

Good research paper on what we can do to make orange county prisons more rehab...

[Law](#), [Criminal Justice](#)



The United States has a serious prison problem, and the problem is not the prisoners. The US locks up its citizens at rates higher than the rest of the world. Statistics show that time spent behind bars is not always effective in rehabilitating prisoners. One study showed that prisons were “ failing to deter repeat criminals in 41 states” (Johnson, 1). California was included in this study as a state not doing a good job in rehabilitating criminals. In Orange County, the same problem exists. Orange County needs to reassess its prison system and find a way to do a better job in rehabilitation inmates so that when they leave, they will not return behind bars. (ACLU, n. p.). This essay outlines different approaches the prison system could take to better rehabilitating inmates and lists the biggest political and social stumbling blocks preventing this measure from being implemented. Research has shown that there are better ways to rehabilitate prisoners. Unfortunately, these practices are currently not in place in Orange County or the rest of the country.

The justice system exists to protect citizens from others who would do them harm. It also exists to punish citizens who have violated laws or the rights of others. Punishment should not be at the heart of the system, rehabilitation should. The ideology behind the justice should be to help inmates work through their problems. Mari Slate writes in *The Philosophy of Punishment* that, “ punishment serves numerous social-control functions, but it is usually justified on the principles of retribution, incapacitation, deterrence, rehabilitation and/or restoration” (Slate 15). The criminal justice system should not be about revenge. It is within the best interest of society to maximize the efficiency of the rehabilitation aspects of the prison system.

The criminal justice system is failing if all it does is lock up criminals and then return them to the society with the same problems that landed them in prison in the first place. In an ideal world prison system should be would release inmates who have learned their lesson and can be well-rounded, educated, law-abiding citizens.

Kevin Johnson, a reporter from USA Today, found that four out of every inmate released from prison returns to prison within three years. These are just the stats from those who are committing crimes and getting caught following prison. Assuming that some prisoners, while not learning how to stay away from crime, learned how to be better criminals from their time in prison and so were not getting caught for their crimes. This means that it is possible that more than half of all prisoners released from the prison system will go on to commit crimes that will cause them to return behind bars.

This represents a huge cost for American taxpayers. It has adverse effects on areas where these funds could be better spent on the community. Benjamin Todd Jealous and Rod Paige writing for CNN claims “ prison spending bleeds the education system.” They believe that America over-incarcerates but under-educates. Their research claims that this is further fueling the prison population. While it is beyond the scope of this essay to dive into the reasons that people end up in prison in the first place, what prisons can do is work to remedy the problems that led inmates to prison in the first place. Prisons are not just places of punishment; they are places of opportunities and should be seen as ground zero for lowering the national crime rate.

As James Gilligan says in his article in The New York Times, “ Punishment Fails” but “ Rehabilitation works.” He sees the current situations as grim. He

writes, ' If any other institutions in America were as unsuccessful in achieving their ostensible purpose as our prisons are, we would shut them down tomorrow" (Gilligan 1). To make our prisons more effective, Gilligan believes that it is first important to see the difference between punishment and restraint. Restraint is something that must be done when someone is of danger to themselves or others. He advocates a drastic rethinking of the prison system, " It would be beneficial to every man, woman and child in America, and harmful to no one, if we were to demolish every prison in this country and replace them with locked, safe and secure home-like residential communities" (Gilligan, 1). Gilligan sees these newly imagined prisons as places where " residents" would receive all sorts of therapies to help them rehabilitate. Those suffering from drug problems would receive substance abuse treatment. Those with mental disturbances would have access to psychotherapy. They would also receive medical and dental care. Education would be the focus of these centers. Gilligan says that " Getting a college degree while in prison is the only program that has ever been shown to be 100 percent effective in rehabilitating prisoners (Gilligan, 1).

The National Crime Museum's research on prison populations agrees with Gilligan's assessment that punishment might satisfy people's need for vengeance. They also stress that the focus of any serious program needs to be on rehabilitation, not punishments. Their data has shown that the, " research has consistently shown that time spent in prison does not successfully rehabilitate most inmates" (NCM, n. p.). It is disheartening that so many prisoners return to their lives of crime almost immediately upon their release. More disheartening is the fact that life in prison might prod

some inmates to more serious crime. Rehabilitation of prisoners is an extremely difficult process. Inmates are segregated from the general public and forced to live in a society with people for whom crime is a way of life” (NCM, n. p.).

The biggest issue with rehabilitating prisoner is that the American public does not support policies that would reform how the criminal justice system looks at rehabilitation. Right now the focus of the system is punishment is punishment. Having prisons like this only does a disservice for citizens. It is these citizens who will be the victims of crimes if the criminal justice system does not work efficiently to change the way that it rehabilitates inmates. Gilligan advocates broad change.

One consistent problem found in a multiple resources references in this essay is that since the prisons have been privatized. There is a financial interest not to rehabilitate prisoners since repeat offenders means higher profit margins for privately subsidized prisons. One thing that voters of Orange County could do to escape from this paradigm would be to vote to outlaw privately contracted prison services within the county. This would eliminate greed as being a factor for not rehabilitating prisoners.

The second thing that could be done is an overall to the educational services offered to inmates. Educational advancement should be required for inmates since this has been shown to have the highest correlation of preventing repeat offenders. Prison rehabilitation could benefit if the court system revolutionized the way that it issued sentences. Instead of only being based on time, prisoners could have their sentences prolonged or shortened based on their educational advancement. This would incentivize prisoners to

advance educationally. This advancement has been shown to be the number one factor in rehabilitating prisoners to remain crime free after their release from prison.

For illustration purposes, we can apply these two principles to the current programs of rehabilitation available to prisoners of Orange County. The Orange County Sheriff's Department says that their correction programs provide inmates with "an effective, rehabilitative experience while incarcerated. Inmate programs and services related to rehabilitation opportunities are mandated by Title 15 Minimum Jail Standards and related case law" (Orange County Sheriff's Department, n. p.) These standards provide basic human rights to inmates and include educational opportunities, but they are very lacking when it comes to mental health and counseling services. Title 15 should be updated to not just provide basic human rights, but also to include mandatory psychological evaluations and treatments. While many see prisons as places of punishment, they should be seen as places of rehabilitation. Some people have a tougher go to life than others. People make mistakes. Prisons should be places where prisoners are given the tools and support that they need to become a sort of person who does not commit crimes. The best way to do this is to offer better educational services. Everyone living in Orange County has a vested interest in having inmates released who no longer have the desire to commit crimes.

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