

Prisoner Education in Alaska

**House Research Agency
Alaska State Legislature
May 1989**

House Research Agency Report 89-B

120268

ALASKA HOUSE OF REPRESENTATIVES RESEARCH AGENCY

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**PRISONER EDUCATION
IN ALASKA**

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House Research Agency
Alaska State Legislature
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INTRODUCTION

The Alaska constitution mandates that our penal system be administered based on the principal of reformation and the need for protecting the public. The Alaska penal system has experienced incredible growth during the 1980s--in July 1980, there were 770 inmates under state jurisdiction; in March 1989, there were over 2,400 inmates, an increase of over 200 percent. Many of the inmates in prison are repeat offenders, the experience of incarceration alone is not enough to prevent them from committing future crimes. The House Research Agency was asked to examine education programs which could be incorporated into the prison system to aid in the reformation of inmates.

Chapter One presents an introduction to Alaska Department of Corrections. Chapter Two attempts to place correctional education in perspective within the corrections system. Chapter Three incorporates theory and experiences in corrections systems outside of Alaska. Rather than provide exhaustive detail on a variety of programs, we have drawn on some of those which are reported to be successful and may be transferrable to Alaska. Ideas which may be useful in changing corrections education administration, programs and funding within Alaska are included. Chapter Four presents specific alternatives for improving the correctional education program in Alaska, and addresses funding options. Some alternatives require legislative action and some can be accomplished administratively.

SUMMARY OF FINDINGS

CORRECTIONAL EDUCATION IN ALASKA

Inmate education programs within Alaska's prisons have generally been lacking in statewide educational objectives, planning and coordination. Since 1980, programs have been administered successively by the University of Alaska, Department of Education and Department of Corrections and delivered by a wide range of providers. Likewise, program funding has fluctuated dramatically, peaking in FY 86 at over \$930,000, followed by a cut of over \$600,000 in FY 87 and an additional cut in FY 88. (page 16)

Early in the 1980s, Alaska inmates filed a class action lawsuit, known as the Cleary case, complaining of conditions within Alaska correctional institutions. A substantial number of the complaints, including those relating to education, were addressed in a 1983 partial settlement agreement and order, commonly known as the Cleary Settlement. (pages 16, 20, and A-1)

In compliance with the Cleary Settlement, all of Alaska's prisons presently have education programs which offer Adult Basic Education (including literacy training and basic math skills), General Education Diploma (GED) preparation, and a variety of life skills classes. Additional programs, including vocational and limited postsecondary education are offered at various prisons, depending on available resources and inmate and instructor interest. In late 1988, however, the court found that Corrections was not in compliance with the Cleary Settlement--Corrections must offer inmates college courses and a college level degree program. (pages 17 and 20)

Responsibility for inmate education now lies within the Division of Statewide Programs. None of the staff presently responsible for planning, coordinating and monitoring the education program are educators nor do they have any practical experience in correctional education. The effectiveness and efficiency of education programs, from basic literacy through college level, reflects the current administrative structure. (page 17)

REFORMATION THROUGH EDUCATION

Reformation of criminals is not a replacement for punishment; it can take place during punishment and should serve socially centered goals, not just the goals of inmates. Prison schools teach mainly educationally retarded students who

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have a history of hostility towards school. Certain fundamental elements enhance the success of all types of education programs at all levels, both in and out of prison. These elements include

- clearly articulated and sanctioned goals and strategies,
- strong educational leadership at the administrative level,
- appropriate education staff training, credentials and support,
- instructional content and strategies designed specifically for the intended population,
- an environment intellectually and physically conducive to learning, and
- formal and regularly implemented program evaluation procedures. (page 26)

Rewards, like punishment, are generally used to influence future behavior. Incentives used to encourage inmate participation in education programs include the awarding of additional good time (time deducted from that which must be served in prison), cash payments for participation in education programs, and granting special privileges to inmate students. Inmates may also be strongly encouraged to participate in education programs through the withholding of certain valued privileges. (page 35)

AN IMPROVED CORRECTIONS EDUCATION PROGRAM FOR ALASKA

In recent years, correctional education has been a low priority within Corrections. This is reflected in the present administrative structure. A relatively simple and cost-effective administrative structure could be established by drawing on the experience of school districts in rural Alaska. Each prison could be treated as a school, with a head teacher responsible for supervision and administrative functions. (page 39)

Staff and inmates at Alaska correctional institutions presented several requests for specific training and programs which they wished relayed to the legislature. These requests include security training for institutional educators, security staff training in inmate reformation skills, and initial funding for a boat building program and horticulture projects. (page 41)

State correctional education programs, in Alaska and elsewhere, largely rely upon general fund appropriations. A variety of options for funding corrections education are available. These include actively pursuing grants, charging tuition for postsecondary classes, allowing public enrollment in college

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classes and using inmate permanent fund dividends. Available corrections education funding may be extended through the use of volunteers, student interns and university graduate students. (page 43)

General funds appropriated for corrections education can be recouped by granting additional good time for good faith participation in education programs--delaying the need for added correctional facilities and resulting in substantial operating and capital savings. This proposal is based on the premise that a solid education program, incorporating features shown to be successful elsewhere, is established so that reformation is truly taking place. (page 45)

Security staffing and post-release welfare costs may also be offset through education programs. Inmates participating in education programs have been found to require less supervision and have less disciplinary problems than other inmates--allowing for less intensive security staffing. The education attainment of Alaskans in poverty has been found to be lower than that of the general population. Educational skills obtained in prison may keep some inmates and their families off welfare in the future. (page 46)

CHAPTER ONE
OVERVIEW OF ALASKA CORRECTIONS

Penal administration shall be based upon the principle of reformation and upon the need for protecting the public.

Constitution of Alaska
Article I, Section 12

On March 24, 1989, there were 2,449 people incarcerated within Alaska State correctional centers.¹ Alaska's incarcerated population typically includes approximately 1.25 percent of Alaska's Native population and 0.33 percent of the white population.² Almost all of these inmates are eventually released from prison.³ The successful reintegration of this large group of individuals and a decrease in recidivism (return to criminal activity), can be viewed as a protective if not humanistic social need.⁴ This chapter introduces the Alaska corrections system, including inmate characteristics, prisons and programs.

INTRODUCTION TO CORRECTIONS

The principle of reformation and the need for protecting the public form the constitutional foundation of penal administration in Alaska. The Alaska Supreme Court found that multiple goals encompassed within these broad constitutional standards include

- rehabilitation of offenders into noncriminal members of society,

¹Department of Corrections.

²Harold M. Brown, executive director, Alaska Judicial Council, letter to Representative Ben Grussendorf, January 18, 1988.

³Of 1,655 sentenced inmates under the jurisdiction of the Alaska Department of Corrections on November 5, 1986, only five percent were serving sentences of life or 50-plus years.

⁴Brian E. Simms, Joanne Farley and John F. Littlefield, Colleges with Fences: A Handbook for Improving Corrections Education Programs, 1987, p. 1.

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- isolation of offenders from society to prevent criminal conduct during their periods of confinement,
- **deterrence** of offenders after their release from confinement or other penological treatment, as well as deterrence of other members of the community who might possess tendencies toward criminal conduct similar to that of an offender, and
- community condemnation of the individual offender, or, in other words, reaffirmation of societal norms for the purpose of maintaining respect for the norms themselves.⁵

Alaska has a combined prison (long-term facility) and jail (pre-trial and misdemeanor) system. State institutions for incarcerated offenders are called "correctional centers" or "pre-trial facilities." In most other states, prisons are state run and all jails are operated by cities or counties. In this report, "prisons" will be used to refer to all Alaska State correctional facilities. "Corrections" will apply to either the former Division of Adult Corrections or the current Department of Corrections.

The Department of Corrections (DOC) was created by Executive Order on March 9, 1984. Previously, Corrections existed as a division of the Department of Health and Social Services. Corrections was fully funded at the department level in FY 84, although political differences between the House and Senate over the placement of youth corrections delayed actual creation of the department until late in the fiscal year.

The United States has experienced rapid growth in inmate population in the 1970s and 1980s. This growth is largely the result of increased severity of sentences and the age composition of the United States (postwar baby boomers reached their mid-20s, the period when they are most likely to be sent to prison). Alaska experienced sporadic growth during the 1970s. In 1980 a revised criminal sentencing law was implemented and subsequently, though not necessarily as an exclusive result, prison populations climbed dramatically. Incarceration rates increased from 183 to 450 inmates per 100,000 Alaskans from 1980 to 1986. This rapid growth in inmate population forced Corrections into crisis management from the department's inception.

⁵State v. Chaney, 477 P.2d 441 (1970).

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TABLE 1
GROWTH IN ALASKA CORRECTIONS

	<u>November 1984</u>	<u>November 1988</u>	<u>Percent Increase</u>
Inmates in Alaska prisons	1,716	2,386	39
Persons on parole	247	462	87
Persons on probation	1,909	2,491	30
Community Residential Center population	110	232	111

Source: Department of Corrections

The explosive growth in inmate population appears to be levelling off to a department-wide need for an increase of approximately 72 prison beds per year.⁶ This represents an annual growth rate of approximately three percent, a modest increase when compared with prison population growth rates in excess of 25 percent annually during the early 1980s.

Corrections operating budget expenditures have increased from \$57.8 million in FY 84 to \$78.3 million in FY 87, an increase of approximately 35 percent in a period when the total state operating budget has decreased by approximately 11 percent. The Department of Corrections operating budget expenditures have increased from 2.4 percent of the total state operating budget in FY 84 to 3.3 percent in FY 87. This trend continues, with \$85 million authorized for FY 88 and \$94.6 million--4.7 percent of the total state operating budget--appropriated for FY 89.

Based on my review of literature and conversations with inmates and corrections staff, Alaska appears to have a progressive corrections system in terms of both facilities and management. If the prison population continues to stabilize, Corrections will have the opportunity to address long-range planning and program changes.

⁶Susan Humphrey-Barnett, commissioner, DOC, personal communication, January 3, 1988.

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ALASKA INMATE PROFILE⁷

The median age of Alaska inmates in 1986 was 29 years. High school graduation is the median education reported by inmates.⁸ Nationally, the median age for State prison inmates is 28 years and the median number of years of education reported is 10.

Racially, Alaska prison populations differ significantly from those of other State prisons. In Alaska, 54 percent of the inmates are white, nine percent are black, 34 percent are Alaska Natives, and 3 percent are other races. Nationally, 50 percent of State prison inmates are white, 47 percent are black, and three percent are other races, including Native Americans.

Sixty-one percent of all Alaska inmates are serving time for violent offenses (25 percent of all inmates are currently serving sentences for sexual assault, 12 percent for murder or manslaughter, and 10 percent for assault), 15 percent are serving time for property offenses, nine percent for substance abuse, and 15 percent for other offenses. Many of the inmates are serving time for crimes committed while they were intoxicated. Nationally, 55 percent of all State prison inmates are violent offenders, 31 percent property offenders, nine percent drug offenders, and six percent are serving time for other offenses.⁹

Corrections has been gathering Alaska recidivism data for a number of years, however, the data have been analyzed only once. In a one-year follow-up on individuals released in 1984 after serving 10 days or more in a correctional center, 22 percent of all releases had recidivated.¹⁰

⁷National data are taken from the U.S. Department of Justice, Bureau of Justice Statistics, Sourcebook of Criminal Justice Statistics-1987, Tables 6.24 and 6.25. Alaska data are taken from the Alaska Department of Corrections, (draft) Annual Report for FY 1987 and from inmate data provided by Corrections.

⁸Inmates self-report education information, which is unconfirmed by Corrections--84 percent of the inmates reported education levels.

⁹Totals may not equal 100 percent due to rounding.

¹⁰Alaska Department of Corrections, "Annual Report, FY 87," issued 1989, p. 114.

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TABLE 2
ALASKA RECIDIVISM DATA

Percent Recidivated	After Serving Sentences
34	for misdemeanors
30	for violating probation or parole conditions
23	for traffic offenses
19	for felonies
14	of 10 days or more for driving while intoxicated

Estimates of the rate of recidivism vary widely, depending on the population studied and the length and breadth of follow-up study. Recidivism studies can account only for those individuals who are caught--usually within the same jurisdiction from which they were released. For example, most statistics would not indicate individuals recidivating if upon completion of their sentences, they reoffend without getting caught or are caught reoffending in other jurisdictions. Estimates of recidivism reported throughout the nation range from percentages in the teens to the seventies. Other estimates indicate that within a prison, up to 90 percent of the inmates are recidivates.

ALASKA STATE CORRECTIONAL INSTITUTIONS

Following is a listing of Alaska State Correctional Institutions, with a brief description of each, drawn from the Department of Corrections Annual Reports and Corrections staff.¹¹ A map showing the location of the institutions is found on page 7. An explanation of custody level as it may affect program participation follows the institutional descriptions. These listings are intended as a brief introduction to the various correctional institutions in the state; they do not provide information on prison design or management style, both of which greatly influence the atmosphere of prisons and vary dramatically within Alaska.

Anvil Mountain Correctional Center (Nome). Opened 1985 to replace existing facility, operating capacity 102, male and female felons and misdemeanant, pre-trial and short-term sentenced, minimum, medium and maximum security, 39 employees.

¹¹Number of employees as of February 1, 1989. Nursing and correctional industries staff, production managers and dental assistants are not included in employee counts.

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Cook Inlet Pre-Trial Facility (Anchorage). Opened 1983, operating capacity 397, male felons, pre-trial and sentenced, medium and maximum security, 125 employees.

Fairbanks Correctional Center. Opened 1967, operating capacity 200, male and female felons and misdemeanor, pre-trial and sentenced, minimum, medium and maximum security, 98 employees.

Hiland Mountain/Meadow Creek Correctional Centers (Eagle River). Opened 1974 (Hiland Mountain) and 1981 (Meadow Creek), merged in 1986, operating capacity 285, male and female sentenced felons and misdemeanor, medium and maximum security, 100 employees. Hiland Mountain has an extensive sex offender treatment program.

Ketchikan Correctional Center. Opened 1983, operating capacity 63, male and female felons and misdemeanor, pre-trial and sentenced, minimum, medium and maximum security, 43 employees.

Lemon Creek Correctional Center (Juneau). Opened 1969, operating capacity 174, male and female felons and misdemeanor, pre-trial and sentenced, minimum, medium and maximum security, 93 employees.

Mat-Su Pre-Trial Facility (Palmer). Opened 1986, operating capacity 68, male and female felons and misdemeanor, sentenced and unsentenced, minimum and medium security, 32 employees.

Palmer Correctional Center. Minimum opened 1962, medium 1983, operating capacity 230, sentenced male felons and misdemeanor, minimum and medium security, 110 employees. Palmer is a work oriented facility.

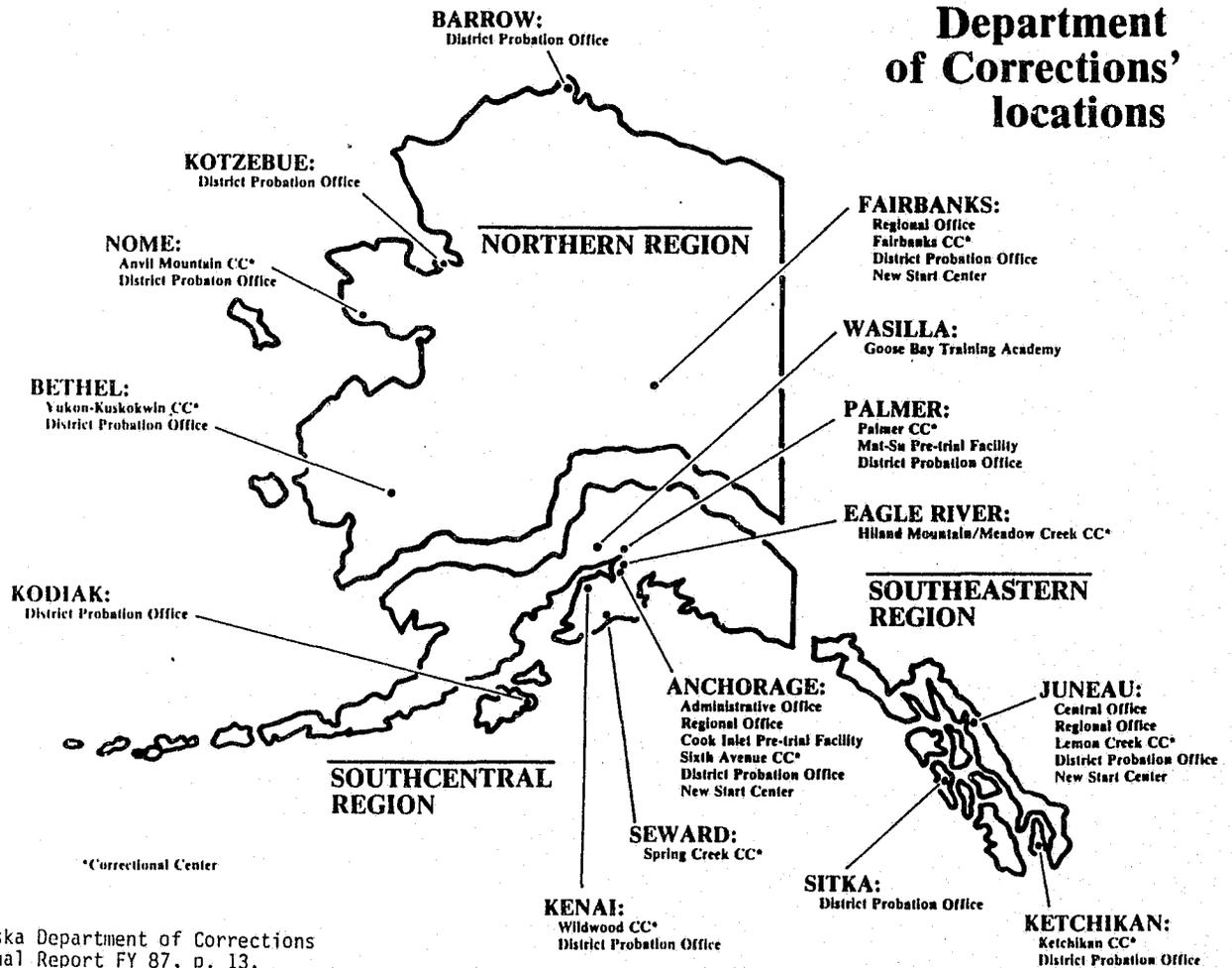
Sixth Avenue Annex Correctional Center (Anchorage). State operated since 1973 (was previously the Anchorage City Jail), operating capacity 116, male misdemeanor, female misdemeanor and felons, pre-trial and sentenced, minimum and medium security, 56 employees.

Spring Creek Correctional Center (Seward). Opened 1988, phasing to an operating capacity of 426, male sentenced felons, maximum security, 209 employees when fully operational.

Wildwood Correctional Center (Kenai). Sentenced facility opened 1983, operating capacity 204, male sentenced felons and misdemeanor, medium security. Pre-trial facility opened 1985, operating capacity 118, male and female felons and misdemeanor, pre-trial and sentenced. 177 employees in the combined facilities.

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Yukon-Kuskokwim Correctional Center (Bethel). Opened 1984, operating capacity 88, male and female felons and misdemeanant, pre-trial and sentenced, minimum and medium security, 41 employees.



In addition to institutional security levels (minimum, medium and maximum), there are inmate custody levels, which affect where inmates are housed, what programs they may participate in, how stringently they are observed and under what conditions they may leave the prisons. Following is a listing of the custody levels and details which may be relevant to inmate participation in education.¹²

¹²Department of Corrections, classification glossary, draft, October 14, 1988.

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Community custody

(may be furloughed to community residential center, restitution center or contract misdemeanor center)
access to programs--unrestricted, including community-based activities
observation--intermittent, appropriate to situation
leave the facility--unescorted or with staff member, unrestrained

Minimum custody

(may be furloughed to community residential center, restitution center or contract misdemeanor center)
access to programs--all inside perimeter and selected outside activities
observation--intermittent, appropriate to situation
leave the facility--escorted by staff member, hand restraints discretionary

Medium custody

access to programs--all inside perimeter, none outside
observation--frequent
leave the facility--escorted by one staff member, hand restraints

Close custody

access to programs--selected inside perimeter, none outside
observation--frequent and direct
leave the facility--two escorts (one armed), full restraints

Maximum custody

access to programs--selected inside perimeter, none outside
observation--always observed and supervised
leave the facility--two escorts (one armed), full restraints

Protective custody

Inmates in protective custody have sought protection from other inmates-- they are isolated from the general inmate population and therefore may require special program offerings.

Generally, inmates with pre-trial status are kept under greater security than sentenced inmates. In part, this reflects the greater familiarity which Corrections has with sentenced inmates as they become known within the prison. Pre-trial inmates are not as accessible for programmed activities--they are under a lot of stress while awaiting trial or sentencing and they may be preparing case materials and absent from the institution for court appearances. Once convicted and sentenced to prison, inmates generally have greater access to programmed activities and more energy to devote to life within prison.

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PRISON TIME SERVED

The 1980 revision of the Alaska criminal code imposed presumptive sentencing. Under presumptive sentencing, judges must sentence offenders to preset terms of imprisonment; variations are allowed only if judges find aggravating or mitigating factors. Inmates subject to presumptive sentencing may no longer be released at the discretion of the parole board; rather, they are subject to mandatory parole after serving their sentences, less good time.¹³

"Good time" is time credited for good behavior--inmates need not do anything good to earn good time, they simply must follow the rules of the prison in which they are incarcerated.¹⁴ The computation of good time was amended in 1986. Persons sentenced to terms of imprisonment exceeding three days are now granted good time in an amount equal to one-third of their sentences at the time of sentencing (AS 33.20.010-060). For example, a person sentenced to three years in prison is eligible for mandatory parole after serving two years.

Other systems of good time are used outside of Alaska and have been used in Alaska in the past. The awarding of good time for following prison rules, as in Alaska, is sometimes referred to as administrative good time. In some jurisdictions, good time may also be awarded as incentive for inmates to participate in programs or do certain good things. In this report, it is referred to as meritorious good time. Awarding meritorious good time requires more record keeping than Alaska's current system, as time is earned on an accrual basis.

GOVERNMENT COSTS OF INCARCERATION AND CRIME

Calculating actual complete state costs of incarceration per inmate per day proved to be an insurmountable task, largely due to difficulties in obtaining detailed fiscal information. The Criminal Justice Institute conducted a nationwide study of the difference between reported average costs of incarceration in state prisons and actual average prisoner costs.¹⁵ They concluded that the actual costs of incarceration exceed standard reported costs by 20 to 35 percent. This would result in an estimated average total daily cost of

¹³Mark Torgerson, "The Impact of Presumptive Sentencing on Alaska's Prison Population," House Research Agency Report 86-D, May 1986.

¹⁴Subject to Corrections regulations, good time may be revoked for rule violations and subsequently restored for demonstrated good conduct.

¹⁵George and Camille Camp, "The Real Cost of Corrections," Criminal Justice Institute, South Salem, New York, unpublished report, April, 1985, 6 pp.

OVERVIEW OF ALASKA CORRECTIONS

from \$102.91 to \$115.78 per inmate in Alaska in FY 88, based on Corrections reported average daily costs of \$85.76 per inmate.¹⁶ Actual costs of incarceration in Alaska vary widely depending on an inmate's custody level and place of incarceration.

The cost of an individual's criminality extends beyond that of incarceration in a correctional center. With each crime, there are associated law enforcement costs, prosecution costs, and court system costs--all paid by the state. Crimes involving victims or property loss or damage cost someone, whether private or government. Inmates who had been supporting families prior to incarceration are no longer able to make a significant contribution either financially or socially--in many cases leaving social services agencies to provide support. Upon release, many inmates require substantial support services to aid in their reintegration into society, and even then, many fail and return to prison.

OPPORTUNITY COSTS OF CORRECTIONS AND CRIME

Intangible costs are not quantifiable, but certainly worthy of contemplation. What happens to a child who grows up with a parent in prison? What happens to a child who grows up without a parent because of a murder? What happens to a 20-year-old sent to prison for seven years for armed robbery? What happens to the environment when Alaska spends more for incarcerating criminals than for protecting fish and wildlife and their habitats? What happens to capital projects such as roads and schools when we must build more prisons? The costs of crime and incarceration are not limited to the Department of Corrections operating and capital budgets.

PRISON LIFE

Prison is not a place that most people seriously think about very often, if ever. Crime and its consequences are before us every day, in the media and in our lives. Empathy with victims is common, empathy with criminals less so. After criminals are sentenced, they fade from sight. The public does not have to think about how prison affects inmates because we typically have contact with neither.

Among professionals, however, the issue of how prisons affect inmates has been debated in the United States since the eighteenth century. Some observers

¹⁶Includes institutional care \$74.89; major medical care \$6.37; and provision of statewide services \$4.50. Not included in the reported costs are regional and statewide administration of Corrections, capital expenditures, institutional leases, and Corrections legal services provided by the Department of Law.

OVERVIEW OF ALASKA CORRECTIONS

have described prisons as schools for crime with inmates as students. Others have praised them as routes to reform. More recently, it has been suggested that prisons neither reform nor corrupt inmates, but rather "desocialize" them--undermining their ability to function as adults in society.¹⁷

Individuals who are incarcerated suffer from deprivations which one researcher describes as "The Pains of Imprisonment." The following summaries, excerpted from a 1958 study of maximum security prison, are offered to stimulate thought about life in prison.¹⁸ Although over 30 years has passed since these descriptions were originally written, they remain essentially true and apply to inmates in minimum as well as maximum security.

The Deprivation of Liberty: The inmates' loss of liberty is a double one--first, by confinement to the institution and second, by confinement within the institution. Inmates are never allowed to forget that, by committing crimes, they have foregone their claim to the status of full-fledged, trusted members of society.

The Deprivation of Goods and Services: Inmates' basic material needs are met--they do not go hungry, cold, or wet. They receive adequate medical care and have the opportunity for exercise. But a standard of living constructed in terms of so many calories per day, so many hours of recreation, so many cubic yards of space per individual, and so on, misses the central point when we are discussing individuals' feelings of deprivation, however useful it may be in setting minimum levels of consumption for the maintenance of health.

The Deprivation of Heterosexual Relationships: Inmates are essentially deprived of heterosexual relationships, although Alaska prisons have a significant number of female prison staff--including guards--which helps to normalize social relationships.

The Deprivation of Autonomy: Inmates suffer from a loss of autonomy in that they are subjected to a vast body of rules and commands which are designed to control their behavior in minute detail. To the casual observer, it might seem that the many areas of life in which self-determination is withheld are relatively unimportant. It could

¹⁷Ann Cordilia, The Making of an Inmate, p. xi.

¹⁸Gresham M. Sykes, "The Pains of Imprisonment," in Crime and Justice, Volume III, The Criminal in Confinement, Leon Radzinowicz and Marvin E. Wolfgang, editors, pp. 131-140.

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even be argued that for a number of imprisoned criminals the extensive control of the custodians provides a welcome escape from freedom, but from the viewpoint of the inmate population, it is precisely the triviality of much of the officials' control which often proves to be most galling. Regulation by a bureaucratic staff is felt far differently than regulation by custom.

In summary, "The disadvantages of penal confinement outweigh the advantages by an overwhelming margin. There is much in the experience of penal confinement worthy of avoiding, . . . What is essentially prison-like about prisons will probably mean that the unattractiveness of prison as a general deterrent is relatively insensitive to many changes in the conditions of penal confinement,"¹⁹ including education.

CORRECTIONS PROGRAMS

Each prison is a community and must provide a range of basic services. As an isolated community, each prison also has a variety of activities and offerings for its residents, including indoor and outdoor recreation facilities, clubs and organizations, religious programs, law and general libraries; education programs, and mental health, substance abuse and sex abuse counseling.

Corrections policy is that inmates be employed for as many hours each day as is feasible, although each inmate is not to exceed a 40-hour work-week without specific approval. Inmates are required to participate in productive employment within correctional facilities if so directed and may be subjected to disciplinary sanctions for refusing to do so (AS 33.30.191). In practice, a significant shortage of inmate work assignments precludes the implementation of full inmate employment.

Each institution has the equivalent of a job service, where employment vacancies are advertised and inmates apply for work. Institutional positions include barbers, commissary clerks, laundry workers, librarians, religious activities clerks, mechanics, custodians, cooks, bakers, window washers, editors, couriers and tailors. Correctional industries employ laundry workers, meat packers, furniture manufacturers, metal crafters, auto body crafters and farmers. Community service workers clear trails, work at fish hatcheries, maintain campgrounds, paint buildings and do a wide variety of other work for nonprofit organizations and governments. Inmate artisans may produce works for sale to the public on a free-lance basis.

¹⁹Franklin E. Zimring, Perspectives on Deterrence, pp. 79-80.

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INMATE FINANCES

Providing that funds are available, inmates may be compensated for work performed in accordance with AS 33.30.201. If funds are not available, inmates may be required to work within institutions without pay. Inmate compensation is based on a prison economy. Current regulations provide that inmates may be paid up to 60 cents per hour for work performed within the institution, up to \$1.00 for performance of community work projects, \$0.65 to \$1.15 for Correctional Industries work, and up to \$1.25 per hour for certain long-term major construction projects.

Inmates are not allowed to possess cash. Each inmate has an account to which all money received in prison is credited. Inmate purchases for sundries such as cigarettes, toiletries, and clothing are deducted from this account. Inmate earnings may also be applied to court ordered restitution payments, and to support the families of inmates.

CHAPTER TWO

CORRECTIONAL EDUCATION IN ALASKA: PAST, PRESENT, FUTURE

HISTORY

The limited material available indicates that organizations such as non-profit agencies, community colleges and universities provided education services to inmates during the 1970s, either gratis, through self-obtained grants or under contract with Corrections. Corrections also had a small number of institutional instructors who provided limited administrative and/or instructional services.²⁰ I found no evidence of any statewide educational objectives, planning or coordination during this period.

Between August 1980 and June 1982, the University of Alaska-Juneau received legislative funding to design and implement a statewide education program known as the **University Within Walls (UWW)**. The UWW was largely based on a successful liberal arts college program offered in federal prisons in British Columbia. However, the program in Alaska was broader and included basic education, career education, a food service program and the use of video and audio-conferencing technology for instructional delivery. The program was the subject of a critical Legislative Audit report in 1982 and funds for the continuation of the program were withdrawn and transferred to Corrections for FY 83.²¹ Throughout its existence, the UWW appears to have been embroiled in controversy. During my research, over six years after the program ended, mention of UWW invoked strong opinions from anyone with past involvement. Apparently, friction between UWW staff and institutional level Corrections staff was intense and hastened the program's demise.

In 1982, a Corrections task force designed an education plan intended to specifically address the concerns raised in the UWW audit, and to provide a quality, cost-effective educational program. Perhaps reflecting recent experience with the UWW, the task force was composed of superintendents, assistant superintendents, a training officer, project coordinator, program

²⁰Institutional instructors are required only to have successfully completed two years of college and to have the ability to teach effectively. One year of appropriate experience is preferred.

²¹Division of Legislative Audit, "A Review of the Department of Health and Social Services Division of Adult Corrections University Within Walls Program for the Fiscal Year Ended June 30, 1981." Includes in appendixes: an educational consultant's evaluation of the program and a detailed response to the audit from the director of UWW.

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director, correctional industries manager and a program budget analyst--there were no educators involved. The task force recommended that superintendents determine the educational needs of their inmates and contract directly for services; educational project outcomes were to be measured largely in terms of the number of participants. Corrections never implemented this plan.

Early in the 1980s, Alaska inmates filed a class action lawsuit, known as the Cleary case, complaining of conditions within Alaska correctional institutions. Final resolution of the case is still pending; however, a substantial number of the complaints were addressed in a partial settlement agreement and order dated January 21, 1983, commonly known as the Cleary Settlement.²² The settlement is discussed at the end of this chapter, full text of Section Q, "Rehabilitation/Treatment," appears in the appendix.

From FY 83 through FY 86, the Department of Education (DOE) administered corrections education programs through a reimbursable services agreement with Corrections. Individual contractors and branches of the University of Alaska and community colleges again provided various education programs on a decentralized basis. During their four years of administration, annual funding to DOE for corrections education increased from \$171,000 to over \$930,000.²³

Corrections' initial FY 87 budget included \$990,000 to be transferred to DOE for corrections education. However, following the dramatic drop in oil prices in FY 86, Corrections staff concluded that \$619,000 could be saved by using existing correctional education staff to provide basic education programs and by allowing each correctional center to contract directly with the University of Alaska for postsecondary courses.²⁴ Funding for Correctional education was again substantially cut in FY 88, and all postsecondary education funding was eliminated.

²²Michael Cleary, et al, v. Robert Smith, et al, " Partial Settlement Agreement and Order as to Subclasses "A" and "B," In the Superior Court for the State of Alaska, Third Judicial District, Case No. 3AN-81-5274, January 21, 1983.

²³Division of Legislative Audit, "A Special Report on the Department of Corrections and Department of Education Corrections Education Program," September 9, 1986, p. 4.

²⁴Ibid., p. 9.

CURRENT STATUS OF CORRECTIONS EDUCATION

Program Offerings

All of Alaska's prisons have education programs which offer Adult Basic Education (including literacy training and basic math skills), General Education Diploma (GED) preparation and testing, and a variety of life skills classes (many of which are specified in the Cleary settlement). Additional programs, including vocational and postsecondary education are offered at various prisons, depending on available resources and inmate and instructor interest. I was unable to obtain a comprehensive listing of these programs from the Division of Statewide Programs.

As of late 1988, institutional educators had been directed not to expend any of their funds on postsecondary education.²⁵ Some institutions have been able to arrange for an occasional college course offering. In general, all postsecondary education within the prisons is at inmate expense and restricted to correspondence offerings.

The University of Alaska correspondence program has proven unsuccessful in Alaska prisons. Problems cited include the turn-around time on assignments, administrative difficulties since a recent reorganization of the correspondence studies office, the lack of financial aid, and the inability to earn a degree entirely through correspondence. Inmates have recently begun enrolling in a correspondence program which is specifically designed for inmates and offered through the Ohio State University. Inmates can earn standard Ohio State University degrees and, if eligible, receive federal grants and veterans benefits through this program.

Telecourses, available through the University of Alaska, use video technology to present mostly introductory level college course lectures over the television. Students may communicate with course instructors via mail, telephone, the University of Alaska computer network, and office visits. Institutional educators in several correctional centers have arranged to obtain the videos to use for inmates who have paid to enroll in courses.

Administration

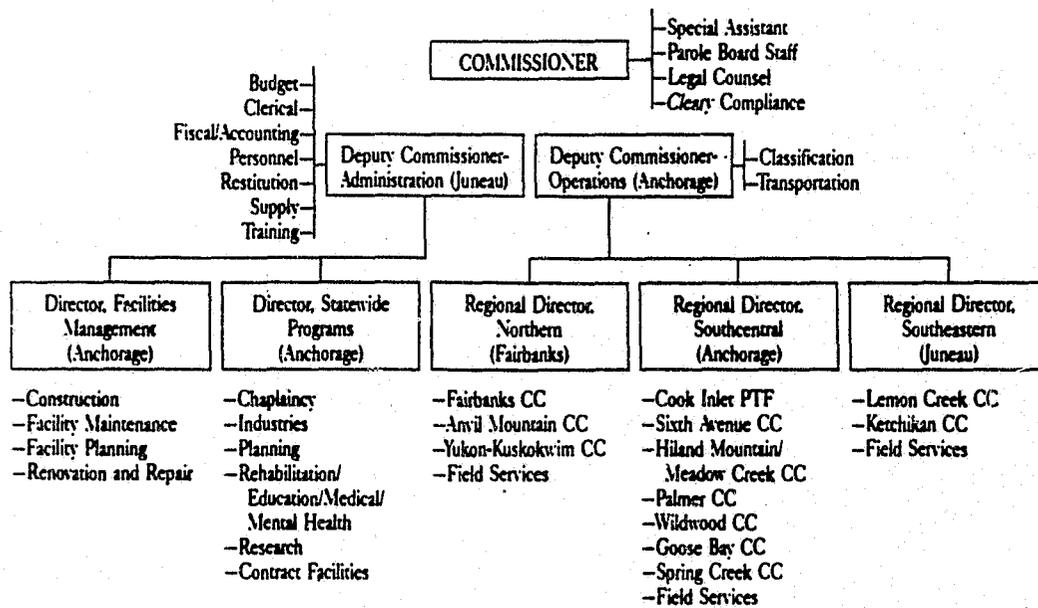
Responsibility for inmate education lies with the Division of Statewide Programs. The division is also responsible for inmate medical and dental services, community residential and restitution centers, departmental planning and research, and inmate rehabilitation programs which include substance abuse treatment, sex offender treatment, mental health services, alternatives to

²⁵Interviews with southcentral region correctional education staff, November 1988.

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violence programs and religious programs. Four of the division's 17 staff are responsible for planning, coordinating and monitoring the delivery of all of these programs, including education.

Department of Corrections' Organizational Chart



Alaska Department of Corrections
Annual Report FY 87, p. 12.

Division staff have been able to devote very little time to the education program since acquiring responsibility for delivering inmate education in FY 87. Compounding this low prioritization of education programs has been the complete turnover, with extended interim vacancies, of the division director, program coordinator and planner since early FY 88. None of the staff currently responsible for planning, coordinating and monitoring the education program are educators nor do they have any practical experience in correctional education.

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At this time, 18 (1.4 percent) of 1,269 full-time Corrections staff persons budgeted in FY 89 are institutional instructors or education associates,²⁶ although not all are involved in education program delivery. In addition, two instructors provide education services under contract in two institutions which do not have institutional educator positions. Institutional educators have an ambiguous position in that they are employed within the institutions and are generally directly supervised by an institutional parole officer; however, they also report to the programs coordinator of Division of Statewide Programs.

Educators in the correctional system operate in an environment which has been lacking in support from the administration and the outside educational community. In addition, there is a lack of educational supervision, continuing education, and knowledge and support of the educators.²⁷

Most of the institutional educators, although well-qualified, are so burdened with administrative responsibilities that they are able to spend little time actually teaching. For example, a single educator may have responsibility for overseeing the hobby craft area, libraries, recreation programs, life skills contracting and/or teaching, and the education programs. Associated with these responsibilities are the hiring and supervision of inmate librarians, clerks, instructor's assistants, tutors, and hobby craft managers.

A substantial majority of the Alaska corrections educators with whom I spoke expressed dissatisfaction with the current status of their positions. They are frustrated with the lack of support for correctional education programs and the lack of professional development opportunities and compensation for teachers. Several educators stated they are considering changing occupations due to these frustrations.

²⁶Although all of the education staff perform essentially the same duties, most are classified as Institutional Instructors (General Government Unit Range 15), some are Education Associate IIs (Range 15), and one is an Education Associate III (Range 17). In this report, they are collectively referred to as institutional or corrections educators.

²⁷In this respect, Alaska is not in a unique position. This is drawn in part from a review of the Canadian Correctional System by the Canadian Association for Adult Education in the early 1980s. Walter Pitman, "A Purpose for the Pen," Toronto Globe and Mail, December 11, 1982. Found in Duguid, University Education in Prison, pp. 183-184.

FUTURE

The recently hired director of Statewide Programs plans to conduct assessments of all programs within the division. The education program was the first to receive attention. In the fall of 1988, an education program assessment, including a survey of institutional education staff and a statewide meeting to discuss programs and concerns, was conducted. The final report from the fall assessment includes the recommendation for the completion of an overall general statewide education plan prior to May 31, 1989.²⁸

Cleary Partial Settlement Agreement

The Cleary settlement dictates that Corrections provide a broad range of educational programs, including specific life skills, GED, and various college, vocational or special interest courses. The agreement also states that all inmates shall have the opportunity to enroll in a college level degree program and that Corrections shall offer college level degree programs at the Fairbanks, Juneau, and other correctional institutions.

Unless ordered to participate in specific programs by their sentencing court, inmates may not be required to participate in a wide range of activities and programs, including secondary or postsecondary education and vocational training. The settlement does not address mandatory participation in adult basic education up to a grade nine level.

In late 1988, the Alaska Superior Court found that the state was in contempt of the agreement for their failure to offer college courses and a college degree program. The public response to this finding was immediate and generally negative. Because the court has directed that Corrections must go to the legislature during the 1989 session and seek funding for college education in the prisons, many of the same comments and objections are likely to surface during legislative consideration of this issue. Following are extensive quotes from the court's findings and editorial pages of the Anchorage papers, including selected public comments. Note that although the Court says that Corrections is not in violation of the settlement agreement in requiring inmates to pay for their college education, the public generally responded as if Corrections is required to pay.

The Court Ruling. On November 15, 1988, the court found the Department of Corrections "not in compliance with the PSA [Cleary Partial Settlement Agreement], and, accordingly finds the [Department of Corrections] in contempt" for its failure to provide college level degree programs at some correctional facilities.

²⁸Linda Hulbert, "Corrections Education Project," Logistics, Inc., Fairbanks, photocopied, Fall 1988.

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The Court is not unmindful of the fiscal limitations facing [Corrections] - particularly in the current depressed economic conditions in this jurisdiction. Yet, the Court recognizes these educational offerings as being some of the most important requirements of the PSA, and as being relevant to the provision of rehabilitation potential for at least a significant element of the prisoner population. Additionally, the provision of college level degree courses and degree programs is an important item bargained for by Plaintiffs in their negotiations with Defendants which ultimately became the terms of the PSA.

Accordingly, the Court orders [Corrections] to commence providing at least some college-level courses, other than the correspondence courses mentioned, within the next ninety (90) days. Moreover, [Corrections is] directed to structure some "degree programs," i.e., fashion some type of college course offerings that can lead to a college degree by at least some inmates. . . .

Further, the Court directs [Corrections] to use their best efforts to seek and obtain substantial funding from the legislature during the next legislative session in order to finance at least substantial compliance in the future with these college-level course and degree offering requirements. Should [Corrections] fail to obtain such funding, [Corrections] will have to reprioritize other aspects of their budget in order to finance sufficient college-level course and degree programs to bring them into at least substantial compliance with the PSA in this area. . . .

Finally, [Corrections] ask[ed] the Court to clarify the question of whether Plaintiffs may be obliged to pay for some or all of such post-secondary level courses and programs. Unfortunately, the PSA does not specifically address this question. In view of the absence of any express obligation in the PSA requiring [Corrections] to assume such costs, the Court concludes that Defendant's policy of requiring plaintiffs to bear some portion of the cost of post-secondary level courses and degree programs does not violate the terms of the PSA. As instructed above, however, the Court has directed [Corrections] to use their best efforts to obtain funding from the legislature for such college level course and degree programs. . . . ²⁹

On January 31, 1989, the court issued an order which included a clarification of the November 15, 1988 order with regard to responsibility for payment of educational costs. As clarified and modified, inmates, not Corrections, are

²⁹Michael Cleary, et al, v. Robert Smith, et al, "Order Regarding Disputed Issues Presented by the Compliance Monitor," In the Superior Court for the State of Alaska, Third Judicial District, Case No. 3AN-81-5274 Civil, November 15, 1988.

responsible for paying such educational costs as tuition, fees, books and materials. Corrections may have to assume internal administrative expenses, such as classroom equipment, staffing and/or related overhead.³⁰

The Press Responds. Anchorage Daily News editorial, November 23, 1988

Education is a key to rehabilitation. Of course some prisoner [sic] are indifferent to rehabilitation opportunities, but those who care enough to pursue college degrees ought to have the chance to learn. When these prisoners have done their time, they'll be less likely to commit crimes - and come back to prison for \$30,000 a year worth of room and board. . . .

Alaska prisons must be more than just warehouses, where criminals learn more tools of the trade. Offering inmates a chance to get college degrees is not some frill that can be discarded to save money -- it's a promise the state must honor.

The Anchorage Times editorial, November 21, 1988

The 1989 legislators now have a pretty clear assignment they should deal with early on. It is to abrogate the provision of a 1983 agreement, apparently signed by the attorney general's office, that says the state will provide a college education to any prisoner who is qualified.

The proposal is absurd on its face. . . . the whole idea is preposterous. The state owes its prisoners proper physical care, the basics of personal health and safety. It should, as best it can given the circumstances and financial ability, offer some reasonable training and work opportunities. But by no stretch of anybody's imagination does the public or the state owe the prisoners a college education.

And the Public Responds. Excerpts from letters to the editor, Anchorage Daily News, November 25, 1988:

"Judges ruling requiring college classes for prisoners angers readers."

I believe when a person goes to prison they lose all their rights. They broke the laws. What good does it do to put someone in prison when that person ends up getting more inside for free than they had on the outside? It's a joke.

Nobody paid for my higher education. My children didn't get a free

³⁰Michael Cleary, et al, v. Robert Smith, et al, "Order," In the Superior Court for the State of Alaska, Third Judicial District, Case No. 3AN-81-5274 Civil, January 31, 1989.

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Nobody paid for my higher education. My children didn't get a free college education. In fact, we have to pay back the state of Alaska what we borrowed for our education, plus interest. Being law abiding citizens, we are not eligible for free college education.

It is my opinion that the judicial branch won't be satisfied until criminal activity is seen as a legitimate profession. Prisoners already eat better than the majority of citizens in this state and I wouldn't be surprised if the judiciary is considering housing prisoners in condos replete with swimming pools.

The recent news requiring the state of Alaska to provide subsidized or free college opportunities to prison inmates has inspired me to think of a very innovative technique [to provide his children with college education]; I've suggested that my present high school senior commit a suitable non-violent crime immediately after graduation so that he can be "put away" for four or five years. If I interpret the court order properly, he can then get free room and board and a discounted or free college education at the state's expense. . . . Let's get serious, folks. Inmates should have every opportunity to be rehabilitated and educated, but let's not make it an advantage to be a criminal!

If the prisoners of this state or any other state want college degrees, I commend them, but not at the people's expense. They were sent to prison as a punishment. They are not in prison to have privileges that the honest citizens do not have.

At a time when we have homeless, hungry and unemployed people in our state, why should our legislature dip into our permanent fund or raise taxes to send prisoners to college, or spend \$162,500 on stamps. Prisoners already have food, clothing, housing, and medical and dental benefits which a lot of people do not have just because they are poor or lost their jobs. I suggest that if prisoners want college degrees they wait until they've done their time. Then they should do it like everyone else -- get a job, get a loan and pay for it themselves.

CHAPTER THREE

REFORMATION THROUGH EDUCATION

Some inmates have no need of reformation--they are generally law-abiding citizens who made an error, got caught, have learned their lessons and are unlikely to commit future crimes regardless of their treatment in prison.³¹ Other inmates, for whatever reason, are beyond reformation--the chances of permanently improving their behavior through treatment are almost nil.³²

This chapter will address education programs and incentives targeted to reach those inmates who are reformable. Prison schools teach mainly educationally retarded students who have a history of hostility towards school; they have failed each other in past encounters. The prison situation permits tactics and strategies for motivating student interest and effort which may make it a somewhat advantageous location for making students and law-abiding citizens out of individuals with the background of most inmates.³³

Criminal behavior and its consequences cause the public to focus on retribution rather than prevention. Despite the belief of many members of society, criminals are sent to prison as punishment, not for punishment. Reformation of criminals is not a replacement for punishment; it is something that can go on during punishment and should serve socially centered goals, not just the goals of inmates.³⁴

³¹Although reformation and rehabilitation are often used interchangeably in discussing corrections programs, the Alaska constitution uses reformation--to improve--which is more appropriate to correctional education programs than rehabilitation--which is to restore.

³²Surgical and medical technology exists to make these people able to exist in society without causing harm, however such forms of treatment are outside of the currently accepted practice of corrections.

³³Daniel Glasser, The Effectiveness of a Prison and Parole System, pp. 262-263.

³⁴Jack Arbuthnot, "The Matrix of Behavior--reason, ethics, emotion, will and context," Region VI Correctional Education Association Conference, October 17, 1988.

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ESSENTIAL ELEMENTS OF GOOD PRISON EDUCATION PROGRAMS

There are certain fundamental elements which enhance the success of all types of education programs, at all levels, both in and out of prison. These elements include

- clearly articulated and sanctioned goals and strategies,
- strong educational leadership at the administrative level,
- appropriate education staff training, credentials and support,
- instructional content and strategies designed specifically for the intended population,
- an environment intellectually and physically conducive to learning, and
- formal and regularly implemented program evaluation procedures.

Each of these elements will be discussed below, drawing on information from the United States and Canada. This is intended as a sampling of current correctional education practices and theories, not as a comprehensive listing.

Goals and Strategies

The objective of correctional education should be to increase the ability of people to perform socially, economically, and personally in their culture and location at a reasonable level of effectiveness.³⁵ Through intent language, the New York State Legislature expressed that the objective of their correctional education program shall be to return inmate participants "to society with a more wholesome attitude towards living, with a desire to conduct themselves as good citizens and with the skill and knowledge which will give them a reasonable chance to maintain themselves and their dependents through honest labor."³⁶

For educational programs in prisons to be effective, they must go beyond teaching simple skills or vocations and address attitudes, value systems, thinking skills, and social development. As one inmate told me, the welding skills he learned in a federal prison years ago were helpful upon release, he

³⁵Coffey, Improving Corrections Education, p.4.

³⁶New York Statutes, Education, Article 6, Section 136, Correctional Education.

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was able to break into safes more efficiently. A certain intellectual maturity is necessary for threatened punishment to be an effective deterrent to crime, as punishment is psychologically farther off than the satisfaction of desires.³⁷ Education can help to develop this intellectual maturity--maturity which may expand individuals' horizons to the point where they can visualize, understand and carry out options to crime.

Correctional Education Administration

The administrative structure of correctional education at the state central office level is a key to the effective management of resources. Many states, including Alaska, currently suffer from inadequate and inefficient administration and resource management in the area of correctional education, partly due to low priority within the overall correctional system. The results include ill-conceived lines of authority within the organizational structure, lack of centralized management, and past assignment of responsibility to other agencies without adequate coordination and accountability. Ideally, a central correctional education administration should at a minimum be in charge of the following:³⁸

- preparing the annual budget for correctional education;
- annual as well as long-range planning and development, including programs and space for education in new facilities;
- getting all possible resources--monetary as well as services and technical assistance--through interagency agreements and coordination, grant applications, public relations, and contracting;
- developing unified assessment, curricula, and evaluation practices;
- ensuring adequate space, equipment, and materials for instruction and the use of appropriate and up-to-date educational technology;
- developing and implementing a system of pre- and in-service training for staff, to include annual opportunities for statewide meetings;
- developing policies and procedures for correctional education; and

³⁷Kurt Lewin as cited in Zimring, Perspectives on Deterrence, p. 35.

³⁸Coffey, in Wolford, Correctional Education, p. 15.

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- developing a system of accountability and quality control, to include teacher evaluations meeting state standards and periodic program evaluations, preferably by an outside agent.

Implementation of these central office functions requires a position exclusively devoted to the administration of the system-wide education program. In order for this position to be effective, it must be an educational one, not a correctional one; have legitimacy and credibility in dealing with local, state, and federal education communities; and have sufficient authority and autonomy to deal with the correctional agency at all levels and to enter into contractual or interagency agreements. It must also be sensitive to the correctional environment, which by necessity creates unique conditions and problems. The hiring, firing, and evaluation of educational staff must also be within the ultimate authority of the education director, in consultation with prison superintendents or their designees.³⁹

State correctional education administrative structures include correctional school districts; independent departments of correctional education; distinct divisions or offices of correctional education within corrections departments; department of education responsibility for correctional education; and, as in Alaska, no central specialized correctional education administration. As one expert concludes, there is no 'best' administrative model to be recommended for implementation in all states. Rather, whatever the administrative structure, the responsibilities listed above should be incorporated.⁴⁰

Education Staff Training, Credentials and Support

Many states are upgrading the skills, credentials and salaries of correctional educators to improve the quality of correctional education programs. This is accomplished through workshops, funding teacher participation in continuing education classes, establishing requirements for the certification of correctional educators, and offering correctional educators salaries which are competitive with those offered public school teachers.

Correctional educators work in large part in isolation from their peers in a position which can be very frustrating and difficult at times. There is increasing recognition, as demonstrated by the overwhelming attendance at the 1988 western regional conference, that annual participation in a Correctional Education Association conference provides an opportunity to share information and make contacts which can improve programs and increase staff morale and effectiveness.

³⁹Coffey, in Wolford, Correctional Education, p. 15-16.

⁴⁰Ibid., p. 6.

Educational Programs

Effective programs included as a target of their intervention not only the offender's environment, or his feelings, or his behavior or his vocational skills, but his cognition - his reasoning, his attributions, his self-evaluations, his expectations, his understanding and appraisal of his world. They included some technique which could increase the offender's reasoning skills, improve his sensitivity to the consequences of his behavior, teach him to stop and think before acting, increase his interpersonal problem-solving skills, broaden his view of the world, help him to develop alternative interpretations of social rules and social obligations, and help him to consider and comprehend the thoughts and feelings of other people.⁴¹

A holistic approach to reformation, integrating education, other reformation programs and work is best. Learning reading and arithmetic does not ensure functional social competency nor does an isolated vocational, life skills, cognitive training or drug program. Together, however, they can and do work in individual cases.⁴²

The following discussions of specific education programs are intended to familiarize the reader with a range of correctional education levels and programs--it is derived from a brief survey of materials and contacts with prisons and prison educators and is not comprehensive. Before any program is implemented, a more complete study should be conducted by professional prison educators.

Adult Basic Education. Adult Basic Education (ABE) targets adults, both in and out of prison, who are either functionally illiterate or have a large gap between attained and potential achievement in basic literacy, linguistic and computational skills. In 1986, a National Institute of Correction's study of successful inmate literacy programs across the country reported that solid low-level and non-reader programs shared certain characteristics. These programs

⁴¹Robert R. Ross and Elizabeth A. Fabiano, Time to Think: A Cognitive Model of Delinquency Prevention and Offender Rehabilitation, pp. 7-8.

⁴²Correctional education should be approached with an awareness that a small amount of education in prison can impair post-release prospects of inmates. Indirectly, it can inspire them with unrealistic aspirations. Inmates may also pursue education exclusively, in an attempt to avoid or replace alternative prison programs which may be more applicable to their reformation, such as sex-offender or substance abuse treatment. From Glasser, The Effectiveness of Imprisonment, p. 283.

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- are individualized, using one-to-one and/or group instruction,
- use a flexible, often competency-based curriculum,
- are staffed by trained reading teachers and/or trained inmate or volunteer tutors,
- often are supplemented by computers, and
- are part of an integrated educational program that can advance the non-reader to higher education levels.⁴³

According to Thom Gehring, section editor for The Journal of Correctional Education, education programs should go beyond teaching superficial literacy, which focus on employable skills such as writing and math. Programs should also teach cultural literacy, which empowers individuals to participate more successfully in society.⁴⁴

Illinois, Maryland, Ohio and Virginia are among the states requiring participation in inmate literacy programs. These four state programs were all started administratively, but have since been statutorily enacted in Illinois and Maryland and legislation to do so will be introduced in Virginia in 1989.

All four programs require that inmates take the Test of Adult Basic Education (TABE) when they are committed (Illinois only if sentenced to two or more years, Maryland if 18 months or more remaining to serve). Inmates testing below the 6th to 8th grade level (varies by state, higher grade requirements are being phased in) are required to participate in basic literacy classes for a period of generally 90 days. At the end of that period, continued enrollment is optional. In Maryland, 90 percent of those who complete the 90-day program continue their education.

Mandatory education is useful only if well planned and implemented programs are available. Most corrections educators state that inmates should not be required to attain a certain skill level, they should be required to participate and do their best. However, inmates in Illinois who do not achieve the sixth-grade level have their rate of institutional pay restricted until they do so.

⁴³Margaret Oberst, "Inmate Literacy Programs: Virginia's 'No Read, No Release' Program," October 1988, p. 2.

⁴⁴Thom Gehring, presentation at the western region Correctional Education Association Conference in Vancouver, BC, October 1988.

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General Education Diploma and Secondary Education. The General Education Diploma (GED) is of value as a nationally recognized substitute for a high school diploma and is available in prisons throughout the United States. The objective of GED preparation, however, is to develop skills and knowledge required to pass a specific set of examinations. The GED is designed for the general public, not an inmate population, and therefore does not incorporate social or cognitive aspects which have proven successful in reformation of inmates. An integrated education program can overcome this shortfall.

Inmates who have not completed high school or earned a GED may earn a high school diploma by successfully completing correspondence courses offered through the Alaska Department of Education at no charge.⁴⁵ Correctional institution coordination is required as some of the courses include study materials, such as protractors and chemistry kits, which are not permitted in the prisons or which require special arrangements.

Vocational Education. "Vocational education must be integrated with academic education within the formal education system, and the formal education system must be linked with other training efforts in the community."⁴⁶ "Some of the most important effects of education--on students themselves and on their readiness for further study or work--are its less overt transmission of values and attitudes."⁴⁷ These quotes, drawn from discussions of public vocational education programs, apply equally within correctional institutions.

Vocational education can be taught at either a secondary or postsecondary level, with appropriate academics integrated into the programs. Vocational occupations involve estimating and obtaining supplies and calculating project costs and sale prices (requiring math and literacy skills). Through a carefully planned curriculum, instructors can also incorporate a variety of social sciences such as history, art, economics, and anthropology. Participation in any portion of a vocational program could be tied to participation in all aspects.

As an example of an integrated vocational education program, a hypothetical culinary program is outlined. Of practical importance, each prison has an institutional kitchen, requires meals for inmates, and has a shortage of institutional jobs. A good culinary program could provide better meals using comparable ingredients, provide additional inmate employment and serve as a reformation program. Rather than simply preparing food to serve inmates, a

⁴⁵AS 14.07.020(9) - an accredited elementary and secondary correspondence program must be available for any Alaskan, through a centralized office of correspondence study.

⁴⁶Linda Darling-Hammond, program director, The Education and Human Resources Program, March 1988, p. 32.

⁴⁷Dorotea Furth, "School and Beyond," pp. 12-14.

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culinary program could be incorporated into the operation of the kitchens. Prison kitchens in Alaska are currently overseen by wage-grade cooks. On a phased-in basis, these cooks could be replaced or supplemented by specially trained culinary instructors. The number of inmates employed in the kitchens could be increased as all would be required to spend a portion of their day in a classroom studying sanitation, nutrition, and math to calculate food quantities and portions. A broad based curriculum could include studies of cultures and ethnic foods, food production and distribution on a regional and global scale, and business as it relates to restaurant management. Being a socially centered program, cognitive and moral training would be incorporated throughout the program. At the completion of training, an inmate would ideally be literate, a more rational thinker, better socialized, and prepared to reenter society as a trained culinary worker.

Vocational programs should comply with the standards of relevant accrediting agencies to ensure that the quality of education received by inmates attending programs within prison are comparable to those offered elsewhere. Upon successful completion of programs, inmates should be issued applicable degrees or certificates of achievement which, if possible, do not distinguish that studies were completed in prison.⁴⁸

College Programs. Like many state colleges, the University of Alaska system operates on an open entry principle. All adults are eligible to enroll in classes, regardless of their prior education (admission to degree programs generally requires fulfillment of minimum requirements). Those students needing additional preparation for college coursework can enroll in remedial math and english classes offered by the college or university.

One college level program offered within prison which serves the needs of society to reform criminals is based on a study of liberal arts (literature, history, philosophy and the classics). Such a curriculum, when properly presented,⁴⁹ can lead to social-cognitive development in a number of areas, including

- allocentrism--the ability to go beyond egocentrism and recognize and understand the thoughts of others,
- integration--development of an understanding of the extent to which one's personal satisfactions are reliant on those of others,

⁴⁸Brian E. Simms, Joanne Farley and John F. Littlefield, Colleges with Fences: A Handbook for Improving Corrections Education Programs, 1987, pp. 37-39.

⁴⁹Stephen Duguid, as described in Ross and Fabiano, Time to Think, p. 262.

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- stability--achieved through the development of a philosophy of life,
- autonomy--thinking free from emotional, prejudicial and irrational distortion, and
- imagination--the ability to think abstractly which enables one to move beyond narrow and rigid views of social activities and social institutions and consider a wide range of alternative paths in personal behavior.

A liberal arts education may also help to develop empathy, tolerance of opposing views, and moral development.⁵⁰ The liberal arts college program is

"valuable particularly for people who are in on very long sentences. A man who's going to be in for 20 years isn't interested in learning to be a welder. But a liberal education is something that changes the way you feel and think about life."⁵¹

From a practical perspective, a liberal arts education does not require specialized facilities or equipment, does not become obsolete, and does not require materials which may be considered contraband within a prison.

Limited resources and the small base of inmate students available within most prisons dictates that there are relatively few course offerings each term. There are a variety of alternatives to standard classroom college courses which can be used to increase course offerings and allow flexibility in coursework. These include traditional correspondence programs and those using video, audio and/or computer technology for course presentation. Alternative programs require a higher degree of student motivation and the drop out rate among inmates is reported to be high. However, for motivated students with adequate background, correspondence programs can provide a more extensive selection of courses than can be offered within prison. Institutional educators or inmate assistants can be used to monitor progress and provide tutoring and encouragement if necessary.

Teleconferencing incorporates elements of classroom and correspondence studies. The College of Great Falls, a private college located in Montana, has a Telecom program which combines weekly viewing of videotapes with a weekly teleconference class discussion--inmates at a maximum security prison

⁵⁰Ibid., p. 262.

⁵¹Solicitor-General Robert Kaplan, in Duguid, University Education in Prison, p. 125.

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are able to participate in the same class as members of the public who are enrolled throughout the state. Telecom students are enrolled as students in the College of Great Falls and have the same financial aid options available as those students attending on campus.

Environment Conducive to Learning

Learning is affected by both physical and social environments. The physical environment is perhaps the easiest, though not necessarily the least expensive, to alter. Adjustments to heat, lighting, classroom equipment, cleanliness and clutter can alter the quality of existing space. Although additional classroom, library and study space is costly, lack of adequate space can hinder program presentation and scheduling.

More difficult to alter are inmate and corrections staff attitudes towards reformation and education as a tool for reformation. Staff training programs can be instituted which balance both the security and reformation functions of corrections. A 40- to 60-hour training program has been used successfully in other states to train probation officers to teach their probationers cognitive thinking skills including self-control, metacognition (assessing one's own thinking), social skills, interpersonal cognitive problem skills, creative thinking, critical reasoning, social perspective taking and values enhancement.⁵² A similar program could be explored for use by selected correctional and parole officers within the prisons.

Inmates involved in education programs speak highly of the open and positive environment within the classrooms and study areas. In various literature, inmates describe the classrooms as spaces where they are able to openly think and challenge ideas, even encouraged to do so (something which is not typically encouraged elsewhere in prisons). Education areas have also been described as sanctuaries from the rest of the prison.

Program Evaluation

Program evaluations can include both internal and external evaluations. The simple means to evaluate programs is to base success on the number of participants, proportion of students completing programs, grades and number of GEDs or other certificates awarded. While these are relevant measures, they are quantitative rather than qualitative. Correctional education material which directly addresses implementation of program evaluations is available.

⁵²Jack Arbuthnot, "The Matrix of Behavior--reason, ethics, emotion, will and context," Region VI Correctional Education Association Conference, October 17, 1988.

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Attempts are also made to evaluate the success of education programs based on the level of recidivism of past participants. Difficulties due to self-selection and many other factors hamper such efforts. A variety of evaluative testing materials are available which can be administered at the beginning and end of programs to measure not only inmates' academic advancement, but also their cognitive and social development.

INCENTIVES FOR PARTICIPATION IN EDUCATION

Rewards, like punishment, are generally used to influence future behavior. Whereas punishment is generally used to discourage certain actions, rewards are generally used to encourage them.⁵³ A discussion of several incentives to encourage participation in education programs follows.

Time Incentives

Inmates who participate in educational programs, either as students or tutors, may be granted good time in excess of administrative good time. Inmates in Maryland and New Mexico may accrue an additional five days of good time per month for participation in education programs. New Mexico also allows the award of lump sums of good time to inmates whose records of conduct show they have performed exceptionally meritorious service or performed duties of exceptional importance in connection with institutional operations. Each institution may award up to a one-year lump sum total per year, the amount awarded per inmate is decided by the classification committee based on the merits of each case.

Financial Incentives

In some correctional systems, inmates are paid to participate in education programs. This allows inmates who might otherwise have to work--to earn money for restitution, to help support their families, or simply to support a smoking habit--to participate in programs which may lead to their reformation. At present, AS 33.30.201 prohibits Alaska inmates from receiving pay for participating in educational programs.

For courses at the vocational and university level, inmates may be required to pay tuition--a portion or all of which is refunded when inmates complete their courses. This policy encourages inmates to complete courses in which they enroll. Canadian federal prison inmates enrolling in correspondence classes

⁵³Bernard Gert, Morality: A New Justification of the Moral Rules, 1988, pp. 58-59.

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pay the entire tuition fee and upon completion of the program are entitled to be reimbursed by the prison for a portion of the fee.

Cash incentive awards can be provided to inmates who successfully complete targeted educational objectives such as a GED or high school diploma. These awards may be credited to inmates accounts for immediate spending or stipulated for a specific use such as tuition for higher education or gate (release) money.

Privilege Incentives

In a prison environment, privileges are a powerful motivator. Depending on the institution and inmate, privileges granted for participation in education programs could include authorization to keep house plants in a cell, participation in athletic events, furloughs, or assignment to community residential centers.

Mandatory Incentives

Mandatory participation in programs is effective only if outstanding programs exist.⁵⁴ Inmates cannot be forced to learn; however, they can be strongly encouraged to participate in educational programs through the withholding of certain valued privileges, including good time towards early release, pay for institutional work assignments, and furloughs. In systems where mandatory literacy training is required, a high proportion of those enrolling continue in education programs after their mandated periods of participation have ended.

New Mexico statutorily mandates that inmates who are subject to literacy standards but who refuse or choose not to participate shall not be eligible for monetary compensation for work performed or for meritorious deduction.⁵⁵ Arkansas courts found that "there is no 'constitutional right to be ignorant,' and [that the] state [of Arkansas] clearly has the right through forced school enrollment, to undertake rehabilitation of its inmates through education."⁵⁶

⁵⁴Terry Fowler, "Releasing the Interior Prisoner Through Education," presented at Regional VI Correctional Education Association Conference, October 17, 1988.

⁵⁵New Mexico statutes 33-11-3.

⁵⁶Rutherford v. Hutto, 377 F. Supp. 268 (E.D. Ark. 1974).

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At this time, participation in Alaska education programs can be mandated by the sentencing judges. Neither statutes nor the Cleary settlement prohibit Corrections from administratively imposing mandatory education requirements through a grade eight level.

FUNDING OF CORRECTIONAL EDUCATION

Correctional education is usually funded as a line item in individual institutional budgets, with or without additional funds for administrative services in the central office. **The funds for education--as for the rest of corrections--are appropriated by state legislatures.** Frequently, additional funds are obtained through state and federal entitlement and discretionary sources, through the state education department and through grant applications. With the exception of some vocational education funds targeted specifically for corrections, federal funding of correctional education is permissible in many cases, but not mandated. "Experience has shown that skillful grantsmanship on the part of the chief correctional education position is mandatory in order to provide adequate resources."⁵⁷

⁵⁷Osa D. Coffey, in Wolford, Correctional Education, p. 6.

CHAPTER FOUR

AN IMPROVED CORRECTIONS EDUCATION PROGRAM FOR ALASKA: PROGRAMMATIC AND FINANCIAL CONSIDERATIONS

This chapter explores specific considerations for correctional education in Alaska, including administration, program requests from institutions, college education in prisons, and funding of correctional education.

ADMINISTRATION

"A good indication of the priority assigned to correctional education within the DOC [Department of Corrections] is the level and location of the chief correctional education position, the credentials of the officeholder, and the level of support staff."⁵⁸ Correctional education in Alaska has no chief correctional education position. Education providers within our correctional facilities generally have excellent credentials, but they are overqualified for their job class as currently defined and compensated. There is no correctional education support staff.

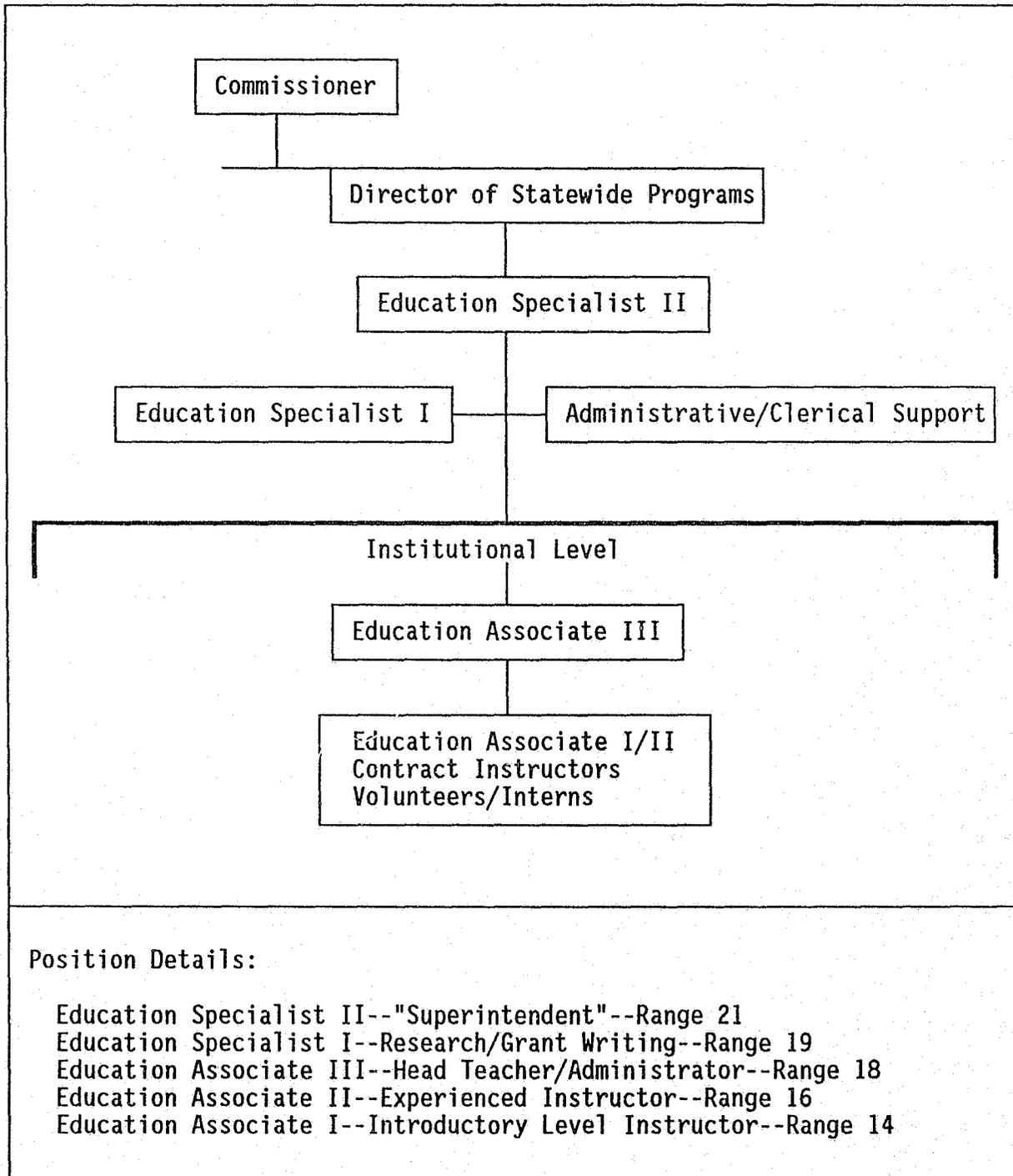
Alaska's prison population is not great enough to warrant an independent department of correctional education. Past Department of Education and University of Alaska administration of Alaska's correctional education program were not successful and current Corrections administration is inadequate. Creation of a distinct administrative structure dedicated to correctional education within Corrections would likely best address Alaska's correctional education requirements and fiscal constraints.

A relatively simple and cost-effective administrative structure could be established within the existing education specialist I/II state job classes. Drawing on the experience of school districts in rural Alaska, each institution could be treated as a small school with a lead instructor/principal handling administrative and supervisory duties and a reduced teaching load. The remaining correctional educators could devote their time to teaching. The following organizational chart illustrates this administrative structure.

⁵⁸Ibid., p. 7.

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Possible Organizational Structure for Alaska Corrections Education



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INSTITUTIONAL REQUESTS

During my visits to correctional institutions, staff and inmates presented requests for specific training and programs. Although these requests can be tied in with a complete reorganization of correctional education, they also can be implemented independently and, as such, are passed along to the legislature for consideration.

Alaska correctional educators and some institutional staff have identified the need for institutional education staff to participate in security training at the correctional training academy, either in a specialized course developed for correctional educators or the standard correctional officer introductory course. Security training will enhance the educators' awareness of the security functions and requirements of the institution and assist in their integration within institutions. If educators do participate in security training, it is important that their role within the institution remains educational and they remain distinct from the security staff.

Hiland Mountain Correctional Center (in Eagle River) currently has a welding program which is self-funding (all of the existing equipment was obtained through proceeds from welding projects or through donations) and inmate taught (reliant on the incarceration of certified welders). Wildwood Correctional Center (in Kenai) inmates are interested in starting a similar boat building program, relying on proceeds from completed work to fund future projects-- however, they need to first obtain seed money to build their initial boat(s). Several correctional centers have green houses and are interested in horticulture programs. These could work towards self-sufficiency by selling plants and/or cut flowers to retailers, and providing bedding plants to government and non-profit agencies for landscaping.

Self-supporting programs such as these might be operated as inmate enterprises, with inmates initially preparing a business plan (under the supervision of an instructor), applying to an inmate enterprise fund (established within Corrections) for a loan for start-up costs, and, if funding is approved, beginning operation. Proceeds from the programs would be used to repay the loans; invest in new materials, equipment and training; and pay inmate worker wages. As with any small business, these inmate enterprises would provide a range of work experiences, including management, accounting, design, production and sales.

Palmer Correctional Center is interested in bringing Stanton Samenow, an expert in anti-social behavior, to Palmer to train institution staff to better work with inmates in reforming their behavior. To do so will require approximately \$8,000. Art Schmidt, the superintendent at Palmer Correctional Center, stressed that if they are able to have a presentation by Dr. Samenow, it is critical that space be occupied by those correctional staff who work directly with the inmates.

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COLLEGE EDUCATION IN PRISONS

Considering the costs of incarceration, to say nothing of the social costs of crime, the costs of trials, etc., the cost of educating one inmate is minimal compared to the savings incurred if an inmate can, as Chief Justice Burger recommends, "learn his way out of prison," out of crime, and into a job.⁵⁹

If a college education program is implemented in the prisons, it can be designed primarily to result in inmate reformation. Inmates participate in a carefully planned and structured program designed to change the way they think and provide them with critical thinking skills. Courses challenge inmates to explore social, political and ethical issues in an academic environment. Earning a degree in the prison may not give inmates an occupation as they might have with a technical or law degree, rather it provides them with a foundation on which to build when they return to society.

Recent objections to offering college education in Alaska prisons have focused on two basic issues 1) whether inmates are entitled to college education and 2) whether the public should pay for inmates to participate in college education. Another approach is to consider how much the public can save, and what it can gain, by providing inmates with a college education.

Prison taught college level liberal arts programs have demonstrated some effectiveness in reducing the rate of recidivism. For example, the liberal arts university programs at federal prisons located in British Columbia can be effective in reducing recidivism, provided that an individual stays in the program at least eight months to one year. The length of time spent in the program is highly correlated with a successful return to society.⁶⁰ At a current average estimated cost of over \$38,000 per year for incarceration, the savings from reduced recidivism add up quickly.

Society may also gain by educating inmates, in that the more developed an individual's cognitive thinking skills, the less chance that individual will commit a violent crime.⁶¹ Individuals can be taught to think before acting, allowing them to explore options to and consequences of violent behavior.

⁵⁹Cited in Coffey, Improving Corrections Education, p. 3.

⁶⁰In Duguid, University Education in Prison, p. 126.

⁶¹Ross and Fabiano, Time to Think, discussed throughout the book.

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FUNDING

Readers should bear in mind that educational programs within Corrections are subject to outside influences. The general attitude of society is reflected in the priority placed on prison reformation programs. The lack of educational programming and program coordination is to a large degree a result of contemporary societal attitudes, which in turn affect legislative budget decisions. The brief period of strong funding for correctional education in the early to mid-1980s coincided with a general movement towards principals of reformation (and the peak of oil-generated state spending). Unfortunately for the education program, it also occurred during a period of severe crowding in prisons. During the late 1980s, society has shifted into a punitive phase in their attitude towards crime; educating criminals is not a universally popular idea. Consequently, the low prioritization of correctional education is not solely the responsibility of Corrections.

There are several approaches with respect to the funding of correctional education programs. One is to obtain funding from sources outside of the general fund; second is to offset the appropriation of general funds with program savings in other areas; and third is through the future earnings and savings realized by current investment. Finally, several options to extend available funds are explored.

Grants

There are a variety of federal and private grant programs which offer funds for correctional education. Corrections does not currently have the resources to pursue those funds. Some private non-profit organizations in Alaska apply for grants to provide services in correctional institutions. This method of program delivery does not lend itself to statewide program planning. A central corrections position with substantial grant tracking and writing skills and responsibilities could generate its own funding, in addition to funding for programs.

Major grant sources include the National Institute of Corrections, the Carl D. Perkins Vocational Education Act (which includes set-aside of one percent, or approximately \$8 million, to upgrade existing vocational programs and develop new ones for the incarcerated), and Job Training and Partnership Funds which can be used for programs such as literacy training and vocational education.

Charging Tuition for Postsecondary Classes

Requiring the payment of tuition for postsecondary courses may limit the number of individuals who are able to take the courses, depending on the level of tuition and availability of financial aid. Inmate students participating

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in the Simon Fraser University liberal arts college program within Canadian federal prisons pay tuition of \$20 per class--participating in the education program is also a paid work assignment.

University of Alaska resident tuition charges are \$38 per credit hour or \$114 per three credit course. For inmates, who operate on an institutional economy with wages of 30 to 60 cents per hour, this represents 190 to 380 hours of work per three credit course.

If a full-time postsecondary program were available within the prisons, inmates could receive Alaska student loans. These loans are not available for correspondence studies or to part-time students, but inmates who can physically attend classes are not currently barred from receiving student loans.⁶² An inmate who attended classes on a full-time basis for five semesters (completing a 60 credit associate of arts degree at 12 credits per semester--borrowing \$600 per semester to cover tuition, books and supplies) would have monthly payments of \$38.40 under current loan terms. This amount could be paid by working 128 hours per month at 30 cents per hour or 64 hours per month at the current maximum institutional wage of 60 cents per hour. Using loans, inmates with no prospects of release from prison who wished to attend postsecondary classes would be able to pay their own tuition, if motivated to do so.

Other forms of student financial aid, including Pell grants and veterans benefits, are available to eligible inmates if tuition is charged to all inmates--not just to those eligible for special benefits. Unlike Alaska student loans, these benefits can be used for some correspondence studies.

The legislature may wish to consider a special state loan or grant program available to inmates who cannot otherwise receive funding or pay for postsecondary education and who meet established eligibility requirements (which could possibly include being within a certain time period of release or serving a minimum or maximum period of incarceration). This would allow the state to capture maximum funds from outside sources such as Pell grants and veterans benefits, while not excluding inmates who cannot qualify for these resources or otherwise pay for tuition.

⁶²There has been an ongoing unwritten policy that inmates applying for student loans are denied awards until they can show a firm prison release date. Apparently, some years ago Corrections requested this of the Postsecondary Education Commission; staff involved are no longer there and new Corrections staff have been under the impression it was a Postsecondary Education requirement. This policy may change as a result of my recent conversations with Postsecondary Education Commission staff and the commissioner of Corrections. There are no statutes or regulations barring inmates from receiving student loans.

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Some prisons have used the barter system, exchanging inmate services such as landscaping for reduced tuition. This option could be pursued with the University of Alaska and private colleges or business and technical schools.

Allowing Public Enrollment in College Classes

Allowing the public to participate in college courses offered within the prisons increases the student-teacher ratio, making courses more economical. Obviously, this option requires careful planning and extensive cooperation between the security and educational staff. Several institutions in other states which had successfully offered combined courses were forced to end them due to prison crowding and associated security concerns. The courses in the Simon Fraser University program are available to regular university students on an unadvertised, special approval basis.

Using Inmate Permanent Fund Dividends

Chapter 54 SLA 1988 says that an individual who is incarcerated as the result of a felony conviction is not eligible for a permanent fund dividend. This subsection applies whether or not the individual has applied for the dividend. The intent of the legislature is that an amount approximately equal to the money that would otherwise be paid as dividends be appropriated annually from the dividend fund to the crime victim compensation fund (AS 18.67.162) to carry out the purposes of AS 18.67.

Some problems with this new law will apparently be addressed in legislation to be introduced during the 1989 legislative session. The law does not allow for garnishment of inmates permanent fund dividends for owed money such as child support payments and restitution. In addition, the violent crimes compensation board does not need additional funds to disburse. All or a part of the dividend amounts could be targeted to be used for corrections reformation programs, including education. This is an idea which was first presented to me by the inmates at several institutions.

OFFSETTING GENERAL FUND APPROPRIATIONS THROUGH OTHER SAVINGS

Educational Good Time

Unless a substantial source of outside funding such as inmate permanent fund dividends is allocated, a large portion of the education program will require general fund appropriations. These funds can be recouped through the use of an additional good time deduction for good faith participation in education programs. By releasing inmate participants early, the number of required beds can be reduced, thus reducing the cost of operating and building sufficient

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prisons. This proposal is based on the premise that a solid education program using features shown to be successful in other programs is established so that reformation is truly taking place.⁶³

The Alaska correctional system is currently at almost full operating capacity. By granting additional good time, the need for added facilities can be delayed, resulting in substantial operating and capital savings. Table 3 presents the potential savings which could be realized through granting inmates an additional five days per month of good time, on an accrued basis, for good faith full-time participation in targeted education programs. The calculations assume inmates participate in education the entire period of imprisonment, which is unlikely, and use a cost per day estimate of \$105.⁶⁴ The columns list the original sentence, less one-third automatic good time,⁶⁵ the length of time served with additional good time for education, the number of days of "educational" good time awarded, and the savings realized through early release due to "educational" good time.

TABLE 3
EDUCATIONAL GOOD TIME SAVINGS

Original Sentence	Time Served	Time Served Less Ed. Good Time	Educational Good Time Awarded	Savings
24 mo.	16 mo.	13 mo. 22 days	68 days	\$ 7,140
36 mo.	24 mo.	20 mo. 19 days	103 days	10,815
60 mo.	40 mo.	34 mo. 9 days	171 days	17,955
120 mo.	80 mo.	68 mo. 18 days	343 days	36,015

Security Savings

Correctional education programs offer inmates a challenging and productive activity within prison. Studies have found that inmate students tend to have less disciplinary problems and require less supervision than do non-student inmates. At William Head Federal Prison, a medium security Canadian prison,

⁶³When there is a conflict between objectives, tradeoffs must be made. Social reintegration of offenders cannot occur without some risks (however marginal) to the community. Such an increase in risk must always be compared to the decrease in risk, over the long term, occasioned by successful programming.

⁶⁴A conservative estimate drawn from Chapter One, "Government Costs of Incarceration and Crime."

⁶⁵AS 33.20.010-060.

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approximately 20 inmates are assigned to the education program which is located in a separate building without security staff--the program head indicated that a similar number of inmates in a different program would require the supervision of security staff.

Post-Release Welfare Savings

An analysis of 1980 Alaska census data found that the educational attainment of persons in poverty was lower than that of the general population. Although only 17 percent of all Alaska families were headed by someone who was not a high school graduate, about 37 percent of families in poverty were. For Alaska Natives, 55 percent of all families, and 65 percent of those in poverty, were headed by someone who had not graduated from high school.⁶⁶ These figures indicate a significant correlation between education and the ability to support one's family. Educational skills obtained in prison may keep some inmates and their families off welfare in the future.

EXTENDING AVAILABLE FUNDS

In addition to exploring alternative sources of funding, I considered means to make available resources go farther. Education is generally a labor intensive process. Community volunteers have provided past services within prisons and will likely provide some in the future; however, resources must occasionally be expended to recruit, train and encourage volunteers.

Using University of Alaska Students Within Corrections Programs

Corrections may be able to enter into agreements with the University of Alaska to fund graduate teaching assistantship positions to provide undergraduate courses and special education within prisons located in the Anchorage, Fairbanks and Juneau areas. Graduate students at the University of Alaska-Fairbanks receive from \$10.00 to \$12.53 per hour (the only additional cost is that of tuition--up to \$1,350 per semester for nonresidents) as teaching assistants. Typically they work 20 hours per week for 38 weeks per year. For less than \$12,500, Corrections could employ a graduate teaching assistant up through the Ph.D. level half time for the academic year. The University also benefits by having additional graduate student funding available.

Undergraduate students may be available through independent study projects or student teaching at no cost to the prisons. They could be incorporated into

⁶⁶Terry Elder, "A Profile of the Poverty Population and Low-Wage Occupations," pp. 4-5.

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programs such as adult basic education or advanced tutoring. As an additional benefit, careful use of university students may interest some in continuing their education to specialize in correctional education, potentially creating a pool of qualified new educators to fill vacancies.

Corrections contracted staff or graduate students could teach university level courses for which University of Alaska credit could be granted through the payment of a nominal fee (currently \$15.00/course) to the appropriate branch of the University. University approval of each course is required--the amount of University involvement is determined by type of course offered. Core curriculum courses such as english composition and basic math classes require a high level of involvement or are taught by University faculty. Special interest courses require less University involvement.

* * *

A Closing Story of Potential Savings, or Costs

Fred is an unemployed 20 year old man living in Anchorage with his brother Tom and sister-in-law Jane. One day Tom tells Fred he has to move out in a week if he does not get a job; if Fred gets a job he may stay until he has saved enough money to get a place of his own. Fred has not found a job after several days; he is frustrated and upset and goes to Tom's home and ransacks it, stealing a number of items including a pistol. After leaving the house, Fred drinks a great deal of liquor and ultimately uses the unloaded pistol to rob a taxi driver of her cab, is involved in a high speed chase with the police and is apprehended. He is convicted of robbery and, as a first time felon who used a firearm during the commission of his offense, is subject to a presumptive sentence of six years. Because the pistol was unloaded, the judge suspended one year of the presumptive six-year term.⁶⁷

Under current law, Fred will be eligible for parole after serving 40 months in prison. Without considering inflation, Fred's 40 months in prison will cost the state \$127,750 (40 months at \$105 per day). What are Fred's prospects upon release? As a 20-year old without a felony conviction or prison time he was unable to get a job. Will he be better prepared at the age of 24 after spending 40 months in prison?

If we provide Fred with a carefully planned education during his time in prison, and offer him five days of meritorious good time for each month he diligently participates in an education program, he could serve just over 34 months in prison rather than 40. The state would save \$18,375 in reduced

⁶⁷This story is based on an actual case, the names have been changed.

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incarceration costs and Fred would have an education which should increase his chances of succeeding in a productive role in society when he is released. On the other hand, if Fred simply sits out his 40 months in prison, there is a good chance that he will commit another crime upon release. After all, his inability to cope in society got him in trouble the first time, is he better able to cope after an unconstructive absence of 40 months? If Fred is reconvicted on another class A felony charge, he will be reincarcerated for a presumptive sentence of 10 years and be eligible for parole after six years and eight months. This second period of incarceration will cost, at the current rate of \$105 per day, \$255,465.

Summary

Offering education is one way to improve the prospects for inmates upon their release to society--it may make a small portion of imprisonment more bearable for some; however, it will not make prison a nice place to be or "reward" inmates for committing crimes. Rather, it will try to create some positive results from what is otherwise a negative situation.

Alaska correctional institutions offer outstanding opportunities to integrate academic, social and vocational education with community (institutional or prison industries) training and work. To do so requires the joint efforts and cooperation of the administrative, judicial and legislative branches of government outside of prison and the correctional staff and inmates within prison. If we exemplify the constitutionally mandated joint mission of Alaska corrections--reformation and protection of the public--perhaps this is possible.

APPENDIX

CLEARY PARTIAL SETTLEMENT AGREEMENT AND ORDER

Section Q. Rehabilitation/Treatment

4. Providing there is inmate need, the following programs will be routinely available to all inmates, except those in punitive segregation, provided, however, that until such time as the legislature appropriates funds and staff, the availability of such programs will be dependent on social service agencies' willingness to provide services at no cost.

a) Basic life skills - this program will include such basics as cleanliness and health, cooking and nutrition, shopping, money management, budget, stress management, and other basics often taken for granted. Time Implementation: By March 9, 1983.

b) Family counseling - these programs will include instruction on parenting techniques and training (e.g., P.E.T.), family interaction and family communication, as well as other skills necessary for close successful relationships. Time Implementation: By March 9, 1983.

c) Stress reduction and management programs - because anger has been identified as relating to many crimes, courses which teach stress reduction and stress management are deemed critical, whether the technique is biofeedback, transcendental meditation, Est, breathing exercises, or any of countless other techniques. Time Implementation: By March 9, 1983.

d) Social interaction - these programs may include such techniques as peer group counseling, Gestalt therapy, and Transactional Analysis (T.A.) Time Implementation: By March 9, 1983.

e) Education - both G.E.D. and various simultaneously taught college, vocational or special interest courses should be taught. Time Implementation: By January 8, 1983.

f) Employment skills - such programs should include basics such as how to find a job, how to fill out an application form, how to dress for an interview, how to act in an interview, and how to succeed on the job. This provision applies to pre-release institutions which house inmates who are approaching the time the inmates will be eligible for

APPENDIX

work release, community programs or release. Time Implementation: By March 9, 1983.

5. Each inmate shall be treated in such a manner as to ensure his/her personal dignity. Plaintiffs shall treat correctional officers in such a manner as to ensure their personal dignity. Time Implementation: By December 9, 1982.

6. There shall be written policies and procedures which provide that inmates have the option to refuse to participate in a secondary or post-secondary education, vocational training, religious services, social services and counseling, psychological and psychiatric treatment, library services, leisure time activities, involvement with community groups, mail and visiting, contact by media, contact by attorneys or legal representatives, volunteer programs and pre-release programs. However, inmates may be required to participate in programs ordered by the sentencing court. Time Implementation: By March 8, 1983.

7. Comprehensive counseling (by a person with a formal counseling degree or formal training) and assistance shall be provided to pregnant inmates in keeping with the inmates' expressed desires in planning for their unborn children (e.g., in making decisions such as whether to bear their child, give the child up for adoption, or consent to an abortion), unless there is no one in Corrections or in the community who can or is willing to provide such counseling. Defendants shall make every effort to assure the availability of such counseling. Written policies and procedures shall be set out. Time Implementation: By February 7, 1983.

10. Defendants shall make every effort to provide adequate staffing, programs, space and funding to meet plaintiffs' needs. Time Implementation: Immediate.

11. Absent an individualized determination of a substantial security threat, inmates housed in segregation shall not be handcuffed and/or shackled when in programs or otherwise out of their cells simply because of their placement in segregation. Time Implementation: By December 9, 1982.

12. All inmates shall have the opportunity to enroll in a college level degree program based upon university admission requirements and complimentary requirements established by defendants. Time Implementation: By December 9, 1982.

13. Defendants shall offer college level degree programs at the Fairbanks, Juneau, and other correctional institutions. Time Implementation: By December 9, 1982.

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