

## CHAPTER 11

### Prisons and Jails

#### Teaching Outline

##### I. Introduction (p.326)

##### II. Prisons (p.326)

- There are about 1,325 state prisons and 84 federal prisons in the U.S. today.
- The prison population has more than quadrupled since 1980 but the growth rate is slowing.
- The current incarceration rate for inmates sentenced to over one year is 500 for every 100,000 U.S. residents
- Most people sentenced to state prison were convicted of violent crimes; drug-law violations was the single largest group of federal inmates
- There are disparities by race and by gender.
- The use of imprisonment varies considerably between states.

**Prison:** A state or federal confinement facility that has custodial authority over adults sentenced to confinement. (p.326)

##### A. The Philosophy of Imprisonment (p.330)

- “Get tough” initiatives include the use of chain gangs, greater punishments, and three-strikes legislation.

**Justice Model:** A contemporary model of imprisonment based upon the principle of just deserts. (p.331)

##### B. Overcrowding (p.332)

##### 1. The Dimensions of Overcrowding (p.332)

- The just deserts philosophy led to substantial and continued increases in prison populations, resulting in problems of prison overcrowding.
- *Rhodes v. Chapman* held that crowding is not cruel and unusual punishment.

**Prison Capacity:** The size of the correctional population an institution can effectively hold. There are three types of prison capacity: rated, operational, and design. (p.333)

**Rated Capacity:** The number of inmates a prison can handle according to the judgment of experts. (p.333)

**Operational Capacity:** The number of inmates a prison can effectively accommodate based upon management considerations. (p.333)

**Design Capacity:** The number of inmates a prison was intended to hold when it was built or modified. (p.333)

2. Selective Incapacitation: A Strategy to Reduce Prison Populations (p.333)
  - Collective incapacitation, a strategy that would imprison all serious offenders, is prohibitively expensive and many experts consider it unnecessary
  - Selective incapacitation seeks to identify the most dangerous and then remove them from society.

C. Security Levels (p.334)

- Maximum-custody prisons tend to be older buildings with large inmate populations, although some are much newer. These facilities have high levels of security, place barriers between the living area and the outer perimeter, and use technological innovations to reinforce traditional security strategies.
- Death row inmates are all in maximum-security prisons.

Instructional Cue

Try to organize a field trip to a tour a local jail or state prison. Point out to students the level of security imposed by the institution you choose to tour. Remember to have students sign any participant release form that your institution might require for participating in an off-campus activity. Also remind students of the appropriate dress code for such a tour.

- Medium-security prisons are smaller than maximum-security and are more likely to have barbed-wire fences than thick walls.
- Minimum-security prisons are like dormitories, and inmates are free to walk the yard.
- The typical American prison is medium or minimum custody.

D. Prison Classification Systems (p.335)

- Classification systems are used to assign new prisoners to initial custody.
- Inmates move through custody levels based on their progress in self-control and demonstrated responsibility.
- Inmates may be reassessed for living and work assignments within an institution.
- Classification criteria must be relevant to the institution's legitimate security needs.

**Classification System:** A system used by prison administrators to assign inmates to custody levels based on offense history, assessed dangerousness, perceived risk of escape, and other factors. (p.335)

E. The Federal Prison System (p.336)

- The federal system classifies prisons according to five custody levels.
  - Administrative security (ADMAX)
  - High security (U.S. penitentiaries)
  - Medium security (Federal correctional institutions)
  - Low security (Federal correctional institutions)

- Minimum security (Federal prison camps)

**ADMAX:** An acronym for administrative maximum. The term is used by the federal government to denote ultra-high-security prisons. (p.336)

F. Recent Improvements (p.337)

- The ACA Commission on Accreditation has developed a set of standards – institutions meeting those standards can apply for accreditation under the program.
- The National Academy of Corrections provides training for state and local corrections personnel, sheriffs, and state legislators.

III. Jails (p.339)

- Jails are locally-operated, short-term confinement facilities that serve a variety of purposes, including holding suspects following arrest and pending trial.
- A 2012 report found that jails in the U.S. held 735,601 inmates (12.7% of which were women). About 62% are pretrial detainees or defendants involved in the trial process.
- Jails also supervised 65,884 persons in the community.
- A total of 3,283 jails are in operation today.
- State and local governments spend \$10 billion annually to operate the nation's jails.
- The majority of people processed through jails are members of minority groups; the typical jail inmate is an unmarried African American male between 25-34 years of age with some high school education.

**Jail:** A confinement facility administered by an agency of local government, typically a law enforcement agency, intended for adults but sometimes also containing juveniles. Jails hold people who are being detained pending adjudication or who were committed after adjudication, usually those sentenced for a year or less. (p.339)

A. Women and Jail (p.340)

- Females comprise only 12.7% of the jail population but are the largest growth group in jails nationwide.
- Pregnancy, drug abuse, and low educational levels are significant sources of difficulty for jailed women and substantive medical programs for female inmates are often lacking.
- About 22% of correctional officers are women; female personnel are disproportionately skewed towards jobs in the lower ranks.

B. The Growth of Jails (p.341)

- Jails have been called the “shame of the criminal justice system” as many are old, poorly funded, poorly staffed, and given low priority in local budgets.
- Jail populations remain high but some jurisdictions have begun to divert arrestees to community-based programs to contain the growth of jail populations.

C. Direct-Supervision Jails (p.341)

- Direct supervision emerged as a new jail strategy in the 1970s in an effort to solve many jail problems.
- Direct supervision attempts to reduce inmate dissatisfaction, deter rape and violence, reduce the likelihood of inmate victimization, increase staff morale, reduce inmate stress levels, and reduce lawsuits and adverse court-ordered judgments.

**Direct-Supervision Jail:** A temporary confinement facility that eliminates many of the traditional barriers between inmates and corrections staff. Physical barriers in direct-supervision jails are far less common than in traditional jails, allowing staff members the opportunity for greater interaction with, and control over, residents. (p.342)

#### D. Jails and the Future (p.342)

- Jails are adding crucial programs for inmates, such as drug treatment programs.
- Jail industries are growing in number.
- Jail “boot camps” increase the rigor of life behind bars.
- State jail standards, meant to ensure a minimum level of comfort and safety in local jails are now mandatory in 25 of the 32 states that have set such standards.

**Regional Jail:** A jail that is built and run using the combined resources of a variety of local jurisdictions. (p.354)

#### IV. Private Prisons (p.344)

- At the start of 2012, private prisons held 6.8% of all state prisoners and 16% of federal prisoners.
- Old state laws prohibiting private involvement in correctional management are one of the most significant barriers to privatization.
- Opponents of privatization cite many issues.

**Privatization:** The movement toward the wider use of private prisons. (p.344)

**Private Prison:** A correctional institution operated by a private firm on behalf of a local or state government. (p.345)

### **Learning Activities Utilizing the World Wide Web**

The following are presented as instructor led activities, to be used in a classroom with online access.

Visit Corrections.com on the World Wide Web (<http://www.corrections.com>). Look at each of the headings under “Topics.” Display the highlights of each topic and review them in class.

Visit the Correctional News Online website (<http://www.correctionalnews.com>) or Prison Legal News (<http://www.prisonlegalnews.org>), or a similar site. Display the sites in class and ask students to summarize and discuss the articles in class.

Other websites for organizations and agencies related to the material in Chapter 11 include:

American Correctional Association	<a href="http://www.aca.org/">http://www.aca.org/</a>
American Jail Association	<a href="http://www.aja.org">http://www.aja.org</a>
Correctional News Online	<a href="http://www.correctionalnews.com">http://www.correctionalnews.com</a>
Corrections (NCJRS)	<a href="https://ncjrs.gov/App/Topics/Topic.aspx?TopicID=1">https://ncjrs.gov/App/Topics/Topic.aspx?TopicID=1</a>
Prison Diaries	<a href="http://www.npr.org/programs/atc/prisondiaries">http://www.npr.org/programs/atc/prisondiaries</a>
National Partnership for Juvenile Services	<a href="http://npjs.org/">http://npjs.org/</a>
Prison Legal News	<a href="http://www.prisonlegalnews.org">http://www.prisonlegalnews.org</a>