Chapter 3

CORRECTIONAL PRACTICES FROM ANCIENT TO CONTEMPORARY TIMES

Introduction to Corrections
CJC 2000
Darren Mingear
Describe the key features of the Code of Hammurabi, Mosaic Law, Roman Law, and law during the Middle Ages.

Identify the two important themes in the development of imprisonment as punishment and explain the link between hospice facilities and houses of corrections to those themes.

Compare and contrast the Pennsylvania and Auburn prison systems in terms of their architecture, orientating strategies, and advantages/disadvantages.

Describe how men’s and women’s prisons differed during the reformatory movement of the nineteenth century.
Explain how the penal systems in the South and West differed from those in the East and summarize reasons for those differences.

Summarize the development of prison programs and the treatment of women and other minorities during the early, middle, and late twentieth century.

Explain how public opinion about crime and punishment in the twenty-first century seems to be influencing the use of imprisonment and prison alternatives.
Describe key features of the Code of Hammurabi, Mosaic Law, Roman Law and law during the Middle Ages.
Key Terms

- Code of Hammurabi
- Mosaic Law
- Twelve Tables
3.1 Corrections in the Ancient and Medieval World

**Code of Hammurabi**
First known body of law introduced *lex talionis* and laid the foundation for all future legal systems.

**Mosaic Law**
Hebrew legal system which started when God gave Moses the 10 Commandments in two tablets.

**Twelve Tables Roman Law**
Earliest form of written law establishing private rights of Roman citizens. Added to legal base and punishments.

**Middle Ages**
Established system royal courts with primary interest in settling disputes of landholders. Punishments went from mutilation to exhibitory.

1800 B.C.  1200 B.C.  500 B.C.  400 B.C.
Identify the two important themes in the development of imprisonment as punishment and explain the link between hospice facilities and houses of corrections to those themes.
Key Terms - Seventeenth and Eighteenth Century England

- Transportation
- Hospice Facilities
- Houses of Correction
- Prison Hulks
- 1779 Penitentiary Act
Removal and relocation of criminal offenders from society in the 17th and 18th centuries. The offenders were used as laborers in European colonies.

Source: metrograph.org.uk
Houses of Correction

16th century institutions emphasized the importance of hard work at disagreeable tasks.
Late 16th century and early 17th century institutions promoted the idea of isolating offenders from each other.

Source: workhouses.org.uk
In the 18th century the British converted old merchant and naval ships into floating prisons.

Source: http://www.kenscott.com/prisons/hulks.htm
1779 Penitentiary Act


Source: workhouses.org.uk
Compare and contrast the Pennsylvania and Auburn prison systems in terms of their architecture, orientating strategies, and advantages/disadvantages.

Which one was separate and silent? Which one was congregate and silent?
Pennsylvania Quakers

Members of the Society of Friends who, in 1787, argued that solitude and hard labor were humanitarian alternatives to the existing punishments.

Source: workhouses.org.uk
Walnut Street Jail

Opened in Philadelphia in 1776 to house petty offenders, debtors, and serious offenders and operated only as a jail until 1792 when a penitentiary addition was completed.

Source: workhouses.org.uk
Key words distinguishing the Pennsylvania system, which sought to keep prisoners separate from each other and required them to remain silent.
Pennsylvania System

Prison system established with the Eastern State Penitentiary in 1892 in Philadelphia that assumed offenders would more quickly repent and reform if they could reflect on their crimes all day in silence and separated from other inmates.

Source: fringe paranormal.wordpress.com
Key words distinguishing the Auburn system, which required prisoners to remain silent, even while working and eating together.
Auburn System

Prison system established with the Auburn Prison in New York, which used a modified version of the Pennsylvania system wherein prisoners were kept separate from each other at night but allowed to work and eat together, in silence, during the day.

Source: cardcow.com
Reformatory

A system of prison discipline that incorporates a more humanitarian approach to confinement and has an interest in preparing inmates for their eventual return to the community.

Ohio State Reformatory

Source: www.keystoneparanormal.com
3.3

The Walnut Street Jail

The Pennsylvania System

The Auburn System

Reformatory Era
Describe how men’s and women’s prisons differed during the reformatory movement of the nineteenth century.
Key Terms

Differential Response
3.4 Differential Response

Society’s response to women offenders.
Emphasizes differences in:
1. Prison design
2. Programs
3. Sentencing practices
4. Racial bias

Source: www.momlogic.com

Babies Behind Bars
Segregating Sexes

Interest in reforming female offenders as reformatory movement began to take hold in 1860s.
Learning Objectives

After this lecture, you should be able to complete the following Learning Outcomes

3.5

Explain how penal systems in the South and West differed from those in the East and summarize reasons for those differences.
Key Terms

Decentralization

Lease system
Decentralization

A principle popular in the South during the first half of the nineteenth century wherein the administration of justice was left to local authorities instead of being centralized at the state level.

Source: Coweta County
Lease system

Prison officials lease a prisoner to a private contractor to do labor for a specified sum and for a fixed time.

Source: rbg-street-scholar-multi-media-e-zine.blogspot.com
American South

- Preference to have justice and punishment dispensed at county rather than state level through mid-1800s
- More inclined to follow Bible lead and rely on corporal and capital punishment
- Economy in South agricultural based, lease system of prisoners provided labor to plantation and other owners
- Leasing end brought about by reduced profits
- Penal plantation became entrenched in southern penology and influenced the direction imprisonment would take in the twentieth-century South.

American West

- Problems with overcrowding and inadequate classification system
- Transfer of prisoners to other territories in place of building new facilities
- Those with success kept communication channels open to eastern influence and participation in National Prison Association
- During twentieth century, western states came to play prominent role in directing penal policies and procedures across the nation.
Learning Objectives

After this lecture, you should be able to complete the following Learning Outcomes

3.6

Summarize the development of prison programs and treatment of women and other minorities during the early, middle, and late twentieth century.
3.6

Progressivism

Reform movement that began in the 1890s and resulted in widespread, significant political and social reforms in many social institutions, including prisons.

Source: flickr.com
Medical Model

- Viewed criminal as “sick” instead of “bad”
- Criminal should be examined, diagnosed, and treated
- Illness rather than free will was the explanation of antisocial behavior
- Began to fall out of favor in 1970s
Progressivism started 1890s and was a broad social and political reform movement.
Progressives viewed reformatories, asylums, and prisons as misguided mechanisms of social control – developed into Medical Model.
Progressives collected and analyzed data to improve prisons - EBP.
Innovations that continued included basic vocational and academic education, and programs focused on alcohol and drug treatment.
Explain how public opinion about crime and punishment in the twenty-first century seems to be influencing the use of imprisonment and prison alternatives.
Public support for reducing prison sentences or time is linked to having offenders participate in programs aimed at reducing recidivism and comes from all political perspectives and across all regions of the country.


Decrease in prison population is slow due to long sentences.

Reasons for population reduction:
- State budget deficits
- Fewer admissions
- More prison releases
- Better return on their public safety dollars (ROI)
The Code of Hammurabi, Mosaic Law, the Twelve Tables, and the introduction of courts for individual conflict in the Middle Ages set the basis for many of our laws today.

In the sixteenth century, the focus was on isolation and the requirement for work, which would continue to influence penal philosophy into the nineteenth century.

The Pennsylvania system was separate and silent, whereas the Auburn system was congregate and silent. The Auburn system was adopted by most other states, and also earned money for the state.

Women’s prisons were constructed and operated in a different manner than men’s, as well as different programs in the facility.
The South handled inmates at the local level, and the agricultural economy led to the lease system, and later prison penitentiaries. In the West, problems with overcrowding and classification, but later lessons were learned with open lines of communication and learning from Eastern prisons.

Changes in the twentieth-century were contributions from the Progressive movement, including the medical model.

Public opinion in the early twenty-first century is in favor of less incarceration of offenders.