

## **A Review of Correctional Philosophies toward Reaffirming Rehabilitation as an Ohio Correctional Paradigm**

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### **Abstract**

*Various philosophies influence the overseeing of corrections systems nationally and among the individual states. No solitary correctional philosophy exists to universally address the needs of all prison populations given the complexities of penal systems. Some corrections philosophies incorporate tenets of deterrence whereas others implement prisoner rehabilitation as their foundational basis. This article presents a review of existing paradigms. Based upon the reviewed literature, rehabilitation is recommended as the preferred approach for the Ohio corrections system.*

**Keywords:** Corrections, deterrence, inmate, prison, prisoner, recidivism, rehabilitation

### **1. Introduction**

The American criminal justice system exists federally and among each of the states and territories. Jails and prisons house inmates, many of whom will eventually return to society whereas others will never experience freedom after being incarcerated. Within the U.S., sentencing may adhere to specific guidelines, and may be influenced by the discretion of the presiding judge (Doss, Sumrall, McElreath, & Jones, 2014; USSC, 2015). During their respective periods of imprisonment, inmates are subject to the influences and effects of corrections philosophies and policies.

Federally, sentencing guidelines are within the auspices of the U.S. Sentencing Commission (USSC). The USSC is an independent entity within the governmental judicial system. Its primary functions involve establishing policies for sentencing within the federal court system; contributing to the crafting of federal crime policies; collecting, analyzing, processing; and disseminating information regarding federal criminality and sentencing matters; and acting as an informational resources for Congress, the federal court system, the governmental executive branch, and other stakeholders (USSC, 2015).

Similarly, among the states, the discretion of judges also affects sentencing, but remains within the legal constraints of expressed laws (Doss, Sumrall, & Jones, 2012). Among the states, laws differ that affect incarceration despite some commonness throughout the justice and corrections systems federally and among the states. Within the Ohio Code, Chapter 2929 (Penalties and Sentencing) affects the incarcerating and monitoring of offenders (State of Ohio, 2015). This section of the Ohio Code provides detailed overviews of sentence requirements that affect imprisonment periods, some of which range from years to lifetimes.

After sentencing, offenders enter correctional facilities that are governed by laws and influenced by policies. Nearly a decade into the twenty-first century, Ohio faces the daunting challenge of an expanding correctional population. On any given day, the state incarcerates nearly 50,000 inmates (Litteral, 2015). Typically, the state incarcerates 445 adult inmates for every 100,000 individuals within its population (National Institute for Corrections, 2015). Given the masses of inmates within Ohio, policy is prime consideration of the corrections system and its administrative factions.

Policies influence the fashions in which the corrections environment is managed and the methods whereby offenders are managed and overseen during periods of incarceration (Doss, Guo, & Lee, 2012). Policies may be derived from a corrections philosophy that permeates the correctional environment for the purposes of guiding and influencing “organizational conduct and behavior” (Doss, Guo, & Lee p. 201). Essentially, policy affects processes and delineates acceptable behaviors among corrections settings. Among correctional environments, policy affects the wherewithal that exists for administering justice properly and accordingly with respect to the tenets of established law within Ohio and throughout the nation. A variety of policies exist, ranging from inmate security to conjugal visits (Doss, et al., 2016; McElreath, et al., 2016; Williamson, McElreath, Doss, & McElreath, 2014).

A central concern is what correctional philosophy should guide Ohio’s correctional efforts and policies toward ensuring public safety. Some arguments exist that Ohio’s correctional policy should be evidence-based (Cullen & Gendreau, 2000; MacKenzie, 2001). Often, throughout its history, approaches for Ohio’s correctional policies were based on customs and ideology. These approaches were ineffective because they ignored empirical evidence regarding catalysts of offender change. According to Latessa, Cullen and Gendreau (2002, p. 43), these practices are examples of “correctional quackery.” Given these notions, the reviewed literature revealed no solitary consensus regarding a universal philosophy or policy regarding the corrections systems. This paper provides insight regarding various corrections philosophies and policies, and concludes by recommending rehabilitation as a paradigm for the Ohio corrections system.

## **2. Design and Methodology**

Remenyi (2012) indicates that qualitative research designs may be used within a topical context, and may involve less depth than historiography. The methodology for this research incorporated a qualitative approach necessary for generating a literature review of corrections philosophies and policies that influence prison systems. Pertinent research concerning corrections philosophy and policy was located by searching EBSCO and Proquest databases as well as the Google search engine. These sources were queried for literature items that encompassed a period of 40 years. As a method of including relevant materials, the search terms were broad. Examples of search terms employed within this research consisted of “Ohio prisons,” “Ohio corrections,” “recidivism,” “incarceration,” “prison policy,” “corrections policy,” “corrections philosophy,” “prison demographics,” “corrections demographics,” “prisoner rehabilitation,” “inmate rehabilitation,” “probation,” “parole,” and “crime deterrence.” Articles were constrained to the areas of correctional philosophy and policy, considerations of deterrence of criminality and rehabilitation of inmates, and strategies and policies for deterring and controlling criminality among prison settings. Researchers in the areas of higher education and criminal justice from the University of West Alabama and Belhaven University were polled for specific, additional topic areas and article recommendations.

## **3. Deterrence**

Deterrence philosophy represents the idea that people consistently try to avoid pain and search for pleasure. It is based on the fact that making a choice painful enough would persuade individuals to not exhibit criminality (Cullen & Jonson, 2012). Two types of deterrence exist: specific and general deterrence. Specific deterrence has been defined as when the offender, having been released into society, concludes the cost of the punishment would at least equal the benefit of the crime (McElreath, et. al., 2013). General deterrence is when an offender has considered the potential benefit of committing a criminal act, but would be deterred because of observing the outcome from the experience of another criminal’s act (Cullen & Jonson, 2012). In the past 20 years, the U.S. has emphasized a get tough approach to criminality. Evidence shows that this method is unsuccessful for reducing crime. It only pleases the community to see retribution (Lynch, 1999).

The U.S. has binged itself regarding imprisonment (Cullen, Eck, & Lowenkamp, 2002). Given the current recidivism rates and prison over-crowding, this observation alludes to the notion that criminals will not be deterred from criminality no matter the severity of the punishment. Deterrence has required long prison sentences which have cost billions of dollars annually. Many states have tried to control correctional spending by quietly limiting mandatory minimal sentences. Thus, deterrence has been ineffective for diminishing criminal activity (Cullen, Eck, & Lowenkamp, 2002).

#### **4. Control-Oriented Supervision Programs**

Control-oriented supervised programs are programs that attempt to shape the behaviors of the offenders. These programs come in many forms such as intensive probation, parole, electronic monitoring, boot camps, day-reporting centers, and drug screening (Padgett, Bales, & Blomberg, 2006). Supervised probation and parole programs have been community based in the area that the offender would reside. These programs have focused on providing close supervision to the offender to assist him or her in adapting back into society as a productive citizen. Supervised programs have provided a way to decrease prison populations and over crowdedness by allowing offenders to serve the remainder of their punishment under supervision (Petersilia & Turner, 1993). As probation and parole became more popular among states as an alternative approach to incarceration, the number of offenders in these programs greatly increased. In many areas, it caused a crisis regarding effectively transitioning great numbers of criminals back into society because of decreased monetary resources and rising caseloads. As a result, there exist few officers who attempt to monitor a great many offenders within a justice system that is overloaded with cases (McElreath, et al., and 2015a).

The very nature of control-oriented supervision programs is that they expose offenders to a greater surveillance. Another control-oriented supervised program is electronic monitoring. Electronic monitoring is when a device is placed on the offender to consistently be able to monitor and locate the offender at any time (Doss, Glover, Goza, & Wigginton, 2015). Florida completed a study using 75,661 offenders from the years of 1998 to 2002 (Padgett, Bales, & Blomberg, 2006). This study indicated that electronic monitoring was effective for most offenders on home confinement for early release and for non-violent offenders (Padgett, Bales, & Blomberg, 2006). Little known evidence exists from which to gain a perspective on how effective electronic monitoring is as a replacement for incarceration or how this would affect public safety (Padgett, Bales, & Blomberg, 2006). Because of the continuously increasing financial restrictions facing state and local governments, we as a nation see the greater need for intermediate punishment. Smaller communities have a problem with these factors because of the expense of such programs in their communities. Because of these expenses many times being brought back to the communities, control-oriented supervision programs have been limited (Cullen, Wright & Applegate, 1996).

#### **5. Incapacitation**

Incapacitation is a philosophy that has been used as plan for reducing crime by removing the offender from society and incarcerating them to prevent them from committing another crime (Visher, 1987). There are two incapacitation theories: collective and selective incapacitation. Collective and selective are very different in the policies they produce and the effects they have on offenders. Collective incapacitation emphasizes mandatory sentencing guidelines within the legal system and requires blanket rulings determined by the seriousness of the offense. Following these guidelines, sentences focus upon past criminality and the seriousness of the conviction. This strategy does not account for the emotional personality of the individual offender. It would not take into account the offender's background or criminal record.

Selective incapacitation is an effective type of imprisonment as a crime control strategy by customizing sentencing for offenders. This strategy focuses on the individual offender. Selective strategy is for offenders who are considered to be a great risk to society and can be candidates for incarceration for an extended period of time. Low risk offenders are candidates that are considered for a short incarcerated term or another option of punishment. The plan for reducing crime by using selective incarceration is to identify offenders and to predict what they possibly may do in the future to society. This form of incapacitation has been used in an attempt to prevent the overcrowding of prison populations (Visher, 1987).

Incapacitation has not been proven to be a method to deter offenders from being career criminals. There has been evidence presented by Edwin Zedlewski about an offender from Michigan who was serving a lengthy prison term for murder (Dilulio, & Piehl, 1991). Because of an effort to prevent overcrowding of prisons, this criminal was awarded early parole for good behavior (Dilulio, & Piehl, 1991). Within three months, this offender committed another murder (Dilulio, & Piehl, 1991). There is documentation suggesting that the longer an offender is in prison the more likely they are to commit another crime (Cullen, Eck, & Lowenkamp, 2002). In the United States today, the prison population is around 800,000 offenders. This population is expected to rise to more than a million offenders by the end of the decade.

Such an increased quantity of inmates has financial ramifications for society, especially when the individual offender costs societal tax payers approximately \$25,000 annually (Dilulio, & Piehl, 1991). A large number of state legislatures have allocated money towards support of their incapacitation philosophy, instead of funding early childhood education, day care programs for families that cannot afford day care, improved school programs, and college education to assist the youth in our society. One must wonder whether it is better to invest in the young in an attempt to prevent criminals or to invest many dollars after they become criminals (Spelman, 2000). One assumption of incapacitation is that it does not impact criminal behavior of released offenders. However, when offenders serve their time in incarceration, they see and learn criminal behaviors from other offenders in their environment (Visher, 1987). It is evident that prison can bring forth future crime and can serve as a means of education of criminal learning. Incapacitation serves a significant function as the focal point that can set behavioral limits. This theory is not the best means for crime reduction. An example of this fact is that drug clinics can be more effective for rehabilitation for drug users than prison confinement. Workforce development has higher rate of reducing recidivism than incarceration. Early childhood prevention programs have a higher success rate than any other factor for reducing crime (Petersilia, 1992).

## **6. Restorative Justice**

Restorative justice is defined as a philosophy that can be summarized in three central beliefs. The first belief, is the fact that crime causes harm to victims, to the community and to the offender. The second belief is the goal that sentencing and correction should be to reverse the harm that has been caused by the criminal act. The third belief, of restorative justice is the goal to place offenders back into their community. This extraordinary challenge is to dishonor the act without forever marking with humiliation the person. The offender is a member of the community. Unless he or she is placed back into his or her community, further crime is likely to occur (Cullen & Jonson, 2011).

Restorative justice focuses on very different ideologies as compared to traditional approaches such as deterrence, rehabilitation, incapacitation, and control-oriented supervised programs. There are limits to the documented effectiveness of restorative justice. One prevailing limit is the difficulty of evaluating how well the restorative justice philosophy actually restores. Restoration justice places a great importance on involving the victim to determine what restoration is needed to carry out the correction and sentencing. When comparing the effectiveness of the pure restorative justice strategy with that of the pure punishment strategy, the fact becomes clear that restorative justice strategy is not the best path for the future (Braithwaite, 1998).

## **7. Rehabilitation**

Rehabilitation can be described as the correctional treatment to change the mindset and behavior of offenders, so they can have a positive effect on society (Cullen & Jonson, 2011). In the early to mid-twentieth century, psychologists were against the rehabilitation theory. These psychologists believed that facilities for incarceration did not have any use for rehabilitation. In the 1960s, rehabilitation theory was tested and attacked by various conservatives in the government. These conservatives wanted a tougher approach to punishment, and viewed the rehabilitation approach as weak and soft on crime.

During this time, the crime rate was rising in many communities. There was much turmoil in the United States because of the shooting at Kent State, the Vietnam War, and segregation (Cullen & Gilbert, 1982). Robert Martinson mentioned in his article, *What Works*, the issue in the data of rehabilitation is that it is not any empirical evidence to show how effective treatment programs would be. Martinson went further into detail to explain how the evidence was difficult to gather. He was concerned that the treatment programs that were efficient for one offender may not be as efficient or have the equal effect with another offender. With this being a barrier in the research, he was uncertain regarding the reliability of his collected evidence (Martinson, 2001).

During modern times, rehabilitation has shown efficacy toward altering negative behaviors that contribute toward criminality. In Delaware, it was shown that therapeutic treatment programs generated lowered levels of institutional disharmony (Johnson, 2008). Among inmates, family life education provides a basis for altering perceptions and opinions of others, and contributes toward improving attitudes regarding family (Bayse, All good, & Van Wyk, 1991). Recidivism rates are reduced substantially by prison higher education programs (Santos, 2004). Regarding drug-related issues, Newbern, Dansereau, and Pitre (1999) indicate that psychosocial skills may be enhanced via rehabilitation toward maintaining some form of recovery.

Essentially, various forms of rehabilitation show some efficacy toward changing inmates to become productive citizens upon their release into society after prison sentences are served.

### **8. Rehabilitative Programs**

Rehabilitation can reduce recidivism (Gendreau, 1996). In many cases, both academic and vocational opportunities exist that facilitate rehabilitation among prison settings (McElreath, et. al., 2015a). In a variety of cases, education and work programs have shown effectiveness regarding the rehabilitating of offenders. Within Ohio, approximately 61% of the state's institutions offered associate degrees, about 41% offered bachelor degrees, and approximately 25% percent had graduate programs (Cullen & Jonson, 2011). Meta-analysis was used to gather a large amount of empirical data to provide the evidence that rehabilitation can be effective in the correctional system. The gathered research is reliable enough that it has shown efficiently to lawmakers that the idea of using the rehabilitation theory to positively change offenders is effective (Lipsey, 1999).

One effective way for rehabilitation to work is for the offender is to discover what problems or deficits were catalysts toward the committing of the criminal act. Some examples of the building blocks for criminal behavior are anti-social values, anti-social peers, poor self-control, a dysfunctional family, and past criminality. Many researchers have used some of this data for bolstering evidence toward showing the efficacy of rehabilitation. The failure to follow these principles contributes toward arise of recidivism (Latessa, Cullen & Gendreau, 2002).

Rehabilitation programs emphasize behavioral methods and cognitive-behavioral treatments.

These treatments target the aspects about the criminal that may have caused the individual's criminal activity. Some of these aspects of the offender involve mental health or personality, attitudes, cognitive processes, social relationships with others, work skills, and education. The intervention is designed to make the offender less likely to break the law (Cullen & Gendreau, 2000). These interventions help the offender develop coping skills to make good decisions. These skills would give offenders another path to follow, rather than the criminal lifestyle they once affiliated themselves with in the past. Cognitive behavioral programs have been a type of treatment in the past that have shown reliability when treating offenders from the criminal lifestyle. This can paint a picture for offenders that solution alternatives exist for certain societal situations that facilitate futures as successful citizens (Mackenzie, 2000).

### **9. Rehabilitative Correctional Intervention**

The theory of rehabilitation has been proven to be an effective correctional intervention. Different treatment programs cause the recidivism rate to decrease in society. Narrative reviews and meta-analysis of literature have provided information on how effective the intervention is. The quantitative procedures that have been done have strengthened the evidence to make the conclusion reliable. The principles of effective intervention mention that its services should involve intensive and behavioral aspects to insure the best quality of treatment to the offenders. The offenders would be expected to be intensely involved in the rehabilitation program for four to nine months for them to have the best chance for improvement and the best quality of treatment. Research shows that behavioral programs are more effective when the need of the offender is paired with the program that is best fitting for the offender (Gendreau, 1996).

Governmental policy makers have reported that the data on effective intervention is in support of rehabilitation programs and would reduce the crime rate and protect society. They would extend their argument by stating that the correctional system should emphasize how to help treat offenders toward a goal of successful societal integration. The effect of how rehabilitation reduces crime is a main concern in the correctional system. The idea is if we cannot deliver an individual from being a criminal to being an obedient citizen of society, then the goal of this being a practical theory is demolished (Cullen & Gendreau, 2000). Rehabilitation intervention theory also focused on the fact that juvenile offenders needed to be put in separate systems away from adults. The reason for this notion is that they are immature and will make more mistakes than adults will make. Effective interventions mention that juveniles need more treatment than the average adult offenders, and rehabilitation is more effective for their recovery. Juveniles that have been rehabilitated had a lower rate of becoming a reoffended later in life (Lipsey, 1999).

## **10. Public Support for Rehabilitation**

Citizens all across America have a firm grip on how they view offenders who harm the society in which they live. Our society can be easily persuaded to believe certain ways of thinking because of the persuasion of the liberal or conservative media. Rehabilitation had the public support until the early 1970s when Robert Martinson came out with the *Nothing Works* doctrine (Cullen, Pealer, Fisher, Applegate & Santana, 2002). This doctrine caused dilemma and greatly affected the rehabilitation philosophy by using false data. This false data persuaded the public that rehabilitation did not work and would be ineffective in reducing the crime rate. After the criticism that Martinson received from his doctrine, he did some revisions to his article and found how the rehabilitation could be helpful to the correctional system. This revision changed the public's opinion on how they viewed the rehabilitation philosophy (Cullen & Jonson, 2012).

Public supportiveness of rehabilitation is a concern in the correctional system. If the public is unsupportive of rehabilitation, then it may lack the support of governmental policy makers. Research shows that the public favors rehabilitation as a treatment method for offenders and for reducing recidivism. According to a national survey performed in 1996, there was definite support for rehabilitation over other optional choices for reducing crime. Other surveys that were done suggest that the public was strongly in favor of the use of rehabilitation for juvenile offenders. Rehabilitation would be an effective tool to prevent youth from growing into a criminal behavioral when they get older. This notion has been viewed as a great benefit regarding the use of tax payers' money. The use of rehabilitation as a way of early intervention for troubled youth and young offenders may lower the costs of institutions when incarcerating offenders (Cullen, Pealer, Fisher, Applegate, & Santana, 2002).

## **11. Conclusions and Recommendations**

The Ohio corrections system is diverse with respect to its inmate population demographics. Common examples include gangs, prison violence, aging and elderly prisoners, mentally ill inmates, other illnesses related to age or a chronic medical condition, recidivism, overcrowding, conjugal visits, and so forth (McElreath, et al., 2016; McElreath, Keena, & Etter, 2012). Certainly, contraband is a continuous aspect of prison settings (McElreath, Keena, & Etter, 2012). For instance, the Aryan Brotherhood is one of the largest prison gangs nationally, and has the potential of impacting Ohio's corrections environments (McElreath, et al. 2014). Numerous medical conditions and chronic illnesses permeate the corrections system (Simon, 2014). Just after the turn of the century, the Ohio corrections system possessed approximately 50,000 prisoners whom were at least 50 years old (Aday, 2003). Thus, a variety of medical and social issues will eventually be manifested within the Ohio corrections system as these prisoners experience the effects of aging naturally.

Given these observations, Ohio's corrections philosophies and policies must address a variety of penal issues. Approaches that may accommodate the needs of an elderly prison population may be incommensurate and inapplicable for inmates who are much younger, perhaps in their twenties or thirties. Approaches that may be adequate for male inmates may be inadequate for female inmates. Similar arguments may be made for just about any segmenting of the prison population.

Servicing the needs of the prison population necessitates funding. Funding is a pertinent consideration for implementing any corrections philosophy or policy. Accountability is necessary for making decisions about the funding of corrections as it relates to public safety and the reducing of correctional populations (McElreath, et al., 2015b). Any funding decisions may incorporate some aspect of capital budgeting or cost-benefit analysis to ensure that accountability to society ensues regarding the soundness of financial decisions that affect the care of inmates and the maintenance of prison facilities (Doss, Sumrall, & Jones, 2012; Doss, Sumrall, McElreath, & Jones, 2013). Corrections administrators, government authorities, and prison officials must weigh seriously the funding of corrections approaches that provide the highest and best use of public monies toward benefitting society, the corrections environment, and inmates.

Such notions may be considered with respect to the reviewed literature. The literature discussing correctional intervention provides a basis for substantiating rehabilitation as a viable option for the Ohio correctional system. Rehabilitation examines the individual offender and attacks the root of the problem that initiated the offense, and contributes toward preventing recidivism. Behavioral changing programs and early interventions are the best defenses for reducing and preventing future crimes and over-population of correctional facilities.

Regardless, rehabilitation provides a foundation for changing behaviors among inmates toward contributing positively and meaningfully to society upon release. Given such a conclusion, it is recommended that rehabilitation be considered as a viable corrections philosophy among Ohio's prisons. Among juveniles, rehabilitation is a catalyst for altering behaviors that may result in additional criminality when offenders become adults. Among adults, rehabilitation is a paradigm for providing basic life skills that many inmates lack, such as literacy or vocational skills. In both cases, rehabilitation provides a basis for generating changed individuals that may contribute meaningfully and positively to society. Thus, rehabilitation is the recommended approach within the Ohio corrections system.

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