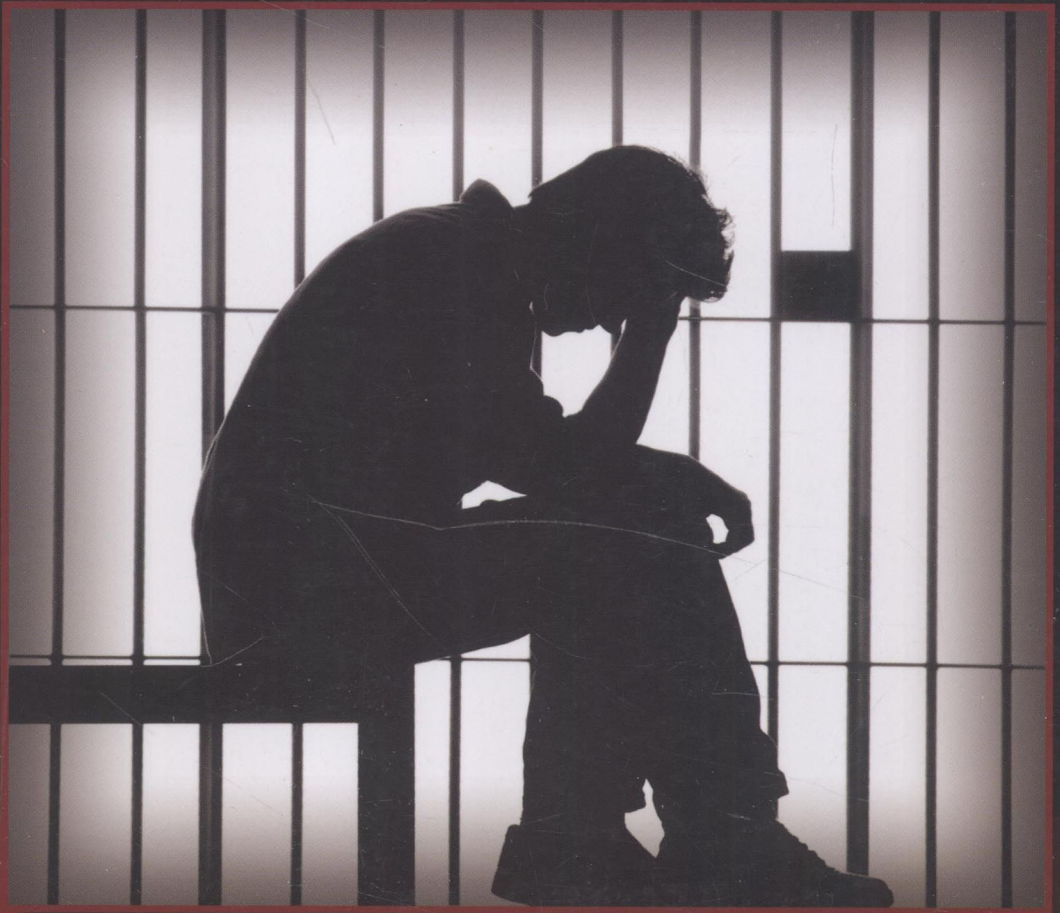


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CONTEXT AND CONSEQUENCES



FRANCIS T. CULLEN
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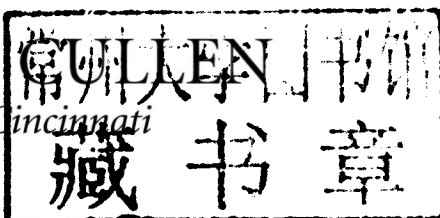


CORRECTIONAL THEORY

CONTEXT AND CONSEQUENCES

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CORRECTIONAL THEORY

For their support and inspiration, this book is dedicated to

Paul Gendreau by Francis T. Cullen

and

John and Linda Lero by Cheryl Lero Jonson

Preface

The American correctional system is a virtual behemoth—a giant creature that seems to swallow an unending flow of the nation’s population year after year after year. The numbers are cited so often—about 2.4 million people behind bars on a daily basis and another 5 million or so under community supervision—that they risk descending into mere banality. Ho hum. But lest we become tempted to accept a huge correctional system and mass incarceration as minor facts of life, we should understand what is at stake. For one thing, elected officials from both ends of the political spectrum are concerned by how much corrections drains from the public treasury. For another, we should be troubled by the number of our fellow citizens, many of them poor and people of color, who find themselves in handcuffs and then peering through the cold steel bars of a prison cell. “Statistics,” as Paul Brodeur eloquently reminds us, “are human beings with the tears wiped off.”

Corrections is thus fundamentally a human enterprise; lives and futures are at stake. As we consider what to do with offenders, simple answers escape us. Two realities tug at our hearts and minds. On the one hand, offenders have harmed others and thus do little to inspire our sympathy. If anything, we have reason to be angry at them and to want to harm them in return. On the other hand, offenders too often are drawn from bleak circumstances. If we had inspected their plight when they were 10 or 15 years of age, we would have lamented that the deck was stacked against them and that they were destined for a life in crime and behind bars. Any sense of fairness—of social justice—thus tempers our desire for vengeance and perhaps leads us to see merit in saving them from a criminal future.

This matter is complicated still further by an understanding that corrections is not only about offenders but also about us—about we as a people. Of course, we cannot ignore the seriousness of a crime or the circumstances that shaped a person’s decision to offend. But we also must be cognizant that our response to the criminally wayward is contingent on our own values and what Francis Allen calls our own sense of “social purpose.” We certainly do not wish to stoop to the level of the criminal (whatever that might mean), but what we should do to those who break the law is debatable. As a number of commentators have remarked, however, how we treat the least desirable among us perhaps reveals what we truly stand for as a people.

Thus, when we pull law-breakers into the correctional system, we must have some reason for doing so—some idea of what we hope to accomplish. *Correctional Theory* addresses this compelling and complex issue. It identifies and evaluates the major competing visions—or theories—that seek to guide the correctional system's goals, policies, and practices.

Correctional Theory is informed by three core themes, two of which are represented in its subtitle: *Context and Consequences*. These themes, found across the book, are as follows:

- *Theory Matters*. This is the notion that *ideas have consequences*. That is, the theories we have about the purpose and structure of corrections can impact correctional policy and practice. Thus, changing theoretical assumptions can legitimize changing ways of treating and punishing offenders.
- *Context Matters*. The theories that are embraced and allowed to direct and/or legitimate correctional policies are shaped by the prevailing social and political context. An effort is thus made to show how the changes in the nature of American society have affected correctional theory and policy.
- *Evidence Matters*. In corrections, policies and practices are largely informed by common sense, ideology, and institutional inertia. This rejection of science in favor of popular beliefs leads to the practice of *correctional quackery*—of pursuing policies that have little chance of being effective. Accordingly, as others are now doing, we make the case for the utility of evidence-based corrections. This orientation provides a rationale for the inclusion of discussions of *evidence* across the chapters.

Again, these issues are salient because lives are at stake—those of offenders and those of past and future victims. If we do foolish things—such as place wayward youths in boot camps—we may feel self-righteous but surely we will do little to help these poor souls or those they may well harm down the road. What we do to, and for, offenders will affect their futures and public safety. In making correctional decisions, we thus must have a clear sense of what we intend to accomplish and whether our prescriptions are backed up by empirical data.

In the United States—and elsewhere—there has been a call for more than four decades to get tough with offenders. Many elected officials have promised to place more offenders in prisons and for longer periods of time. To be sure, a variety of factors fueled the nation's imprisonment boom, but one contributing source certainly was this desire by policy makers to build and fill prison after prison. In scholarly terms, there was a call to subject offenders to stringent punishments so as to pay them back for their crime (retribution), scare them straight (deterrence), and get them off the street so they cannot hurt anyone (incapacitation). Was this punishment movement a good thing? Did it achieve justice and make us safer? Much of *Correctional Theory* is devoted to answering these questions.

Correctional Theory also explores alternative visions of corrections—especially the theory of rehabilitation—that argue against inflicting pain on and warehousing

offenders. Corrections by its nature is punitive. Offenders go to court, and their freedom is restricted either in the community or inside institutions. The larger issue is whether the sanction that is imposed seeks only to harm and restrain or whether it also seeks to improve offenders and restore them to the community. Cullen and Jonson, your esteemed authors, believe that the empirical evidence and the need to achieve a broader social purpose combine to provide a convincing rationale for embracing a type of corrections devoted to saving the wayward from a life in crime.

In the end, however, the purpose of *Correctional Theory* is not to indoctrinate readers into our way of thinking—though, of course, we would be delighted if our work proved convincing in this way. Rather, the ultimate goal is to motivate readers to become sophisticated consumers of correctional knowledge—to start to question what they are told, to become evidence-based thinkers, and to develop their own theory of corrections to guide them as citizens and perhaps as policy makers and practitioners.

Cullen and Jonson would prefer to take all the credit for this book—and none of the blame should something prove problematic! We would prefer to list all those who, in the case of difficulty, readers should immediately define as the responsible culprits. But, alas, we have been too well socialized—too guilt prone—not to confess that *Correctional Theory* is a volume whose faults are ours and whose existence owes much to others. Indeed, without the encouragement, support, and insights of a variety of parties, *Correctional Theory* would not have been possible.

Developing a roster of folks to acknowledge is quite similar to devising a list of people to invite to a wedding. Where does one draw the line? So many of our colleagues, friends, and students—who have shared ideas, tracked down references, endlessly photocopied articles, proofread chapters, and kept our spirits high and sanity intact—could easily be mentioned here. But in an effort to keep our list to a manageable length, we will acknowledge only those who have been intimately involved in making *Correctional Theory* possible. To all others—and you should realize who you are—know well that Cullen and Jonson are grateful to have you in our academic and personal lives.

Robert Agnew of Emory University is most responsible for inspiring this book; it was his idea. Bob had borrowed the detailed lectures on various correctional theories that Cullen had developed for a graduate-level distance learning course. He encouraged Cullen to turn the notes into a book—a task that, given the incomplete state of the notes, proved a daunting task (and one that Cullen soon realized required a diligent coauthor, Jonson, to undertake). Cullen initially thought that Bob was pulling his leg. But Bob's persistent encouragement eventually led the project to move to a more concrete stage of development.

Jerry Westby at Sage Publications responded to Cullen and Jonson's prospectus for *Correctional Theory* with enthusiasm. His support made Agnew's idea come to fruition. More generally, Jerry is careful, as is any good parent, to provide warm but restrictive guidance. In short, he gives us unconditional love but also tells us when we are misguided. Furthermore, he ensured that this volume would be shepherded to print by a wonderful staff—inordinately competent and decent in every way. Our many thanks are happily extended to Kristin Bergstad, Melanie Birdsall, and Laureen Gleason.

Our gratitude next goes to five correctional scholars who agreed to review our prospectus. Of course, Cullen and Jonson believe that these scholars are brilliant in large

part because their comments were encouraging and moved Sage to publish *Correctional Theory*! But we truly are thankful that they took the time out of their overcrowded schedules to share an array of helpful insights with us. We are pleased to acknowledge our advisers:

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Cullen and Jonson are fortunate to work and live in supportive environments. We must note our appreciation to our colleagues in the School of Criminal Justice at the University of Cincinnati and the Department of Political Science and Criminal Justice at Northern Kentucky University. For various reasons, we wish to give special thanks to Michael Benson, Bonnie Fisher, Jennifer Lux, David Maume, Melissa Moon, Lacey Rohleder, Paula Smith, Pamela Wilcox, and John Wozniak. Most notably, we recognize our family members, whose daily love and support enrich our lives in many ways. Cullen gives a big hug to Paula Dubeck and Jordan Cullen. Jonson gives a big hug to Paul Jonson, Chris and Josh Siler, and Lori and Drew Vick.

Finally, as the dedication of this book reveals, each of us has incurred a special debt that can be announced, though certainly not repaid, through an acknowledgment here. Cullen wishes to thank Paul Gendreau, his academic big brother who has taught him much about corrections, about their beloved Red Sox and Bruins, and about life. Jonson extends her love and gratitude to John and Linda Lero, her parents. Their love, guidance, and at times forbearance have shaped who she is and what she endeavors to accomplish.

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1



Doris Layton MacKenzie
Pennsylvania State University
Author of *What Works in Corrections*

From Theory to Policy

Evidence-Based Corrections

On any given day in the United States, more than 1.6 million offenders are imprisoned in state and federal institutions. When inmates in jails and other custodial facilities (e.g., juvenile institutions) are included in the count, the nation's incarcerated population surpasses 2.4 million (Sabol, West, & Cooper, 2009). There are also approximately 4.2 million offenders on probation and more than 828,000 people on parole (Glaze & Bonczar, 2009). Taken together, in excess of 7.4 million Americans are under the supervision of the correctional system. To put this number in more understandable terms, 1 in every 100 American adults is behind bars, and 1 in 31 is under some form of correctional control. For African Americans, this latter figure is 1 in 11 (Pew Charitable Trusts, 2008, 2009).

It can be misleading to cite statistics and imply that some crisis is at hand. For example, on any given day in America, about 540,000 people are in hospitals and more than 18 million are enrolled in college degree programs. Are these numbers cause for concern? But in this case, the United States clearly has grown remarkably fond of an ever-expanding correctional system that is, in Travis Pratt's (2009) words, "addicted to incarceration." Other Western industrial nations exercise more restraint in locking up their citizens, both in terms of how many and for how long (Tonry, 2007). It is hard to imagine that in the early 1970s, the number of inmates in state and federal prisons dipped below 200,000. If we turn to today's count—the 1.6 million cited above—we see that the United States has experienced more than a seven-fold increase in its prison population. Might this just be a product of the growth of the nation's citizenry? Yes, America's population has jumped from just over 200 million to just over 300 million. But this increase explains only a fraction of the expansion of the incarcerated population.

So, why do we place so many people in the correctional system? The simple answer, of course, is that they have committed crimes and been convicted, and thus some response by the government is required. But this explanation has two problems. First, it suggests that the amount of crime and the amount of corrections in a nation are tightly connected. But this is not the case. Within the United States, correctional populations do not rise and fall as crime rates rise and fall. Further, cross-nationally, nations with similar crime rates have incarceration rates that are dissimilar. To a degree, then, how many people are in prison or under community supervision is a policy choice. And this choice itself has a lot to do with what we hope to accomplish through a correctional intervention (Tonry, 2004, 2007).

This discussion thus leads us to the second problem with the simple notion that people are in the correctional system because they are offenders. This explanation begs the larger question of what *purpose* is served by intervening in the lives of offenders. What do we hope to accomplish? Our book is designed to address this very question. It is also intended to demonstrate that *theories matter because they affect correctional policy*.

Now, as just implied, across time in the United States competing visions have been set forth of *what corrections should be about*. We call these rival perspectives *theories of corrections*. They are comprised of three components. First, there is a statement of the *purpose or goal* of corrections. These tend to emphasize either restraining and inflicting pain on offenders or helping and reforming offenders. Second, each theory has an implicit or explicit *blueprint* for how the correctional system should be arranged, including policies, practices, and organizational structure. Ideas thus matter; they influence what we do in corrections. Theories also breed conflict because each one demands that the correctional system be organized in a different way. Third, theories make a claim of *effectiveness*. Advocates assert not only that a theory's core goal is moral but also that their theory can be implemented effectively—in short, that it “works.” For example, proponents of deterrence theory claim that we should place offenders in prison because it yields lower reoffending rates than a community sanction. Is this really the case? This is where *evidence-based corrections* comes in and proves critical in discerning what works and what does not work. Data, not mere opinions, should play the central role in guiding allegiance to any given correctional theory and the correctional system it proposes.

Importantly, correctional theories are not autonomous entities that exist in some virtual reality above the world they seek to guide. Rather, they are produced by and believed by humans who live in particular socio-historical times. If you were living in the first part of the 1900s rather than today, your view of the world and of offenders might be quite different. If you now reside in a red state or a blue state, or perhaps in an urban neighborhood wracked by crime or in a gated community in a ritzy suburb, your policy preferences might not be the same. One author of this book (Cullen) grew up in Massachusetts in an Irish family in which John Kennedy was admired and nary a Republican was in sight. He was schooled by the Sisters of Notre Dame who expertly inculcated not only a deep capacity for guilt but also a deep commitment to social justice. As a grade-school child, he learned the value of charity, donating coinage—and even the occasional dollar bill—to aid the poor and to help missionaries save “pagan

babies” (yes, this is what the good Sisters called non-Catholic children in foreign lands!). Perhaps it is not surprising that his first book was called *Reaffirming Rehabilitation* (Cullen & Gilbert, 1982). Be forewarned: Cullen remains a supporter of rehabilitation—as is the case for coauthor Jonson, whose Catholic upbringing is a story for another time. We claim to be so now not because of nuns, priests, or the Pope, but because we are scientists who can read the empirical evidence. We will leave it to the readers to determine if this is indeed the case.

Thus, the chapters in this book are arranged—from front to back—in a rough time line to show how the fate of correctional theories largely has hinged on the prevailing social context. For example, in politically liberal times, theories embracing offender reformation have flourished, whereas in more conservative times American corrections has been directed by theories advocating punishing offenders harshly and through incarceration.

In Chapter 2, we begin this story by showing how the theory of rehabilitation emerged in the Progressive Era of the early 1900s and dominated American corrections into the 1960s. The social turmoil of the sixties led to the attack on this therapeutic vision and resulted in theories emphasizing punishment. The conservative times of the 1980s, dominated by President Ronald Reagan, constituted a receptive context for seeing offenders as wicked super-predators beyond redemption and in need of caging. More recently, the limits, if not at times bankruptcy, of political conservatism have created space for more reformist approaches to offenders.

The key intent of this analysis is to sensitize readers to the reality that *social context matters*. What people experience shapes how they see the world, which in turn makes them more receptive to certain correctional theories than to others. This is true of readers, of criminologists, and of us. Large shifts in the social context thus tend to produce shifts in the extent to which a given theory continues to “make sense” to the American public. It can also affect whether politicians believe that they can use specific crime control policies—such as favoring “law and order”—to advance their careers (Garland, 2001; Simon, 2007).

If context has a defining influence on correctional theory and policy, this may mean that, by contrast, something else plays only a limited role in guiding system practices. What might this “something else” be—something that is not paid attention to sufficiently? Some readers might anticipate the answer to this question: It is the *evidence* on whether a theory has merit. Does what the perspective proposes actually work? A huge problem in corrections is that many policies and practices have been based more on common sense rooted in individuals’ experience than on hard empirical evidence. This failure to consult the evidence has led to correctional interventions that either are ineffective or iatrogenic—a fancy medical term meaning that the “cure” actually makes the patient, in this case the offender, worse off. In medicine, we call using interventions not based on the scientific evidence *quackery*. As we note below, *correctional quackery* is widespread and its eradication is a key challenge for those hoping to make American corrections better for offenders and better for public safety (Latessa, Cullen, & Gendreau, 2002).

Thus far, then, we have identified the core themes that inform the chapters that follow. Let us summarize them clearly here: