Course Learning Outcomes for Unit VIII

Upon completion of this unit, students should be able to:

6. Compare and contrast the theories of punishment in the American criminal justice system.
   6.1 Explain the similarities and differences that exist among the following theories of punishment: deterrence, rehabilitation, incapacitation, and empirical desert.

7. Summarize the institutional programs associated with maximum, medium, and minimum security prisons.
   7.1 Outline the constraints of establishing educational programs within institutional prisons.
   7.2 Explain the components and benefits involved in developing and implementing educational programs within institutional prisons.

Reading Assignment

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Unit Lesson

When discussing crime, we must address the issue of punishment. There are various theories that are used to support punishment and maintain order within the community. Robinson (2011) discusses four theories: deterrence, incapacitation of the dangerous, empirical and deontological desert, and rehabilitation.

The deterrent theory focuses on providing punishment to the offender in an effort to deter other offenders from repeating the same crime (Robinson, 2011). In order for the deterrent theory to function as intended, there are certain events that must take place. First, potential offenders must be aware of the punishment that can result from committing certain crimes. Then, potential offenders must be able to take that information and use it to guide their conduct. Finally, the potential offender must believe that the consequences of his or her actions must outweigh the benefits. The deterrent punishment theory might be ineffective for hardcore criminals, as the penalties may not deter that potential offender from committing a crime (Robinson, 2011). Therefore, Robinson (2011) states, the deterrent theory may not, in every case, control future crime.

Robinson (2011) states that unlike deterrence, incapacitation of the dangerous can effectively control future crime. This theory states that individuals who are repeat offenders should be incarcerated to protect society. However, the practice of this theory could lead to non-dangerous people being detained simply because they have a criminal history, and this could lead to people receiving punishment that is undeserved (Robinson, 2011).
Another important punishment theory is the empirical and deontological desert theory. Of the four theories, this theory is the harshest as it states that offenders deserve their just deserts. This theory states that punishment proportionate to the crime is the best recourse to deter criminals. In other words, this theory recommends the more heinous the crime, the harsher the punishment. However, some believe this type of punishment to be unfair because it can lead to abuses of power by some individuals (Robinson, 2011).

The final theory we will discuss is that of rehabilitation. This theory states that offering programs to incarcerated persons, such as education, can help them change themselves in order to live more useful and satisfying lives when released from prison (Robinson, 2011). Because released prisoners will one day become our neighbors, it is important to make sure that they become ready to be good citizens before being allowed to reenter society.

Prisons typically fall under one or more security levels. These levels include minimum, medium, and maximum security. Offenders are typically assigned to a security level based on their behavior and past and present criminal history. Minimum security prisons typically house non-violent offenders and offenders who are classified as low-risk for escape. Medium security prisons are protected by armed guards. Due to security features associated with medium security prisons, they are more costly to operate in comparison to minimum security prisons. Maximum security prisons possess all the features of a medium security prison in addition to extensive 24-hour monitoring. Maximum security prisons typically service long-term, violent, and offenders with serious behavior problems. In maximum security prisons, offenders have little to no time outside of their cells. Maximum security prisons are extremely expensive to manage.

There are differences that exist between the security levels in prisons. One common factor between all security levels is the educational program. Educational programs, such as post-secondary and vocational programs, are essential to the re-entry of inmates into society because these programs can assist them in becoming employable upon release. The benefits of post-secondary education and vocational programs are great; however, with all institutional programs there are drawbacks and challenges. In order to develop and implement educational and vocational programs within an institution, there are five essential components that must exist.

The first requirement of establishing a post-secondary and vocational training program for incarcerated individuals is to receive the approval of the Department of Corrections. Support from prison administration is also imperative. Without this support, it will be impossible to develop these educational programs. Because these programs are not always mandatory, absolute endorsement from the prison administration is required.

The second component of establishing a post-secondary and vocational training program is the support of an accredited institution. "Equally important is that if advocates are interested in offering transferable college credit for successful completion of college level coursework, then they must solicit the support of an accredited academic institution willing to take on the issue of offering access to higher education to individuals currently serving time after being convicted of a felony" (Sandford & Foster, 2006, p. 603).

The third component of establishing a post-secondary and vocational training program for incarcerated individuals is the establishment of a program liaison. This individual can be a representative from the Department of Corrections Education, a staff member from the institution, or a representative from another organization. Regardless of where the liaison is employed, their primary goal is to act as a resource between the prison and the educational institution.

The fourth component of establishing a post-secondary and vocational training program is to ensure that qualified and committed faculty members are willing and available to teach courses. "If there are no qualified faculty members willing to serve incarcerated students then there will be no program" (Sandford & Foster, 2006, p. 604). "Not only must faculty be qualified in their particular areas of expertise, they must also be trained by the program staff for the unique experiences of teaching in a prison environment" (Sandford & Foster, 2006, p. 604).

The fifth, and final, component of establishing a post-secondary and vocational training program for incarcerated individuals is the availability of financial resources. Financial resources are a critical element for program success. The implementation of post-secondary and vocational training programs within prisons can be strenuous; however, these programs have great benefit for the inmates. These programs can reduce the rates of recidivism and increase employability for inmates once they are reintroduced into society.
Effective practices in law enforcement are essential to the future of policing. Police agencies will have to continue to maintain a positive police impression within the community. There have been numerous advances in effective practices of law enforcement, and this will continue to be an ongoing process. In order for law enforcement to continue to be effective in the community they will need to search for ways to strengthen their culture and build trusting relationships with the community. When considering the future of law enforcement, agencies must also consider how changes in society and the advancement of technology will affect their roles and job duties. “Technological and social changes also represent an important opportunity for agencies to enhance their image and improve their ethics” (Schafer, 2007, para. 18).

“Police executives must understand both the opportunities and difficulties presented by technological and social change” (Schafer, 2007, para. 19). “The implications of these developments may vary from agency to agency, but the key for all police executives is to plan today for the realities of tomorrow” (Schafer, 2007, para. 19).

References


Suggested Reading

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