Chapter Objectives

- Understand the challenges facing corrections and juvenile justice in the twenty-first century in the following areas:
  - sentencing practices
  - overcrowding
  - aging prison population
  - communicable diseases in corrections
  - drugs and drug policies
  - privatization
  - faith-based initiatives
  - technology
  - specialty courts
  - evidence-based corrections
  - community reentry
  - juvenile justice (including increased emphases on aftercare, collaboration, school resource officers, and adultification of juvenile justice)

- Present a futurist analysis of corrections and juvenile justice.

Trends and Challenges Facing Corrections in the 21st Century

Retribution and Sentence Severity

- Increased sentencing severity has been underway since the 1980s.
  - incarcerate greater numbers
  - incarcerate for longer periods of time

- There are controversial changes in sentencing.
  - increased use of mandatory sentencing
  - increased use of habitual offender statutes

Overcrowding in Correctional Facilities

- U.S. has highest incarceration rate of any country
  - associated problems
    - double-bunking
    - reduced availability of programming
    - health and sanitary issues
    - increased tensions
  - prisons operating over capacity
    - declined for state prisons
    - increased for federal facilities
- jail incarceration increased
- alternatives
  - sentence fewer people to incarceration
  - reduce average time served for many offenses
  - expand existing facilities
  - build new facilities
• Aging Prison Population
  o almost 5% are 55 years of age or older
    ▪ nearly four times that of a decade ago
  o challenges
    ▪ increased costs of health care
    ▪ specific mental health challenges
      □ more than half of population

Communicable Diseases in Corrections
• HIV / AIDS
  o between 1-2 percent of inmates
  o higher percentage of females than males
  o three times rate of general population
    ▪ myths and misconceptions
      □ ease of contracting HIV
      □ rapid spread of HIV
• Other disease rates are higher in correctional facilities than in communities.
  o Hepatitis
  o STDs
  o Tuberculosis

Drugs and Drug Policies
• Over one-half of BOP inmates and 20% of state inmates have been convicted of a drug offense.
• Welch suggests four elements that are important to drug control policy.
  o supply reduction
  o treatment
  o prevention / education
  o decriminalization
• The University of California conducted four evaluations of the California’s Substance Abuse and Crime Prevention Act.
  o more than 1/3 completed treatment
  o lower reoffending rates
  o cost benefit

Privatization
• Proponents
  o equal care and custody with less expense
  o reduction of recidivism
  o built faster and more efficiently operated
• Opponents
  o to profit from punishing offenders is controversial and unethical
  o delivers substandard care
  o driven by profit motive

Faith-based Initiatives
• In 2001, President Bush launched the White House Office of Faith-Based and Community Initiatives.
  o encouraged organizations to seek federal funds
• A number of faith-based initiatives are now available.
o the Prisoner Reentry Initiative (2004)
  ▪ assist ex-prisoners with reentry
  ▪ employment-based programs
    □ housing
    □ mentoring
    □ job training
    □ other services

• Evaluations of these programs are limited.

Technology
• The most potential influence to effect change in the twenty-first century revolves around
criminal justice technology.
  o data storage
    ▪ easy access
    ▪ potential for inaccuracies
    ▪ privacy questions
  o DNA
    ▪ facilitates investigations and prosecutions
    ▪ gained freedom for wrongfully convicted persons
    ▪ “John Doe” warrants
      □ extend indictments past statute of limitations
  o surveillance
    ▪ face-recognition
    ▪ cameras
    ▪ radio frequency identification tags
    ▪ body cavity screening systems
    ▪ potential violation of Constitutional rights
  o weapons and control devices
    ▪ types
      □ Stun belts
      □ TASER
      □ Active Denial System
    ▪ more effectively subdues individuals
    ▪ potentials for abuse
    ▪ special issue of use on those with certain medical conditions
  o video
    ▪ substitution for in-person
      □ court appearances
      □ inmate visiting
      □ telemedicine
    ▪ advantages
      □ reduces costs and risks of inmate transportation
      □ do not have to be subjected to a search
      □ less contraband carried into facilities by visitors
      □ more frequent visitor contact

Specialty Courts
• Since 1989, many types of courts have been introduced in the U.S.
• Judges, prosecutors, and defense attorneys have developed expert knowledge.
• There is a greater knowledge of community resources and programs.
• Many are used as form of diversion.
• They are more effective than other approaches.
• There are some concerns.
  o forced participation
  o lack of community-based resources can make courts less successful
  o rights of participants not always protected

Evidence-Based Corrections
• Increased attention and broad-based interest has been given to research and evaluation.
  o therapeutic programs
  o skills-based programs
  o educational programs
• There has been more funding for university-based research centers.

Community Reentry
• Effective community reentry strategies have been developed.
  o increase public safety
  o reduce recidivism
• There are some challenges that ex-prisoners face.
  o stigma of criminal conviction
  o lack of recent work history
  o poor educational achievement
• There has been increased interest in developing collaborative programs between prisons and communities that offer support to ex-prisoners.
  o financial
  o therapeutic
  o educational

Juvenile Justice
• Increased Emphasis on Aftercare
  o traditionally been neglected
  o insufficient staff and financial resources
    ▪ economically more efficient than longer incarceration periods
• Increased Community and Agency Collaboration
  o increased collaboration
    ▪ police
    ▪ probation
    ▪ prosecutors
    ▪ school officials
  o effort to control gangs and illegal firearms
• School Resource Officers
  o city or county law enforcement officers
    ▪ employed by police or sheriff’s departments
    ▪ assigned to work in one or more schools
  o little empirical evidence to determine effectiveness of programs

• The “Adultization” of Juvenile Justice
  o process by which juvenile system becomes more like adult system
    ▪ easier transfer to adult criminal courts
    ▪ the “Youthful Offender” category
      □ ability to impose strict, adult sanctions in lieu of waiver
    ▪ increase in severity of punishments
    ▪ implementation of fixed sentencing schemes
      □ reduces juvenile judges’ discretion
    ▪ transfer to adult prisons at age 18
    ▪ dismantling of confidential nature of juvenile justice proceedings
  o some evidence adultization effects may be positive
    ▪ incarceration in adult facilities may provide greater access to rehabilitative services

**Correctional Futurism**

• Correctional administrators and planners regularly try to gauge the future and its impact upon their organizations.

• Correctional administrators engage in environmental scanning.
  o look for wider trends or events that may have an impact
    ▪ social, economic, demographic and political
      □ methamphetamine use
      □ aging of U.S. population
      □ increased rate of women offenders
      □ increased number of minorities
      □ budget crises
      □ possible pandemic
      □ terrorism

• There needs to be a better understanding of how laws or justice system practices sometimes have unanticipated or unforeseen consequences.

• Correctional agencies also have to respond to global issues such as terrorism.

• The fields of corrections and juvenile justice require educated and skilled people to assume a variety of different roles.