

# The Evolution of Corrections and Community Justice: An Overview

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## LEARNING OUTCOMES

After reading this chapter, students will be able to:

- Identify and explain the goals of corrections.
- Discuss the concept of the Panopticon in relation to the development of correctional system.
- Describe the models of corrections that have developed over the past two decades.
- Explain prison designs and architecture in relation to facilities operations, as well as approaches to the housing and treatment of offenders.
- Explain the structure of contemporary Canadian corrections as it exists along the continuum of corrections.

## CHAPTER OUTLINE

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## Introduction

What is meant by corrections? What is it that we are attempting to correct and how will this be achieved or measured? Does the term “corrections” reflect an element of the larger criminal justice system? Is the term meant to describe a process for managing at-risk, diverted, and offender populations? While it would seem that well-defined answers could be provided to these questions, the term corrections “includes a wide variety of activities, each with a wide variety of emphases and goals, [and] some of the components have direct relationships with other correctional or criminal justice activities, and others operate almost independently” (Seiter, 2011, p. 4). Throughout this text, the principles and practices of corrections will be explored, including various theories, concepts, and philosophies, as well as the corresponding roles and responsibilities of individuals who are employed within, supervised by, or connected to the correctional process.

This chapter provides an overview of the evolution of correctional practices in Canada, including the purpose of punishment and the processes involved in correctional change. The evolution of Canadian corrections depicts a history rich in development, one that involves changes in correctional philosophies, policies, and practice, as well as the architectural design of its institutions. Through the exploration of the functional differences between community justice alternatives and community and institutional corrections, the discussions that follow will provide some basic theoretical grounding for the book and provide a sense of the diverse correctional practices that exist within the Canadian context.

## Philosophies of Corrections and Imprisonment

It is the certainty of being punished and not the horrifying spectacle of public punishment that must discourage crime.

—Michel Foucault

It is said that no one truly knows a nation until one has been inside its jails. A nation should not be judged by how it treats its highest citizens, but its lowest ones.

—Nelson Mandela

### corrections

the structures, legislation, and policies, practices, and programs delivered to sanction, punish, treat, rehabilitate, supervise, and reintegrate individuals who are at risk, are in need of diversion, or have been convicted of a criminal offence

As a system, **corrections** involves all of the structures, legislation and policies, practices, and programs delivered by government and non-government agencies at the federal, provincial, and territorial levels to sanction, punish, treat, rehabilitate, supervise, and reintegrate individuals who are at risk, are in need of diversion, or have been convicted of a criminal offence. These practices can occur in the community and/or within correctional institutions. As a subsystem of the greater criminal justice system, the correctional enterprise acts together with police and the courts in an attempt to make society a better and safer place. Throughout the evolution of correctional practices, many changes have been made not only to the ways society views crime and criminal behaviour but also to the ways society decides to manage these diverse groups, which brings to light the first area of discussion: Should the primary goal of corrections be one of punishment or intervention?

To understand this debate, it is important to look at some of the earliest forms of punishment. Early punishment of criminal behaviour in Canada (1600s to 1800s) was often something that involved the individual being punished in the public realm for his or her crimes (Seiter, 2011). The punishments handed down were often cruel and torturous in nature, including practices of flogging, branding or mutilation, public humiliation, and even public execution, focusing upon causing pain to the body. According to Michel Foucault, author of *Discipline and Punish: The Birth of the Prison*, the body allowed for an avenue of punishment and served as the means of the penalty being handed down. Not only did these practices physically punish the individual, they left a constant reminder and living example of the consequences of criminal behaviour.

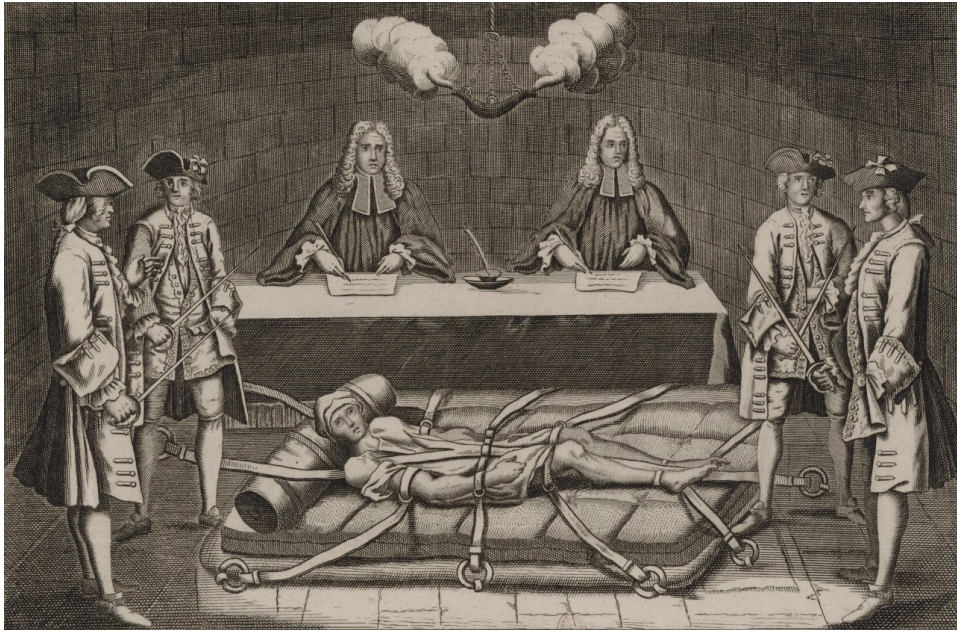
As the means of punishment shifted away from torture to the use of prisons, the body served as an instrument to manipulate in order to achieve “pain” (see Figure 1.1). This movement reshaped corrective practices in that punishment shifted because the body no longer served as the means of the penalty, but rather the mechanism to deprive individual freedom (Foucault, 1995). Through the emergence of such punishment, it was possible to control the individual on a number of different levels. Punishment no longer involved the simple component of pain; by using jail or confinement, the system had the ability to control not only individuals, but what they do, who they are, and who they may become (Foucault, 1995). Through the use of imprisonment, the individual was controlled or confined, and the body was being “physically punished.”

### Panopticon

institutional design consisting of a central tower allowing the opportunity to constantly observe all aspects of the prison

In the late 18th century, the English philosopher and social theorist Jeremy Bentham focused upon the physical construction of correctional institutions. The architectural design suggested by Bentham was referred to as the **Panopticon** and based upon the multi-tiered strategy of “two-person cells arranged side by side in a circular plan that

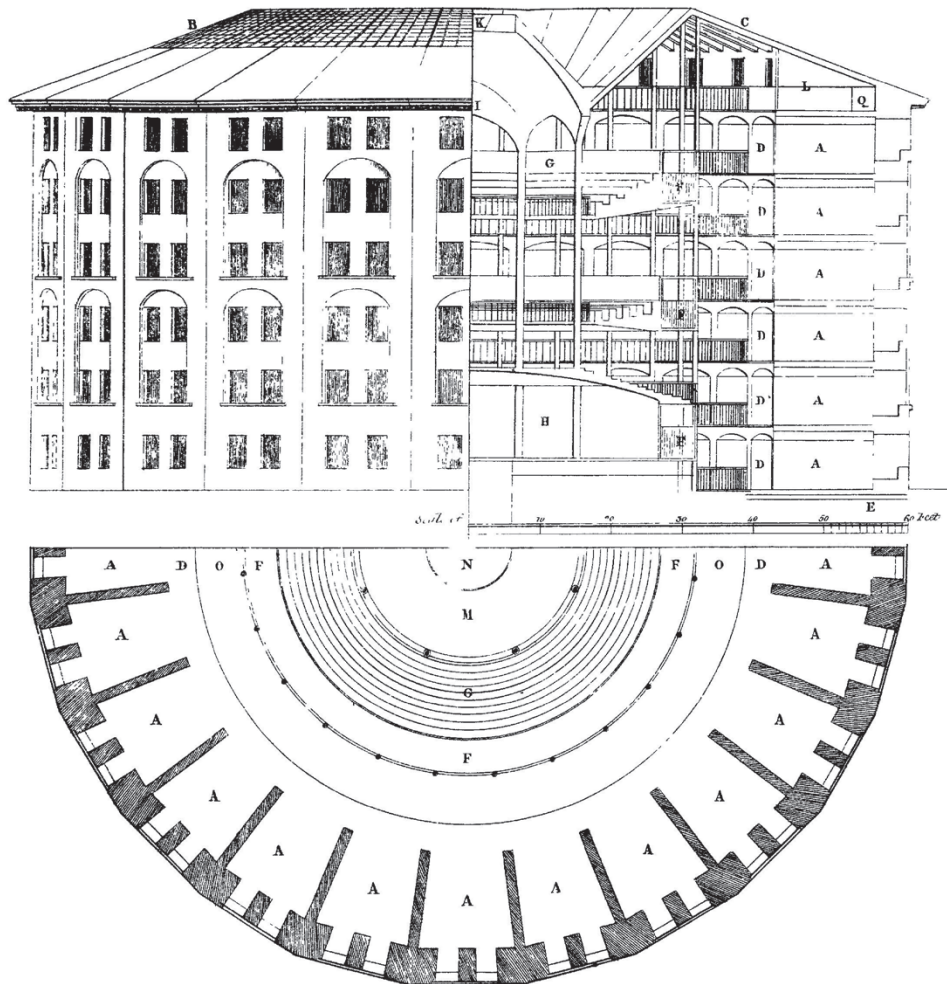
FIGURE 1.1



The sentencing of Robert-François Damiens, who was drawn and quartered in a gruesome public execution for the attempted assassination of King Louis XV of France in 1757.

generates a building in the form of a drum, known as a roundhouse” (Carlson & Simon Garrett, 2008, p. 41). In the centre of this design stood an enclosed officer supervision tower, making it possible to constantly see and recognize immediately any issues or concerns. The tall, constant outline of the central tower acted as a reminder to the offender that he or she was being observed at all times, thus creating the opportunity to achieve *visible power* (Foucault, 1995). While the tower was always present, the enclosed design made it difficult for offenders to know whether they were being watched at any given moment (See Figure 1.2).

This *unverifiable power* was an important element of the Panopticon because, while offenders could never know if they were in fact being observed, they were conscious of the fact that observation was always possible (Foucault, 1995). The structural design and ideas created the opportunity to operate a facility like a machine that focused upon “surveillance and observation, security and knowledge, individualization and totalization, isolation and transparency” (Foucault, 1995, p. 249). Through architecture and geometry, the Panopticon provided the opportunity to constantly observe all aspects of the prison. A single gaze from the central tower made it possible to reduce the number of officers required to maintain control of the facility, while increasing the number of offenders controlled by constant supervision. Punishment of the individual became the most hidden part of the penal process, and, as a result of the Panopticon, the concepts of surveillance and disciplinary power were integrated into the system of corrections (Foucault, 1995).

**FIGURE 1.2** Jeremy Bentham's Panopticon Penitentiary

### ***Three Main Categories of Corrections***

The transformation of punishment provided great opportunities to achieve the numerous principles of corrections. There are several goals or objectives of corrections; they are divided into three dominant categories:

1. punishment, which includes retribution, deterrence, and incapacitation
2. intervention, which includes rehabilitation, reintegration, and reparation or restoration
3. prevention.

Each of these goals proposes a set of guiding beliefs or principles that demonstrate how and why the punishment should be applied. Applying these goals in practice is determined by a variety of factors, including social, political, economic, religious, and cultural ones.

## Punishment

Historically, the foremost goal of corrections has been punishment, which focused upon pain and suffering. As a response to unlawful activities, **punishment** helps society to maintain order, demonstrate respect to those who obey, and protect those who have been harmed by the wrongdoer. “There are three general rationales that are used to justify the use of punishment. They include retribution, deterrence and incapacitation” (Winterdyk & Weinrath, 2013, p. 21).

**Retribution** works on the foundation that “offenders should be punished no more or less severely than their actions warrant” (Tavcer, 2013, p. 202). Put another way, while punishment is deserved, the correctional practices used should depend upon the seriousness of the behaviour that the system is attempting to correct. The primary purpose of punishment is to punish solely for punishment’s sake, and therefore retribution can be viewed as a way of attaining “an eye for an eye” or “getting back” at the offender for the crime committed. There is no intention of creating change in the individual, and any connection between the assigned punishment and possible change in future behaviour is merely coincidental.

By contrast, the concept of **deterrence** emphasizes punishing past behaviour to influence future behaviour. From this standpoint, punishing individuals for something they have done should have an effect on what they do in the future. Deterrence can be further divided into the concepts of general and specific deterrence. *General deterrence* discourages members of the general public and potential offenders from committing future offences. This idea is based upon the practical approach that crime does not pay, and that there will be consequences for those who ignore this message. A number of factors, including the identification, apprehension, and punishment of individuals who have committed crimes, dictates the effectiveness of general deterrence. For example, if members of the general public and potential offenders recognize that the criminal justice system fails to identify lawbreakers, there is little value in general deterrence. In addition, if members of the general public and potential offenders realize that the likelihood of being apprehended is low, general deterrence fails. Finally, if the punishment is not applied swiftly, or is perceived as being too lenient, the logic behind general deterrence fails. The primary purpose for general deterrence is simple: Apprehend and punish individuals through swift and strict action to discourage others from committing similar acts.

Not all members of society or potential criminals observe the concept of general deterrence. As a result, the concept of *specific deterrence* focuses on individuals who have committed crimes, with the goal of prohibiting them from committing further criminal acts. Once again, the goal is to demonstrate that crime does not pay; however, unlike general deterrence, offenders learn this lesson through the experience of harsh criminal penalties. The effectiveness of specific deterrence is based upon experiences had and lessons learned by the individual. For example, if individuals are incarcerated for a period of time, the assumption is that they will learn from their mistakes. Specific deterrence is linked to the third aspect of punishment, which is **incapacitation**. The primary purpose of incapacitation is to remove the criminal’s ability to commit further crimes by isolating the individual from the rest of society.

### **punishment**

a consequence imposed on an offender by the justice system to maintain order, demonstrate respect to those who obey, and protect those who have been harmed by the wrongdoer

### **retribution**

the practice of punishing offenders equal to the seriousness of their criminal behaviour

### **deterrence**

the practice of punishing a particular act or past behaviour to prevent it from happening further

### **incapacitation**

the practice of removing the criminal’s ability to commit further crimes by isolating the individual from the rest of society

**intervention**

correctional efforts that attempt to address the offender's criminal behaviour while taking into account the importance of the protection of society

**rehabilitation**

correctional efforts that aim to repair the attitudes and behaviours of an offender to a noncriminal state

**reintegration**

correctional efforts that focus on reshaping or changing an individual's motivation to commit a crime so that he or she blends into society and adheres to its expectations

**restoration**

correctional efforts that focus on repairing the injuries, harm, and damage to the victim and community caused by criminal behaviours

**prevention**

correctional efforts that attempt to identify cues that can trigger criminal behaviour and address these signs before criminal activities occur

**Intervention**

Despite the proposed benefits of retribution, deterrence, and incapacitation, the challenge remains that while correctional facilities house persons who are deemed a risk to society, prisons are also responsible for preparing those same persons for eventual release into the community they have been separated from. These concerns give rise to the correctional goal of **intervention**, which includes rehabilitation, reintegration, and reparation or restoration. We live in a risk-focused society, and the system of corrections is a key component in responding to offenders and their criminal behaviours.

The concept of **rehabilitation** takes the approach that something is “wrong” with offenders that needs to be fixed, and, once they are rehabilitated and released, offenders will be more likely to lead crime-free lives. Often, it is the individual's mind, body, or social context that causes criminal behaviour and needs repair. For example, correctional efforts that are rehabilitative in nature emphasize proactive intervention methods that aim to repair the attitudes and behaviours of an offender to a noncriminal state.

Whereas rehabilitation attempts to fix or repair the individual, the concept of **reintegration** focuses on reshaping or changing the person so that he or she blends into society and adheres to its expectations. Reintegration places the emphasis on attempting to change an individual's motivation to commit a crime in order to improve decision-making skills that will help to recognize and avoid situations that trigger the potential for crime, and to build competencies that will provide opportunities for change.

**Restoration** (also referred to as reparation) works on the premise that the criminal behaviour has caused injuries, harm, and damage to the victim and community, and that correctional efforts must focus on repairing these harms. In an attempt to repair these harms, intervention efforts should examine the causes of the behaviour and the consequences that followed, and then address the causes by holding the offender accountable. Given that the very nature of restoration involves elements of rehabilitation and reintegration, it allows opportunities to address offender treatment while balancing the need for risk management and public safety.

**Prevention**

These ideas demonstrate progress toward, and connections to, the third and final aspect of correctional goals and strategies—**prevention**. Prevention methods are designed to address the challenges faced by at-risk populations by identifying “cues (e.g. environmental, social and economic) that can trigger criminal behaviour or to identify the signs of criminal propensity (e.g. victim of abuse or neglect, and family or personal difficulties)” (Winterdyk, 2001, p. 17). Once these signs have been identified, prevention methods can be used to divert these individuals away from criminal activities, as well as prevent offender recidivism or the ability and likelihood to reoffend. Correctional prevention strategies can be administered in a variety of ways, ranging from the removal of individuals from the greater society and targeting social and environmental factors designed to reduce opportunities to commit crimes, to focusing on the complexities of an individual's life in relation to criminal propensities.

The primary goal of corrections is “to supervise and monitor offenders in ways that are safe, secure, and humane and to advance the protection of society from continued criminal activities by known criminal offenders” (Tewksbury, 2015, p. 11). Through an examination of section 718 of the *Criminal Code*, it is possible to see these various goals and objectives of corrections present within the purpose and principles of sentencing.

## WORKING PERSPECTIVES

### Purpose and Principles of Sentencing

Section 718 of the *Criminal Code* states:

The fundamental purpose of sentencing is to protect society and to contribute, along with crime prevention initiatives, to respect for the law and the maintenance of a just, peaceful and safe society by imposing just sanctions that have one or more of the following objectives:

- (a) to denounce unlawful conduct and the harm done to victims or to the community that is caused by unlawful conduct;
- (b) to deter the offender and other persons from committing offences;
- (c) to separate offenders from society, where necessary;
- (d) to assist in rehabilitating offenders;
- (e) to provide reparations for harm done to victims or to the community; and
- (f) to promote a sense of responsibility in offenders, and acknowledgment of the harm done to victims or to the community.

Source: *Criminal Code*, RSC 1985, c C-46, s 718.

Throughout the evolution of correctional strategies, there have been many changes to the ways society views crime and criminal behaviour and the ways it decides to punish offenders. Not only do the purposes and principles of sentencing reflect these changes, they also allow for the recognition and application of the various goals of corrections. By examining the evolution of punishment and philosophies within the correctional process, it is possible to explore the development of institutional settings, traditional community-based corrections, and community justice alternatives. While there appears to be an overall shift from a more punitive approach of retribution and incapacitation to a framework for responding to criminal offenders that involves intervention and prevention strategies, one thing remains: The guiding philosophy of a correctional system provides the basis for operating preferences, as well as responses to those people classified as criminals.

The simplest way to differentiate these operating preferences is to consider the primary goal. Within the *custodial-based* philosophy, there is tight control over the offender population in all phases of prison life to maintain a safe and secure environment. A system that focuses on security does so by controlling the offender through incapacitation, segregation, deterrence, and discipline. The use of segregation divides the offender population, deterring opportunities for disruptive behaviour among offenders.

By contrast, a system that focuses upon *rehabilitation* places emphasis on individualized treatment and treats concerns about security and offender control as secondary to the well-being of offenders. This philosophy attempts to fix the criminal and antisocial behaviours that have brought the offender into contact with the system. Even though offender control is secondary to the well-being of offenders, if a prison is unable to maintain control, any attempt to provide treatment would likely be unsuccessful. Finally, correctional systems that attempt to prepare individuals for living in the community by stressing the importance of responsibility and accountability focus on the philosophy of *reintegration*. The goal is to provide offenders with the knowledge and skills needed to successfully adjust to life outside the institution, including the use of community resources to avoid committing crimes in the future.

In the study and practice of corrections, understanding the evolution of strategies and objectives provides the opportunity to appreciate the foundation for such practices, insights into why things were done previously, and justifications for the structure of the system today. To accomplish the goals of this approach, the correctional system began experimenting with different styles of prisons, including aspects of structure, design, and operation.

## The Eras of Canadian Corrections and Prison Architecture

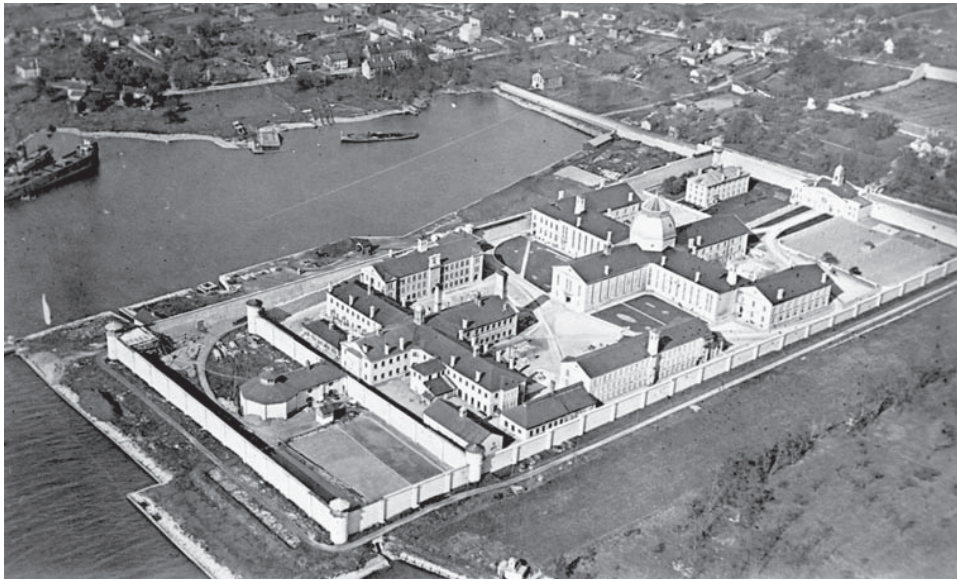
Canada weighed the merits of two prison models established in the United States during the 1820s: the Pennsylvania system and the Auburn system. The *Pennsylvania system* was founded on the practice of solitary imprisonment, which completely isolated individuals in their cells. This approach encouraged reflection and remorse in those who were housed in such facilities. This system became known as the “silent system” because offenders were prohibited from speaking to one another for fear that contact and communication among individuals would lead to undesirable influences.

The *Auburn system* permitted offenders to eat and work alongside one another during the day, but isolated these individuals at night through solitary confinement. Even though offenders were permitted to move throughout the prison in groups and perform work in the same room, offenders maintained total silence during all activities. The Auburn system was judged to be more successful than the Pennsylvania system for a variety of reasons. It was argued that the Auburnian system fashioned a duplication of society because “rather than keep the convicts under lock and key like wild beasts in a cage, they must be brought together, made to join together in useful exercises, forced together to adopt good habits, preventing moral contagion, by active surveillance, maintaining the reflection of silence” (Foucault, 1995, p. 238). In addition, the system was more efficient in terms of architectural design, allowing for smaller cells that could be lined up alongside one another and stacked like floors in a building. Movement within this system was easier to accomplish because offenders could leave their individual cells and be taken throughout the facility in groups. This also meant that offenders were provided exercise and mental stimulation outside of their cells, resulting in better mental and physical health (Carlson & Simon Garrett, 2008; Griffiths, 2012; Tewksbury, 2015; Winterdyk & Weinrath, 2013).

After much debate and deliberation regarding the strengths and weaknesses of these approaches, the Auburn system became the primary approach to corrections in Canada. Based on these discussions, and as a result of the first *Canadian Penitentiary Act*, in 1834, a need to build Canada’s first penitentiary was identified, and a penitentiary outside of Kingston was proposed. The Kingston Penitentiary opened on June 1, 1835, providing the opportunity to discourage members of the public and potential offenders from committing crimes through deterrence, as well as the ability to reform individuals through incapacitation (Griffiths, 2012; Tewksbury, 2015; Winterdyk & Weinrath, 2013). A central feature of this institution was the “system of silence,” which required that all daily activities be completed in silence. Offenders were expected to work diligently and preserve the unbroken silence.

No exchange of words or other forms of communication among offenders was permitted under this system. This silent prison system acted as a constant reminder of how



**FIGURE 1.3** Maximum-Security Cellblock in the Kingston Penitentiary

the body acted as the mechanism to deprive an individual of freedom. Although individuals were physically controlled by incapacitation, the system of silence psychologically punished the prisoner through his or her mind. The only sound heard within the institution was that of a bell, which was used to dictate movement and activity inside the facility. This structured activity became a way of life for many of the offenders who made their way through the system. Correctional personnel constantly reminded prisoners that their behaviour was subject to constant scrutiny, based in part on the ideas of the system of silence. The highly structured and inflexible routine was key to the operation and management of these facilities.

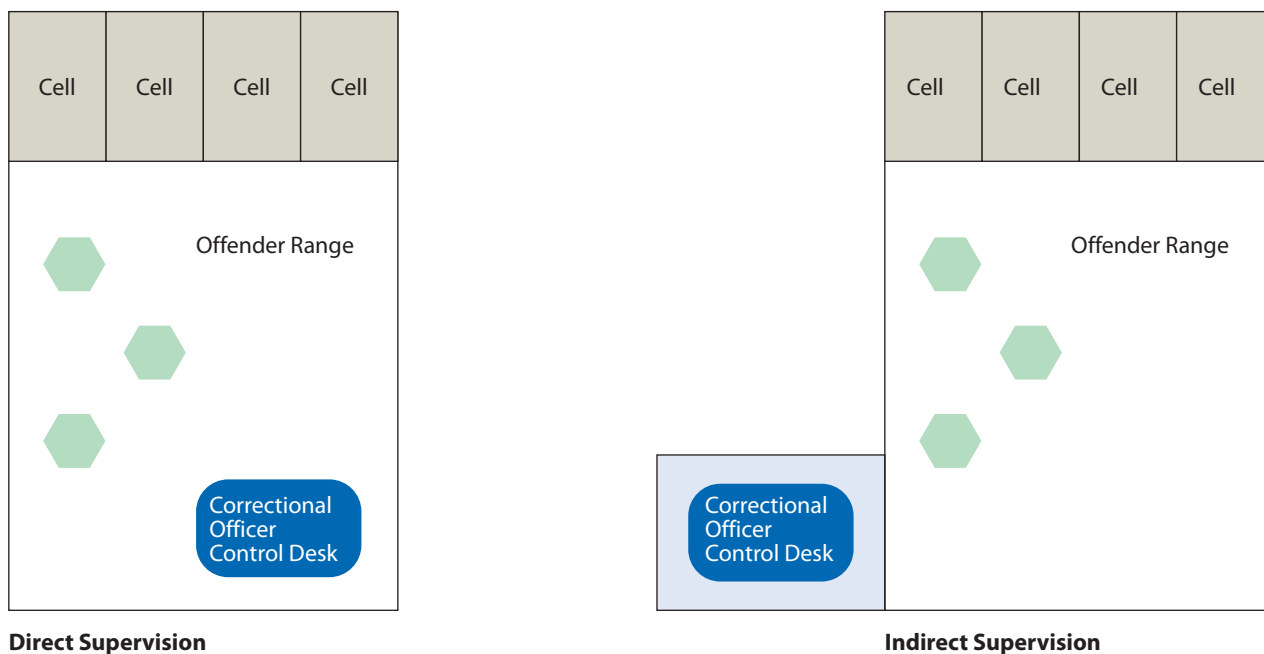
Since the Kingston Penitentiary was based on the Auburn model of correctional practice, the architectural design involved rows of side-by-side cells arranged in a linear pattern. These cells could be stacked on top of one another, creating a multi-tiered system known more commonly as cellblocks. The typical size of a cell measured 3.5 feet (1.05 metres) wide by 7 feet (2.1 metres) long and 7 feet high, which is small when compared to the standard measurements of 8 feet wide by 10 feet long and 8 feet high for cells built today (Carlson & Simon Garrett, 2008). These linear designs became the central model for institutions that were built throughout much of the 19th century, and, from an architectural standpoint, are identified as *intermittent supervision-based facilities*. In traditional facilities, there is often a separate building or cluster of buildings separated from the outside by a large barrier wall with barbed wire and guard towers. These guard towers reflect the features of the Panopticon, including visible and unverifiable power, providing increased opportunities for security and surveillance. Due to the linear construction of the cellblocks, officers were able to supervise the offenders by walking up and down halls, pausing to examine each cell during their patrols. This particular style of supervision is referred to as *intermittent supervision*. Unfortunately, the only way to

supervise offenders within this system was to continually walk back and forth along the lengths of each cellblock. As a result, there was limited supervision and minimal contact with offenders unless the officers passed by the individual cells or were responding to a specific incident. While this architectural style was used extensively in Canadian institutions throughout most of the 20th century, other architectural styles have emerged, providing a broader range of design structures to attain safe and secure environments.

It has long been argued that the harsh conditions in which offenders are confined undermine the efforts of change. During the 1960s, the focus of Canadian correctional strategies shifted from security, custody, and control to ideas of treatment, rehabilitation, and reintegration (Griffiths, 2012; Tewksbury, 2015; Winterdyk & Weinrath, 2013). It was thought that redesigning the institutions to incorporate the elements of “community” and “neighbourhood,” as well as increased offender involvement in daily decision-making and responsibility for maintaining living areas, would promote the development of prosocial attitudes and values that should carry over upon release.

This shift in design resulted in the emergence of *indirect supervision-based facilities*. The physical structure of second-generation facilities is based on podular designs. These pods are essentially self-contained units where offenders spend the duration of their time in the institution, keeping offender interaction throughout the facility to a minimum. Each pod traditionally comprises 32-bed living units, exercise yards, and programming, interviewing, and visiting rooms. Central to this design is the placement of an officer control station that is meant to have a direct line of sight into virtually all populated areas of the pod. This method of supervision is referred to as *indirect supervision* and provides constant surveillance from secure control booths that overlook all hallways and other

**FIGURE 1.4 Direct and Indirect Supervision Models: The Physical Structure Is Based on Podular Designs**



areas where offenders gather in groups (see Figure 1.4). Once again, it is possible to tie the ideas of the Panopticon to this enclosed officer post. In fact, this prison design has resulted in lower rates of destructive behaviour, fewer escapes, and a reduction in the number of suicides and violent offences.

Despite the apparent success of this indirect supervision model, the approach still limited the amount of contact and interaction between offenders and correctional officers. Arguments were made that the sense of “community” created inside these institutions was artificial and bore little resemblance to the communities to which the offender would at some point return. In addition, there were concerns that some prisoners did not want to be a part of a “community” inside the prison because those who were inside were not the people one would want to associate with outside the prison. As a result of these points of view, a new generation of prison architecture emerged that focused on direct supervision. While *direct supervision-based facilities* share many of the common design elements of the indirect supervision model, what makes this approach different is the placement of officers within the living unit. A key architectural component of the *direct supervision* model is the monitoring post placed right inside the living unit (see Figure 1.4).

This approach means that officers are physically present in the unit and have continuous, direct personal contact with the offenders, making it possible to respond to the needs of an individual or event straightaway. Direct supervision provides greater control, reduces the number of violent incidents, and is intended to increase the level of safety for both officers and offenders. Although many correctional institutions still operate under the architectural designs of an indirect supervision approach, after considerable evaluation, some of the newest facilities in Ontario, including the Toronto South Detention Centre and the South West Detention Centre in Windsor, have been designed to adhere to the operational components of the direct supervision model.

Beyond the physical structure of the prison, administrations continue to modernize the system by designing and building new state-of-the-art facilities. Based on architectural designs and technological advances, these facilities also include video remand, sally port double-locking door systems, video camera surveillance, X-ray scanning imagery, and ion and metal detectors, all of which were implemented to enhance public safety. The design of an institution is never entirely complete because of the need to adapt to the changing offender population. Updates, revisions, and expansions must be completed to react to new or updated operational goals and programming activities, as well as the evolving composition of the offender population. In addition, prison architecture is driven, in part, by societal attitudes toward crime and criminals. If societal attitudes support harsh punishment, “institutions are designed and built to emphasize harsh control features. If citizens wish to emphasize rehabilitation, the design will reflect more normal-appearing, less-controlling architectural features” (Carlson & Simon Garrett, 2008, p. 43). When considering the design and construction of correctional facilities, the operation of facilities is just as important as the ways in which the facilities are built.

## WORKING PERSPECTIVES

### Shifting Architectural Design to Promote Offender Supervision

The correctional system is devoted to promoting safety and security for the public, while imposing sanctions that deliver reparation and rehabilitation and that encourage a sense of responsibility in the offender. When necessary, this involves separating offenders from the greater community, allowing for a concentration of efforts through assessment, observation, and recognition of the key indicators that lead to criminal behaviours. With patrols and rounds, correctional officers are able to supervise the daily occurrences and routines inside the institution and ensure that the care, custody, and treatment of offenders is carried out in a way that promotes these goals. These modern systems promote an environment that produces opportunities for increased interaction between officers and offenders, but also create physical restrictions via electronic surveillance, locks, and barriers. Correctional officers are able to monitor and

interact with offenders in meaningful ways that help build a knowledge base to recognize possible security issues. At the same time, such policies and designs provide opportunities for personal and social adjustment, treatment, and rehabilitation. As you have read, the size, layout, and design of correctional facilities differ, depending on the style of supervision operational mechanisms in place; however, most institutions have moved to either an indirect or direct supervision model.

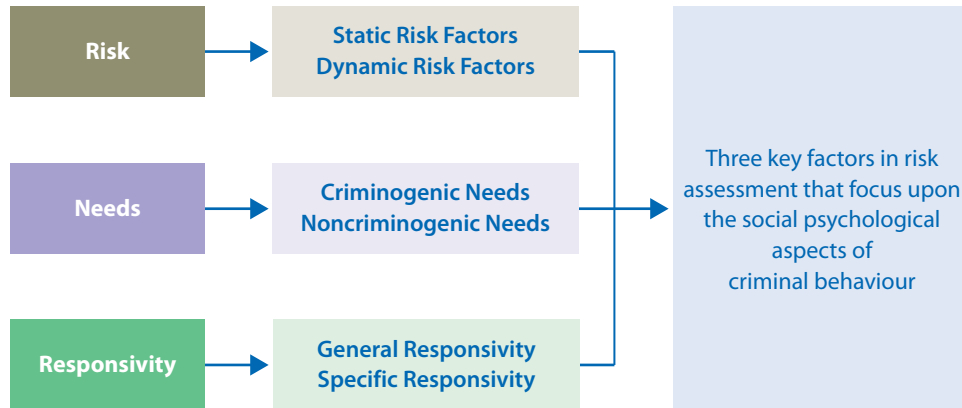
#### Discussion Questions

1. Why is it important that this shift in design policy has taken place?
2. How have correctional officers been able to accomplish the goals of corrections based on the application of either indirect or direct supervision models?

### Psychology of Criminal Conduct

When considering these aspects of the prison, administrative officials explore new ways to approach housing, as well as how to monitor and treat offenders. Criminal offenders have a variety of problems that interfere with their ability to lead prosocial lifestyles, such as being unemployed; dealing with drug use and/or addictions, mental health issues, and cognitive or intellectual differences; the availability of resources; and systems of support. Correctional facilities must determine the best ways to confront these serious issues. One of the greatest challenges that all correctional practices face is the changing composition of the offender population. In an attempt to address these concerns, correctional practices pay particular attention to understanding the offender mindset. In order to accomplish this, there is a need to understand and appreciate the sorts of pressures and influences that individuals face that may lead them to commit criminal acts (Dreisinger, 2016).

No single risk factor has been identified as having proven levels of influence on the future behaviour of an offender. To be effective, correctional interventions must instead explore the various factors that support criminal behaviour. Focusing on individual, social, and situational factors provides the opportunity to assess an individual's values, cognitions, and personality contexts that facilitate criminal behaviour. This approach works on the principle of risk assessment, which explores criminal actions in terms of different ways of individual thoughts, behaviours, and reactions. Perhaps the most important change in corrections practice taking place today is the incorporation of evidence-based practices and the key principles of risk, need, and responsivity (see Figure 1.5). Whereas traditional forms of correctional policies and practice are responsive in nature, and focus primarily on the concepts of retribution and punishment, *evidence-based practices* are

**FIGURE 1.5 Principles of Risk Assessment**

meant to provide effective and efficient responses to promote change in the individual. These practices are based on information and evidence collected from a variety of sources in an attempt to address all the goals of corrections, including appropriate punishment, intervention, and prevention.

*Risk* is not a fixed concept: It can change with the context of the individual and the passage of time, and not all risk factors are the same. Some risk factors appear to be permanent and, through no fault of the individual, are unlikely to change; other risk factors are controlled by the individual and could potentially change. As such, the concept of risk is best understood in terms of static and dynamic factors (see Table 1.1).

**Static risk factors** are inherent to the offender and include traits such as gender, family background, cognitive abilities or differences, and mental capacity. In addition, prior criminal records, past involvement with the justice system, and even successes or failures within the system are identified as static risk factors. In comparison, **dynamic risk factors** are characteristics of the individual that change over time, either through activities such as regular growth, maturation, and development, or through the use of correctional programming. These factors include individual motivation (either prosocial or pro-criminal), levels of education, and level and type of cognitive-thinking, occupational, and interpersonal skills. Different risk factors have different proven levels of influence on the future behaviour of an offender.

In addition to risk, it is important to explore the *needs* of an individual. The assessment of needs should take into account factors such as employment, mental health, social networks, living situation or accommodations, the use of drugs and alcohol, peer associations, and role models, as well as problem-solving and cognitive-skills management. Assessing individual needs goes beyond the characteristics and concerns of risk; it is something that is best understood in terms of criminogenic and noncriminogenic needs (see Table 1.2). **Criminogenic needs** are individual characteristics that directly relate to the commission of a crime, as well as an individual's likelihood to reoffend. These factors are identified through an objective standpoint, based upon socially selected and acceptable levels of conduct that ensure law-abiding behaviour is maintained, and determined primarily by the systems of corrections.

#### static risk factors

characteristics of an offender that are inherent and cannot be changed over time

#### dynamic risk factors

characteristics of an offender that can be changed over time either through activities such as regular growth, maturation, and development, or through the use of correctional programming

#### criminogenic needs

individual characteristics that directly relate to the commission of a crime

**TABLE 1.1 Risk Factors**

Risk Factors	
Static risk factors (remain constant over time)	<ul style="list-style-type: none"> <li>• Gender</li> <li>• Family background</li> <li>• Cognitive abilities or differences</li> <li>• Mental capacity</li> <li>• Prior criminal records</li> <li>• Past involvement with the justice system</li> <li>• Successes or failures within the justice system</li> </ul>
Dynamic risk factors (can change over time)	<ul style="list-style-type: none"> <li>• Motivation (either prosocial or pro-criminal)</li> <li>• Levels of education</li> <li>• Level and type of cognitive-thinking, occupational, and interpersonal skills</li> </ul>

**TABLE 1.2 Needs Factors**

Needs Factors	
Criminogenic needs (crime-producing factors)	<ul style="list-style-type: none"> <li>• Identified through an objective standpoint</li> <li>• Lack of problem-solving skills</li> <li>• Antisocial attitudes</li> <li>• Lack of social-learning abilities</li> </ul>
Noncriminogenic needs (if left unchecked may lead to criminal behaviour)	<ul style="list-style-type: none"> <li>• Identified through a subjective standpoint</li> <li>• Self-esteem</li> <li>• Cognitive abilities</li> <li>• Family relationships</li> </ul>

**noncriminogenic needs**  
characteristics that if left unchecked  
may lead to criminal behaviour

In comparison, **noncriminogenic needs** involve factors that are indirectly linked to criminal behaviour. Put another way, while these factors are not connected to criminal activity, if left unchecked, it becomes more likely that criminal behaviour will occur. These needs are identified through a subjective standpoint, often based on what the individual believes to be important. For instance, an individual who struggles with a family relationship may turn to drugs as a means of coping or dealing with stress and anxiety. This family-related issue is not a criminal matter, but, if not properly addressed, it increases the likelihood of ongoing drug use. This, in turn, could lead to drug addiction, social dislocation, trauma, and the criminalization of addiction.

**responsivity**  
utilizing correctional strategies that  
target appropriate factors for change  
by matching the learning styles and  
abilities of individual offenders

After risk and needs, the third key principle in the assessment process is that of **responsivity**. To maximize an individual's ability to learn from correctional interventions and strategies, it is important to select the appropriate factors targeted for change, as well as styles of service that will be provided. There are two parts to the responsivity principle: general and specific responsivity. *General responsivity* calls for the use of cognitive social-learning methods to influence behaviour and involves providing cognitive behavioural treatment and social-learning strategies that are tailored to the learning style, aptitude, and abilities of the individual. *Specific responsivity* matches services with the personality, strength, and motivation of the individual, as well as demographics

such as age, gender, and ethnicity. The assumption underlying responsivity is that not all offenders are the same and that different characteristics, such as communication and problem-solving skills, will affect the ways offenders respond to efforts to change their behaviour, thoughts, and attitudes.

Research completed by Public Safety Canada indicates that when targeted by programs, seven criminogenic needs areas are more likely to lead to significant reduction in offender behaviours and the likelihood of recidivism:

1. criminal attitudes
2. criminal friends
3. antisocial personality patterns (e.g., impulsivity, emotional unsympathetic attitudes)
4. work/school
5. substance use
6. family/marital relationships
7. leisure/recreational activities

These seven needs fit within the category of criminogenic needs, or areas that are directly related to criminal behaviour. Addressing these areas or needs through appropriate treatment should result in the largest reduction in reoffending behaviours. Although focusing efforts on noncriminogenic needs that show little relationship to criminal behaviours is not believed to be as effective in reducing recidivism, these needs are still important to consider and address as secondary in the process of treatment. In fact, addressing noncriminogenic needs (e.g., self-esteem, or vague emotional or personal problems) can be important for increasing an individual's motivation to actively participate in programming and remove barriers to addressing criminogenic needs.

For these reasons, criminogenic factors are typically focused on as primary areas of concern, while noncriminogenic needs are viewed as secondary in correctional strategies. Combined, these concepts relate to the fundamentals of a risk–needs–responsivity approach to offender management. This approach provides the opportunity to understand the complex, diverse, and challenging issues of risks and needs and is perhaps the most influential model in the assessment and treatment of at-risk and offender populations involved in the correctional process (Blanchette & Brown, 2006; Bonta & Andrews, 2007; Ward, Mesler, & Yates, 2007).

Previous correctional strategies took a one-size-fits-all approach where the offenders were fit within the parameters of the correctional program, rather than dealing with the risks and needs of each person. To be effective, interventions must be multifaceted and matched to the risks and needs of the individual offender. In order to accomplish this phase of the process, there is also a need for correctional staff who understand and support the objectives of these principles in practice. Within the system of corrections, many individuals are involved in the process, including members of government, not-for-profit and private-sector organizations, parole boards, correctional investigators, and the greater community. The system would not be able to function without the hard work and dedication of individuals who work in these various organizations because these persons are responsible for the safety, supervision, and reintegration of offender populations serving out sentences across the broad spectrum of the system.

Within institutional settings, the individuals who run corrections include the following:

- correctional officers
- correctional program officers
- correctional managers and administrators
- Indigenous correctional program officers
- Indigenous community development officers
- medical staff, including psychologists, psychiatrists, nurses, and pharmacists
- probation/parole officers
- social workers and social program officers
- correctional investigators

Individuals who work within community-based corrections and community justice alternative programs are also responsible for the safety and supervision of at-risk, diverted, and offender populations serving out sentences within the community. These individuals can include the following individuals from government, not-for-profit, and private-sector organizations:

- community justice workers
- court support workers
- probation officers
- social workers
- administrators and managers
- psychologists
- psychiatrists
- nurses
- pharmacists

Regardless of the system that these individuals work within, each member of the team is responsible for providing some form of intervention and support that will help at-risk, diverted, and offender populations function within society without resorting to criminal behaviour. In order to accomplish this, these members of the correctional process adhere to two additional elements of the risk–needs–responsivity model—professional discretion and program integrity. **Professional discretion** requires that corrections personnel consider the unique attributes of the individual involved in the system and apply the principles of risks, needs, and responsivity in the appropriate manner. Successfully practising professional discretion includes establishing and maintaining rapport with the individual client, appropriately considering the risks and needs of the individual, and adjusting the balance between control and assistance, as well as continually tailoring the supervision to the needs of the individual.

As a final piece to the risk–needs–responsivity model, corrections and community justice workers should make every effort to ensure that intervention programs are designed and delivered by qualified professionals. This final approach is referred to as **program integrity** and is an important element of the risk–needs–responsivity model. Implementing and delivering programming by well-trained, dedicated staff can increase the overall success of intervention strategies, which in turn increases the likelihood of offender rehabilitation and decreases recidivism rates. Combining the five core elements (risk, needs, responsivity, professional discretion, and program integrity) together provides members of the correctional system with opportunities to apply concepts of risk, needs,

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### professional discretion

the ability to consider the unique attributes of the individual involved in the criminal justice system and apply the principles of risks, needs, and responsivity in the appropriate manner

### program integrity

programs that are designed and delivered by qualified professionals whose adherence to the treatment model is monitored



and responsibility in practice. The assessment of risk also allows for at-risk, diverted, and offender populations to be classified to ensure their placement within correctional settings that most appropriately meets their programming and security needs. In reality, making use of this empirically supported model of correctional practice has given rise to shifts in the correctional landscape, which now includes institutional, traditional community-based corrections with an increase in the use of community justice alternatives.

## Mapping the Ecology of Corrections and the Corrections Continuum

Traditional correctional practices used institutional placement as the primary form of punishment; however, as the correctional landscape shifted focus from punishment to intervention and prevention, the system of corrections expanded to include community-based programs and community justice alternatives. While incapacitation simply removes offenders from the broader population so that they cannot cause further harm to the public, treatment involves the process of providing some form of intervention that will help offenders function in society without resorting to criminal behaviour. As such, the system of corrections should be thought of as a collection of policies, practices, and programs that exist along a continuum with a progression of prevention, intervention, and punitive values, ranging from least restrictive at one end to most restrictive at the other (see Figure 1.6).

At one of end of the continuum, **community justice alternatives** provide an array of prevention and intervention programs and services targeted at preventing and reducing criminal behaviour for the at-risk, diverted, and offender populations. Individuals who are identified as *at risk* are those who have the potential to come into contact with the law if their individual risks and needs are left unchecked. For example, young people who struggle with their behaviour in school, who have had conflict with their peers in the classroom, and who fall behind in their work could be identified as being at risk. Although these people have not done anything specifically criminal in nature, supporting them

### community justice alternative

provides an array of prevention and intervention programs and services targeted at preventing and reducing crime risk for the at-risk, diverted, and offender populations

### FIGURE 1.6 Continuum of Correctional Care

Correctional punishment ranges from community justice alternatives, at one end, as the least restrictive forms of punishment, to the use of institutional prisons, at the other end, which is the most restrictive forms of punishment.



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with prevention and intervention is a way of addressing these concerns before situations become more problematic and lead to criminal activities. This may involve connecting young people with a classroom support worker to assist with struggles in the classroom or providing onsite mediation between individuals and their peers to reduce conflict. Consequently, identifying these individuals as at risk should not be considered negative.

In addition, programs for community justice alternatives assist those who have been *diverted* from the formal justice process. Through supportive interventions and effective alternatives, diversion programs provide the opportunity to address the impact of crime without formal criminal proceedings. Programs for community justice alternatives that work on diversion provide individuals with the opportunity to participate in community-based programs as an alternative to formal criminal charges or sanctions. These programs hold individuals accountable for their behaviour, reduce negative effects of the penal system on them, and keep minor and low-risk offences out of the court system.

Finally, community justice programs that focus upon *offender populations* are specifically designed for those persons found guilty of committing an offence, but who do not necessarily require institutional punishment. These programs provide a high level of supervision combined with a variety of intervention and prevention strategies to reduce recidivism and assist in community stabilization. The effectiveness of community justice alternatives varies depending on the programs, the individual taking part, and the supports that he or she is provided; however, alternatives can reduce the rates of both offending and reoffending and address the unique risks and needs of the individual, his or her victims, and the larger community.

#### community corrections

oversees offenders outside of jail or prison, and are administered by agencies or courts with the legal authority to enforce sanctions

Further along the continuum, **community corrections** programs oversee offenders outside of provincial, territorial, or federal institutions and are administered by agencies with the legal authority to enforce sanctions. Supervision and assistance may be offered by a variety of community corrections and community justice workers, such as probation and parole officers and programming and community development workers. These programs provide offenders with the opportunity to remain in the community and contribute to it, while maintaining participation in activities such as education and employment and serving their sanctions. Community corrections programs may also be used as a part of the reintegration process, providing supervision and assistance to higher-risk federal offenders who require residential or non-residential support services as part of their safe and structured transition from the institution to society.

#### institutional corrections

shared responsibility between the federal and provincial/territorial governments to provide programs that house offenders within structured and controlled custodial settings

At the opposite end of the continuum, **institutional corrections** involves a shared responsibility between the federal and provincial or territorial governments to provide programs that house offenders within structured and controlled custodial settings. At the federal level, the Correctional Service of Canada operates a variety of different facilities across the country, in the Atlantic provinces, Quebec, Ontario, the Prairies, and Western Canada. These include institutional settings classified as minimum, medium, maximum, and multi-level facilities, as well as Indigenous healing lodges and community-based residential facilities. At the provincial and territorial level, a variety of different facilities are managed, including jails and detention centres, correctional complexes/centres, and treatment centres.

To increase your awareness of the federal, provincial, and territorial systems, please review the links provided in the Resources section at the end of this chapter.

## Transitions and Opportunities

The Canadian corrections system stands at a point where advances in policy, including punishment, intervention, and prevention, are possible. Its path has been marked by change from the more punitive approach of mass incarceration to an alternative framework for responding to criminal offenders. Whereas traditional approaches to punishment and corrective practices began with the **adversarial justice** approach, recent approaches have shifted toward **therapeutic justice**. The key is to determine where it is that individuals who have been identified as at risk, in need of diversion, or as offenders should fall along the continuum of corrections.

In terms of sentencing and punishment, the adversarial approach views justice from a very narrow perspective. It holds the belief that people who disobey societal rules should be sanctioned by those rules, and justice is done when the offender is accused, tried, and punished. By contrast, the therapeutic approach emphasizes the concepts of restorative and reparative practice. It holds the belief that justice affects groups and their interests and should focus “on humanizing the law and [concern] itself with the human, emotional, psychological side of the law and the legal process” (Hanser, 2007, p. 389).

Based on the continuum of corrections, it is possible to imagine an integrated approach to corrections that accounts for the goals of corrections: retribution, deterrence, restoration, rehabilitation, reintegration, and prevention. Punishment, rehabilitation, and control do not necessitate formal interventions, but may include informal supports and social control. These interventions hold substantial promise for treatment, risk management, public safety, sanctioning, victim support, and prevention. The evolution of the corrections system supports the movement toward more sustainable policies and practices at both the community and institutional levels.

### **adversarial justice**

holds the belief that people who disobey societal rules should be sanctioned by those rules, and justice is done when the offender is accused, tried, and punished

### **therapeutic justice**

holds the belief that justice affects groups and their interests and should focus on the human, emotional, and psychological side of the law

## SKILLS REVIEW

The chapters that follow in this book all conclude with a review of the most important skills that are needed to work in various areas of corrections. The goal of this, the introductory chapter, has been to provide an overview of the corrections system, including community justice alternatives, community corrections, and institutional corrections. Throughout the chapter, you have explored the purpose and practices of punishment, beginning with the evolution

of correctional philosophies, policies, and practices, as well as the architectural design of the institutions. A solid understanding of these foundations of our corrections system is extremely valuable as you continue your studies.

As the learner, you should begin thinking about these introductory concepts in relation to some of the more significant dimensions of the correctional enterprise that will be explored throughout the remainder of the text.

## KEY TERMS

adversarial justice, 25  
 community corrections, 24  
 community justice alternative, 23  
 corrections, 8  
 criminogenic needs, 19  
 deterrence, 11  
 dynamic risk factors, 19  
 incapacitation, 11

institutional corrections, 24  
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 Panopticon, 8  
 prevention, 12  
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 program integrity, 22  
 punishment, 11

rehabilitation, 12  
 reintegration, 12  
 responsivity, 20  
 restoration, 12  
 retribution, 11  
 static risk factors, 19  
 therapeutic justice, 25

## DISCUSSION QUESTIONS

1. Describe the similarities and differences among the goals of corrections, including punishment, intervention, and prevention.
2. How are the concepts of the Panopticon, including visible and unverifiable power, present in our modern-day corrections system? Compare and contrast these ideas with more recent examples from across the continuum of corrections.
3. Discuss the similarities and differences of intermittent, indirect, and direct supervision as they relate to design strategies. What types of offender behaviour, support, and treatment are these models intended to address?
4. Compare and contrast traditional adversarial and therapeutic approaches, including the key conceptual ideas and objectives of justice.
5. Correctional punishment ranges from community justice alternatives, at one end, to the use of institutional prisons, at the other. Identify and discuss the focus of the three main branches of corrections, including services delivered and populations addressed.

## ADDITIONAL RESOURCES

### Suggested Readings

- Bonta, J. (2011). *Addressing the needs of offenders* (Research summary 16(2)). Ottawa: Public Safety Canada.
- Siegel, L., & Bartollas, C. (2011). *Corrections Today*. Belmont, CA: Wadsworth Cengage Learning.

### Websites

#### Architectural Design

To gain an understanding of the architectural design and structure of Canadian institutions, explore the Correctional Service of Canada's 360-degree virtual tour inside a federal corrections facility, <http://www.csc-scc.gc.ca/csc-virtual-tour/index-eng.shtml>

Toronto South Detention Centre, a provincially operated facility, <https://www.theglobeandmail.com/news/news-video/video-inside-torontos-new-maximum-security-detention-centre/article14698079/>

#### Kingston Penitentiary

To gain an understanding of Kingston Penitentiary and the importance it holds in Canadian correctional history, review the documentary *Tales from Kingston Pen*, which originally aired on CBC in May 2015, <http://www.cbc.ca/doczone/episodes/tales-from-the-kingston-penn>

#### Provincial and Territorial Corrections

British Columbia Ministry of Justice—Corrections Branch, <http://www2.gov.bc.ca/gov/content/justice/criminal-justice/corrections>

Alberta Ministry of Justice and Solicitor General—Correctional Services, [https://solgps.alberta.ca/programs\\_and\\_services/correctional\\_services/Pages/default.aspx](https://solgps.alberta.ca/programs_and_services/correctional_services/Pages/default.aspx)

Saskatchewan—Ministry of Corrections, Public Safety and Policing, <http://www.saskatchewan.ca/government/government-structure/ministries/justice>

Manitoba Justice—Corrections Division, [https://www.gov.mb.ca/justice/manitoba\\_corrections/index.html](https://www.gov.mb.ca/justice/manitoba_corrections/index.html)

Ontario Ministry of Community Safety and Correctional Services, <http://www.mcscs.jus.gov.on.ca/english/default.html>

Quebec Ministry of Public Security—Correctional Services, <http://www.securitepublique.gouv.qc.ca/en.html>

- Newfoundland and Labrador Department of Justice and Public Safety—Corrections, <http://www.justice.gov.nl.ca/just/corrections/index.html>
- New Brunswick Department of Justice and Public Safety—Community & Correctional Services, <http://www2.gnb.ca/content/gnb/en/departments/jps.html>
- Prince Edward Island Department of Justice and Public Safety—Community and Correctional Services, <https://www.princeedwardisland.ca/en/departement/justice-and-public-safety/about>
- Nova Scotia Department of Justice Correctional Services, <http://novascotia.ca/just/corrections/>
- Yukon Department of Justice—Corrections Branch, <http://www.justice.gov.yk.ca/prog/cor/>
- Northwest Territories Justice—Corrections and Probation, <https://www.justice.gov.nt.ca/en/divisions/corrections-division/>
- Nunavut Department of Justice, <http://gov.nu.ca/justice>
- Correctional Service of Canada, <http://www.csc-scc.gc.ca/index-eng.shtml>

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