Correctional Recidivism: Distinguishable Causal Factors and Pertinent Solutions

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Abstract

Among the three elements of the American criminal justice system (law enforcement, courts, corrections), legal scholars have given a large measure of attention to the shortcomings in the area of corrections. This attention is warranted by accelerated recidivism rates under the contemporary correctional paradigm, and recidivism is certainly the most salient part of the problem. Throughout history, several attempts at reforming prisons have failed. These attempts have been riddled with systemic abuses, which has led to outcome failures (recidivism) in corrections. However, never has the problem and its attending consequences been as impactful as those brought on by the increased use of incarceration starting in the 1980’s. This policy change gave rise to a prison population spike, which hindered our reintegration efforts, leaving an unprecedented social injustice in its wake. The consensus among social science researchers is that crime prevention would have been better accomplished through a change in correctional policies: decreasing incarceration, increasing the use of community-based alternatives, fines, probation, parole, prisoner-re-entry support, and diversion from prosecution. Policy-makers have responded to those criticisms with the accelerated release of offenders into society. This article aims to explore the factors associated with recidivism, and offer suggestions involving legislative reform designed to facilitate these remedies.

Introduction

Among the three elements of the American criminal justice system (law enforcement, courts, corrections), legal scholars have given a large measure of attention to the shortcomings in the area of corrections. This attention is warranted by accelerated recidivism rates under the contemporary correctional paradigm, and recidivism is certainly the most salient part of the problem. Throughout history, several attempts at reforming prisons have failed. These attempts have been riddled with systemic abuses, which has led to outcome failures (recidivism) in corrections. However, never has the problem and its attending consequences been so impactful as those brought on by the increased use of incarceration starting in the 1980’s. This policy change gave rise to a prison population spike, which hindered our reintegration efforts, leaving an unprecedented social injustice in its wake (Hall, Wooten, & Lundgren, 2016).

Travis, Western, and Redburn (2014) concluded that, despite fifty years of stability that preceded the 1970’s, 1980 and beyond saw an unprecedented growth in our use of incarceration, which was the highest incarceration rate per capita in the western world. Hall, Wooten, and Lundgren (2016) cataloged the collateral consequences of that incarceration spike: Overcrowded prisons, children left without caregivers, inmates with drug and mental health issues, perpetuation of racial injustices, and limited reintegration and employment opportunities. It is clear that the changes experienced by the correctional system between 1970 and 2010 occurred with little reasoning to the consequences (Travis, Western, & Redburn, 2014). The incarceration rate in local, state, or federal correctional facilities the United States is 5.5 times higher than the European Union, Germany, France, or Canada (Hall, Wooten, & Lundgren, 2016 p. 56). For every 100,000 people residing in the United States, seven hundred and forty-three individuals are incarcerated (Hall, Wooten, & Lundgren, 2016).

The consensus among social science researchers is that crime prevention would have been better accomplished through a change in correctional policies: decreasing incarceration, increasing the use of community-based alternatives, fines, probation, parole, prisoner-re-entry support, and diversion from prosecution. Policy-makers have responded to those criticisms with the accelerated release of offenders into society (Ouellette, Applegate, & Vuk, 2017). This article aims to explore the factors associated with recidivism, and offer suggestions involving legislative reform designed to facilitate these remedies (Hall, Wooten, and Lundgren, 2016).

Literature Review

The United States’ criminal justice system has undergone two philosophical shifts since the 1950’s, when reformers called for an emphasis on rehabilitation. This emphasis was deemed necessary for the operation of the criminal justice system as a whole. However, opponents viewed this progressive change toward rehabilitation as a negative concept. Consider the historical changes that have transformed the way the correctional realm operates today. Initially, there were four dominant goals within the sentencing process including retribution and deterrence, rehabilitation, and incapacitation (Mackenzie, 2001). The policies and practices associated with each goal relates to how offenders should be punished. For example, a soft crime control approach seeks to ensure that criminal offenders are rehabilitated and encouraged to conform. However, a tough crime control approach applies lengthy sentences to the criminal offender and reduces the overall success of crime control and deterrence. By implementing a methodological approach that incorporates a get-tough paradigm, emphasis is placed on resources used by officers, swift apprehension tactics, speedy trials, and severe sentence impositions for offenders found guilty of a criminal transgression (Skoler, 1971). In turn, this reduces the overall effectiveness of the four goals of punishment. As a result, the general goal of deterring criminal activity is difficult to achieve if not impossible.

Likewise, once an offender enters the criminal justice system, it is up to the correctional system to ensure that each inmate is allotted a suitable level of care by providing food, clothing, shelter, and safety. Since these individuals are being taken out of society and placed into a structured environment, their ability to provide adequate self-care resources is being stripped. Thus, each correctional facility must provide basic necessities per the Eighth Amendment to the U.S. Constitution (Travis, Western, & Redburn, 2014). Inmates are also offered resources to assist them with their educational and vocational training while incarcerated. These resources were not always offered or guaranteed to inmates during the early development of the United States’ correctional system. During the mid-nineteen sixties, the United Stated began to focus on current philosophies being used within all criminal justice institutions (Skoler, 1971). The purpose of this assessment was to ensure that justice was being delivered in a uniform fashion and crime control was being achieved through a newly developed get tough paradigm. Over time, the number of inmates housed within local, state, and federal correctional facilities began to rise in addition to those receiving probation and parole. By 1997, the correctional population for the United States had increased at a rate of two hundred and seventeen percent from 1.8 million, in 1980, to 5.7 million (Mackenzie, 2001). As a result, many proponents within the get tough paradigm began to question the overall effectiveness of this approach. In comparison to other nations, the United States received the infamous title, the “World’s Warden,” in response to maintaining the highest level of incarceration throughout the world (Hall, Wooten, & Lundgren, 2016, p. 56). The United States realized that something had to be done to address the growing problems associated with prison overcrowding and inmate fairness. As a result, the war on drugs was initiated by President Richard Nixon, and legislation was passed to introduce mandatory sentences and zero tolerance for drug-related offenses (Sacco, 2014). Policy experts from the National Research Council provide advice on a range of issues, corrections included, tailored toward efforts to reverse mass incarceration. This council provides guidance to the Federal Government, as well as private corporations, and is staffed by persons with special competencies in the field of corrections, and the consequences of correctional policies. In 2014, an investigation in correctional growth trends was launched revealing a flaw in punitive measures, showing the spike in the use of incarceration was disproportional to actual criminal activity; the crime-rate seemed to be decreasing over the same time-period (Travis, Western, & Redburn, 2014).

Other authors confirm that problematic approaches in our correctional paradigm have produced undesirable outcomes (Mackenzie, 2001). The emphasis on rehabilitation, the policy prior to our inmate population spike, eventually gave way to retribution and crime control. Moving into the 21st century, researchers support the notion that this shift in policy was misguided. Contemporary research demonstrates that individuals respond differently to the types of punishments applied. The concepts embodied by the crime control approach, fairness and justice, were justified with claims of reducing the 2.23 million incarcerated persons within the United States (Travis, Western, & Redburn, 2014). However, recidivism levels show that this so-called “just deserts” model fails to support its claim that if a suitable level of punishment is applied, a deterrent effect will follow. Once behind bars, inmates are subject to a high-level of organizational sanctions including constant surveillance and limited movement within the correctional facility. This model embodies the crime-control methodology, wherein the inmate’s unlawful mindset must be abolished through incarceration (Mackenzie, 2001). However, this outcome is often unrealized, regardless of offender-type: hardcore-repeat offenders or first-time offenders. Simple incarceration is not effective because there is a delicate balance between deprivation of personal liberty and adequate treatment. Therefore, it is up to policymakers to identify the best methodological approach to reducing the rate of recidivism while increasing reintegration and productivity. Consequently, an offender is going to respond to the way they are treated while under incarceration. When modifications are made to the philosophical components of any sentencing or correctional paradigm, change is likely to follow.

The problem is centered on essence of recidivism: convicted offenders, who have served their sentence, been released, and are returning to prison within three years. . The policies giving rise to this recidivism are those most in need of reform (Hall, Wooten, & Lundgren, 2016). According to Mackenzie (2001), the policies and practices associated with sentencing and correctional guidelines are subject to change based on the philosophical goals of a given practice. Considering the issues associated with overcrowding, research that targets the factors fueling this problem could ameliorate soaring incarceration rates. Likewise, consideration should be given to the types of individuals committing criminal acts, the types of crimes being committed, and the varying treatments being applied. Incarceration challenges an inmate’s ability to attain valuable life skills.

For example, a juvenile may respond better to a verbal warning in comparison to an adult (Mackenzie, 2001), and juveniles who commit serious felonies are often charged as adults, and receive lengthy prison sentences. Without the ability to complete their formal education, they lack the basic lifeskills of reading, writing, and personal wellness. Furthermore, a deficiency in sufficient educational and vocational training can hinder one’s ability to reintegrate back into society post-release (Hall, Wooten, & Lundgren, 2016). Policymakers have sought to create proactive policies and procedures which target inmates post-release. As part of the prisoner reentry initiative, these programs aim to allocate resources for inmates to acquire not only education and vocational training, but adequate housing as well. (Ouellette, Applegate, & Vuk, 2017). The advantages of offering inmates these programs include self-reflection activities and therapeutic sessions with licensed psychologists. However, inmates can be put at a disadvantage if those programs do not include measures to address societal rejection. Should this occur, the likelihood that this individual will reoffend and reenter the correctional system is relatively high.

To understand causal factors associated with correctional recidivism, it is crucial to consider the overall history of the United States’ correctional system, the effectiveness of incarceration in comparison to alternatives, and whether any solutions have been sought to initiate long-term change among the prison population and recidivism.. The rate of criminal activity will deviate from a known standard depending on several independent variables including the type of crime control model used, the rate of apprehension and conviction, the severity of imposed punishment, and the length of the sentence (Skoler, 1971). An offender’s mentality can be shaped by their experience within the criminal justice system. For example, if an offender enters the criminal justice system and is processed in a fair manner, then they may be less likely to recidivate. However, should the offender be subjected to a punitive crime control model, then a higher rate of recidivism could result. This increased rate of recidivism is likely to occur as the result of a lack in effective diversion programs available to inmates (Skoler, 1971). Considering the swift change in sentencing guidelines, the underlying reason behind the increased incarceration rate is apparent. But, it is equally important to consider alternate variates, outside of illicit narcotics, impacting the rate of incarceration within the United States. Even though criminals are being taken off the streets, criminal transgressions still occur behind bars. Gang affiliations reach beyond the streets and remain prevalent behind bars. This hinders the successful application of justice and deterrence when criminal transgressions remain prevalent behind bars.

Likewise, there are many inmates who are suffering from a present mental illness. During the 1950s and 1960s, a large number of mental institutions and psychiatric hospitals were closed by the government due to a lack in funding and commitment among states and the federal government (Sahlin, 2018). As these mental health facilities began to close, both inmates and society began to experience the adverse consequences. As a result, many correctional facilities began to be referred to as modern mental health facilities as they were tasked with housing those suffering from a mental illness. Just like any realm of the criminal justice system, the costs often outweigh the budgetary limit. Likewise, each individual has a perceived level of care that must be maintained to ensure that mental instability does not result. This can be seen in cases where an offender suffers from substance dependency or a mental illness. With this concept in mind, prior research data suggests that approximately 67.8% of inmates have some type of normative need for care upon entering the correctional system (Segeren et al., 2017). This need for care can range from a simple substance dependency to a complex personality disorder. But, most correctional facilities lack the level of knowledge needed to provide proper mental health treatment. In the past, people with mental health issues were placed into straightjackets, restraining chairs, and padded isolation rooms since correctional facilities did not favor mentally ill individuals (Sahlin, 2018). However, progress has been made to ensure that more humane treatment options are available throughout the criminal justice process for those in need. Specifically, mentally ill inmates are no longer subjected to inhumane treatment by correctional staff and are provided adequate treatment consistent with their healthcare needs whether it be routine meetings with a licensed counselor or receiving prescribed medications. If precise treatment is not implemented, then a mentally ill inmate may become subject to severe treatment and negative stigmatization while incarcerated (Sahlin, 2018). While stigmatization remains present among all inmates, those suffering from a mental illness are at a greater risk of being defamed from both correctional staff and fellow inmates. Likewise, higher rates of recidivism are more likely to occur amidst the mentally ill population as opposed to those with a healthy mental status. Rather than favoring a rehabilitative paradigm, incarceration has been found to worsen mental health. For example, a study by the Bureau of Justice Statistics found that severe psychological distress occurred at a rate of fourteen percent within state and federal prisons and twenty-six percent within county jails (Sahlin, 2018). This is the result of internal discrimination, isolation tactics, and harsh rules of imprisonment. Simply placing a mentally ill inmate into a prison cell with a sane inmate will not yield rehabilitative results. Essentially, a combined action plan is needed within all correctional facilities to ensure that correctional staff are trained in inmate treatment protocols specifically tailored to both sane and mentally ill inmates. After all, fairness should be maintained throughout the entire justice system for all individuals alike. Cite

Subsequently, as the negative connotations of mass incarceration began to appear, so did the long-term consequences. Despite efforts to reign control over crime in America, little results could be seen. Numerous American presidents had sought to reign control over domestic and international criminal activity while in office. But, little advancement was made despite countless campaigns being held and federal legislation passed. From 1980 to 1986, the United States experienced a fifty-one percent surge in the total number of individuals being incarcerated and convicted on all federal offenses including federal drug charges (Sacco, 2014). While this may not seem extensively high, it can be problematic for the future of a developing nation. Once President Richard Nixon entered office as President of the United States, he sought to reform the criminal justice system. With particular attention being given to the rise in illicit narcotics, President Nixon took aim at crack cocaine (Sacco, 2014). With the development of crack cocaine came a new way for individuals to ingest illicit narcotics and experience a new type of high. Despite past attempts to thwart international and domestic drug trafficking activities, revitalization was underway within the United States. Thus, it was up to President Nixon to implement federal drug legislation to adjust sentencing guidelines and reduce correctional recidivism rates resulting from repeat drug offenders. As a result, Congress successfully passed the Comprehensive Crime Control Act of 1984 as well as the Anti-Drug Abuse Act of 1988. Through these two distinct policies, the foundation was laid to combat one of America’s most problematic issues, drug misuse and abuse (Travis, Western, & Redburn, 2014). Here, the focus was to develop a set of guidelines for the courts to follow when determining the appropriate punishment for criminal offenders in violation of federal drug offenses. In order to determine an appropriate sentence, the courts must take into consideration the quantity and type of drugs that are involved, whether or not violence was involved, and the offender’s comprehensive criminal history (Sacco, 2014). Once consideration of all relative facts has been complete, then the courts return the appropriate length of confinement. Based on historical progression, it is no wonder the United States’ rate of incarceration has undergone an immense increase both at the national and international level. With the focus shifting from utilitarianism to retributivism, the ability to sentence offenders on an individual basis was reduced. Within the 1980s and 1990s, many states chose to adopt a mandatory minimum sentencing law to target crimes involving serious violence, firearms, and narcotics (Mackenzie, 2001). By implementing mandatory minimums for select criminal acts, sentencing discretion was reduced from the presiding judge. As such, lengthy sentence terms were imposed on career criminals. In correlation, three strikes laws were developed as a variation to the habitual offender laws of the 1980s. Despite similarities, the three strikes law concept focused on increasing the severity of sentencing for repeat felony offenders amid each felony conviction or strike. When an offender reaches their third felony conviction, their imposed criminal sanctions are deemed the end of the road as they are sentenced to prison for life (Mackenzie, 2001). This type of correctional legislation is the most extreme and can yield practical results toward reducing crime and recidivism through lengthy prison terms. However, the end result is not beneficial for the stability of correctional institutions and inmates alike.

Despite the recurrent growth among the inmate population, numerous efforts were implemented to generate change. The first prevalent change came to the type of criminal justice model being used as well as applicable sentencing policies. Many legislatures believed that the best approach to solving problems within the sentencing and correctional sectors would be to return to the justice model when delivering justice to an offender (Mackenzie, 2001). Through the justice model, the offender would receive a punishment that is suitable to the crime, meaning that their imposed sentence would equal the criminal act committed. So, if an offender committed the criminal act of robbery, then their sentence would reflect a determinate length of time that must be served rather than an indeterminate length of time. Furthermore, the movement toward substantial procedural protections was initiated and inmates were guaranteed legal rights from the courts and correctional institutions (Mackenzie, 2001). However, this justice model was not enough to create longstanding change in maintaining control over crime and recidivism. Incapacitation was deemed the best method of application to reduce further criminal activities and minimize recidivism throughout local, state, and federal correction facilities. But, the justice model eliminated the use of parole and rehabilitation as the inmates were to serve a set length of incarceration dependent on internal guidelines (Mackenzie, 2001). Just because an offender is taken out of society, does not mean that their criminal transgressions cannot continue. As the number of inmates increase, so does the likelihood of internal and external conflict. Existent social bonds between an individual and their family, neighbors, community, educational institution, and place of employment are weakened and lost when an individual becomes marginalized and societal ties are broken (Mackenzie, 2001). These social bonds are established through a lifelong relationship among members of society and individuals alike. Thus, once this bond is broken, violence and episodes of criminal activity are more likely to increase. This is extremely problematic for the geographic composition of inner cities. As the rate of incarceration is increased, so are the unintended consequences for inner-city families, communities, and companies. As inner-city men are taken out of the community, many women are forced to become single mothers in charge of supervising, controlling, and supplying resources for their children (Mackenzie, 2001). Likewise, neighborhoods lack the resources needed to function efficiently as the number of able-bodied, working males decline. When change in legislative correctional policy impacts communities in a negative manner, insightful change is needed. Numerous factors should be taken into consideration when delivering sanctions upon an offender such as their value to their community, the severity of their criminal act, any proof toward repentance for their criminal transgressions, and parties reliant on the offender. Ultimately, the criminal justice system is not punishing just the offender. Numerous entities are being punished by the offender’s criminal act and impending punishment. As such, once societal ties are broken, it can be difficult, if not impossible, for these connections to be reestablished.

While many alternatives to incarceration have been introduced, little improvement has been produced. The number of individuals incarcerated within the United States’ correctional system remains at an all-time high. As a result, it is evident that post-release patterns of offending are shaped by the activities of prisoners both inside and outside of their place of imprisonment. A nine-year study by the Bureau of Justice Statistics followed state prisoners released from incarceration and found that eighty-three percent of those released were rearrested at least once (Alper, Durose, & Markman, 2018). There are numerous variables that can impact an inmate post-release. One of the dominant factors is how the inmate was treated and the types of rehabilitative services provided during their time of incarceration. Equally, external factors can influence how an offender responds to criminality following release. It is important to assess whether failures were present within the correctional system or the community of the offender. Moving into the twenty-first century, it became apparent that the United States’ incarceration policy was ineffective and uneconomical. Reflecting on the increased incarceration rate in 1975, the annual cost to house one inmate in the United States increased from $53 in 1985 to $103 in 1996 (Mackenzie, 2001). These costs accumulate over time and can become a problem to the criminal justice system. In certain situations, considerations must be made as to where programs can be cut to alleviate these overarching costs. Even though we have seen the rate of incarceration level out and decline, there is an equal number of individuals being released from and entering incarceration. Even though more than 630,000 prisoners are being released from incarceration and reentering society each year, the recidivism rate for the United States remains excessively high (Hall, Wooten, & Lundgren, 2016). Criminologists have concluded that prior justice paradigms have yielded ineffective results in reducing the level of criminality throughout the United States. As a result, paradigms relative to restorative and community justice have begun to emerge. These paradigms view the justice system in an entirely new manner as emphasis is placed on risk assessment and management within correctional facilities in addition to restoring damage among individuals, communities, and the offender alike (Mackenzie, 2001). Rather than focusing on a punitive application of punishment toward the offender, resources are focused on repairing any harm done as a result of the criminal act. For example, when an individual commits a crime, they are likely to impact numerous entities including their family, friends, co-workers, employer, and members of society. Numerous restorative justice programs have been developed to focus on various aspects of the criminal justice system including the types of services and treatments provided to the offender during incarceration and following release. These programs include in-house education and vocational training programs, in-house cognitive behavioral programs, post-release welfare and housing assistance, and post-release employment lineups (Duwe, 2017). While each program has its own purpose and goal, the ultimate objective is to serve as a beneficial approach toward improving an offender’s behavior long-term. So, if an inmate enters into the criminal justice system as a result of a mental illness, then the objective of the correctional system becomes treating that individual, through suitable programs, that will generate proactive results toward reducing the probability of recidivism and criminal misconduct in the future.

Furthermore, with a change in the way that inmates are treated behind bars, it is evident that reentry programs are creating proactive results. Could this solution be the answer that initiates change in correctional recidivism for the United States? There are numerous factors to consider when determining the degree of progress made toward an envisioned objective. Following a “what works” approach has proven to be extremely beneficial to all aspects of the criminal justice system as resources are selected to develop effective correctional intervention programming based on an offender’s risk of reoffending, criminogenic needs, and responsivity issues (Duwe, 2017, p. 3). This approach places limited correctional resources in areas they are needed most to ensure that resources are being implemented effectively and efficiently. When inmates are released from incarceration, one of their greatest limitations toward reintegrating back into society involves the level of stigmatization placed on them. As a result, these individuals are no longer able to return to their normal lifestyle as it was before their entry into the criminal justice system. In an effort to eliminate this problem, work release programs were developed to introduce rehabilitative aspects into the justice system (Weisburd et al., 2017). Through work release programs, prisoners are able to work outside of incarceration, close to their time of release, to develop a positive relationship and maintain a stable place of employment upon release. Here, offenders are more likely to reintegrate back into society as a productive citizen and refrain from future criminal acts. This is due to the fact that offenders are able to formulate societal ties prior to communal reentry. In turn, this reduces the level of stigmatization that an offender receives upon release and improves their commitment to maintain positive values with society. Reducing stigmatization can produce positive results for the offender and society alike. But, what does this mean for the future of America’s criminal justice system. Overall, it is possible to achieve a lower level of criminal recidivism as long as suitable policies are formulated which focus on the offender’s needs. Simply relying on past, outdated policies is not enough to suffice justice reform for the twenty first century. Thus, rehabilitative polices should be the general focus for future justice reform should any attempt to reign control over correctional recidivism be achieved.

Discussion and Analysis

Overall, there is progress in assessing the need for reintegrative strategies, which will reduce the rate of correctional recidivism . Deemed the world’s warden, the United States has remained the nation with the highest rate of incarcerated offenders per capita over any other nation in the world (Hall, Wooten, & Lundgren, 2016). One of the most damaging issues surrounding the United States’ correctional system is the large portion of felony offenders who are being sentenced to lengthy prison terms through mandatory minimum sentences and the three strikes law. With numerous failures occurring throughout the history of the correctional policy reformations in the United States, challenges remain present when choosing the best correctional approach to impose such as fines, incarceration, probation, parole, treatment, or a combination of two or more strategies. This was not an issue until the concept of fairness and justice was modified in the 1970s to incorporate a just deserts model (Travis, Western, & Redburn, 2014). Here, the American criminal justice system began to focus on the degree of retribution that would be applied to deter offenders from committing further criminal infractions. Thus, the concepts of general and specific deterrence were devised and applied according to the type of deterrence needed. Society perceives any reduction in crime as a beneficial result to philosophical changes within the criminal justice system. But, society is not aware that the current status of America’s correctional system is degrading. While it may appear that lengthy prison sentences decrease the rate of recidivism over time, the relationship between crime, sentencing policies, and incarceration is extremely complex.

In general, what we can see is that there is a general level of balance that must ensued throughout the American criminal justice system. For example, if a fair amount of justice is not applied to some offenders, then they may not be deterred from committing further criminal acts. In comparison, if an offender is suffering from a mental illness and is unable to rationalize the wrongful nature of their criminal infraction, then seeking out a punitive justice model may harm the offender. Research has shown that increasing the use of lengthy prison sentences does not produce an efficient reduction in preventing future crime and recidivism (Travis, Western, & Redburn, 2014). What results is an incarcerated population that is ineligible for probation or parole due to the status of their criminal history. Labelling an individual as a habitual offender hinders their chances of being released on probation after a portion of their sentence has passed. Likewise, if an inmate is aware that they are less likely to receive probation or parole, then they are not going to actively participate in rehabilitative activities such as educational or vocational courses, anger management, drug abuse treatment, or psychological therapy. It is this type of structured sentencing that has led to a wide array of disparities throughout the realm of corrections. Thus, seeking to develop proactive, post-release justice policies that incorporate rehabilitative models should be the general focus for future justice reform models. By changing the mechanisms that are frequently implemented for sentencing, restrictions limiting the ability for criminal professionals to implement early release tactics, such as good-time and earned time incentives, can be accomplished (Mackenzie, 2001). As a result, the nation could begin to see improvement within the overwhelming prison population. Overall, we can conclude that there is a correlating relationship between recidivism and incarceration. When there is an increase in the rate of criminal recidivism, the number of incarcerated individuals also rises. Essentially, this area of corrections should be assessed further to determine what component is missing in the application of justice.

Ultimately, the need to reduce the overwhelming rate of offenders incarcerated in the United States today remains present. While many presidents and legislatures have initiated progress toward correctional policy reform, the method that has remained persistent in delivering justice and reducing societal transgressions is incapacitation (Mackenzie, 2001). Incarceration is not always the best methodological approach to delivering justice, especially when we consider the increased number of offenders incarcerated with a mental illness. Within the United States, approximately 67.8% of inmates housed within correctional institutions have a need for care upon entry whether it be substance dependency or a mental illness (Segeren et al., 2017). In turn, most correctional facilities lack the knowledge and training needed to sufficiently treat these offenders. There is also a lack in the type treatment and rehabilitation programs available to offenders entering a correctional facility. This deficiency may be based on a lack in funding, adequate training, or an inability to use resources properly. Without proper treatment, those offenders with a problematic mental illness or substance abuse disorder are more likely to suffer from severe psychological distress. Specifically, a study by the Bureau of Justice Statistics noted that severe psychological distress occurred at a rate of fourteen percent within state and federal prisons in comparison to a rate of twenty-six percent within county jails (Sahlin, 2018). This supports the idea that more treatment programs are needed where the focus is tailored to each offender’s specific needs. Ultimately, no single approach is going to suffice every single offender. Numerous interactions occur from the time the offender enters the criminal justice system to post-release. Thus, further research is needed to identify areas that can be tailored to justify successful crime control policies while targeting the correctional population as a whole.

Conclusion and Summary

Throughout this discussion, it was apparent that numerous problems existed in relation to how inmates are treated within the American correctional system. Primarily, the dominate problem that has led to overcrowding in the United States is the rate for which incarceration is used. Over time, we have seen the United States favor a punitive approach to justice. As such, incarcerating offenders was always the prevailing correctional scheme applied. While this may have worked in the past, progression within the rate of incarceration today has shown that our nation’s correctional system is only deteriorating. Recidivism rates have increased throughout the years as illustrated through the persistent rise in incarcerated offenders throughout local, state, and federal correctional facilities. Primarily, the use of mandatory minimum sentences and three strike laws can be credited for the lengthy prison sentences that many felony offenders are subjected to today. As legislatures began to modify sentencing and correctional policies to favor a justice model in delivering a punishment suitable to the crime committed, longstanding control over crime and recidivism was unattainable. This was based on the fact that too many inconsistencies existed in relation to the degree of organizational sanctions that offenders received while behind bars such as constant surveillance from correctional staff, restricted movement, and a controlled living environment. In comparison, there has been an increased use of reintegrative strategies promoting rehabilitation programs to prepare offenders anticipating correctional discharge. Inmates need training programs in education, job skills, housing, substance abuse, and mental health. Without such programs, offenders may face long-term stigmatization and fail to reintegrate back into society as a productive member post-release. In turn, some offenders will reenter the correctional system. This recidivism rate is relative to offenders failing to rejoin societal ties broken as a result of incarceration. Once societal ties are broken, they can be extremely hard to rejoin. Ultimately, there should be a level of concern focused toward bringing forth attention as to the impact that the correctional system is having on the future for non-violent offenders and society alike. Only then can we understand the negative causal implications associated with the United States’ correctional paradigm and pertinent solutions which can improve legislative reform addressing the future of prison overcrowding. By understanding the causal factors associated with correctional recidivism, reducing the overall incarceration rate within the United States can be achieved. After all, the future of the American criminal justice system is reliant on legislatures and policy makers alike to bring forth productive change as to how offenders are being treated both pre-entry and post-release.

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