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Envisioning an Alternative Future for the Corrections Sector Within the U.S. Criminal Justice System

Joe Russo, George B. Drake, John S. Shaffer, Brian A. Jackson

Key Findings

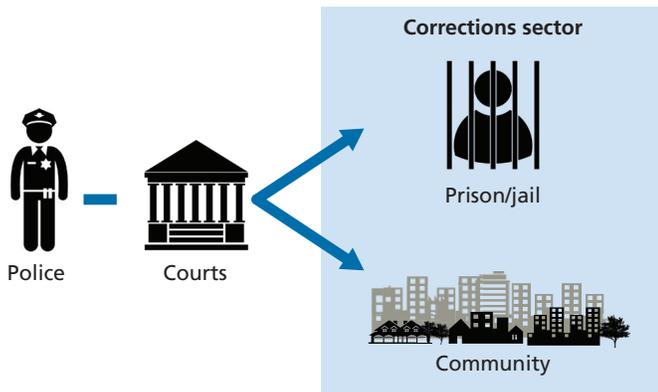
- Experts on the Visioning a Future for the Corrections Sector panel framed their deliberations with the observation that the corrections sector often must be reactive: The population it serves is determined by judicial and policy decisions.
- Panelists agreed that the sector’s primary role is to facilitate positive offender behavioral change and that it should continue to leverage science, technology, and evidence-based practices to do so. Probation, parole, and community-based resources should be significantly expanded and adequately funded.
- Panelists highlighted promising solutions: Use of proportionate prison sentences for dangerous offenders; provide better opportunities for inmates to prepare for release; and create smaller, safer facilities located closer to inmates’ social support and resources critical to reentry success.
- Panelists suggested three types of changes: new programs and improved education and training for corrections staff, adequate public funding of the corrections system, and cultural change—combined with sustained political will and backed by data-driven policy—to improve the sector’s ability to rehabilitate offenders.

There is a great deal of public dissatisfaction with the status quo in the U.S. criminal justice system (Mizell, 2014). At a time when crime has been decreasing nationally, correctional costs have expanded rapidly to the detriment of other vital public services (Mitchell and Leachman, 2014). Policies initiated during the “tough-on-crime” era—such as the war on drugs, mandatory sentencing, and habitual offender laws—that have focused on incarceration have driven significant increases in the correctional population (National Research Council, 2014). The result of this history is a corrections sector—agencies that manage offenders confined in prisons and jails and those released into the community on probation and parole—where there is widespread concern about both cost and the sector’s ability to achieve its goals (Justice Policy Institute, 2013; National Research Council, 2014).

The corrections sector is one of the three central components of the criminal justice system, along with the police and the courts (see Figure 1); however, it has been the major focal point for reform because the consequences of current policy approaches are most apparent at the end of the process (Breitenbach, 2016).

Legislators make the laws, which are enforced by police agencies. District attorneys decide which cases to prosecute, and the courts hear cases, deliver verdicts, and decide on the conditions of sentences. In each of these two parts of the criminal justice system, the police and the courts, there are varying degrees of both discretion and mechanisms for external forces to influence the choices made. For example, legislation can change policing, prosecution, or sentencing policy in response to individual high-profile crimes; police departments may focus resources on certain types of crimes or certain neighborhoods, prosecutors may prioritize some cases over others, and judges

Figure 1. Components of the Criminal Justice System



may handle similar offenses in very different ways, depending on the information available at the time of sentencing. However, the corrections sector does not typically enjoy comparable flexibility. It does not choose its clientele; the population served is determined by legislation and policy decisions made upstream (Kammerman, 1998). This also means that—absent sentence reductions or the release of individuals from the system—the effects of policy changes can take some time to play out in the corrections sector.

Not surprisingly, these constraints complicate the ability of the corrections sector to define its future path: Correctional institutions, community supervision agencies, and organizations that provide treatment or services to offenders will always face significant policy and other uncertainties around the size, nature, and requirements of the population they serve (Clear, Reisig, and Cole, 2016). In that sense, the corrections sector must always be reactive, responding to upstream decisions.

Despite this uncertainty (or because of it), it has become even more important to consider the future of corrections and especially whether the corrections sector can play a more proactive role in improving public safety and offender outcomes. This report presents a vision for such a future for the corrections sector, developed through a series of expert interviews as part of the Priority Criminal Justice Needs Initiative, a multiyear research effort supported by the National Institute of Justice. The experts on the Visioning a Future for the Corrections Sector panel considered goals, objectives, and outcomes to motivate action, change, and reform. Visioning is a process for developing goals for the future, along with potential facilitators for achieving them. In the sections that follow, we present this vision for the corrections sector, informed by the views and ideas elicited through our visioning exercise with experts in the sector.

Building on prior analyses and a review of the relevant literature, the research team formed a panel of correctional practitioners, consultants, and academics to explore a basic but wide-ranging question: *What should* the corrections sector look like in the future? The focus was on *should*, rather than *will*. Although the literature has examined both these questions, past predictions have often not come to pass.¹

We identified a pool of candidate panelists with the goal of eliciting broad and diverse perspectives on the desired state of corrections. The panel consisted of 11 participants whose expertise covered the breadth of the corrections sector, including practitioners and researchers, and individuals from large and small and urban and rural corrections agencies who have held higher- or lower-ranking positions.

We interviewed the panelists individually via teleconference, with each interview ranging from 60 to 90 minutes. In each interview, we incrementally examined current “pain points” in each component of the corrections sector, as well as areas where the corrections sector, the larger criminal justice system, and society intersect. We also explored social, political, and technological trends that could affect corrections going forward—trends that can pose challenges or present opportunities to improve mission performance. Finally, we asked a much broader question: Given those trends, how would they design a corrections sector to better serve the country’s needs? Panelists were freed from considerations of sunk costs and existing infrastructure. We gave them *carte blanche* to reconceptualize a corrections system from the ground up, rethinking incarceration, approaches to community supervision, uses of technology, workforce decisions, and policy.

Over the course of this exploratory process, panelists provided their unique views on the most important characteristics of a desired future. Discussions often focused on aspects of the sector that, according to the panelists, required significant change, as well as current trends and practices that they thought were positive and should be more widely adopted. It should be noted that the process was not intended to provide a detailed blueprint for a desired future but, rather, raw data to help inform such a blueprint. Furthermore, because the interviews were conducted individually, panelists did not have an opportunity to interact with each other and achieve consensus on specific issues. Finally, a formal evaluation or prioritization of individual recommendations was beyond the scope of this effort. Thus, the results of the process represent a body of ideas from a knowledgeable group of corrections professionals and analysts rather than a defined path for immediate policy

change. However, as is the case for all such efforts that draw on the expertise of groups, it must be acknowledged that the findings are inevitably shaped by the specific individuals who were involved in the effort. While we sought to build a group representing a range of experiences in corrections, it is certainly possible that a similar effort with a different set of experts would produce somewhat different visions and proposals for the future of the corrections system.

The interviews produced numerous recommendations that challenge how society and the criminal justice system have traditionally responded to crime. What follows is not intended to be a prediction or projection of a *likely* future, but a compilation of key elements of a *desired* future given both the political and societal will to shape the U.S. corrections sector to better meet the country's needs.

Members of the Visioning a Future for the Corrections Sector panel are experts in institutional corrections, community corrections, or both

Bill Burrell

Corrections management consultant

James Byrne

University of Massachusetts, Lowell

Jim Cosby

Formerly with the National Institute of Corrections

Doug Dretke

Correctional Management Institute of Texas, Sam Houston State University

Martin Horn

John Jay College of Criminal Justice

Todd Jermstad

Bell County, Texas, Community Supervision and Corrections Department

Roy McGrath

Oregon Department of Corrections

Michael Nail

Georgia Board of Parole and Pardons

Tom Roy

Minnesota Department of Corrections

Mike Touchette

Vermont Department of Corrections

Carl Wicklund

Formerly with the American Probation and Parole Association

Panelists described a vision for how criminal justice organizations should be administered, how individuals enter (or, more pointedly, do not enter) the criminal justice system, how these individuals should be managed, and how to best achieve desired outcomes for both individuals and society. For the purposes of this report, we have grouped the recommendations into the following topic areas: the purpose of the corrections sector, sentencing policy and practice, the nature of institutions, correctional programming and treatment, community supervision, human capital, technology, and financial challenges in corrections.

Each section offers context for the panelists' views by drawing on the published literature to provide a snapshot of the current state of the corrections sector. For each theme, we conclude with panelists' perspectives on what the sector should look like in the future.

THE PURPOSE OF THE CORRECTIONS SECTOR

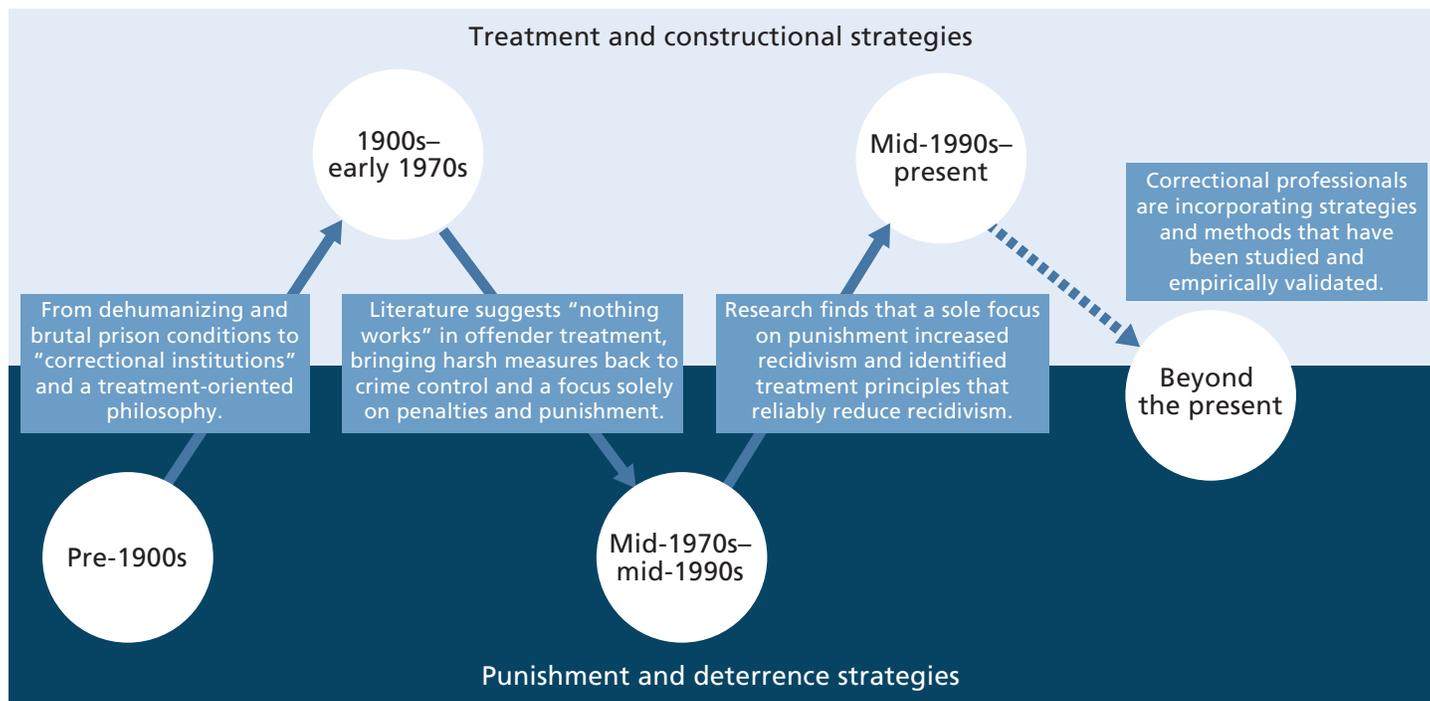
The Current State of Policy and Practice

Retribution, deterrence, incapacitation, and rehabilitation are often cited as the primary purposes of the corrections sector. Historically, the different purposes have assumed greater or lesser importance, depending on the social and political climate of the time. Correctional policy has been mapped as a pendulum, swinging between an emphasis on treatment and an emphasis on punishment from one era to the next in U.S. history (see Figure 2). This reality means that the sector generally lacks a clear mission, or—perhaps more precisely—its mission remains somewhat fluid.

Over the past decade, a number of significant changes have signaled a gradual shift away from a punitive orientation. Today's corrections sector is increasingly focusing on reentry, specialty or problem-solving courts, restorative justice, the value of treatment, and acceptance of what research has revealed about evidence-based practices. In fact, a growing number of states have enacted laws that promote the use of evidence-based correctional programs. Legislation has taken several forms, but it typically incentivizes or requires the use of evidence-based programs or restricts funding for programs shown to be ineffective (Pew Charitable Trusts and MacArthur Foundation, 2015).

Further, the sector appears to be assuming greater accountability for offender outcomes than in years past. Travis (2007) notes that several state corrections systems—led by the Ohio

Figure 2. Historical Pendulum of Correctional Policy



SOURCE: Model adapted from Walters et al., 2007, p. 3, Exhibit 1-1.

Department of Corrections and Rehabilitation—have explicitly expanded their mission statements to include responsibility for successful reentry and reintegration, and others, even without amending their mission statements, are actively developing strategies to improve reentry outcomes.

While there has been movement toward evidence-based correctional practice, it has been slow, and many parts of the sector continue to emphasize punishment, control, and surveillance.

Visioning the Future

In thinking about where to go from here, our panelists agreed that the *primary* purpose of the corrections sector in the future should be to facilitate offender behavioral change in a rational, fair, and just manner, and it should do so by leveraging the evolving body of research on evidence-based policies and practices. Accomplishing this goal will require a philosophical shift—one that emphasizes long-term desistance from crime over short-term incapacitation. Under such a model, outcomes would be measured not by success in keeping an individual off the streets for the duration of a sentence but by that individual’s lack of recidivism months or even years after release.

According to the panelists, punishment through incapacitation should continue to have a role but would be more effective if used more selectively. Most panelists believed that incarceration should be reserved for those who have forfeited their right to live in society—that is, individuals who are truly dangerous. Even in these cases, the rehabilitation objective should coexist with incapacitation, because nearly every offender will eventually be released. The overriding goal should be to return a better person to the community.

As the corrections sector reframes its objectives, panelists argued that it should also reexamine how it measures performance at every level, from line staff to the facility to the agency. As one panelist put it, “Widget counting (admissions, releases, etc.) won’t cut it in the future. Agencies need to think seriously about the outcomes desired and how to measure success.” Key indicators should be established across the sector and agencies should adopt them as performance benchmarks. Another panelist suggested using a combination of efficiency and effectiveness measures, adding that the agency results should be publicly ranked to promote accountability. Metadata analysis across agencies would allow researchers to identify trends and evaluate practices. Australia was cited as a notable example of a country that is beginning to collect the information necessary to properly evaluate performance on a national level.

The dominant societal and political views on punishment are reflected in sentencing policies and practices throughout history.

SENTENCING

The Current State of Policy and Practice

The dominant societal and political views on punishment are reflected in sentencing policies and practices throughout history. Accordingly, policies and practices in the United States have changed drastically in the past 50 years. Tonry (2013) describes four distinct periods in U.S. history. Indeterminate sentencing was prevalent between 1930 and 1975, and rehabilitation was the primary goal. Between 1975 and the mid-1980s, determinate sentencing gained appeal as policymakers sought to achieve fairer and more-predictable outcomes. The mid-1980s through the mid-1990s was a period with an increased focus on longer sentences as part of a movement to be tougher on crime, with three-strikes policies, mandatory minimum sentences, and life without the possibility of parole. These policies drove the current large correctional population: Nearly 6.8 million individuals are now under some form of correctional supervision in the United States (Kaeble, Glaze, et al., 2016). Of that total, approximately 1.5 million are in state or federal prison (Carson and Anderson, 2016). Although the prison population has been declining in recent years, it is still high in historical terms. For example, it is still more than 400 percent higher than in 1980, a time when there were around 329,000 inmates in the United States (Bureau of Justice Statistics, 1982).

Tonry (2013) contends that the current sentencing policy period is more difficult to generalize than previous eras because it blends some previously implemented tough-on-crime initiatives with policies that emphasize rehabilitation. At the same time, individualized sentencing and treatment are gaining traction, and there are new initiatives nationwide to cut costs.

The simultaneous growth of the corrections sector and criticisms of its efficiency, effectiveness, and cost have spurred unprecedented bipartisan interest in reform, reflected in emerging sentencing policy and practice. In contrast to the more punishment-focused policies of times past, the current period—which has been dubbed the “smart-on-crime” era—places greater emphasis on fairness in judicial administration, preventing criminal behavior, alternatives to incarceration, support for inmate transition to the community, and evidence-based practices (Fairfax, 2011).

The Justice Reinvestment Initiative (JRI), launched by the Bureau of Justice Assistance in the early 2000s, continues to be a primary driver of the reform movement. Justice reinvestment is a data-driven approach that seeks to reduce corrections spending and reinvest the savings in evidence-based strategies to decrease crime and reduce recidivism. For example, New York State used \$12 million in savings from two prison closures (because of declining prison populations) to help offset the costs of in-prison mental health and sex-offender programs (Lawrence, 2014). Twenty-seven states currently participate in JRI. A recent study examined 17 of these sites and projected a savings of up to \$4.6 billion through the JRI reforms (La Vigne et al., 2014).

What gets measured gets done

Australia is monitoring and reporting on the performance of its corrective services in each of its eight states and territories. Australia has the following objectives for its corrective services:

- Provide a safe, secure, and humane custodial environment.
- Provide an effective community corrections environment
- Provide program interventions to reduce the risk of reoffending.

It has established a performance indicator framework and identified indicators in the following areas: efficiency, effectiveness, and equity (in development). Measures of efficiency include cost per inmate, staffing ratios, and population as a percentage of rated capacity. Effectiveness is measured through such outputs as services provided and such outcomes as escapes and recidivism.

The Australian government publishes an annual report ranking each state and territory according to various high-level objectives and individual key performance indicators (Productivity Commission, 2015).

Legislation has played a significant role in the reform movement as well: Thirty-five states collectively passed more than 85 bills to change some aspect of sentencing and corrections in 2013 alone (Subramanian, Moreno, and Broomhead, 2014). Policy changes have focused primarily on reducing prison populations and associated costs, bolstering community-based corrections, implementing risk and needs assessments, supporting reentry, and improving decisionmaking by leveraging data (Subramanian, Moreno, and Broomhead, 2014).

Experts have called into question the wisdom of mandatory sentences for nonviolent offenders, in particular, largely because of their impact on the prison population and system growth. Since 2000, 29 states have modified or repealed their mandatory sentencing policies (Subramanian and Delaney, 2014).

There have also been significant changes over time in federal policy with respect to drug offenders—including the Fair Sentencing Act of 2010, which reduced sentencing disparities for some drug offenses—and other changes via shifts in policy implementation rather than legislative change.

As public attitudes have changed, several states have modified their drug laws specifically to decriminalize the possession of small amounts of marijuana. In addition, 29 states have enacted legislation allowing marijuana use for medical conditions, and eight states and the District of Columbia now permit recreational use (see Figure 3). Twenty other states have bills pending that would legalize adult recreational use of marijuana (National Conference of State Legislatures, 2017).

Visioning the Future

The panelists generally agreed that the criminal justice system should respond to crime differently in the future. Sentencing policy and practice should be data-driven, align with evidence-based practices, and be informed by evolving risk/needs assessment instruments at various stages. As such, broad-brush legislative mandates covering entire classes of offenders should be avoided.

Panelists used the phrase *principled minimalism* to describe the model in which individuals become involved with the criminal justice system only as a last resort. In such a model, if individuals do become involved with the system, it should respond with the least intrusive intervention and for the least amount of time necessary to achieve the desired objectives. With such an approach, fewer individuals would be arrested, prosecuted, and convicted of crimes. Those who are arrested should be released on their own recognizance unless they pose a significant risk, those convicted should be sentenced to community supervision whenever possible, and those who must be incarcerated should serve much shorter sentences than what they serve today.

Several panelists argued for a greater emphasis on early intervention and diversion, citing the Sequential Intercept Model as an example. Under this model, a validated risk or needs assessment would guide decisions about how best to manage offenders at the earliest possible point in the criminal justice process (in the arrest or bonding stage) and at subsequent stages.

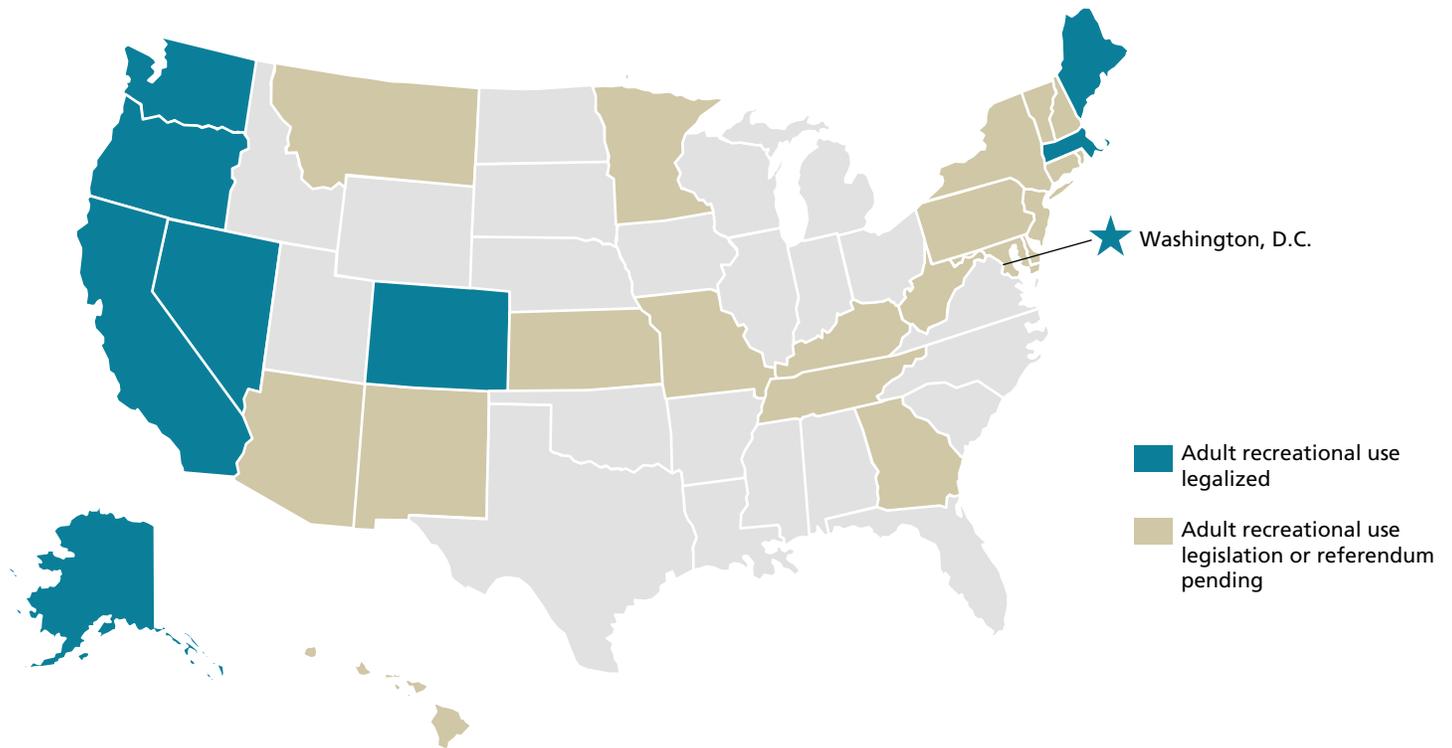
Except for the cases of exceptionally high risk, individuals who are mentally ill or addicted to substances should be quickly identified and designated for treatment outside the corrections sector. In these cases, a public health approach should be employed, emphasizing the needs of the offender and using the best available resources to meet those needs.

Panelists agreed that offenders who pose a very low risk to public safety should be diverted from the corrections sector. Such an approach would improve sentencing fairness and would be a more efficient use of the sector's resources.

One panelist opined that if only truly dangerous individuals were incarcerated, the national prison population would be a fraction of what it is now, perhaps just tens of thousands. Applying this criterion would limit the use of prison as a sanction for technical violations of probation or parole status. Panelists asserted that sentences should be significantly curtailed for offenders who must be incarcerated in the future. One

Experts have called into question the wisdom of mandatory sentences for nonviolent offenders, in particular, largely because of their impact on the prison population and system growth.

Figure 3. Marijuana Legalization Status, by State



SOURCE: Data from National Conference of State Legislatures, 2017.

panelist argued that excessive sentences do not increase public safety and serve only to increase costs. Norway was offered as a potential model. In that country, as part of an overall prioritization of rehabilitation over punishment, the maximum prison term is 21 years. There was agreement that smaller doses of punishment are more rational. Another panelist put it this way: “A stay in the local jail or residential community corrections facility can achieve many goals. An ounce of flesh is as good as a pound of flesh.”

Panelists argued that sentencing discretion should be restored to the bench and decisions should be data-driven (i.e., based on individual offenders’ risk or needs assessments). The panel was not unanimous on this issue, however: Other panelists asserted that states should adopt rational, predictable, and fair sentencing guidelines that “reel in” outrageous sentences. One panelist advocated for a future system that uses sentencing guidelines but allows modifications based on an evaluation of the risk posed by the offender and protective factors in his or her life (e.g., skills, strengths, resources, supportive people).

Views differed on the panel regarding approaches to addressing the societal challenge of drugs and drug abuse. Citing concerns about a criminal justice–centric approach to the drug problem, some panelists believed that states should con-

tinue decriminalizing some drug crimes and reducing penalties for others. Noting the rapid change in public attitudes, one panelist predicted that “within 15 years, recreational marijuana use will be legal in all states” and thought that the legalization of all drugs should be seriously examined in the future. Other panelists were more cautious, preferring to wait for the results of the experiments currently under way in states that have legalized marijuana. Most panelists agreed that the future should bring significant change in how the criminal justice system deals with substance users and abusers.

Some panelists argued that courts should be more discriminate when imposing special conditions (e.g., community service) as part of a community supervision sentence. Evidence-based practices dictate that supervision should focus on issues that are central to the criminogenic needs of the offender. Special conditions that are unrelated or too numerous can drain resources and divert officers’ focus from their primary objectives—dealing with needs related to criminal behavior. Furthermore, punishment for violations of noncompliance with “peripheral” or “non-central” conditions may be counterproductive and force offenders to return to prison unnecessarily.

Participants enumerated the benefits of a corrections sector that allows offenders to earn redemption in meaningful

The collateral consequences of a criminal conviction—in such areas as housing, employment, voting, and serving on a jury—can last a lifetime and negatively affect an offender’s quality of life and chance of success.

ways. They noted that the collateral consequences of a criminal conviction—in such areas as housing, employment, voting, and serving on a jury—can last a lifetime and negatively affect the offender’s quality of life and chance of success. Current policies ignore the research on how individuals “age out” of crime, or are no more likely, over time, to commit a crime than someone who was never involved with the criminal justice system. Although Ban the Box (a campaign to remove the box on employment applications asking whether an applicant is a felon) and other fair-chance initiatives were viewed by panelists as positive steps, panelists saw a need for more-comprehensive efforts to create a path for worthy offenders to earn full restoration of forfeited rights and privileges. They also supported expanding the practice of expunging criminal histories under certain conditions. Figure 4 shows states with fair-chance hiring policies that apply to state or private employers.

THE NATURE OF INSTITUTIONS

The Current State of Policy and Practice

In his speech at the 1989 American Correctional Association meeting, George Beto asserted that correctional institutions should be places that are lawful, safe, industrious, and hopeful (G. Beto, 2004). Although words like these may be found in many correctional institutions’ mission statements, few would characterize the current reality of the corrections sector in these terms.

Rather, for inmates, the risk of violence is ever present and opportunities for meaningful self-improvement are often limited. Many institutions are situated far from the places that inmates call home, and they are typically large and overcrowded. Indeed, more than half of state systems have populations exceeding 100 percent of their design capacity (Carson and Anderson, 2016).

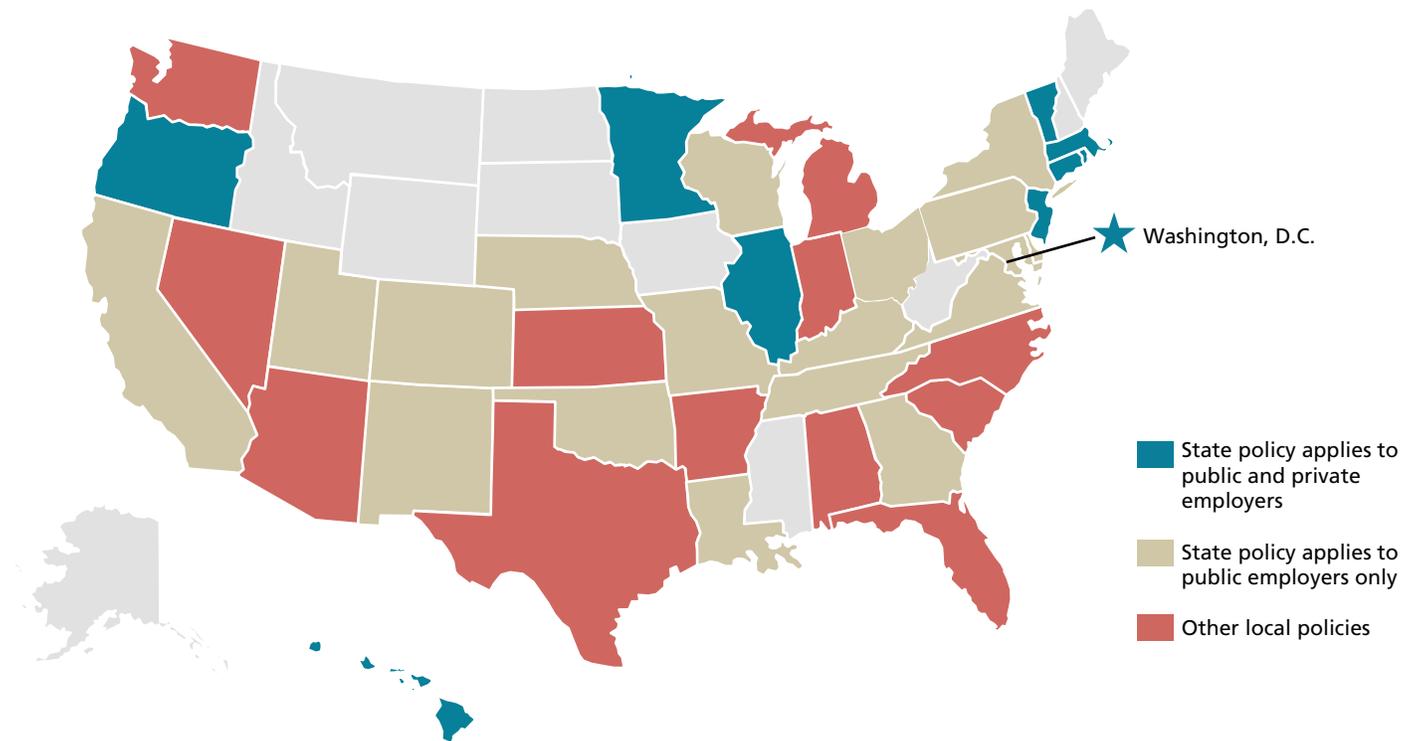
Research also points to a high risk of death and victimization during incarceration. For example, almost 4,500 inmates died in U.S. prisons and jails in 2013, representing a 3-percent increase over 2012, and 118 of these deaths were ruled homicides (Noonan, Rohloff, and Ginder, 2015). For more than a decade, suicide has been the leading cause of death in jails, and the rate increased 14 percent between 2012 and 2013. Additionally, 4 percent of state and federal inmates reported being sexually victimized in the 12 months prior to the 2011–2012 National Inmate Survey conducted by the Bureau of Justice Statistics (Beck et al., 2013).

In many systems, prison gangs exploit the weaknesses inherent in overcrowded and understaffed facilities and are responsible for not only a wide range of criminal activity but also for most prison violence (Fleisher and Decker, 2001). The National Gang Intelligence Center (2011) estimated that there were 230,000 gang members in federal and state prisons nationwide as of 2011.

While the majority of corrections staff are dedicated, honest, and responsible professionals, the actions of the subset who engage in abusive, unethical, or criminal behavior contributes to a less-than-lawful environment. For example, sexual misconduct by staff is a major concern; in the 2011–2012 National Inmate Survey, 2.8 percent of prison inmates reported being assaulted by a staff member (Beck et al., 2013). Although there are no national data on corruption among corrections staff, a number of high-profile cases indicate that staff can be part of the problem of prison violence and criminal activity in correctional facilities (see, e.g., Rector, 2015; Blinder, 2015; Santora, 2015).

Correctional facilities can be considered industrious—to a point. According to the Bureau of Justice Statistics, more than four out of five adult facilities offer some type of inmate work program (Stephan, 2008). At the federal level, the Bureau of Prisons operates Federal Prison Industries (FPI, also known by the trade name UNICOR), which employs inmates and provides

Figure 4. States with Fair-Chance Hiring Policies



SOURCE: National Employment Law Project, 2017. Used with permission.

them with job skills training. However, inmate participation levels are at a historic low, partly because of the declining financial success of FPI businesses. Cost-saving initiatives cut 6,500 inmate jobs between 2009 and 2012. As of 2012, FPI employed only 12,400 inmates, or 7 percent of the eligible inmate population, and more than 26,000 were on waiting lists to participate in FPI programs (U.S. Department of Justice, 2013).

At the state and local levels, the Prison Industries Enhancement Certification Program (PIECP) allows private-sector companies to form joint ventures with the corrections sector. As of 2011, about 5,000 inmate workers were involved in 190 business operations in 38 states and six counties (Auerbach, 2012). Across the corrections sector, a relatively small fraction of inmates have access to programs that provide real-world skills, even though the evidence suggests that participants have lower recidivism rates upon release (Moses and Smith, 2007).

Today's correctional facility is generally designed with two primary objectives: security and cost savings. Economics, of course, factors into to every aspect of corrections but it is a priority in planning new institutions. Economies of scale favor constructing larger facilities, and, as a result, almost half of the institutions in the United States have a capacity of at least

500 inmates, and 31.4 percent hold more than 1,000 (Stephan, 2008). "Megaprisons" may be part of the landscape moving forward. For example, as part of a consolidation effort that will close 14 of 16 existing facilities, the state of Alabama plans to build three 4,000-bed facilities that will eventually house the majority of the state's inmate population (Sell, 2016). Still, these planned facilities are modest compared with the Louisiana State Penitentiary, the nation's largest maximum-security facility, which is home to 6,300 inmates (Barrouquere, 2015). Largely for economic reasons, new prisons are typically situated outside cities; as a result, most inmates are now housed in rural parts of

Today's correctional facility is generally designed with two primary objectives: security and cost savings.

the country and are often great distances away from the support that could be offered by family and friends (Huling, 2002).

For the most part, today's correctional facilities are isolated, hardened, controlled environments where security is paramount. Beyond the harsh physical characteristics of these institutions, the organizational culture can also contribute to a negative environment. The National Institute of Corrections defines culture in the sector as "the values, assumptions, and beliefs people hold that drive the way the institution functions and the way people think and behave" (Byrne, Taxman, and Hummer, 2005). Organizational culture can manifest in a variety of ways. For example, in many institutions, a negative culture is reflected in an "us-versus-them" mentality exhibited by staff toward the inmate population. These staff may believe that their primary role is to protect society from inmates rather than protecting inmates from each other, let alone helping inmates improve their prospects for successful reentry into society after release (Zweig and Blackmore, 2008).

Visioning the Future

Panelists asserted that the characteristics of correctional institutions should change radically in the future. Historically, prison walls were designed to literally separate criminals from society, but isolating all prisoners in this manner is no longer viable. The panelists believed that, in the future, prevailing attitudes and advancements in technology should make the physical

walls more permeable in many respects. Panelists believed that the prison experience should be restorative and not brutal. In the words of one panelist, "We need to change the culture where some staff view themselves as punishers." While incarcerated, offenders should receive help with housing, employment, and addiction recovery to better prepare them for their eventual release—not just for their benefit but also for the benefit of the society receiving them.

Some panelists felt that the ideal facility would be significantly smaller, housing between 300 and 500 offenders. They argued that the relative cost of such a facility was an acceptable trade-off to achieve the desired objectives. They noted that today's largest prisons are somewhat unmanageable. "Wardens cannot possibly get to know 2,000–3,000 offenders," said one panelist, "and—not coincidentally—most inappropriate staff behavior occurs in the larger prisons."

These experts argued that future institutions should be situated near large cities, closer to the communities that produced the offenders. Closer proximity would provide a greater chance of reentry success because it increases access to families, transitional services, treatment, vocational training, and employment.

One panelist, citing the power of architectural design on human behavior, suggested that institutions should look much different in the future. While not dismissing security concerns, the panelist argued that institutions should be designed with behavioral change objectives in mind. From that perspec-



Inmates in the UNICOR program at a federal prison in Fort Worth, Texas, sew U.S. Army uniforms.

tive, like the European model, U.S. correctional institutions should have a less hardened atmosphere. Panelists believed that offenders would behave in a way commensurate to how they are treated: “Hardened facilities and conditions produce hardened offenders,” one said. Therefore, it was argued that such features as lighter construction materials, more privacy, and fewer offenders per facility would result in better outcomes. Staff would also benefit from improved working environments.

Some panelists believed that prisons should be more industrious. They found current efforts in this area, such as FPI, to be inadequate and envisioned the institution of the future as far more proactive in bringing the business community into prisons. It would benefit the corrections sector, the offender, and businesses alike to provide opportunities for inmates to work for private concerns, gain relevant skills, and potentially even transition directly to jobs upon release.

Panelists also argued that the corrections sector should change the way it manages the rapidly growing elderly population in prison. As these inmates grow older, they typically pose less and less of a risk and, panelists believed, should not be occupying expensive prison cells. In the future, many could be released outright or managed in the community through electronic monitoring. When these options are not appropriate, such inmates could be moved to corrections agency–operated, semi-secure, community-based nursing homes—a more humane and less costly alternative to prison.

As noted earlier, panelists believed that offenders should be screened for mental health problems prior to entering the criminal justice system and diverted to facilities other than jails or prisons, as appropriate. That is not to say that correctional institutions in the future will not have to address mental illness. On the contrary, each institution should have a strong behavioral health unit staffed by specially trained officers and health care professionals and supported by clear policies. The goal should be to ensure that inmates can function at the level necessary to be successfully reintegrated into their community when released.

CORRECTIONAL PROGRAMMING AND TREATMENT

The Current State of Policy and Practice

More than 95 percent of inmates in state correctional facilities will be released at some point (Hughes and Wilson, 2017), and more than 641,000 were released in 2015 alone (Carson and



Federal Emergency Management Agency

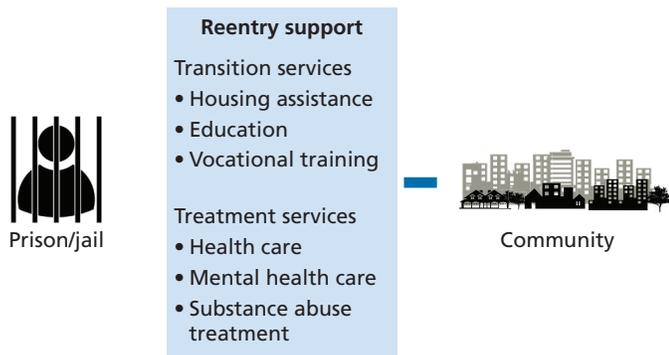
Louisiana State Penitentiary, also known as Angola, is the largest maximum-security prison in the United States.

Anderson, 2016). Recidivism remains high, with more than 40 percent of offenders returning to prison within three years of release (Pew Center on the States, 2011). The corrections sector has come to recognize that it needs to better address the needs of offenders as they make the difficult and complex transition from incarceration to the community.

Bolstered in part by the Second Chance Act of 2008, the prisoner reentry movement includes programs that fall into two major categories: those that focus primarily on transition to the community and those that focus on treatment (see Figure 5). Transition services to support reentry may include housing assistance, education, and vocational training. Treatment programs address substance abuse, mental health, and other behavioral issues. Although not all facilities offer comprehensive programs to support reentry, most provide basic services. Stephan (2008) reported that nine out of ten public correctional facilities offered academic (secondary or GED) and vocational training programs, and nearly all provided counseling programs. Furthermore, evidence-based interventions—including such cognitive-behavioral therapies as Thinking for a Change (developed in collaboration with the National Institute of Corrections) and Aggression Replacement Therapy (which primarily targets aggressive youth)—are gaining traction in correctional settings (Clark, 2010).

While the increased emphasis on reentry support is encouraging, in reality, the corrections sector does not have the capacity to provide every inmate with the services required. Surveys suggest that although most correctional agencies have programs, the number of offenders who can access these services at any point in time is severely limited (Taxman, Perdoni, and

Figure 5. Inmates' Needs Prior to Release and Reentry into the Community



Harrison, 2007). For example, the National Center on Addiction and Substance Abuse (2010) estimates that, of the 1.5 million inmates with substance abuse disorders in 2006, only around 163,200 (or 11 percent) received any type of professional treatment. Even when programming is available, inmates often do not have an opportunity to complete the sessions in which they have enrolled because of departmental operational needs. As inmates move from one facility to another in response to security concerns or to balance populations among facilities, their programming can be interrupted or even stopped completely (Florida Legislature, 2007).

A comprehensive meta-analysis by RAND quantified a long-assumed understanding that correctional education can have significant positive outcomes. On average, individuals who participated in such programs while incarcerated had 43-percent lower odds of returning to prison than those who did not participate. Participation in education programs also improved the odds of obtaining employment after release by 13 percent (Davis, Bozick, et al., 2013).

Despite the evidence in favor of correctional programs, they are often among the first cuts when agencies face difficult fiscal situations. For example, there was an average 6-percent decrease in funds spent on correctional education in the United States after the 2008 recession. The greatest budget cuts were in medium and large states, which experienced 20-percent and 10-percent average reductions, respectively (Davis, Steele, et al., 2014).

As another example, budget shortfalls led the California Department of Corrections and Rehabilitation to reallocate millions of dollars from already decimated rehabilitation programs to cover deficiencies in other areas, such as security (Montgomery, 2011).

Strategies to stabilize budgets and promote reinvestment are allowing more funds to be dedicated toward correctional programming; however, a 2015 U.S. Department of Education report concluded that access to education remained limited and that educational technology was underutilized (Tolbert, Hudson, and Erwin, 2015). One promising development is the Second Chance Pell Pilot Program, announced in 2015, which reopened eligibility for inmates pursuing postsecondary education. To date, close to 70 colleges and universities have been selected to participate in the program and will enroll approximately 12,000 inmates (Douglas-Gabriel, 2016).

Visioning the Future

The panelists believed that institutional vocational and education programming should be expanded in the future. Such programming should also be closely matched to the evolving job market in the community so that inmates are more employable upon release. If institutions continue to house individuals with mental and substance use problems, it is critical that agencies are resourced and staffed appropriately to meet these needs. Furthermore, the corrections sector should make technology (such as the Internet) accessible to inmates while managing the inherent security risks of doing so. Demand for technology-related skills will likely increase in the future, and inmates need these skills to compete. Panelists also noted that because employment and housing opportunities and information about other resources will increasingly be available online only, inmates should be familiar with navigating the Internet and locating critical online resources before their release. One panelist suggested that computer gaming technology should be leveraged in the future. Offenders could engage in online life-skill “games” that would reinforce appropriate decisionmaking.

Despite the evidence in favor of correctional programs, they are often the first cuts when agencies face difficult fiscal situations.

Games could be customized to an individual's area of residence (e.g., urban, rural) and could provide positive and enjoyable reinforcement for success and compliance.

Acknowledging the host of constitutional and ethical questions associated with preemptive intervention, some panelists suggested that emerging neuroscience research could provide the corrections sector with clues about the causes of some criminal behavior. Similar to how existing technology can detect damage to a baby's brain because of prenatal alcohol exposure, brain imaging could be used to identify dysfunction in offenders because of such factors as extended drug abuse. This information is critically important in matching offenders with appropriate interventions. For example, cognitive approaches are often ineffective when there is an underlying brain dysfunction; therefore, a more accurate diagnosis up front should lead to better programming decisions and more-effective behavioral or pharmacological approaches. In addition, brain imaging may be a faster and more accurate method of diagnosing mental illness than conventional methods.

One panelist thought that research on genetic markers or biomarkers should play a larger diagnostic role in the future corrections sector. Biomarkers are measures of a biological state that are used to identify the presence or progress of an illness or disease. One of the major aims of biomarker research is to improve the accuracy of diagnoses. The panelist thought the corrections sector should investigate the potential benefits of using biomarkers to predict which individuals require early interventions (e.g., for addiction or psychiatric disorders) or which treatment approaches are likely to produce the best outcome based on the diagnosis.

The corrections sector should also examine alternative treatments for drug and alcohol addiction. For example, the use of chemical antagonists that block substances from activating receptors in the brain should be expanded and become commonplace. Participants also encouraged the exploration of nonchemical approaches, such as dietary changes and herbal remedies.

COMMUNITY SUPERVISION

The Current State of Policy and Practice

Community corrections has been described as simultaneously the most misunderstood and neglected component of the corrections sector, perceived as both ineffective in changing offender behavior and insufficient as a punishment (Taxman, 2010). Indeed, probation and parole completion rates are on the



Erik Møller Architects

Halden Prison in Norway is considered one of the world's most humane, with its dormitory-like cells, outdoor spaces, rehabilitation-focused programs to reduce recidivism, and few restrictions on inmates' movements within the prison.

decline, and those who violate the terms of their sentence often end up incarcerated (Klinge, 2013).

The sector faces many challenges in this area, not the least of which are resource limitations. Although 82 percent of the correctional population is under some sort of community supervision (Kaebler, Maruschak, and Bonczar, 2015), only 12 percent of corrections spending is directed to probation and parole operations (Pew Center on the States, 2009). Compounding these challenges, agencies often find themselves burdened with an array of unfunded mandates, such as conducting DNA screening and continual sex offender registration checks (Pew Center on the States, 2009).

Consequently, community corrections staff are often overworked. Limited funding typically translates into higher caseloads, which one national study measured averaging 139 at a time (Finn and Kuck, 2005), and it is not uncommon for an officer to have more than 250 cases.

All agencies struggle with external demands, including long terms of probation/parole, wide-ranging conditions of

supervision, and administration of fees and community service. These elements place additional burdens on staff and often set the offender up for failure. Furthermore, many agencies continue to engage in ineffective practices, including surveillance, to manage offenders in the community. This approach emphasizes offender adherence to the conditions of supervision over facilitating behavioral change and can result in overuse of incarceration as a primary response to violations. Finally, studies have also shown many agencies remain somewhat resistant to supervision based on the risk or needs of offenders in favor of uniform supervision, in which officers are measured by the number or type of interactions they have with offenders each month (Vera Institute of Justice, 2013).

While many agencies continue to operate in this manner, there is a gradually growing appreciation in the corrections sector for the research on evidence-based practices and recognition that many of the control strategies of the past have no impact on recidivism. There is also an increasing awareness of emerging best practices, such as the use of specialized caseloads, supervision tailored to risk and needs, and systems of graduated sanctions designed to reduce reliance on incarceration for technical violations. There is clear evidence that properly implemented programs and practices support behavioral change that reduces recidivism, reducing both the burden of crime and the future cost of an offender returning to the corrections system; however, changing an agency's culture and orientation is a difficult task that cannot be accomplished overnight.

Guevara and Solomon (2009) emphasize that the implementation of evidence-based policy and practice is a tremendous undertaking requiring a fundamental change in the way an agency operates. Furthermore, the corrections sector faces the difficult task of staying abreast of the continuously evolving research literature. Challenges notwithstanding, the potential gains remain great, and a number of committed jurisdictions have made progress in this area (Domurad and Carey, 2010). As noted earlier, community corrections agencies often lack adequate resources, which can be a significant impediment to success.

Visioning the Future

All the panelists believed that community corrections should have a greatly expanded role in the future. If fewer offenders are sentenced to prison, many will receive community-based sentences; those who are granted early release from prison will require supervision during their transition, and many probation/parole violators who previously may have been returned to prison will remain in the community.

There is clear evidence that properly implemented programs and practices support behavioral change that reduces recidivism.

Consistent with the primary purpose of the corrections sector in the future, panelists asserted that community supervision should focus on facilitating behavioral change and supporting offenders' efforts to improve their quality of life, as opposed to simply monitoring compliance with supervision requirements. Panelists identified an offender-centered approach to care as key to achieving this desired end state. This approach should be supported by assessment instruments that emphasize needs over risk, identify areas where the offender's quality of life is lacking, and that consider individual personality and motivational factors. Complementing risk/needs assessment instruments, these new tools should identify appropriate rewards and punishments for each individual. More specifically, they should recognize that everyone has unique motivators—the same carrots and sticks do not work for all people.

Panelists agreed that the corrections sector should continue to be driven by evidence-based practices as they evolve, including the use of self-validating risk/needs assessment instruments that are designed specifically for the social dynamics of particular geographical areas (e.g., culture, employment rate, values). That said, some panelists argued that current instruments that incorporate criminal history are inherently racially biased, because minorities disproportionately come into contact with the police (Angwin et al., 2016).

Panelists argued that the nature of probation terms should be restructured in the future in a way that incentivizes positive change. Rather than a set term of supervision, probation completion should be based on modest criminogenic objectives. Supervision should focus on these objectives early on, and once they are achieved, the offender should be granted an early end to probation. While some offenders may need more time to achieve their objectives, most should be able to demonstrate change and be released from supervision well before their terms expire. Greater use of performance-based probation comple-

tion would also serve to keep caseloads under control and help reduce correctional costs.

In an effort to better support successful reentry and reduce recidivism, agencies should invest more in both offenders' lives and the lives of individuals who have an impact on the offender. Panelists agreed that agencies should also engage the communities where offenders reside as partners in the supervision process and that the use of restorative and reparative boards should expand greatly in the future. One panelist noted that communities need to accept that changing criminal behavior is a shared responsibility and the community has a role to play. Another stated that society has to make it a priority to create job opportunities for people who have been involved with the criminal justice system, and affordable housing and easy access to treatment services are also essential to successful outcomes.

The panelists argued that individual probation or parole officers should be more directly involved in communities. For example, they should play a more active role in local veterans' programs, housing coalitions, and school-based crime prevention initiatives. As officers' roles change, the ways in which agencies evaluate performance should change as well. In the future, officers should be evaluated on their ability to leverage resources to support behavioral change, and they should be held accountable.

Although panelists thought that evidence-based practices should be more broadly adopted in the future, they cautioned that a desire to implement these practices is simply not enough. Successful implementation requires significant time, resources, and leadership. Policymakers should be patient with agencies as this shift occurs and provide adequate resources so that agencies do not become so overwhelmed by their workload that they cannot focus on implementing strategies to promote behavioral change. If a greater percentage of offenders are managed in the community, it is imperative that adequate resources are in place to meet the demand for necessary services.

One panelist put it this way:

You cannot just keep loading the wagon and expect two horses to pull it. If you add more weight to the wagon, you have to add more horses. Probation and parole officers cannot be expected to be effective when they are trying to supervise 150 people. It can't work.

Panelists warned that positive gains from sentencing reform could be jeopardized if community corrections agencies remained underfunded. A substantial portion of the savings

realized from reducing the prison population should be directly reinvested into community corrections. Panelists argued that it would take courageous leadership from elected officials to reallocate funds from prisons to community supervision programs but that the money must follow the offender.

Panelists proposed an expanded infrastructure of halfway houses, community corrections centers, day reporting centers, and other programs that ease offenders' transition to the community. Similarly, given the high rates of mental illness and substance abuse among the offender population, a public health approach is needed to ensure that these individuals have access to the care they require. Finally, intermediate sanctions should be expanded to address probation and parole violators, with return to prison relegated to a response of last resort.

HUMAN CAPITAL

The Current State of Policy and Practice

Like other human service disciplines, the corrections sector relies on qualified, trained, and dedicated staff. However, it struggles with human resource challenges that affect how it performs its mission.

Recruiting qualified staff, particularly corrections officers, has been historically difficult and remains a critical challenge for administrators today (ASCA, 2013). Corrections is demanding, stressful, and sometimes dangerous work—and it offers considerably less compensation and prestige than law enforcement. Combined with a generally improving economy, these factors have made it difficult to attract staff, and some states have officer vacancy rates as high as 39 percent (ASCA, 2014).

Another challenge is that once staff are hired, it is difficult to retain them. Annual staff turnover averages around 20 percent nationwide (Matz et al., 2013); not surprisingly, the states that offer the lowest compensation had the highest annual turnover rates—41 percent in the case of Louisiana (Gibbons and Katzenbach, 2006). In private prisons, where starting pay tends to be lower than in public prisons, the situation is even worse. For example, the Texas Senate Committee on Criminal Justice (2008) reported that the turnover rate at the state's private prisons was an astonishing 90 percent. Community corrections is not immune to retention problems, experiencing turnover rates as high as 30 percent (Lee, Phelps, and Beto, 2009).

Against this backdrop, the corrections sector is gradually shifting its orientation—deemphasizing punishment and control in favor of facilitating behavioral change. Given this shift,

the nature of corrections work is changing, and there can be a disconnect between the skill sets of staff who are entering the field and those that will be needed in the future. While there is certainly a greater emphasis on positive personal interactions and modeling prosocial behaviors, the role of the corrections officer is still primarily security-focused. Indeed, one can argue that today's officer is not adequately prepared to serve as a change agent, or someone who can facilitate change in inmates through positive interactions and modeling of behavior. Pre-employment educational requirements remain minimal, because most states require only a high school diploma or GED. In some states, even these minimal requirements can be substituted with work experience ("Correctional Officer Education and Training: Survey Summary," 2013). Academy and in-service training tends to focus on the traditional basics of corrections work: care, custody, and control.

Probation and parole officers generally enter the field with a better educational foundation than corrections officers, with a bachelor's degree being a typical pre-employment requirement. That said, many officers graduate from college with general criminal justice degrees and may not be adequately prepared to implement evidence-based practices, such as motivational interviewing and other interventions.

The nature of corrections work also exposes staff to many stressors that can have serious consequences over time for both the individual officer and the sector overall. Recent data are unavailable, but a study in the early 1980s found that corrections officers had a life expectancy of just 59 years, compared with a national average of 75 years at the time (Cheek and Miller, 1982). An estimated 34 percent of officers suffer from post-traumatic stress disorder, a rate higher than among military veterans, and corrections officers have a suicide rate 39 percent higher than that of any other occupation (Lisitsina, 2015). Although the impact of stress among community corrections staff has not been studied to the same degree, probation and parole officers are not immune to these problems. These officers

report high levels of stress and burnout. They also experience high levels of secondary trauma stress, also known as compassion fatigue, through their exposure to the pain and suffering of others. This can occur by interacting with offenders and their families, interviewing victims, and having intimate knowledge of heinous criminal acts, especially those perpetrated against children (Lewis, 2013).

With respect to human capital in the corrections sector, the role of unions cannot be overstated. Many of the sector's employees have joined national unions, such as the American Federation of State, County and Municipal Employees, or state associations, such as the California Correctional Peace Officers Association, to negotiate compensation, benefits, and protections (Kirchhoff, 2010). Unions generally serve as advocates for better pay and working conditions, but they also operate at higher levels, with some spending millions of dollars per year on political activities to influence policy (Krayewski, 2015). These entities, particularly in heavily unionized states, wield great power and must be regarded as key stakeholders on issues that pertain to corrections staff.

Visioning the Future

The panelists' vision for the future generally called for moving corrections from its current status as an occupation to that of a profession. As the corrections sector evolves and assumes greater responsibility for changing offender behavior, the staff focus and skills must change accordingly. Panelists shared ideas for the types of characteristics the sector should seek among recruits. They emphasized the need for a social work or "helping" orientation over one of enforcement or control. A greater proportion of probation and parole officers should hold psychology or sociology degrees, and they should have expertise and knowledge in behavioral change. That way, they would come into the job better prepared to implement evidence-based practices. However, panelists also recognized that not

The nature of corrections work is changing, and there can be a disconnect between the skill sets of staff who are entering the field and those that will be needed in the future.

every officer needs to be a social worker. Officers who are more control-oriented or have been educated in other disciplines may be well suited for general compliance monitoring or service in specialized units, such as fugitive apprehension or computer forensics.

The role of corrections officers should be redefined in the future. Panelists asserted that corrections officers should be willing and able to develop professional relationships with offenders. They should be firm but not adversarial, be sincere in their intent to facilitate behavioral change, and take responsibility for that change. Currently serving officers, in some cases, should be retrained so that they view their roles as “helpers” as opposed to “punishers.”

The corrections sector should support the development of aptitude and personality inventories specifically designed to better identify candidates who share an agency’s vision and values. These tools should also provide insight to match recruits to specific jobs.

The panelists generally believed that, to the extent possible, the corrections workforce should reflect the characteristics of the increasingly diverse offender population. Although they understood the inherent dangers in making hiring decisions based on race, gender, or ethnicity, panelists argued that, at a minimum, the sector should strive to hire and develop staff with improved cultural, gender, and racial sensitivity, since those skills would allow them to be more effective at their jobs.

The panelists also suggested that the corrections sector should invest more in staff training, despite fiscal obstacles. They noted that basic training programs for corrections officers are often inadequate, in some cases only a few weeks long. One panelist thought the sector should adopt the model used in Europe, where 6–12 months of pre-service training is not uncommon. Several panelists noted the challenges posed by the large segment of the inmate population with mental health needs. If these cases remain within the purview of the corrections sector in the future, staff should receive adequate and continuous training so they are better prepared to effectively and humanely work with these types of offenders. Particularly as the sector changes its focus, the future must bring a commitment to enhanced training for both institutional and community corrections staff. The panelists advocated for virtual reality and holographic technologies to make staff training more realistic, as well as initiatives that leverage online training platforms that promote skill development, as opposed to simple knowledge transfer.

Particularly as the sector changes its focus, the future must bring a commitment to enhanced training.

Several panelists noted the extreme physical and mental demands placed on staff and called for a future in which these needs are openly addressed and staff are properly cared for. There should be more transparency and awareness of the struggles that staff face, and the families of corrections staff should be more involved so they better understand the nature of the work and the potential negative consequences. Furthermore, the corrections sector should strive to eliminate the cultural barriers that prevent staff from requesting assistance. The panelists believed that future changes in other areas of the sector should benefit staff health. For example, overall staff health will improve as the institutional environment “softens” and the sector moves away from adversarial relationships between corrections and probation officers and offenders.

Finally, one panelist proposed that a portion of the savings from reduced incarceration costs should be dedicated to increasing compensation for corrections staff—a change that should be accompanied by increased hiring standards. Because corrections work will change in the future, the sector needs to offer competitive salaries to attract and retain professional staff who are up to the task.

TECHNOLOGY

The Current State of Policy and Practice

Like many organizations, the corrections sector is increasingly leveraging a variety of technologies. The state of the art in prisons and jails includes radio frequency identification (RFID) tracking of inmates, biometric identification technology, body-worn cameras, educational tablets and touchscreen kiosks for inmate use, video visitation, telemedicine, sustainability-oriented or “green” technologies, and intelligent video analytics.

Advances representing the state of the art in probation and parole agencies include dynamic risk assessment tools, enhanced offender location and tracking, noninvasive and remote drug and alcohol testing devices, and automated reporting systems (Jackson et al., 2015). Several parole boards have embraced data-driven instruments to facilitate parole decisions (Walker, 2013).

While the corrections sector has benefited from technological advances, innovation has created some serious challenges as well. For example, small drones have been used to deliver cell phones, drugs, tobacco, and other contraband over secure institutional perimeters. Social media is increasingly misused by offenders under community supervision. The ready availability and rapid evolution of synthetic or designer drugs challenges the ability of agencies to detect their use. In each case, innovations have forced already underfunded agencies to develop strategies and acquire the requisite tools to counter these new threats.

Electronic monitoring in its various forms has become firmly entrenched as a supervision tool, with more than 125,000 devices deployed (Pew Charitable Trusts, 2016). Approximately 70 percent of these units are GPS systems, a capability that provides a more comprehensive picture of offenders' movements than previously available technologies.

While it is clear that the sector has access to better technology than ever before, it is also fair to say that most agencies remain behind the curve. Automated information systems may be taken for granted in some corrections agencies, but they are still on the wish list for others, particularly in small, rural, and tribal jurisdictions. And agencies that are better equipped have likely needed to make trade-offs in prioritizing technology investments. Even when they are able to acquire state-of-the-art systems, many agencies lack the funding to maintain and update them.

Visioning the Future

Although the panelists argued that the corrections sector should continue to leverage technology advancements, they stressed that technology should support the mission—not drive the desired state. Some cautioned against inappropriate or overuse of technology, particularly as a monitoring tool, adding that doing so would result in overworked officers, poor responses to alerts, and information overload. Panelists noted that overusing technology—or any intervention, for that matter—with lower-risk offenders can be counterproductive.

Panelists agreed that the use of electronic monitoring should expand in the future with the objective of supervising offenders in the community as an alternative to keeping them in an institutional setting. Some panelists asserted that policies and practices for electronic monitoring should change as the corrections sector shifts its philosophy from a punishment and control model to one focused on crime prevention, rehabilitation, and cognitive behavioral approaches. Consistent with the intentions of Robert Gable, one of the inventors of electronic monitoring technology (Anderson, 2014), the use of these systems should include mechanisms to deliver positive reinforcement to offenders who exhibit prosocial behavior, such as attendance at a treatment program or arriving to work on time.

Some panelists thought that the corrections sector should be more discriminating when using electronic monitoring, tying its use more directly to offender needs. Agencies should more closely examine their objectives when determining which offenders require monitoring and for what purpose and then apply the least intensive approach for the least amount of time required to meet those objectives. Consistent with this approach, agencies should use a greater spectrum of tools—from the less intrusive, such as automated reporting kiosks, to the more intrusive, such as location tracking.

One panelist suggested that data collected across the criminal justice system (through courts, jails, probation, prisons, and parole) should be maintained in a universal, web-based platform. Such a common umbrella approach would facilitate data-driven decisionmaking throughout the system, but it is critically important to reentry support because several agencies



Promotional photo/Guardian RFID

The Guardian RFID mobile offender management system captures and shares data in real time, reducing administrative burdens on corrections staff.

Shared information enables better collaboration, which, in turn, facilitates better outcomes.

may have a role in the offender's transition. Shared information enables better collaboration, which, in turn, facilitates better outcomes. For example, when a parole violator returns to prison, parole authorities should use this type of shared platform to indicate whether the violator needs specific programming or whether the sentence is intended as a short-term punitive measure.

Mobile computing equipment (e.g., smartphones, laptops, tablets) should be standard issue for probation and parole officers, allowing them to spend most or even all of their time in the field, where they are more accessible to offenders. Panelists believed that this approach would improve outcomes and the quality of life for both offenders and staff. Staff would enjoy greater flexibility and offenders would be relieved of the time and cost burdens of traveling to an office for meetings. Panelists also emphasized that the corrections sector should keep pace as personal communication styles evolve. Traditional modes of communication, such as letters and telephone calls, are dated. To build and maintain relationships with offenders, community correctional agencies should move toward the use of email and texts.

Virtual presence technology should be further leveraged to bridge the distance between offenders in remote or isolated geographic areas and the services they require. For example, individual or group counseling sessions and interactions between officers and offenders could occur remotely, anytime, anywhere.

As the United States becomes more diverse, it will be critical for corrections staff to effectively interact with individuals with a range of backgrounds. Panelists recommended leveraging new tools for real-time language translation. Such tools can already be integrated into smartphones and computers, and they would promote fluid communication with offenders and their families.

Panelists also suggested employing physiological data monitors and envisioned applications for both staff and offenders. Body-worn sensors could be used to monitor staff vital signs, such as heart rate, blood pressure, and stress levels. Doing so could help improve staff health and detect unusual events while officers are on duty. Sensors could collect similar data on inmates—data that could be used to alert staff about potential suicide attempts, assaults, or increased anxiety levels. Multiple sensors, capturing location and other types of data, could provide additional context (e.g., by showing where in the facility inmates are experiencing high levels of stress). For community corrections, physiological sensors could be integrated into existing electronic monitoring devices, and the resulting data could prompt a line of officer inquiry (e.g., to assess why a probationer's heart rate was elevated when visiting a particular location).

Finally, the panelists argued for the increased use of body cameras by both institutional and community corrections staff. They noted several benefits to this technology, including greater transparency, more-professional interactions with offenders, and improved staff safety and protection against false accusations.

The corrections sector should continue to seek opportunities to leverage science and technology to increase mission performance. That said, the cost is often passed down to the offender and their families, which can lead to financial burdens and unintended consequences.

FINANCIAL CHALLENGES IN THE CORRECTIONS SECTOR

The Current State of Policy and Practice

The corrections sector has become increasingly privatized and otherwise monetized in a variety of ways. Historically, the administration of correctional services has been viewed as a governmental function supported entirely by taxpayer dollars. Over the past several decades, however, exploding correctional spending—coupled with overall budget shortfalls—has forced jurisdictions to rethink that perspective. As the sector grew, jurisdictions explored a variety of ways to reduce costs or increase revenue. Today, the sector is increasingly privatized and monetized through such practices as the cash bail system and user fees for correctional services. Promoted as a cost-effective option for states in fiscal straits, private corrections has developed into a \$5 billion industry (Canon, 2015). By the end of 2014, 131,300 prison inmates were housed in private facili-

ties, a 90-percent increase from 1999. Also in 2014, between 5 and 7 percent of state prison populations and 19 percent of the federal prison population were held in private facilities (although the majority of these federal inmates were held in nonsecure settings). Not every state has embraced privatization to the same degree; several states do not contract with private companies at all, while seven house at least 20 percent of their inmate populations in private facilities (Carson, 2015).

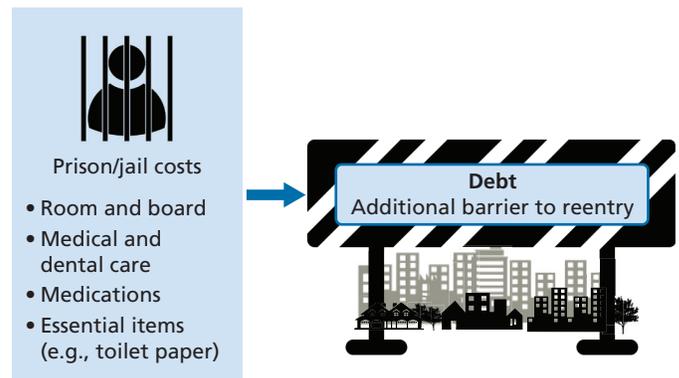
Privatization also has a foothold in community corrections. County and municipal governments are increasingly contracting with private companies to provide misdemeanor probation services, and “for-profit” supervision is an option in more than a dozen states (Albin-Lackey, 2014).

To help offset the cost of community supervision, 44 states charge offenders for probation services (Eisen, 2014). The use of this practice has increased in recent years, coinciding with budget shortfalls and the need to generate revenue. Fees are not always commensurate with an offender’s ability to pay; thus, they disproportionately punish the poor. Many offenders are subject to other financial obligations, such as restitution or child support, or they have limited employment opportunities; others are simply too poor to pay the fees. Regardless, nonpayment can result in late fees and penalties that only increase debt burden and decrease individuals’ chance of successful reintegration into society. In some cases, courts incarcerate offenders simply based on their inability to meet their financial obligations. Mounting debt is a serious impediment to successful reentry and can lead to negative consequences, such as an increase in absconder rates, diminished incentive to work, or even reoffending to obtain money to pay the fees (Baird, Holien, and Bakke, 1986). These policies are also not always a financial boon for the locales involved: In some jurisdictions, the resources dedicated to collections actually exceed the revenue received (Peterson, 2012).

User fees are also commonly imposed by prisons and jails in an effort to offset rapidly increasing operational costs. Eisen (2014) notes that hundreds of jurisdictions across the country charge fees to inmates for programs, functions, and services. So-called pay-to-stay initiatives collect payment from inmates in a variety of ways, including through a daily per diem for room and board or by charging for medical and dental visits, medications, and essentials, such as toilet paper (see Figure 6). The resulting debt can become a barrier to successful reentry.

The bail system is also under considerable scrutiny, and some experts claim that the corrections sector is in the midst of the third generation of bail system reforms (Schnacke, 2014).

Figure 6. “Pay-to-Stay” Initiatives and Their Consequences



The current system relies largely on arrestees posting money or property as a condition of release. There is growing concern that the system is unfair to the poor and that it disregards a large body of research indicating that the ability to pay bond is not related to the risk of future criminal activity or a failure to appear in court. Furthermore, the current practice is costly to the sector and creates overcrowded jail conditions. On any given day, an estimated 500,000 people are detained simply because they cannot make bail—and many have been charged with low-level, nonviolent offenses (Dewan, 2015). Around 30 percent of state court defendants are sent to jail because they cannot pay assigned bonds of less than \$5,000 (Wiseman, 2014).

Visioning the Future

Panelists called for a future with a sustained focus on implementing correctional programs to produce offender behavioral change and in which correctional programs receive the resources required to achieve that objective. In the future, they argued, the administration of justice should be entirely publicly funded, rather than one that is offender-subsidized via fees. The panel believed that courts and the corrections sector should not be revenue-generating operations. That said, if agencies in the future are statutorily required to charge fees to offset costs, they should be more aware of the financial burden they are imposing, and a sliding-fee-scale system commensurate with ability to pay should be the goal. This would require a more thorough analysis of offenders’ financial obligations and the potential negative impact on offenders and their families—a practice that is not routine today.

Panelists also highlighted the need for further reforms to the cash-bail system. They thought that most defendants should

be released on their own recognizance, with pretrial detention used sparingly. These decisions should be informed by evidence-based assessment instruments that have been validated and found able to predict failure to appear in court and risk of rearrest during the pretrial period. As a result of these changes, jail populations would likely drop substantially, thereby saving the correctional system resources. One panelist asserted that because prosecutors use detention as plea bargaining leverage and detention rates are closely tied to conviction rates, pretrial detention reform could result in an overall decrease in the number of cases that continue through the corrections sector.

A number of panelists believed that the future corrections sector should not include privatized prisons or probation programs, citing profit as an unhealthy driver of incarceration rates. Other panelists did not argue against the practice entirely but argued for less privatization and far more control and regulation of the private-sector entities involved. They envisioned a future in which the public—particularly inmates’ families and advocacy groups—could provide an effective counterweight to unjust revenue-producing practices that can arise in profit-driven correctional programs. However, panelists did acknowledge that medical, treatment, food, commissary, and other individual services could be better performed by outside vendors and thought that these relationships should continue to be leveraged in the future. One panelist noted that, despite the challenges encountered with privatization in the United States, there had been some success elsewhere, particularly Australia and the United Kingdom.

Ultimately, the most important factor is results, and according to this panelist, the corrections sector needed to commit to performance measures. Once such measures are established, the government’s role should be to push innovation and reward performance using the vehicle—public or private—that is most effective and efficient.

CONCLUSIONS

Those who study the history of corrections understand that change is seemingly constant; however, these changes—both positive and negative—have generally been driven by forces external to the corrections sector. The past several decades have witnessed shifting attitudes toward crime and punishment that have influenced the legislative agenda, and the resulting policy changes have had significant downstream implications for the corrections sector.

Serious questions are being posed about the cost-effectiveness of incarceration as a crime-prevention tool, particularly as incarceration rates have increased while crime rates have fallen. In recent years, rehabilitation—manifested through a reemerging interest in treatment, specialized supervision, an emphasis on reintegration and reentry, and evidence-based practices—has been prominent among corrections strategies. Amid these shifts, the corrections sector has remained an essentially passive and reactive participant in the criminal justice system, forced to respond to these changes as best it can with the limited resources available.

At different points over the past several decades, corrections experts have envisioned a future for the sector in similar ways to our expert panel.

For example, in 1969, Richard McGee, a distinguished correctional administrator, predicted (and advocated for) a shift away from the overuse of incarceration and toward community-based programs rooted in social science: “[T]he correctional field is on the threshold of revolutionary changes which will take place gradually, tested by scientific methods” (McGee, 1969). It should be noted that the U.S. prison population in 1970 was just under 200,000. Today, more than 1.5 million people are serving prison terms, and correctional experts are again calling for a reduced reliance on incarceration.

McGee, along with other administrators of his time, called for other changes that closely mirrored those suggested by our expert panelists. These changes included shorter prison terms, much smaller prisons located in urban areas, greater emphasis on preparing inmates for reentry, expanded probation and parole services, and greater use of community-based resources to facilitate reintegration and rehabilitation, information technology to guide decisionmaking, and empirical research methods to test and evaluate programs. It has been almost half a century since McGee made his prediction. Despite incremental change in some areas, the transformational change that he called for has not yet occurred.

The fact that at least some correctional experts have been calling for the same reforms for several decades is a testament to the limited control the corrections sector has over its own future. This is likely a factor of its position in the criminal justice system, a general lack of political support, and low levels of funding. It is clear that the sector cannot achieve reform by itself. It could significantly improve its internal performance on a variety of levels, but true transformational change will be possible only with broader support. What is required for such change to occur?

In some respects, modest change is already happening. JRI reforms in several states are reducing reliance on incarceration in favor of evidence-based strategies that decrease crime. At the national level, there has been unprecedented bipartisan cooperation and support for—though limited tangible progress toward—broader and more-substantial reform (Chettiar, 2015).

While these are certainly promising developments, how can corrections officials ensure that these steps do not amount to just another temporary swing of the pendulum? According to our panelists, achieving real, sustainable change is complicated because the corrections sector does not have the power to drive the necessary initiatives.

EXPERT RECOMMENDATIONS

To the extent possible, our panelists argued, the issues of crime and punishment need to be less politicized moving forward. The panelists noted that policy historically tends to be driven by high-profile, heinous crimes rather than by scientific evidence. These outlier events, while tragic, often receive inordinate media attention, and legislators are called on to “do something.” Legislation in response to such cases—even if responsive to the specifics of a case—can produce systemic effects with broader-reaching consequences and costs. While remaining sensitive to victims’ concerns and the democratic process, criminal justice policy must remain above the fray and rely on what the research reveals about what is effective. Sustained change requires a long view, sufficient time, and sustained political focus, which can be difficult with frequent policymaker turnover.

Fundamentally, however, a cultural change is required, away from a punitive reflex to one that seeks to understand the causes of crime and address the root issues. There is a need for a major paradigm shift that emphasizes long-term desistance from crime as opposed to short-term incapacitation as the goal

corrections is seeking to achieve (see Figure 7). The panelists argued that although many ongoing reform efforts are positive, the motivations for those reforms must be examined. The fiscal arguments against mass incarceration are striking, but, they suggested, the moral case against overly intrusive social control or the unnecessary deprivation of liberty—particularly among vulnerable populations—should be even more compelling. It is imperative that the criminal justice system in general, and the corrections sector in particular, be perceived as fair, just, and committed to helping offenders become better citizens.

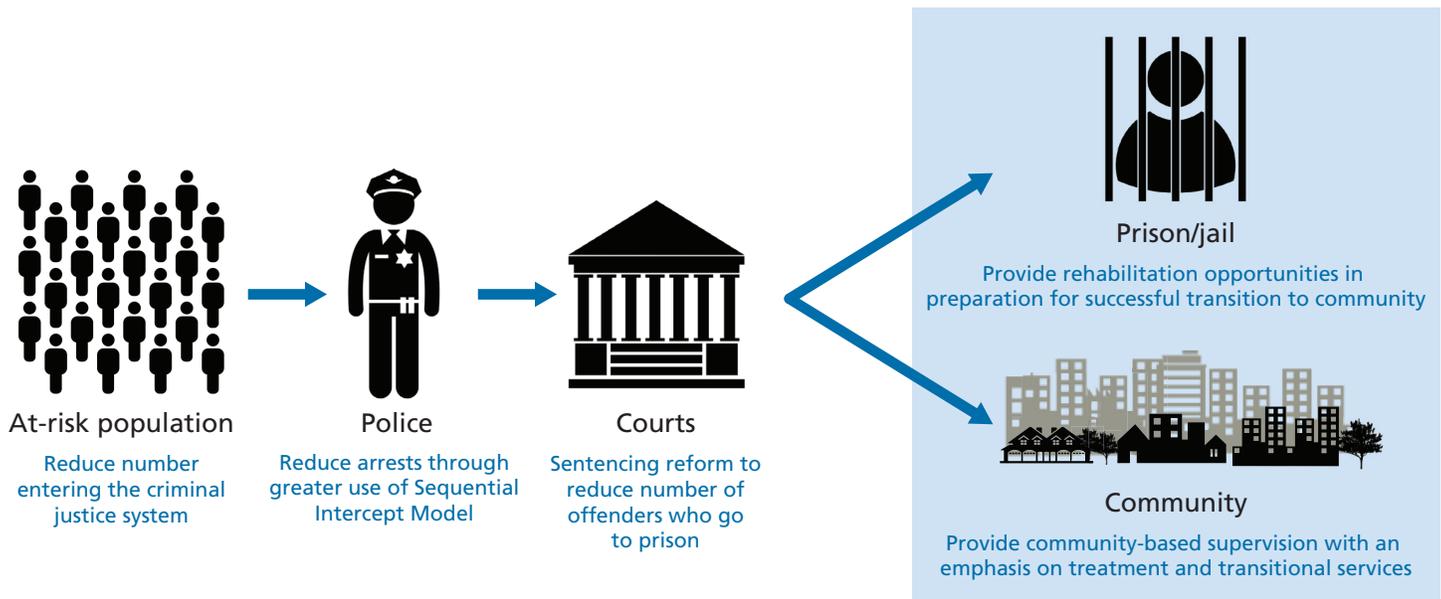
Panelists also noted that many of the issues that affect the corrections sector can be better and more humanely addressed before an individual enters the criminal justice system. In essence, the sector needs to be downsized or “right-sized.” Prevention can lead to transformational change, but it requires stronger community partnerships. Communities need to be better engaged; because many of the problems that contribute to crime begin in communities, they are an important part of the solution. Strong communities provide a level of informal social control that can reduce the need for criminal justice system involvement, resulting in resource savings and better quality of life.

Funding is, of course, critically important to success. Savings realized from reductions in incarceration should be reinvested directly in areas that have the greatest impact on recidivism and offender behavior change. Panelists were adamant that JRI savings, for example, should not be used for other purposes, such as to balance state budgets by filling gaps in general funds. Reinvestment must bolster probation and parole services and community-based prevention and treatment programs. It may very well be that no net savings result from reforms in the short term, but there could be significant benefits in the longer term.

Panelists strongly emphasized the role of corrections professionals in shaping the future. To this end, they argued, reinvestment dollars must be dedicated to developing human

It is imperative that the criminal justice system in general, and the corrections sector in particular, be perceived as fair, just, and committed to helping offenders become better citizens.

Figure 7. Summary of Panelists' Recommendations: Moving Away from Short-Term Incapacitation and Toward Long-Term Desistance



capital. Leaders require training in how to inspire transformational change within their organizations. Resources should also be directed toward increasing compensation so the corrections sector can attract and retain staff with education and skill sets that are better matched to its evolving mission.

Given the historical, political, and social influences on the evolution of the corrections sector, developing a vision for the future is a complex task. Although this research effort was intended to identify the key elements of a desired future from the perspective of corrections sector experts and stakeholders, our discussions were limited to a subset of these individuals. Participants represented various levels of experience, agency types, and agency sizes, and they also brought diverse perspectives to our discussions. However, a panel of 11 corrections experts cannot capture the priorities and concerns of the entire sector. The recommendations presented reflect the perspectives of the panel at the time they were shared. Our elicitation process consisted of interviews conducted individually, and the panelists did not have an opportunity to interact and achieve consensus on the issues addressed in this report.

Furthermore, we gave the panelists carte blanche to develop a desired vision of the future; we did not make any formal attempts to critique, rank, prioritize, or otherwise evaluate panelists' input based on such factors as cost, technical feasibility, practicality, social acceptance, or political constraints. We have highlighted recommendations that appear more actionable and therefore more attainable in the near term. For

example, while our panelists had distinct views on the purpose of punishment, public attitudes toward crime and sentencing policy are beyond the control of the sector. Ultimately, the corrections sector does not choose its clientele. However, it has some control over how offenders are treated once they enter the system. On the institutional corrections side, recommendations centered on changing the nature of the prison experience to one that is more restorative and productive. This may be difficult to implement, but such a change is within the purview of correctional administrators. Similarly, in the community corrections arena, recommendations focusing on maximizing the use of evidence-based practices, minimizing the use of incarceration in response to violations, and better engagement with communities are comparatively more achievable.

Some recommendations may appear to be technically feasible but would be very challenging to implement. For example, for moral and ethical reasons, the call to explore the use of genetic markers to predict which individuals require early intervention may never come to fruition in a criminal justice context. Similarly, the development of a universal, web-based information management platform that allows criminal justice agencies nationwide to share data would face daunting legal, policy, and jurisdictional challenges. Indeed, agencies today struggle with data-sharing initiatives at the *local* level.

Other recommendations may simply prove to be impractical for economic reasons. For example, while panelists considered small correctional institutions near large cities to be ideal

for facilitating reentry after incarceration, it is unlikely that this concept could be pursued at this time due to the sunk costs associated with existing prisons, the negative economic impact on rural communities if local prisons were closed, and the high cost of land in urban areas. Acknowledging these limits, this report is intended to facilitate discussion about how some of these ideals can be realized to support a better criminal justice system and corrections sector in the future.

Note

¹ For the earliest predictions for modern correctional reform, see “What’s Past Is Prologue” by Richard McGee (1969), then-president of the Institute for the Study of Crime and Delinquency in California and a correctional administrator whose career spanned five decades. The celebrated criminologist, Marvin Wolfgang, outlined his vision in the 1987 article “The Future of Corrections” (Wolfgang, 1987). George Beto, a Lutheran clergy member, educator, and penologist, delivered two speeches titled “The Past, Present and Future of Corrections” at American Correctional Association meetings—once in 1970 and again in 1989 (see G. Beto, 2004, and D. Beto, 2004). In his 1989 speech, George Beto predicted what corrections would look like in the year 2012. His son, Dan Beto, himself a longtime probation administrator and founder of the Correctional Management Institute of Texas, revisited these and other earlier predictions and offered some of his own in a 2004 article (D. Beto, 2004).

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Questions or comments about this report should be sent to the project leader, Brian A. Jackson at Brian_Jackson@rand.org. For more information about the Justice Policy Program, see www.rand.org/jie/justice-policy or contact the director at justice@rand.org.

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About This Report

On behalf of the U.S. Department of Justice, National Institute of Justice (NIJ), the RAND Corporation, in partnership with the Police Executive Research Forum (PERF), RTI International, and the University of Denver, is carrying out a research effort to assess and prioritize technology and related needs across the criminal justice community. This initiative is a component of the National Law Enforcement and Corrections Technology Center (NLECTC) System and is intended to support innovation within the criminal justice sector. For more information about the NLECTC Priority Criminal Justice Needs Initiative, see www.rand.org/jie/justice-policy/projects/priority-criminal-justice-needs.

This report is one product of that effort. It presents the results of the Visioning a Future for the Corrections Sector panel, a group of experts interviewed in summer 2015 as part of the NLECTC Priority Criminal Justice Needs Initiative to identify key elements of the desired future state of the criminal justice system and, in particular, the role that corrections should play within the system. This report and the results it presents should be of interest to planners from corrections agencies; research and operational criminal justice agencies at the federal level; private-sector technology providers; and policymakers active in the criminal justice field.



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