

# CORRECTIONS IN THE UNITED STATES

## A Contemporary Perspective

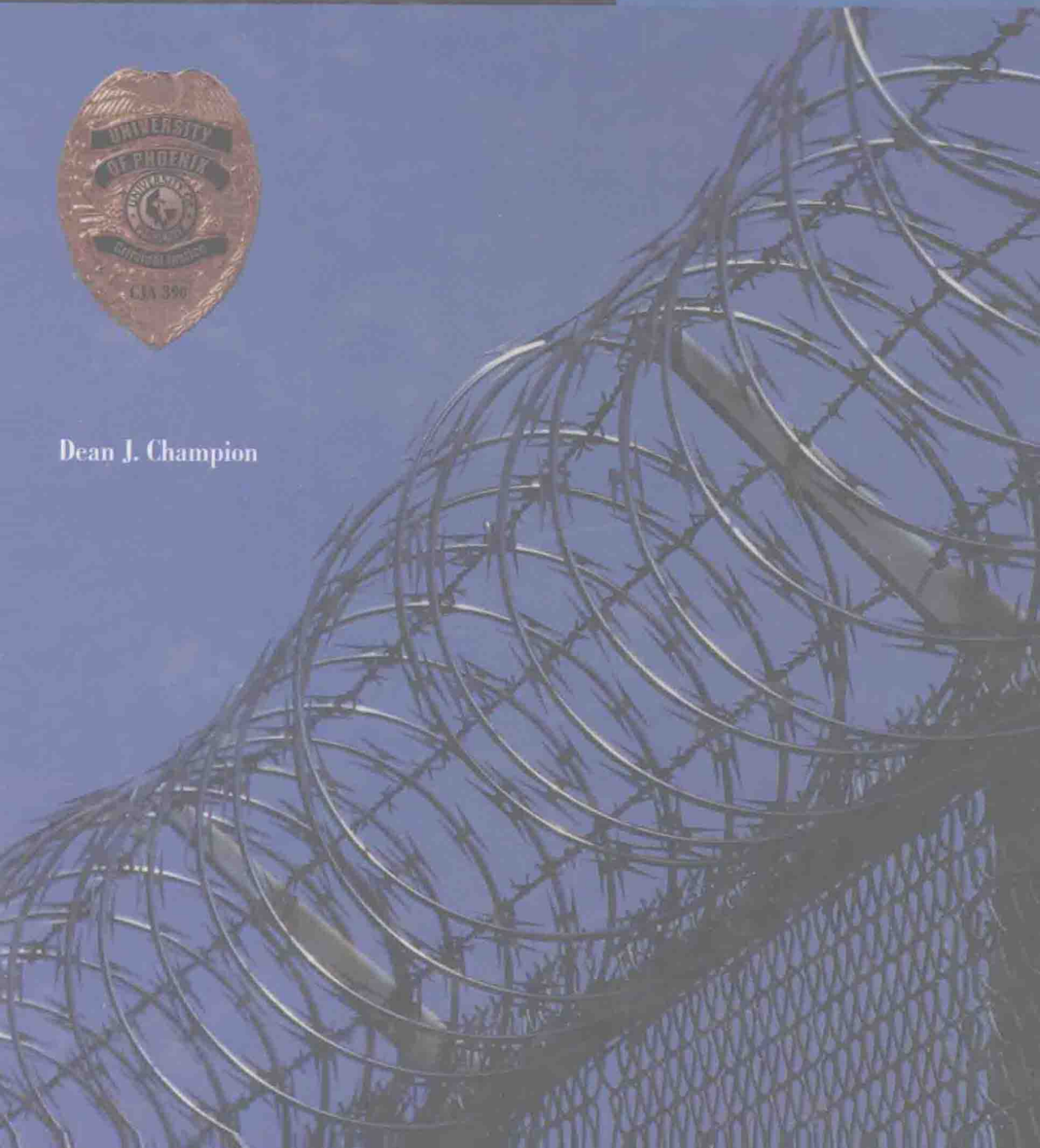


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Dean J. Champion



# **CORRECTIONS IN THE UNITED STATES**

## **A Contemporary Perspective**

**Third Edition**

**Dean J. Champion**

**Texas A&M International University**



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by Dean J. Champion

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# Preface

*Corrections in the United States: A Contemporary Perspective* (3rd ed.) is about the punishment phase of the criminal justice system. When crimes are committed and suspects are apprehended, prosecuted, and convicted, correctional agencies take over. Corrections is the vast collective of persons, agencies, and organizations that manages criminals. The most visible part of corrections are prisons and jails. The most notorious prisons have been popularized by the media. Prison names such as San Quentin, Alcatraz, Sing Sing, Leavenworth, Attica, and Marion are familiar to the general public. But prisons and jails, though important, are only two parts of the larger corrections mosaic. Another part of corrections manages offenders who either have been granted early release from prison or have been convicted but not incarcerated. Community correctional agencies are increasingly popular as nonincarcerative alternatives for probationers and parolees. One reason for their popularity is that they are more cost-effective than maintaining inmates in prisons and jails. In some instances, less serious offenders are not prosecuted; rather, they are diverted from the criminal justice system. They are also managed by certain corrections agencies for a specified period.

Today, correctional agencies and organizations are facing several significant challenges. Rising crime rates and greater numbers of criminal prosecutions are establishing new prison and jail population records. At the same time, new prison and jail construction is not keeping pace with these escalating populations. Overcrowding is inevitable, and it fosters living conditions for inmates that are both intolerable and unconstitutional. During the 1990s, litigation explosion resulted in the filing of thousands of lawsuits by prisoners against prison and jail administrators and correctional officers. Inmate rights is an increasingly important issue.

The book is organized as follows: Chapter 1 examines the history of corrections in the United States and contrasts several important philosophies that have influenced correctional reforms during the last century. The goals of corrections are outlined. Several correctional models that guide the thinking of correctional administration and staff are presented. Chapter 2 presents several types of sentencing systems used in the United

States. Offenders are profiled. The sentencing process is described, including sentencing hearings and the preparation of presentence investigation reports (PSIs). Aggravating and mitigating circumstances that influence sentencing decisions are presented. Several contemporary issues associated with sentencing systems are discussed.

Chapter 3 examines the history of jails and jail systems. Jail inmate characteristics are described. Several important functions of jails are listed. Chapter 4 discusses the administration of jail systems. This discussion includes the selection of jail personnel and their training. Several important issues are presented, including jail overcrowding, jail suicides, and inmate classification problems. Chapter 5 examines prisoners and prison issues. The history of prisons in the United States is presented, together with a profile of state and federal prison inmates. Several popular prison inmate classification systems are discussed. A distinction between prisons and jails is drawn. Several important functions of prisons are listed.

Chapter 6 looks at corrections administration. Several organizational models are presented, including the bureaucratic and human relations models. Both state and federal prison organizations are described. The selection and training of prison administrators and staff are discussed. Selected issues in prison administration are presented, including the professionalization of administration, public accountability, public reaction to privatization, and political considerations.

In Chapter 7, the rights of prisoners are discussed; the increasingly important role of the jailhouse lawyer and related legal issues that often prompt civil and criminal lawsuits filed by inmates against institutional staff are also covered. In Chapter 8, various correctional alternatives are examined, including diversion and probation. Diversion programs are intended as front-end solutions to ease processing of criminal defendants. Usually, low-risk first-offenders are considered good candidates for diversion; their cases are diverted to resolution alternatives involving civil rather than criminal procedures. Both standard and intensive probation programs are examined in detail. A brief history of probation is also presented.

Chapter 9 focuses on parole and community-based corrections programs. Parole is defined, and a brief history of parole developments in the United States is presented. Included here are the philosophy and goals of parole programs. Parolees are also profiled. When parolees or probationers violate conditions of their programs, their respective programs may be revoked. The revocation process is described, including some of the landmark U.S. Supreme Court decisions relating to such revocation actions. In

most states, parole boards function to determine a prisoner's early-release eligibility. This decision making involves anticipating the prisoner's potential for public risk or dangerousness. Some of the instruments and techniques used in risk assessment are described. The nature and functions of parole boards are examined. Various types of parole board actions are discussed, including an overview of some of the programs into which prospective parolees may be directed. The quality of decision making in probation and parole actions is assessed according to rates of recidivism among probationers and parolees. Recidivism rates are measured in different ways. Different types of recidivists are profiled.

Another key dimension of postinstitutional activity covered in Chapter 9 is community corrections. Viewed as a viable alternative to prison and jail overcrowding, community corrections and intermediate punishments are increasingly popular in most jurisdictions. The goals and functions of community corrections programs are described, including several key issues involved in their emergence and establishment. Several intermediate punishments, including home confinement, electronic monitoring, furloughs and work/study release, halfway houses, and community residential centers, are examined in some detail. Technology is creating a more sophisticated client management environment, and some of the more recent technological developments are presented.

Chapter 10 describes those who perform probation functions—probation officers. Because the duties and responsibilities of both probation and parole officers overlap, these roles are considered simultaneously. Often, the same individuals supervise both probationers and parolees. Thus, selection and recruitment of both probation and parole officers involve similar processes. The education, training, and role performance of these officers are highlighted. Additionally, we describe some of the ways officers are assigned caseloads. Probation and parole work can be stressful, and stress often leads to burnout. Some of the factors that contribute to stress and burnout are examined, together with some of the strategies officers use to combat and overcome stress.

Also described in Chapter 10 is the increasingly important role of volunteers and paraprofessionals who become involved in correctional work. Some of the legal liabilities of volunteers and paraprofessionals are examined. Also, more offenders with special needs are being supervised, both in institutions and communities. Clients with special needs include those who are alcohol- or drug-dependent, mentally ill, sex offenders, those with AIDS and other communicable diseases, and offenders with various physical handicaps. Communities have been responsive to meeting these offenders' needs in diverse ways.

Chapter 11 is an examination of women in corrections. Nearly 10 percent of all inmates, probationers, and parolees are women. Women's prisons are generally different from male facilities in several important ways. Also, female offenders have different needs compared with their male counterparts. We examine some of the major differences in male and female inmates and clients. Included are selected issues relating to women's prisons, such as the problem of inmate-mothers, vocational and educational programs for women, and the general problem of co-correctional facilities.

Juvenile corrections is described in Chapter 12. A brief overview of the juvenile justice system is presented, together with the leading cases that have shaped it over the years. Various types of community corrections programs for juveniles are discussed, together with probation and parole programs and revocation actions.

As helpful study aids at chapter ends, important terms are listed in Key Terms sections; the words are boldfaced throughout each chapter. Additionally, these key terms are defined and listed in a comprehensive Glossary at the back of the text. Questions for Review sections are also included and are designed to assist students in recalling important chapter features. These questions are also useful as a means of studying chapter content. Each chapter contains several references in Suggested Readings sections for those desiring to learn more about specific chapter subject matter, for class report preparation, and for general research investigations on particular topics. An extensive up-to-date reference section follows the glossary. Students will find these references helpful in their own research projects on various corrections topics. Finally, the Case Index lists important courts cases referenced throughout this book.

## ACKNOWLEDGMENTS

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*Dean Champion*

# About the Author



Dean J. Champion is professor, Department of Criminal Justice, Texas A&M International University. Dr. Champion has taught at the University of Tennessee–Knoxville, California State University–Long Beach, and Minot State University. He earned his Ph.D. from Purdue University and B.S. and M.A. degrees from Brigham Young University. He also completed several years of law school at the Nashville School of Law.

Dr. Champion has written more than 25 texts and/or edited works and maintains memberships in ten different professional organizations. He is a lifetime member of the American Society of Criminology and Academy of Criminal Justice Sciences. He is former editor of the ACJS/Anderson Series on *Issues in Crime and Justice* (1993–1996) and the *Journal of Crime and Justice* (1995–1998). He was the Visiting Scholar for the National Center for Juvenile Justice in 1992 and is presently first vice president of the Midwestern Criminal Justice Association.



Among his published books for Prentice Hall are *Basic Statistics for Social Research* (1970, 1981); *Research Methods for Criminal Justice and Criminology* (1993, 2000); *The Juvenile Justice System: Delinquency, Processing, and the Law* (1992, 1998, 2001); *Corrections in the United States: A Contemporary Perspective* (1990, 1998, 2001); *Probation, Parole, and Community Corrections* (1990, 1996, 1999); *Policing in the Community* (w/George Rush) (1996); and *The Administration of Justice Systems* (forthcoming). Works with other publishers include *The Sociology of Organizations* (McGraw-Hill); *Research Methods in Social Relations* (John Wiley); *Sociology* (Holt, Rinehart and Winston); *The U.S. Sentencing Guidelines* (Praeger Publishers); *Juvenile Transfer Hearings* (w/G. Larry Mays) (Praeger Publishers); *Measuring Offender Risk* (Greenwood Press); and *Criminal Justice in the United States* (Wadsworth).

Dr. Champion's primary research interests relate to attorney use in juvenile justice proceedings and plea bargaining.

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