

# [Punishment vs rehabilitation](https://assignbuster.com/punishment-vs-rehabilitation-research-paper-samples/)

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Punishment versus Rehabilitation Stephen Lafond AJS/502 July 22, 2012 Arnold Wicker, Sr. , C. P. P. Punishment versus Rehabilitation Citizens living in a free society depend on a justice system and the rule of law to create a perception of security that allows for a dynamic and productiveenvironment. Throughout history members of society that failed to comply with, or broke established laws of society have been penalized or punished. Methods of punishment became more sophisticated as the public embraced civilization.

Time and the consistent influence of the political structure have complicated a system developed to ensure citizens security within conventional communities. Initial remedies preferred to combat law-breaking concentrated on punishment and retribution, or the justice of vengeance. Today a more educated and enlightened society contemplates the idea of rehabilitation. As the criminal element and the inmate population developed, it became evident that a strategy to identify and attack causation both inside correctional facilities and in the communities was necessary.

The effects of the ideologies concerning punishment and rehabilitation, and the applied theories of these philosophies inside correctional facilities and within communities, and the subsequent effects on recidivism rates has become a solemn topic of discussion between politicians and communities. Legislators and citizens must contemplate the effects of these ideologies in regard to community safety and cost to the taxpayer.

This research will discuss positive and negative effects of the punishment and rehabilitative philosophies in regard to the inmate population and the community, and subsequent effects on community safety, recidivism, and taxpayer cost. Punishment of those deemed law-breakers is the oldest practice of justice and is contended to remain the most effective. Social condemnation, isolation from the public, retribution, and incapacitation of law violators has been a principle of the justice system from its establishment. The fundamental theory of removing a law-breaker rom society and isolating groups of law-breakers in institutions that create environments conducive to suffering or existing held accountable for crimes committed has been the foremost strategy employed by countries around the world. The primary objective of the punishment theory is to restore the sense of security and justice to the victim and the community while establishing a technique of deterrence to prevent future offenders. Diane Whiteley deliberates the consequentialist concepts that rationalize punishment based on communal advantage.

The offender gets what he or she deserves, and the public is placated. She contends, however, that retributive theories are ineffective in addressing the association of the victim to the exercise of punishment theory. The concern identified is that the benefit to society may outweigh the needs of the victim (Whiteley, 1998). Gray Cavender discusses the collapse of the rehabilitative theory in the 1970s because of increasing crime and recidivism rates, and the adoption of a model based more on sanctioning guidelines grounded in the administration of justice.

Operational features of the program consist of determinate sentencing, mandated sentencing for certain crimes, stricter parole, and probation guidelines, and commissions to manage programming. The program is focused on retribution, deterrence, and incapacitation. The ideology is driven by the concept of individual citizenaccountability. Citizens are accountable to self and community and when obligations to either are not met punishment is justified (Cavender, 1984). The premise to punishment is retribution, or the proposition of payback.

The offender commits a crime and attempts to pay back a debt to society or a victim. Modern correctional facilities employ behavior modification techniques based on the premise of punishment daily. Inmates are afforded copies of facility directives and specific unit guidelines and are instructed on the contents of both while in processing into facilities. Facility directives and unit guidelines are the laws that govern behavioral expectations within a correctional institution.

Inmates are made aware that deviation from these directives and guidelines will result in punitive measures. Punitive measures may include loss of privileges, such as social visiting, commissary, phone, and recreation. Punitive measures may also include movement to a restrictive housing status, depending on the severity of the deviation. The application of behavior modification through punishment or punitive technique provides a more secure and humane environment for correctional staff members and offenders while maintaining a secure facility for the community.

Rehabilitation theories suggest the ability to modify or change behavior through programming or therapy to the extent that offenders would be given the opportunity to rejoin society and lead productive law-abiding lives. Correctional facilities traditionally “ warehouse” inmates categorized by the offense that precipitated incarceration. Murderers, rapist, child molesters, psychopaths, substance abusers, narcotics dealers, traffickers, anddomestic violenceoffenders are all accounted for within the walls of correctional facilities. J. Tyler Carpenter, PH. D. , and Graham Spruiell, M.

D. deliberate correctional therapeutics based on detailed treatment plans identified by therapist to treat specific mental illnesses attributed to the crimes committed. The authors contend that correctional practice of providing treatment for mental illness is both civilized and sound public policy. The theory suggests that through therapeutic measures including programs and counselor sessions provided in conjunction with corresponding community development programs offenders would be afforded a better opportunity to return to the community as productive members of society.

The authors insist that this combination of mentalhealthtreatment inside the correctional facility combined with the follow-up approach within the community through parole and probation services would significantly lower recidivism rates (Carpenter, & Spruiell, 2011). Michelle Phelps discerns that the intense escalation in the prison population in the United States (over one point six million incarcerated in federal and state prisons) can be directly correlated to policy changes that increased sentencing through determinate sentencing, habitual offender laws, and the abolition of discretionary parole.

The increase in “ panic legislation” for certain crimes and the upsurge in the more punitive maximum security level facilities are also mentioned as products of more punitive policies. The theory contends that the prison system provides a last resort for a society in desperate need of social services in disadvantaged neighborhoods. Phelps suggests that the correctional model in the 1950s was created with the theory that professionally trained staff members could treat criminal behaviors along the same lines as doctors treat illness, and that once treated, inmates ould be reintegrated back into society as productive citizens. The author proposes that the theory was discarded by the early 1970s because there was no data to support rehabilitative theory as a means to lower recidivism rates, and partisan pressure poised politicians to adopt a “ tough on crime” mantra while pursuing election. Phelps advises that although the media today provides the public with a much more educated perspective of crime and causation, scholars believe contemporary increases in prison programming will continue (Phelps, 2011).

The MacDougall Walker correctional facility (MWCI) in Suffield, Connecticut, is currently the largest facility (over 2100 inmates) operating on the east coast of the United States. The inmate population at the facility is processed through an assessment program upon entry that identifies specific individual rehabilitative needs and initiates a treatment program specifically designed for the individual inmate. Once the assessment process has been completed inmates are transferred to facilities throughout the state that offer specific program requirements.

MWCI is designated a level four/five maximum security facility designed to house inmates convicted of felonies that carry maximum sentences. Programs at the facility consist of Parenting programs, Anger Management, Alcoholics Anonymous, and Narcotics Anonymous. Mental health care professionals initiate specialized programs on a regular basis to assist the inmate population with any developing issues. MWCI provides vocational training and High school equivalency or GED programs as well as some college level educational courses.

Inmates at the facility are required to attend and participate in all scheduled programming as directed by facility and unit regulations and individual treatment plans. The correctional model in the State of Connecticut follows the rehabilitative model in both theory and practical application. The United States currently maintains the highest statistical percentage of incarceration in the civilized world, and manages over 2. 4 million inmates incarcerated in federal, state, and community correctional facilities.

The national average cost of incarceration per inmate is estimated between $23, 000 and $50, 000. Researchers believe that while incarcerated felons cannot commit crimes in society, the legislation promoting tougher imprisonment and sentencing has had little effect on crime statistics. The U. S. Bureau of Justice research concluded that two-thirds of the inmate population would commit crimes and be incarcerated again after being released.

Research conducted by Joan Petersilia and Quarterly Wilson suggest that rehabilitative programs that focus on individual offenders issues such as, education, drug treatment, and vocational training, functioning in conjunction with professional community programs would enable inmates to be reintegrated into society and lower recidivism rates. The study proposes that focus-based treatment would demonstrate quantifiable cost saving measures through successful reintegration.

The authors advise that the cost of incarceration in the future can be significantly reduced through the introduction of individual rehabilitative programs in the present (Petersilia, & Wilson, 2011). The State of Connecticut is currently responsible for an inmate population of over 22, 000. The Department of corrections missions’ statement incorporates theresponsibilityof the department to maintain a safe and humane environment for the inmate population and staff while ensuring security to the community.

The department initiates an offender assessment process upon initial entry into the system that provides professional medical and mental health staff to develop individual treatment programs. Parole and Adult Probation officers work in conjunction with the department and numerous community Halfway Houses to assist in offender reintegration into society. Victim participation and accountability is encouraged throughout incarceration in appropriate situations. Over the past two decades the Connecticut Department of Corrections has incorporated focused rehabilitative programming in an attempt to reduce recidivism rates within the state.

Punishment and rehabilitation models in corrections have provided divisive opinions from the public and lawmakers based on opposing views concerning retribution and pay back versus behavior modification and treatment. Offenders should be held accountable, and made to suffer versus the system’s ability to identify and treat the issues that were the causation of the offender’s choice to become a law-breaker. Society desires a legislature that confronts and deters criminal activity, and at the same time believes in the ability to change or rehabilitate.

Legislators create laws responsible for generating the largest incarcerated population in the civilized world, and discover economic concerns based on the cost of operating institutions. The political structure in the United States has been at opposing ideological sides for decades exposing the citizens of the country to questionableleadershipand ambiguous future economic confidence. Conventional wisdom would advocate that the solution to the political controversy would involve the Democrats and the Republicans find some common ground and meet in the middle.

The ability of opposing ideologies to focus on functioning together will prove pivotal in recovering public trust. Correspondingly, the contrasting ideologies concerning punishment and rehabilitation should focus on functioning in aggregation. Punitive measures will be consistently incorporated in behavioral modification programs implemented in correctional settings, and reintegration through supervised community release after treatment programming statistically has demonstrated reduced recidivism rates.

Execution of these ideologies independently has revealed modest accomplishment in reducing crime and recidivism rates. Implementation of punishment and rehabilitative theories functioning together will be fundamental in decreasing crime and recidivism rates. References Carpenter, J. T. , & Spruiell, G. (2011, Summer). ThePsychologyof Correctional Therapeutics and Offender Rehabilitation: Approaching a Balanced Model of Inmate Treatment.. Journal of Psychiatry & Law, 39(2), 365-382.

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