
Rehabilitation in the Punitive Era: The Gap Between Rhetoric and Reality in U.S. Prison Programs

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Scholars of mass incarceration point to the 1970s as a pivotal turning point in U.S. penal history, marked by a shift toward more punitive policies and a consensus that “nothing works” in rehabilitating inmates. However, while there has been extensive research on changes in policy makers’ rhetoric, sentencing policy, and incarceration rates, scholars know very little about changes in the actual practices of punishment and prisoner rehabilitation. Using nationally representative data for U.S. state prisons, this article demonstrates that there were no major changes in investments in specialized facilities, funding for inmate services–related staff, or program participation rates throughout the late 1970s and the 1980s. Not until the 1990s, more than a decade after the start of the punitive era, did patterns of inmate services change, as investments in programming switched from academic to reentry-related programs. These findings suggest that there is a large gap between rhetoric and reality in the case of inmate services and that since the 1990s, inmate “rehabilitation” has increasingly become equated with reentry-related life skills programs.

The scale of imprisonment in the United States has grown in such a dramatic and sustained fashion over the past 30 years that it has become necessary to begin articles with a comment on “mass” incarceration (Garland 2001b). By 2006, the incarceration rate hit 0.9 percent for men and 0.07 percent for women, with the total number of individuals incarcerated in state and federal prisons reaching more than 1.6 million (Sabol et al. 2007:1, 8). Even larger

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increases can be seen in the total number of individuals under correctional supervision, including individuals housed in jails and prisons and those living in the community on probation and parole (Glaze & Palla 2005).

These dramatic increases in the correctional population were largely the product of a series of sentencing and policy changes that ratcheted up criminal justice sanctions. Key among these changes was the move to determinant sentencing with sentencing guidelines and rubrics, mandatory minimum sentencing laws, truth-in-sentencing statutes, habitual offender laws, and the abolition of discretionary parole (Frost 2006). In addition, there has been a push toward more degrading forms of punishment such as the return of chain gangs, tougher penalties for young people convicted of crimes, increased panic and legislation concerning sex- and drug-related crimes, and an increase in punitive “supermax” facilities (Garland 2001a; Miller 1996).

Accompanying these changes in the scale and nature of incarceration were dramatic shifts in the rationales for prison sentences and crime policies generally (Beckett 1997; Zimring 2001). Most scholars agree that one of the central changes in this period was the “decline of the rehabilitative ideal”—the idea that prisons ought to serve as houses of reformation where inmates could be rehabilitated and prepared for a return to society (Garland 2001a). In place of rehabilitation, deterrence and incapacitation became the explicit goals of prison in political discourse. This shift has alternately been called the “new punitiveness,” “culture of control,” or “new penology,” but in all of its many forms, scholars have argued that the contemporary criminal justice system has become more punitive and less oriented toward rehabilitation (Feeley & Simon 1992; Garland 2001a; Pratt 2007).

These changes are hypothesized to have had profound changes on the daily operations of prison facilities, which are now described by some researchers as enormous human “warehouses,” rather than places for rehabilitation (Irwin 2005). Wacquant (2001) most eloquently describes this new view of the prison, writing:

Summarily put, the “Big House” that embodied the correctional ideal of melioristic treatment and community reintegration of inmates gave way to a race-divided and violence-ridden “warehouse” geared solely to neutralizing social rejects by sequestering them physically from society—in the way that a classical ghetto wards off the threat of defilement posed by the presence of a dishonored group by engaging it within its walls, but in an ambience resonant with the fragmentation, dread, and despair of the post-Fordist hyperghetto. (2001:109)

From this quote, one can glean many of the key features of this perspective on the (de)evolution of prisons: it suggests that the older “Big House” prisons were centered on the notion of treatment, that this focus on treatment has now been cast aside, and that contemporary prisons are violent warehouses for people who have been judged irredeemable by society.

However, despite strong claims about the demise of rehabilitation, few empirical tests have documented how (or if) the actual practice of rehabilitative programming in prisons changed in response to rapidly changing penal norms. This gap between knowledge on the changes in rhetoric and changes in practice is particularly troubling because research from many areas of the literature suggests that one should not expect to see any clear connection between criminal justice rhetoric and practices (Carroll 1998; Cohen 1985; McNeill et al. 2009; Scheingold 1984). Even in the critical literature, exemplified above by Wacquant, there is an understanding that “even in the heyday of rehabilitation . . . the prison did not much rehabilitate” (2001:124). This suggests that it is important for scholars to understand both what was actually happening inside of prisons during the rehabilitative era and how that has changed (or not) in the contemporary period.

This analysis uses nationally representative data to document trends in inmate rehabilitation in U.S. state prisons, focusing on types of correctional facilities, staffing rates, and inmate participation in educational classes, vocational training, and general counseling programs. From a theoretical perspective, this work is vital for understanding the connections between the punitive turn, changes in the rhetoric of rehabilitation, and actual on-the-ground practices in correctional facilities. As Matthews (2005) notes, research on punitiveness often suffers from a conceptually weak and overly broad definition of the punitive turn and an implicit assumption that all aspects of the criminal justice system have moved in the same direction. This work is in part an answer to that concern; while the trend toward increased punitiveness in terms of prison populations is by no means a “myth,” the connection between the shift from rehabilitative to punitive rhetoric and the actual provision of inmate programs is neither simple nor obvious. In addition, from a policy-oriented perspective, this analysis helps researchers understand the trajectory and current state of services for prison inmates. These facts are particularly important in the context of mass incarceration and the evisceration of social services in disadvantaged neighborhoods, which has left prisons as an important site “of last resort” for social services such as remedial education, drug treatment, general counseling, and medical care (Wacquant 2008).

Visions of Prisoner Rehabilitation

Scholars concur that one of the most important changes in the penal field in the last 30 years was the decline of the rehabilitative ideal and the shift toward a more punitive criminal justice system (Garland 2001a). The stylized facts of this transformation suggest that between the 1950s and 1970s, the ideal model of correctional administration was founded on the belief that trained experts could administer individualized assessment and treatment that would “diagnose” and “treat” the causes of criminality in the way that medical doctors were able to cure other forms of illness. This medical model of inmate services was referred to as the “rehabilitative ideal,” a correctional philosophy deeply rooted in the idea that prison inmates could be reformed and returned to the free world as law-abiding citizens, and it was crucial to the development of correctional professionals and most corrections departments across the United States. Many in the field believed that the rehabilitative ideal would be the paradigm for corrections indefinitely and that penal reformers would be able to craft increasingly technical and sophisticated prison environments and programs (Garland 2001a). However, to the shock of many observers, precisely the opposite happened; starting in the early 1970s, rehabilitation was publicly discredited and became “a dirty word,” corrections departments turned to drastically different rhetorical strategies to justify their existence, and the sentencing structures that undergirded the rehabilitative ideal were dismantled (Ward & Maruna 2007). Much of the scholarly work in the field since that point has attempted to grapple with how and why this shift took place. For the purposes of this article, these perspectives are important because they highlight different explanations for the assumption that prison programs for inmates were eliminated alongside the demise of the rehabilitative ideal.

One of the most direct explanations of this shift is that the rehabilitative ideal was discredited by a lack of evidence that prison treatment programs could reduce recidivism and political attacks on the determinant sentencing model. Leading up to the 1970s, there had been a string of criminological reports finding no significant treatment effects for prison rehabilitation programs. In addition, there was a growing consensus that the indeterminate mode of sentencing (whereby inmates were released by parole boards that ostensibly decided whether an inmate was “rehabilitated”) was an unacceptable model, with critics on the left focusing on the racial disparities produced by the system and commentators on the right complaining about “liberal” judges and parole boards “coddling” offenders. The emergence of these two trends created a “perfect storm” moment where the political right and left,

academics and professionals, all coalesced around the popular interpretation of the 1974 Martinson report conclusion that “nothing works” in rehabilitating prison inmates and the idea that prison sentences ought to be decoupled from inmate reform. This reversal of correctional theory and the institutional logic for rehabilitative programs is believed by many to have decimated prison programming (Garland 2001a). As Rothman writes, “The distaste for rehabilitation has also contributed to making prisons human warehouses. If education and training programs are seen as futile, why should the state spend money on them?” (2003:407). Furthermore, even if the state decided to fund seemingly futile programs, many have argued that the reorganizing of parole eliminated incentives for prisoners to participate in programming and the rationales for prison administrators to support such programs (Clear 2007).

Other scholars argue that this sudden realignment of interests and the widespread distrust of rehabilitation were initiated by broader social forces. The first scholar to give voice to these ideas was Allen, whose 1981 book popularized the phrase “the decline of the rehabilitative ideal.” Allen began by positing that two cultural factors were necessary for public support of rehabilitation: “a vibrant faith in the malleability of human beings” and “a workable consensus on the goals of treatment” (1981:12). While these two conditions were met from the birth of the American penitentiary to the 1960s, by the 1970s, support for both propositions had faded. Allen attributed this shift to wide social forces involved in the turn to the “modern sensibility” of a world radically changed by historic events—such as the Vietnam War, the bombing of Hiroshima, and the Watergate scandal—that reduced confidence in the malleability of human nature and the capacity of any government institutions to produce such changes (1981:19). Garland (2001a) makes a parallel argument that ties the decline of rehabilitation to increasing crime (and fear of crime) and a concurrent rise in the distrust of welfarist policies. In this new world, the public had increasingly less concern for (and more fear of) felons, who were presented as racialized “super-predators” unable to be reformed. In the infamous words of James Q. Wilson, “Wicked people exist. Nothing avails except to set them apart from innocent people” (1975:235).

One consequence of the decline in support for welfare policies and trust in experts or professionals was a shift in the balance of power among the public, criminal justice professionals, and legislators (Garland 2001a). Instead of experts setting criminal justice policies and professionals implementing decisions for individual cases, this new mode of governance focused on populist and racially coded “law-and-order” rhetoric (Beckett 1997; Scheingold 1984; Simon 2007). This new rhetoric was matched with increased

legislation around criminal justice policies (such as sentencing guidelines, mandatory minimum sentences, and repeat offender laws) that transferred decisionmaking power away from administrators, judges, and parole boards and toward legislators and voters (Pratt 2007; Zimring et al. 2003). With politicians in greater control of correctional policy and increasingly worried about appearing “soft on crime,” it became harder to continue funding prison programs (Jacobson 2005).

Last, in the decades leading up to and during the rise of the “law-and-order” movement, the prison population came to be increasingly composed of black (and later Hispanic) inmates (Tonry 1995; Wacquant 2009). With this change in the population inside of prisons and the profound social unrest happening outside of prisons in the 1960s, prisoners became increasingly divided along color lines and gang problems in prisons emerged as a serious concern (Irwin 1980; Jacobs 2003; Wacquant 2001). This compositional shift, alongside the increasing radicalism of prisoners and prison riots during the 1970s, may have contributed to and aggravated many of the anti-rehabilitation trends noted above, including the increased public hostility toward inmates, declines in the perceived reformability of prisoners, and increased political apathy toward funding prison programs (Gottschalk 2006). In addition, such tensions may have increased the difficulties in managing daily life (and providing programs) in prisons and contributed to a more critical attitude from inmates about rehabilitation (Irwin 1980).

However, despite the many reasons to believe that prison programs were radically altered in the 1970s and afterward, there are also reasons to believe that the practice of rehabilitation may have remained more stable than has been widely assumed. The first of these arguments is that there is not necessarily any direct correspondence between penal rhetoric and actual practices; in criminal justice studies, as in other areas of law and society research, scholars have shown that political dramas or official statements do not always translate into practices because the forces driving rhetoric may be entirely different from those driving practices (Carroll 1998; Lynch 2000; McNeill et al. 2009; Scheingold 1984). Some scholars have argued that penal practices have always “braided” punishment and rehabilitation into the mission and operating practices of the criminal justice system and that what changes with the political winds are the public justifications for correctional practices (Goodman 2010; Hutchinson 2006; Robinson 2008).

If the rhetoric of rehabilitation was not linked to the practices of rehabilitation, then programming options in the 1970s may have been quite limited. Indeed, there is evidence to suggest that although the 1950s and 1960s were a time of great penal innovation

in some states, practical knowledge about effective programming and the scale of implementation may have been quite limited (Blomberg & Lucken 2000; Carroll 1998; Cohen 1985; Miller 1996; Rothman 2003; Miller 1996). In addition, to the extent that programs were available in the 1970s, some scholars argue that bureaucratic inertia would have led to the continuation of that level of programming, despite the turn toward punitive rhetoric. Garland notes that new penal logics are interwoven with “the distinctive technologies, powers and knowledges” developed in the rehabilitative era, such that “if we inhabit a ‘post-rehabilitative’ era, as the conventional wisdom assumes, it is not because the structures for assessing individuals and delivering rehabilitation have been dismantled and removed” (2001a:170). McNeill and colleagues (2009) refer to this disconnect between rhetoric and practices as the “governmentality gap” and argue that large-scale policy discourses change more readily than front-line discourses and practices, which are embedded in the historically contingent habitus of government workers.

In support of these ideas, there is evidence that correctional professionals continued to support prison programs, both as a rehabilitative tool and as an organizing principle for good inmate management (Cheliotis 2006; Feeley & Rubin 1998). Cullen and colleagues (1993) use a survey of prison wardens to show that although most wardens identified with a control-oriented approach to managing prisons, they remained pro-treatment: on average, prison wardens in their sample rated rehabilitation as the second most important function of prisons (with incapacitation being the most important). Wardens in the sample also largely favored expanding educational and vocational programs and psychological counseling programs. This is consistent with other research that suggests that political actors closer to the administration of criminal justice agencies are less likely to endorse the most extreme law-and-order rhetoric voiced by national figures (Scheingold 1991).

There are also factors entirely separate from penal theory, political rhetoric, and program implementation that may have affected the trajectories of in-prison programming. Perhaps most important, the involvement of federal courts in prisoners’ rights litigation may have had a significant role in shaping penal practices. Feeley and Rubin show that there was a tremendous rise in prisoner’s rights litigation starting in the mid-1960s and that a leading goal of this litigation was to promote rehabilitative services in prisons. Rather than basing this goal on evidence of rehabilitation’s promise, Feeley and Rubin argue that such reforms were intended to “create a prison that judges regarded as morally acceptable” (1998:265). Most scholars now agree that such litigation,

particularly for prisons in the South, improved the conditions of confinement and reduced the overcrowding that can be detrimental to prison order and inmate programs (DiIulio 1990; Jacobs 2003). This perspective suggests that to the extent that individual facilities and state systems were influenced by litigation, services for prisoners may have been bolstered after the decline of the rehabilitative ideal.

Finally, while much of the punishment literature in recent years has focused on the return of chain gangs, tough policies for youth, removing televisions from prison cells, and similarly punitive measures, there has also been a resurgence of support in recent years for rehabilitative programs, particularly for felons returning to their communities after imprisonment and individuals convicted of non-violent drug crimes, and alternatives to the traditional court and prison systems (Berman et al. 2005). This suggests that while certain aspects of the criminal justice system (particularly the number of people incarcerated) have become more punitive, other aspects may not have followed the same trajectory. According to Cullen (2005), rehabilitation has been “saved,” while Simon more cautiously notes that it is “back on the table,” particularly in the context of reentry services (2008:10). Lynch (2008) similarly argues that there have increasingly been signs of a return to a more nuanced and compassionate perspective on crime in the media and wider public, and Jacobson (2005) and Steen and Bandy (2007) show that some states are using recent budget crises as an opportunity to downsize their correctional populations and increase program opportunities. These perspectives suggest that prison programs, particularly those related to reentry services, may have actually become more politically palatable in recent years and that researchers may see contemporary increases in prison programming.

Definitions of Rehabilitation and Previous Empirical Work

Despite the centrality of inmate programming to the fate of prison rehabilitation, very few empirical studies have attempted to document trends in inmate services over time. In large part, this omission is due to the fact that research efforts have been focused elsewhere, for example, on the framing of inmate programs by prison administrators and the relationships between staff and inmates. Analyzing prisoner orientation handbooks from the Bureau of Prisons, Bosworth (2007) finds a dramatic shift in the framing of rehabilitation between the 1960s and today. Whereas in the earlier period the institution explicitly emphasized its own responsibility to provide a healthy and productive setting for individuals' development, in 2001, responsibility was placed solely on the inmate to behave well and seek

out opportunities for self-development. Kruttschnitt and Gartner (2005) similarly find that the front-line staff in a California prison for women shifted their understanding of the roles of staff vis-à-vis inmates: staff members in the 1960s saw themselves as active role models and counselors in the rehabilitative process, whereas by the 1990s, staff members articulated a neoliberal personal responsibility framework where inmates were responsible for their own reform and staff were responsible for maintaining order and security.

However, these frames do not necessarily correspond to actual patterns of rehabilitative programming. Focusing on Rhode Island's correctional facilities, Carroll (1998) shows that prison program options were higher in the 1990s, when there was no explicit rehabilitative focus, than in the 1950s, when rehabilitation was the mission of the department of corrections. Jacobs (1977) argues that the administration at Stateville Prison in Illinois most explicitly dedicated to the rehabilitation model was unable to maintain a basic level of order or provide inmates with professional programming options. Analyzing variation across three state corrections systems, DiIulio (1987) argues that prison administrators who use a control-oriented model of prison management—rather than a more inmate-oriented or “responsibility” perspective—are able to provide the highest level of inmate services because they provide the order and organization necessary for inmate programming.

Only two studies have attempted to quantitatively assess trends in prison programming at the national level for the entire post-1970s period; both of these studies focus exclusively on educational programs and come to somewhat different conclusions. Western (2006) analyzes staffing data from 1979 and 2000 and finds a large increase in the ratio of inmates to educational staff, suggesting a decline in the emphasis on educational programming in the context of rising prison populations. Useem and Piehl (2008) use inmate-level survey data to document the percentage of inmates who reported participation in educational programs between 1974 and 2000. They find that participation in academic programs actually increased between 1974 and the late 1980s but declined after 1991. They also estimate that participation in vocational programs increased between 1974 and 1979, remained approximately equal in 1979, 1991, and 1997, and declined slightly by 2004. However, as detailed in the results section below, these results underestimate the amount of programming in the earlier period (because they compare essentially different questions) and therefore artificially create the early upward pattern of program participation. In addition, both studies fail to consider other types of inmate programming. This article brings together these two sources of data—staffing and program participation—and more thoroughly documents trends over time in educational programs, as well as an

array of other programs, revealing a richer and more complicated story.

The prior literature focuses on education and vocational training programs in large part because these are thought of as the prototypical prison rehabilitative programs. However, looking at the historical and contemporary record, it is clear that a wide variety of inmate programs and management practices have been declared “rehabilitative.” The first prisons in the United States were modeled off of a range of “rehabilitative” regimes, ranging from isolation and silent reflection to hard labor and physical discipline (Morris & Rothman 1995). As prisons began to proliferate in the United States, prison administrators increasingly argued that prison labor was the pathway to both inmate reformation and prison discipline. With the decline of prison labor and the birth of the progressive era, prison officials began instead to talk about rehabilitation as the process of transforming inmates into (white and male) ideal citizens who were able to govern themselves (McLennan 2008). It was in this era that one pre-eminent prison sociologist argued that rather than focusing on work or resocialization generally, the best pathway of rehabilitation was to teach inmates how to productively use their social and leisure time (Clemmer 1940). Following the emergence of psychology as a professional field after the progressive era, inmate programs became increasingly focused on targeted clinical interventions. In 1974, the Martinson report, which focused on the programs favored by corrections experts at the time, was concerned with education classes, vocational training, and counseling programs, as one would expect, but also rehabilitative institutional environments and pharmacological and surgical options for the “treatment” of criminality (Martinson 1974).

This article utilizes Lynch’s definition of rehabilitation as “any discourse or practices that speak to transforming or normalizing the criminal into a socially defined non-deviant citizen, including psychological programs, drug treatment programs, educational and work training programs, work and housing placement assistance, and half-way houses” (2000:45). The analyses focus on facility designations (e.g., whether the facility is general confinement or oriented towards specific services), inmate-to-staff ratios, and inmate participation in academic and vocational education classes as well as individual counseling and group programs focused on parenting, substance abuse, life skills, and pre-release planning.¹ These outcome measures were chosen to highlight

¹ These specific programs were chosen because they represent the largest programs operating inside prisons and because they most closely align with notions of rehabilitation since the 1970s. Inmate labor programs were excluded from this analysis due to a limited number of indicators in the data sources and because they do not represent inmate services in the same way as do educational classes, vocational training, and counseling programs.

rehabilitation-related practices, rather than focusing on rehabilitative orientations or the (important, but more difficult to measure) informal prison characteristics that make any facility a more or less positive environment, such as inmate-staff and inmate-inmate relations, prison architecture and cleanliness, and other conditions of confinement. This definition of rehabilitation is unique because it focuses on national trends, encompasses an array of inmate services, and is more multidimensional than any of the preceding empirical work.

Considering these indexes in tandem is not meant to suggest that all these programs and investments in service facilities and inmate services-related staff are equally “rehabilitative”; indeed, they represent different articulations of correctional goals with varied political meanings. In addition, this analysis is not meant to suggest that the other frames for examining rehabilitation are invalid. Rather, it is meant as a complement to previous work by focusing on several critical and understudied aspects of rehabilitation in practice.

Data Sources

This article focuses on correctional facilities administered by (or for) state governments. Data are drawn from the *Census of State and Federal Adult Correctional Facilities* (hereafter *Census of Correctional Facilities*) and the *Survey of Inmates in State and Federal Prisons* (hereafter *Survey of Inmates*) (U.S. Department of Justice, Bureau of Justice Statistics 1974, 1979a, 1979b, 1984, 1986, 1990, 1991, 1995, 1997, 2000, 2004, 2005).² The 1990 *Census of Correctional Facilities* and 1991 *Survey of Inmates* were the first to include facilities under the control of private prison administrators and the Federal Bureau of Prisons.³ Because the Bureau of Prisons facilities entered the sample late, have generally followed a different historical trajectory than state prisons, and house only a minority of inmates, they are not included in this analysis.⁴

Undoubtedly, some prison jobs provide a meaningful platform for skill acquisition, but these nuances are not distinguishable in the data. Medical services for inmates would have been included if the data sources contained better or more consistent measures across survey waves.

² All statistics reported in this article are from these sources. The content of each statistic (e.g., whether it refers to individual inmates or facilities) and the year will identify the exact data set used for every item of information.

³ There were very few private facilities between 1974 and 1990, so their exclusion in these earlier data sets should not create significant biases.

⁴ Despite rapid growth in federal correctional populations, federal inmates are still a minority of the total U.S. incarcerated population. According to data from the 2005 *Census of Correctional Facilities*, federal inmates now comprise approximately 10 percent of the inmate population nationally. For the participation rates in educational programs since 1991 in federal facilities, see Useem and Piehl (2008).

The *Census of Correctional Facilities* data are collected from a questionnaire that is mailed to all U.S. correctional facilities—including general confinement prisons, boot camps, community centers, reception facilities, forestry camps, and youthful offender facilities⁵—and completed by prison administrators. Data were collected in 1974, 1979, 1984, 1990, 1995, 2000, and 2005. The *Census of Correctional Facilities* is a complete population enumeration and has a 100% response rate, except for the 2005 data, for which all state prisons in Illinois were unresponsive. In addition, state-administered prisons in California did not report staff information in 2005.

The *Survey of Inmates* data series provides information from extensive in-person interviews by U.S. Census Bureau staff with a stratified random sample of adult prison inmates weighted to be nationally representative. The survey uses two stages of randomization, first selecting prisons from a sample frame generated by the *Census of Correctional Facilities* and supplemented with information on newly opened facilities, and then selecting inmates within those facilities. Data were collected in 1974, 1979, 1986, 1991, 1997, and 2004. The sample size and interview response rates for state inmates are as follows: 1974 (9,040; 90.4 percent), 1979 (11,397; not available), 1986 (13,711; 93.6 percent), 1991 (13,986; 93.2 percent), 1997 (14,275; 92.8 percent), and 2004 (14,499; 89.1 percent).

Since the two data sources are based on administrators' and inmates' self-reports, respectively, there is some danger of reporting bias. However, there is no clear reason why these biases would change systematically over time. In addition, to the extent that facility- and individual-level data suffer from different types of biases, the correspondence between the two serves as a check on validity. The second limitation of the data is that they do not allow analysts to gauge program length or quality (beyond staff investments).⁶ Nevertheless, as the only nationally representative data of its kind, these surveys provide a wealth of information about trends in staffing investments and participation in inmate programs.

Data Analysis

The following analysis examines the degree to which corrections departments have become more or less oriented toward inmate rehabilitation from three different perspectives: the presence of specialized treatment facilities, the commitment to inmate services

⁵ These facilities are not juvenile detention facilities. Rather, they are special facilities in the adult confinement system for younger adults (generally under age 25) and juveniles sentenced as adults.

⁶ Evidence suggests that programs do show significant variation on these dimensions across facilities. See Lin (2000).

staff, and actual rates of inmate participation in prison programming. Together, these measures provide a multifaceted view of rehabilitation and provide systematic measures of changes over time. For all of these analyses, the focus of this article is on aggregate statistics at the national level. At the end of the article, I briefly discuss the impact of individual inmate characteristics and regional trends.⁷

For both theoretical and empirical reasons, the data analysis is divided into four sections. The first and second are an analysis of facility-level data for the period of 1974–2005, looking first at facility designations (e.g., whether the facility is for general confinement, substance abuse treatment, etc.) and then average inmate-to-staff ratios. The third—and perhaps most important—section focuses on the question of what happened to prison program participation rates after the 1970s and the decline of the rehabilitative ideal. The last section looks at rates of prison programming since 1990 to comment on contemporary changes in prison program participation rates.

State Correctional Facilities, 1974–2005

Throughout the last 30 years, correctional facilities for adults have encompassed a variety of different types of facilities, including reception centers, hospitals, and community corrections facilities in addition to general confinement prisons. If corrections departments have become less oriented toward providing inmate services and more oriented toward warehousing prisoners, then policy makers and administrators may have become increasingly focused on building and maintaining general confinement facilities.

The data show substantial continuity in the types of facilities operated by (and for) state corrections departments. If the facilities are grouped into categories according to their primary designation, one can compare the breakdown of facilities in 1974, 1979, 1995, 2000, and 2005.⁸ In all periods where data are available, general adult confinement facilities comprised roughly 60 percent of all state facilities throughout the period of 1974–2005. The second most common facility types were community corrections (i.e., pre- and work-release facilities), which comprised approximately 20–25 percent of all facilities. Reception or classification facilities

⁷ While outside the scope of this article, it is also possible to analyze differences across facility types. However, for all the included measures, there are only small differences in the trends across security levels, facility designation (e.g., general confinement or other), and private versus state administration.

⁸ Unfortunately, a comparable question does not exist in the 1984 and 1990 *Census of Correctional Facilities*. In the 1979 *Census of Correctional Facilities*, community corrections and reception, diagnostic, medical, and psychiatric facilities can be identified, but facilities devoted primarily to general confinement cannot be uniquely identified.

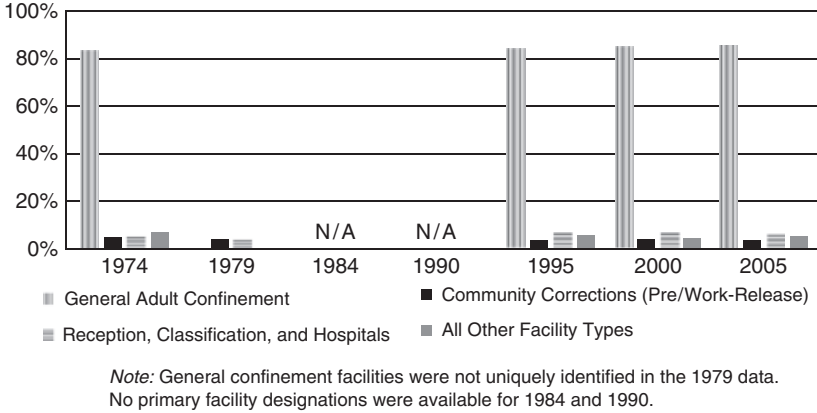


Figure 1. Percentage of Inmates in Selected Types of Facilities, 1974–2005.

combined with hospital and psychiatric facilities comprised approximately 5 percent of facilities. Throughout this period, the “other” facilities included facilities for youthful inmates (e.g., minors charged as adults and inmates ages 18–25) and alcohol and drug treatment centers. In later years, categories were added for boot camp facilities, returning prisoners, and geriatric facilities. However, only approximately 1 percent of facilities identified with each of these newer categories by 2005.

Since general confinement facilities tend to be larger than other facilities, it is also useful to compare the percentage of prisoners in each type of facility. As demonstrated in Figure 1, in all time periods with available data, roughly 85 percent of inmates resided in general confinement facilities, 3–5 percent were housed in community corrections or pre- and work-release facilities, and just over 5 percent were located in reception, classification, medical, and psychiatric facilities.

The results suggest that state prison systems have continued to house the majority of inmates in general confinement facilities but have also invested in specialized facilities that evoke the rehabilitative ideal and a concern with inmate services and treatment. In addition, throughout this period, a significant number of facilities have been devoted to community corrections and a fairly stable (but small) percentage of inmates have resided in such facilities.

Staffing Patterns, 1974–2005

The next point of evidence on states’ commitment to rehabilitation is the size and distribution of their labor forces. Each *Census of Correctional Facilities* asks facilities to provide the number of staff assigned to different functions. These staff include full-time and

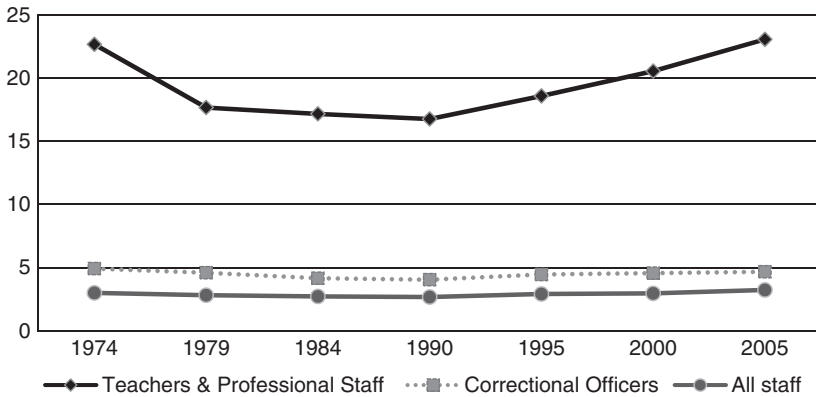
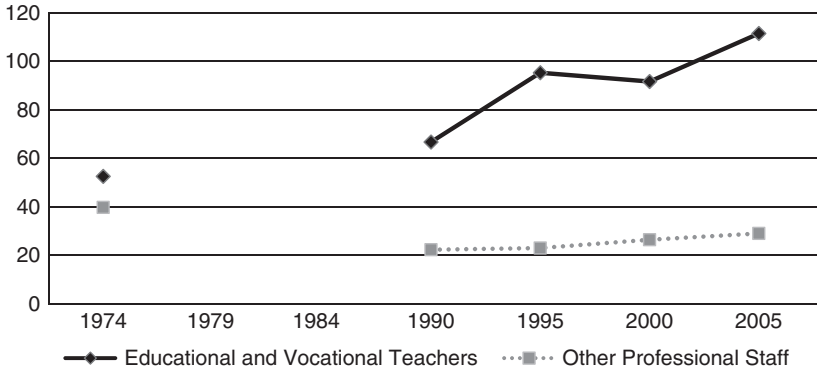


Figure 2. Inmate-to-Staff Ratios for Correctional Officers and Educational/Professional Staff, 1974–2005.

part-time payroll staff, nonpayroll staff (e.g., those paid by other government institutions or unpaid interns), and contract staff.⁹ The staffing totals do not include community volunteers. It is possible from the data to analyze the number of staff devoted to custodial (i.e., supervision and security) purposes compared to the number of educational staff (which includes both academic teachers and vocational training instructors) and the number of other professional staff, including counselors, psychologists, nurses, doctors, dentists, chaplains, and librarians. If prisons became more punitive after 1970, one would expect to see an increased emphasis on security that would reduce the average inmate-to-staff ratio for security staff and an increase in the average ratio for staff allocated to inmate services.

As illustrated in Figure 2, the results show that the average inmate-to-staff ratio for all staff members barely changed in the last 30 years, averaging approximately three inmates per staff member between 1974 and 2005. The data are slightly U-shaped, with the inmate-to-staff ratio falling from 3.0 in 1974 to 2.8 in 1979 and 2.7 in 1984 and 1990, and rising to 2.9 in 1995, 3.0 in 2000, and 3.2 in 2005. The ratio of inmates to security staff declines from 4.9 inmates per correctional officer in 1974 to 4.1 in 1990 and back up to 4.7 in 2005. The average inmate-to-staff ratio for educational and professional staff shows a much more dramatic U-shape,

⁹ In the 1974, 1979, 1984, and 1990 *Census of Correctional Facilities* surveys, full-time and part-time staff were uniquely identified for each staff category. In the data with this information, the trends for inmate-to-staff ratios were substantively similar for full-time staff as they were for all staff. For all survey years, facilities that did not report any staff information or reported having no staff members were excluded from the analysis.



Note: Staffing data cannot be separated into categories for teachers and professional staff in 1979 and 1984.

Figure 3. Inmate-to-Staff Ratios for Teachers and Professional Staff, 1974–2005.

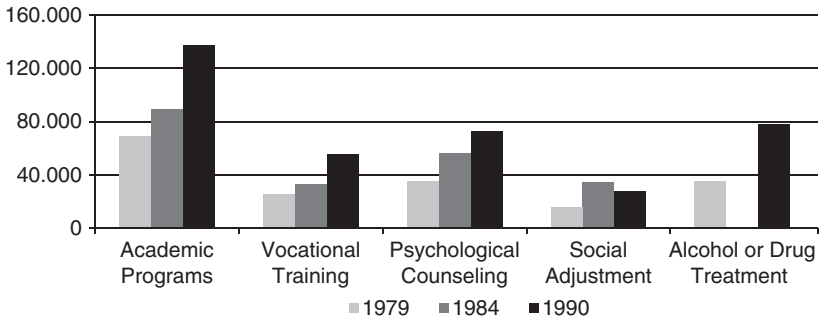
declining from 22.7 in 1974 to a low of 16.8 in 1990 and rising to 23.1 by 2005.

However, after disaggregating educational staff from other professional staff, the trends are very different, as shown in Figure 3.¹⁰ The ratio for professional staff members (excluding teachers) fell from 40 inmates per staff member in 1974 to 22 by 1990 and crept up to 29 by 2005. By contrast, the inmate-to-staff ratio for educational and vocational instructors increased from 53 in 1974 to 67 in 1990 and then jumped to 112 by 2005.¹¹

These results suggest that corrections facilities and departments were unwilling or unable to increase the number of educational staff for academic and vocational training programs in tandem with the rise in the number of inmates. Note that it is not the case that corrections departments were unable to hire staff in general, but rather, when the number of inmates increased, some types of staff, particularly correctional officers, were rapidly hired, while educational professionals were not.

¹⁰ In the 1979 and 1984 *Census of Correctional Facilities*, the questionnaire did not separate educational staff from other professional staff and instead combined the two into a composite “treatment and education” category.

¹¹ These staffing figures use the information in the processed data file, which substitutes the 2000 data for Illinois (since all information is otherwise missing) and leaves the 2005 California staffing data missing. If the 2000 staffing data for California are included to substitute for the missing data, the 2005 staff-to-inmate ratios become: 3.3 for all staff, 4.8 for corrections officers, 23.4 for all educational and professional staff, 29.8 for professional staff, and 108.1 for educational staff.



Note: Information on alcohol or drug treatment programs is missing for 1984.

Figure 4. Number of Inmates Currently Participating in Selected Programs, 1979–1990.

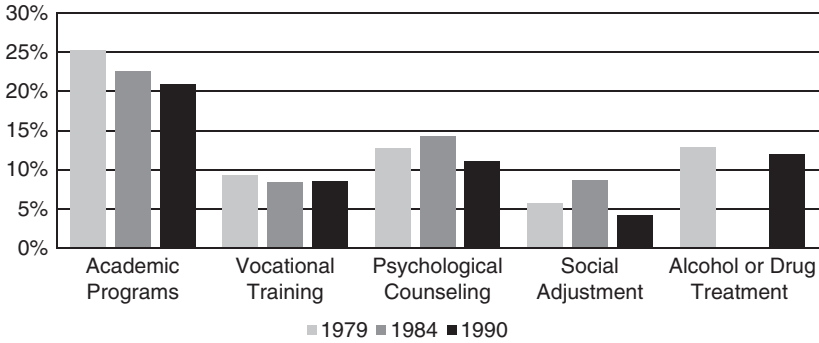
Program Participation in the Post-Rehabilitative Era, 1979–1990

In 1979, 1984, and 1990, the *Census of Correctional Facilities* questionnaires asked administrators to report how many inmates were currently participating in various programs. The key questions are consistent across the 1979, 1984, and 1990 surveys and provide information on how many inmates were in each type of program and what percentage of the total population was participating at the time of the survey.¹²

As shown in Figure 4, the absolute number of participating inmates increased for all the selected programs, including psychological counseling, social adjustment classes, alcohol and drug treatment programs, academic programs, and vocational training. In detail, between 1979 and 1990, the number of inmates participating in psychological counseling increased from 34,980 to 72,470, and the number participating in social adjustment increased from 15,640 to 27,815. The number participating in substance abuse treatment increased from 35,430 to 78,430. For academic programs (including adult basic education [ABE], GED, special education, and college courses), the numbers increased from 69,330 to 137,300, and the number in vocational training increased from 25,515 to 55,890.

Although the number of inmates participating in programs can provide some sense of the scale of programming, to understand how this affected daily life within prisons, the data must also be

¹² However, the surveys were administered in different months. The 1979 questionnaire asked about program enrollment in the month of November, whereas the 1984 and 1990 questionnaires asked about enrollment in a summer month (June). Perhaps because the survey designers feared summer enrollment numbers would be low, administrators were given this instruction: "If this date is not representative of enrollment throughout the year, estimate the average enrollment." Because program participation both increased and decreased between 1979 and 1984 depending on the program, this change does not appear to be a large source of bias.



Note: Information on alcohol or drug treatment programs is missing for 1984.

Figure 5. Percentage of Inmates Currently Participating in Selected Programs, 1979–1990.

viewed in terms of the percentage of inmates participating in programs. During this period between 1979 and 1990, the number of incarcerated persons more than doubled. As detailed in Figure 5, the increase in the size of these programs was not quite enough to compensate for the growth in inmates, and there were some small declines in the percentage of inmates participating in psychological and social adjustment counseling, alcohol and drug treatment, academic programs, and vocational training. It is important to note, however, that these declines were small (always within five percentage points) and not monotonic for all programs; for example, the number and percentage of inmates participating in psychological and social adjustment counseling increased between 1979 and 1984. Further, some programs, especially vocational training and alcohol and drug treatment, were more able to expand program size with the rise in inmates than were others. Academic programs seem to have experienced the largest of these declines, falling four percentage points between 1979 and 1990.

In detail, participation in psychological counseling increased from 13 percent of inmates in 1979 to 14 percent in 1984 and declined to 11 percent in 1990. Social adjustment participation increased from 6 percent in 1979 to 9 percent in 1984 and declined to 4 percent by 1990.¹³ Roughly 13 percent of inmates in 1979 and 12 percent of inmates in 1990 were reported to be participating in alcohol or drug treatment. Participation in academic programs declined from 25 percent in 1979 to 23 percent in 1984 and 21 percent in 1990.¹⁴ This decrease was mostly from a decline in ABE

¹³ No detail was given to indicate what type of programs fit this label.

¹⁴ Because the survey is completed by the entire existing universe of facilities, a significance test does not need to be conducted to assess whether the differences in the sample likely represent true differences in the population. However, if one considers the

classes. Vocational training participation was more stable, with participation at 9 percent in 1979 and 8 percent in 1984 and 1990.

Rather than showing a sharp decline in all programs for prison inmates after the mid-1970s, the results suggest that prison administrators were amassing great resources in the 1980s to try to increase program capacity in line with the increases in the number of inmates. Although some programs were able to expand rapidly, others, particularly the largest program—academic classes—were not able to maintain a stable participation rate, despite more than doubling the program size. This is strong evidence that the sharp change in penal logic in the 1980s was not matched by a dramatic change in inmate programs during that same period.

As a robustness and validity check, it would be useful to bolster these findings with corroborating evidence from inmate surveys about the changing prevalence of prison programming. However, programming information from the earlier inmate surveys is limited due to the changing nature of the survey questions about prison programs. In particular, in the 1974 and 1979 interviews, the academic education data were recorded only if the inmate was currently attending classes or had completed an educational grade, thus excluding inmates who participated in programming while in prison but were not currently enrolled and did not complete a grade. The question also assumes that prison education programs are linked to the grade system. In 1974, the interviewers separately asked about current or completed “remedial education” classes. When responses to the remedial education question are merged with information from the other academic education participation question, the percentage of inmates reporting past or current participation in academic programs jumps from 27 to 36 percent. However, this number is probably still too low because it misses those who participated in a nonremedial academic program without completing a class.

There are also limitations with the vocational training program questions. In 1974, vocational education participation data were only recorded if the inmate was currently enrolled or had completed a program. In 1986, the interviewer only asked about vocational classes if the inmate first reported attending school. By contrast, starting in 1991, the survey questions asked about any participation since admission and queried inmates about academic education and vocational training programs independently. These inconsistencies in the earlier survey questions strongly suggest that Useem and Piehl (2008) found an upward trend in the percentage of inmates reporting participation in academic and vocational

data as one potential sample in a universe of samples and conducts a significance test based on the number of facilities, then this difference is statistically significant.

training programs between 1974 and 1991 simply because of the change in questions rather than a change in practices.

The limited data that are comparable across survey years support the analysis presented above. The percentage of inmates reporting that they were participating in a vocational program (at the time of the survey) remained fairly stable between 1979 and 1991, moving from 12 percent in 1974 to 9 percent in 1979 and back to 11 percent by 1991, confirming the relative stability of vocational training participation seen in the facility-level data. For academic programs, the reliable data show that 45 percent of inmates in 1986 and 43 percent in 1991 reported participation since admission (rather than just at the time of the survey), which supports the small drop seen in academic program participation between 1984 and 1990.¹⁵ Finally, data on psychological counseling programs also show little change, with 16 percent of inmates reporting having received psychological counseling since admission in 1979 and 17 percent of inmates in 1991 reported receiving counseling outside of drug treatment.

Program Participation in the Punitive Era, 1990–2005

The results presented in the last section suggest that prison administrators rapidly expanded program capacities to accommodate increasing inmate populations and were fairly successful at maintaining a stable rate of program participation. This section now looks at whether these trends continued into the 1990s and 2000s.

After 1990, the only facility-level program data available are administrators' reports of whether certain programs exist at each facility. As detailed in Table 1, the results show fluctuating patterns, with some small increases and decreases. It is unclear how to interpret these trends, however, as program constriction could indicate reduced program availability or an attempt to cluster programs in certain facilities within states. In addition, these numbers are potentially an overcount, as administrators may report old

¹⁵ Alternatively, this small decline may be connected to a change in the survey questions. In 1986, inmates were asked if they had participated in any "academic" programs. In 1991, inmates were asked if they had participated in "educational" programs, excluding vocational training, and were then asked specifically about types of classes. The overall percentage participating in "academic" programs was created by summing the number of unique participants in ABE, GED, and college courses. The 3 percent of inmates reporting participation in "other" educational programs were not included. Useem and Piehl (2008) likely included the "other" category in their measurement of "academic" programs, because they found that the percentage of inmates reporting participation in academic classes in 1991 was 46 percent. If indeed the percentage of inmates reporting past or current participation in academic programs did not decline during this period, it may be because the decline in current participation was not sharp enough to make a significant difference in the 1991 report of past and current participation.

Table 1. Percentage of Facilities Reporting Presence of Programs, 1995–2005

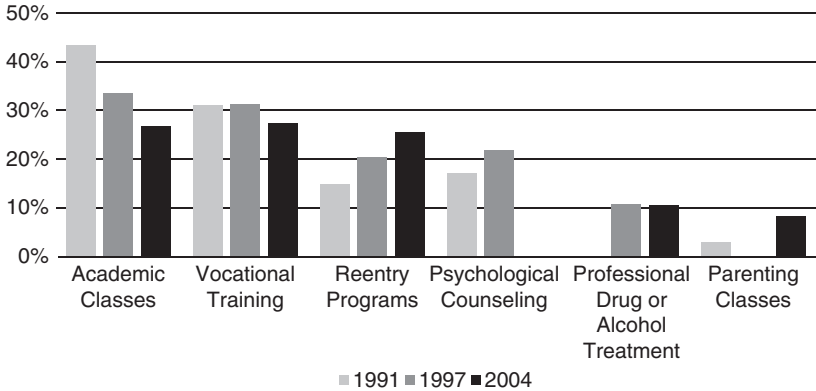
	1995 (%)	2000 (%)	2005 (%)
Education Programs			
GED	78	81	81
ABE	74	77	73
Vocational	52	53	53
Special	33	36	35
College	30	26	34
Counseling Programs			
Life Skills and Community Adjustment	65	70	79
Drug Dependence	87	89	74
Alcohol Dependence	89	88	74
Employment Counseling	59	63	73
Psychological Services	67	61	58
HIV/AIDS Counseling	N/A	53	53
Parenting/Child-rearing	35	44	45
Sex Offender Counseling	N/A	32	34
Other Programs	19	25	17

programs that no longer have participants or for other reasons exist in name only. However, even with these caveats, it is clear that by 2005, the vast majority of facilities reported the presence of academic programs, and most facilities also reported a number of specialized group counseling programs, particularly life skills and community adjustment classes. This suggests that if programs declined since 1995, it is not due to dramatic changes in the presence of programs in facilities. Rather, changes in participation rates are more likely tied to small program sizes. In addition, the high prevalence of programs for special populations, such as inmates with HIV/AIDS and those convicted of sex crimes, suggests that there are also a number of specialized programs for targeted groups of offenders that are not captured in the program participation data.

Fortunately, there are consistent and comprehensive program participation data from the most recent inmate surveys, which asked a series of questions about participation in various programs since admission to prison.¹⁶ The programs include academic classes, vocational training, substance abuse treatment, and individual and group counseling programs.

As detailed in Figure 6, consistent with the rapid increase in the average inmate-to-staff ratio for educational staff after 1990, the inmate-level program participation results show a large and statistically significant decline for academic programs, falling from 43

¹⁶ In some of the later years, the interviewers were prompted to ask, “Since admission on date—” rather than simply asking “since admission.” In 1991, inmates were asked about program participation since the “controlling admission” date. This date will differ from the “most recent” admission date for parole violators and escapees whose initial sentence was longer than the new sentence for the violation or escape. Only 7 percent of inmates fall into this category, so it is unlikely that this inconsistency creates large biases.



Note: Information on psychological counseling programs is missing for 2004. Information on professional drug and alcohol treatment is missing for 1991. Information on parenting classes is missing for 1997.

Figure 6. Percentage of Inmates Reporting Participation Since Admission, 1991–2004.

percent of inmates reporting participation since admission in 1991 to 27 percent of inmates in 2004.¹⁷ The decline in academic programs between 1991 and 2004 affected every level of education, with reported past or present participation in ABE falling from 5 to 2 percent, GED classes declining from 27 to 19 percent, and college courses from 14 to 7 percent.¹⁸ Given the elimination of Pell grants to fund inmates' higher education (Page 2004), it is not surprising that participation in college programs fell dramatically. However, this decline also affected ABE and GED classes and began before the elimination of Pell grants. Participation in vocational programs since admission also declined slightly at the end of the time period, falling from 31 percent in 1991 and 1997 to 27 percent in 2004. The percentage of inmates reporting participation in vocational training at the time of the survey (rather than since admission) also experienced a very slight decline, dropping from 11 percent in 1991 to 9 percent in 2004.

By contrast, most non-educational programs did not show signs of decline after 1991, and some have significantly expanded. Most important, past or current participation in reentry-related programs (including life skills, community readjustment training

¹⁷ The differences between 1991 and 1997, 1997 and 2004, and 1991 and 2004 are all statistically significant at the 0.01 level. Standard errors were corrected for facility-level clustering.

¹⁸ In addition, participation in "other" education programs increased from 3 percent in 1991 to 5 percent in 2004, and 1 percent of inmates in both 1991 and 2004 reported participation in English as a Second Language (ESL) programs in 1997 and 2004. This is likely an undercount of ESL participants because the survey was not conducted in Spanish.

programs, and other pre-release programs such as finance planning, job application training, and anger management)¹⁹ significantly increased from 15 percent of inmates in 1991 to 20 percent in 1997 and 25 percent in 2004.²⁰ In addition, the percentage of inmates reporting having received counseling outside of drug treatment increased from 17 percent of inmates in 1991 to 22 percent in 1997 (data were not comparable for 2004), and the percentage of inmates reporting participation in parenting programs increased from 3 percent in 1991 to 8 percent in 2004.

Participation rates in professional alcohol or drug treatment remained between 10 and 11 percent in 1997 and 2004 (and comparable data were not available for 1991). In addition, participation in both drug and alcohol self-help and peer support groups (such as NA and AA) remained at approximately 17 percent in 1997 and 2004.

These results suggest that there has been a recent shift in prison programs—not toward the elimination of all programs—but rather, a move from academic programs to reentry-related programs. As with the earlier period, these trends have been taking place in the context of rapidly increasing inmate populations, which makes increases in program participation rates all the more notable. These trends suggest that to whatever extent “rehabilitation is back on the table,” it is on the table in a new format increasingly focused on targeted, practical interventions, such as how to find a job, manage budgets, control anger, and parent children, rather than general education programs.

Discussion of Results and Alternative Explanations

These findings demonstrate that the shifts in penal logic witnessed in the 1970s did not lead to transformative declines in inmate programs in the 1980s. Despite rapid increases in imprisonment, U.S. prisons did not *become* “warehouses” devoid of any opportunities for rehabilitation. It is also not true that the last decade (or half-decade) has ushered in a return to rehabilitation, unless rehabilitation is narrowly defined as reentry-related programs. Instead, throughout the entire period under study in

¹⁹ This reentry-related category is a composite I created to control for a subtle change in the survey questions. In 1991 and 1997, inmates were asked if they had participated in “pre-release programs” or “classes in life skills (including household finance, how to find a job, etc.).” In 2004, the questions referred to “classes in life skills and community adjustment (including anger management, conflict resolution, personal finance, etc.)” and “other pre-release programs.”

²⁰ The differences between 1991 and 1997, 1997 and 2004, and 1991 and 2004 were all statistically significant at the 0.01 level. Standard errors were corrected for facility-level clustering.

this article, programming rates have been quite modest and in most cases fairly consistent across time. In addition, state corrections departments have continued to build and support community corrections facilities, drug and alcohol treatment, and facilities for sick, elderly, and mentally ill inmates and have increased the number of overall staff and professional staff to meet the increase in incarceration. However, this pattern does not hold for educational staff, whose inmate-to-staff ratios have increased dramatically, particularly after 1990, leading to steep declines in academic program participation. At the same time, participation in reentry-related programs increased, although these programs remain slightly less prevalent than academic classes.

One potential problem with these figures is that the survey asks about program participation since admission, and between 1974 and 2004, the mean length of time between inmates' admission dates and the survey interview increased from 34 to 45 months. This means that inmates interviewed in each successive survey had more exposure time for programming. In addition, because a large percentage of inmates are incarcerated for less than one year and participation among this group is very low, small fluctuations in the size of this population may have a large influence on the overall participation rate. Last, because a small percentage of inmates serve more than five years in prison, program participation rates at any period are also potentially affected by programming rates in the previous period. However, when program participation rates are separately calculated for inmates who have been incarcerated for different lengths of time (i.e., less than one year, one to three years, three to five years, and more than five years), the trends are similar across groups.²¹ The only exception is that the declines in vocational training between 1991 and 2004 did not affect inmates incarcerated more than five years and so the downward trend line is steeper (and starts slightly earlier) if those inmates are excluded.²²

Another potential concern is that changes in the inmate population have produced these trends. However, even in the case of the two most substantial trends—the decline in academic programs and the increase in reentry-related programs—changes in programming are consistent even after controlling for inmate characteristics such as age, gender, race, high school diploma, and time incarcerated. For instance, in a logistic regression model with these

²¹ Further information is available from the author upon request.

²² Participation rates in vocational training fell from 23 percent in 1991 to 15 percent in 2004 for inmates incarcerated less than one year, from 40 to 34 percent for inmates incarcerated one to three years, and from 50 to 41 percent for inmates incarcerated three to five years.

controls, the participation rate of the default category (white men, ages 25 to 35, incarcerated for one to three years) declined from 64 percent in 1991 to 36 percent in 2004 for academic programs and increased from 17 percent in 1991 to 31 percent in 2004 for reentry-related programs (see the Appendix). In addition, the relationship between demographic characteristics and program participation remained substantively similar in 1991, 1997, and 2004, suggesting that the changes in programming had consistent effects across different groups. Relevant to the discussion of race and prison programming referenced at the beginning of this article, in all the time periods under study, black inmates were slightly more likely to report participation in both academic and reentry-related programs, although this difference was only significant in one model (reentry-related programs in 1991). However, to the extent that black inmates are more likely to report participation, it is unclear whether this is related to the characteristics of the inmates themselves or the prisons in which they are confined.

It may also be that state or regional systems follow their own unique trajectories (Lynch 2010), such that national statistics are simply an amalgamation of opposing trends. The preceding analyses have all focused on national trends, in part because many of the previous descriptions of the fall of rehabilitation have focused on changes at the national level. However, even when disaggregated by region, the trends tend to be broadly consistent with the national pattern even though the regions have different absolute levels of inmate-to-staff ratios and programming rates. For example, between 1990 and 2005, the inmate-to-staff ratio for teachers increased in every region, ranging from 46 inmates per staff member in 1979 to 62 in 2005 in the Northeast, 88 to 98 in the Midwest, 73 to 108 in the West, and 83 to 151 in the South. All four regions also showed substantial declines in academic program participation and increases in reentry-related services in all four regions between 1991 and 2004. The main exception to this consistency is that the trend line for the overall staff-to-inmate ratio, which nationally shows a slight U-shaped curve between 1974 and 2004, was in large part driven by the South, which in turn was primarily driven by extreme trends in Texas. In the other regions, there were slight increases in the overall staff-to-inmate ratio during this period. In addition, the small decline in academic program participation rates between 1979 and 1990 nationally was driven by a large decline in the West (the region with the fastest growing inmate population), smaller declines in the South and Midwest, and a small increase in the Northeast.

Two limitations of the data are worth noting. First, the data are limited in terms of the time range available: The facility type and

staffing data are available starting in 1974, and program participation data begin in 1979. Given that the shifts in rhetoric began in the late 1960s and early 1970s, it would have bolstered this analysis to have data from the 1960s as the initial comparison point. However, the picture presented by the results is that change was slow in the decade immediately following the decline of rehabilitation and that it was driven more by the number of inmates imprisoned than by sharp changes in correctional administration. Second, the program participation questions are fairly crude and do not provide information on program length, intensity, or quality, which might all have changed over time. This limitation of the program data is one reason that it is important to also consider changes in staffing ratios, as these figures can corroborate the program participation data and reveal some evidence as to program length or intensity. For example, if the data suggested a dramatic increase in staffing ratios concurrent with no change in programming participation rates, one would assume that there had been a decline in program intensity (e.g., larger class sizes or shorter classes) and/or length (e.g., shorter periods of involvement). As discussed above, however, at least for academic programs, the staffing data are quite consistent with the program participation data, suggesting no major changes at the aggregate level for program intensity or length.

Finally, it is important to consider that these results may reflect changes in both state and institutional priorities and inmates' willingness and desire to participate in programs. While inmates' preferences likely play some role in prison programming, I argue that it is ultimately policy makers and administrators who determine aggregate programming levels, as they decide whether a program is given the necessary resources (e.g., teachers and class space), set the eligibility criteria, and structure the reward incentives, all of which are vital to a program's operation. Despite the decline in indeterminate sentencing, there are still a number of "carrots" that administrators can leverage to encourage participation. In particular, the practice of placing recently released inmates on parole is still widespread, and corrections departments often condition early release to parole (or early release through "good time" credits) on the completion of required programming. In addition, prison administrators can offer smaller incentives, such as transfer to better living areas or facilities or greater institutional privileges, if inmates' participation in programming is important to the institution. Although the data examined for this article do not provide evidence on inmates' willingness or interest in participating in various types of programs, there is some research to suggest that a majority of inmates would like to participate in prison programs (Petersilia 2003). This should not be surprising given the level of service needs in the prison population and the lack of other

meaningful alternatives.²³ In addition, the fact that these trends remain even after controlling for changes in the inmate population and looking across different regions suggests that there are strong national trends that are not solely a product of changing inmate preferences.

Concluding Thoughts

The goal of this article was to identify whether prison programming changed alongside the dramatic rhetorical shift from the rehabilitative ideal to the punitive law-and-order era. The results, in sum, show that for the decade following the decline of the rehabilitative ideal, very little changed inside of prisons in terms of rehabilitative programming, in spite of large increases in the incarcerated population. Only after 1990, fully a decade and a half after the infamous Martinson report (1974), did programming rates show substantial change, and even in this instance, the data suggest that this was more of a shift from academic programs to reentry-related general counseling programs rather than a uniform decline. In this last section, I sketch out a few tentative suggestions as to why these changes occurred and what scholars might conclude from them.

The first piece of the story is that program participation rates were quite modest in the 1970s, despite the lofty rhetoric about the rehabilitative ideal. Rather than a world in which the majority of inmates were participating in rehabilitative programming, inmate participation in academic, vocational, and counseling programs in the late 1970s was roughly comparable to participation in the early 1990s, and in both time periods, the majority of inmates were not housed in special treatment facilities or currently participating in prison programs. However, the continuance of prison programs is not a simple path dependency story whereby programs continued their operations unchanged after the change in rhetoric. Instead, throughout the 1980s, existing prison programs rapidly grew in capacity and expanded into new prisons to adapt to the rising prisoner population and accommodate increased overcrowding. This suggests that policy makers and correctional administrators close to the criminal justice system continued to support inmate programs throughout this period (Cheliotis 2006; McNeill et al. 2009).

²³ For example, 26 percent of inmates in 1974 and 33 percent in 2004 had a high school degree at the time of the arrest, 31 percent in 1974 and 28 percent in 2004 were unemployed at the time of the arrest, and 60 percent in 1974 and 52 percent in 2004 were under the influence of alcohol or drugs at the time of their arrest.

The consistency in the earlier period may have also been due to the involvement (and later withdrawal) of the courts through inmate litigation. Data from the *Census of Correctional Facilities* show that the percentage of state facilities under court order or consent decree for educational and training programs fell from roughly 11 percent in 1984 and 1990 to 7 percent in 1995, 1 percent in 2000, and 0.3 percent in 2005.²⁴ Similarly, court orders and consent decrees about staffing declined from approximately 12 percent in 1984 and 1990 to 1 percent in 2005.²⁵ Although court orders at their peak only directly affected a minority of facilities, they may have had an indirect effect by generating a fear of litigation or a normative environment that protected prison programming (Feeley & Rubin 1998).

The second part of the “why” question is what happened in the 1990s. The decline in participation rates for academic programs looks like a direct consequence of the declining investments in educational staff and suggests that academic programs became less important a priority to policy makers and/or prison bureaucrats and administrators. However, it is not clear what caused this devaluation of prison academic programs and whether it was a conscious policy decision to switch to reentry programs or a result of other economic and practical factors. In tough economic or politically contentious times, educational staff may be seen as more expendable (or less unionized and politically powerful) than correctional officers and professional staff. Educators may in particular compete with professional staff members, who may have become increasingly important in managing special-need populations, such as mentally infirm, chronically ill, elderly, and female inmates (Blomberg & Lucken 2000).

However, it is also true that the politics of education for inmates, especially higher education, have become deeply contentious, making it hard for policy makers to support expanded access to education for incarcerated individuals (Page 2004). This dismissal of education programs for prisoners was strongest with the law-and-order rhetoric of the 1990s, rather than the earlier fall of rehabilitation, which is likely a large part of the explanation for why these changes are located in the 1990s and beyond rather than in the 1980s. Alternatively, the decline of the rehabilitative ideal perhaps took more than a decade to change the staffing and

²⁴ However, during the same period, courts grew more likely to include specialized treatment requirements in felons' sentences. Between 1991 and 2004, the percentage of inmates (admitted in the last five years) who reported that they were ordered by a judge to participate in programming increased from 8 to 18 percent for alcohol and drug treatment, from 1 to 6 percent for sex offender treatment, and from 1 to 5 percent for general psychological treatment.

²⁵ See also Schlanger (2006).

programming rates because that was the length of time it took before “old guard” staff and administrators were replaced with individuals who understood their careers within the new logics of the field.

The second story of the change in the 1990s is why policy makers and administrators increasingly promoted reentry-related programming. This shift is undoubtedly tied to the growing popularity of reentry “solutions” among both politicians and corrections professionals. As Western notes, “the prisoner reentry movement is, in many ways, rehabilitation for the mass imprisonment era” (2006:197). For politicians, reentry programs allow for a “tough on crime” stance that simultaneously appears rehabilitative and encourages additional spending on corrections in the name of public safety. For example, Barker (2009) argues that while the 2007 Prison Reform Act in California was publicized as a return to rehabilitation, it was framed “in the name of public safety and crime victims rather than in the name of offenders” (2009:80). In addition, the most significant part of the reform bill was to increase prison capacity. In addition, corrections professionals may like reentry programs because they seem to address the practical or concrete needs of returning offenders (particularly in a context where inmates are often released without the oversight and planning of a parole board) and the problem of “revolving door” justice. Given the growing political interest in reentry programs, private and government funding streams have been much easier to access in recent years than funding for education.²⁶ There is also evidence that reentry-related programs are cheaper to run, both because they are shorter in duration and because they require fewer and less credentialed staff members (LoBuglio 2001).

It is also interesting to note that this shift in emphasis from education to reentry programs is aligned with broader changes in the conception of criminals. Whereas academic programs strive to give inmates the tools they need to overcome histories of social disadvantage, reentry-related counseling programs provide techniques for inmates to manage themselves (e.g., anger management training) and to advocate for their own advancement (e.g., job application training). This focus on internal management and practical tools for reentry is consistent with the recent shift back toward the rational-actor model of crime (Lynch 2008) and the neoliberal emphasis on personal responsibility in contemporary politics (Wacquant 2009). As intensive general education and counseling programs were perhaps seen as the best response to deficient

²⁶ However, federal funding from the Office of Justice Programs for reentry programs did not begin until 2002, long after the initial rise in these programs in prisons. See <http://www.ojp.usdoj.gov/BJA/grant/reentry.html> (accessed 8 Dec. 2010).

neighborhood and family conditions in the rehabilitative era, short and direct reentry-related programs that change inmates' cognitive-behavioral patterns and give them instructions on how to find employment after release may be the new ideal-type response for the punitive era. It should be noted that this shift was by no means predetermined, because education programs could have also been reframed in the rational-actor model as a way to increase ex-felons' earning potential and therefore make crime a less attractive alternative. However, as discussed above, this perspective is notoriously hard to sell to the public given the extreme hostility toward government funding of prison education programs.

These changes likely have implications for recidivism trends, although the evidence on the direction of this effect is mixed. In meta-analyses of prison programs, researchers find significant effects for educational and vocational training as well as for general cognitive skills training, although in some studies the cognitive skills training programs seem to be somewhat more effective in reducing recidivism (Aos et al. 2006; Gaes et al. 1999). However, it is unclear how much the average reentry-related prison program matches the ideal cognitive-behavioral interventions used in pilot programs. For instance, services are most effective in the context of multimodal programs with appropriate aftercare, and it is likely that most programs in operation do not meet this bar. Furthermore, these prison-based reentry programs may be more aptly grouped with "life skills programs," rather than behavioral and cognitive programs, and criminologists have not come to a conclusion about the effectiveness of such programs (MacKenzie 2006).

Turning to broader conclusions, these results add to the literature on the link between rhetoric and practices and support the notion that there is no simple or determinant relationship between guiding penal ideologies and daily experiences (Scheingold 1984). However, it is not the case that changes in rhetoric are never associated with changes in practices, as can be seen in the close link between the rise of reentry-related rhetoric and programs. Rather, changes in rhetoric are filtered through many layers of political and bureaucratic processes before they meet the "subjects" of such practices. Prison policies, for instance, may be affected by a number of organizational factors that may or may not be in alignment with changes in the national mood, including funding streams, availability and political power of staff members, the involvement of federal courts, and institutional ability to implement programs. Furthermore, in some cases, what changes is the name and justification for practices, rather than the acts in question (Goodman 2010; Hutchinson 2006; Robinson 2008). Particularly with a field as guarded and isolated as prison administration, it should be no

surprise that what happens inside them is at times noticeably different from the public debates (Pratt 2002).

This work also has implications for the theorists of punishment who seek to understand the punitive turn and contemporary era. The stasis of programs until 1990, for example, validates Garland's (2001a) claim that the new structures of punishment are erected on the foundations of the old, which still deeply influence penal policy. The results also support the contention that rehabilitation in the era of mass incarceration has become increasingly synonymous with reentry concerns (Garland 2001a; Simon 2008; Western 2006). Given the increase in reentry programs, which are explicitly focused on managing the risks that ex-offenders pose upon release, the results are also broadly consistent with the shift from a concern with the reformation of individuals toward the management of classes of ex-felons for public safety identified in the new penology (Feeley & Simon 1992). The data also show an increased concern for the category of "sex offenders," a group often highlighted as emblematic of the new response to criminal deviance.²⁷ Finally, the results suggest that not all penal practices have been on a trajectory toward more harm. Even within the fairly narrow category of prison programming, it is clear that different programs have followed different historical trajectories and carry with them different political meanings. This suggests that it is important to separate out the many facets of both punitiveness and rehabilitation in order to understand the current state of penal practices.

²⁷ Sex offender programs appear as a special type of programming in the 2000 *Census of Correctional Facilities* and are reported as being present in 34 percent of facilities by 2005.

Appendix. Inmate Program Participation Logistic Regression Results

	Academic Programs			Reentry-Related Programs		
	1991	1997	2004	1991	1997	2004
Participation Rate for Reference Group	64%	45%	36%	17%	24%	31%
Odds Ratios for Demographic Characteristics						
Ages <25	1.167* (0.065)	1.634* (0.105)	1.681* (0.118)	0.894 (0.070)	0.894 (0.066)	1.046 (0.076)
Ages 35–45	0.729* (0.038)	0.780* (0.041)	0.766* (0.047)	0.771* (0.052)	0.854* (0.048)	0.934 (0.055)
Ages 45+	0.524* (0.049)	0.616* (0.048)	0.649* (0.049)	0.509* (0.052)	0.735* (0.064)	0.639* (0.049)
Female	1.127 (0.142)	1.241 (0.145)	1.546* (0.174)	1.421* (0.230)	1.493* (0.185)	1.721* (0.219)
High School Graduate	0.391* (0.021)	0.365* (0.023)	0.349* (0.022)	1.239* (0.078)	1.193* (0.063)	1.180* (0.051)
Incarcerated 0–1 Years	0.382* (0.026)	0.443* (0.027)	0.479* (0.029)	0.619* (0.066)	0.562* (0.042)	0.502* (0.038)
Incarcerated 3–5 Years	1.253* (0.109)	1.728* (0.125)	1.422* (0.101)	1.241* (0.127)	1.442* (0.119)	0.997 (0.076)
Incarcerated 5+ Years	1.887* (0.242)	2.587* (0.269)	2.322* (0.182)	1.509* (0.188)	1.694* (0.163)	1.567* (0.142)
Black	1.076 (0.060)	1.098 (0.061)	1.109 (0.060)	1.226* (0.085)	1.065 (0.066)	1.000 (0.063)
Latino	1.077 (0.088)	1.033 (0.075)	0.936 (0.072)	1.090 (0.115)	0.914 (0.082)	0.830* (0.077)
Other Race	1.282 (0.171)	1.226 (0.150)	1.188* (0.093)	1.213 (0.246)	0.843 (0.133)	1.132 (0.111)
N Observations	13,600	13,562	13,501	13,562	13,555	13,490

*p less than 0.05.

Note: Standard errors in parentheses. Standard errors were corrected for facility-level clustering. The reference category is a white male between ages 25 and 35 who does not have a high school diploma and has been incarcerated one to three years. Both age and length of incarceration were included in the regression model as a series of dummy variables because they displayed nonlinear effects that were not easily summarized by a logged variable or quadratic term. Cases with missing information were excluded from the regressions.

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