

## ADMINISTRATION OF JUSTICE

### HISTORY AND DEVELOPMENT OF JAILS AND PRISONS

Name: \_\_\_\_\_ Period: \_\_\_\_\_ Row: \_\_\_\_\_

#### I. ORIGINS AND EVOLUTION OF INCARCERATION

- A. Historically, institutional confinement has been used since \_\_\_\_\_ times, but not until the 1600s and 1700s as a major punishment for criminals.
1. Prior to the 1600s \_\_\_\_\_ confinement was used to:
    - a. detain people waiting for the trial to begin,
    - b. hold prisoners awaiting other criminal sanctions,
    - c. \_\_\_\_\_ payment of debts and fines.
  2. One basic difference between jail and prison is with regard to the time period an individual is expected to be incarcerated and \_\_\_\_\_ of their liberty.
- B. Forerunners of modern incarceration
1. Early punishments for crime were directed more at the offender's \_\_\_\_\_ and their \_\_\_\_\_.
    - a. Goals were to inflict pain, \_\_\_\_\_ the offender, and deter onlookers from committing crime.
  2. Another early form of punishment was \_\_\_\_\_.
    - a. This resulted in a physical survival challenge by being forced to live outside of one's \_\_\_\_\_ community.
    - b. The psychological and \_\_\_\_\_ damage from the \_\_\_\_\_ and condemnation of family, neighbors, and community was equally dreaded.
    - c. Those banished were explicitly refused \_\_\_\_\_ to return and threatened with imprisonment or death upon return.
  3. Penal transportation was an early form punishment.
    - a. The sending of convicted criminals or other persons regarded as undesirable to a remote penal \_\_\_\_\_.
      - (1) In the 1800s, France transported their convicts to New Caledonia and \_\_\_\_\_ Island in French \_\_\_\_\_.
      - (2) Both of these \_\_\_\_\_ colonies were located in the South Pacific.
      - (3) England transported convicts, political prisoners and prisoners of war from Scotland and \_\_\_\_\_ to its \_\_\_\_\_ in the Americas (from 1610 until the American Revolution in 1776).
  4. The closest European forerunners of modern U.S. prisons were known as \_\_\_\_\_.
    - a. Offenders were sent to workhouses to learn discipline and regular \_\_\_\_\_ habits.
- C. Developments in methods of incarceration in the United States
1. In colonial America, penal practice was loose, \_\_\_\_\_, and unsystematic, combining private \_\_\_\_\_ with fines, banishment, harsh corporal punishments, and capital punishment.

2. Modern incarceration strives to change the offender's \_\_\_\_\_ and is carried out away from public view.
  - a. After law enforcement officers apprehend a criminal, the first place the criminal is taken is \_\_\_\_\_.
  - b. By taking the offender out of the community and placing him or her in a jail or prison, the important function of \_\_\_\_\_ society is accomplished.
  - c. The idea is to hinder, \_\_\_\_\_, neutralize, or restrict the offender so future harm to society cannot be done.
3. Factors influencing \_\_\_\_\_ in jails, state prisons, and federal prisons throughout the United States.
  - a. First, it is society's \_\_\_\_\_ of crime.
    - (1) As society changes, so does crime and the laws that govern \_\_\_\_\_ crimes and how to deal with criminals.
  - b. Second, it is as a result of releasing un-rehabilitated or poorly \_\_\_\_\_ prisoners back into society who often end up retuning to prison again.
  - c. Third, is that factor of \_\_\_\_\_.
    - (1) This is the tendency of prisoners who have been released \_\_\_\_\_ to their previous mode of criminal behavior.
4. While Americans represent about \_\_\_\_\_ percent of the worlds population, nearly one-quarter of the entire world's \_\_\_\_\_ have been incarcerated in the United States in recent years.
  - a. Imprisonment of America's prisoners, costs taxpayers approximately \_\_\_\_\_ per inmate every year.
  - b. New prison construction adds \$5.1 billion in construction costs to the annual \_\_\_\_\_.
  - c. Operating costs for our prisons consumes another \$60.3 \_\_\_\_\_ in expenditures.
5. According to the United States Bureau of \_\_\_\_\_, approximately two and one half million adults are incarcerated in county jails, state and federal prisons \_\_\_\_\_.
  - a. About 0.92% of adults or (1 in 110) in the resident population of the United States are \_\_\_\_\_.
  - b. Approximately four and one half million adults (1 in 51) are on \_\_\_\_\_ or on \_\_\_\_\_ for crimes committed.
6. Perhaps the single greatest force behind the growth of the prison population has been the national "War on \_\_\_\_\_."
  - a. The number of incarcerated drug offenders has increased \_\_\_\_\_ since 1980.

D. Although usually confused by most people, there is a big difference between \_\_\_\_\_ and \_\_\_\_\_.

1. After being arrested, jail is usually the \_\_\_\_\_ place that a criminal is taken by law enforcement officers.
  - a. The \_\_\_\_\_ of city and county jails in society include:
    1. temporary facility for holding defendants for \_\_\_\_\_ or trial or until freed by a bail payment,
    2. temporary facility for holding defendants during a \_\_\_\_\_ case if the defendant is unable to make or is refused \_\_\_\_\_,

3. holding defendants convicted of \_\_\_\_\_ crimes or who have been sentenced to less than one year of \_\_\_\_\_ for a crime,
  4. temporarily holding those persons arrested for violating terms of their \_\_\_\_\_ or parole,
  5. holding inmates who are in the process of being transferred to another \_\_\_\_\_ for trial.
2. Convictions for felonies result in \_\_\_\_\_ prison sentences.
- a. A prison is usually administered by the state or federal \_\_\_\_\_ and Federal Bureau of Prisons (BOP).
  - b. Prison involves a much longer stay for conviction of \_\_\_\_\_ crimes usually with sentences of one year or greater in duration.
  - c. Criminals convicted of murder, arson, rape, kidnapping or other serious crimes and federal offenses are given a \_\_\_\_\_ sentence.
  - d. Unlike jail, prisons generally have different areas or " \_\_\_\_\_ " that are dedicated to housing people convicted of different types crimes.
  - e. It has a much higher and \_\_\_\_\_ level of security and there is usually a warden or governor who runs the entire prison.
  - f. There are fewer prisons than there are jails but prisons are usually much \_\_\_\_\_.
  - g. The location of a prison is typically far away from the general population and is a facility \_\_\_\_\_ for long term inmate stays.
  - h. In addition to the basic necessities needed for accommodating inmates such as food and \_\_\_\_\_, there are usually:
    - (1) exercise and recreational facilities,
    - (2) common areas for \_\_\_\_\_ and,
    - (3) educational facilities such as a library and occupational \_\_\_\_\_ courses.

## II. THE ROLE AND HISTORY OF LOCAL JAIL'S

- A. Among penal institutions, the jail has the longest history and paradoxically the one \_\_\_\_\_ about which the least is known.
1. The jail is a place of detention of the accused prior to trial and is traceable to the earliest forms of \_\_\_\_\_ and government.
    - a. Although there are no reliable descriptions of ancient places of \_\_\_\_\_, references are found to:
      - (1) murky caves,
      - (2) ramshackle cages of \_\_\_\_\_,
      - (3) unscalable pits, and
      - (4) strong poles or \_\_\_\_\_ to which prisoners were tied.
  2. By the late medieval period, prisoners were detained in a variety of settings, ranging from fortress \_\_\_\_\_ to the damp, musty and cold cellars of municipal and privately owned buildings.
    - a. The one common characteristic shared by these structures were their massive and insurmountably \_\_\_\_\_ nature.
- B. The history of the American jail is firmly embedded in Anglo-Saxon society, which has provided the United States with most of its social \_\_\_\_\_.

1. The American jail is a curious \_\_\_\_\_ of the tenth-century gaol and fifteenth-and sixteenth-century houses of correction.
    - a. The principal function of the gaol was to detain persons awaiting trial and those convicted but still awaiting \_\_\_\_\_.
    - b. The houses of correction had a special function of punishing such minor offenders as debtors, vagrants, prostitutes, and \_\_\_\_\_.
- C. From its very beginning, the jail's functions included punishment, \_\_\_\_\_, and custody.
1. Historians have traced the creation of the \_\_\_\_\_ of the modern jail as a local governmental institution to the year 1166, when England's King Henry II ordered the construction of jails in his realm.
  2. The establishment of the county sheriff has its origins rooted in the medieval \_\_\_\_\_ - \_\_\_\_\_ who represented the king in overseeing the shire.
    - a. The shire was the largest land division of the kingdom in matters of \_\_\_\_\_ government.
    - b. The duties of the shire-reeve were to maintain the peace within the shire and to look after the king's \_\_\_\_\_ collection.
    - c. Over time the shire-reeves title was changed to \_\_\_\_\_.
    - d. As chief executive officer of the county, the sheriff became responsible for maintaining the jails.
      - (1) The sheriff had \_\_\_\_\_ over suspected and arrested offenders and thereby the right to control the county gaol.
- D. The American colonists brought with them the \_\_\_\_\_ and institutions of England.
1. They established the system of county government, built the first jails, and invested local sheriffs or \_\_\_\_\_ with the authority to keep the peace and to control the jails.
  2. The earliest reference to jails in the United States comes from prerevolutionary \_\_\_\_\_, which ordered the construction of a "people \_\_\_\_\_" in 1632.
    - a. The historical tenacity of these early institutions is seen in the fact that they continue to this very day as the prevailing form of local \_\_\_\_\_ in most of the states.
  3. Jails continued their highly limited function in the \_\_\_\_\_ until the end of the eighteenth century.
    - a. They detained those awaiting trial when it was feared they might otherwise \_\_\_\_\_ away.
    - b. They also held convicted offenders awaiting sentencing and those unable to discharge contracted \_\_\_\_\_.
    - c. Early jails only rarely confined convicted offenders as a means of correction or punishment.
    - d. In essence, jails facilitated the process of criminal punishment, although they were not themselves instruments of \_\_\_\_\_.
- E. In the 1800s individual states began to design and build penal facilities for the incarceration of serious offenders, and the modern \_\_\_\_\_ was born.
1. Minor offenders continued to be sent to the existing jails, which increasingly became \_\_\_\_\_ for:
    - a. the petty offender,
    - b. the vagrant,

- c. the \_\_\_\_\_,
- d. the beggar,
- e. the \_\_\_\_\_,
- f. the mentally ill, and
- g. the people awaiting trial.

2. Historians have yet to pinpoint the period when county jails changed in function from places solely for general detention to places for both detention and incarceration of sentenced \_\_\_\_\_ offenders.
3. Today, city jails fall under the jurisdiction of law enforcement agencies and serve both \_\_\_\_\_ and sentenced populations.
  - a. Jails continue today as the \_\_\_\_\_ into which the vast majority of the accused and convicted misdemeanants are detained or confined.

F. Today, a jail is generally used by local jurisdictions, such as counties and \_\_\_\_\_, for short term stays of no more than one year in length.

1. Jails are mainly used to protect the public from criminals who may be roaming our streets by \_\_\_\_\_ them.
  - a. Jails are usually found inside a police station or at the county sheriff's office, and are also known as a "\_\_\_\_\_."
  - b. People placed in jail are typically those who are:
    - (1) arrested and awaiting a hearing,
    - (2) detainees, under \_\_\_\_\_ of a crime,
    - (3) detainees involved in a short \_\_\_\_\_,
    - (4) those convicted of a crime with a short sentence,
    - (5) people kept for a limited time period such as holding a public drunk \_\_\_\_\_ until they "sober up" by the next morning.
  - b. The average stay in a jail in the United States is about \_\_\_\_\_ - \_\_\_\_\_ days.
2. The facilities in a jail are often not as \_\_\_\_\_ as a prison, providing only basic inmate necessities because they house a smaller number of inmates.
  - a. There may be some vocational training and work \_\_\_\_\_ programs available.
  - b. There may be "\_\_\_\_\_ camps" used to rehabilitate offenders which are classified as jail.
  - c. There are approximately \_\_\_\_\_ jails spread across the United States.
  - d. The state or county jails vary in number and size based on the city's \_\_\_\_\_ and need.
    - (1) Los Angeles County Jail in California, the New York City jail system and the Cook County Jail in \_\_\_\_\_ are three of the largest jails in the United States, each housing over \_\_\_\_\_ inmates.
3. County jails also offer and manage alternatives to jail such as:
  - a. work \_\_\_\_\_ programs,
  - b. work furlough programs,
  - c. \_\_\_\_\_ arrest, and
  - d. private county jails where the person convicted can serve their sentences on \_\_\_\_\_.

### III. DIFFERENCES BETWEEN STATE AND FEDERAL PRISONS

#### A. The History of State and Federal Prisons

1. Correction facilities have been in use for \_\_\_\_\_ of years.
  - a. Colonial America used different forms of punishment for offenders including subjecting them to \_\_\_\_\_, public humiliation, or corporal punishment.
  - b. Most of the offenders in the U.S. are held in the country's \_\_\_\_\_ prisons.
  - c. The Walnut Street Jail opened in 1790 in Philadelphia and is considered to be the \_\_\_\_\_ state prison.
    - (1) Inmates labored in solitary cells and received many hours of \_\_\_\_\_ training.
  - d. State prisons are smaller in size than the federal prisons and are used to incarcerate:
    - (1) \_\_\_\_\_ offenders,
    - (2) drug users,
    - (3) \_\_\_\_\_ offenders, and
    - (4) other criminals who commit \_\_\_\_\_.
2. The history of a federal prison dates back to the 1890s and in 1930, President \_\_\_\_\_ signed a bill that established the federal prison system.
3. Federal prisons were at first large facilities that confined inmates with different \_\_\_\_\_ needs.
  - a. Over time the number of federal prisons has increased but confine a smaller number of prisoners with the same \_\_\_\_\_ needs.
  - b. Crimes that fall under federal laws include bank robbery, insurance \_\_\_\_\_, and illegal drug distribution.
  - c. Federal prisons are used to \_\_\_\_\_ inmates for longer periods of time.
4. Due to harsh conditions that prisoners were subjected to, a \_\_\_\_\_ era began in 1876 to try and humanize prison life.
  - a. This was the start of inmate rehabilitation and prisons focusing more on vocational training and \_\_\_\_\_.
  - b. A punitive era started in \_\_\_\_\_ in which society wanted longer jail terms for offenders.
  - c. By 1967, incarceration was very \_\_\_\_\_ and policy makers were focused on rehabilitating inmates as a new justice model was being formed.
5. Currently, prisons are focused on three philosophies; deterrence, incapacitation and \_\_\_\_\_.

#### B. State prisons are maintained and looked after by \_\_\_\_\_ authorities.

1. State prison is for inmates serving sentences more than one year for crimes that are more \_\_\_\_\_ in nature.
  - a. For example, a person who has been charged with murder will be taken into custody and housed in County Jail.
    - (1) He attends a \_\_\_\_\_ hearing and no bail is set, which means he will have to remain in custody because he is either a \_\_\_\_\_ risk, or a danger to society, or both.
    - (2) During the course of his trial he remains in County Jail.
    - (3) He is later \_\_\_\_\_ and sentenced to 25 years to life in Prison.
    - (4) Then he will be transferred to State Prison where he will \_\_\_\_\_ his sentence.

2. Most of the criminals who are sentenced into state prisons include those criminals convicted for violations of state \_\_\_\_\_ such as murder, rape, robbery and other felony related offenses.
3. Because \_\_\_\_\_ is a problem in both county jail and state prison, both systems operate a good behavior program.
  - a. Those who are on good behavior can have their sentences reduced or \_\_\_\_\_.
  - (1) County Jail inmates often end up having 30% to 80% of time taken off their final \_\_\_\_\_.
  - (2) State prison inmates end up serving 50% of their final \_\_\_\_\_ depending on the seriousness of the crime.

- C. In the United States, the system of federal prisons is administered by the \_\_\_\_\_ government.
1. Pennsylvania and New York pioneered the \_\_\_\_\_ movement by developing two competing systems of confinement:
    - a. **The Pennsylvania system:**
      - (1) an early system of U.S. \_\_\_\_\_,
      - (2) inmates were kept in solitary cells so that:
        - (a) they could study religious writings,
        - (b) reflect on their \_\_\_\_\_,
        - (c) and perform handicraft work.
    - b. **The Auburn system:**
      - (1) originating at Auburn \_\_\_\_\_ in New York:
        - (a) inmates \_\_\_\_\_ and ate together in silence during the day,
        - (b) and were placed in \_\_\_\_\_ cells for the evening.
  2. The Federal Bureau of Prison is referred to as the BOP and is under the federal government Department of \_\_\_\_\_.
    - a. There are \_\_\_\_\_ federal prisons that are centrally administered by the Department of Justice.
    - b. There are dozens of state penitentiaries or prisons that have thousands of criminals \_\_\_\_\_.
  3. Federal prisons are designed to house those people who violate \_\_\_\_\_ laws.
    - a. The Federal prison system was established under President Herbert Hoover in 1930 when the federal government started to build \_\_\_\_\_ incarceration facilities.
    - b. The federal system of prisons was needed due to a rise in crimes that violated \_\_\_\_\_ laws.
  4. The prisons in the federal system \_\_\_\_\_ according to four different security levels maximum security, close security, medium security, or minimum security.
    - a. **Maximum Security:** This prison security level is the highest and most \_\_\_\_\_;
      - (1) usually built behind heavy-duty perimeters, that include walls and reinforced fences.
      - (2) houses inmates in single or multiple cell housing with the \_\_\_\_\_ staff-to-inmate ratios.
      - (3) cameras are situated throughout the various buildings for close monitoring of inmate actions.
      - (4) only the most \_\_\_\_\_ offenders are incarcerated within a maximum security prison,
      - (5) inmates are usually locked in their cells for seven days a week although they are allowed to get out of their cell-type \_\_\_\_\_ for brief periods,

- (a) inmates are some of the most \_\_\_\_\_ violent criminals and have no freedom,
- (6) there are sub-units such as \_\_\_\_\_ confinement, protective custody, and special housing units,
- b. **Close Security:** This prison security level is similar to maximum security in its construction:
- (1) reinforced perimeter double fences with \_\_\_\_\_ housing armed guards, plus often a third, lethal-current electric fence in the middle,
- (2) prisoners usually have one or two person cells operated from a \_\_\_\_\_ control station.
- (3) each cell has its own toilet and sink,
- (4) inmates may leave their cells for \_\_\_\_\_ assignments or correctional programs,
- (5) inmates may be allowed in a common area in the cellblock or an \_\_\_\_\_ yard,
- (6) prisoners at this level are viewed as \_\_\_\_\_ risks and are potentially dangerous to other inmates and staff,
- (7) there is constant and direct \_\_\_\_\_ of all inmates,
- c. **Medium Security:** This prison security level most resembles a large \_\_\_\_\_ hall:
- (1) typically the perimeter is surrounded by a double-fence with guard \_\_\_\_\_,
- (2) compared to minimum security facilities, they have a higher staff-to-inmate ratio.
- (3) inmates have committed less severe crimes and are housed in \_\_\_\_\_-like facilities with bunk beds,
- (4) facilities hold as many as 70 inmates in large, \_\_\_\_\_ sleeping quarters,
- (5) it contains communal showers, group toilet facilities and sinks,
- (6) dormitories are locked at night with one or more \_\_\_\_\_ officers supervising.
- (7) there is less supervision over the internal movements of prisoners,
- (8) prisoners are afforded various \_\_\_\_\_ assignments, which permits them to be out of their cells for longer periods of time.
- d. **Minimum Security:** Resembles the medium security prison with the following differences:
- (1) prisoners in minimum security facilities are considered to pose little \_\_\_\_\_ risk to the public:  
(a) mainly non-violent "white collar criminals".
- (2) they house criminals who need the least amount of supervision and \_\_\_\_\_.
- (3) they house first time low risk offenders or inmates who are about to get out of prison.
- (4) facilities have dormitory housing, limited or no perimeter fencing and \_\_\_\_\_ inmates can work as a form of trustee,
- (5) they are considered to be the lowest \_\_\_\_\_ to the public,
- (6) these prisoners are afforded the opportunity to participate in groups, sessions, and rectification projects in order to \_\_\_\_\_ themselves,
- (7) prisoners often work on community projects, such as roadside \_\_\_\_\_ cleanup with the state department of transportation,



- (8) most have Boot Camps and \_\_\_\_\_ Farms that are usually double-fenced perimeters.
- e. Most of the inmates found in federal prisons are drug dealers and people who have committed \_\_\_\_\_ crimes.
- f. Those committing \_\_\_\_\_ crimes are also sent to federal prisons.

#### IV. INCARCERATION OF WOMEN IN THE UNITED STATES

- A. Historical background in the development of women's prisons.
  - 1. In the United States, authorities began housing women in correctional facilities \_\_\_\_\_ from men in the 1870s.
    - a. The first American female correctional facility with dedicated buildings and \_\_\_\_\_ was the Mount Pleasant Female Prison in Ossining, New York.
  - 2. Unlike prisons designed for men in the United States, prisons for women evolved in \_\_\_\_\_ waves:
    - a. First, women prisoners were imprisoned alongside men in "general population," where they were subject to sexual attacks and daily forms of \_\_\_\_\_.
    - b. The second wave was a partial attempt to address these issues, women prisoners were removed from \_\_\_\_\_ population and housed separately.
      - (1) Here they were subject to neglect as they did not receive the same \_\_\_\_\_ as men in prisons.
    - c. In the third stage of development, women in prison were then housed completely \_\_\_\_\_ in fortress-like prisons.
      - (1) The goal of punishment was to indoctrinate women into traditional \_\_\_\_\_ roles.
  - 3. Early institutions for women concentrated on molding inmates to fulfill stereotypical \_\_\_\_\_ roles.
    - a. There are currently almost 200 women's prisons in the United States.
  - 4. The main difference between men's and women's prisons is the \_\_\_\_\_ level.
    - a. Very few women's prisons have tall stone walls, armed guard towers or \_\_\_\_\_ wire barriers.
    - b. Women's prisons tend to resemble men's minimum security prisons.
    - c. They often look like a college campus or a camp, with inmates housed in dormitories or \_\_\_\_\_ rather than cellblocks.
  - 5. Women's prisons are typically less \_\_\_\_\_ than men's prisons.
    - a. There are fewer violent incidences between inmates and also between \_\_\_\_\_ and their prison guards.
    - b. Female inmates tend to have more freedom.
      - (1) They can usually walk around the prison in order to attend \_\_\_\_\_ or programs.
      - (2) They eat in the dining hall, receive visitors, and \_\_\_\_\_ or attend chapel services.
  - 6. According to a recent study by the International Center for Prison Studies, nearly a \_\_\_\_\_ of all female prisoners worldwide are incarcerated in the United States.
    - a. In recent years, the total population of \_\_\_\_\_ incarcerated in U.S. prisons and jails has been approximately 215,000.
    - b. Men incarcerated averaged 2,500,000 in recent years resulting in \_\_\_\_\_ accounting for 8.6% of the total prison population.
- B. Characteristics of women inmates
  - 1. Women's engagement in criminal behavior is often related to their \_\_\_\_\_ with others.

- a. Exposure to dysfunctional and abusive family relationships throughout their lives can \_\_\_\_\_ their risk for future victimization and the perpetration of violence.
  - b. Often \_\_\_\_\_ relationships with men or others can lead to their own involvement in crime and criminal justice.
2. Women's prisons are less \_\_\_\_\_ than the men's prisons because there are simply fewer violent women offenders.
  - a. Female inmates are much more likely to be serving time for drug or \_\_\_\_\_ offenses than their male counterparts.
    - (1) One study found that as many as 60% of female inmates have a \_\_\_\_\_ abuse problem.
3. Female inmates are mostly racial or \_\_\_\_\_ minorities and younger than forty.
  - a. The majority of inmates had experienced some type of physical or \_\_\_\_\_ abuse.
  - b. Most inmates are poor, unskilled and undereducated.
  - c. Many inmates are \_\_\_\_\_ mothers.
4. Women are more likely to participate in prison classes and \_\_\_\_\_ programs.
  - a. Women are more likely to gain rehabilitative \_\_\_\_\_ from participation in rehabilitation programs.
5. Women pose a \_\_\_\_\_ public safety risk than men.
  - a. Women typically enter the criminal justice system for nonviolent crimes that are often drug and/or \_\_\_\_\_ related.
  - b. Within correctional facility settings, incidents of violence and aggression committed by incarcerated women are extremely \_\_\_\_\_.
  - c. Women released from incarceration have lower \_\_\_\_\_ rates than their male counterparts.