworn peace officers and support staff in the largest law enforcement department in California requires organization and planning to run smoothly. This is why the CDCR employs support staff to assist in the daily operations of the institution. These support staff are broken down in the two categories, professional and nonprofessional staff. **Professional support staff** usually have some type of degree or certification and can include administrators, teachers, counselors, psychologist and doctors. **Nonprofessional support staff** include maintenance staff, food service staff, warehousing staff and recreational staff. These staff often do not have any formal education beyond a high school diploma.

Corrections departments throughout the United States establish goals that lead to its primary responsibility. That responsibility, like all law enforcement departments is public safety. While there are a number of different goals that corrections departments attempt to reach with their programming, within and outside of the institution, there is a primary one, how to address the supervision and monitoring of the inmate population.

The first is through the eye of the public safety lens. Public safety encompasses many forms however we are looking at it through the lens of criminal justice. **Public safety** refers to the measures taken to protect the public from harm and maintain order in a community. Overall, the goal of public safety is to ensure that the community is safe and secure for everyone. That is keeping offenders safely incarcerated to keep the community safe.³

Another issue that corrections department deal with is funding. Some corrections departments subsidize their expenses via inmate labor. However the majority of corrections funding comes from tax revenue. The problem of having tax dollars as the primary source of revenue is the public doesn't really see day to day operations within most corrections departments so it's difficult for the public as a whole, to correlate public safety with corrections or the need for corrections in general. So getting tax dollars allocated to corrections departments is a difficult task.

Finally, there is limited interagency coordination between corrections, other law enforcement departments and other support service departments within government. This is because corrections as a whole is a scaled down city that provides virtually all city services to the inmate population. So contracting with other government agencies becomes problematic at best given the nature of corrections and it's seclusion from society as a whole. (M. Ybarra 2025)

Punishment is the imposition of a penalty or consequence for an individual's violation of established laws. Broadly defined, punishment is the application of consequences to individuals who have been found guilty of committing a crime in a legal framework, such as a court of law. This legal sanction, or penalty, is administered by an authorized governing body, in this case corrections in response to actions that contravene established laws and/or societal norms. Punishment serves multiple purposes, including as a means of retribution, deterrence, rehabilitation, or incapacitation, functioning as a mechanism for maintaining social order, adhering to societal standards, fostering justice, promoting accountability, and upholding the rule of law within society.

The forms of punishment are diverse and can include incarceration, fees and fines, probation, parole, community service, restitution, and participation in rehabilitation and educational programs. The severity and nature of the punishment determined during sentencing are contingent on several factors, including the type, nature, and severity of the offense, legal statutes, mitigating circumstances and aggravating circumstances, as well as relevant laws and guidelines within the specific jurisdiction.

In the context of criminal justice, the principles of punishment encompass deterrence, rehabilitation, retribution, incapacitation, and restoration. **Deterrence** seeks to dissuade individuals from engaging in criminal conduct by illustrating the repercussions of unlawful actions. Deterrence comes in two primary types; General deterrence and specific deterrence. **General deterrence** exposes the general public to the consequences of illegal behavior in hopes of dissuading the public from engaging in similar behavior in the future. **Specific deterrence** is the imposition of punishment on the actual offender in hopes of dissuading him or her from engaging in similar behavior in the future. **Rehabilitation** aims to reform offenders by finding the individual root causes of their criminality and changing their behavior through education, therapy, and other interventions, with the intention of facilitating their successful reintegration into society. Also known as the Medical Model. **Retribution**, often perceived as the moral rationale for punishment, centers on the concept of **just deserts** —the belief that offenders should face consequences

commensurate with the harm they have inflicted. Our entire criminal justice system is based off of the concept of retribution. **Incapacitation** focuses primarily on preventing further criminal behavior and safeguarding society from harm with physical or legal restrictions on the offender, typically through incarceration or capital punishment. **Restoration** addresses the offender's transgressions, promotes accountability, and attempts to facilitate their reintegration into the community, usually through mediation with the harmed party or victim. Effective punishment within the framework of the criminal justice system strives to achieve a balance among these objectives while adhering to principles of fairness, proportionality and maintaining human dignity.

A solid grasp of the principles underlying punishment is essential, especially given its profound implications for Constitutional rights. For instance, in *Smith v. Doe* (2003), the U.S. Supreme Court held that mandating sex offenders to register and disclose their residences publicly did not meet the criteria for punishment. Likewise, in *Kansas v. Hendricks* (1997), the Court ruled that civil commitment does not constitute punishment. Consequently, individuals can complete a prison sentence and then be civilly committed without contravening the double jeopardy clause or the Eighth Amendment (U.S. Const. amend. VIII).⁴

³Open Commons, 2022

⁴Maier, Wesley B, 2021

1.3: Terms and Critical Thinking Questions

Terms

- **Social control** mechanisms in which a society tries to prevent and sanction behavior that violates norms.
- **Deviant behavior** is behavior that is outside and contrary to the social norms of a society.
- **Law enforcement agencies** are responsible for preventing crime, investigating criminal activity, and apprehending suspects.
- **Courts** are responsible for interpreting the law, adjudicating criminal cases, and sentencing offenders.
- **Corrections** is responsible for carrying out the ruling of the court by incarcerating convicted offenders and providing them with rehabilitative opportunities and other services as well as holding persons accused of a crime in pre-trial detention.
- **Professional support staff** are staff that have some type of degree or certification and can include administrators, teachers, counselors, psychologist and doctors.
- **Nonprofessional support staff** are staff that usually do not have any formal education beyond a high school diploma. They include but are not limited to maintenance staff, food service staff, warehousing staff and recreational staff.
- **Punishment** is the imposition of a penalty or consequence for an individual's violation of established laws.
- **Deterrence** seeks to dissuade individuals from engaging in criminal conduct by illustrating the repercussions of unlawful and/or deviant actions.
- **General deterrence** exposes the general public to the consequences of illegal behavior in hopes of dissuading the public from engaging in similar behavior in the future.
- **Specific deterrence** is the imposition of punishment on the actual offender in hopes of dissuading him or her from engaging in similar behavior in the future.
- **Rehabilitation** aims to reform offenders by finding the individual root causes of their criminality and changing their behavior through education, therapy, and other interventions, with the intention of facilitating their successful reintegration into society.
- **Retribution**, the moral rationale for punishment.
- **Just desert** is the belief that offenders should face consequences commensurate with the harm they have inflicted.
- **Incapacitation** focuses primarily on preventing further criminal behavior and safeguarding society from harm with physical or legal restrictions on the offender, typically through incarceration or capital punishment.
- **Restoration** addresses the offender's transgressions, promotes accountability, and attempts to facilitate their reintegration into the community, usually through mediation with the harmed party or victim.

Critical Thinking Questions

- Given the rising cost of incarceration, do you believe it prudent to sentence violent offenders to Probation or Parole in lieu of incarceration?
- What do you believe should be the major goal of corrections and why?
- The principles or forms of punishment include deterrence, rehabilitation, retribution, incapacitation and restoration. Of these options, which one do you believe is the most effective to reduce recidivism and which one do you believe is the least effective? Explain your position

2: HISTORY OF CORRECTIONS



Figure 2.1: Folsom Main gate - By Vince from Folsom, California - East Gate Folsom Prison, CC BY 2.0, <https://commons.wikimedia.org/w/index.php?curid=46995034>

In Chapter 1 we found that violation of social norms or laws could result in commitment to a corrections department. In order to hold people accountable to laws, these laws have to be made available to the public. That process involves the codifying of law. **Codification** is the process of compiling, arranging, and systematizing the laws of a given jurisdiction, or of a discrete branch of the law, into an ordered code. (5) When the first laws were established, mechanisms to enforce those laws as well as consequences for violating those laws were a natural part of the establishment of law. One of the first texts that encompass laws and consequences for violating those laws was the Code of Hammurabi. Dated 1780 B.C.E., the Babylonian Code, or the Code of Hammurabi, is considered to be the first attempt to codify justice practices, or laws, within a societal formation. These laws largely represent a retributive approach to punishment. (6)

What is considered punishment? That is a philosophical question that is very different for every individual. Ask a group of kids what punishment is and you will get a varied response. Losing a cell phone, restriction from sports, or a spanking may be the punishment they mention and the one they mention usually has best chance of correcting their misbehavior. Punishment has never been a one size fits all concept. That's one of the reasons why determining what is an effective yet humane form of punishment is has been one of the most difficult tasks our criminal justice system has. (M. Ybarra 2025)^{5,6}

Early forms of punishment in the US were characterized by harsh and often brutal methods intended to deter crime and maintain social order. In Colonial America, these punishments were deeply rooted in religious and moral ideologies that functioned to preserve societal norms and Christian values. To achieve these objectives, punitive measures, such as stocks, tarring and feathering, pillories, whipping, and flogging, were typically conducted in public view. These public spectacles aimed to punish and publicly humiliate and denunciate wrongdoers, as well as to prompt open confessions of guilt and expressions of remorse for wrongful actions.

Common punishments for minor criminal offenses included variations of additional work, fines, or whipping; forms of punishment for vice crimes and sins generally consisted of an assortment of public shaming, stocks, pillories, and whipping. More serious offenses, ranging from theft to blasphemy, were often punished with mutilation and branding of the forehead and other body parts to indelibly mark these individuals as more serious sinners. In New Hampshire, women adulteresses were placed on the gallows, severely whipped, and compelled to wear a letter A on their clothing as a labeled reminder, thus publicly shaming them for their indiscretions. Additionally, Colonial punishments frequently incorporated banishment and exile as a means of removing more serious undesirable criminal offenders, as well as undesirable individuals, from communities. Over time, these early forms of punishment evolved into more structured and institutionalized systems, laying the groundwork for modern approaches to criminal justice.

The use of execution was a prevalent form of punishment, particularly under English common law where all felony offenses were punishable by death. Execution was used with the crimes of murder, arson, larceny, robbery, burglary, rape, treason, and petty treason. However, by 1822, England had expanded the list of felonies to a total of 263 offenses (Holdsworth, 1952). In comparison to English execution standards at the time, Colonial America was relatively moderate and restrained in its approach to executions, designating only a small number of felonies (typically 10–13) as capital crimes.

[2.1: Corrections History in America](#)

[2.2: Terms and Critical Thinking Questions](#)

⁵Brooks, Beau Steenken and Tina, 2015

⁶Carter, David, and Kate McLean, 2019

2.1: Corrections History in America

The history of corrections in America spans distinct eras, each characterized by evolving philosophies and unique approaches to managing offenders. These eras reflect the shifts in societal attitudes, legislative changes, and advancements in correctional theory and practice. From the early penitentiary systems of the 18th and 19th centuries that emphasized solitary confinement and reflection to the rehabilitative efforts of the mid-20th century that focused on education and treatment, the landscape of corrections has continuously advanced. The emergence of the tough on crime approach in the late 20th century that centered on punishment and deterrence marked another

significant era that cast remarkable influence and lasting impacts on corrections and society. Today, the growing recognition of the need for evidence-based practices, restorative justice principles, and alternatives to incarceration is shaping the current era of corrections. Studying these distinct eras allows us to understand the zeitgeists that have formed the political dynamics of the time, thus providing valuable insight into the complexities of the American criminal justice system as a whole. This knowledge enables us to better inform policies that facilitate more meaningful outcomes for both offenders and society.

The Penitentiary Era (1790s-1860s)

During the American Colonial period, corrections was heavily influenced by the English penal styles and punishment practices (Blomberg & Lucken, 2010). Despite England's long history of using incarceration as a form of punishment, it was rarely employed for **punitive** purposes in Colonial America. This was primarily due to the small population of Europeans residing in Colonial America during the early colonial period, so minute a population that it would not fill a single modern-day college football stadium. Early colonialists lived in little isolated settlements with insufficient resources to incarcerate lawbreakers. Therefore, formal punishments, such as banishment and **corporal punishment**, which included whipping, branding, and mutilation, as well as **capital punishment**, were common practices.

After the American Revolutionary War, the newly formed America was determined to establish itself as a civilized society (Blomberg & Lucken, 2010). During the early 1800s, two competing penitentiary systems emerged: the **Pennsylvania system** and the **Auburn system**. The Pennsylvania system mandated that inmates remain silent and reside in their individual cells at all times (Kann, 2005). Advocates of this system argued that the time of isolation allowed inmates time to reflect on their transgression and repent. They also contended that maintaining inmates' isolation minimized the need for discipline, thereby requiring minimal training for guards (Rothman, 1990). In contrast, the Auburn system only separated inmates overnight. However, this system enforced silence at all times, and during the daytime, inmates congregated for work, prayer, and meals. Supporters of the Auburn System claimed that its use of congregate work and smaller cells was more practical, cost-effective, and humane.

The Pennsylvania (Eastern) System

In the late 1780s, Benjamin Rush, one of the signers of the Declaration of Independence, alongside the Philadelphia Society and the Religious Society of Friends (also known as Quakers), advocated for more humane and rehabilitative approaches to punishment, favoring incarceration over corporal or capital punishment (Eastern State Penitentiary Task Force of the Preservation Coalition of Greater Philadelphia, Marianna Thomas Architects, 1994). By 1790, their efforts proved successful as Philadelphia legislators supported funding to transform the **Walnut St. Jail** into the first U.S. penitentiary. The penitentiary was designed to isolate each inmate, providing a space for reflection and penitence, hence the name "penitentiary," derived from the Latin word meaning "repentance" or "penance." However, the penitentiary quickly became overpopulated; this led to the approval of the construction of two new state prisons: Western State Penitentiary in Pittsburgh and Eastern State Penitentiary near Philadelphia.

Western State Penitentiary in Pittsburgh was opened in 1826, but its poor architectural design necessitated its demolition and subsequent reconstruction in 1833 (Barnes, 1927). Eastern State Penitentiary, which opened in 1829 in Cherry Hill just outside of Philadelphia, became the model for the Pennsylvania system, sometimes referred to as the Eastern system. The penological approach of the Pennsylvania system was centered on many Quaker principles, particularly hard work and rehabilitation through repentance. The Pennsylvania system introduced the practice of "silence and separation," where inmates lived and worked in isolation and were required to remain silent at all times. The prison was designed in a radiating fashion, resembling a wagon wheel.

Robert Vaux, a member of the Philadelphia Society and a key contributor to the planning of the penitentiary, provided five

core principles of the Pennsylvania system (as cited in Eastern State Penitentiary Historical Structures Report, Eastern State Penitentiary Task Force of the Preservation Coalition of Greater Philadelphia, Marianna Thomas Architects, 1994, pp. 18–19):

1. Prisoners should be treated not vengefully but in ways designed to convince them that through hard and selective forms of suffering they could change their lives.
2. To prevent the prison from being a corrupting influence, solitary confinement of all inmates should be practiced.
3. In his seclusion, the offender was to have an opportunity to reflect on his transgressions so that he might repent.
4. Solitary confinement is a punishing discipline because man is by nature a social being.
5. Solitary confinement is economical because prisoners do not need long periods of time to benefit from the penitential experience, fewer keepers are required, and the costs of clothing are reduced. The strong faith in reformation coupled with deterrence is evident.

While supporters of the Pennsylvania system were vocal about its success, within a few years, reports emerged of excessive punishment that resulted in serious injury, prisoner deaths, embezzlement, and sexual improprieties with female inmates (Thibaut, 1982). Additionally, there were concerns regarding inmate mental illness stemming from the use of solitary confinement. Ultimately, the Pennsylvania system, with its emphasis on isolation and silence, fell out of favor by the end of the 19th century due to its high cost and the negative effects of inmate isolation.

The Auburn (New York) System

The Auburn Penitentiary in Auburn, New York, opened in 1818. Unlike the isolation and silent approach of the Pennsylvania system, the Auburn Penitentiary adopted a slightly different approach, the **congregate approach**. The congregate approach is a correctional strategy in which inmates are housed together in a centralized facility, such as a prison, where they interact and share common spaces for activities such as dining, recreation, and educational programs. While inmates still slept in isolation and were expected to maintain silence, they worked together, attended mandatory prayer services together, and ate together during the day (Foucault, 1975/1977).

One significant difference between the Auburn Penitentiary and the Eastern State Penitentiary lies in their architectural design. Instead of employing the more expensive 12' by 7.5' single-cell radial design, Auburn Penitentiary arranged 7' by 4' cells back-to-back in the center of a large building that was five tiers high. Additionally, there were designated areas for large groups of inmates to congregate for work, dining, and recreation. Unlike the Pennsylvania system where inmates both worked and slept in their large single cells, the Auburn system was designed so that inmates used their small cells solely for sleeping and spent their waking hours in other areas of the prison. This design necessitated strict scheduling, enforced through corporal punishment or even solitary confinement. Auburn's use of solitary confinement quickly came under scrutiny and was discontinued in 1822 after multiple reports of mental illness and high suicide rates among inmates subjected to solitary confinement (Eastern State Penitentiary Task Force of the Preservation Coalition of Greater Philadelphia, Marianna Thomas Architects, 1994).

The founders of both the Auburn and Pennsylvania penitentiaries preached that convict labor would aid in reformation and even deterrence (Pillsbury, 1989). However, the penitentiary goals set forth by the founders (punishment, reformation, and social control) became compromised as administrators attempted to heighten the prisons' self-sustainability and profit. Soon thereafter, prisons became more remunerative, using prison employment as a mechanism of control and profit, not reform.

In the early years of the penitentiary, the **public account system** was employed. In this work system, inmates performed unpaid labor by manufacturing goods in the prison that could be sold on the open market, with the revenue returning to the state. However, this shift toward the market economy had negative repercussions for businesses and workingmen, who voiced concerns about their inability to compete with free prison labor (Pillsbury, 1989). Consequently, by the late 19th century, states began transitioning away from this approach, opting instead for the more profitable **contract system**. In contrast to having penitentiary administrators exclusively oversee inmate labor and manufacturing, the contract system enabled private companies to pay a set fee to use prisoners for labor within the confines of the penitentiaries. These manufacturing operations were entirely supervised and managed by these private contractors.

In 1851, California established its first prison, a wooden ship anchored in the San Francisco Bay named Waban. The Waban could hold up to 30 inmates. Given the increase in convicted inmates in California, inmates of the Waban began construction on San Quentin state prison in 1852 and opened its first prison cellblock in 1854. This cellblock is still intact today. (Myron Ybarra 2025)

The South

In the late 19th century, the use of penitentiaries became widespread across the country. While Black inmates were disproportionately represented in Northern prisons—making up 26.66% of the inmates at Eastern Penitentiary in 1830 compared to only 2.84% of the Pennsylvania total population (Hershberg, 1971–1972)—few inmates in the South were Black before the American Civil War. This disparity can be attributed to the prevalence of slavery and the prevailing belief that Black individuals inherently possessed criminal traits, making rehabilitation seem impossible and posing a perceived risk of corrupting White inmates (Hindus, 2012; Kann, 2005).

While almost all prison inmates in the South were White prior to the American Civil War, following the conflict, 90% of inmates were Black, a significant shift in prison inmate demographics and correctional facility dynamics (Colvin, 1997). Despite the notable increase in incarcerated individuals after the Civil War, most Southern states refrained from constructing new prisons. Instead, they leased out predominantly Black inmates for labor in places such as plantations, cotton mills, and coal mines. This forced labor by imprisoned Black Americans bore striking similarities to the previous era of enslavement.

Soon after the Civil War, many penitentiaries in the South adopted the convict leasing system, where the states leased inmates to private businesses for work outside the prison walls. Under this system, the lessees compensated the state for the inmate labor. Managed by private businesses, the conditions inmates endured in the leasing system were often harsher than those experienced under slavery, where individuals were owned rather than leased (Oshinsky, 1997). The extremely severe conditions of the leasing system led to numerous prisoner deaths. For instance, in Alabama, 41% of inmates died in 1870, and it was estimated in 1880 that most inmates would perish within three years (Colvin, 1997).

Unfortunately, both the state and the lessees deemed the deaths of inmate laborers unimportant. Since the state could easily arrest more Blacks for petty crimes, such as vagrancy, gambling, or disorderly conduct, there was an abundance of potential inmate laborers. This led to the devaluation of all inmate labor, allowing for their abhorrent treatment, grueling labor, and inhumane living conditions (Oshinsky, 1997). This philosophy is illustrated in the correlation between conviction rates and local business needs, as Stein (2012) observed: “Conviction rates eerily reflect the ebb and flow of small local business’ needs” (p. 256).

The convict leasing system fell out of favor due to objections from businesses and laborers who were unable to compete financially with the free labor provided by the state. This economic disparity highlighted the inherent injustice of exploiting incarcerated individuals for profit, prompting criticism and condemnation from some quarters. As a response to mounting pressure from labor unions, advocacy groups, and concerned citizens, some states began to reassess their approach to inmate labor. Instead of leasing prisoners to private entities, several states opted to utilize inmates solely for work on state-owned plantations and farmland. This shift was seen as a compromise between maintaining a source of labor for agricultural activities while addressing the ethical concerns over convict leasing. However, it was increasingly recognized that this practice still perpetuated exploitation and failed to uphold the dignity and rights of incarcerated individuals. As a result, by 1928, convict leasing systems were banned in all state-operated prisons, reflecting a substantial step forward in the reform of the penal system and the recognition of prisoners’ rights and welfare (Howell, 2016).

The Reformatory (1860s-1930s)

The aftermath of the American Civil War marked a crucial juncture in the evolution of penological practices in the North as well (Blomberg & Lucken, 2010). During this period, Enoch Wines and Theodore Dwight conducted a comprehensive examination of American penitentiaries from 1867 to 1869. Their investigation uncovered egregious practices, including instances of torture, decrepit infrastructure, and appalling living conditions within correctional facilities (Pisciotta, 1994). The findings of their report were discussed at the 1870 National Congress in Cincinnati, precipitating urgent calls for reform. In response, the Congress formulated a set of foundational principles to guide the transformation of penitentiaries, the declaration principles.

Declaration Principles - *“The treatment of criminals by society is for the protection of society. But since such treatment is directed to the criminal rather than the crime, its great object should be his moral regeneration. The state has not discharged its whole duty to the criminal when it has punished him, nor even when it has reformed him... Having lifted him up, it has further duty to aid in holding him up. In vain shall we have given the convict an improved mind and heart, in vain shall we have imparted to him the capacity for industrial labor and the desire to advance himself by worthy means, if, on his discharge, he finds the world in arms against him, with none to trust him, none to meet him kindly, none to give him the opportunity of earning honest bread.”* We believe that the principles of HUMANITY, JUSTICE, PROTECTION, OPPORTUNITY, KNOWLEDGE, COMPETENCE and ACCOUNTABILITY are essential to the foundation of sound corrections policy and public protection).

The principles outlined in the declaration emphasized the paramount importance of rehabilitation and reformation in the treatment of offenders, reflecting a growing recognition of the need for humane and effective approaches to criminal justice (Wines, 1873). In addition to the establishment of fundamental principles for penitentiary reform, the American Prison Association was formed in 1870. This organization, later renamed the American Correctional Association in 1954, became instrumental in advocating for progressive reforms in the correctional system.

The Elmira Reformatory

The two most significant events in the early reformatory movement in the US were the National Congress meeting in Cincinnati in 1870 and the opening of the Elmira Reformatory in New York in 1876 (Putney & Putney, 1962). Zebulon Brockway, Elmira's first **superintendent**, modeled the new adult reformatory on (a) the principles established at the 1870 Cincinnati meeting, (b) the work of leading scholars of the time, and (c) Alexander Maconochie's **mark system**. The mark system revolved around the concept of **indeterminate sentencing**, where inmates would earn marks for good behavior, thereby gradually leading to increased responsibilities and freedoms.

Brockway adhered to the late 19th century positivism movement in criminology. This philosophy posited that much criminal behavior was hereditary and therefore genetic. Nonetheless, Brockway implemented a system where every inmate entering the reformatory underwent evaluation to determine their individual rehabilitation needs. He emphasized the importance of socializing offenders through treatment programs, such as schooling and vocational training. However, reflecting the prevailing beliefs of the time regarding criminality, many inmates, particularly Black individuals, were perceived as genetically predisposed to criminal behavior—beliefs that subsequent research and advancements in criminology have widely discredited (Young, 2011).

Brockway created a basic three-grade classification process for inmates. Upon entry, all inmates would be assigned to grade two. Those who accumulated enough good behavior merits would then transition to grade one, which granted them special dining and conversation privileges. Conversely, inmates who exhibited bad behavior would receive demerits and eventually be placed in grade three, resulting in a loss of privileges and separation from grade one and two inmates (Putney & Putney, 1962). Once an inmate accrued sufficient good behavior merits, they could apply for parole, which was then reviewed by the parole board and either accepted or denied.

By actively marketing and promoting the new penological approach, Brockway contributed considerably to the adoption of reformatories across the country (Pisciotta, 1994). By the 1890s, many states in the North and West began constructing reformatories modeled after Elmira. However, by the mid-1890s, Elmira Reformatory faced issues of overcrowding, and reports of abuse of mentally disabled inmates emerged. Consequently, Brockway lost political support, ultimately leading to his resignation in 1900.

Twentieth Century Corrections (1930-Present)

During the 1920s, another major transformation took place in the field of corrections as psychology and rehabilitation became central to penological reform. Instead of solely emphasizing punitive punishment, there was a growing focus on addressing offenders' psychological or physiological issues. This approach, known as the medical model, advocated for the creation of individual treatment plans for each inmate and facilitated the involvement of professionals in guiding inmates' rehabilitation toward becoming productive, law-abiding citizens. This rehabilitative approach aligned well with indeterminate sentencing policies and parole practices, leading to widespread adoption of this approach by the federal government and 46 of the 48 states by 1925 (Friedman, 1993).

In the 1940s and 1950s, the medical model and rehabilitative approaches dominated penological philosophies. During the 1950s, the newly named American Correctional Association recommended that prisons should be utilized as correctional centers rather than prisons or penitentiaries. However, the arbitrary and discriminatory nature of indeterminate sentencing policies and parole release during this period resulted in increasing prison sentence lengths rather than their reduction (Rotman, 1995). Furthermore, several therapeutic and counseling approaches encountered obstacles due to inadequate program implementation and the involvement of unqualified staff. For instance, counseling sessions were often led by correctional officers who lacked the necessary qualifications for therapeutic treatment (Blomberg & Lucking, 2010).

By the 1960s, support for individual treatment and rehabilitation correctional approaches began to wane. Following the scathing 1967 report by the President's Commission on Law Enforcement and Administration of Justice, which highlighted the futile and degrading environment in U.S. prisons, it became evident that a new approach to corrections was necessary (Rotman, 1995). In addition to concerns about the improbability of achieving complete rehabilitation through isolating inmates from society, rising

crime rates and prison overpopulation began to emerge as important issues. To address some of the shortcomings of the medical model, prisons initiated a transition in their rehabilitation philosophy to a community corrections approach.

At the onset of the criminal justice process, the community corrections approach prioritized diverting offenders to community programs and parole to mitigate stigmatization and overly punitive punishments. Meanwhile, during the subsequent stages of the criminal justice process, the community corrections strategy focused on the reintegration of inmates. This involved promoting vocational training and higher education programs within prisons, which garnered public support as crucial tools for easing inmates' successful reintegration into society.

The correctional system also began to implement more intermediate sanctions, such as halfway houses, work release programs, and house arrest, for individuals who committed less serious crimes. Prior to the adoption of these intermediate sanctions, the criminal justice system was constrained to an "all-or-nothing" approach, forced to choose between incarcerating the offender or issuing no punishment whatsoever. Although one of the primary goals of intermediate sanctions was to lower the prison population, it inadvertently led to an increase, placing substantial strain on the correctional system.

The Nothing Works Doctrine

In 1974, Robert Martinson conducted a comprehensive review of over 200 studies on prison rehabilitation programs, resulting in one of the most influential criminal justice articles of the 20th century titled "What Works? Questions and Answers about Prison Reform." Later referred to as the Martinson Report, this seminal work concluded that rehabilitation efforts in prisons were largely ineffective and that only a minority of studies demonstrated any significant reduction in recidivism rates. Martinson suggested that while some treatment programs might have had partial success, the overall quality of the research was so poor that definitive conclusions were elusive. As Martinson (1974) stated, "It is possible some of our treatment programs are working to some extent, but that our research [the specific studies examined in his study] is so bad that it is incapable of telling" (p. 49).

Although Martinson's review was inconclusive due to poor research methodologies, the Martinson Report catalyzed the development of the "nothing works doctrine." This doctrine contended that despite substantial investments in various rehabilitation programs, there was scant evidence supporting their efficacy in reducing recidivism rates. It challenged the prevailing notion that incarceration could be a means of effectively reforming offenders, highlighting the limitations of existing rehabilitation strategies. As a result, it prompted a reevaluation of correctional approaches, which led to policy shifts toward alternative methods of punishment and rehabilitation.

The following year, Ted Palmer (1975) published a rebuttal to the Martinson Report, exposing the numerous flaws in the study. However, by then it was too late. The simplistic notion that "nothing works" had already gained traction and had become a rallying cry for many politicians eager to tout their "tough on crime" policies as the sole solution to rising crime rates. Throughout the 1970s, 1980s and 1990s, this perspective was frequently invoked to undermine the efficacy and value of prison rehabilitation programs while bolstering the argument that prisons should solely serve retributive and deterrent purposes. Remarkably, the Martinson Report was even cited 20 years later by Congress as a rationale for excluding all state and federal prisoners from eligibility for Pell Grants or student loans when passing the Violent Crime Control and Law Enforcement Act of 1994.

By the 1980s, rising crime rates, popular punitivism, political factors, and concerns over **discrimination** and subjectivity inherent in indeterminate sentencing and parole boards prompted a shift in penological approach from the community corrections model to the crime control approach. In 1982, President Ronald Reagan declared a war on crime, advocating for the US to combat this threat with punitive sanctions, the elimination of indeterminate sentences with the adoption of determinate sentencing, the implementation of mandatory minimums, and the construction of more prisons. This was the start of the 2 decade prison build boom in California.

The emerging penological crime control approach, grounded in incapacitation, deterrence, and retribution philosophies, dismissed rehabilitative efforts as ineffective and deemed them an inefficient allocation of fiscal resources. While U.S. incarceration rates remained stable at around 100 per 100,000 between 1920 and 1970, by 1980 the rate had risen to 221 per 100,000; by 2008, it had soared to 762 per 100,000 (Western & Pettit, 2010). Problematically, this approach contributed to the issue of mass incarceration, resulting in a 700% increase over a 40-year span.⁷

⁷Pressbooks, 2021

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2.2: Terms and Critical Thinking Questions

Terms

- **Codification** is the process of compiling, arranging, and systematizing the laws of a given jurisdiction, or of a discrete branch of the law, into an ordered code.
- **Punitive** relates to, involving, or constituting punishment, typically aimed at deterring future wrongdoing, exacting retribution for a committed offense, and correcting behavior deemed unacceptable by law.
- **Corporal punishment** is the physical discipline or penalty inflicted upon an individual, typically as a form of punishment for wrongdoing or to instill discipline. This form of punishment involves physically chastising the individual, such as through whipping, caning, and flogging.
- **Capital Punishment**, also known as the death penalty, refers to the legal execution of a person as punishment for a crime, typically administered by a government or judicial authority. This penalty is usually reserved for the most serious offenses, including murder, treason, or acts of terrorism.
- **Pennsylvania System** is a correctional approach developed in the early 19th century characterized by solitary confinement and inmate labor in isolation. It aimed at reforming prisoners through reflection and penitence, with minimal interaction among inmates and staff to prevent corruption.
- **Auburn System** is a congregate correctional approach developed at Auburn State Penitentiary in New York during the early 19th century. It emphasized strict discipline, silence, and a regimen of group labor during the day, while housing prisoners in separate cells at night. This system aimed to instill obedience and deterrence through harsh conditions and regimented routines.
- **Walnut St. Jail** is the first penitentiary facility in the US located in Philadelphia, Pennsylvania. Established in 1773, it was designed as a model institution focused on solitary confinement and the rehabilitation of inmates through reflection and penance.
- **Robert Vaux**, a member of the Philadelphia Society and a key contributor to the planning of the penitentiary, provided five core principles of the Pennsylvania system.
- **Congregate Approach** is a correctional strategy in which inmates are housed together in a centralized facility, such as a prison, where they interact and share common spaces for activities such as dining, recreation, and educational programs.
- **Public Account System** is a financial system where the institution's revenue and expenditures were managed directly by the state or government. Under this system, prisons operated as self-sustaining entities, generating income through the labor of inmates, which was then used to cover operational costs. This system often involved the sale of goods produced by inmate labor, with the proceeds contributing to the prison's budget. The public account system aimed to promote financial transparency and accountability in prison management, but it also faced criticism for incentivizing harsh labor conditions and neglecting the welfare of inmates.
- **Contract System** is a system that enabled private companies to pay a set fee to use prisoners for labor within the confines of the penitentiaries. These manufacturing operations were entirely supervised and managed by these private contractors.
- **Convict Leasing System** is where the states leased inmates to private businesses for work outside the prison walls. Under this system, the lessees compensated the state for the inmate labor.
- **Superintendent** is an early title that was given to the highest-ranking administrative official responsible for overseeing the operations and management of a prison or correctional facility.
- **Mark System** is a historical penal practice in which prisoners could earn marks or credits for good behavior, which could be exchanged for privileges, early release, or reduced sentences. This system was aimed at incentivizing positive conduct and rehabilitation within correctional institutions.
- **Indeterminate Sentencing** is a sentencing model in criminal justice where the length of incarceration is not fixed but rather falls within a range determined by specified legal statutes or guidelines. The length of incarceration is often determined by the inmate's behavior. Positive behavior will reduce the incarceration time and negative behavior will increase it.
- **Nothing Works Doctrine** is a comprehensive review of over 200 studies on prison rehabilitation programs, resulting in one of the most influential criminal justice articles of the 20th century that found there was scant evidence that prison rehabilitation efforts reduced recidivism rates.
- **Discrimination** is the unjust or prejudicial treatment of individuals or groups based on certain characteristics, such as race, gender, age, religion, or nationality.

Critical Thinking Questions

- Are there some forms of corporal punishment that you believe could humanly be administered today in lieu of incarceration? Please explain your answer.
- Which sentencing model do you believe is the most effective in reducing recidivism? Explain your answer.
- What do you believe is the primary and secondary causes of the increased incarceration rates between 1970 and 2008? Explain your answer.

3: SENTENCING



Figure 3.1: Courthouse, Los Angeles California, Creative Commons Attribution-ShareAlike 4.0 International (CC BY-SA)

In Chapter 1, I discussed the purpose and principles of corrections. The purpose is punishment and the principles, which included deterrence, incapacitation, rehabilitation, and restoration or restorative justice. Each one of these principles is a concept of how punishment is to be carried out but, it is not the process. Case in point, if a judge sentences a person to prison, that sentence follows the principle of incapacitation. Now when that person gets to prison, the type of incapacitation they will have to endure will be based on a number of different factors determined by the court, upon arriving to the prison and throughout their commitment to the department of corrections. In this chapter we will discuss some of those factors also known as criminal sanctions. (M. Ybarra 2025)

Criminal sanctions, in law and by legal definition, are penalties or other means of enforcement used to provide incentives for obedience with the law or other rules and regulations. Criminal sanctions can take the form of serious punishment, such as corporal or capital punishment, incarceration, or severe fines. In the United States, the most common forms of criminal sanctions include fees and fines, incarceration, intermediate sanctions, probation and capital punishment. Within the context of civil law, sanctions are usually monetary fines which are levied against a party to a lawsuit or to their attorney for violating rules of procedure, or for abusing the judicial process.⁸

One of the misconceptions by the public of the sentencing process is that the majority of the people who violate the law are sent to jail and/or prison. And that can't be farther from the truth. Over 50% of felony convictions result in probation or some other type of community based sanction, even if the offender has an extensive criminal history with similarly situated offenses to the new conviction. Part of this is out of necessity based on beds pace availability of local jails and prisons and dwindling budgets. Recently, the courts have moved to the idea of sentencing a person to jail or prison for even serious and/or violent felonies as an option of last resort. State prisons and local jails sentences account for just short of 35% of all criminal sanctions. (M. Ybarra 2025)

Despite the reduced reliance of incarceration in the United States, it is one of the primary means of punishment for crime. In 2021, over five million people were under supervision by the criminal justice system, with nearly two million people incarcerated in state or federal prisons and local jails. While this might sound like a huge amount of people, and it is in comparison to the population of the United States which stands at 340.1 million as of 2024, this amount to .589 % of the population.⁹

While the courts do have some latitude as to the type and length of sentence to impose on a person convicted of a crime, criminal code enacted by the legislature dictates the type of sentences and length of commitment that may be imposed for a crime. Further, the legislature through legislative writ determines the sentence structure the court is obligated to follow. The three primary sentence structures used in the United States are indeterminate sentences, determinate sentences and mandatory minimum sentences. (M Ybarra 2025)

[3.1: Indeterminate Sentencing](#)

[3.2: Incarceration](#)

[3.3: Terms and Critical Thinking Questions](#)

⁸Wikipedia, 2020

⁹Wikipedia, 2019

3.1: Indeterminate Sentencing

For much of the twentieth century, statutes commonly allowed judges to sentence criminals to imprisonment for indeterminate periods. Under this indeterminate sentencing approach, judges sentenced the offender not to a specific period of time, but rather, to a time frame that was often quite broad (ex. 5 to 25 years). For an offender given an indeterminate prison sentence, release – at 5 years, 10 years, or any period short of the maximum sentence – was contingent upon getting paroled, or approved for release by a parole board which determined that the person was rehabilitated.

Because some offenders might rapidly show signs of reform, while others appeared resistant to change, indeterminate sentencing's open-ended time frame was deemed optimal for allowing individual rehabilitation, no matter how quickly or slowly. In other words, an indeterminate sentence functioned almost like an individualized “treatment plan,” which was flexible to the needs of the offender. Moreover, the promise of release at the early end or minimum sentence was thought to function as an inmate incentive for “good behavior” and participation in rehabilitative programming. (In fact, the U.S. origins of parole date back to the 19th century, when Zebulon Brockway – warden of the Elmira Reformatory in New York – sought to motivate young inmates through a system of earned “marks.” in Chapter 2)

Yet, skepticism around indeterminate sentencing began to brew in the late 20th century, with critics highlighting both its ineffectiveness, and potential for abuse. Indefinite sentences give tremendous discretion, and power, to judges, parole boards, and the prison officials who inform parole decisions. Inmates who were unpopular with correctional officers or wardens – due to their political beliefs, religion, or race – had little hope of a favorable parole recommendation. Moreover, as crime ticked upward in the late 1960s and 1970s, many began to wonder if indeterminate sentences reformed, or merely empowered, “unfixable” offenders. In many ways, the end of indeterminate sentencing signaled the origins of mass incarceration in the United States. While many states began to abandon indeterminate sentencing (in favor of determinate sentencing, cover in the next chapter) in the 1970s and 1980s, the federal government legally ended parole for federal prisoners in the 1984 Comprehensive Crime Control Act (CCCA). After the CCCA took effect in 1987, any individual sentenced to federal prison was required to serve at least 85% of their sentence, with (slightly) early release predicated upon the banking of “good time” – not parole.¹⁰

Determinate Sentencing

Under determinate sentencing, judges have little discretion in sentencing. The legislature sets specific parameters on the sentence (ex. 36 to 41 months), and the judge sets a fixed term of years (or months) within that time frame (ex. 38 months). Often, such sentencing laws allow the court to increase the term (beyond the given window) if it finds aggravating factors and reduce the term (below the given window) if it finds mitigating factors. With determinate sentencing, the defendant knows immediately when he or she will be released. While determinate sentencing does not allow for parole, there may be some options for early release; namely, offenders may receive credit for time served while in pretrial detention, or “good time” credits for good behavior while incarcerated. The discretion that judges are allowed in initially setting the fixed term is what distinguishes determinate sentencing from definite sentencing.

As noted in the previous chapter, determinate sentencing grew largely out of growing disenchantment with indeterminate sentencing and, more broadly, the “rehabilitative ideal” in sentencing and incarceration. Multiple books and research papers published in the 1970s asserted that rehabilitative programs in prisons simply weren’t working; moreover, indeterminate sentences created great disparities between offenders convicted of similar crimes, and further caused inmates unnecessary stress and anxiety. These critiques combined with growing concerns over crime, which were embraced by politicians promoting a “get tough” approach. Ironically, there is little evidence that the move toward determinate sentencing significantly improved sentencing inequities, or prisoners’ attitudes toward prison and their sentences. Yet this approach – in combination with “innovations” such as **sentencing guidelines**, **mandatory minimums**, and **sentencing enhancements** – continues to drive much state and federal sentencing.¹¹

Mandatory Minimum Sentencing

Legislative enactments, ballot measures, initiatives, and referendums have resulted in mandatory minimum sentencing, in which offenders who commit certain crimes must be sentenced to prison terms for minimum periods. Mandatory minimum sentences take precedence over, but do not completely replace, whatever other statutory or administrative sentencing guidelines may be in existence.

It is possible for a judge to impose a sentence that exceeds the mandatory minimum, following their judgement that an offender warrants a particularly harsh guideline sentence due to their criminal history or the brutality of their crime; however, judges may not impose a sentence lower than the mandatory minimum.

Mandatory minimum sentences are a type of determinate sentence. At the state level, most mandatory minimum sentences are attached to violent offenses or offenses involving the use of firearms. Federal law also mandates minimum prison terms for certain drug crimes prosecuted in federal courts. For example, a person charged with possession with the intent to distribute more than five kilograms of cocaine – or 0.28 kilograms of crack cocaine – is subject to a mandatory minimum sentence of ten years in prison. See, 21 U.S.C.A. §841 (b) (1)(A).

In 1994, Congress passed the Violent Crime Control and Law Enforcement Act, which included several provisions for enhanced penalties for drug trafficking in prisons and drug-free zones, and illegal drug use in federal prisons. States have passed both gun crime enhancements and hate crime enhancements. The 1994 law also provided funding incentives for states that adopted “truth-in-sentencing” laws, or laws that require inmates to serve at least 85% of their given sentence before obtaining release. By 1998, 40 states had passed such laws.

Frequently, judges sentence defendants for multiple crimes and multiple cases at the same sentencing hearing. Judges have the option of running terms of incarceration either concurrently (at the same time) or consecutively (back-to-back). States vary as to whether the default approach on multiple sentences is consecutive sentences or concurrent sentences. The Supreme Court has held that the decision to impose concurrent or consecutive sentences is a judicial determination, not a jury determination, and thus not subject to the rule that any sentencing enhancement factor must be proved to the jury beyond a reasonable doubt.¹²

¹⁰McLean, Kate, and Lore Rutz-Burri, 2019

¹¹McLean, Kate, et al, 2024

¹²Open Oregon Educational Resources, 2019

3.2: Incarceration

Incarceration or imprisonment is at the same time one of the most hidden yet the most visible criminal sanctions in the United States. Incarceration is the removal of a person's liberty through confinement by authority of the government. According to the world prison brief, the United States has the six highest incarceration rate in the world, at 531 people per hundred thousand in the population. Drug offenses account for the incarceration of about 1 in 5 people in U.S. prisons. Violent offenses account for over 3 in 5 people (62%) in state prisons. Property offenses account for the incarceration of about 1 in 7 people (14%) in state prisons. Since reaching its peak level of imprisonment in 2009, the United States has averaged a rate decline in incarceration of 2.3% per year.

Drug offenses account for the incarceration of about 1 in 5 people in U.S. prisons. Violent offenses account for over 3 in 5 people (62%) in state prisons. Property offenses account for the incarceration of about 1 in 7 people (14%) in state prisons. Finally, 619,000 people are incarcerated in local jails. Jail incarceration accounts for a third of all incarceration. Over 80% of people incarcerated in local jails have not yet been convicted.¹³

Intermediate Sanctions

Intermediate sanctions is the step in between probation and incarceration. These alternative sentence punishments fill the gap in between standard probation monitoring and incarceration. Generally, people sentenced to intermediate sanctions are monitored by probation officers however in some cases, the monitoring may be accomplished by county or state parole departments or by private entities under the direction and oversight of the sentencing court. Some examples include **shock incarceration** (incarceration in local jails usually not exceeding 90 days, often times including comprehensive and rigorous in custody drug/alcohol and/or mental health treatment), in-home detention also known as house arrest, intensive probation monitoring, electronic monitoring and compulsory inpatient or outpatient drug and alcohol treatment programs within the community. (M. Ybarra 2025)

Probation

Probation is a court-ordered period of correctional supervision in the community, generally as an alternative to incarceration. In some cases, probation can be a combined sentence of incarceration followed by a period of community supervision.¹⁴

Probation is arguably the oldest, and certainly the most common, of the intermediate sanctions. Its roots stem from concepts of common law from England, like many of our other correctional practices in the U.S. In early American courts, a person was able to be released on their own recognizance, if they promised to be responsible citizens and pay back what they owed (financially or morally). In the early 1840s, **John Augustus**, a Boston bootmaker, was regularly attending court and began to supervise such individuals as a "Surety". A **Surety** was a person who guaranteed or paid individuals' bond, or the money necessary to secure their release awaiting trial. In turn, Augustus would take in many of these individuals, providing them with work and housing, to help ensure that they would remain crime-free and pay back society. He continued this practice for nearly two decades, effectively becoming the first probation officer. Today, probation is a form of a **suspended sentence**, meaning that, instead of serving a certain period in jail or prison, an offender is allowed to serve that same period of supervision in the community. However, the sentence is only suspended subject to certain conditions that the offender must continue to meet; if they deviate from those conditions, they may be ordered to finish their sentence in jail or prison. Conditions of probation often include: reporting to a probation officer, submitting to random drug screens, not "consorting" with known felons, paying court costs and restitution, attending AA or NA courses, among other conditions. Probation lengths vary greatly, as do the conditions of probation placed on an individual. Conditions are based on a nexus to the circumstances of the conviction and/or criminal history. Almost all people on probation will have at least one condition of probation. Some have many conditions, depending on the seriousness and nature of their conviction.¹⁵

Capital Punishment

Capital punishment, also known as the death penalty and formerly called judicial homicide, is the state-sanctioned killing of a person as punishment for serious and violent crimes such as but not limited to premeditated murder and treason. The sentence

ordering that an offender be punished in such a manner is known as a death sentence, and the act of carrying out the sentence is known as an **execution**. A prisoner who has been sentenced to death and awaits execution is condemned and is commonly referred to as being "on death row". Etymologically, the term capital (lit. 'of the head', derived via the Latin capitalis from caput, "head") refers to execution by beheading, but executions are carried out by many methods in the United States, including hanging, shooting, lethal injection, electrocution, and gassing.¹⁶

¹³Wikipedia, 2019

¹⁴Wikipedia, 2020

¹⁵Unizin, 2019

¹⁶Wikipedia, 2018

3.3: Terms and Critical Thinking Questions

Terms

- **Criminal sanctions**, in law and by legal definition, are penalties or other means of enforcement used to provide incentives for obedience with the law or other rules and regulations.
- **Indeterminate sentencing**, based on the rehabilitative or medical model is a sentencing type that allows the court to sentence an offender convicted of a crime to a low and high range of incarceration that is dependent upon their behavior and integration into the prison setting.
- **Sentencing guidelines** provide a range of criminal sanctions that are based on aggravating and mitigating circumstances of each case.
- **Mandatory minimum** sentencing is a type of determinate sentencing where an offender who commits certain crimes, usually serious and/or violent in nature must be sentenced to incarceration for a specific of time without much consideration for mitigating circumstances.
- **Sentence enhancements** are laws that identify specific aggravating circumstances of a crime that add additional commitment time to the offender.
- **Violent Crime Control and Law Enforcement Act**, passed in 1994 included several provisions for enhanced penalties for drug trafficking in prisons and drug-free zones, and illegal drug use in federal prisons.
- **Incarceration** is the removal of a person's liberty through confinement by authority of the government.
- **Intermediate sanctions** is the step in between probation and incarceration. These alternative sentence punishments fill the gap in between standard probation monitoring and incarceration. They are usually more restrictive than standard probation but still allow for the person to remain in the community.
- **Shock incarceration** is incarceration in local jails, usually not exceeding 90 days, often times including comprehensive and rigorous in custody drug/alcohol and/or mental health treatment.
- **John Augustus**, known as the first probation officer or the father of probation, was a Boston bootmaker who pledged a surety to the court to supervise men in the community who would have been otherwise sentenced to incarceration.
- **Surety** is a pledge to the court, usually of money issued by a guarantor that a charged or convicted person will abide by the conditions of the court. Also known as a bail bond or surety bond.
- **Suspended Sentence** allows an offender to serve their sentence under supervision in the community. However, the sentence is only suspended subject to certain conditions that the offender must continue to meet; if they deviate from those conditions, they may be ordered to finish their sentence in jail or prison.
- **Capital punishment**, also known as the death penalty and formerly called judicial homicide, is the state-sanctioned killing of a person as punishment for serious and violent crimes such as but not limited to premeditated murder and treason.
- **Execution** is the act of carrying out a death sentence.

Critical Thinking Questions

- According to the text, the majority of serious criminal sanctions are sentences to community corrections such as probation. Do you believe that sentencing a person to probation who commits a serious and/or violent crime against another person is just? Support your answer.
- Many states have moved away indeterminate sentencing to the determinate sentencing model. As a result, inmate behavior both bad and good in the institutions has little to no effect on their release dates. do you believe that moving from the indeterminate sentencing structure to the determinate sending structure was a good or bad idea? Support your answer.
- In Europe, criminal fines are based on the offenders ability to pay. Should the United States adopt a variable rate fine system based off of that person's monetary assets? Support your answer.

4: THE INMATE



Figure 4.1: GED graduation ceremony at Pleasant Valley State Prison, Creative Commons Attribution-ShareAlike 4.0 International (CC BY-SA)

In order to effectively manage a correctional facility, either a jail or prison, administrators or wardens have to be able to accommodate a highly diverse inmate population. A **warden** is typically a the highest ranked prison administrator who is responsible for the overall operation of the institution. There are people from all walks of life who engage in criminal behavior, from the affluent to the finically challenged to the impressionable lemming to the powerful leader. In fact, the amount of people who commit crime versus the amount of people who are actually arrested, tried in court and sentenced for their criminal behavior is over 10 times more. On average, if 100 people commit crimes, it's believed that over half of those crimes go unreported and the other 80% of the 50 crimes (40 crimes) that are reported, go unsolved. That's right around 10% of the original 100 who were charged. And of that 10 people who are sentenced, less than a quarter are incarcerated. (M. Ybarra 2025)

So, what type of person is actually being sentenced to either jail or prison? Well, there are two major types of people who engage in crime. They are the **situational criminal** and the **career criminal**. A situational criminal, also known as an occasional criminal only commits crime under specific circumstances but is not normally driven to commit crime and is unlikely to repeat the offense.¹⁷

People who engage in crimes of passion or spontaneity fit the description of a situational criminal. A career criminal, also known as a repeat offender or habitual offender is a person who is convicted of a crime who was previously convicted of similarly situated crimes and usually makes a living through criminal enterprise.¹⁸

These people view their periods of incarceration and contacts with law enforcement as hazards of the job and a normal part of the life they lead. When they are caught, many of them use inmate contacts within the institution to learn from and sharpen their criminal craft for the next time they are released. (M. Ybarra 2025)

4.1: Institutional Demographics

4.2: Terms and Critical Thinking Questions

¹⁷Wikipedia, 2017

¹⁸Wikipedia, 2024

4.1: Institutional Demographics

As of 2023, 59% of incarcerated people are in state prisons; 12% are in federal prisons; and 29% are in local jails. Of the total state and federal prison population, 8% or 96,370 people are incarcerated in private prisons. An additional 2.9 million people are on probation, and over 800,000 people are on parole. At year-end 2021, 1,000,000 people were incarcerated in state prisons; 157,000 people were incarcerated in federal prisons; and 636,000 people were incarcerated in local jails.

Approximately 1.8 million people are incarcerated in state or federal prisons or local jails. There are over 1 million people who are incarcerated in state prisons. There are 656,000 people incarcerated for violent offenses, 142,000 for property offenses, 132,000 for drug offenses, and 110,000 for public order offenses. The percentage breakdown of people in state prisons by offense-type is as follows: 63% of people are incarcerated for violent offenses, 13% for property offenses, 13% for drug offenses, and 11% for public order offenses.

The federal prison population is approximately 209,000. 148,000 of these people are incarcerated by the Federal Bureau of Prisons. Of these people, there are 69,000 people incarcerated for drug offenses, 61,000 for public order offenses, 11,000 for violent offenses, and 6,000 for property offenses. The percentage breakdown of people incarcerated by offense-type is as follows: 47% of people are incarcerated for drug offenses, 42% for public order offenses, 7% for violent offenses, and 4% for property offenses. A further 60,000 people are incarcerated by the U.S. Marshals Service. Of these people, there are 21,000 incarcerated for drug offenses, 14,000 for immigration offenses, 9,000 for weapons offenses, and 7,000 for violent offenses.

Finally, 619,000 people are incarcerated in local jails. Jail incarceration accounts for a third of all incarceration. Over 80% of people incarcerated in local jails have not yet been convicted.¹⁹

Inmate Demographics

Broader socioeconomic strata at each stage of the criminal legal process result in the disproportionate imprisonment of minorities. In 2021, minorities constituted over two-thirds (69%) of the prison population. Nationally, one in 81 black American adults are serving time in America's state prisons. Black Americans are imprisoned at 5 times the rate of white people, and American Indians and Hispanic people are imprisoned at 4 times and 2 times the white rate, respectively. Black and Hispanic people make up 33% of the U.S. population but 56% of the incarcerated population.²⁰

Although significant gaps remain, there have been reductions in imprisonment disparities over the past decades. The extent of decarceration has varied by race and ethnicity, but all major racial and ethnic groups experienced decarceration since reaching their highest levels. In fact, the black American prison population has decreased the most. Since 2002, the year it reached its peak levels, the number of Black people in prison declined from 622,700 to 378,000 (a 39% decrease). Since 1998, the year the white prison population reached its peak, the number of white people in prison declined from 533,200 to 356,000 (a 25% decrease). Since 2011, the year the Hispanic prison population reached its peak, the number of Hispanic people in prison declined from 347,300 to 273,800 (a 21% decrease). Since 2010, the year the American Indian prison population reached its peak, the number of American Indians in prison declined from 23,800 to 18,700 (a 21% decrease). Finally, since 2016, the year the Asian prison population reached its peak, the number of Asian people in prison declined from 18,000 to 14,700.¹³

Drug Offenders

Of the 2,000,000 incarcerated people, 373,500 (19%) are incarcerated for drug offenses (Sawyer & Wagner, 2022). A drug offense is a nonviolent offense that includes substance possession, driving under the influence, minor trafficking, sales, and manufacturing (Sawyer & Wagner, 2022; Mauer & King, 2007).

In 2020, there were 1,155,610 drug arrests, the vast majority of which (87.7%) were for drug possession or use rather than sale or manufacturing (Sawyer & Wagner, 2022). Thus, many drug offenders become incarcerated for possessing and using substances.

Moreover, significant drug offender populations exist at all US correctional levels, including juvenile detention centers, jails, state prisons, federal prisons, military prisons, and immigration detention centers (Sawyer & Wagner, 2022). The correctional facilities with the highest concentration of convicted drug offenders are state prisons (146,000) and federal prisons (67,000) (Sawyer & Wagner, 2022). Drug offenders in state prisons compose 14% of the inmate population (Carson, 2021). The demographics of state

prison drug offenders are female (26%), male (13.1%), White (16.6%), Black (12.2%), Hispanic (11.7%), Asian (11%), and American Indian/Alaskan Native (10.9%) (Carson, 2021).²¹

Many prisons and jails administrators have recognized that drug and alcohol abuse plays a part in the criminal behavior of a significant portion of the inmate population. As a result, many corrections departments have employed in-custody drug and alcohol treatment programs to assist offenders in overcoming their addictions prior to release. These programs are the first step in breaking the cycle of addiction and criminality after release. Many of these programs have community after care components to include residential and non-residential continuing treatment options and are compulsory while on active parole supervision. (M. Ybarra 2025)

Sex Offenders

Very few crimes invoke the anger and disgust of the public more than sex crimes. **Sex crimes** are sexual acts committed by one person onto another or group that are prohibited by law. Some of these include rape, child molestation and prostitution. (M. Ybarra 2025) In FY 2021, 57,287 cases were reported to the United States sentencing commission. 93.6% of sexual abuse offenders are men. 57.5% were White, 16.1% were Black, 12.1% were Native American, 11.8% were Hispanic, and 2.5% were Other races. Their average age was 38 years and 63.8% had little or no prior criminal history. (USSC 2021) according to the Federal Bureau of Investigations **Uniform Crime Report** (UCR), the definition of **rape** is penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim.²²

Child molestation also known as child sexual abuse is the employment, use, persuasion, inducement, enticement, or coercion of any child to engage in, or assist any other person to engage in, any sexually explicit conduct or simulation of such conduct or the purpose of producing a visual depiction of such conduct; or the rape, and in cases of caretaker or interfamilial relationships, statutory rape, molestation, prostitution, or other form of sexual exploitation of children, or incest with children.²³

Prostitution is defined under California Penal Code section 647 (b) as the exchange of money, goods or services for sex and or lewd conduct. Approximately 25% of the female inmate population in the United States have at least one conviction for prostitution.

Inmates convicted of sex offenses have a very difficult time acclimating to the prison culture. This is because, according to the inmate population, sex crimes, especially crimes against children, are the most reprehensible of all crime. As a result, inmates who are convicted of sex offense have reported harassment, intimidation and even violence by the inmate population as a result of their conviction. Many of these inmates wind up in protective custody as a result of the negative stigma of having a sex offender designation while in prison or jail. **Protective custody** is the separation and/or segregation of an inmate from general population due to some type of vulnerable status such as conviction type, medical history, or gang affiliation. (M. Ybarra 2025)

Aging and Infirm Inmates

The aging inmate population comprises the fastest-growing demographic in American prisons (Carson & Sabol, 2016; McKillop & Boucher, 2018; Skarupski et al., 2018, Williams et al., 2012). From 1999-2016, the number of individuals aged 55 and older increased by 280 percent, while the number of younger incarcerated adults grew by only 3 percent (McKillop & Boucher, 2018). In 2020, 14% of incarcerated men and 9% of incarcerated women were 55 and older. Estimates indicate that by 2030, one-third of the incarcerated population will be considered aging (Skarupski et al., 2018).

Prisons have become home to inmates with more significant and complex healthcare needs, including those requiring palliative care and other treatments as they prepare for the end of life. Although there is no widely accepted definition for **EOL care**, it is often synonymous with hospice or palliative care.

EOL is a model of treatment for inmates who are unlikely to be released before their deaths and provided with effective pain management and other physical, emotional, psychological, and social needs (Mauil, 1998).²⁴

Prison Gangs

One of the most misunderstood and dangerous inmate demographics is the prison gang. Often mistaken for street gangs or disruptive groups, **prison gangs** are any gang which originated and has its roots within the corrections department or any other

prison system. This in contrast to **criminal street gang** which is defined as any formal or informal organization, association or group of three or more persons having as one of its primary activities the commission of criminal acts enumerated in California penal code section 186.22 (e). Many of these gangs members have an identifying sign or symbol they wear through the use of tattoos, branding, clothing or other paraphernalia.

Like the social norms in society, there exists a set of informal rules and expected types of behavior to guide inmates within jails and prisons throughout the United States. This is known as the inmate code, also known as the convict's code. The **inmate code** is an informal set of rules of conduct that are passed from inmate to inmate that are used to define expected behavior of inmates within the prison system. As an example, no snitching, don't talk to or trust the cops and mind your own damn business are common inmate codes.

Violation of these codes often leads to internal conflicts between inmates. Like the inmate code, the process of adapting to the prison culture, processes and inmate code is known as **institutionalization** or prisonization. (M. Ybarra 2025)

The constant surge of prisoners coming into the system with no understanding of the status quo had disrupted the established equilibrium cohesion. And as demographics inside prisons changed drastically, small groups centered on ethnicity, race, and pre-prison alliances were disrupted. Prison gangs are geographically and racially divided, and about 70% of prison gang members are in California and Texas.

One of the oldest California prison gang is the **Mexican Mafia** or La Eme. "Eme" is the Spanish name of the letter "M," and it is the 13th letter in the alphabet. Eme was originally formed in 1956 in the Deuel Vocational Institute[7] by Hispanic prisoners from the southern part of that state. It has traditionally been composed of US-born and US-raised Hispanics with "Sureños" gangs of southern California paying tribute to it. Members of the Mexican Mafia are recognized by a "black hand" tattoo commonly found across their back, chest, leg, or neck.

Nuestra Familia: ("Our family" in Spanish) "N," the 14th letter in the alphabet, along with the Roman numeral "XIV" is the symbol Nuestra Familia is another mostly Hispanic prison gang that is constantly at war with La Eme. It was originally formed by Northern-California- or rural-based Hispanic prisoners with "Norteros" gangs of Northern California paying tribute to it, opposing domination by La Eme which was started by and associated with Los Angeles gang members. Nuestra Familia was first established California's Soledad Prison in the 1960's.

The **Black Guerrilla Family** also known as the "BGF" is an African American prison gang that represents an exception to the formation rule. The BGF was originally a politically based group that has a significant presence in prisons and prison politics. It was founded in 1966 at San Quentin State Prison, California by former Black Panther member George L. Jackson.

Aryan Brotherhood: A white prison gang that originated in California's San Quentin Prison amongst White American prisoners in 1964. Their emblem, "the brand", consists of a shamrock and the number 666. Other identifiers include the initials "AB", Swastikas and the sigrune.[17] Perhaps out of their ideology and the necessity of establishing a presence among the more numerous African American and Hispanic gang members, the AB has a particular reputation for ruthlessness and violence. Since the 1990s, in part because of this reputation, the AB has been targeted heavily by state and federal authorities. Many key AB members have been moved to "supermax" control-unit prisons at both the federal and state level or are under federal indictment.

Nazi Lowriders also known as the "NLR" is a newer white prison gang that emerged after many Aryan Brotherhood members were sent to the Security Housing Unit at Pelican Bay or transferred to federal prisons. NLR is associated with members originally from the Antelope Valley and is known to accept some light-skinned or Caucasian-identified Hispanic members.²⁶

¹⁹Wikipedia, 2019

²⁰Wikipedia, 2019

¹³Wikipedia, 2019

²¹Smith, Brock, and Monique Alires, 2023

²²UCR, 2021

²³Polites, Andrea, and Mary Beth Mulcahy, 2023

²⁴University, Brooke Cooley Webb, Ball State, et al, 2023

²⁶Wikipedia, 2022

4.2: Terms and Critical Thinking Questions

Terms

- **Warden** is a prison administrator who is responsible for the overall operation of the institution.
- **Situational criminal**, also known as an occasional criminal only commits crime under specific circumstances but is not normally driven to commit crime and is unlikely to repeat the offense.
- **Career criminal**, also known as a repeat offender or habitual offender is a person who is convicted of a crime who was previously convicted of similarly situated crimes and usually makes a living through criminal enterprise.
- **Drug offense** is a nonviolent offense that includes substance possession, driving under the influence, minor trafficking, sales, and manufacturing.
- **Sex crimes** are sexual acts committed by one person onto another or group that are prohibited by law.
- **Uniform Crime Report** is a program that generates reliable statistics for use in law enforcement. It also provides information for students of criminal justice, researchers, the media, and the public. The program has been providing crime statistics since 1930.
- **Rape** is penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim.
- **Child molestation** also known as child sexual abuse is the employment, use, persuasion, inducement, enticement, or coercion of any child to engage in, or assist any other person to engage in, any sexually explicit conduct or simulation of such conduct or the purpose of producing a visual depiction of such conduct; or the rape, and in cases of caretaker or interfamilial relationships, statutory rape, molestation, prostitution, or other form of sexual exploitation of children, or incest with children.
- **Prostitution** is the exchange of money, goods or services for sex and or lewd conduct.
- **Protective custody** is the separation and/or segregation of an inmate from general population due to some type of vulnerable status such as conviction type, medical history, or gang affiliation.
- **EOL Care** also known as end of life care is synonymous with hospice or palliative care to assist inmates with terminal illnesses in preparation of their death while in custody.
- **Prison gangs** are any gang which originated and has its roots within the corrections department or any other prison system.
- **Criminal street gang** is any formal or informal organization, association or group of three or more persons having as one of its primary activities the commission of criminal acts annotated in California penal code section 186.22 (e).
- **Inmate code** is an informal set of rules of conduct that are passed down from inmate to inmate that outline the norms and expected behavior of inmates within the prison system.
- **Institutionalization** is the process of absorbing and adapting to the prison culture and inmate code.
- **Mexican Mafia** or La Eme prison gang. "Eme" is the Spanish name of the letter "M," and it is the 13th letter in the alphabet. Eme was originally formed in 1956 in the Deuel Vocational Institute[7] by Hispanic prisoners from the southern part of that state.
- **Nuestra Familia** prison gang: meaning "Our family" in Spanish with "N," the 14th letter in the alphabet, along with the Roman numeral "XIV" is the symbol Nuestra Familia. Nuestra Familia is another mostly Hispanic prison gang that is constantly at war with La Eme.
- **Black Guerrilla Family** also known as the BGF is made of African American inmates, this gang represents an exception to the typical formation of prison gangs in that its inception was an originally politically based group that has a significant presence in prisons and prison politics.
- **Aryan Brotherhood** is a white prison gang that originated in California's San Quentin Prison amongst White American prisoners in 1964.
- **Nazi Lowriders** are a newer white prison gang that emerged after many Aryan Brotherhood members were sent to the Security Housing Unit at Pelican Bay or transferred to federal prisons.

Critical Thinking Questions

- From the view of the situational and career criminal, what do you believe is the primary motivator/reason for people to commit crimes? Provide an example of the crime and explain your reasoning.
- Do you believe that institutional based drug and alcohol treatment programs are effective in reducing recidivism? Why or why not?
- Prior to 2015, California validated prison gang members were placed into institutional security housing units for an indefinite period to regulate movement and minimize the growth of the prison gang. This practice was ended as a result of the Ashker

V California case in September 2015. Do you believe this was a good idea or not? Support your answer.

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5: PRISONS AND JAILS



Figure 5.1: CCWF - By California Department of Corrections and Rehabilitation/Departamento de Correcciones y Rehabilitación de California - http://www.cdcr.ca.gov/visitors/imag.../CCWF_8x10.jpg,

Once a person has been convicted of a crime, the sanction or punishment has to be imposed. Given that are founding fathers were settlers from Western Europe, it stands to reason that they would employ some of the sanctions that were in effect in their home countries. One of these was the Jail and/or prison. Both terms, jails and prisons are often used synonymously by the general public because they both house inmates however they have completely different responsibilities in the correctional landscape. The United States Bureau of Justice Statistics defines **jail** as a place of confinement before or after adjudication of a charge and is usually operated by local law-enforcement authority such as a sheriff, police chief or a county or city administrator. While a **prison** confines persons after they've been convicted of a criminal offense, usually a felony and are operated under the authority of a state Department of corrections or the Federal Bureau of Prison. (M. Ybarra 2025)

The concept of a jail (**Goal** – old English spelling of jail) was carried over from Western Europe (England, etc.) when the United States was first forming. A small number of jails are privately operated. Regional jails include two or more jail jurisdictions with a formal agreement to operate a jail facility. Persons confined in a jail facility following a criminal conviction are usually sentenced to an incarceration sentence of 1 year or less.²⁷

Spawning from the County-level establishment and management of jails in England; these have largely been run by County Sheriffs in the United States, ever since we began to have them. They have had various names, depending on their function and use, such as Bridewells, and Workhouses. The first brick and mortar Jail opened right around 1790. It was the Walnut Street jail. This facility was later deemed a prison and it was the blueprint for prison construction in the future.

As the United States began to populate, county lines began to be drawn up for States earning Statehood. Sheriffs began to police their Counties, and also be responsible for managing the lower-level infractions (misdemeanors) within their jurisdictions. Thus, County Jails began to flourish in the United States. Initially, many jails were nothing more than parts of a Sheriff's office, literally, cells in the back room. Today, large structures (even multiple structures in a single county) constitute jails in the United States. Overall, we have seen changes in the growth of jails in the United States. While we were certainly growing in the number of jails as States gained Statehood, there has been a shift in jail structures. The vast majority of jails are small in size. There are few larger jails, but they hold more individuals. As can be seen in a report from Cahalan and Parsons (1986), and reports by Harrison and Beck of the Bureau of Justice Statistics (2005), the number of jails has changed immensely. This is due to a variety of reasons, including the inclusion or exclusion of Youth Facilities, Native American Facilities, Privately Owned Facilities, and reporting structures (who report a jail in a given year). Based on these fluctuations, it is difficult to get an exact count of jails each year. However, there are roughly 3,300 jails in the United States today.²⁸

5.1: Jail

5.2: Prison

5.3: Terms and Critical Thinking Questions

²⁷Bureau of Justice Statistics, 2023

²⁸Carter, David, 2019

5.1: Jail

Today's jails are critical components of local criminal justice systems. They are used to address the need for secure detention at various points in the criminal justice process. Jails typically serve several law enforcement agencies in the community, including local law enforcement, state police, wildlife conservation officers, and federal authorities. Jails respond to many needs in the criminal justice system and play an integral role within every tier of American criminal justice. These needs are ever changing and influenced by the policies, practices, and philosophies of the many different users of the jail. Running a jail is a tough business, usually undertaken by a county sheriff. Often, much of the Sheriff's authority is delegated to a jail administrator.

Running a jail is such a complicated endeavor partly because jails serve an extremely diverse population. Unlike prisons where inmate populations are somewhat homogenous, jails hold vastly different individuals. Jails hold both men and women, and both children and adults, though not usually in the same units. Most state prisoners are serious offenders, whereas jails hold both serious offenders as well as minor offenders who may be vulnerable to predatory criminals also housed in jail. Those suffering from mental illness, alcoholism, and drug addiction often find themselves in jail. It is in this environment that jail staff must accomplish the two major functions of jails: Intake and Custody.²⁹

Jail Booking and Intake

The booking and intake function of jails serves a vital public safety function by providing a secure environment in which potentially dangerous persons can be assessed, and the risks and needs of these individuals can be determined.

Jail Custody

The second major function of jails is the idea of custody. That is, people are deprived of their liberty for various reasons. The two most common of these reasons are pretrial detention and punishment.

Pretrial Detention

A major use of modern jails is what is often referred to as **pretrial detention**. In other words, jails receive accused persons pending arraignment and hold them awaiting trial, conviction, or sentencing. More than half of jail inmates are accused of crimes and are awaiting trial. The average time between arrest and sentencing is around six months. Jails also readmit probation and parole violators and absconders, holding them for judicial hearings. The major purpose of pretrial detention is not to punish offenders, but to protect the public and ensure the appearance of accused persons at trial.

According to the Bureau of Justice Statistics, there are around 3,300 jails currently in operation within the United States. This large number points to a very important fact: Jails are primarily a local concern. Jails (and detention centers) are facilities designed to safely and securely hold a variety of criminal offenders, usually for a short period. The wide variety of offenders comes from the fact that jails have dual roles. They hold criminal defendants

waiting on processing by the criminal justice system, and they hold those convicted of crimes and sentenced to a jail term. In addition, jails hold prisoners for other agencies, such as state departments of correction, until bed space becomes available in a state prison.

The size of jails can vary widely depending on the jurisdiction the facility serves. Both geographic and legal jurisdiction must be considered. The single most important determinant of jail size is population density. The more people a given jurisdiction has, the more jail inmates they are likely to have. Many rural jails are quite small, but America's largest population centers tend to have massive jail complexes. Most counties and many municipalities operate jails, and a few are operated by federal and other non-local agencies. There has been a trend for small, rural jurisdictions to combine their jails into regional detention facilities. These consolidated operations can increase efficiency, security, and better ensure prisoners' rights.

Jail Punishment

A primary function of jails is to house criminal defendants after arrest. Within a very narrow window of time, the arrestee must appear before a judge. The judge will consider the charges against the defendant and the defendant's risk of flight when determining bail. The judge may decide to remand the defendant to the custody of the jail until trial, but this is rare. Most often, pretrial release will be granted. The arrestees may be required to pay a certain amount of money to ensure their appearance in court, or they may be released on their own recognizance.

As a criminal sanctioning option, jails provide a method of holding offenders accountable for criminal acts. Jails house offenders that have been sentenced to a jail term for misdemeanor offenses, usually for less than one year. There are many ways that jail sentences can be served, depending largely on the laws and policies of the particular jurisdiction. A central goal of incarceration as punishment in the criminal justice system is the philosophical goal of deterrence. Many believe that jail sentences discourage offenders from committing future criminal acts (specific deterrence) and to potential criminals about the possible costs of crime (general deterrence).

Rehabilitation and reintegration are sometimes considered secondary goals of incarceration. These goals are not usually deemed amenable to the jail environment, and few programs designed to meet these goals exist. Many local jails do make a modest effort to provide inmates with opportunities for counseling and change to deter future criminal behavior, but always within the constraints of scant resources.

Miscellaneous Functions

Jails in some jurisdictions are responsible for transferring and transporting inmates to federal, state, or other authorities. Jails are also tasked with holding mentally ill persons pending their transfer to suitable mental health facilities where beds are often unavailable. Jails also hold people for a variety of government purposes; they hold individuals wanted by the armed forces, for protective custody of individuals who may not be safe in the community, for those found in contempt of court, and witnesses for the courts. Jails often hold state and federal inmates due to overcrowding in prison facilities. Jails are commonly tasked with community-based sanctions, such as work details engaged in public services.

Jail Populations

Arrestees often arrive at the jail with myriad many problems. Substance abuse, alcohol abuse, and mental illness often mean that jail inmates are not amenable to complying with the directions of jail staff. Many have medical problems, psychological problems, and emotional problems. Inmates can display the full gambit of human emotions: jail staff may see fear, anxiety, anger, and depression every day. Behaviors often mirror emotional state, and at times staff must deal with noncompliant, suicidal, or violent inmates. While inmates are in custody, the jail is responsible for their health and wellbeing.

Jails function in a role as a service provider for the rest of the criminal justice community. Jail administrators have very little discretion in who goes to jail and how long they remain in custody. Law and policy play a big role in dictating who goes to jail, as do the discretionary decisions of probation and parole officers/agents, law enforcement, and judges. Prevalent community attitudes are also important, because voters can place pressure on law enforcement and the courts to make more arrests and prosecute more offenders. When this happens, more people end up in jail.²⁹

²⁹Vollman, Brenda, 2015

5.2: Prison

A prison, also known as a penitentiary, detention center, correctional center, correctional facility, or remand center, is a facility where people are imprisoned under the authority of a state or federal government, usually as punishment for serious felony crimes. On rare occasions, they may also be used to house those awaiting trial (pre-trial detention). Prisons are most commonly used within a criminal-justice system by authorities: people charged with crimes may be imprisoned until their trial; and those who have pleaded or been found guilty of crimes at trial may be sentenced to a specified period of imprisonment.³⁰

Unlike jails, which typically house individuals for shorter periods, prisons are designed to accommodate longer-term sentences. Within the realm of prisons, there exists a spectrum of facilities, including state-operated, federally managed, and privately operated institutions. Additionally, military prisons cater specifically to criminal offenses committed by members of the armed forces. Over time, prisons have developed diverse structures to meet the varying security needs and inmate populations they serve. This includes the classification of prisons into different security levels, such as minimum, medium, maximum, and super-maximum security, each tailored to address the unique threat levels posed by incarcerated individuals. These distinctions play a critical role in managing and maintaining security within the prison system while also ensuring the safety of both inmates and staff.

Prison Types

Prisons serve as crucial components of the criminal justice system, designed to confine individuals convicted of serious offenses for varying lengths of time. Within the prison landscape, there exist diverse types of facilities, each with its own distinct characteristics and operational frameworks. These encompass state-run institutions, federally operated facilities, and privately managed prisons, each playing a unique role in the incarceration process. Additionally, military prisons cater to the specific needs of armed forces personnel who commit criminal acts. Understanding the differences among these prison types is essential for comprehending the complexities of the corrections system and its impact on both inmates and society at large.

Federal and state prison types require different security systems to house a diverse inmate population safely. To that end, they employ various security levels to address the diverse needs and risks associated with incarcerated individuals. Both risk and needs assessments play crucial roles in determining the security level and program placement of new inmates, topics that will be discussed in more detail in the following chapter, classification. Security level placement is based on a multitude of factors, including criminal history, behavior during incarceration, escape risk, gang affiliation, and history of violent behavior, among other considerations. Accurately classifying inmates into appropriate security levels enhances safety for both staff and inmates, while also improving the effectiveness of rehabilitation programs and operational efficiency.

Minimum-Security Prisons

Minimum-security prisons, often referred to as “camps,” house inmates considered to pose the lowest risk to public safety. These facilities are characterized by a relatively relaxed environment, with fewer security measures and more freedom of movement among inmates compared to facilities with median and maximum-security levels. Typically, the staff-to-inmate ratio is lower compared to more secure facilities, reflecting the lower risks posed by the inmates (Federal Bureau of Prisons, n.d.). Rehabilitation and reintegration services, such as education, vocational training, and work release programs, are commonly offered. Inmates must meet specific eligibility criteria to be housed in minimum-security facilities. While some low-risk inmates are placed in minimum-security prisons upon entry, others must demonstrate good behavior during incarceration, have a low risk for violence or escape, or be nearing the end of their sentence and capable of benefiting from rehabilitation programs and the gradual transition to independence.

Medium-Security Prisons

Medium-security prisons are designed to accommodate inmates who pose a moderate risk to the public safety, prison staff, or other inmates. These facilities implement stricter security measures compared to minimum-security prisons but maintain a level of restriction lower than that of maximum-security facilities. In medium-security facilities, a highly structured daily routine is enforced, allocating specific times for meals, recreation, work, education, and other activities. Additionally, movement within the facility is strictly regulated to uphold order and security. Although rehabilitation and other programs remain integral components

of medium-security facilities, the emphasis on security and safety is heightened compared to minimum-security facilities due to the moderate risk level. Consequently, medium-security facilities typically maintain a higher staff-to-inmate ratio than minimum security facilities to ensure effective supervision and safety measures.

Maximum-Security Prisons

Maximum-security prisons, also known as closed security prisons, are highly secure facilities designed to hold inmates who pose an exceptionally high risk to public safety, correctional staff, or other inmates. These facilities feature stringent perimeter security, often characterized by imposing stone or concrete walls, guard towers, and razor wire fencing, all aimed at preventing escape and deterring any violent incidents within the premises. Inmates spend the majority of their time confined to individual secure cells, with minimal contact with the outside world. This includes restricted visitation rights, limited phone calls, and moderated postal mail privileges. Compared to lower security facilities, maximum-security prisons usually maintain a higher staff-to-inmate ratio to ensure safety and security (Federal Bureau of Prisons, n.d.). However, this strong focus on safety and security significantly curtails inmates' opportunities to access rehabilitation programs.

Supermax Prisons

While a maximum-security prison represents the highest security level in many states, several states and the federal government operate **supermax prisons**. Also known as administrative maximum units, these facilities were constructed to house the most notorious and dangerous criminals. The primary objective of supermax prisons is incapacitation, with inmates residing in single-cell units where they endure isolation for 23 or even 24 hours a day, substantially hindering rehabilitation program opportunities. Additionally, supermax prisons typically maintain a significantly high staff-to-inmate ratio resulting from the prioritization of security measures in these facilities.

State Prisons

State prisons accommodate the majority of incarcerated individuals within the United States. In 2022, out of the total 1,230,143 prison inmates, 1,070,834 (87%) were housed in state prisons (Carson & Kluckow, 2023). While the oversight of each state's prison system falls under the purview of the respective state's executive branch, the organizational structures of these systems can vary. At the helm of each prison facility is a Warden or Superintendent, who assumes responsibility for its overall operations. Supporting the Warden or Superintendent are multiple Deputy Wardens or Assistant Superintendents, each tasked with overseeing specific divisions such as management, custody, programs, and industry. These divisions comprise both program personnel, responsible for implementing various rehabilitative programs, and custody personnel, including correctional officers tasked with maintaining security within the facility.

Since its peak in 2009, the overall prison population has experienced a significant decline. However, between 2021 and 2022, there was a notable uptick in state prison populations, with a 2% increase observed across 42 states (Carson & Kluckow, 2023). As illustrated in Figure 9.14 below, males constituted the overwhelming majority, comprising 93% of the state prison population, while females made up only 7%. The racial and ethnic composition of the inmate population was diverse, with 36% identifying as Black, 34% as White, 26% as Hispanic, and smaller proportions identifying as Asian or Native American/Alaska Native.

Among state inmates, the primary offenses leading to incarceration were violent crimes, constituting 63% of convictions (Carson, 2022), as depicted in Figure 9.14. These offenses encompassed a range of serious acts, including murder, manslaughter, assault, rape, and robbery. Property crimes and drug offenses were the next most common types of offenses, each accounting for 13% of convictions. Property crimes involve offenses such as theft, burglary, and vandalism, while drug offenses encompass drug possession, trafficking, and related offenses. Public order crimes, including DUI/DWI and weapon charges, constituted the remaining percentage of convictions.

Furthermore, a demographic breakdown of state inmates in 2021 (Carson, 2022) revealed that 93% were male and only 7% were female, as illustrated in Figure 9.14. Findings regarding the ethnic composition of state inmates showed that 36% were Black, 34% were White, 26% were Hispanic, 2% were Asian, and 2% were American Indian/Alaska Native. Additionally, 91% of the inmates were under the age of 60. Within this age range, individuals in their 30s comprised the largest proportion at 32%, followed by those in their 40s at 23%, and those aged 18-29 at 21%. These statistics provide insights into the demographic composition and nature of offenses among state prison populations, highlighting the ongoing challenges and complexities within the criminal justice system.³¹

In California, the state prison system comprises 34 state prisons and 44 fire camps, also known as conservation camp in addition to contract beds from private prison contractors, community re-entry program beds and other special programs that are contracted by the California Department of Corrections and Rehabilitation (CDCR) and the Division of Adult Parole Operations (DAPO). California maintains three death row locations, two for men; Corcoran State Prison and San Quentin State Prison. The female death row location is at Central California Women's Facility located in Chowchilla California. There were three dedicated female institutions in California however recently, one of these institutions was converted to a low and medium level male institution, Valley State Prison. The two female institutions that are still in operation are Central California Women's Facility and California Institution for Women in Chino California. (M. Ybarra 2025)

Federal Prisons

Federal prisons are funded by the federal government and operated by the Federal Bureau of Prisons. As of the end of 2022, federal prisons housed 159,309 individuals, constituting 13% of the total U.S. prison population (Carson & Kluckow, 2023). Inmates in federal prisons have been convicted of federal crimes and originate from diverse regions, including various states across the nation and other countries. Notably, the demographic and offense characteristics of federal prisoners often considerably differ from those in state prisons.³¹

A significant proportion of federal inmates, as depicted in Figure 9.15, are incarcerated for drug crimes, accounting for 47% of convictions among the federal prison population (Carson, 2022). This statistics underscore the prevalence of drug-related offenses within the federal correctional system, highlighting the importance of addressing substance abuse and implementing effective rehabilitation programs. Public order crimes represent the next highest category at 42%, followed by violent crimes at 8%, and property crimes at 4%.

Interestingly, federal inmates tend to have a slightly higher average age compared to those in state prisons (Carson, 2022). The largest age cohort among federal corrections facilities is individuals aged 30-39, comprising 32% of the total inmate population. Following this, individuals aged 40-49 make up 23% of the population. The next largest age group consists of individuals aged 18-29, accounting for 21% of federal inmates. Those aged 50-59 represent 15% of the inmate population, while individuals aged 60 or older constitute 9%. These age distributions provide insights into the demographic composition of federal inmates, indicating the need for age-specific programming and healthcare services within federal correctional facilities.

Similar to state prisons, the racial and ethnic composition of federal inmates is diverse (Carson, 2022). Black inmates comprise the largest proportion at 36%, followed closely by Hispanic and White inmates, each at 30%. Additionally, Asian and American Indian/Alaska Native inmates each account for 2% of the federal prison population. Moreover, consistent with state prisons, females represent a small percentage, comprising only 7% of federal inmates, while males constitute the overwhelming majority at 93%. These inmate demographics provide valuable insights into the characteristics of individuals within the federal correctional system and underscore the need for tailored interventions and policies to address the diverse needs of incarcerated individuals at the federal level.³¹

Private Prisons

The privatization of goods and services has long been a staple of state departments of corrections, as it allows these organizations to subcontract specific tasks within their prisons. This includes services like food and transportation services, medical, dental, and mental health services, education services, and even laundry services. As mentioned in the previous section on punishment, there was much ado about crime in the United States in the 1970s and 1980s. This brought on an increased fear of crime and a more punitive state within the United States. It was during this time that a small company known as Wackenhut, a subsidiary of The Wackenhut Corporation (TWC) sought to privatize the entirety of a prison, not just services within the prison. A second company, Corrections Corporation of America ultimately won the contract and became the first privately owned prison in the United States (1984). Today, Core Civic (formerly Corrections Corporation of America) runs approximately 128 facilities in the United States. The GEO Group, the other primary private prison company runs 136 correctional, detention, or reentry facilities.³²

Prison Structures

Prison design structures are integral components of correctional facilities, strategically engineered to address security needs and facilitate the management of incarcerated populations. These structures encompass a variety of architectural layouts and features tailored to different security levels and operational requirements. As illustrated in Figure 9.16, the notable prison designs are

radial, telephone-pole, courtyard, campus, and panopticon layouts. Each design structure serves specific security and operational objectives, reflecting the evolving approaches to incarceration and rehabilitation within the corrections system. Understanding these design concepts is integral to effective prison management and the promotion of safety and security within correctional facilities.³¹

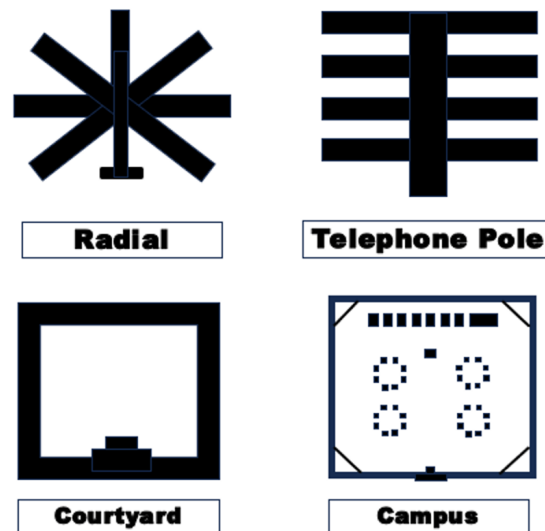


Figure 5.2.1: Outline Designs/ Photo Credit, Kadence C. Maier, [CC BY 4.0](#)

Radial Design

The radial design was a prevalent architectural approach in 19th-century prisons, with notable examples including Pennsylvania's Eastern Penitentiary, as depicted in Figure 9.16 above. This design aimed to enhance efficiency in surveillance and control within correctional facilities. Characterized by a central control center resembling a hub, multiple cell blocks extended outward like spokes on a wheel, providing unobstructed views for officers stationed in the control center. Additionally, this layout enabled officers to isolate specific units from the rest of the facility without necessitating a lockdown of the entire penitentiary. However, despite its advantages, the radial design posed challenges such as potential congestion during inmate movement and privacy concerns among inmates. Furthermore, this design presented obstacles to the implementation of rehabilitation programs within the facility.

This facility design was scaled down to housing unit design at Central California Women's Facility and later at Valley State Prison and is currently being used today to house general population inmates at both locations. (M. Ybarra, 2025)

Telephone-Pole Design

As depicted in Figure 9.16 above, the telephone-pole design features a long central corridor intersecting all cross sections of the facility, allowing for direct observation and quick response by staff. Each cross section serves a distinct purpose, such as housing, classrooms, or industries. This layout facilitates continuous surveillance by officers patrolling the central corridor, although it requires a larger staff compared to the radial design. Despite this, officers can isolate specific sections without disrupting overall operations. Moreover, the design minimizes congestion issues, making it particularly suitable for maximum-security institutions focused on maintaining custody and order.

Courtyard Design

As shown in Figure 9.16, the courtyard design is characterized by buildings arranged around a spacious central open area, typically in a square or rectangular configuration. Unlike layouts where all inmate movement occurs indoors, the courtyard design allows inmates to traverse from one unit to another through the central courtyard. Additionally, this open space serves as an area for outdoor recreational and social activities for inmates. The design incorporates open spaces within cell blocks, fostering natural light and outdoor access for inmates while maintaining security. By providing ample access to natural light and fresh air, the

courtyard design creates a more humane prison environment. Furthermore, the courtyard design offers flexibility to accommodate various security levels within the facility. Many modern California state prisons use this institutional design.

Campus Design

The Campus design resembling college campuses, features decentralized facilities and shared common areas, promoting a less restrictive environment and fostering a sense of community conducive to rehabilitation within the prison environment. This design is commonly utilized in minimum-security units and juvenile detention centers, prioritizing rehabilitation and community-building. Illustrated in Figure 9.16 above, this layout comprises multiple buildings spread across a spacious area, facilitating a sense of camaraderie while maintaining security and control. Moreover, campus designs afford inmates greater freedom and fewer restrictions compared to other layouts.

Panopticon

The panopticon is a prison architectural concept developed by the 18th-century English philosopher and social theorist Jeremy Bentham (1791), heavily influenced by deterrence theory. The term “panopticon” is derived from the Greek words “pan,” meaning all or everything, and “Opticon,” meaning observe or see. The design features a centralized surveillance and control tower, enabling a single officer to visually monitor all inmates. Surrounding the central tower are multiple tiers of inmate cells, each equipped with either windows or barred doors, allowing the officer in the control tower to maintain constant visual contact with the inmates while remaining unseen. The fundamental principle behind the panopticon design was that the mere perception of being under constant observation would deter inmates from engaging in misconduct. However, challenges such as construction and maintenance difficulties, psychological effects resulting from continuous surveillance, and a shift towards rehabilitation-focused approaches have led to a decline in the popularity of panopticon designs in penitentiaries.³²

³⁰Wikipedia, 2019

³¹Pressbooks, 2021

³²Pressbooks, 2012

5.3: Terms and Critical Thinking Questions

Terms

- **Jail** is a place of confinement before or after adjudication of a charge and is usually operated by local law-enforcement authority such as a sheriff, police chief or a county or city administrator.
- **Goal** is the old English spelling of jail.
- **Prison** confines persons after they've been convicted of a criminal offense, usually a felony and are operated under the authority of a state Department of corrections or the Federal Bureau of Prison.
- **Booking** is the location and intake process of an arrestee or convicted person in a jail.
- **Jail Custody** is the process of depriving liberty to an arrestee/ detainee usually for pre-trial detention or serving a sentence.
- **Pretrial Detention** is the incarceration of a person in jail pending arraignment, holding them while awaiting trial, during the trial and/or during sentencing.
- **Jail Punishment**, also known as jail sentencing is the process of housing inmates who were convicted of either a misdemeanor or felony charge and sentenced to jail.
- **Minimum security prisons** house inmates considered to pose the lowest risk to public safety and institutional security.
- **Medium security prisons** house inmates who pose a moderate risk to public safety, institutional security, prison staff, or other inmates.
- **Maximum-security prisons**, also known as close security or close custody prisons, are highly secure facilities designed to hold inmates who pose an exceptionally high risk to public safety, institutional security, correctional staff, or other inmates.
- **Supermax prisons** also known as administrative maximum units, are facilities that were constructed to house the most notorious and dangerous criminals. These prisons severely limit movement of the inmate population to ensure safety and security.
- **Private Prisons** our privately contracted prisons, primarily used as overflow by state prison systems to house inmates sentence to state prison.
- **Radial design** was a prevalent architectural approach in 19th-century prisons, characterized by a central control center resembling a hub, multiple cell blocks extended outward like spokes on a wheel.
- **Telephone-pole design** features a long central corridor intersecting all cross sections of the facility, allowing for direct observation and quick response by staff.
- **Courtyard design** is characterized by buildings arranged around a spacious central open area, typically in a square or rectangular configuration.
- **Panopticon** design features a centralized surveillance and control tower, enabling a single officer to visually monitor all inmates.

Critical Thinking Questions

- Do you believe in the need for state and federal prisons or should local county jails be expanded to maintain care, control and custody of their own incarcerated population? Support your answer.
- What is your position regarding this statement: "*We should build schools, not prisons.*" Explain your answer.
- To reduce prison populations, many states have done away with mandatory minimum. sentencing laws. Do you believe this was a good idea? Support your answer.

6: INSTITUTIONAL PROGRAMS AND SERVICES

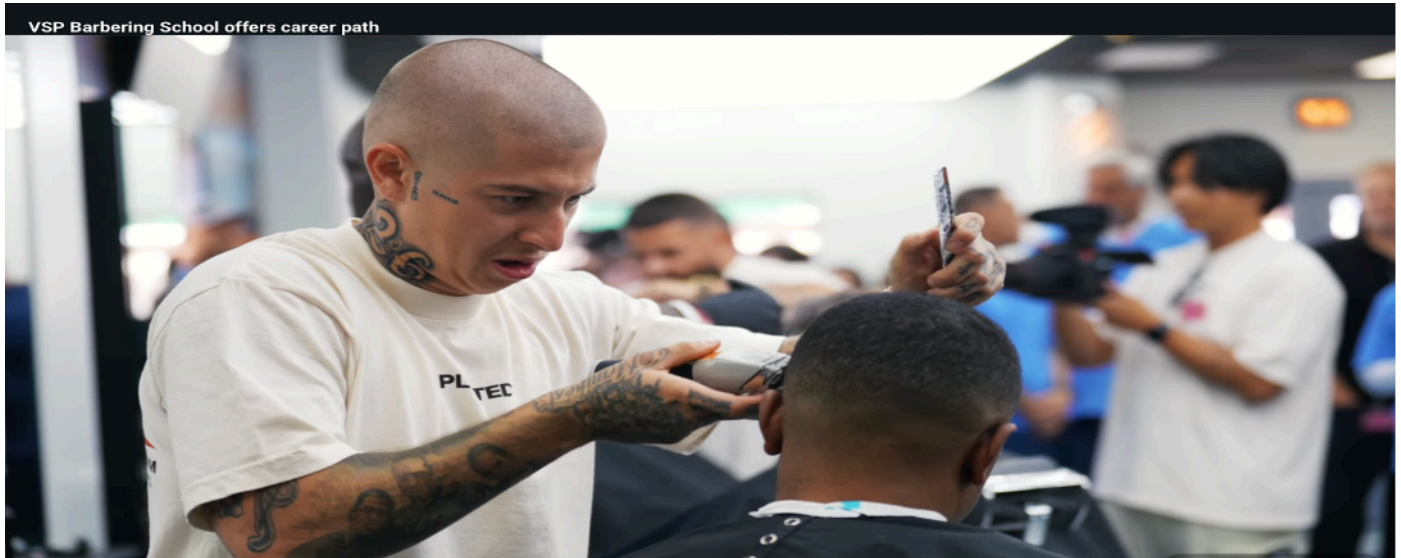


Figure 6.1: VSP Barbering School offers career path. YouTube still @ 2:23: CDCR (2025)

Contrary to popular belief and usually based on what you see on TV and in the movies, inmates in both prisons and jails are typically not warehoused into 6 x 6 cells for 24 hours a day, seven days a week. In most jail and prison systems, to include those in California, inmates are required to participate in work, education or some type of treatment or rehabilitative program while in custody. Despite this requirement, they also have significant amount of time for personal recreation, some of which is funded and coordinated by the Department of Corrections in an effort to lower tensions and foster a sense of community within the inmate population. Most institutional work programs are also paid positions, while education and treatment programs typically remain unpaid. These paid positions, administered in California under the **Inmate Work/Training Incentive Program (IW/TIP)** form the backbone of the work required to successfully run, maintain and repair institutional facilities. The IW/TIP is a work training program that gives eligible inmates the ability to earn credits that reduce the inmates stay in state prison. Credits must be earned by inmates through satisfactory performance in a credit qualifying work, education or training assignment. Eligibility to earn day-for-day credits shall be determined by the type of crime committed and the specific date on which the commitment offense occurred.³³ (M. Ybarra 2025)

While in prison, inmates are expected to work in areas such as industry, institutional maintenance, service tasks and agriculture. The most common work assignments contribute to facility support, such as food service, groundwork, building maintenance and office administration. This work is performed on a full- or part-time basis. However, exceptions include inmates who are medically unable to work, involved in full-time Educational or vocational training programs, or deemed a security risk.

The benefits of paid labor for inmates may include heightened incentives for good behavior, productivity and post-release skill development, in addition to improved emotional wellbeing. Prison institutions are benefited by minimized inmate idleness and potential for security issues, the completion of necessary maintenance tasks and reduced prison operating costs.

Labor obligations and wage rates vary across different countries. For instance, prison work assignments are prevalent in the United States, with over half of prisoners being assigned a work program.

The majority of inmates are paid a wage for working in maintenance, custodial or service jobs within the prison, usually below \$1.00 per hour. These tasks include cooking meals, maintaining the prison grounds, laundering inmate clothing, repairing boilers and conducting clerical work. On occasion, inmates are involved in laboring for public projects – for instance, assisting local communities to repair roads, clearing land and planting trees. These positions include work release programs, work camps and community work centers that provide services for public and non-profit agencies. On the condition that an inmate is physically and mentally capable, participation in these work programs is designed to benefit the community, the Department of Corrections and the inmates themselves. Inmates assigned to these positions often carry the lowest level custody designation for that Department of Corrections (DOC). In the state of California, those positions are referred to as an **off reservation work detail (ORWD)**.

Here in the United States, work assignments that support prison operations are managed by the DOC and remain the most common type of work assignment. This category of tasks is referred to as 'facility', 'prison' or '**institutional**' or 'support services' jobs. An inmate's knowledge, skills and their prisoner classification score are considered when making job assignments.

6.1: Industrial

6.2: Terms and Critical Thinking Questions

³³State of California, California Department of Corrections and Rehabilitation, Adult Institutions, 2023

6.1: Industrial

Inmates perform industrial work for prisons and private companies. This work involves providing services for sale to government agencies, state-owned or private sector businesses (e.g. data entry, automobile repair) and manufacturing products (e.g. automobile tags, furniture and mattresses).

In California, these positions are normally governed and overseen by the Prison Industry Authority (PIA) or by a private contractor company who leases space within institutional grounds to use inmate labor to manufacture a product. Goods and services are sold at prices designed to cover production costs and business or prison operations. Often called 'correctional industries', some businesses coordinate with correctional agencies to operate 'shops,' on which the generated revenues fund their operation.

Most US inmates are assigned to maintenance rather than industry work. A US nationwide 1991 American Correctional Association survey reported that only 8% of federal and state prisoners had research and industry type jobs. This distribution is a permanent feature of paid prison labor models – evidenced by a more recent 2017 figure indicating that agency-operated industries employ approximately 6% of prisoners.

Inmate Wages

Prisons generally incorporate a no-cash system of payment for **prison labor wages** meaning any amount of money an inmate possesses or earns is stored in a bank account managed by the correctional facility. The accumulated amount of money that a prisoner earns, brings into prison and is sent from family or friends may be used to make purchases (i.e. at the canteen). Any remaining credit is given to the prisoner upon release and used towards his or her court ordered restitution, fines, and/or fees. During their time in prison, inmates are entitled to monthly printouts of their electronic account balance. Electronic kiosks are emerging as a more efficient alternative to the traditional paper-based system. Predominantly in private prisons, automated kiosks allow inmates to check their account balance and place their canteen orders. Methods of wage payment vary across prisons. Payment may be based on an hourly rate, cover a time period (i.e. monthly) or be determined on piece work. Inmates may also earn extra for overtime, the longevity of their employment or receive payments through workers' compensation as a result of an accident while on the job.

In most cases, wage payments are made weekly based on an hourly rate. Attendance records are kept for all working prisoners. Within the wage levels attributed to each inmate's classification, workers generally begin on their determined minimum wage and proceed to the maximum level according to longevity or proficiency at work.

Prison labor wages are characteristically low. In the US, the average daily minimum wage for non-industry penal jobs was \$0.86 in 2017 compared to \$0.93 in 2001. The average daily maximum wage for industry-type work also declined from \$4.73 in 2001 to \$3.45 in 2017. Inmates working for state-owned businesses earned between \$0.33 and \$1.41 per hour in 2017 – about twice the amount paid to inmates who work regular prison jobs.

Inmate Spending

While incarcerated, inmates are provided free accommodation, basic toiletries, meals and required clothing. Inmates must purchase phone credits and other goods using the money earned and stored in their prison-managed bank accounts. Most commonly, spending is directed towards the canteen or prison shop. In public prisons, canteens provide products such as tobacco, hobby materials, stationery, non-prescribed medication, additional food and toiletries. Prisoners may also purchase clothing or religious/cultural items from exclusive catalogues. Prisons in the private sector generally rely on their own canteen system.

In some prison systems, the money that prisoners are allowed to spend is determined by their behavior. Inmates can lose their privilege of purchasing items from canteen as a result of negative behavior. Prisoners can purchase goods using canteen sheets that indicate the available products and attached pricing. The orders are filled and the money withdrawal requests are made by completing an 'Inmate Request' form, which allows inmates to spend money on television rentals, postage, magazine subscriptions, legal fees and charitable contributions. Inmates can purchase clothes and other items not included on the canteen sheet – for instance, DVDs and CDs from catalogues such as Wackenhut. Most prisons attach an administration fee to cover the associated processing and delivery costs of these external orders.³⁴

Inmate Education

Virtually all states in the nation have minimum requirements for education of the inmate population. However, there is no uniform minimum education requirement for inmate populations as of now. Education, or the lack thereof is one of the major roadblocks to successful re-entry into the community. California Penal Code section 2053.1 directs the Department of Corrections and Rehabilitation (CDCR) to implement literacy programs that are designed to ensure that upon parole, inmates are able to read at least at a 9th grade level. Upon reception, if the inmate is reading at or above ninth grade level, the CDCR shall provide educational programs to assist the inmate in obtaining a general education development certificate (GED), or its equivalent, or a high school diploma. This includes vocational education. Further, the department is directed to offer voluntary post-secondary education or the equivalent. (M. Ybarra 2025)

Inmates committed to the CDCR, during the reception process, they are seen by educational staff for an education assessment test. If the inmate can provide a certified copy of their high school transcripts which show they have graduated high school, post-secondary transcripts and/or a GED, they do not have to complete the test and are eligible for any education, vocational or work assignment consistent with their risk and needs score and institutional needs/security. If the inmate cannot provide any of the aforementioned documents, they are required to take the Test of Adult Basic Education (TABE) to assess their level of education. Reading scores above 6.0 allow inmates to choose between education, vocational or work assignments during their incarceration. Those inmates who score below 6.0, are placed into an educational program designed to increase their reading and math proficiency skills, and if necessary, provide a pathway to obtain a GED or high school diploma. (M. Ybarra, 2025)

Vocational Training

Vocational training, also known as career and technical education (CTE) is provided by most state prisons and some jails throughout the United States. In California, the CDCR invests millions of dollars into these programs in hopes of reducing recidivism. All vocational training programs are taught by journeyman instructors with some of the best equipment provided for the classroom by the CDCR in each respective field. CDCR has six major vocational program categories that encompass 28 specific vocational fields. Some of these include carpentry, electrician, masonry, plumbing, welding, roofing, HVAC, Office specialist, computer aided design/computer aided manufacturing, social network marketing, cosmetology and barbering, Computer coding, audio/video production, network management, sheet metal fabrication, automotive tech, auto-body collision repair and paint, small engine technician, and diesel/hydraulic systems technician. Given the costs and logistics, not all of these programs are available at every single institution. In some cases, inmates that qualify for these programs are transferred to the institutions that offer them. These programs generally range in length from 6 months to 18 months. If the inmate successfully navigates these programs, it can lead to an industry recognized certification for that career field and ultimately a higher likelihood of successful community reintegration upon release.³⁵ (M. Ybarra, 2025)

Physical Education and Recreation Programs

Having an image engaged in physical and recreational programs during their downtime is one of the most therapeutic activities available in any institution. These programs foster cooperation between the inmate population and staff as well as provide a constructive outlet for negative emotions the inmates may be experiencing as a result of their incarceration. Virtually every prison and jail in the United States offers some type of physical recreation program for the inmate population. Some of the activities and equipment offered may include but are not limited to weight piles, calisthenic stations, running tracks, basketball courts, baseball fields, handball/racquetball courts and in some cases even ping-pong tables and board and/or card games. Most institutions also have a day room in the living area/pods where the inmates congregate. The dayroom usually has one or more televisions with usually one movie channel, telephones and a few card tables for the inmates to entertain themselves on their off time and during day room hours.

Some institutions also have organized sports and activities. Sports like basketball and softball are overseen by correctional staff. Inmates also celebrate many of the same holidays that are celebrated within the community, however, on a limited basis. Institutional staff sometimes coordinate and provide food for barbecues for the inmate population that may include music and games. In order for inmates to be eligible to participate in these recreational programs, they required to be disciplinary free and proactively engaging in their assigned work, vocational or educational program.³⁶

Religious Programs

Prison religion includes the religious beliefs and practices of prison inmates, usually stemming from or including concepts surrounding their imprisonment and accompanying lifestyle. **Prison Ministry** is a larger concept, including the support of the spiritual and religious needs of prison guards and staff, whose work in an often demanding and brutal environment often creates a special need for pastoral care, similar to the care that is extended to the military, police officers and fire fighters.

Many religious groups often supply scripture and reading material, organize programs and worship, and train chaplains for work in prisons. Members of religious groups also engage in missionary activity, as there have been many instances of conversion throughout history. In the United States, early colonists originated the concept of the penitentiary as a place where inmates would demonstrate their penance and remorse for their crimes through prayer and reflection. A 2005 Journal for the Scientific Study of Religion study suggests that the practice of religion significantly reduces the chance of prisoners to engage in verbal or physical altercations, and increases the likelihood of reform after completing prison sentence time.

Prisoners may become involved with religion while incarcerated for a variety of reasons ranging from the materially pragmatic to the personal and spiritual. According to research conducted by sociologist Harry R. Dammer, some of the more prominent reasons include:

- Gaining direction and meaning in one's life.
- Improving one's concept of self.
- Promoting personal behavioral change.
- Gaining protection.
- Meeting other inmates.
- Meeting volunteers.
- Obtaining prison resources
- Simply wanting to get out of their cells.³⁷

The CDCR employs chaplains from five different faith groups which include Catholicism, Judaism, Islam, Protestant and the Native American Church. The chaplains are responsible for setting up and providing religious services and attending to the spiritual needs of all inmates. They are also responsible for processing donations, interviewing and providing spiritual guidance to inmates, coordinating volunteers, providing crisis counseling to the inmate population and death notifications in some instances. Inmates of the Islamic or Judaic faith may apply to participate in the alternative religious diet for Halal and Kosher respectively.³⁸

Inmate Visiting

Inmate visiting is one of the most controversial programs provided to inmates in correctional institutions throughout the United States. Some studies suggest that visits with family and friends who the inmate maintains a close personal relationship with are a major catalyst to reduced recidivism rates. Other suggest that visiting is the primary gateway for the introduction of contraband into the secure perimeter of an institution. wherever the truth lies, inmate visiting is likely here to stay in the United States for quite some time. (M. Ybarra, 2025).

An **inmate visitor** is a non-incarcerated person who is a friend, family member, relative or community member who visits an inmate to maintain or foster a relationship and monitor their welfare. There are three primary types of inmate visiting; General population, contact visiting or **in-person visiting**, security population or non-contact visiting and conjugal visits. In person visiting allows inmates in the general population to sit together with their visitor or visitors in a designated shared space, usually furnished with tables and chairs through the duration of the visit. In the CDCR, in person visits are limited to five visitors at a time and are not limited in duration except for normal visiting hours or terminations caused by overcrowding. **Non-contact visiting** allows for inmates to receive visits even though they have either not been classified or have reduced privileges a result of disciplinary issues. These inmates are required to have visits with a visitor in a booth with a glass partition that separates the inmate and his or her visitor. There is no direct contact between the visitor and the inmate. **Conjugal visits** also known as family visits allow for inmates to visit family members in private, in apartment -like facilities on prison grounds. These visits last approximately 30 to 40 hours, typically a weekend. Inmates that are eligible for conjugal visits usually have no exclusionary criminal history such as sex offenses or domestic violence or are on death row. The visitors must be immediate family members of the inmate.³⁹

Before friends, family or community members can visit an inmate in most institutions, they have to go through an approval process which typically includes a review of their **Criminal Identification and Investigation Report (CI&I)**, also known as a rap sheet.

The potential visitor usually receives an inmate visiting request form from the inmate through the mail which they fill out with their personal identifying information and send back to the institution visiting center. Sometimes this form is available on-line through the respective institutions website. This information on the form is inputted by correctional staff into the National Crime Information Center (NCIC) database and based off of that institutions visitor exclusionary rules, the visitor will either be approved or disapproved to visit the inmate. If the visitor is approved, they will be provided visiting rules, regulations and the procedures for visiting in that institution. Most institutions have dress codes that require modest dress by the visitors. The CDCR provides an private service vendor for each institution who collects donated clothes that visitors may use in the event the clothing they arrived with for the visit does not meet the visitor dress code. Further, visitors are usually prohibited from extended physical contact. A hug, handshake and/or kiss at the beginning of the visit and at the end are usually acceptable. Visitors may also be required to undergo search of their person in order to enter institutional grounds. Visitors who refuse to undergo the search maybe denied entry for the visit.⁴⁰ (M. Ybarra, 2025)

In-Custody Drug and Alcohol Treatment

Drug and alcohol treatment is a major component of the criminal justice system. The substantial prison population in the United States is strongly connected to drug-related offenses. While the exact rates of inmates with substance use disorders (SUDs) is difficult to measure, some research shows that an estimated 65% percent of the United States prison population has an active SUD.⁴¹

According to the Diagnostic and Statistical Manual of Mental Disorders (DSM-5), **substance use disorder** (SUD) is an illness caused by repeated misuse of substances such as alcohol, caffeine, cannabis, hallucinogens, inhalants, opioids, sedatives, hypnotics, anxiolytics, stimulants (amphetamines, cocaine, and other stimulants), and tobacco.

Another 20% percent did not meet the official criteria for an SUD, but were under the influence of drugs or alcohol at the time of their crime.

Decades of science shows that providing comprehensive substance use treatment to criminal offenders while incarcerated works, reducing both drug use and crime after an inmate returns to the community. Treatment while in jail or prison is critical to reducing overall crime and other drug-related societal burdens—such as lost job productivity, family disintegration and a continual return to jail or prison, known as recidivism. Inadequate treatment while incarcerated also contributes to overdoses and deaths when inmates leave the prison system.⁴²

Effective treatment of substance use disorders for incarcerated people requires a comprehensive approach including the following behavioral therapies, including:

- **cognitive-behavioral therapy**, which helps modify the offenders's drug-use expectations and behaviors, and helps the offender to effectively manage triggers and stress
- **contingency management therapy**, which provides motivational incentives in the forms of vouchers or cash rewards for positive behaviors
- Medications including methadone, buprenorphine, and naltrexone
- Wrap-around services after release from the criminal justice system, including employment and housing assistance
- Overdose education and distribution of the opioid reversal medication naloxone while in justice diversion treatment programs or upon release.⁴¹

The CDCR employs cognitive behavioral intervention (CBI) programs to provide their inmate population with substance use disorder (SUD) focused education and prevention resources to promote their recovery and teach healthy coping strategies aimed at managing addiction and addressing their criminogenic needs. Many of these programs are coordinated and administered within the institution but by private drug treatment community partners under contract with the CDCR. Many of these programs range in length from 6 months to 36 months. Further, these programs have an aftercare component, usually community inpatient, that transfers to parole upon the inmates release from prison.⁴³

³⁴Wikipedia, 2022

³⁵California Division of Rehabilitative Programs, n.d.

³⁶California Division of Rehabilitative Programs, 2025

³⁷Wikipedia, 2024

³⁸California Department of Corrections and Rehabilitation, Community Partners, n.d.

³⁹California Department of Corrections and Rehabilitation, Visiting Information, 2024

⁴⁰Federal Bureau of Prisons, n.d.

⁴¹National Institute on Drug Abuse, 2020

⁴²Christman, 2022

⁴³Inside CDCR, 2010

6.2: Terms and Critical Thinking Questions

Terms

- **IW/TIP** is a work training program that gives eligible inmates the ability to earn credits that reduce the inmates stay in state prison.
- **Off Reservation Work Detail** also known as ORWD are inmate work assignments that allow minimum security inmates to work outside the secure area of the institution.
- **Institutional Jobs** also known as support services jobs, prison jobs or facility jobs are work assignments that supports the prison operations, is managed by the DOC and remains the most common type of work assignment.
- **Industrial Work Assignments** involves providing services for sale to government agencies, state-owned or private sector businesses (e.g. data entry, automobile repair) and manufacturing products (e.g. automobile tags, furniture and mattresses).
- **Prison labor wages** current income by inmates of work assignments while incarcerated in jail and or prison. Income is dependent on work being done, inmate skill level and security required.
- **Canteen** also known as prison shop or commissary, is a service that provides products for sale to the inmate population such as tobacco, hobby materials, stationery, non-prescribed medication, additional food and toiletries. Inmates are usually limited to spending a maximum set amount on canteen items and are usually only allowed to make purchases on a prescribed schedule.
- **Test of Adult Basic Education (TABE)** is a test to assess an inmates level of education. It focuses testing in the areas of English, reading, writing and mathematics.
- **Vocational Training Programs** also known as Career Training Education (CTE) is education taught by journeyman instructors that focuses on a specific employable fields of study that usually offers an industry recognized certification upon successful completion of the program.
- **Prison religion** includes the religious beliefs and practices of prison inmates, usually stemming from or including concepts surrounding their imprisonment and accompanying lifestyle.
- **Prison Ministry** is a larger concept, including the support of the spiritual and religious needs of prison guards and staff, whose work in an often demanding and brutal environment often creates a special need for pastoral care.
- **Inmate visitor** is a non-incarcerated person who is a friend, family member, relative or community member who visits an inmate to maintain or foster a relationship and monitor their welfare.
- **In-person visiting** allows inmates in the general population to sit together with their visitor or visitors in a designated shared space, usually furnished with tables and chairs through the duration of the visit.
- **Non-contact visiting** allows for inmates to receive visits even though they have either not been classified or have reduced privileges a result of disciplinary issues.
- **Conjugal visits** also known as family visits allow for inmates to visit family members in private, in apartment -like facilities on prison grounds.
- **Criminal Identification and Investigation Report (CI&I)** is a repository of personal identifying and criminal information on an individual, usually obtained for legitimate law enforcement purposes.
- **Substance use disorder (SUD)** is an illness caused by repeated misuse of substances such as alcohol, caffeine, cannabis, hallucinogens, inhalants, opioids, sedatives, hypnotics, anxiolytics, stimulants (amphetamines, cocaine, and other stimulants), and tobacco.
- **Cognitive-behavioral therapy**, is therapy, usually administered by mental health, staff or counselors to modify the offenders's drug-use expectations and behaviors, and helps the offender to effectively manage triggers and stress.
- **Contingency management therapy** provides motivational incentives in the forms of vouchers or cash rewards for positive behaviors.

Critical Thinking Questions

- **CT Question:** One of the major drawbacks to prison programming is the environment of the prison itself. Studies suggest that the prison environment adversely affects every program in the prison setting. How do you propose to overcome the need for security and balance that with the goal of reducing recidivism and rehabilitating the offender?
- **CT Question:** The Comprehensive Crime Control Act of 1994 bans federal funding to prisons for post-secondary education. Do you believe this is a good policy given that studies show education reduces recidivism? In contrast should inmates be given something for free that a law abiding citizen has to pay for?
- **CT Question:** Many prison industry jobs offset prison expenses, thereby reducing the taxpayer burden. However, they also

reduce the amount of available jobs in the open market. Which system do you support, prison industry to reduce taxes or no prison industry to spur more job growth? Explain your position.

7: INMATE MEDICAL & MENTAL HEALTH

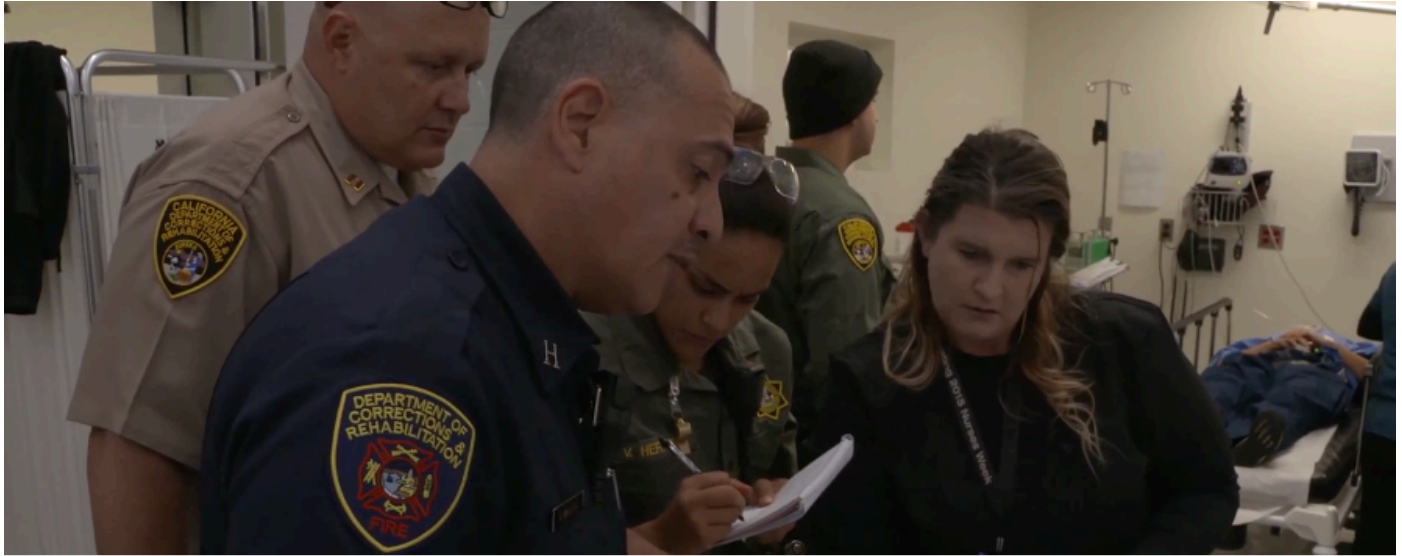


Figure 7.1: CDCR Emergency Medical Response (EMR) training program, Youtube still @1:10, <https://www.youtube.com/watch?v=JMAB1rVfqY0>

In the previous chapter, we discussed programs and services that are available to assist the inmate population in coping with their new in-custody environment as well as helping them prepare for life outside of confinement once they are released. In this chapter, we're going to be discussing inmate healthcare and mental health treatment and the steps that all corrections departments in both prisons and jails have taken to ensure the inmate population has access to these services while still maintaining institutional security and public safety. (M. Ybarra, 2025)

7.1: Inmate Healthcare

7.2: Inmate Mental Health Care

7.3: Terms and Critical Thinking Questions

7.1: Inmate Healthcare

Inmate healthcare has come a long way since the 1950's when the federal government Central intelligence agency conducted human experiments on prisoners who were administered hallucinogenic drugs for research purposes. Today, inmate healthcare meets the standard of care available in the community. **Prison healthcare** is the medical specialty in which healthcare providers care for people in prisons and jails. These are the doctors, nurses, medical specialists and medical support staff within the jail or prison. Prison healthcare is a relatively new specialty that developed alongside the adaption of prisons into modern disciplinary institutions. Prison populations are particularly vulnerable to infectious diseases such as hepatitis, tuberculosis, AIDS or HIV, and Covid-19 given that is significant portion of the inmate population engages in risky behavior. Incarcerated people also have higher rates of chronic medical conditions than the general population including arthritis, asthma, hypertension, cervical cancer, and mental health issues such as depression, mania, anxiety, substance use disorders and post-traumatic stress disorder.

Prison populations create specific medical needs, based on the communal nature of prison life and differing rates of imprisonment for different demographics. For example, general population aging has increased the number of elderly prisoners in need of geriatric, palliative and hospice healthcare. In addition, treatment for mental health, sexually transmitted infections like HIV, and substance abuse are all important elements of prison healthcare, as well as knowledge of public health methods. Screening for sexually transmitted infections (STI's) in prisons is prevalent and well-organized. In the United States, inmates infected with HIV have superior access to treatment and care than the general population. HIV infected prisoners typically see their condition improve while incarcerated and oftentimes reduce their HIV to the point that they have undetectable viral loads. Given that not only medical staff have contact with inmates that are infected with HIV, all institutional staff undergoes compulsory training for universal precautions.⁴⁴

Universal precautions refers to the practice of avoiding contact with patients' bodily fluids, by means of the wearing of nonporous articles such as medical gloves, goggles, and face shields. Under universal precautions guidelines, all patients were considered to be possible carriers of blood-borne pathogens.⁴⁵

Before the 1960s, prisons determined what healthcare they would provide with little state or federal oversight, due to the Hands-off Doctrine. The **Hands off Doctrine** held that the courts should not interfere in the treatment of prisoners in U.S. jails or prisons; previous to the 1941 Hull decision, state and federal prisoners were routinely denied access to the courts, where they might litigate the conditions of their confinement.⁴⁶

Psychological treatment often included moral-uplift bibliotherapy from prison libraries. Modern US prison healthcare arose after events like the Arkansas prison scandal of 1968 revealed the corruption of the Trusty system and unethical medical research conducted on prisoners. Spates of prison uprisings and campaigns for prisoners' rights pressured the US prison systems to change. In the 1970s, widespread intervention by federal courts improved conditions of confinement, including health care services and public health conditions, and stimulated investment in medical staff, equipment, and facilities to improve the quality of prison and jail medical services. Guidelines issued by the American Public Health Association and the creation of the National Commission on Correctional Health Care also improved prisoner healthcare.

With increased care came increased costs. Prisons and jails now uses more partnerships with universities and the private sector to provide healthcare to prison populations. Cutting costs from public health crises, like mental health, AIDS, tuberculosis, and other infectious diseases within American prisons is a primary motivation. These partnerships are supported for the improvements they make to public health and the training opportunities they provide for medical students, although specialized medical training in prison settings is rare.

The outsourcing of prison healthcare has led to controversies with companies like Corizon or Prison Health Services providing substandard or negligent care to prisoners.⁴⁴

Prison is often the first place that inmates are able to receive medical treatment that they didn't access within their communities. Inmates often receive more medical treatment in prison than they do in the outside world, largely because many ex-prisoners lose federal benefits such as Medicaid after incarceration. However, upon release, inmates do not continue to receive the treatment they need and oftentimes their condition reverts to pre-incarceration level severity, largely due to apathy and/or resuming an at risk lifestyle. Within the CDCR, the Division of Healthcare Services (DHCS) is responsible for the healthcare, dental care and mental health care for all in custody inmates.⁴⁴

Female Inmate Healthcare

Health care in American women's prisons often does not meet the needs of women prisoners, such as in the areas of pregnancy and prenatal care, female hygiene, gynecological services, and mental health, especially associated with past trauma or sexual abuse. Despite offering quality medical assistance to certain prisoners with specific illnesses, prison clinics do not meet the needs of all. As of 2005, about five to ten percent of incarcerated women were pregnant (most upon intake), and about 2,000 incarcerated women give birth every year.

Incarcerated women already tend to have more high-risk pregnancies, due to possible complications by drug and alcohol abuse and STIs, histories of victimization and abuse, and poor support networks, so they are particularly in need of quality prenatal care as compared to non-incarcerated women. In general, pregnant inmates are transported to outside medical facilities to give birth, because most correctional facilities are not medically equipped to provide such services.

Access to female menstrual products of incarcerated females has improved over the years. As of 2020, 13 states (AL, CA, CO, CT, FL, KY, LA, MD, NY, TN, TX, VA) and Washington, D.C. have enacted legislation requiring free access to such products. However, California has been providing free feminine hygiene products for over 30 years.

According to the U.S. Department of Justice Bureau of Justice Statistics, cancer is one of the leading causes of death for women (both inside and outside prison), and one-quarter of deaths of incarcerated women due to cancer are from breast, cervical, ovarian, and uterine cancer. In particular, women in prison are at a high risk for contracting cervical cancer due to their high rates of substance abuse, high risk lifestyle choices and diseases such as hepatitis C, HIV, and other STIs.⁴⁷

⁴⁴Wikipedia, 2021

⁴⁵Wikipedia, 2019

⁴⁶Holcomb, Michelle, and Kate McLean, 2024

⁴⁷Wikipedia, 2025

7.2: Inmate Mental Health Care

Mental illness is a health condition that negatively affects a person's cognition, behavior and/or emotional control. People with mental illnesses are over-represented in jail and prison populations in the United States relative to the general population. There are three times as many mentally ill people in jails and prisons than in hospitals in the United States. There are a number of reasons for this over-representation of mentally ill people in jails and prisons, including the deinstitutionalization of mentally ill individuals in the mid-twentieth century, inadequate community treatment resources, and the criminalization of mental illness itself. In a 2010 study, researchers concluded that, based on statistics from sources including the Bureau of Justice Statistics and the U.S. Department of Health and Human Services, there are currently three times more seriously mentally ill people in jails and prisons than in hospitals in the United States. **Serious mental illness** is defined here as schizophrenia, bipolar disorder, or major depression. In addition to mood and anxiety disorders, other psychopathologies have also been found in the US prison System. Antisocial personality disorder is found in less than 6% of the general United States general population, but seems to be found in anywhere between 12% and 64% of prison samples.

Significant differences between race and ethnicity were also observed. White prisoners and jail inmates were more likely to have serious psychological distress or a history of mental health problems than black or Hispanic inmates. For example, in local jails, 31% of white inmates had serious psychological distress compared to 22.3% of black inmates and 23.2% of Hispanic inmates. Finally, regarding age, there were virtually no statistical differences between age groups and the percentage of those with serious psychological distress or a history of a mental health problem. Researchers commonly cite **deinstitutionalization**, or the emptying of state mental hospitals in the mid-twentieth century, as a direct cause of the rise of mentally ill people in prisons. Using data collected by the Department of Health and Human Services, they determined there was one psychiatric bed for every 3,000 Americans, compared to one for every 300 Americans in 1955. In the book *Criminalizing the Seriously Mentally Ill: The Abuse of Jails as Mental Hospitals*, researchers note that while deinstitutionalization was carried out with good intentions, it was not accompanied by alternate avenues for mental health treatment for those with serious mental illnesses. According to the authors, Community Mental Health Centers focused their limited resources on individuals with less serious mental illnesses; federal training funds for mental health professionals resulted in lots more psychiatrists in wealthy areas but not in low-income areas; and a policy that made individuals eligible for federal programs and benefits only after they'd been discharged from state mental hospitals unintentionally incentivized discharging patients without follow-up.

Another issue with the high rates of mental illness within institutional settings is the result of the exacerbation of mental illness as a result of incarceration. Individuals with pre-existing mental health conditions can worsen, or new mental health problems may arise. A few reasons are listed below as to how prisons can worsen the mental health of the incarcerated:

- Separation from loved ones
- Lack of movement or isolation
- Overcrowded prisons
- Witnessing violence in the prison setting

In some cases, inmates feign psychiatric symptoms for secondary gain. This is referred to as **malingering**. For example, an inmate may hope to receive a transfer to a more desirable setting or to get prescribed psychotropic medication for personal use or to sell to other inmates.

Research shows that rates of **recidivism**, or re-entry into custody for parole revocations or a new criminal conviction, are not significantly higher for mentally ill offenders. A 2004 study found that although 77% of mentally ill offenders studied were arrested or charged with a new crime within the 27-55-month follow-up period, when compared with the general population.⁴⁸

The primary function of the CDCR's Statewide Mental Health Program (SMHP) is to ensure inmates have ready access to mental health services based on their need. Additionally, the SMHP works to ensure that the individual level of functioning of seriously mentally disordered inmates is optimized so their care may be maintained in the least restrictive environment. CDCR uses a program called the Mental Health Services Delivery System (MHSDS) to provide mental healthcare to the inmate population. Inmates are provided a mental health assessment at a reception center upon being received by the CDCR. If it is determined that the inmate requires mental health services, the level of services are determined based off of the assessment. The lowest level of in-custody mental health treatment is the **correctional clinical case management system (CCCMS)**. It is also the primary

level of outpatient clinical mental healthcare. The next level is the **enhanced outpatient program (EOP)** which provides a higher, more intensive level of outpatient clinical care than CCCMS. It is the highest level of outpatient mental healthcare within the MHSDS. The final level of care is the **mental health crisis bed (MHCB)** which is a short term inpatient program for inmates that are suffering acute symptoms mental illness.⁴⁹

California Court Cases for Healthcare

In 1996, a class-action lawsuit known as **Clark v. California** was filed in federal court contending that the state violated the Americans with Disabilities Act by discriminating against prison inmates with developmental disabilities and denying them adequate accommodations, protection, and services because of their developmental disabilities. The state agreed in 2001 to take a series of actions to settle the case including complying with a set of revised policies and procedures as set forth in a court-approved remedial plan.⁵⁰

Coleman v. Schwarzenegger, is a federal class action civil rights lawsuit under the Civil Rights Act of 1871, Eighth and Fourteenth Amendment to the United States Constitution, and the Rehabilitation Act of 1973 alleging unconstitutional mental health care by the CDCR. The case was consolidated with **Plata v. Schwarzenegger** and assigned to a three-judge court on July 26, 2007, to hear motions for relief pursuant to the Prison Litigation Reform Act. An order to reduce the prison population was entered on January 12, 2010, which California claims is unconstitutional in its appeal before the Supreme Court. California appealed the order to the Supreme Court on January 19, 2010, and certiorari was granted on June 14, 2010. It was argued on November 30, 2010. In a bare majority opinion by Justice Anthony Kennedy issued in 2011, the Court affirmed the order. in *Brown v. Plata*.^{51,52}

⁴⁸Wikipedia, 2019

⁴⁹California Department of Corrections and Rehabilitation, 2019

⁵⁰California Legal Analyst Office, 2012

⁵¹Wikipedia, 2025

⁵²Wikipedia, 2023

7.3: Terms and Critical Thinking Questions

Terms

- **Prison healthcare** is the medical specialty in which healthcare providers care for people in prisons and jails.
- **Universal precautions** refers to the practice of avoiding contact with patients' bodily fluids, by means of the wearing of nonporous articles such as medical gloves, goggles, and face shields.
- **Hands off Doctrine** held that prior to the Cooper v Pate decision in 1964, courts should not interfere in the treatment of prisoners in U.S. jails or prisons.
- **Mental illness** is a health condition that negatively affects a person's cognition, behavior and/or emotional control.
- **Serious mental illness** is defined here as schizophrenia, bipolar disorder, or major depression.
- **Deinstitutionalization** was the emptying of state mental hospitals in the mid-twentieth century, under the idea that individual communities were better equipped to handle their own mentally ill population.
- **Malingering** is when inmates feign psychiatric symptoms for secondary gain such as getting a housing unit change or obtaining psychotropic medication for personal use or sale to other inmates.
- **Recidivism** is the re-entry of an ex-inmate, parolee or probationer into custody as a result of revocations or a new criminal conviction.
- **Correctional Clinical Case Management System (CCCMS)** lowest level of in-custody outpatient mental health treatment that uses various treatment methodologies to assist inmates who suffer for mental illness.
- **Enhanced Outpatient Program (EOP)** provides a higher, more intensive level of outpatient clinical care than CCCMS and usually requires specialized housing and more comprehensive mental health treatment methodologies. EOP is the highest level of outpatient treatment within CDCR's Mental Health Services Delivery System.
- **Mental Health Crisis Bed (MHCB)** is a short term inpatient program within institutional grounds for inmates that are decompensating as a result of acute symptoms mental illness. MHCB is not a permanent placement/ designation, it requires clinical re-assessment on a prescribed basis.
- **Clark v. California** is a 1996, a class-action lawsuit filed in federal court contending that the state violated the Americans with Disabilities Act by discriminating against prison inmates with developmental disabilities and denying them adequate accommodations, protection, and services because of their developmental disabilities.
- **Coleman v. Schwarzenegger**, is a federal class action civil rights lawsuit under the Civil Rights Act of 1871, Eighth and Fourteenth Amendment to the United States Constitution, and the Rehabilitation Act of 1973 alleging unconstitutional mental health care was being provided by the CDCR.
- **Plata v. Schwarzenegger** is a SCOTUS court case that claimed the CDCR violated the eighth amendment of the United States Constitution as a result of an overcrowded inmate population which limited access to mental health and healthcare for prisoners.

Critical Thinking Questions

- According to California's Legislative Analyst Office, it currently costs taxpayers over \$41,000 per inmate per year for medical and mental health treatment within the CDCR. Should the CDCR be able to subsidize the cost associated with inmate healthcare via Medicare and other federal programs to alleviate the burden to California taxpayers? Support your answer.
- In March 2019, California ended the practice of charging inmates a five dollar co-pay to access medical or mental health treatment while in custody. Proponents of this claim that inmates who were indigent, were not able to access medical and mental health treatment. Opponents of this decision claim that the five dollar co-pay reduced the amount of malingering inmates seeking services and thus costs associated with providing unnecessary medical and mental health treatment. What is your position and why?
- In 2011, SCOTUS came to a 5–4 decision on the *Plata V Brown* court case. It was decided that the CDCR would be required to reduce the prison population in each institution to a maximum of 137.5% of design capacity to ensure adequate access to healthcare and mental healthcare within state prisons throughout California. Do you believe California should have released these individuals to the communities or built more facilities to accommodate the institutional population cap? Support your answer.

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8: CLASSIFICATION AND INSTITUTIONAL SECURITY



Figure 8.1: Fence line with guard towers at California State Prison, CDCR, Image gathered from CDCR recruitment video at 0:45, <https://youtu.be/o7ZnQQFK2-c?si=i1Lq5BqHS4ZJVXgW>

The primary responsibility of any corrections department is to maintain institutional security and public safety. To that end, knowing who is being housed at the institution, what their needs are while they are in custody and what risk they pose is of vital importance to the security and operation of the institution. When an inmate arrives at an institution, be it a jail or prison, one of the first things that happens is an assessment of that inmate. This typically occurs at a reception or intake yard of an institution. A reception yard is usually part of an institution, however there are some facilities that are standalone for reception only. The purpose of a **reception yard** hold unclassified inmates during the process of assessing the needs of the inmate and the risk of they pose while in custody as well as to gather behavioral, educational and past custodial data on the inmate to ensure a thorough classification process of that inmate. In the reception yard, the correctional staff assemble what is called an institutional file or **Central file** on the inmate. This file contains all of the sentencing documents, police and probation officer reports, past incarceration documents as well as educational, medical and mental health information on the inmate. Inmates who arrive at reception are usually placed at a higher custody level than general population inmates which limits their movement and privileges until they go through a classification process.

During the assessment, institutional staff are looking at what needs the inmate will have while in custody as well as what risks they pose to the public and to the institutional security while being held. This is not a static, one time review. This assessment is often referred to as a **Risks and Needs assessment** and the process for the risk and needs assessment is called classification. Within the CDCR the risks and needs assessment is referred to as the Institutional Staff Recommendation Summary (ISRS). **Classification** is a continual diagnostic and prescriptive process that involves the systematic study of an inmates case factors throughout their commitment to the department of corrections. (M. Ybarra 2025)

The CDCR has developed goals for the classification system they employ. They include placing the inmate in the lowest custody level consistent with their case factors, institutional security and public safety. Inmates institutional placement is based on their classification score which is calculated using objective information and criteria unless case factors and/or department requirements indicate otherwise. The application of the classification process is to be applied uniformly for all inmates in similar situations. The provision for a centralized control system over the classification process is to be enacted. And CDCR is to maintain an ongoing classification system information database for departmental research and evaluation.⁵³

The purpose of an reception center is to classify offenders coming from the various courts in the jurisdiction, post-felony conviction. The offender has an initial classification or in the case of CDCR, an initial endorsement (classification actions to include the inmates initial classification review come when the inmate is endorsed to a main line institution), where they are getting assigned to one of the jurisdiction's prisons or jails, based on a point system for that agency.

8.3: Terms and Critical Thinking Questions

⁵³CDCR, Law Enforcement Resources, 2023

⁵⁴Carter, David, and Kate McLean, 2019

⁵⁵California Department of Corrections and Rehabilitation, n.d.

8.1: Classification Score

Taking prior static and evolving case factors as well as conviction data, arrest history, previous incarceration behavior, as well as educational data and compiling that to make a determination on the security level and institutional programming for a specific inmate is quite a daunting task. However, most DOC's and jails have streamlined this responsibility and created a system that converts some of these data points into a numerical points system. This is where we get the classification score. A **classification score** is a numerical assessment of an inmates risk to institutional security calculated via a review of an inmates case factors to include age, conviction (with or without violence), prior incarcerations and gang involvement as well as other static and evolving case factors. Each year an annual review is performed by a Correctional Counselor to determine if an inmate meets the criteria to have their placement score reduced. An inmate has the opportunity to reduce their score if they have been programming and have not received any disciplinary actions. In contrast, an inmate's score and subsequent housing level can be increased due to receiving disciplinary actions.

In the CDCR, the classification score is the primary factor for determining institutional placement. The scores are as follows;

- (1) An inmate with a classification score of 0 through 18 shall be placed in a Level I facility.
- (2) An inmate with a classification score of 19 through 35 shall be placed in a Level II facility.
- (3) An inmate with a classification score of 36 through 59 shall be placed in a Level III facility.
- (4) An inmate with a classification score of 60 and above shall be placed in a Level IV facility.

Prison Security and Privilege Levels

In chapter 5 we touched briefly on the different types of prison. They were minimum level facilities, medium level facilities, maximum level facilities and super max level facilities. In the CDCR, these prison types are identified as institutional levels.

- **Level I** – Facilities and Camps with primarily open dormitories with a low security perimeter.
- **Level II** – Facilities consisting primarily of open dormitories with a secure perimeter, which may include armed coverage and/or an electrified fence.
- **Level III** – Facilities primarily that have a secure perimeter with armed coverage and housing units with cells adjacent to exterior walls.
- **Level IV** – Facilities that have a secure perimeter with internal and external armed coverage and housing units or cell block housing with cells non-adjacent to exterior walls.

There are other correctional facilities that do not have a assigned level, however these are for special housing situations and do not require a specific classification score for the inmate to be endorsed to these facilities. They include but are not limited to reception yards which were mentioned earlier in this chapter as well as security housing units, restricted housing units and mental health crisis beds.

Virtually every institution has at least some level 1 housing within the secure perimeter. This is to allow for work assignments that require inmates with a low risk rating to complete these assignments without having to be transported between institutions or facilities such as working outside the secure perimeter of the institution.

Within the CDCR, four **work & privilege groups** have been established which provide a graduated system of incentives to promote a desire to achieve positive outcomes under the Inmate Work and Training Incentive Program (IW/TIP). Criteria for assignment to a specific privilege group is as follows:

- **Group A** – full-time credit qualifying work/training program; diagnosed by a departmental physician or psychiatrist as totally disabled and incapable of performing a work/training assignment or partially disabled and assigned to a work/training program within the mental or physical capabilities of the partial disablement as determined by medical staff.
- **Group B** – assignment to a half-time work/training program or involuntarily unassigned.
- **Group C** – general population inmates who refuse to accept or perform in a work/training assignment.
- **Group D** – inmates in special housing units who are not assigned to either a full-time or half-time work/training program (ASU, SHU, PSU).

- **Group U** – reception center inmates under processing.^{54, 55}

Once the classification score has been determined, the inmates custody is also determined. An **inmate custody designation** is established to determine where the inmate is to be housed and where they are to be assigned. Further, it also encompasses the level of staff supervision that will be required to maintain institutional security and public safety. For the CDCR, there are six custody designations. Beginning from the highest level to the lowest level;

- **Maximum custody** - Housed in cells with limited movement, activities inside of housing unit.
- **Close Custody** - Housed in cells with a level II, III or IV facility, activities during daylight hours outside of housing unit or after dark (up to 1000 pm) within housing unit
- **Medium A Custody** - Housed in cells or dorms, activities inside the secure perimeter.
- **Medium B Custody** - Housed in cells or dorms, activities inside the secure perimeter or work outside secure perimeter during daylight hours only.
- **Minimum A Custody** - Housed in cells or dorms, activities inside or outside the secure perimeter.
- **Minimum B Custody** - Housing may be in cells or dorms, in a camp such as a fire camp or in a Minimum Support Facility (MSF). Work assignments and activities can be either on or off institutional grounds.⁵⁶

Reception

Reception centers/yards or intake yards are usually short-term housing, between 30 and 120 days for inmates committed to a department of corrections. During this time, they have their personal effects stored, and they receive their institutional clothing, a copy of the institutional rules (in the CDCR that is CCR Title 15), medical, mental health and dental examinations, educational testing and a meeting with their Correctional Counselor for endorsement to a general population institution. The reception process is used to determine the inmates security level which will dictate the institution they will be housed at. (M. Ybarra, 2025)

⁵⁴Carter, David, and Kate McLean, 2019

⁵⁵California Department of Corrections and Rehabilitation, n.d.

⁵⁶California Code of Regulations, Title 15, n.d.

8.2: Institutional Security

With the goal of placing all inmates in the lowest custody setting consistent with institutional security and public safety, federal, state and county governments have the responsibility to determine what security measures to employ given the inmate population for that institution. Ideally, classifying everybody as a minimum risk inmate would reduce costs associated with securing an institution, however that scenario would also lead to significant issues with inmate management, discipline and likely lead to potential escapes. So, the need for enhanced security measures for various DOC institutions and how to distribute those security measures becomes a major concern for prison and jail officials. How many and which measures are used depends on the security level and specific institution. Some of the structural security measures may include:

- One or more fences surrounding the facility usually with a space (no man land) in the middle.
- Barbed wire and/or razor wire topping the fences that surround the facility.
- Razor wire on the ground between fences, thereby making one's presence in this area dangerous and possibly deadly.
- Multiple locked doors between the "pods" (sections of cells) and the exit to include dual door entry/exit system referred to as a **Sallyport**.
- Cell windows made too narrow for a human body to fit through; iron bars are often connected to the window frame and extend through the cell block to prevent removal.

Some of the technological security measures employed at institutions may include:

- **Surveillance cameras** which allow correctional officers to monitor areas of the compound without being physically present.
- **Security lighting** which provides nighttime visibility of exterior areas, including entrances, facility yards, exercise yards, work and education areas and perimeter fencing.
- **Microwave or buried RF sensors** alert security if an inmate nears the fence or has entered a sterile area (no man's land, such as the space between a pair of parallel fences, in which inmates are not allowed).
- **Thermal cameras** detect heat signatures and can notify guards if an inmate (or other unauthorized person) is present in a restricted area or moving towards the fence.
- **Video analytics** that detect, track and classify people, objects, and vehicles near the perimeter.
- **Alarms**, buzzers, or sirens make correctional officers aware if any doors or gates are open, signifying a possible breach.
- **Personal Alarm Devices** are zone specific alarm systems worn by correctional staff that when activated, alert other staff in the area that an incident is occurring or has occurred.
- **Electrified fence** that carried a lethal electrical charge which usually is placed in a no man's land between the inner and outer perimeter fencing.
- **Perimeter intrusion detection systems** sound an alarm if fences are climbed or cut. Some systems also provide correctional officers with live audio feedback.

However, the primary security measure of any correctional facility, either a jail or prison is the correctional staff member. Some of the security measures they employ to maintain institutional security in public safety may include but are not limited to:

- **Security Rounds** are when correctional officers within the facility conduct security checks of designated areas within set intervals.
- **Full-time watch:** High-risk inmates are watched non-stop around the clock one-on-one. Usually reserved for inmates on suicide watch.
- **Perimeter towers:** Towers at corners of the institution or spaced evenly around the perimeter allowing correctional staff to observe designated areas at an elevated position and are often authorized to use deadly force via a firearm against fleeing inmates.
- **Perimeter patrol:** Also, known as roving patrol is usually an armed correctional officer in a vehicle which circles the institution outside the secure perimeter. This officer is usually the first response if an inmate breaches the secure perimeter of an institution.
- **Institutional counts**, also known as positive or negative counts are initiated at set times to ensure the number of inmates in the facility matches the number on record.
- **Pat searches**, also known as a pat down search is a cursory search of an inmates clothing and person done at random times and usually when inmates are moving from one location within the facility to another, I. E. From the facility yard to the main yard for recreation.
- **Unclothed body search** is a search of an inmate, their clothing and an inmates body cavities to ensure they are not secreting dangerous contraband inside the institution. It is a more thorough and complete search than a pat down search.⁵⁷

Restricted and/or Security Housing Units

In the United States penal system, upwards of 20 percent of state and federal prison inmates and 18 percent of local jail inmates are kept in solitary confinement or another form of restrictive housing at some point during their imprisonment. Solitary confinement (sometimes called protective custody, punitive segregation (PSEG) or room restriction) generally comes in one of two forms: "**disciplinary segregation**," in which inmates are temporarily placed in solitary confinement as punishment for rule-breaking; and "**administrative segregation**," in which prisoners deemed to be a risk to the safety of other inmates, prison staff, or to themselves are placed in solitary confinement for extended periods of time, often months or years. In the United States federal prison system, solitary confinement is known as the Special Housing Unit (SHU), pronounced like "shoe". California's prison system also uses the abbreviation SHU, but it stands for Security Housing Unit. The CDCR SHUs are designated for extended-term programming of inmates not suited for housing in the general population. They are specialized programming units with established placement criteria to include an assessed determinate or administrative SHU term. Placement into these units requires approval by a Classification Staff Representative (CSR) or by the Departmental Review Board (DRB) based on classification committee recommendations and referrals.^{58, 59}

Solitary confinement first arose in the United States in the 1700s among religious groups like the Quakers, who thought isolation with a Bible would lead to repentance and rehabilitation. The practice expanded significantly in the nineteenth century, when it was viewed as a humane alternative to prevailing methods of punishment like public floggings.

Prison officials argue that solitary confinement is a necessary method of separating violent prisoners from the general population, separating vulnerable inmates (such as juveniles) from other inmates, and punishing prisoners who attempt to cause riots or try to escape. Critics argue that it is a cruel form of punishment which has been demonstrated to have long-lasting negative psychological effects on inmates (with some critics further contending that long-term solitary confinement is a form of torture). Court cases arguing that solitary confinement violates the Eighth Amendment to the United States Constitution's ban on cruel and unusual punishment have had mixed success, with solitary confinement found to constitute cruel and unusual punishment when applied to mentally ill inmates but deemed permissible for sane adults.⁵⁹

Inmate Disciplinary and Appeal Process

In the 1974 landmark case *Wolff v. McDonnell*, the U.S. Supreme Court determined that due process was lacking in the Nebraska prison disciplinary system. The prisoner, Robert McDonnell, asserted that his loss of good time for a serious prison infraction violated his right to due process. The Supreme Court ruled that since his loss of good time affected his sentence length, his liberty was indeed at stake, and that he should have been afforded the following elements of due process:

- Written notification of the charges at least 24 hours before the hearing, describing specific conduct upon which charges are based.
- The right to call witnesses and present documentary evidence.
- An impartial tribunal for hearing.
- A finding of guilt must contain a summary of the evidence relied upon, a specific statement of the reasons for the finding of guilt" (McShane, 2008, p. 139).

The **inmate disciplinary processes** includes the formal or informal response of correctional officers and other staff to an inmates' misbehavior, the disciplinary hearings where guilt is determined, the sanctions are applied, and the appeals process information is provided. Taken together, these processes have enormous consequences both for individual prisoners and prison systems alike and can result in sanctions for the prisoners that range from the revocation of privileges (e.g., visits, use of the phone, loss of personal items) to extended periods in segregation along with the loss of good time credit. For prison systems, disciplinary processes are supposed to ensure the incapacitation of dangerous prisoners as well as both specific and general deterrence of future prison misconduct with the hope of preventing future staff and prisoner injury and death. There are steps to the disciplinary process;

- The generation of the initial incident or rule violation report.
- A timely supervisory review for accuracy and appropriateness of the report.
- Inmate notification usually in writing within a prescribed time of the incident.
- The disciplinary hearing where a plea is heard, statements are taken, witness are interviewed and a finding is made.
- The administrative review of the finding.
- The recording of the results of the hearing.

A common misconception regarding the inmate disciplinary process is once a determination is made regarding a rule violation, no mechanism to appeal or grieve the issue is available to the inmate. This is not correct. All federal, state and local lock up facilities maintain some type of appeal process for their inmate population. Inmates are free to appeal their living conditions while in custody, orders or directions they are given that they believe are contrary to department regulation or the law or decisions they believe violate their constitutional rights. Inmate appeal systems also serve as a mechanism to relieve tensions within an institution. When an inmate believes they've been disenfranchised or singled out as a result of a decision or action they feel adversely affects them, having them appeal that decision or action gives them time to think about the entire event and what remedy they are seeking. The appeal process can act as a de-escalation tool when dealing with agitated and/or volatile inmates. Within the CDCR, the tool used by inmate to appeal department decisions is the 602 inmate appeal form.⁶⁰

⁵⁷Wikipedia, 2019

⁵⁸Department of Corrections and Rehabilitation, n.d.

⁵⁹Wikipedia, 2019

⁶⁰Rocheleau, Ann Marie, 2014

8.3: Terms and Critical Thinking Questions

Terms

- **Reception yard** houses unclassified inmates during the process of assessing the needs of the inmate and the risk of they pose while in custody as well as to gather behavioral, educational and past custodial data on the inmate to ensure a thorough classification process of that inmate.
- **Central File** contains all of the sentencing documents, police and probation officer reports, past incarceration documents as well as educational, medical and mental health information on the inmate.
- **Risks and Needs Assessment** is a tool that helps correctional staff assess the needs the inmate will have while in custody as well as what risks they pose to the public and to the institutional security.
- **Classification** is a continual diagnostic and prescriptive process that involves the systematic study of an inmates case factors throughout their commitment to the department of corrections.
- **Abstract of Judgement** is the official record of the conviction and sentence of the court in California.
- **Unit Classification Committee** is held for initial and subsequent program assignments/changes/transfers and composed of three members, chaired by staff at the rank of Facility Captain or Correctional Captain.
- **Institutional Classification Committee** is the highest level committee within an California state institution which is comprised of a minimum of three members and is chaired at the level of Warden or Chief Deputy Warden.
- **Classification score** is a numerical assessment of an inmates risk to institutional security calculated via a review of an inmates case factors to include age, conviction (with or without violence), prior incarcerations and gang involvement as well as other static and evolving case factors.
- **Level I** – Facilities and Camps with primarily open dormitories with a low security perimeter.
- **Level II** – Facilities consisting primarily of open dormitories with a secure perimeter, which may include armed coverage and/or an electrified fence.
- **Level III** – Facilities primarily that have a secure perimeter with armed coverage and housing units with cells adjacent to exterior walls.
- **Level IV** – Facilities that have a secure perimeter with internal and external armed coverage and housing units or cell block housing with cells non-adjacent to exterior walls.
- **Work & Privilege groups** provide a graduated system of incentives to promote a desire to achieve positive outcomes under the Inmate Work and Training Incentive Program (IW/TIP).
- **Inmate custody designation** is established to determine where the inmate is to be housed, where they are to be assigned and the level of staff supervision that will be required to maintain institutional security and public safety.
- **Sallyport** is a dual door entry/exit system designed to control movement from one location to another.
- **Surveillance cameras** which allow correctional officers to monitor areas of the compound without being physically present.
- **Security lighting** which provides nighttime visibility of exterior areas, including entrances, facility yards, exercise yards, work and education areas and perimeter fencing.
- **Microwave or buried RF sensors** alert security if an inmate nears the fence or has entered a sterile area (no man's land, such as the space between a pair of parallel fences, in which inmates are not allowed).
- **Thermal cameras** detect heat signatures and can notify guards if an inmate (or other unauthorized person) is present in a restricted area or moving towards the fence.
- **Video analytics** that detect, track and classify people, objects, and vehicles near the perimeter.
- **Electrified fence** that carried a lethal electrical charge which usually is placed in a no man's land between the inner and outer perimeter fencing.
- **Perimeter intrusion detection systems** sound an alarm if fences are climbed or cut. Some systems also provide correctional officers with live audio feedback.
- **Rounds** are when correctional officers within the facility make conduct security checks of designated areas within set intervals.
- **Full-time watch:** High-risk inmates are watched non-stop around the clock one-on-one. usually reserved for inmates on suicide watch.
- **Perimeter towers:** Towers at corners of the institution or spaced evenly around the perimeter allowing correctional staff to observe designated areas and are often authorized to use deadly force via a firearm against fleeing inmates.
- **Perimeter patrol:** Also, known as roving patrol is usually an armed correctional officer in a vehicle which circles the institution outside the secure perimeter. This officer is usually the first response if an inmate breaches the secure perimeter of an institution.
- **Institutional counts**, also known as positive or negative counts are initiated at set times to ensure the number of inmates

in the facility matches the number on record.

- **Pat searches**, also known as a pat down search is a cursory search of an inmates clothing and person done at random times and usually when inmates are moving from one location within the facility to another.
- **Unclothed body search** is a search of an inmate, their clothing and an inmates body cavities to ensure they are not secreting dangerous contraband inside the institution. It is a more thorough and complete search than a pat down search.
- **Disciplinary segregation** is where inmates are temporarily placed in solitary confinement as punishment for violation of institutional rules or the law. In CDCR this is the administrative segregation or security housing unit.
- **Administrative segregation** is when inmates are deemed to be a risk to the safety of other inmates, prison staff, or to themselves are placed in confinement.
- **Inmate disciplinary processes** is the formal or informal response of correctional officers and other staff to inmates' misbehavior, the disciplinary hearings where guilt is determined, the sanctions that are applied, and where the appeals process information is provided to the inmate.

Critical Thinking Questions

- Review the following statement: Correctional Officers overlook inmate rule violations in some areas and as a result, gain inmate compliance elsewhere. Do you believe this is a valid process to gain inmate compliance? Explain your answer.
- You are a Correctional Counselor 1 (CC1) at a California state prison. You are bringing a new inmate on your caseload in for their initial classification review. You are required to review their Central File before making a recommendation to committee. The inmate has some college education in the field of computers. You believe they would be better served being placed in the computer programming class however the class is full and the facility needs porters/janitors to fill vacant jobs. What would you review in the inmates Central file to make your decision, what decision would you make and why?
- Given that the classification process for inmates is a continuous process where the inmate, through positive programming can reduce their custody level throughout their commitment, should inmates that are sentenced to life in prison without the possibility of parole (these inmates usually have a mandatory minimum score that prohibits housing in medium and minimum level facilities) be housed in a minimum security facility? Explain your answer.

9: THE CORRECTIONS OFFICER AND PERSONNEL ISSUES



Figure 9.1: Male and Female CDCR Officers, CDCR, Image gathered from CDCR recruitment video at 0:55, <https://youtu.be/o7ZnQQFK2-c?si=i1Lq5BqHS4ZJVXgW>

In chapter 8, it was mentioned that the primary security measure employed by any correctional facility is the Correctional Officer. And given that correctional officers are the linchpin to institutional safety and security, it stands to reason it is the most common career opportunity within corrections, although there are non-custodial staff and other administrative positions within the field as well. In many states, the **Correctional Officer** is a sworn law enforcement officer trained and certified by the state and tasked with the safety and security of the facility and inmates in their custody.⁶¹

Within the CDCR, the Correctional Officer is a Peace Officer Standards and Training (POST) certified peace officer under CA Penal Code 830.5. The **POST certificate** is awarded to law enforcement officers who successfully navigate POST testing and their respective academy having demonstrated their proficiency as peace officers. The California Commission on Peace Officer Standards and Training was established in 1959 and was tasked with developing a personnel selection process as well as compulsory training standards for all California peace officers. Many states also have their own POST certification processes. In California, all state correctional officers go through a POST certified basic academy. County and city correctional officers go through a California Board of State and Community Corrections (BSCC) approved academy and are certified under the Standards and Training for Corrections (STC) certificate issued by the BSCC. (M. Ybarra, 2025)

The primary responsibility of any correctional officer is public safety. However, the duties to that end are often limited to institutional grounds, state operated medical and mental health facilities, camps/ community correctional facilities and off reservation work details as most correctional officers are not 24/7 peace officers. Assignments within correctional institutions vary given institutional design, mission and security level. However, there are a few given assignments that are universal to virtually every jail or prison.

The first is a housing unit or **cellblock officer**. The cellblock officer is one of the most common positions in an institution and the officer assigned to this position will have continual inmate contact throughout their shift. Some of the responsibilities include insuring that all your inmates are getting to the locations they are supposed to be at such as the dining facility, work/ education assignments and medical/mental health appointment. Further you will be responsible to supervise inmate porters within your housing unit keeping the common areas such as the day room, game rooms and laundry rooms clean. You will also be responsible for institutional counts, monitoring inmate movement within the housing unit, conducting cell searches and addressing inmate misconduct. **Cell searches** involve correctional officers actively searching an inmates cell and/or bunk area for contraband such as phones, tattoo equipment or “Pruno”, weapons or drugs. **Pruno** is the slang term for an inmate manufactured alcoholic beverage made with fruit like apples or oranges, usually taken from the dining facility and bread which is fermented for approximately one to two weeks and then consumed.

The next position is the culinary officer. The **Culinary officer** is responsible for maintaining the safety and security of the dining facility while inmates are being fed and food is being prepared. The culinary is arguably one of the most dangerous locations in an institution. This is because inmates are issued cooking utensils such as knives, meat forks, and pans which can easily be used as a makeshift weapon. One of the mechanisms used to maintain a chain of custody for all equipment issued to inmates is a Chit system. A **chit** is a small piece of either plastic or brass, about 1 inch in diameter with the inmates prison ID number or officers name. When an inmate or officer needs a piece of equipment, they hand their chit to the officer who then gives that piece of equipment out and hangs the chit where that piece of equipment was retrieved. Often time, shadow boards are used in concert with a Chit system to maintain custody of tools issued to inmates. A **Shadow Board** is usually a hanging pegboard where tools are stored. In the location where a specific tool is hung, a shadow or outline of the tool is painted on the pegboard. This gives a quick visual of tools that have not been accounted for.

Another position is the **vocational/educational/work change officer**. These positions maintain security while education and vocational staff are providing services to the inmate population. The work change officer is responsible for processing inmates from their respective facility yards/housing units to the vocational/educational area of the institution. These officers check inmates for contraband via pat down searches or if necessary strip searches while going through the work change sallyport.

Administrative assignments include officer positions in the administration building and other assignments/positions outside the secure perimeter of the institution. These include but are not limited to the entrance building, guard shack, visiting, mail processing, warehousing, and ORWD detail. Officers assigned to this position have limited inmate contact however may have contact with the correctional administrative staff, the public and outside law enforcement personnel. So professionalism, presentation and decorum are a prerequisite for officers assigned to these positions.

Yard officers are responsible for monitoring facility and main yards throughout the institution. Yard officers may be assigned an inmate yard work crew who is responsible for cleaning and maintenance of their assigned yard. **Search & escort officers** are responsible for conducting searches, escorting inmates, delivering and retrieving documents throughout the institution and gathering counsel slips from facility housing units. They are also the primary response in the event of an incident on a facility or main yard and they are the secondary response to incidents within a housing unit. Officers assigned to these positions need to be in good physical conditions to be able to respond to security incident and still be effective in establishing order and taking custody of inmates involved in the incident.

Armed Officers which may include tower officers, roving patrol officers, security housing unit control booth officers, and catwalk officers. Each of these positions is an armed position with no direct inmate contact. Armed positions are one of the most difficult positions within an institution. In a moment's notice you could be called to make a decision to use lethal force based off very limited data. Further, given that there is no inmate contact or very little, if any staff contact, this is one of the few positions that has a component of boredom. This boredom can lead to complacency and inattention which can lead to dereliction of duty, which can cost an officer his or her job.

Central control and watch officers are responsible for the institutional counts, main yard and perimeter security, coordinating inmate movement throughout the institution, arranging for inter-facility and off site medical transports, and the production of the daily movement sheet (DMS), which is a printed document that outlines all inmate movement scheduled for the day. Officers assigned to these positions, have to be skilled in basic math and be able to work under pressure as these positions must produce time sensitive results such as the institutional count to upper management.

The last category is the relief officer. Some of the positions of the relief officer may include a vacation relief officer, a sick relief officer and holiday relief officer. **Relief officer** positions cover vacancies as a result of officers using either vacation, sick or holiday time. Officers assigned to these positions need to have an ability to adapt quickly to any position or environment within the institution and sometimes outside of it. Typically, sick relief and holiday relief officers wind up changing their assignments almost daily. Vacation relief officers usually stay in their position for a minimum of a week but sometimes up to four or more weeks, depending on how much vacation time the officer they are covering has taken. If you become a correctional officer sometime in the future, it is recommended that you attempt to get a relief officer position early in your career. This will allow you to get the most experience in institutional operations in the shortest amount of time. (M Ybarra, 2025)

9.1: Correctional Officer Stress

9.2: Terms and Critical Thinking Questions

⁶¹Supplee, Roxie, 2019

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9.1: Correctional Officer Stress

Being a correctional officer is a challenging and dangerous job. These professionals face a variety of risks, including assaults, violence and ridicule from inmates in custody. The mental strain of working in a high-stress environment ultimately takes its toll. According to the Bureau of Labor Statistics, the fatality rate for correctional officers is higher than the national average, with an average of 15.7 deaths per 100,000 full-time equivalent workers in 2019. This reflects the dangers inherent in working in close quarters with inmates who may be violent and/or unpredictable.

In addition to the physical dangers, correctional officers also face mental health challenges. The people who work inside prisons are largely responsible for the environment that is created behind the walls. Although corrections staff may not dictate standards and policies, they must interpret them and put them into practice. Corrections officers, who work inside these facilities for 40 or more hours per week over the course of 20 or more years, are also subject to the restrictive nature of prison rules and regulations and the negative effects that has on mental health. Researchers have only recently begun to examine the psychosocial effects of working in prison on corrections officers, but early studies show that officers suffer from post-traumatic stress disorder (PTSD) and die by suicide at rates much higher than law enforcement staff in other agencies and those in the military.

The nature of the work, including long hours, exposure to trauma, and the need to maintain constant vigilance, can lead to high levels of stress, anxiety, and depression. Correctional officers may also struggle with burnout, as the demands of the job can be emotionally draining. **Burnout** is a condition caused by mental and/or physical exhaustion that leads to poor performance. A component of burnout within an institution is when correctional officer knows what the rule or policy is however doesn't care to enforce or uphold it even if it leads to a violation of the rights of the inmate or injury/death. This is known as **deliberate indifference**. These factors can take a toll on the mental health of correctional officers, leading to increased rates of depression, PTSD, and suicide. Overall, being a correctional officer is a demanding and potentially dangerous job that requires a high level of skill, effective communication skills, resilience, and dedication. "It's not a job that most people consider," says Chris Gautz, spokesman for the Michigan Department of Corrections. "Growing up, people play cops and robbers, not convicts and corrections officers. You don't grow up thinking, 'I want to be a corrections officer,'" (Vera Institute of Justice, 2018).⁶¹

One of the other issues that correctional officers have to deal with is complacency while on the job. In any other non-peace officer position, complacency is not much of an issue however, when working with an inmate population who is watching your every move from the time you walk through the entrance gate to the time you exit, complacency can have dire effects on the safety and security of the institution. One of the major issues that arises from complacency is the breakdown of the officer-inmate relationship. The officer-inmate relationship is based off of mutual necessity however their roles in that relationship are completely different. Professional decorum, empathy and adherence to departmental rules and policy is the cornerstone of correctional officer interaction with the inmate. However, the inmate does not have the same goals or responsibility. Often time, their goal is personal advantage. And they accomplish this when professional distance between the inmate and the correctional officer breaks down. **Professional distance** is the relationship between correctional staff and inmates that follows departmental policy and avoids personal communication between both parties. These break downs are referred to as boundary violations. A **boundary violation** is behavior between a correctional officer or other correctional staff member and an inmate where professional distance has broken down which leads the staff member violate departmental policy and/or the law. These boundary violations usually start off as small overlooked rule violations by the inmate however later progress to larger ones. The majority of these boundary violations result in personal and even sexual relationships between inmates and staff members that often times lead to termination of that staff member and possibly a criminal referral.⁶¹ (M. Ybarra 2025)

Women Officers in Corrections

Following the passage of the Civil Rights Act of 1964 as well as SCOTUS and other federal court decisions, women in the field of law enforcement and specifically corrections has increased significantly. Approximately 12% of sworn peace officers in the United States is made up of women. Within the CDCR, the state average is 17% female officers which includes correctional officers, correctional counselors and parole agents of various ranks. Diversifying correctional officer ranks by hiring females as peace officers has shown to yield a better working environment for both staff and inmates alike. In many situations, female officers tend to rely on de-escalation techniques more frequently and with better outcomes than their male correctional officer counterparts. (M. Ybarra, 2025)

Use of Force

Every correctional institution has a use of force policy that is vetted by review of case law and the penal code. Further, every correctional department establishes policies and procedures to accomplish departmental functions with a minimal reliance on the use of force. **Use of Force policy** is a departmental policy that outlines what is reasonable force to use by a correctional employee. In use of force policy, the term **Reasonable Force** is force that objective, trained incompetent correctional employee faced with a similar set of facts and circumstances would consider necessary and reasonable.

When using force, there are two types that are outside of all use of force policies. They are **unnecessary force** which is the use of force when none is required or appropriate. And, **excessive force** which is the use of more force that is objectively reasonable to accomplish a lawful purpose. An example of unnecessary force would be giving an inmate a direct order to put their hands behind their back to which they comply, however you still shove them against a wall causing injury. An example of excessive force would be employing an expandable baton by striking an inmate multiple times after they are complying with an order.⁶¹

Most use of force policies also include circumstances or instances when force can be used. Some of these include;

- Subdue an attacker/self-defense/defense of another
- Overcome resistance
- Effect arrest and/or custody
- Prevent an escape
- Gain compliance with a lawful order.

There are different types of force options that can be employed by correctional officers in the performance of their duties. Some of these include;

- Physical force
- Chemical agents such as Oleoresin capicum (OC) spray, 2-chlorobenzylidene malononitrile (CS gas) or 2-chloroacetophenone (CN Gas)
- PR-24 or expandable batons
- Projectile and/or contact taser
- Less lethal projectiles such as the 37 or 40 mm launcher for gas grenades or wood/rubber block grenades
- Firearms

Less lethal weapons are any weapons that are not likely to cause death when they are deployed in accordance with departmental policy. **Lethal weapons** are any weapons that when deployed are likely to result in death. A firearm falls into this category.⁶²

Correctional Officer Ethics

Ethics can be defined as a system of intrinsic or innate values that distinguish rules for behavior based on a societies' ideas of what is good and bad. Generally, ethics are universally held values that transcend race, creed or culture. Many ethical rules are codified not only in law but in religious text as well. In California, penal code 187 defines what murder is and the punishment for committing that act. However, the King James Bible also codifies rules against the act of murder.

Criminal justice ethics (also police ethics) is the academic study of ethics as it is applied in the area of law enforcement. Usually, a course in ethics is required of candidates being hiring as law enforcement officials. These courses focus on subject matter which is primarily guided by the needs of social institutions and societal values. Law enforcement agencies operate according to established police practices and ethical guidelines consistent with community standards in order to maintain public trust while performing their duties. Holding a position of authority while also having the means to use force legitimately requires all law enforcement professionals to adhere to the strictest ethical standards to avoid controversial or corrupt abuses of power. Ethics

remain constant while definitions of right and wrong, also known as **morals** may change over time, yet what may be considered ethically right or wrong can be different than what is legally considered right and wrong.⁶³

Despite the inherent dangers and challenges they face, these professionals play a crucial role in upholding the rule of law and ensuring the well-being of public. The dedication and resilience demonstrated by correctional officers are essential for the functioning of the criminal justice system, making it a crucial and necessary career choice.⁶¹

⁶¹Supplee, Roxie, 2019

⁶²Department of Corrections and Rehabilitation, 2022

⁶³Wikipedia, 2019

9.2: Terms and Critical Thinking Questions

Terms

- **Correctional Officer** is a sworn law enforcement officer trained and certified by the state and tasked with the safety and security of the facility and inmates in their custody.
- **POST certificate** is awarded to law enforcement officers who successfully navigate POST testing and their respective academy having demonstrated their proficiency as peace officers.
- **Cellblock officer** is one of the most common positions in an institution. This officer is assigned to a cell block or housing unit to monitor and supervise inmates in their daily living area. Officers assigned to this position will have continual inmate contact throughout their shift.
- **Cell searches** involve correctional officers actively searching an inmates cell and/or bunk area for contraband such as phones, tattoo equipment or “Pruno”, weapons or drugs.
- **Pruno** is the slang term for an inmate manufactured alcoholic beverage made with fruit like apples or oranges, usually taken from the dining facility and bread which is fermented for approximately one to two weeks and then consumed.
- **Culinary officer** is responsible for maintaining the safety and security of the dining facility while inmates are being fed and food is being prepared.
- **Chit** is a small piece of either plastic or brass, about 1 inch in diameter with the inmates prison ID number or officers name. It is used as a marker to check out equipment for use during an inmates or staff's work hours.
- **Shadow Board** is a hanging pegboard where tools are stored. In the space where a specific tool is hung, a shadow or outline of the tool is painted on the pegboard for a quick visual accounting of missing/in-use tools.
- **Vocational/educational officers** maintain security in the education and vocational areas while education and vocational staff are providing services to the inmate population.
- **Work change officer** is responsible for processing inmates from their respective facility yards/housing units to the vocational/educational area of the institution.
- **Administrative assignments** include officer positions in the administration building and other assignments/positions outside the secure perimeter of the institution.
- **Yard officers** are responsible for monitoring facility and main yards throughout the institution.
- **Search & escort officers** are responsible for conducting searches, escorting inmates, delivering and retrieving documents throughout the institution and gathering counsel slips from facility housing units.
- **Armed Officers** which may include tower officers, roving patrol officers, security housing unit control booth officers, and catwalk officers. Each of these positions is an armed position with no direct inmate contact.
- **Central control and watch officers** are responsible for the institutional counts, main yard and perimeter security, coordinating inmate movement throughout the institution, arranging for inter-facility and off site medical transports, and the production of the daily movement sheet (DMS).
- **Daily movement sheet (DMS)** is a printed document that outlines all inmate movement such as appointments and releases scheduled for the day.
- **Relief officer** positions cover vacancies as a result of officers using either vacation, sick or holiday time.
- **Burnout** is a condition caused by mental and/or physical exhaustion that leads to poor performance.
- **Deliberate indifference** is when correctional officers knowingly disregard critical information that may lead to a violation of an inmates constitutional rights.
- **Professional distance** is the relationship between correctional staff and inmates that follows departmental policy and avoids personal communication between both parties.
- **Boundary violation** is behavior between a correctional officer or other correctional staff member and an inmate where professional distance has broken down which leads to the staff member violating departmental policy and/or the law.
- **Use of Force policy** is a departmental policy that outlines what is reasonable force and when it is to use by a correctional employee in the performance of their duty.
- **Reasonable Force** is force that objective, trained incompetent correctional employee faced with a similar set of facts and circumstances would consider necessary and reasonable.
- **Unnecessary force** is the use of force when none is required or appropriate.
- **Excessive force** is the use of more force that is objectively reasonable to accomplish a lawful purpose.
- **Less lethal weapons** are any weapons that are not likely to cause death when they are deployed in accordance with departmental policy.
- **Lethal weapons** are any weapons that when deployed are likely to result in death. A firearm falls into this category.
- **Ethics** is defined as a system of intrinsic or innate values that distinguish rules for behavior based on an societies ideas of

what is good and bad.

- **Criminal justice ethics** (also police ethics) is the academic study of ethics as it is applied in the area of law enforcement.
- **Morals are** values that are based on what society believes is right and wrong that may change over time given an evolving societal view.

Critical Thinking Questions

- You are a correctional officer assigned to a medium security housing unit. There are two other officers assigned to the same unit. It is time for the facility unlock so one officer remains in the control booth and two officers go down the housing unit at wings to key open cell doors. There are a total of four wings. Each officer is assigned one radio, one personal alarm device, one can of OC spray (MK3), set a handcuffs and PPE gloves/mask. In the process of completing the unlock, you observe two inmates involved in a mutual combat inside their cell. Both inmates fail to follow your instructions to stop fighting. Other inmates down the wing are yelling to get out of their cells because it time for an unlock. What would you do and why?
- You are correctional officer working as a watch S&E officer during first watch (2200 hours to 0600 hours) along with two other officers. One of the other officers, who is your close friend, maintains a small work crew. As you return from collecting count slips, you see your partner sitting at her chair while one of her inmate workers is standing behind her, massaging her shoulders. Explain what you would do and why.
- Where do you stand regarding someone who steals from another to feed themselves or their family? Do you believe the end justifies the means or should people be held accountable regardless of their personal situation? Explain your answer.

10: JUVENILES AND FEMALE INMATES IN CORRECTIONS



Figure 10.1: Juvenile inmates, stock photo - <https://creativecommons.org/licenses/by-sa/4.0/>

Juvenile justice is substantially different than adult criminal justice and corrections and yet, it is based on many of the same principles. The one core principal that differentiates juvenile justice, in this case juvenile corrections from adult corrections is a concept of *Parens Patriae*. *Parens Patriae* is a Latin phrase for parent of the country or homeland. However, under the **Parens Patriae doctrine** which refers to the power of the state working through the court system to act as a parent and/or to have a custodial responsibility over juveniles who are either homeless or involved in the criminal justice system. In the eyes of the juvenile justice system, children are redeemable. Meaning, given they do not have the wisdom to know or understand the impacts of some of their decisions, the government, in this case the criminal justice system, shows leniency in the same way parent or guardian would. The goal is to teach them when they are young so they have a chance to grow up as law abiding adults. The juvenile justice system focuses on a rehabilitative model throughout the criminal justice process as it relates to protection of juveniles. You can imagine the conundrum this balancing act of retribution versus rehabilitation has on a judge who has to balance the welfare of the child against the corrective punishment that they're going to impose on that same child.

As noted above, juvenile justice is very much the same as the adult justice system. In fact, many of the mechanisms that are used in the adult criminal justice system are also use in the juvenile justice system, albeit with different titles and slightly different processes. Case in point, adult criminality is synonymous with juvenile delinquency. **Juvenile delinquency** is unlawful or immoral behavior committed by persons under the age of 18. Juvenile delinquency isn't always the same as adult criminality however. There are times where the age of a person will dictate whether or not the act is illegal, such as being out past curfew or drinking in public. These types of crimes are relegated to juveniles and identified as status offenses. A **status offense** is an act committed by juveniles that is treated as a criminal offense even though, as an adult, the crime would have no criminal weight. An example of this would be truancy and underage smoking. (M. Ybarra, 2025)

10.1: Juvenile Justice in America

10.2: Females in Corrections

10.3: Terms and Critical Thinking Questions

10.1: Juvenile Justice in America

The American juvenile justice system is the primary system used to handle minors who are convicted of criminal offenses. The system is composed of a federal and many separate state, territorial, and local jurisdictions, with states and the federal government sharing sovereign police power under the common authority of the United States Constitution. The juvenile justice system intervenes in delinquent (criminal) behavior through police, court, and correctional involvement, with the goal of rehabilitation through retribution. Youth and their guardians can face a variety of consequences including probation, community service, youth court, youth incarceration and alternative schooling. The juvenile justice system, similar to the adult system, operates from a belief that intervening early in delinquent behavior will deter adolescents from engaging in criminal behavior as adults.⁶⁴

History of Juvenile Justice

Juvenile delinquency punishments trace back to the Middle Ages when crimes were severely punished by the Church. Throughout the 17th and 18th centuries, few legal differences existed between children and adults. Children as young as six and seven years were considered productive members of the family and their labor contributed to family income. In court, children as young as seven were treated as adults and could receive the death penalty. Early debates questioned whether there should be a separate legal system for punishing juveniles, or if juveniles should be sentenced in the same manner as adults.

The early 19th century saw the opening of the first programs targeting juvenile delinquency. Barry Krisberg and James F. Austin note that the first ever institution dedicated to juvenile delinquency was the New York House of Refuge in 1825. Other programs, described by Finley, included: "houses of refuge", which emphasized moral rehabilitation; "reform schools", which had widespread reputations for mistreatment of the children living there; and "child saving organizations", social charity agencies dedicated to reforming poor and delinquent children. These 'child-saving efforts' were early attempts at differentiating between delinquents and abandoned youth.

Prior to this ideological shift, the application of *parens patriae* was restricted to protecting the interests of children, deciding guardianship and commitment of the mentally ill. In the 1839 Pennsylvania landmark case, *Ex parte Crouse*, the court allowed use of *parens patriae* to detain young people for non-criminal acts in the name of rehabilitation. Since these decisions were carried out "in the best interest of the child," the due process protections afforded adult criminals were not extended to juveniles. **Due process** is a prescriptive process of the criminal justice system where the legal requirement of the state to ensure the constitutional protections of the individual are followed during the criminal justice process from arrest through punishment.⁶⁴

One of the issues of the juvenile justice system as it relates to due process is that at times, it is in conflict with the principle of *parens patriae*. This is because *parens patriae* prioritizes the safety and well-being of juveniles while due process is designed to ensure constitutionally protected rights and fairness during the criminal justice process are afforded to the accused and/or convicted person. As an example, an accused adult has a right to a jury trial of their peers as well as a right to a public trial and the right of bail. Juveniles are not afforded these rights because they are indirect conflict with the idea of the protection of the child. (M. Ybarra, 2025)

The debate about morality and effectiveness surrounded juvenile justice until the 1950s. The 1960s through the 1980s saw a rise in attention to and speculation about juvenile delinquency, as well as concern about the court system as a social issue. This era was characterized by distinctly harsh punishments for youths. There was also a new focus on providing minors with due process and legal counsel in court. While still recommending harsher punishments for serious crimes, "community-based programs, diversion, and deinstitutionalization became the banners of juvenile justice policy in the 1970's. In the 1990s, juvenile crime – especially violent crime – decreased, although policies remained the same. Schools and politicians adopted zero-tolerance policies with regard to crime and argued that rehabilitative approaches were less effective than strict punishment.

In the 1990s, juvenile crime – especially violent crime – decreased, although policies remained the same. Schools and politicians adopted zero-tolerance policies with regard to crime and argued that rehabilitative approaches were less effective than strict punishment. A **Zero Tolerance Policy** is a criminal justice practice that focuses on retribution by sentencing juveniles to harsh punishments for criminal and status offense behavior with the intention of enhancing public safety. Trying juveniles as adults became a defining feature of "tough-on-crime" policies in the 1990s. As Loyola law professor Sacha Coupet argues, "[o]ne way in which 'get tough' advocates have supported a merger between the adult criminal and juvenile systems is by expanding the scope of transfer provisions or waivers that bring children under the jurisdiction of the adult criminal system". Some states moved

specific classes of crimes from the juvenile court to adult criminal court while others gave this power to judges or prosecutors on a case-by-case basis. Still, others require the courts to treat offending youth like adults but within the juvenile system. In some states, adjudicated offenders face mandatory sentences. **Adjudication** is synonymous with a trial or a hearing in that it is the process where juvenile cases are heard by a judge and the determination is made whether or not the juvenile committed the offense he or she was charged with.

Juvenile Facilities and Programs

In criminal justice systems, a **youth detention center**, known as a juvenile detention center (JDC), juvenile detention, juvenile jail, juvenile hall, observation home or remand home is a prison for people under the age of majority, to which they have been sentenced and committed for a period of time, or detained on a short-term basis while awaiting trial or placement in a long-term care program. Juveniles go through a separate court system, the juvenile court, which sentences or commits juveniles to a certain program or facility.

Some juveniles are released directly back into the community to undergo community-based rehabilitative programs, while others juveniles may pose a greater threat to society and to themselves and therefore are in need of a stay in a supervised juvenile detention center. If a juvenile is sent by the courts to a juvenile detention center, there are two types of facilities: secure detention and secure confinement.

Secure detention, means that juveniles are held for usually short periods of time in facilities in order to await current trial hearings and further placement decisions. By holding juveniles in secure detention, it ensures appearance in court while also keeping the community safe and risk-free of the juvenile reoffending while awaiting trial. This type of facility is usually called a "juvenile hall," which is a usually run by county or city governments and is a short term holding center for juvenile delinquents. On the other hand, **secure confinement** implies that the juvenile has been committed by the court into the custody of a secure juvenile correctional facility for the duration of a specific program, which can span from a few months to many years. These are usually run by state governments.

Juvenile detention is not intended to be punitive. Rather, juveniles held in secure custody usually receive care consistent with the doctrine of *parens patriae*. The state or local jurisdiction is usually responsible for providing education, recreation, health, assessment, counseling and other intervention services with the intent of maintaining a youth's well-being during his or her stay in custody.

Generally speaking, secure detention is reserved for juveniles considered to be a threat to public safety or the court process, though in many cases, youths are held for violating a court order. Status offenders are usually held for 24 hours or less, while initial case investigation is completed, and other alternatives are arranged.

Within the categories of secure detention and secure confinement for juveniles, the overarching name of these facilities is residential programs. Five overarching types of residential programs where a juvenile may be placed while in court custody: The Office of Juvenile Justice and Delinquency Prevention found the five types of residential programs for juveniles to be a broad range, which included detention, corrections, camp, community based, and residential treatment. The reason for the wide variety in placement options of juveniles is that there does not currently exist a uniform definition of residential treatment programs. As a result, this creates a lack of uniformity across states and a large variety of names for secure detention and secure confinement centers for juveniles.⁶⁴

Juvenile Programs and Services

Many services are provided to the youth at both detention centers and confinement facilities. Services vary from facility to facility, but in general the programs and services provided to the youth are geared toward the juvenile's needs. At the core, juvenile facilities function as rehabilitative institutions for youth. Education is seen by many as the primary rehabilitative service that must be provided to detained youth. Highly effective schools within juvenile facilities provide high school curriculum, opportunities for General Equivalency Diploma (GED) preparation, special education services, certified teachers, small student to teacher ratio, connection with families, and vocational training opportunities.

Education is seen by many as the cornerstone of youth rehabilitation. Many landmark court cases, such as the 1981 case of *Green v. Johnson*, have given way to juveniles receiving their educational rights while incarcerated. *Green v. Johnson* (1981) ruled that incarcerated students do not have to give up their rights to an education while incarcerated.

Despite research stating the need for strong educational programs in juvenile detention facilities, there does not exist a uniform standard for education in juvenile facilities as education settings in juvenile facilities greatly vary across the country. The overseer of the school within the juvenile facility differs from state to state. Some schools within juvenile detention facilities are decentralized, some are centralized and run by local school districts, and others are overseen by a State education agency.

There is a large percentage of incarcerated juveniles who are diagnosed as students with special needs. Under the Individuals with Disabilities Education Act, youths with disabilities in correctional facilities are entitled to special education and related services regardless of incarceration status. Individuals with Disabilities Education Act is a law enacted in 1990 that insures children with disabilities receive free appropriate public education. This law applies to juvenile who were in custody as well.

The disabilities most prevalent in incarcerated juveniles include intellectual disabilities, learning disabilities, and emotional disturbances. **Intellectual disability** formerly known as mental retardation is a neurodevelopmental disorder characterized by significant impairment in intellectual and adaptive functioning that is first apparent during childhood. **Learning disabilities** or learning disorders is a condition that causes difficult difficulties in comprehending or processing information. **Emotional disturbances** also known as behavioral or emotional disorders refer to a disability classification that allows special education services to juveniles who display poor social and/or academic progress.

Surveys and studies have found that a high number of incarcerated youth suffer from emotional disturbance disabilities as opposed to youth in general public schools. Even with key court decisions and acts, it has been found that a large number of juveniles held at both detention centers and confinement facilities are not being served the special education services they should be provided by law. It has been found that many juvenile detention institutions have struggling special education programs, especially for those centers that detain youth for short periods of time.

There is a long-standing connection substantiated by research between juveniles who commit crimes and mental health concerns. A remarkably high population of juveniles present serious mental health illness within juvenile facilities. Since juvenile detention facilities operate on the foundation of rehabilitation, different mental health programs are provided by facilities to help the youth rehabilitate and address their mental illness. It is the expectation that juvenile detention centers and juvenile institutions provide mental health services to their residents. The incarcerated youth population requires careful and structured intervention, which must be provided by the facilities.

Many different mental health treatment strategies exist for juveniles. It is the responsibility of youth counselor or case manager to decide what type of intervention strategy works best for each youth in his or her mental health treatment plan. Mental health services that can be provided to the youth include, individual counseling, group counseling, crisis counseling, family intervention, medication management, and transition planning.⁶⁵

California's Division of Juvenile Justice

The California Division of Juvenile Justice (DJJ), previously known as the California Youth Authority (CYA), was a division of the CDCR that provided education, training, and treatment services for California's most serious youth offenders, until its closure in 2023. These juveniles were committed by the juvenile and criminal courts to DJJ's eleven correctional facilities, four conservation camps and two residential drug treatment programs. The DJJ provided services to juvenile offenders, ranging in age from twelve to 25, in facilities and on parole, and worked closely with law enforcement, the courts, district attorneys, public defenders, probation offices and other public and private agencies involved with the problems of youth. The DJJ underwent reorganization as required by a court agreement and the California State Legislature after widespread criticisms of conditions at its youth prisons.

The DJJ's stated mission was: "To provide opportunities for growth and change by identifying and responding to the unique needs of our youth. We do this through effective treatment, education and interventions in order to encourage positive lifestyles, reduce recidivism, strengthen families and protect our communities."

The DJJ was ultimately closed on June 30, 2023 as a result of California Senate bill 823 which mandated the closure of all DJJ facilities and the transfer of all incarcerated juveniles to their respective counties. Counties were required to assess each of the juvenile cases and if possible, provide local alternatives to incarceration. Many California counties are still struggling with this huge influx of juvenile delinquents. Some of the problems include finding housing, education and programming for juveniles with limited funding while ensuring public safety.⁶⁶

⁶⁴Wikipedia, 2019

⁶⁵Wikipedia, 2019

⁶⁶Wikipedia, 2025

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10.2: Females in Corrections

In the United States in 2015, women made up 10.4% of the incarcerated population in adult prisons and jails. Between 2000 and 2010, the number of males in prison grew by 1.4% per annum, while the number of females grew by 1.9% per annum. From 2010 to 2013, the numbers fell for both genders, -0.8% for males and -0.5% for females. For jails the figures for 2000-2010 are 1.8% for males and 2.6% for females, while for 2010-2013 they are -1.4% for males and 3.4% for females. Over this period the female proportion of the incarcerated population has been increasing, at least partly due to compulsory sentencing. **Compulsory sentencing** also known as mandatory sentencing or mandatory minimums are laws that require judges to impose specific punishments for certain crimes without the benefit of discretionary decisions during sentencing.

In the late 20th century, Hispanic women were incarcerated at nearly twice the rate of non-Hispanic white women, and black women were incarcerated at four times the rate of white women. However, since the 2000s, the incarceration rates for African American and Hispanic American women have declined, while incarceration rates have increased for non-Hispanic white women. Between 2000 and 2017, the incarceration rate for white women increased by 44%, while at the same time declining by 55% for African American women. The Sentencing Project reports that by 2021, incarceration rates had declined by 70% for African American women, while rising by 7% for white women. In 2017, the Washington Post reported that white women's incarceration rate was growing faster than ever before, as the rate for black women declined. The incarceration rate of African American males is also falling sharply, even faster than white men's incarceration rate, contrary to the popular opinion that black males are increasingly incarcerated.

The Prison Policy Initiative writes: "Incarcerated women are 53% White, 29% Black, 14% Hispanic, 2.5% American Indian and Alaskan Native, 0.9% Asian, and 0.4% Native Hawaiian and Pacific Islander."

Within the US, the rate of female incarceration increased fivefold in a two-decade span ending in 2001; the increase occurred because of increased prosecutions and convictions of offenses related to recreational drugs, increases in the severity of offenses, a lack of community sanctions and treatment options for women who violate drug laws. Tough-on-crime legislation and legislation associated with the war on drugs have been connected to the increasing rate of the incarceration of women of color from lower socioeconomic backgrounds. This rapid boom of female prisoners is something the primarily male-dominated prison system was not structurally prepared for and, as a result, female prisons often lack the resources to accommodate the specific social, mental, healthcare needs of these women.

In the United States, authorities began housing women in correctional facilities separate from men in the 1870s. The first American female correctional facility with dedicated buildings and staff was the **Mount Pleasant Female Prison** in Ossining, New York; the facility had some operational dependence on nearby Sing Sing, a men's prison.

Unlike prisons designed for men in the United States, state prisons for women evolved in three waves, as described in historical detail in "Partial Justice: Women in State Prisons" by Nicole Hahn Rafter.

First, women prisoners were imprisoned alongside men in "general population", where they were subject to sexual attacks and daily forms of degradation. Then, in a partial attempt to address these issues, women prisoners were removed from general population and housed separately, but then subject to neglect wherein they did not receive the same resources as men in prisons. In a third stage of development, women in prison were then housed completely separately in fortress-like prisons, where the goal of punishment was to indoctrinate women into traditional feminine roles.

Approximately 40% of correctional officers in American women's prisons are men. In some facilities, most of the correctional officers are men: Silja Talvi, author of *Women Behind Bars: The Crisis of Women in the U.S. Prison System*, argued that in theory gender equality makes sense in all occupations, but in practice having male guards watch over female prisoners is problematic. Until the passage of the Civil Rights Act of 1964 and the Equal Employment Opportunity Act of 1972, this was true in the United States. Men usually worked in perimeter posts, such as gate posts, rather than having direct contact with female prisoners. Male employees previously had restricted positions. Both acts integrated the workforce, and after the acts passed male employees gained increasingly direct contact with female prisoners. This is still the case in California state prisons.

Some of the issues of female inmates are exposed to that are not prevalent in male prisons is many states have only one female facility, in comparison to having numerous male facilities. This means female inmates are forced to stay in that one specific facility. They do not have the option of transferring to another facility like male inmates do and they "experience additional deprivations" as they do not have the option to transfer to another institution in cases of problematic issues with other inmates or

in cases of desiring to be closer to home. This issue is especially true in larger states. However, California does have two female prisons, one in the central valley of California, Central California Women's Facility (CCWF) and in the Southern California region, California Institution for Women (CIW).

Female inmates also have fewer visits from their children, which is influenced by the fact that women facilities are limited and located mostly in rural areas far from women's hometowns. When men are in prison, their female partners may take the kids to visit him. However, due to the statistics on the many of women prisoners being the primary caregivers of children, usually another female family member will take care of her children.

Incarcerated women also use prison law library differently from the way male prisoners do. A **prison law library** is a legal library within an institution that provides inmates access to legal materials. In general, women are less likely to use the law library to "seriously research their own cases." Some scholars believe this is because women's sentences are typically shorter and less severe than men's. Often, female inmates are seeking information about marital law and child custody and support in prison law libraries.⁶⁷

California Female Prisons

CCWF and CIW are the two female prisons currently in California. CCWF and CIW have a total combined capacity of 3346 beds. This is at 100% capacity. Currently, both institutions are operating at approximately 131% of their design capacity with just under 5000 female inmates. Both institutions house level 1 through level 4 custody inmates in their general population, although CCWF also houses condemned female inmates on death row. (M. Ybarra, 2025)

According to the CDCR website, CCWF is the largest female institution in the state which is located in Chowchilla, California. While, CIW was California's only prison for female felons from 1932 until 1987. It was originally called "Frontera," a feminine derivative of the word frontier – a new beginning. The campus-like design was in keeping with the 1950s progressive notion of rehabilitation. Both CIW and CCWF provides inmate academic education, work and vocational training, counseling and specialized programs. Some of the inmate programs include;

- PIA: Dental laboratory, fabric products, farming, garment making, silk screening, clothing and textile manufacturing (shirts, shorts, jeans, smocks, aprons, bedspreads, handkerchiefs, bandanas, Nomex firefighting clothing) and Construction.
- Vocational: Auto body repair and refinishing, computer technology, cosmetology, electronics, office services, Data Processing, Word Processing and Building Maintenance.
- Academic: Adult Basic Education, High School/GED, Pre-Release, Literacy Program, College Degree Program (provided by Feather River Community College), High School Diploma Program (HSDP), Voluntary Education Program (VEP), Transition Program, Enhanced Outpatient Program (EOP), Chaffey College (Associate degree), Coastline Community College (Associate degree), Palo Verde College (Associate degree), Feather River College (Associate degree) and Adam's State University (Bachelors of Arts, Bachelor's of Science, Masters of Business).
- Other: Community Service Crews, Youth Diversion, Religious, Arts in Corrections, Victim Impact Self Awareness, Drug Treatment/Diversion, Parenting, Substance Abuse (Informational), Job Placement, Self-Help Groups (e.g., Narcotics and Alcoholics Anonymous, etc.), Alpha Faith-Based Re-entry, Prison Puppy program, Victim Awareness, Substance Use Disorder Treatment (SUDS), Forestry/Camp Training.
- Joint Venture Electronics: A public-private partnership which employs approximately 45 inmates in an electronics manufacturing program. The inmates are paid a prevailing wage. Deductions are for room and board, crime victim compensation, prisoner family support and mandatory savings for release.^{68, 69}

⁶⁷Wikipedia, 2019

⁶⁸California Department of Corrections and Rehabilitation, n.d.

⁶⁹California Department of Corrections and Rehabilitation, 2019

10.3: Terms and Critical Thinking Questions

Terms

- **Parens Patriae** refers to the power of the state working through the court system to act as a parent and/or to have a custodial responsibility over juveniles who are either homeless or involved in the criminal justice system.
- **Juvenile delinquency** is unlawful or immoral behavior committed by persons under the age of 18.
- **Status offense** is an act committed by juveniles that is treated as a criminal offense even though, as an adult, the crime would have no criminal weight.
- **Due process** is a prescriptive process of the criminal justice system where the legal requirement of the state to ensure the constitutional protections of the individual are followed during the criminal justice process from arrest through punishment.
- **Zero Tolerance Policy** is a criminal justice practice that focuses on retribution by sentencing juveniles to harsh punishments for criminal and status offense behavior with the intention of enhancing public safety.
- **Adjudication** is synonymous with a trial or a hearing in that it is the process where juvenile cases are heard by a judge and the determination is made whether or not the juvenile committed the offense he or she was charged with.
- **Youth detention center**, also known as a juvenile detention center (JDC), juvenile jail, juvenile hall, observation home or remand home is a prison for people under the age of majority, to which they have been sentenced and committed for a period of time, or detained on a short-term basis while awaiting trial or placement in a long-term care program.
- **Secure detention**, means that juveniles are held for usually short periods of time in facilities in order to await current trial hearings and further placement decisions.
- **Secure confinement** implies that the juvenile has been committed by the court into the custody of a secure juvenile correctional facility for the duration of a specific program, which can span from a few months to many years.
- **Intellectual disability** formerly known as mental retardation is a neurodevelopmental disorder characterized by significant impairment in intellectual and adaptive functioning that is first apparent during childhood.
- **Learning disabilities** or learning disorders is a condition that causes difficult difficulties in comprehending or processing information.
- **Emotional disturbances** also known as behavioral or emotional disorders refer to a disability classification that allows special education services to juveniles who display poor social and/or academic progress.
- **Compulsory sentencing** also known as mandatory sentencing or mandatory minimums are laws that require judges to impose specific punishments for certain crimes without the benefit of discretionary decisions during sentencing.
- **Mount Pleasant Female Prison** located in Ossining, New York is first American female correctional facility with dedicated buildings and staff.
- **Prison law library** is a legal library within an institution that provides inmates access to legal materials.

Critical Thinking Questions

- In *Miller v Alabama*, SCOTUS ruled that a life sentence without the possibility parole violates the 8th amendment that prohibits cruel and unusual punishment. *Roper v Simmons* is a similar ruling where the death penalty cannot be imposed for anyone under the age of 18. If these cases were NOT in effect, decide the following case: A 13 year old juvenile kills 10 people in the school shooting that was planned with malice and forethought. Should that juvenile be subject to a life commitment in prison or the death penalty? What if the juvenile was 17 years of age? Explain your reasoning.
- A waiver of jurisdiction as a practice where the juvenile court waves it's jurisdiction over a juvenile case and transfers that case to adult court for trial. Do you think it's a good idea for some juvenile cases to be heard in adult court? Why or why not?
- In California, prison officials have developed the Community Prisoners Mothers Program (CPMP) which allows female inmates who have children under the age of five to live in a secured residential facility with their children. Do you believe this is a viable program? Should male inmates who are primary caregivers of their children be allowed to engage in this program? Explain your reasoning.

11: INSTITUTIONAL LOCK-UP UNITS AND DEATH ROW



Figure 11.1: Lethal injection room - By CACorrections (California Department of Corrections and Rehabilitation) - <https://www.flickr.com/photos/373819...7624628981539/>, Public Domain, <https://commons.wikimedia.org/w/index.php?curid=11627466>

Prisons and to a certain extent, jails are essentially mirror images of a community. Albeit one that focuses on security and preventing the residents from leaving before they are allowed to. So it stands to reason that some inmates are going to need additional security measures that the majority the inmates don't require. Some of these reasons may include commitment offense, in-custody behavior, or gang affiliation. Whatever the reason, institutions have to be able to accommodate these inmates with a higher level of security. Thus the need for a lock up unit. (M. Ybarra, 2025)

According to the National Institute of Corrections, an agency of the United States government, "a **supermax** also known as a lock-up unit, administrative segregation, or a security housing unit is a stand-alone facility or a unit within a facility that is designated for violent or disruptive inmates. It typically involves up to 23-hour-per-day, solitary confinement for an determinate or indeterminate period of time. Those incarcerated in supermax housing have minimal contact with staff and other inmates", a definition confirmed by a majority of prison wardens.

In 2001, academics Leena Kurki and Norval Morris wrote that there was no universal, agreed upon definition for "supermax" and that prisons throughout the United States are classified inconsistently. They identified four general features of supermax prisons:

- Long-term: once transferred to a supermax prison, incarcerated individuals tend to stay there for several years or indefinitely.
- Powerful administration: the supermax staff have ample authority to punish and manage incarcerated individuals, without outside review or prisoner grievance systems.
- Solitary confinement: supermax prisons rely heavily on intensive (and long-term) **solitary confinement**, which is used to isolate and punish prisoners as well as to protect them from themselves and each other. The state of California no longer uses solitary confinement as a means of segregating or punishing inmates.
- Communication with outsiders is minimal to none.
- Very limited activities: few opportunities are provided for recreation, education, substance abuse programs, or other activities generally considered healthy and rehabilitative at other prisons.

Inmates housed in a supermax prison are placed not as a punishment of their crimes but by their previous history when incarcerated or based on reliable evidence of an impending disruption, such as a gang leader or the leader of a radical movement. These decisions are made as administrative protection measures and the prisoners in a supermax are deemed by correctional staff as a threat to the safety and security of the institution itself.

The amount of programming for those in prison varies from jurisdiction to jurisdiction. Certain jurisdictions provide entertainment for their incarcerated population in the form of television, educational and self-help programs. Others provide instructors who speak through the cell door to individuals who are incarcerated. Some jurisdictions provide no programming to its incarcerated

population. In a supermax, inmates are generally allowed out of their cells for only one hour a day (California state prisons consolidated the SHU and AD/SEG lock-up units into the Restricted Housing Unit which allow for a minimum of 20 hours of out of cell time per week for inmates.) Exercise is done in indoor spaces or small, secure, outdoor spaces, usually alone or in a pair and always watched by correctional officers, known as an **Exercise Yard**. Group exercise is offered only to those who are in transition programs.

Prisoners receive their meals through ports in the doors of their cells. These ports are called cuff ports. **Cuff Ports** are openings in cell doors that have a hinged lockable lid that is used to pass food, clothing and other items to inmates while they are in their cell. They are also used to securely handcuff inmates while they remain in their cell and the correctional officer is safely outside of the cell. Inmates in these units are under constant surveillance, usually with CCTV cameras and correctional officers who make regular rounds during their shift. Cell doors are usually opaque with one small window, while the cells themselves may be windowless. Furnishings are plain, with poured concrete or metal furniture. Cell walls, and sometimes plumbing, may be soundproofed to prevent communication between people.⁷⁰

Correctional officers who work in these housing units usually do not have the luxury of having inmate porters to deal with housekeeping duties so the correctional officers are responsible for cleaning the housing unit, feeding the inmates, retrieving their garbage, and escorting the inmates to the exercise yard, showers, law library, classification or any medical/mental health appointments. As such, this can be a very demanding job for correctional officers assigned to these positions. In the state of California, officers are usually assigned to these positions for no more than two years. (M. Ybarra 2025)

The United States Penitentiary Alcatraz Island, opened in 1934, has been considered a prototype and early standard for a supermax prison. A push for supermax prisons began in 1983, after two correctional officers, Merle Clutts and Robert Hoffman, were stabbed to death by inmates at Federal Penitentiary in Marion, Illinois. Norman Carlson, the director of the Federal Bureau of Prisons, argued for a new type of prison to isolate uncontrollable inmates who "show absolutely no concern for human life". USP Marion became the first "supermax" prison where inmates were isolated for 23 hours in their cells. By 1999, the United States contained at least 57 supermax facilities, spread across 30–34 states. However, many states now have created supermax prisons, either as stand-alone facilities or as secure units within lower-security prisons. State supermax prisons include Pelican Bay in California and Joliet in Illinois. In 2006, USP Marion, the original model for the modern supermax prison, was downgraded to a medium-security prison. The California State Prison, Corcoran (COR) is a hybrid model, incorporating a supermax partition, housing or having housed high-security prisoners such as Charles Manson.

Building a supermax prison, or even retrofitting an existing prison, is expensive. Construction of ADX Florence cost \$60 million[a] when it opened in 1994. Compared to a maximum security facility, supermax prisons cost about three times more on average. The 1999 average annual cost for inmates at Colorado State Penitentiary, a supermax facility, was \$32,383, compared with the annual inmate cost of \$18,549 at the Colorado Correctional Center, a maximum-security prison; the cost of the latter facility being just 57% of the former. The increased cost is due to the technology needed to further maintain a supermax: high-security doors, fortified walls, and sophisticated electronic systems, and because more people must be hired to maintain the buildings and facilities.⁷⁰

11.1: California Lock-Up Units

11.2: Terms and Critical Thinking Questions

⁷⁰Wikipedia, 2019

11.1: California Lock-Up Units

In late 2023, the state of California consolidated its lock up units into one multipurpose lock up unit. **Administrative Segregation**, also known as AD/SEG was a temporary lock up unit where inmates who were undergoing disciplinary action or required enhanced security due to victimization were placed until the case was adjudicated or the victimization/enemy situation had been rectified. Inmates usually served no more than three months in AD/SEG. The **Security Housing Unit** also known as SHU was a long-term lockup unit used to carry out the determinate punishment portion of in-custody misconduct by an inmate or placement into an indeterminate SHU term as the result of gang affiliation. Today, both of these units are consolidated into the Restricted Housing Unit (RHU) which required a change in administrative policy regarding term length and reasons for placement. The **RHU's** are California's new specialized housing units that are designed for inmates who are not suited for housing in the general population. The RHU can be used to housing inmates for either disciplinary or non-disciplinary reasons. One of the changes the state of California made that differentiates AD/SEG and SHU housing from RHU is the ability for the inmate to engage in programming. While not all programs available to general population inmates are not available to inmates in the RHU, the CDCR has incorporated some programs, primarily educational and rehabilitative modules that allow an inmate to complete 20 hours of programming which will allow them to earn up to a five day reduction in their RHU term. (M. Ybarra, 2025)

Death Row

Death row, also known as condemned row, is a place in a prison that houses inmates awaiting execution after being convicted of a capital crime and sentenced to death. The term is also used figuratively to describe the state of awaiting execution ("being on death row"), even in places where no special facility or separate unit for condemned inmates exists, such as in the CDCR. A **condemned cell**, also known as a death row cell, is a designated room within a prison where individuals who have been sentenced to death as a legal punishment are held until their execution. This specialized cell is a temporary holding area specifically designed for individuals awaiting capital punishment. Condemned cells are constructed with a focus on security and isolation. The room is typically designed to limit access and maintain strict control over the condemned individual. Furnishings and amenities in these cells are often minimal, as they are not intended for long-term incarceration but rather for the purpose of facilitating the impending execution. Typically, a condemned cell can house between one and three inmates.

In the United States, after an individual is found guilty of a capital offense in states where execution is a legal penalty, the judge will give the jury the option of imposing a death sentence or Life Without the Possibility of Parole (LWOP). **LWOP** is a mandatory minimum sentence that places a person convicted of a capital offense such as murder into custody for the rest of their natural life. It is then up to the jury to decide whether to give the death sentence; this usually has to be a unanimous decision. If the jury agrees on death, the defendant will remain on death row during appeal and habeas corpus procedures, which may continue for several decades.

Opponents of capital punishment claim that a prisoner's isolation and uncertainty over their fate constitute a form of psychological abuse and that especially long-time death row inmates are prone to develop a mental disorder, if they do not already suffer from such a condition. This is referred to as the **death row phenomenon**. Estimates reveal that five to ten percent of all inmates on death row suffer from mental illness. Some inmates may attempt suicide. There have been some calls for a ban on the imposition of the death penalty for inmates with mental illness and also case law such as *Atkins v. Virginia* to further this. Executions still take place for those with clear intellectual disabilities due to poor legal representation and high standards of proof. In the United States, prisoners may wait many years before execution can be carried out due to the complex and time-consuming appeals procedures mandated in the jurisdiction.

The time between sentencing and execution increased relatively steadily between 1977 and 2010, including a 21% jump between 1989 and 1990 and a similar jump between 2008 and 2009. In 2010, a death row inmate waited an average of 178 months (14 years and 10 months) between sentencing and execution. Nearly a quarter of inmates on death row in the U.S. die of natural causes while awaiting execution. There were 2,721 people on death row in the United States on October 1, 2018. As of 2024, 2,183 people are on death row in the United States. Since 1977, the states of Texas (464), Virginia (108) and Oklahoma (94) have executed the most death row inmates. As of 2010, California (683), Florida (390), Texas (330) and Pennsylvania (218) housed more than half of all inmates pending on death row. Gary Alvord arrived on Florida's death row in 1974 and died 39 years later on May 19, 2013, from a brain tumor, having spent more time on death row than any American. Brandon Astor Jones spent 36 years on death row (with a brief period in the general prison population during his re-sentencing trial) before being executed for felony murder by the state of Georgia in 2016, at the age of 72. The oldest prisoner on death row in the United States was Leroy Nash, age 94, in Arizona. He died of natural causes on February 12, 2010.⁷¹

California Death Row

All executions in California (male and female) take place at San Quentin. The execution chamber is located in a one-story addition close to the East Block. Female inmates to be executed are transported to San Quentin by bus before being executed.

The methods for execution at San Quentin have changed over time. Prior to 1893, the counties executed convicts. Between 1893 and 1937, 215 people were executed at San Quentin by hanging, after which 196 prisoners died in the gas chamber. The gas chamber was constructed by inmates in 1937. In 1995, the use of gas for execution was ruled "cruel and unusual punishment", which led to executions inside the gas chamber by lethal injection. Between 1996 and 2006, eleven people were executed at San Quentin by lethal injection.

In April 2007, staff of the California Legislative Analyst's Office discovered that a new execution chamber was being built at San Quentin; legislators subsequently "accuse[d] the governor of hiding the project from the Legislature and the public." The old lethal injection facility had included an injection room of 43 square feet (4.0 square meters) and a single viewing area; the facility that was being built included an injection chamber of 230 square feet and three viewing areas for family, victim, and press. Governor Arnold Schwarzenegger stopped construction of the facility the next week. The legislature later approved \$180,000 to finish the project, and the facility was completed.

In addition to state executions, three federal executions have been carried out at San Quentin. Samuel Richard Shockley and Miran Edgar Thompson had been incarcerated at Alcatraz Island federal penitentiary and were executed on December 3, 1948, for the murder of two prison guards during the Battle of Alcatraz. Carlos Romero Ochoa had murdered a federal immigration officer after he was caught smuggling illegal immigrants across the border near El Centro, California. He was executed at San Quentin's gas chamber on December 10, 1948.

On March 13, 2019, after Governor Gavin Newsom ordered a moratorium on the state's death penalty, the state withdrew its current lethal injection protocol, and San Quentin dismantled and indefinitely closed its gas and lethal injection execution chambers.⁷²

In 2016, the state of California had two propositions on the ballot during midterm elections. The first, **proposition 62** would have repealed the death penalty and replaced it with life without the possibility of parole. The next was **proposition 66**, which was designed to speed up the process of capital trials and executions. The citizens of California voted down proposition 62 and approved proposition 66. However, governor Gavin Newsom issued a moratorium on executions in the state of California in 2019. The last execution to take place in California was in 2006. Despite the moratorium, California still maintains 587 condemned inmates, 18 of those who are female inmates. The females are currently housed at CCWF and the male inmates were released from the death row at San Quentin State prison and transferred throughout the California state prison system. (M. Ybarra, 2025)

⁷¹Wikipedia, 2019

⁷²Wikipedia, 2025

11.2: Terms and Critical Thinking Questions

Terms

- **Supermax** also known as a lock-up unit, administrative segregation, or a security housing unit is a stand-alone facility or a unit within a facility that is designated for violent or disruptive inmates.
- **Solitary confinement** is a type of inmate housing which is used to isolate and punish prisoners as well as to protect them from themselves and each other.
- **Exercise yard** is a small secure indoor or outdoor space where inmates are placed to get fresh air outside of a lock-up unit. They usually are placed alone or in a pair and always watched by correctional officers, one of which who is usually armed.
- **Cuff Ports** are openings in cell doors that have a hinged lockable lid that is used to pass food, clothing and other items to inmates while they are in their cell. They are also used to securely handcuff inmates while they remain in their cell and the correctional officer is safely outside of the cell.
- **Administrative Segregation**, also known as AD/SEG was a temporary lock up unit where inmates who were undergoing disciplinary action or required enhance security due to victimization were placed until the case was adjudicated or the victimization/enemy situation had been rectified.
- **Security Housing Unit** also known as SHU was a long-term lockup unit used to carry out the determinate punishment portion of in custody misconduct by an inmate or placement into an indeterminate SHU term as the result of gang affiliation.
- **RHU's** are California's new specialized housing units that are designed for inmates who are not suited for housing in the general population. RHU's fill the needs of both Ad/SEG and SHU.
- **Death row**, also known as condemned row, is a place in a prison that houses inmates awaiting execution after being convicted of a capital crime and sentenced to death.
- **Condemned cell**, also known as a death row cell, is a designated room within a prison where individuals who have been sentenced to death as a legal punishment are held until their execution.
- **Life Without the Possibility of Parole (LWOP)** is a mandatory minimum sentence that places a person convicted of a capital offense such as murder into custody for the rest of their natural life.
- **Death row phenomenon** is the result of prisoner's isolation and uncertainty over their fate which constitutes a form of psychological abuse and that especially long-time death row inmates are prone to develop a mental disorder, if they do not already suffer from such a condition.
- **California Proposition 62** would have repealed the death penalty and replaced it with life without the possibility of parole.
- **California Proposition 66** would have sped up the executions of condemned inmates in California and expedited the appeal process.

Critical Thinking Questions

- There are millions of dollars being spent on prison programming for inmates. Do you believe that these programs reduce recidivism or do you subscribe to reducing/eliminating programming and having inmates do "hard time"? Explain your reason for your decision.
- General deterrence is the deterrent effect on a person or group that observes a punishment carried out on someone else. As an example, watching your sibling get a spanking for taking something that doesn't belong to them convinces you not to commit the same misbehavior. Do you believe the death penalty actually has a general deterrence effect on the population? Why or why not?
- *Ford v. Wainwright* (1985) - Ruled the death penalty is unconstitutional under the 8th amendment cruel and unusual punishment if the condemned was mentally ill at that time of the offense. *Atkins v. Virginia* (2002) - The execution of a developmentally disabled inmate was unconstitutional. Are you in support of or opposed to the SCOTUS decisions that prevent a death penalty sentence for convicted felons who are either development disabled and for mentally ill? Support your reasoning.

12: COMMUNITY CORRECTIONS/PAROLE & PROBATION



Figure 12.1: Parole Agents - image by [Scorpion381](https://creativecommons.org/licenses/by-sa/4.0/) <https://creativecommons.org/licenses/by-sa/4.0/>

When most people think about corrections, the first thing that pops into their mind is inmates behind bars, either in prison or jail and a uniformed correctional officer watching their every move. And for good reason, as there are quite a few inmates in custody in the United States. In fact, there are approximately 1,825,000 people incarcerated as of the end of 2022. However, there were double that sentenced to community corrections, roughly 3.7 million. This is in large part due to the cost of incarceration and issues of overcrowding in prisons and jails. Interestingly, probation and parole go largely unnoticed and yet at the same time, are arguably the most effective mechanism corrections has for monitoring the parolee and probationer population, keeping the community safe all the while providing assistance to this population to help them become productive law abiding citizens. (M. Ybarra, 2025)

12.1: Probation

12.2: Parole

12.3: The Probation Officer and Parole Agent

12.4: Terms and Critical Thinking Questions

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12.1: Probation

Probation is a sentence by the court that allows the convicted person to remain in the community with certain conditions and restrictions which are monitored by a probation officer. A **probation officer** is a peace officer who is responsible for monitoring individuals placed on probation by a court. Probation is arguably the oldest, and certainly the most common, of the intermediate sanctions. Its roots stem from concepts of common law from England, like many of our other correctional practices in the U.S. In early American courts, a person was able to be released on their own recognizance, if they promised to be responsible citizens and pay back what they owed (financially or morally). **Own recognizance** is a court order to release an accused person from pre-trial custody with a signed promise to appear for future court appearances without having them post bail or bond out. In the early 1840s, John Augustus, a Boston boot-maker, was regularly attending court and began to supervise such individuals as a "Surety". A **Surety** was a person who guaranteed or paid individuals' bond, or the money necessary to secure their release awaiting trial. In turn, Augustus, pictured below, would take in many of these individuals, providing them with work and housing, to help ensure that they would remain crime-free and pay back society. He continued this practice for nearly two decades, effectively becoming the first probation officer.

Today, probation is a form of a "suspended" sentence, meaning that, instead of serving a certain period in jail or prison, an offender is allowed to serve that same period of supervision in the community. However, the sentence is only suspended subject to certain conditions that the offender must continue to meet; if they deviate from those conditions, they may be ordered to finish their sentence in jail or prison. These are known as **Conditions of Release** also known as conditions or probation or parole, depending on the supervision, are conditions imposed upon the releasee that they must meet during the period of monitoring by probation or parole that have a nexus to their criminal history, behavior or mental health status. Conditions of release often include: reporting to a probation officer, submitting to random drug screens, not "consorting" with known felons, paying court costs and restitution, attending AA or NA courses, among other conditions. Conditions of release have two types of conditions that are imposed upon probationers and parolees alike. The first are general conditions. **General conditions** include conditions of release that are universal to all parolees and probationers. Some of these conditions may include reporting to your probation officer or parole agent, as instructed and not to violate any city, county, state or federal laws. The second type are special conditions. **Special conditions** have an nexus that is specific to the criminality of the parole or probationer. Some of these include anti-narcotic testing, not to associate with no gang members, no alcohol consumption and/or no frequent areas where children are known to congregate. Probation lengths vary greatly, as do the conditions of probation placed on an individual. Almost all people on probation will have at least one condition of probation. Some have many conditions, depending on the seriousness and nature of their conviction. Juvenile probation departments were established within all states in the 1920s, and by the middle of the 1950s, all states also had adult probation.⁷³

Probation in America continues to serve as a critical alternative to incarceration within the criminal justice system. Probation allows individuals to avoid the direct hardships of incarceration while still being held accountable for their actions. Convicted individuals can opt for community supervision instead of serving time in jail or prison. **Community supervision** refers to the system of monitoring and managing individuals who have been issued an intermediate sanction or placed on probation or parole within the community instead of being incarcerated. Probation usually entails a longer period of supervision with conditions set by the court, which convicted individuals must adhere to while residing in the community. If probation terms are violated, the individual may face incarceration based on the original sentencing decision, regardless of their probation period served. Therefore, probation may not be suitable for people who anticipate difficulties complying with probation conditions in the community, prompting them to consider serving their sentence in a correctional facility instead.

Once an individual accepts probation, they must follow specific conditions while being overseen by an assigned probation officer. These interactions often involve regular meetings with the probation officer, participation in rehabilitative programs, community service, and compliance with court-mandated rules. In the initial meeting, the probation officer conducts a comprehensive assessment to evaluate the probationer's risk to public safety, the likelihood of re-offending, and specific rehabilitation needs. Using this assessment, the probation officer develops a personalized supervision plan outlining the probation conditions. This plan may include attending treatment programs, finding employment, fulfilling community service obligations, and maintaining regular contact with the probation officer.

Throughout the probationary period, officers monitor and support probationers to ensure compliance with court-mandated conditions. This includes performing searches, arranging drug tests when necessary, and collecting evidence to verify adherence to probation terms. Successful completion of probation terms results in the offender's release from formal supervision by the criminal justice system. Failure to comply with the conditions can result in the probation officer documenting violations and recommending appropriate actions to the court, which may range from warnings to probation revocation and potential

incarceration. **Revocation** is the cancellation of probation, parole, or other forms of community supervision due to noncompliance with prescribed rules, conditions, or behavioral expectations.

Probation Effectiveness

The effectiveness of modern probation is evaluated using various indicators, such as recidivism rates and the fulfillment of probation conditions. According to a study conducted by the Bureau of Justice Statistics (BJS), as depicted in the accompanying figure, in 2021 approximately 42.1% of probationers successfully completed their probation terms without reincarceration (Kaeble, 2023). Over the same period, 9.8% of probationers were incarcerated, 5.72% experienced other unsatisfactory outcomes, 8.9% died or exited due to other reasons, and 33.5% had exits from probation that were either unknown or unreported. These statistics underscore both the persistent challenges and achievements within the American probation system.

While the majority of probationers successfully complete their terms, the significant proportion of incarcerations, unsatisfactory exit other than incarceration, and unknown exits highlights ongoing areas for improvement within the probation system. Strengthening support networks, expanding rehabilitation programs, and guaranteeing comprehensive supervision are essential steps toward reducing incarceration and other unsatisfactory exits from probation. Additionally, addressing the high rate of unknown or unreported exits is vital for improving data accuracy and enabling targeted interventions to assist probationers.

In recent years, there has been a notable shift toward evidence-based practices in probation supervision (Duwe, 2017). These approaches prioritize the use of risk and needs assessments to customize supervision strategies for each probationer's circumstances. **Risk and needs assessments** are structured processes used to evaluate offenders' likelihood of re-offending and identify factors that contribute to their criminal behavior well as identifying needs that will help them successfully navigate their probation or parole period and reduce the likelihood of them reoffending. Risks and needs assessments help probation officers identify treatment options, supervision levels and programming while on probation. By pinpointing specific criminogenic needs—factors contributing to criminal behavior—probation officers can implement targeted interventions designed to mitigate these risks and prevent re-offending. **Criminogenic needs** are used to describe factors, conditions, or environments that are likely to cause or contribute to criminal behavior. Examples of criminogenic factors or elements are substance abuse, lack of education, unemployment as well as antisocial attitudes, poverty family dysfunction and other social or behavioral conditions.

Moreover, advancements in technology have revolutionized probation supervision capabilities. Electronic monitoring systems, such as GPS ankle bracelets, enable real-time tracking of probationers, ensuring compliance with geographic restrictions and enhancing public safety. Electronic monitoring is a type of surveillance used in probation and parole to monitor the location and activities of probationers and parolees under supervision, typically through the use of GPS enabled ankle bracelets or similar devices. Many of these systems have the ability to not only track movement in real time but allow officers to recall the probationer or parolees locations after they have occurred to aid in follow-up criminal investigations. However, these technologies also raise concerns regarding privacy and the potential for excessive surveillance measures that exceed beyond necessary levels.

In response to these challenges, policy reforms across various states are focusing on improving probation results through rehabilitative routes. For instance, some jurisdictions have adopted graduated sanctions for technical violations, allowing probation officers to apply intermediate measures instead of immediate re-incarceration. This approach supports continuity in the probationer's rehabilitation journey while effectively addressing instances of noncompliance.

In essence, probation is a structured approach aimed to foster rehabilitation, reduce recidivism, and support probationers in leading law-abiding lives within their communities. By striking a balance between accountability and support, the probation system plays a pivotal role in the administration of justice in America. It effectively reduces incarceration rates and associated costs while actively facilitating the reintegration of offenders into society, all while protecting the public.

The Pre-Sentence Report

A **presentencing investigation** (PSI) is an integral part of the criminal justice process. The PSI is a thorough assessment conducted by probation officers to assist the court in determining an appropriate sentence for a convicted individual. It is conducted after a defendant is convicted by trial or enters a guilty plea but before the sentencing hearing. The purpose of the investigation is to furnish the sentencing judge with detailed information about the defendant that will aid in the determination of an appropriate sentencing.

Factors used to determine whether a PSI is performed include the type of crime, the jurisdiction, and indications of drug addiction or mental health issues. PSIs are typically handled by probation, also known as Community Corrections Officers (CCOs). The

process itself involves the officer collecting a broad spectrum of information about the defendant, including interviews with individuals who can provide relevant insights, such as the defendant's family, friends, coworkers, victims, law enforcement officers, prosecutors, and mental health or substance abuse professionals. These interviews help to paint a comprehensive picture of the defendant's character and circumstances. In addition, the officer reviews the defendant's personal history, including their educational background, employment history, and physical and mental health records. The officer also meets with the defendant to understand the motivations behind the criminal behavior and to assess whether the defendant has accepted responsibility for their actions.

All gathered information is compiled into a **presentencing report (PSR)**, which is then submitted to the sentencing judge. The PSR is a comprehensive document prepared by probation officers or court personnel following the PSI for the sentencing judge providing detailed information about a defendant's background, circumstances of the offense, and recommendations for sentencing. The PSR includes the officer's recommendations and provides an in-depth overview of the defendant's background, character, and circumstances. This report is key in assisting the judge to balance the goals of punishment, rehabilitation, and public safety, while ensuring a fair and appropriate sentence.

Probationers under the supervision of the criminal justice system retain certain rights to guarantee fair treatment and due process, even though their status involves a reduced expectation of privacy and freedom. If a probationer violates the terms of their probation, they may be required to appear in court for a probation violation hearing, where a judge has the authority to revoke probation and incarcerate the offender. Recognizing the significant consequences of such hearings, the Court in *Mempa v. Rhay* (1967) established that defendants, in this instance probationers, have the right to counsel during such hearings due to the potential loss of substantive rights through incarceration. Six years later, this principle was further reinforced in *Gagnon v. Scarpelli* (1973), where the Court extended probationers' rights to due process to include:

- The right to receive notice of the alleged violations
- The right to a preliminary hearing to determine probable cause
- The right to present evidence and confront witnesses
- The right to a revocation hearing
- The right to written documentation of the hearing

A **revocation hearing** is a formal proceeding conducted by a court or administrative body to determine whether a defendant or probationer has violated the terms of their probation, parole, or supervised release. Although probationers have a diminished expectation of privacy compared to ordinary citizens, they are still afforded some constitutional protections. Depending on the state and the terms of their probation, probation officers may perform limited home visits and seize contraband in plain view. However, to conduct a full search of a probationer's residence, officers must meet the reasonable suspicion standard. The **reasonable suspicion** standard refers to the belief of a peace officer, based on specific and articulable facts, that a person is, was, or will be involved in criminal activity. It is a lower standard of proof and probable cause but more than a hunch or intuition. While this standard of proof is lower compared to that required for the general public, it nonetheless provides probationers with a degree of privacy protection against arbitrary intrusions.⁷⁴

⁷³Unizin, 2019

⁷⁴Maier, Wesley B, et al, 2021

12.2: Parole

Established in the United States in the early 19th century, the parole system allows for the conditional release of inmates before they complete their full prison sentences. **Parole** is a conditional supervised release of a prisoner before the completion of their full sentence or as a separate condition of their sentence. The parolee is monitored by a **Parole Agent** or officer who is a peace officer that supervises individuals released from prison on parole. Their responsibilities include ensuring compliance with conditions of release also known as conditions of parole, monitoring behavior, providing counseling and support services, and facilitating reintegration into society. The primary goal is to provide structured supervision and support to parolees, helping them transition from incarceration to a productive, law-abiding life within the community while ensuring public safety. Originating from the French word “parol,” meaning “word of honor,” the term highlights the principle of trust and responsibility that underpin the parole system.

Granting parole involves a thorough review by a parole board, which evaluates the inmate’s behavior, rehabilitation progress, and readiness for release. A **parole board** is a governing body within the criminal justice system responsible for determining whether an incarcerated individual is eligible for release from prison before the completion of their full sentence under certain conditions. Factors considered include the nature of the criminal offense, the inmate’s conduct while incarcerated, participation in educational and rehabilitative programs during incarceration, and the potential risk to the public. If granted parole, the individual must adhere to specific conditions set by the parole board, such as maintaining employment, attending counseling sessions, and avoiding contact with certain individuals or locations.

The parole system also acts as a mechanism to alleviate prison overcrowding and reduce correctional costs. By permitting certain inmates to serve a portion of their sentence under community supervision, resources can be allocated more efficiently within the prison system. Despite its many benefits, however, the parole system is not without its challenges. High rates of recidivism remain a major concern, as many individuals on parole re-offend and return to incarceration. Studies have shown that a significant percentage of parolees are rearrested within a few years of their release (Durose & Antenangeli, 2021). This underscores the need for effective rehabilitation programs both during incarceration and after release, as well as the importance of robust support systems for parolees.

Parole in the US offers a pathway for reintegration into society and alleviates the burden on the prison system. However, this complex element of the criminal justice system requires ongoing efforts to deal with the challenges of recidivism and to provide assurances that parolees receive the necessary support to lead productive, law-abiding lives.

History of Parole

In March 1840, Captain Alexander Maconochie assumed the role of superintendent at the British penal colony on Norfolk Island, situated 877 miles east of the Australian coast in the Pacific Ocean (Barry, 1956). Captain Alexander Maconochie is a pioneering penal reformer and British naval officer (1787–1860), Maconochie is renowned for his innovative contributions to the field of penology during the early 19th century. Maconochie approached his new position with a philosophy diametrically opposed to vindictive and cruel punishment. He believed that punitive measures harmed society, advocating instead for rehabilitation that instilled in wrongdoers a sense of responsibility and accountability for their actions. His goal was to equip them with the necessary skills to function as law-abiding citizens.

In Maconochie’s system, inmates earned marks that allowed them to progress through stages, each granting increased responsibility and freedoms. While the concepts of the mark system and ticket-of-leave were not new ideas, Maconochie’s innovative implementation and subsequent promotion of his mark system were pioneering. The **Mark System** is a historical penal practice in which prisoners could earn marks or credits for good behavior, which could be exchanged for privileges, early release, or reduced sentences. A **ticket-of-leave** refers to a historical term originating in the 19th century, primarily used in British and early American legal systems. It denotes a form of early release granted to prisoners based on good behavior during their incarceration. These efforts laid the foundation for the modern parole system, establishing Maconochie as its architect (Witmer, 1927).

American prison reformers in the late 19th century, inspired by Crofton’s model, advocated for the adoption of similar parole systems. Zebulon Brockway, the first superintendent of the Elmira Reformatory, introduced a new mark system that utilized an indeterminate sentencing model that included parole. **Indeterminate sentencing** is where the length of incarceration is not fixed but rather falls within a range determined by specified legal statutes or guidelines. The actual time served is determined

by a parole board or similar authority based on the offender's behavior, rehabilitation progress, and other factors. This is in contrast to **determinate sentencing** which is where the length of imprisonment for an offender is fixed by statute or sentencing guidelines, typically based on the severity of the offense and the offender's criminal history. In Brockway's system, inmates earned marks through participation in productive activities, such as work and attending school, and maintaining good behavior. These marks allowed them to move through stages that granted increasing freedoms, such as the privilege to send and receive mail or permission to talk during lunch. Once inmates had proceeded through all the stages, they would eventually be deemed rehabilitated enough to be released back into the public, with the requirement to check in monthly with the corrections parole officer to update them on their conduct, living arrangements, and employment status. The adoption of parole quickly gained traction across the nation. By 1900, 20 states had implemented parole systems, and by 1925, the federal government and all but two states had established their own parole system (Friedman, 1994).

In the 1980s, a major departure occurred when the federal government and several states, including Washington, Arizona, and Minnesota, shifted away from indeterminate sentencing and discretionary parole (Hughes et al., 2001). In these jurisdictions, parole boards were eliminated, along with the traditional practices of indeterminate sentencing and discretionary parole. Instead, systems were restructured to focus on monitoring ex-offenders after release, overseen by community corrections officers, rather than traditional parole officers. Despite the change in titles, the roles and responsibilities of these officers remained largely similar, emphasizing supervision and support to facilitate the successful reintegration of individuals into society.

Modern Parole and the Parolee

Modern parole in the US is a complicated system designed to balance the goals of rehabilitation, public safety, and accountability. It operates within a framework that has evolved substantially since its inception in the late 19th century, adapting to changing societal needs and criminal justice policies. Today, parole involves the conditional release of inmates from prison before the completion of their maximum sentence contingent on compliance with specific terms and conditions set by a parole board or supervising authority.

Parole supervision focuses on facilitating the reintegration of parolees into society, aiming to reduce recidivism and support successful reentry. A **parolee** is an inmate who has been conditionally released from incarceration under the supervision of parole authorities. Parole officers play a critical role in this process, providing case management services that include regular check-ins, home visits, and coordination with community resources. These officers monitor compliance with parole conditions, which may include maintaining employment, attending treatment programs, abstaining from drug and alcohol use, and adhering to curfews.

To determine the efficacy of modern parole, various metrics, including the rates of recidivism and the fulfillment of parole terms, are utilized. A 2021 study conducted by the Bureau of Justice Statistics (BJS), illustrated in the figure above, found that 52.2% of parolees successfully completed their parole terms without reincarceration; 20.3% of parolees were incarcerated; 2.2% had another form of unsatisfactory exit other than incarceration; 3.9% either died or exited due to other reasons; and 23.3% had unknown or unreported exits from parole (Kaeble, 2023).

Clearly, there are both successes and failures in the American parole system. The large numbers of reincarcerations and unacceptable and unknown exits demonstrate the need for continued improvements to the parole system. Better support mechanisms, robust rehabilitation programs, and comprehensive post-release supervision will go a long way toward reducing recidivism and facilitating the successful reintegration of ex-offenders into society. Ascertaining the reasons behind the high rate of unknown or unreported exits will result in higher quality data and lead to finding more useful solutions for struggling parolees.

As with the probation process, the current trend toward the use of evidence-based practices in parole supervision (Duwe, 2017) is a positive one. Utilizing risk and needs assessments and specific criminogenic needs, parole officers can create individualized plans for parolees that will meet their needs and help minimize the chances of re-offending. Similarly, some states have also enacted reforms to enhance parole outcomes with an emphasis on rehabilitation versus punitive measures. These include graduated penalties for technical violations, thus giving parole officers the option to impose intermediate sanctions as opposed to immediate re-incarceration. **Technical violations** refer to violations of the conditions of release or community supervision that are not new criminal offenses. These violations typically involve failures to comply with administrative rules, such as missing appointments, testing positive for drugs, or failing to report changes in residence. Intermediate sanctions are a range of punishment options for probationers and parolees that fall between fines and incarceration. Some of these include intensive supervision, electronic monitoring, residential programs, community service, and day reporting centers. Both goals of helping the parolee succeed in the rehabilitation process while appropriately addressing their noncompliance are thus met.

Overall, modern parole in the US is a dynamic system that seeks to promote successful reintegration, reduce recidivism, and ensure public safety. It requires continuous adaptation and improvement to address the evolving challenges within the criminal

justice landscape, striving to balance the needs of individuals with the broader goals of societal protection.

Before the 1970s, parole officers had broad discretion in deciding whether to send a parolee back to prison. However, the U.S. Supreme Court case *Morrissey v. Brewer* (1972) established that because revoking parole constitutes a loss of freedom, parolees are entitled to certain rights when facing the prospect of parole revocation and a return to prison. These rights apply even though parolees typically attend revocation hearings before a hearing officer rather than a judge. During a revocation hearing, parolees are afforded rights comparable to those provided to probationers. These rights include:

- Written notice of alleged violations
- A preliminary hearing to assess probable cause
- Disclosure of evidence and the right to confront witnesses
- The opportunity to present witnesses and evidence in their defense
- A hearing before a neutral body
- Written documentation of the evidence used against them

Similar to probationers, parolees have diminished rights to privacy, particularly concerning searches and seizures of their person and residence. Unlike ordinary citizens, law enforcement needs only a reasonable suspicion to search parolees and their dwellings. Furthermore, in *Pennsylvania Board of Probation and Parole v. Scott* (1998), the U.S. Supreme Court ruled that the exclusionary rule does not apply to probationers or parolees. The **Exclusionary Rule** excludes or suppresses evidence obtained in violation of an accused person's constitutional rights. This means that improperly or illegally obtained evidence can be used in a parole board revocation hearings, underlining the distinct legal standards governing probationers and parolees compared to the general population.⁷⁵

⁷⁵Pressbooks, 2021

12.3: The Probation Officer and Parole Agent

Both probation officers (PO) and parole agents (PA) play a crucial role in the criminal justice system, tasked with monitoring and mentoring individuals who are on probation or parole. Their responsibilities include monitoring compliance with parole board and court-ordered conditions, conducting home visits, administering drug tests, ensuring access to essential resources, such as treatment programs or employment services, and supporting offenders as they reintegrate into society. PO's and PA's work collaboratively with law enforcement, social services, and community organizations to develop and implement individualized supervision plans tailored to each offender's specific needs and risks. Additionally, they prepare detailed records, maintain case reports, and provide testimony in court regarding an offender's compliance and progress with program conditions.

They typically work full-time hours, but they must also be prepared for after-hours visits and emergencies—which may include evenings and weekends—to meet the needs of their caseloads and fulfill their duty to provide thorough supervision. According to GovSalaries (n.d.), the average annual salary for a community corrections officer is approximately \$58,515. This salary generally ranges from \$46,447 to \$98,000, depending on factors such as experience, location, and additional qualifications.

This position demands a combination of strong interpersonal skills, a comprehensive understanding of the criminal justice system, and the ability to manage potentially volatile situations with professionalism and integrity. To qualify as either a parole agent or probation officer, candidates usually must possess a minimum of a bachelor's degree or the equivalent from an accredited institution in criminal justice, social work, psychology, or a related field. Upon hiring, new PO's or PA's are required to complete an extensive training program run by the state's Department of Corrections. This program includes both classroom instruction and practical on-the-job experience, covering topics such as legal procedures, case management, defensive tactics, and crisis intervention. The training program usually lasts several weeks to several months ensure that candidates are well-prepared to handle the diverse challenges of their role.

Overall, the job of both probation officers and parole agents are indispensable within the criminal justice system. Both are essential for maintaining public safety, making sure that offenders comply with conditions of their release, and providing the necessary support for their successful rehabilitation and reintegration into society. Their work not only helps to reduce recidivism rates, it fosters safer communities by addressing the underlying issues that contribute to criminal behavior.⁷⁴

⁷⁴Maier, Wesley B, et al, 2021

12.4: Terms and Critical Thinking Questions

Terms

- **Probation** is a sentence by the court that allows the convicted person to remain in the community with certain conditions and restrictions which are monitored by a probation officer.
- A **probation officer** is a peace officer who is responsible for monitoring individuals placed on probation by a court.
- **Own recognizance** is a court order to release an accused person from pre-trial custody with a signed promise to appear for future court appearances without having them post bail or bond out.
- **Surety** was a person who guaranteed or paid individuals' bond, or the money necessary to secure their release awaiting trial, akin to a bail bondsman.
- **Conditions of Release** also known as conditions or probation or parole, depending on the supervision, are conditions imposed upon the releasee that they must meet during the period of monitoring by probation or parole that have a nexus to their criminal history, behavior or mental health status.
- **Community supervision** refers to the system of monitoring and managing individuals who have been issued an intermediate sanction or placed on probation or parole within the community instead of being incarcerated.
- **Revocation** is the cancellation of probation, parole, or other forms of community supervision due to noncompliance with prescribed rules, conditions, or behavioral expectations.
- **Risk and needs assessments** are structured processes used to evaluate offenders' likelihood of re-offending and identify factors that contribute to their criminal behavior well as identifying needs that will help them successfully navigate their probation or parole period and reduce the likelihood of them reoffending.
- **Criminogenic needs** are used to describe factors, conditions, or environments that are likely to cause or contribute to criminal behavior. Examples of criminogenic factors or elements are substance abuse, lack of education, unemployment as well as antisocial attitudes, poverty family dysfunction and other social or behavioral conditions.
- **Reasonable suspicion** standard refers to the belief of a peace officer, based on specific and articulable facts, that a person is, was, or will be involved in criminal activity.
- **Presentencing investigation (PSI)** is a thorough assessment conducted by probation officers to assist the court in determining an appropriate sentence for a convicted individual.
- **Presentencing report (PSR)** is a comprehensive document prepared by probation officers or court personnel following the PSI for the sentencing judge providing detailed information about a defendant's background, circumstances of the offense, and recommendations for sentencing.
- **Revocation hearing** is a formal proceeding conducted by a court or administrative body to determine whether a defendant or probationer has violated the terms of their probation, parole, or supervised release.
- **Parole** is a conditional supervised release of a prisoner before the completion of their full sentence or as a separate condition of their sentence.
- **Parole Agent** or parole officer is a peace officer that monitors individuals released from prison on parole.
- **Parole board** is a governing body within the criminal justice system responsible for determining whether an incarcerated individual is eligible for release from prison before the completion of their full sentence under certain conditions.
- **Mark System** is a historical penal practice where prisoners could earn marks or credits for good behavior, which could be exchanged for privileges, early release, or reduced sentences.
- **Ticket-of-leave** refers to a historical term originating in the 19th century, primarily used in British and early American legal systems that granted, early release to prisoners based on good behavior during their incarceration.
- **Determinate sentencing** is where the length of imprisonment for an offender is fixed by statute or sentencing guidelines, typically based on the severity of the offense and the offender's criminal history.
- **Parolee** is an inmate who has been conditionally released from incarceration under the supervision of parole authorities.
- **Technical violations** refer to violations of the conditions of release or community supervision that are not new criminal offenses.
- **Exclusionary Rule** excludes or suppresses evidence obtained in violation of an accused person's constitutional rights.
- **General conditions** are conditions of release that are universal to all parolees and probationers. Some of these conditions may include reporting to your probation officer or parole agent, as instructed and not to violate any city, county, state or federal laws.
- **Special conditions** are conditions of release that are unique to each parolee or probationer and have an nexus that is specific to the criminality of that parole or probationer. Some of these include anti-narcotic testing, not to associate with no gang members, no alcohol consumption and/or no frequent areas where children are known to congregate.

Critical Thinking Questions

- You are a probation officer or parole agent. You have a new releasee on your caseload. The releasee signs their conditions of release which note anti-narcotic testing, no use or possession of alcoholic beverages, or liquors, not to be in the area where the primary sale is alcoholic beverages, or liquors. The following day, you conduct a home visit and observe that releasee inebriated with beer opened cans at the dining room table. What would you do and why?
- Should inmates be required to demonstrate positive programming behavior and some remorse for their criminality while incarcerated in order to be eligible for parole or should parole be mandatory regardless of how the inmate behaves while they are in custody? Explain your answer.
- Do you believe that parolees should get government assistance in the form of food stamps, post-secondary (college) education, housing and medical care while on parole or probation? Why or why not?

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GLOSSARY

Abstract of Judgement is the official record of the conviction and sentence of the court in California.

Adjudication is synonymous with a trial or a hearing in that it is the process where juvenile cases are heard by a judge and the determination is made whether or not the juvenile committed the offense he or she was charged with.

Administrative assignments include officer positions in the administration building and other assignments/positions outside the secure perimeter of the institution.

Administrative segregation is when inmates are deemed to be a risk to the safety of other inmates, prison staff, or to themselves are placed in confinement.

AD/SEG was a temporary lock up unit where inmates who were undergoing disciplinary action or required enhance security due to victimization were placed until the case was adjudicated or the victimization/enemy situation had been rectified.

Armed Officers which may include tower officers, roving patrol officers, security housing unit control booth officers, and catwalk officers. Each of these positions is an armed position with no direct inmate contact.

Aryan Brotherhood is a white prison gang that originated in California's San Quentin Prison amongst White American prisoners in 1964.

Auburn System is a congregate correctional approach developed at Auburn State Penitentiary in New York during the early 19th century. It emphasized strict discipline, silence, and a regimen of group labor during the day, while housing prisoners in separate cells at night. This system aimed to instill obedience and deterrence through harsh conditions and regimented routines.

Black Guerrilla Family also known as the BGF is made of African American inmates, this gang represents an exception to the typical formation of prison gangs in that its inception was an originally politically based group that has a significant presence in prisons and prison politics.

Booking is the location and intake process of an arrestee or convicted person in a jail.

Boundary violation is behavior between a correctional officer or other correctional staff member and an inmate where professional distance has broken down which leads to the staff member violating departmental policy and/or the law.

Burnout is a condition caused by mental and/or physical exhaustion that leads to poor performance.

California Proposition 62 would have repealed the death penalty and replaced it with life without the possibility of parole.

California Proposition 66 would have sped up the executions of condemned inmates in California and expedited the appeal process.

Canteen also known as prison shop or commissary, is a service that provides products for sale to the inmate population such as tobacco, hobby materials, stationery, non-prescribed medication, additional food and toiletries. Inmates are usually limited to spending a maximum set amount on canteen items and are usually only allowed to make purchases on a prescribed schedule.

Capital Punishment, also known as the death penalty, refers to the legal execution of a person as punishment for a crime, typically administered by a government or judicial authority. This penalty is usually reserved for the most serious offenses, including murder, treason, or acts of terrorism.

Career criminal, also known as a repeat offender or habitual offender is a person who is convicted of a crime who was previously convicted of similarly situated crimes and usually makes a living through criminal enterprise.

Cell searches involve correctional officers actively searching an inmates cell and/or bunk area for contraband such as phones, tattoo equipment or "Pruno", weapons or drugs.

Cellblock officer is one of the most common positions in an institution. This officer is assigned to a cell block or housing unit to monitor and supervise inmates in their daily living area. Officers assigned to this position will have continual inmate contact

throughout their shift.

Central control and watch officers are responsible for the institutional counts, main yard and perimeter security, coordinating inmate movement throughout the institution, arranging for inter-facility and off site medical transports, and the production of the daily movement sheet (DMS).

Central File contains all of the sentencing documents, police and probation officer reports, past incarceration documents as well as educational, medical and mental health information on the inmate.

Child molestation also known as child sexual abuse is the employment, use, persuasion, inducement, enticement, or coercion of any child to engage in, or assist any other person to engage in, any sexually explicit conduct or simulation of such conduct or the purpose of producing a visual depiction of such conduct; or the rape, and in cases of caretaker or interfamilial relationships, statutory rape, molestation, prostitution, or other form of sexual exploitation of children, or incest with children.

Chit is a small piece of either plastic or brass, about 1 inch in diameter with the inmates prison ID number or officers name. It is used as a marker to check out equipment for use during an inmates or staff's work hours.

Clark v. California is a 1996, a class-action lawsuit filed in federal court contending that the state violated the Americans with Disabilities Act by discriminating against prison inmates with developmental disabilities and denying them adequate accommodations, protection, and services because of their developmental disabilities.

Classification is a continual diagnostic and prescriptive process that involves the systematic study of an inmates case factors throughout their commitment to the department of corrections.

Classification score is a numerical assessment of an inmates risk to institutional security calculated via a review of an inmates case factors to include age, conviction (with or without violence), prior incarcerations and gang involvement as well as other static and evolving case factors.

Codification is the process of compiling, arranging, and systematizing the laws of a given jurisdiction, or of a discrete branch of the law, into an ordered code.

Cognitive-behavioral therapy, is therapy, usually administered by mental health, staff or counselors to modify the offenders's drug-use expectations and behaviors, and helps the offender to effectively manage triggers and stress.

Coleman v. Schwarzenegger, is a federal class action civil rights lawsuit under the Civil Rights Act of 1871, Eighth and Fourteenth Amendment to the United States Constitution, and the Rehabilitation Act of 1973 alleging unconstitutional mental health care was being provided by the CDCR.

Community supervision refers to the system of monitoring and managing individuals who have been issued an intermediate sanction or placed on probation or parole within the community instead of being incarcerated.

Compulsory sentencing also known as mandatory sentencing or mandatory minimums are laws that require judges to impose specific punishments for certain crimes without the benefit of discretionary decisions during sentencing.

Condemned cell, also known as a death row cell, is a designated room within a prison where individuals who have been sentenced to death as a legal punishment are held until their execution.

Conditions of Release also known as conditions or probation or parole, depending on the supervision, are conditions imposed upon the releasee that they must meet during the period of monitoring by probation or parole that have a nexus to their criminal history, behavior or mental health status.

Congregate Approach is a correctional strategy in which inmates are housed together in a centralized facility, such as a prison, where they interact and share common spaces for activities such as dining, recreation, and educational programs.

Conjugal visits also known as family visits allow for inmates to visit family members in private, in apartment -like facilities on prison grounds.

Contingency management therapy provides motivational incentives in the forms of vouchers or cash rewards for positive behaviors.

Contract System a system that enabled private companies to pay a set fee to use prisoners for labor within the confines of the penitentiaries. These manufacturing operations were entirely supervised and managed by these private contractors.

Convict Leasing System is where the states leased inmates to private businesses for work outside the prison walls. Under this system, the lessees compensated the state for the inmate labor.

Corporal punishment is the physical discipline or penalty inflicted upon an individual, typically as a form of punishment for wrongdoing or to instill discipline. This form of punishment involves physically chastising the individual, such as through whipping, caning, and flogging.

Correctional Clinical Case Management System (CCCMS) lowest level of in-custody outpatient mental health treatment that uses various treatment methodologies to assist inmates who suffer for mental illness. **Enhanced**

Correctional Officer is a sworn law enforcement officer trained and certified by the state and tasked with the safety and security of the facility and inmates in their custody.

Corrections is responsible for carrying out the ruling of the court by incarcerating convicted offenders and providing them with rehabilitative opportunities and other services as well as holding persons accused of a crime in pre-trial detention.

Courts are responsible for interpreting the law, adjudicating criminal cases, and sentencing offenders.

Courtyard design is characterized by buildings arranged around a spacious central open area, typically in a square or rectangular configuration.

Criminal Identification and Investigation Report (CI&I) is a repository of personal identifying and criminal information on an individual, usually obtained for legitimate law enforcement purposes.

Criminal justice ethics (also police ethics) is the academic study of ethics as it is applied in the area of law enforcement.

Criminal sanctions, in law and by legal definition, are penalties or other means of enforcement used to provide incentives for obedience with the law or other rules and regulations.

Criminal street gang is any formal or informal organization, association or group of three or more persons having as one of its primary activities the commission of criminal acts annotated in California penal code section 186.22 (e).

Criminogenic needs are used to describe factors, conditions, or environments that are likely to cause or contribute to criminal behavior. Examples of criminogenic factors or elements are substance abuse, lack of education, unemployment as well as antisocial attitudes, poverty family dysfunction and other social or behavioral conditions.

Cuff Ports are openings in cell doors that have a hinged lockable lid that is used to pass food, clothing and other items to inmates while they are in their cell. They are also used to securely handcuff inmates while they remain in their cell and the correctional officer is safely outside of the cell.

Culinary officer is responsible for maintaining the safety and security of the dining facility while inmates are being fed and food is being prepared.

Daily movement sheet (DMS) is a printed document that outlines all inmate movement such as appointments and releases scheduled for the day.

Death row phenomenon is the result of prisoner's isolation and uncertainty over their fate which constitutes a form of psychological abuse and that especially long-time death row inmates are prone to develop a mental disorder, if they do not already suffer from such a condition.

Death row, also known as condemned row, is a place in a prison that houses inmates awaiting execution after being convicted of a capital crime and sentenced to death.

Deinstitutionalization was the emptying of state mental hospitals in the mid-twentieth century, under the idea that individual communities were better equipped to handle their own mentally ill population.

Deliberate indifference is when correctional officers knowingly disregard critical information that may lead to a violation of an

inmates constitutional rights.

Determinate sentencing is where the length of imprisonment for an offender is fixed by statute or sentencing guidelines, typically based on the severity of the offense and the offender's criminal history.

Deterrence seeks to dissuade individuals from engaging in criminal conduct by illustrating the repercussions of unlawful and/or deviant actions.

Deviant behavior is behavior that is outside and contrary to the social norms of a society.

Disciplinary segregation is where inmates are temporarily placed in solitary confinement as punishment for violation of institutional rules or the law. In CDCR this is the administrative segregation or security housing unit.

Discrimination is the unjust or prejudicial treatment of individuals or groups based on certain characteristics, such as race, gender, age, religion, or nationality.

Drug offense is a nonviolent offense that includes substance possession, driving under the influence, minor trafficking, sales, and manufacturing.

Due process is a prescriptive process of the criminal justice system where the legal requirement of the state to ensure the constitutional protections of the individual are followed during the criminal justice process from arrest through punishment.

Electrified fence that carried a lethal electrical charge which usually is placed in a no man's land between the inner and outer perimeter fencing.

Emotional disturbances also known as behavioral or emotional disorders refer to a disability classification that allows special education services to juveniles who display poor social and/or academic progress.

EOL Care also known as end of life care is synonymous with hospice or palliative care to assist inmates with terminal illnesses in preparation of their death while in custody.

Ethics is defined as a system of intrinsic or innate values that distinguish rules for behavior based on an societies ideas of what is good and bad.

Excessive force is the use of more force that is objectively reasonable to accomplish a lawful purpose.

Exclusionary Rule excludes or suppresses evidence obtained in violation of an accused person's constitutional rights.

Execution is the act of carrying out a death sentence.

Exercise yard is a small secure indoor or outdoor space where inmates are placed to get fresh air outside of a lock-up unit. They usually are placed alone or in a pair and always watched by correctional officers, one of which who is usually armed.

Full-time watch: High-risk inmates are watched non-stop around the clock one-on-one. usually reserved for inmates on suicide watch.

General conditions are conditions of release that are universal to all parolees and probationers. Some of these conditions may include reporting to your probation officer or parole agent, as instructed and not to violate any city, county, state or federal laws.

General deterrence exposes the general public to the consequences of illegal behavior in hopes of dissuading the public from engaging in similar behavior in the future.

Goal is the old English spelling of jail.

Hands off Doctrine held that prior to the Cooper v Pate decision in 1964, courts should not interfere in the treatment of prisoners in U.S. jails or prisons.

In person visiting allows inmates in the general population to sit together with their visitor or visitors in a designated shared space, usually furnished with tables and chairs through the duration of the visit.

Incapacitation focuses primarily on preventing further criminal behavior and safeguarding society from harm with physical or legal restrictions on the offender, typically through incarceration or capital punishment.

Incarceration is the removal of a person's liberty through confinement by authority of the government.

Indeterminate Sentencing is a sentencing model in criminal justice where the length of incarceration is not fixed but rather falls within a range determined by specified legal statutes or guidelines. The length of incarceration is often determined by the inmate's behavior. Positive behavior will reduce the incarceration time and negative behavior will increase it.

Industrial Work Assignments involves providing services for sale to government agencies, state-owned or private sector businesses (e.g. data entry, automobile repair) and manufacturing products (e.g. automobile tags, furniture and mattresses).

Inmate code is an informal set of rules of conduct that are passed down from inmate to inmate that outline the norms and expected behavior of inmates within the prison system.

Inmate custody designation is established to determine where the inmate is to be housed, where they are to be assigned and the level of staff supervision that will be required to maintain institutional security and public safety.

Inmate disciplinary processes is the formal or informal response of correctional officers and other staff to inmates' misbehavior, the disciplinary hearings where guilt is determined, the sanctions that are applied, and where the appeals process information is provided to the inmate.

Inmate visitor is a non-incarcerated person who is a friend, family member, relative or community member who visits an inmate to maintain or foster a relationship and monitor their welfare.

Institutional Classification Committee is the highest level committee within an California state institution which is comprised of a minimum of three members and is chaired at the level of Warden or Chief Deputy Warden.

Institutional counts, also known as positive or negative counts are initiated at set times to ensure the number of inmates in the facility matches the number on record.

Institutional Jobs also known as support services jobs, prison jobs or facility jobs are work assignments that supports the prison operations, is managed by the DOC and remains the most common type of work assignment.

Institutionalization is the process of absorbing and adapting to the prison culture and inmate code.

Intellectual disability formerly known as mental retardation is a neurodevelopmental disorder characterized by significant impairment in intellectual and adaptive functioning that is first apparent during childhood.

Intermediate sanctions is the step in between probation and incarceration. These alternative sentence punishments fill the gap in between standard probation monitoring and incarceration. They are usually more restrictive than standard probation but still allow for the person to remain in the community.

IW/TIP is a work training program that gives eligible inmates the ability to earn credits that reduce the inmates stay in state prison.

Jail Custody is the process of depriving liberty to an arrestee/ detainee usually for pre-trial detention or serving a sentence.

Jail is a place of confinement before or after adjudication of a charge and is usually operated by local law-enforcement authority such as a sheriff, police chief or a county or city administrator.

Jail Punishment, also known as jail sentencing is the process of housing inmates who were convicted of either a misdemeanor or felony charge and sentenced to jail.

John Augustus, known as the first probation officer or the father of probation, was a Boston bootmaker who pledged a surety to the court to supervise men in the community who would have been otherwise sentenced to incarceration.

Just deserts is the belief that offenders should face consequences commensurate with the harm they have inflicted.

Juvenile delinquency is unlawful or immoral behavior committed by persons under the age of 18.

Law enforcement agencies are responsible for preventing crime, investigating criminal activity, and apprehending suspects.

Learning disabilities or learning disorders is a condition that causes difficult difficulties in comprehending or processing information.

Less lethal weapons are any weapons that are not likely to cause death when they are deployed in accordance with departmental policy.

Lethal weapons are any weapons that when deployed are likely to result in death. A firearm falls into this category.

Level I – Facilities and Camps with primarily open dormitories with a low security perimeter.

Level II – Facilities consisting primarily of open dormitories with a secure perimeter, which may include armed coverage and/or an electrified fence.

Level III – Facilities primarily that have a secure perimeter with armed coverage and housing units with cells adjacent to exterior walls.

Level IV – Facilities that have a secure perimeter with internal and external armed coverage and housing units or cell block housing with cells non-adjacent to exterior walls.

Life Without the Possibility of Parole (LWOP) is a mandatory minimum sentence that places a person convicted of a capital offense such as murder into custody for the rest of their natural life.

Malingering is when inmates feign psychiatric symptoms for secondary gain such as getting a housing unit change or obtaining psychotropic medication for personal use or sale to other inmates.

Mandatory minimum sentencing is a type of determinate sentencing where an offender who commits certain crimes, usually serious and/or violent in nature must be sentenced to incarceration for a specific of time without much consideration for mitigating circumstances.

Mark System is a historical penal practice in which prisoners could earn marks or credits for good behavior, which could be exchanged for privileges, early release, or reduced sentences. This system was aimed at incentivizing positive conduct and rehabilitation within correctional institutions.

Maximum-security prisons, also known as close security or close custody prisons, are highly secure facilities designed to hold inmates who pose an exceptionally high risk to public safety, institutional security, correctional staff, or other inmates.

Medium security prisons house inmates who pose a moderate risk to public safety, institutional security, prison staff, or other inmates.

Mental Health Crisis Bed (MHCB) is a short term inpatient program within institutional grounds for inmates that are decompensating as a result of acute symptoms mental illness. MHCB is not a permanent placement/ designation, it requires clinical re-assessment on a prescribed basis.

Mental illness is a health condition that negatively affects a person's cognition, behavior and/or emotional control.

Mexican Mafia or La Eme prison gang. "Eme" is the Spanish name of the letter "M," and it is the 13th letter in the alphabet. Eme was originally formed in 1956 in the Deuel Vocational Institute[7] by Hispanic prisoners from the southern part of that state.

Microwave or buried RF sensors alert security if an inmate nears the fence or has entered a sterile area (no man's land, such as the space between a pair of parallel fences, in which inmates are not allowed).

Minimum security prisons house inmates considered to pose the lowest risk to public safety and institutional security.

Morals are values that are based on what society believes is right and wrong that may change over time given an evolving societal view.

Mount Pleasant Female Prison located in Ossining, New York is first American female correctional facility with dedicated buildings and staff.

Nazi Lowriders are a newer white prison gang that emerged after many Aryan Brotherhood members were sent to the Security Housing Unit at Pelican Bay or transferred to federal prisons.

Non-contact visiting allows for inmates to receive visits even though they have either not been classified or have reduced privileges a result of disciplinary issues.

Nonprofessional support staff are staff that usually do not have any formal education beyond a high school diploma. They include but are not limited to maintenance staff, food service staff, warehousing staff and recreational staff.

Nothing Works Doctrine a comprehensive review of over 200 studies on prison rehabilitation programs, resulting in one of the most influential criminal justice articles of the 20th century that found there was scant evidence that prison rehabilitation efforts reduced recidivism rates.

Nuestra Familia prison gang: meaning "Our family" in Spanish with "N," the 14th letter in the alphabet, along with the Roman numeral "XIV" is the symbol Nuestra Familia. Nuestra Familia is another mostly Hispanic prison gang that is constantly at war with La Eme.

Off Reservation Work Detail also known as ORWD are inmate work assignments that allow minimum security inmates to work outside the secure area of the institution.

Outpatient Program (EOP) provides a higher, more intensive level of outpatient clinical care than CCCMS and usually requires specialized housing and more comprehensive mental health treatment methodologies. EOP is the highest level of outpatient treatment within CDCR's Mental Health Services Delivery System.

Own recognizance is a court order to release an accused person from pre-trial custody with a signed promise to appear for future court appearances without having them post bail or bond out.

Panopticon design features a centralized surveillance and control tower, enabling a single officer to visually monitor all inmates.

Parens Patriae refers to the power of the state working through the court system to act as a parent and/or to have a custodial responsibility over juveniles who are either homeless or involved in the criminal justice system.

Parole Agent or parole officer is a peace officer that monitors individuals released from prison on parole.

Parole board is a governing body within the criminal justice system responsible for determining whether an incarcerated individual is eligible for release from prison before the completion of their full sentence under certain conditions.

Parole is a conditional supervised release of a prisoner before the completion of their full sentence or as a separate condition of their sentence.

Parolee is an inmate who has been conditionally released from incarceration under the supervision of parole authorities.

Pat searches, also known as a pat down search is a cursory search of an inmates clothing and person done at random times and usually when inmates are moving from one location within the facility to another.

Pennsylvania System is a correctional approach developed in the early 19th century characterized by solitary confinement and inmate labor in isolation. It aimed at reforming prisoners through reflection and penitence, with minimal interaction among inmates and staff to prevent corruption.

Perimeter intrusion detection systems sound an alarm if fences are climbed or cut. Some systems also provide correctional officers with live audio feedback.

Perimeter patrol: Also, known as roving patrol is usually an armed correctional officer in a vehicle which circles the institution outside the secure perimeter. This officer is usually the first response if an inmate breaches the secure perimeter of an institution.

Perimeter towers: Towers at corners of the institution or spaced evenly around the perimeter allowing correctional staff to observe designated areas and are often authorized to use deadly force via a firearm against fleeing inmates.

Plata v. Schwarzenegger is a SCOTUS court case that claimed the CDCR violated the eighth amendment of the United States Constitution as a result of an overcrowded inmate population which limited access to mental health and healthcare for prisoners.

POST certificate is awarded to law enforcement officers who successfully navigate POST testing and their respective academy having demonstrated their proficiency as peace officers.

Presentencing investigation (PSI) is a thorough assessment conducted by probation officers to assist the court in determining an appropriate sentence for a convicted individual.

Presentencing report (PSR) is a comprehensive document prepared by probation officers or court personnel following the PSI for the sentencing judge providing detailed information about a defendant's background, circumstances of the offense, and recommendations for sentencing.

Pretrial Detention is the incarceration of a person in jail pending arraignment, holding them while awaiting trial, during the trial and/or during sentencing.

Prison confines persons after they've been convicted of a criminal offense, usually a felony and are operated under the authority of a state Department of corrections or the Federal Bureau of Prison.

Prison gangs are any gang which originated and has its roots within the corrections department or any other prison system.

Prison healthcare is the medical specialty in which healthcare providers care for people in prisons and jails.

Prison labor wages current income by inmates of work assignments while incarcerated in jail and or prison. Income is dependent on work being done, inmate skill level and security required.

Prison law library is a legal library within an institution that provides inmates access to legal materials.

Prison Ministry is a larger concept, including the support of the spiritual and religious needs of prison guards and staff, whose work in an often demanding and brutal environment often creates a special need for pastoral care.

Prison religion includes the religious beliefs and practices of prison inmates, usually stemming from or including concepts surrounding their imprisonment and accompanying lifestyle.

Private Prisons our privately contracted prisons, primarily used as overflow by state prison systems to house inmates sentence to state prison.

Probation is a sentence by the court that allows the convicted person to remain in the community with certain conditions and restrictions which are monitored by a probation officer.

Probation officer is it peace officer who is responsible for monitoring individuals placed on probation by a court.

Professional distance is the relationship between correctional staff and inmates that follows departmental policy and avoids personal communication between both parties.

Professional support staff are staff that have some type of degree or certification and can include administrators, teachers, counselors, psychologist and doctors.

Prostitution is the exchange of money, goods or services for sex and or lewd conduct.

Protective custody is the separation and/or segregation of an inmate from general population due to some type of vulnerable status such as conviction type, medical history, or gang affiliation.

Pruno is the slang term for an inmate manufactured alcoholic beverage made with fruit like apples or oranges, usually taken from the dining facility and bread which is fermented for approximately one to two weeks and then consumed.

Public Account System is a financial system where the institution's revenue and expenditures were managed directly by the state or government. Under this system, prisons operated as self-sustaining entities, generating income through the labor of inmates, which was then used to cover operational costs. This system often involved the sale of goods produced by inmate labor, with the proceeds contributing to the prison's budget. The public account system aimed to promote financial transparency and accountability in prison management, but it also faced criticism for incentivizing harsh labor conditions and neglecting the welfare of inmates.

Punishment is the imposition of a penalty or consequence for an individual's violation of established laws.

Punitive relates to, involving, or constituting punishment, typically aimed at deterring future wrongdoing, exacting retribution for a committed offense, and correcting behavior deemed unacceptable by law.

Radial design was a prevalent architectural approach in 19th-century prisons, characterized by a central control center resembling a hub, multiple cell blocks extended outward like spokes on a wheel.

Rape is penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim.

Reasonable Force is force that objective, trained incompetent correctional employee faced with a similar set of facts and circumstances would consider necessary and reasonable.

Reasonable suspicion standard refers to the belief of a peace officer, based on specific and articulable facts, that a person is, was, or will be involved in criminal activity.

Reception yard houses unclassified inmates during the process of assessing the needs of the inmate and the risk of they pose while in custody as well as to gather behavioral, educational and past custodial data on the inmate to ensure a thorough classification process of that inmate.

Recidivism is the re-entry of an ex-inmate, parolee or probationer into custody as a result of revocations or a new criminal conviction.

Rehabilitation aims to reform offenders by finding the individual root causes of their criminality and changing their behavior through education, therapy, and other interventions, with the intention of facilitating their successful reintegration into society.

Relief officer positions cover vacancies as a result of officers using either vacation, sick or holiday time.

Restoration addresses the offender's transgressions, promotes accountability, and attempts to facilitate their reintegration into the community, usually through mediation with the harmed party or victim.

Retribution, the moral rationale for punishment.

Revocation hearing is a formal proceeding conducted by a court or administrative body to determine whether a defendant or probationer has violated the terms of their probation, parole, or supervised release.

Revocation is the cancellation of probation, parole, or other forms of community supervision due to noncompliance with prescribed rules, conditions, or behavioral expectations.

RHU's are California's new specialized housing units that are designed for inmates who are not suited for housing in the general population. RHU's fill the needs of both Ad/SEG and SHU.

Risk and needs assessments are structured processes used to evaluate offenders' likelihood of re-offending and identify factors that contribute to their criminal behavior well as identifying needs that will help them successfully navigate their probation or parole period and reduce the likelihood of them reoffending.

Robert Vaux, a member of the Philadelphia Society and a key contributor to the planning of the penitentiary, provided five core principles of the Pennsylvania system.

Rounds are when correctional officers within the facility make conduct security checks of designated areas within set intervals.

Sallyport is a dual door entry/exit system designed to control movement from one location to another.

Search & escort officers are responsible for conducting searches, escorting inmates, delivering and retrieving documents throughout the institution and gathering counsel slips from facility housing units.

Secure confinement implies that the juvenile has been committed by the court into the custody of a secure juvenile correctional facility for the duration of a specific program, which can span from a few months to many years.

Secure detention, means that juveniles are held for usually short periods of time in facilities in order to await current trial hearings and further placement decisions.

Security Housing Unit also known as SHU was a long-term lockup unit used to carry out the determinate punishment portion of in custody misconduct by an inmate or placement into an indeterminate SHU term as the result of gang affiliation.

Security lighting which provides nighttime visibility of exterior areas, including entrances, facility yards, exercise yards, work and education areas and perimeter fencing.

Sentence enhancements are laws that identify specific aggravating circumstances of a crime that add additional commitment time to the offender.

Sentencing guidelines provide a range of criminal sanctions that are based on aggravating and mitigating circumstances of each case.

Serious mental illness is defined here as schizophrenia, bipolar disorder, or major depression.

Sex crimes are sexual acts committed by one person onto another or group that are prohibited by law.

Shadow Board is a hanging pegboard where tools are stored. In the space where a specific tool is hung, a shadow or outline of the tool is painted on the pegboard for a quick visual accounting of missing/in-use tools.

Shock incarceration is incarceration in local jails, usually not exceeding 90 days, often times including comprehensive and rigorous in custody drug/alcohol and/or mental health treatment.

Situational criminal, also known as an occasional criminal only commits crime under specific circumstances but is not normally driven to commit crime and is unlikely to repeat the offense.

Social control mechanisms in which a society tries to prevent and sanction behavior that violates norms.

Solitary confinement is a type of inmate housing which is used to isolate and punish prisoners as well as to protect them from themselves and each other.

Special conditions are conditions of release that are unique to each parolee or probationer and have an nexus that is specific to the criminality of that parole or probationer. Some of these include anti-narcotic testing, not to associate with no gang members, no alcohol consumption and/or no frequent areas where children are known to congregate.

Specific deterrence is the imposition of punishment on the actual offender in hopes of dissuading him or her from engaging in similar behavior in the future.

Status offense is an act committed by juveniles that is treated as a criminal offense even though, as an adult, the crime would have no criminal weight.

Substance use disorder (SUD) is an illness caused by repeated misuse of substances such as alcohol, caffeine, cannabis, hallucinogens, inhalants, opioids, sedatives, hypnotics, anxiolytics, stimulants (amphetamines, cocaine, and other stimulants), and tobacco.

Superintendent is an early title that was given to the highest-ranking administrative official responsible for overseeing the operations and management of a prison or correctional facility.

Supermax also known as a lock-up unit, administrative segregation, or a security housing unit is a stand-alone facility or a unit within a facility that is designated for violent or disruptive inmates.

Supermax prisons also known as administrative maximum units, are facilities that were constructed to house the most notorious and dangerous criminals. These prisons severely limit movement of the inmate population to ensure safety and security.

Surety is a pledge to the court, usually of money issued by a guarantor that a charged or convicted person will abide by the conditions of the court. Also known as a bail bond or surety bond.

Surety was a person who guaranteed or paid individuals' bond, or the money necessary to secure their release awaiting trial, akin

to a bail bondsman.

Surveillance cameras which allow correctional officers to monitor areas of the compound without being physically present.

Suspended Sentence allows an offender to serve their sentence under supervision in the community. However, the sentence is only suspended subject to certain conditions that the offender must continue to meet; if they deviate from those conditions, they may be ordered to finish their sentence in jail or prison.

Technical violations refer to violations of the conditions of release or community supervision that are not new criminal offenses.

Telephone-pole design features a long central corridor intersecting all cross sections of the facility, allowing for direct observation and quick response by staff.

Test of Adult Basic Education (TABE) is a test to assess an inmates level of education. It focuses testing in the areas of English, reading, writing and mathematics.

Thermal cameras detect heat signatures and can notify guards if an inmate (or other unauthorized person) is present in a restricted area or moving towards the fence.

Ticket-of-leave refers to a historical term originating in the 19th century, primarily used in British and early American legal systems that granted, early release to prisoners based on good behavior during their incarceration.

Unclothed body search is a search of an inmate, their clothing and an inmates body cavities to ensure they are not secreting dangerous contraband inside the institution. It is a more thorough and complete search than a pat down search.

Uniform Crime Report is a program that generates reliable statistics for use in law enforcement. It also provides information for students of criminal justice, researchers, the media, and the public. The program has been providing crime statistics since 1930.

Unit Classification Committee is held for initial and subsequent program assignments/changes/transfers and composed of three members, chaired by staff at the rank of Facility Captain or Correctional Captain.

Universal precautions refers to the practice of avoiding contact with patients' bodily fluids, by means of the wearing of nonporous articles such as medical gloves, goggles, and face shields.

Unnecessary force is the use of force when none is required or appropriate.

Use of Force policy is a departmental policy that outlines what is reasonable force and when it is to use by a correctional employee in the performance of their duty.

Video analytics that detect, track and classify people, objects, and vehicles near the perimeter.

Violent Crime Control and Law Enforcement Act, passed in 1994 included several provisions for enhanced penalties for drug trafficking in prisons and drug-free zones, and illegal drug use in federal prisons.

Vocational Training Programs also known as Career Training Education (CTE) is education taught by journeyman instructors that focuses on a specific employable fields of study that usually offers an industry recognized certification upon successful completion of the program.

Vocational/educational officers maintain security in the education and vocational areas while education and vocational staff are providing services to the inmate population.

Walnut St. Jail is the first penitentiary facility in the US located in Philadelphia, Pennsylvania. Established in 1773, it was designed as a model institution focused on solitary confinement and the rehabilitation of inmates through reflection and penance.

Warden is a prison administrator who is responsible for the overall operation of the institution.

Work & Privilege groups provide a graduated system of incentives to promote a desire to achieve positive outcomes under the Inmate Work and Training Incentive Program (IW/TIP).

Work change officer is responsible for processing inmates from their respective facility yards/housing units to the vocational/

educational area of the institution.

Yard officers are responsible for monitoring facility and main yards throughout the institution.

Youth detention center, also known as a juvenile detention center (JDC), juvenile jail, juvenile hall, observation home or remand home is a prison for people under the age of majority, to which they have been sentenced and committed for a period of time, or detained on a short-term basis while awaiting trial or placement in a long-term care program.

Zero Tolerance Policy is a criminal justice practice that focuses on retribution by sentencing juveniles to harsh punishments for criminal and status offense behavior with the intention of enhancing public safety.

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