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| **TEXAS CTE LESSON PLAN**  [www.txcte.org](http://www.txcte.org) | |
| **Lesson Identification and TEKS Addressed** | |
| **Career Cluster** | Law, Public Safety, Corrections & Security |
| **Course Name** | Correctional Services |
| **Lesson/Unit Title** | Organization of Correctional Systems |
| **TEKS Student Expectations** | **130.333. (c) Knowledge and Skills**  (2) The student researches the history of correctional services in the municipal, county, state, or federal setting.  (A) The student is expected to examine the history of corrections such as municipal, county, state, and federal  (6) The student uses first aid, infection control, and cardiopulmonary resuscitation in a correctional facility.  (B) The student is expected to comply with standard precautions as they relate to infection control  (C) The student is expected to use special requirements for handling hazardous materials to maintain a safe working environment |
| **Basic Direct Teach Lesson**  (Includes Special Education Modifications/Accommodations and  one English Language Proficiency Standards (ELPS) Strategy) | |
| **Instructional Objectives** | The students will be able to:   1. Examine the history of corrections in Texas and the United States. 2. Explore the impact of the United States legal system on the correctional system. 3. Differentiate between the civil and criminal justice systems and explain how change impacts correctional services. |
| **Rationale** | The history of correctional services has a somewhat cyclical pattern that is grounded by constitutional law. The patterns include viewing offenders as bad individuals that must be punished or as sick individuals that need treatment. Constitutional law is and has been the standard that protects the overall welfare of the individuals involved. An idea of the future correctional system can be deduced from current trends in the justice system. |
| **Duration of Lesson** | 5 – 7 hours |
| **Word Wall/Key Vocabulary**  *(ELPS c1a, c, f; c2b; c3a, b, d; c4c; c5b) PDAS II (5)* | Alternative Sentencing Strategies – (a.k.a. intermediate sanctions) the use of non-traditional sentences in lieu of imprisonment and fines; these sentences offer alternatives that fall somewhere between simple probation and outright incarceration  Civil Law – laws governing disputes between individuals  Community Corrections – (a.k.a. community-based corrections) refers to a wide range of sentences that depend on correctional resources available in the community and permit convicted offenders to remain in the community under conditional supervision as an alternative to an active prison sentence  Community Service – requires offenders to spend time working for a community agency; services can include washing police cars, cleaning graffiti, and refurbishing public facilities  Criminal Law – laws governing offenses that are public and relate to the government  Home Confinement – (a.k.a. house arrest) a form of corrections sentencing where offenders may be allowed to leave during work hours and in emergencies; sometimes combined with electronic monitoring  Jail – a locally operated, short -term confinement facility for suspects convicted of misdemeanors and some felonies, as well as holding for suspects following arrest and awaiting trial  Lex Talionis – the law of retaliation, which was equal to “an eye for an eye”  Maximum Security – high security prisons reserved for the most violent and dangerous offenders; include far more guards than both minimum and medium security, and very few personal freedoms; each person confined to such a prison is considered to be a high-risk individual  Medium Security – the standard prison facilities used to house most criminals; feature cage-style housing, armed guards, and a much more regimented daily routine than minimum security  Minimum Security – prisons that are usually reserved for white collar criminals who have committed acts such as embezzlement or fraud; although these are serious crimes, they are nonviolent in nature, and therefore, the perpetrators are not considered to be a risk for violence; these lawbreakers are sent to facilities that offer a dormitory-type living environment, fewer guards, and more personal freedoms  Mixed Sentencing – a sentence requiring that a convicted offender serve weekends in a confinement facility while undergoing probationary supervision in the community  Parole – a prisoner reentry strategy in which inmates receive supervised conditional early release from correctional confinement  Prison – a state or federal confinement facility that has custodial authority over adults sentenced to confinement  Probation – a sentence of imprisonment that is suspended; instead, the sentence is served while under supervision in the community; a conditional freedom granted by a judicial officer to a convicted offender, if the person meets certain conditions of behavior  Shock Probation – offender is sentenced to prison and allowed to apply for probationary release; the offender usually does not know if he or she will be released and expects to serve a long prison term  Shock Parole – like shock probation, but the decision to release is administrative rather than judicial  Shock Incarceration – a program that uses “boot camps” to demonstrate the reality of prison life; mainly used for first-time offenders and involves strict discipline and physical training; programs typically last from 90–180 days, and failure results in a return to the general prison population  Split Sentencing – a combination of brief incarceration followed by probation; frequently used for minor drug offenders  Total Institution – enclosed places where people share all aspects of their daily lives |
| **Materials/Specialized Equipment Needed** | * Organization of Correctional Systems computer-based presentation * Organization of Correctional Systems Key Terms * White board/chalk board * Computers with Internet Access and computer-based presentation software |
| **Anticipatory Set**  (May include pre-assessment for prior knowledge) | * Constitutional Law * Civil and Criminal Justice Systems |
| **Direct Instruction \*** | I. History of Corrections in the US  A. Prison  1. A state or federal confinement facility that has custodial authority over adults sentenced to confinement  2. A type of total institution  a) Total institution – an enclosed place where people share all  aspects of their daily lives  (1) Residents of total institutions  (a) May be sent there forcibly  (b) Are cut off from the larger society  (c) Operate like small societies  (d) Form distinctive value systems and lifestyles  3. Used as a place to serve punishment; a relatively new way to handle  offenders  B. Early punishments  1. Were often cruel and torturous  2. Generally followed the doctrine of lex talionis  a) Lex Talionis – the law of retaliation, which was equal to “an eye for an eye”  3. Included  a) Flogging  b) Mutilation  c) Branding  d) Public humiliation  e) Workhouses  f) Exile  C. American prisons began in the late 1700s with early confinement facilities stressing reformation over punishment  D. There are nine US Prison Eras  1. The Penitentiary Era: 1790–1825  a) Philadelphia Penitentiary was started by the Quakers for humane treatment of offenders; known as the “Pennsylvania System”  b) Rehabilitation was through penance (solitary confinement and Bible study)  2. The Mass Prison Era: 1825–1876  a) Auburn Prison (New York) featured group workshops and  silence enforced by whipping and hard labor  b) The Auburn system was the primary competitor to the  Pennsylvania system  3. The Reformatory Era: 1876–1890  a) The reformatory style was based on the use of the indeterminate sentence  b) It attempted reform rather than punishment by using a system of graded stages; introduced the system of parole  c) Ultimately it was considered a failure, since recidivism was still a problem  4. The Industrial Era: 1890–1935  a) Prisoners were used for cheap labor in the era of the industrial  prison  b) Included six systems of inmate labor  (1) Contract system  (2) Piece-price system  (3) Lease system  (4) Public account system  (5) State-use system  (6) Public works system  c) Labor unions complained that they could not compete  5. The Punitive Era: 1935–1945  a) Characterized by the belief that prisoners owed a debt to society  b) The central values consisted of custody and institutional security  6. The Treatment Era: 1945–1967  a) A medical model that suggested inmates were sick and needed treatment  b) Most treatments included individual or group therapy  c) Other forms of therapy included  (1) Behavior therapy  (2) Chemotherapy  (3) Neurosurgery  (4) Sensory deprivation  (5) Aversion therapy  7. The Community-Based Era: 1967–1980  a) Based on the premise that rehabilitation cannot occur in isolation from the real world  b) Prisons in this era were considered dehumanizing, which led to innovations in the use of volunteers and the extension of inmate privileges  c) Programs included  (1) Halfway houses  (2) Work-release  (3) Study-release  8. The Warehousing Era: 1980–1995  a) Public and judicial disapproval of the release programs and recidivism led to longer sentences with fewer releases  b) Believed warehousing the serious offenders would protect society  c) Prison overcrowding became widespread partly because of a greater emphasis on incarcerating nonviolent drug offenders  9. The Just Deserts Era: 1995–present  a) Emphasis on individual responsibility, justice, and punishment  b) Imprisonment is a proper consequence of criminal and irresponsible behavior  c) Includes chain gangs, “three-strikes,” and reduced parole  II. The US Legal System’s Impact on Corrections  A. First Amendment – congress shall make no law respecting an  establishment of religion, or prohibiting the free exercise thereof; or  abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the government for a redress of grievances  1. Prisoners do not have a First Amendment right to speak freely  2. Prison officials may discipline inmates who distribute circulars calling for a mass protest against mistreatment  B. Fourth Amendment – the right of the people to be secure in their persons, houses, papers, and effects and against unreasonable searches and seizures, shall not be violated, and no warrants shall issue but upon  probable cause, supported by oath or affirmation, and particularly  describing the place to be searched, and the persons or things to be  seized  1. Prisoners do not have the right to expect privacy in a prison setting  2. Court decisions have established that prison officials can properly monitor and record prisoners' conversations, provided that the prisoner and the visitor are warned that this will be done  3. Prison officials cannot intrude upon conversations that are legally afforded confidentiality, such as those between the prisoner and his or her attorney or spouse  4. Prisoners do not have a Fourth Amendment right to be free of  unreasonable searches and seizures of their property because the  Fourth Amendment is inapplicable to them  C. Fifth Amendment – no person shall be held to answer for a capital or otherwise infamous crime, unless on a presentment or indictment of a grand jury, except in cases arising in the land or naval forces or in themilitia when in actual service in time of war or public danger, nor shall any person be subject for the same offense to be twice put to jeopardy of life or limb; nor shall be compelled in any criminal case to be a witness against himself or herself, nor be deprived of life, liberty, or property, without due process of law; nor shall private property be taken for public use without just compensation  1. Prisoners are afforded the same rights regarding self-incrimination  and double jeopardy as defendants that are not incarcerated  2. Prisoners do not have access to grand juries unless they are charged  with a new crime  3. Officers are not required to give the Miranda warning prior to  interrogation (it is only necessary for new charges)  4. Prisoners are given due process in all forms of discipline and criminal  proceedings  D. Sixth Amendment – in all criminal prosecutions the accused shall enjoy the right to a speedy and public trial, by an impartial jury of the state and district wherein the crime shall have been committed, which district shall have been previously ascertained by law, and to be informed of the nature and cause of the accusation; to be confronted with witnesses against him or her; to have compulsory process for obtaining witnesses in his or her favor, and to have the assistance of counsel for his or her defense  1. Prisoners are given the same opportunity for a speedy and public trial as someone who is awaiting trial  2. Prisoners are afforded a jury in any criminal proceeding  3. Prisoners are notified of charges against them in both criminal and discipline proceedings  4. Prisoners have the right to confront witnesses and present witnesses on their behalf  5. Prisoners may have the right to counsel  a) Prisoners are given the opportunity for counsel if they cannot afford it during felony criminal proceedings  b) Prisoners do not have the right to counsel during institutional proceedings such as discipline hearings or parole hearings  E. Eighth Amendment – excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishments inflicted  1. Prisoners are granted a minimum standard of living  2. Prisoners are entitled to adequate medical treatment  3. Prisoners retain some other constitutional rights, including due process in their right to administrative appeals and a right of access to the parole process  F. Fourteenth Amendment – all persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the state wherein they reside. No state shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any state deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws  1. Prisoners are afforded due process, regardless of whether it is an institutional proceeding such as a discipline hearing or a criminal proceeding  2. Prisoners are therefore protected against unequal treatment based on race, sex, and creed  III. Civil and Criminal Justice System  A. Civil Law – laws governing disputes between individuals  B. Criminal Law – laws governing offenses that are public and relate to the government  C. Prior to the 1960s, American courts had taken a neutral approach—  commonly called the hands-off doctrine—toward the running of prisons, which rested on the belief that inmates experienced civil death  D. In Pell v. Procunier (1974) the US Supreme Court established the  “balancing test” which attempts to weigh the rights of individuals against the state’s authority to make laws or otherwise restrict a person’s freedom to protect its interests and its citizens  E. Prisoner rights can be thought of as conditional rights, meaning that they are rights constrained by the legitimate needs of imprisonment  F. First Amendment guarantees of freedom of speech apply to inmates’ rights in three areas:  1. Receipt of mail  a) The courts generally have not allowed restrictions on the receipt of published mail  b) A prisoner’s mail can be censored if necessary for security reasons  c) Magazines, newspapers, and the like must be mailed from the publisher  d) Magazines that depict deviant sexual behavior can be banned  e) Prisons cannot ban nude pictures of inmates’ wives or girlfriends  2. Communications with others (especially those on the outside)  a) In McNamara v. Moody (1979) a federal court upheld an inmate’s right to write vulgar letters to his girlfriend  b) Prisoners have no inherent right to publish material for use by other prisoners  3. Visitation  a) In Block v. Rutherford (1984), the US Supreme Court upheld a policy that prohibited all inmate visits  b) In Overton v. Bazzetta (2003), the Court upheld a state’s visitation plan that limited visitation for certain substance abusing inmates  c) Media members get no special privileges for interviews, but cannot be denied correspondence  d) Policies for media access must be administered fairly and without bias  G. The First and Fourteenth Amendments provide the basis for inmates’ rights of religious freedom  1. Cruz v. Beto (1972)  a) Prisoners must be given a “reasonable opportunity” to pursue their faith, even if it differs from traditional forms of worship  b) Meeting facilities must be provided for religious purposes when those same facilities are made available to other groups of  prisoners for other purposes  2. Possessing Items of Worship  a) In Dettmer v. Landon a federal court held that a prisoner who claimed to practice witchcraft must be provided with the artifacts needed for worship  b) Drugs, dangerous substances, and dangerous items of worship may be banned  c) It is acceptable to ban the wearing of beards, even those grown for religious reasons (Hill v. Blackwell [1985])  H. The First and Fourteenth Amendment allows access to the courts and legal assistance  1. Bounds v. Smith (1977) recognized the right of prisoners to petition the court; it is the duty of the state to assist prisoners in the preparation and filing of legal papers  a) Assistance could be in the form of trained personnel or institutional law libraries  2. The court in Lewis v. Casey (1996) overturned part of Bounds v. Smith  a) Prisoners are not guaranteed the “wherewithal to file any and every type of legal claim”  3. The court in Johnson v. Avery (1968) held that prisoners under correctional supervision have a right to consult “jailhouse lawyers” for advice when assistance from trained professional is not available  4. Indigent inmates do not have the right to an appointed lawyer if no judicial proceedings have been initiated against them  I. The Eighth Amendment guarantees medical care for prisoners  1. Court held prison officials responsible for providing adequate medical care  a) In Estelle v. Gamble (1976) the US Supreme Court concerned itself with “deliberate indifference” on the part of staff toward a prisoner’s need for medical attention  b) Deliberate indifference requires both actual knowledge and disregard of risk of harm (Hudson v. McMillan [1992])  c) In Washington v. Harper (1990), the US Supreme Court held that prisoners can refuse the involuntary administration of antipsychotic drugs unless government officials can demonstrate an “overriding justification” as to why the drugs may be necessary  d) In Pennsylvania Department of Corrections v. Yeskey (1998), the US Supreme Court held that the Americans with Disabilities Act (ADA) of 1990 applies to prisons and to prison inmates  e) In US v. Georgia (2006), the US Supreme Court held that state’s claims of sovereign immunity could not bar suits brought under the ADA  J. Based on the Eighth Amendment, inmates have the right to protection from harm by being provided food, water, and shelter, and protection from foreseeable attack, from predictable sexual attack, and against suicide  1. In Farmer v. Brennan (1994), the court extended the deliberate indifference standard to claims of liability for harm which exists only if a prison official “knows that inmates face a substantial risk of serious harms and disregards that risk by failing to take reasonable measures to abate it”  2. In Helling v. McKinney (1993), the court maintained that prison officials are responsible for maintaining environmental conditions under which health problems might be prevented from developing  K. Most major Supreme Court cases have held that prisoners do not have a reasonable expectation to privacy when incarcerated; examples of these cases include  1. Katz v. US (1967)  2. US v. Ready (1978)  3. Hudson v. Palmer (1984)  4. Block v. Rutherford (1984)  L. Prisons must provide formal opportunities to hear inmate grievances  1. Grievances are handled internally  2. All sizable prisons have established procedures whereby an inmate files a complaint and receives mandated responses  3. Procedures may include a hearing board made of both inmates and staff, or a single staff member may be responsible  4. Dissatisfied inmates may appeal to an external source  M. Disciplinary actions by prison authorities may require a formalized hearing  process  1. Sanctions cannot be levied against inmates without appropriate due  process (Wolff v. McDonnell [1974])  2. Courts generally have held that inmates going before disciplinary  hearing boards are entitled to  a) A notice of the charges brought against them  b) The chance to organize a defense  c) An impartial hearing  d) The opportunity to present witnesses and evidence in their behalf  N. The Prison Litigation Reform Act of 1996  1. Sought to reduce the number of frivolous lawsuits alleging unconstitutional prison conditions  2. Opponents argue that it could stifle inmates facing real deprivations  *Individualized Education Plan (IEP) for all special education students must be followed. Examples of accommodations may include, but are not limited to:*  NONE |
| **Guided Practice \*** | **Activities**  1. Correctional Institute Design. Divide the students into small groups. Have the students create a diagram of a correctional institute of their own design. The design is to include all working facilities such as a cafeteria, beds, security, cameras, offices, etc. Then have the students present their creations to the entire class for discuss and critique. A captain may be designated for each group to present the collaborative resolution. Use the Group Evaluation Rubric and the Presentation Rubric for assessment.  2. Rights Research. Have students work in pairs on a computer with Internet access. Have the students research the following questions and create a computer-based presentation with their findings. Have the students present and discuss their finding with the class. Use the Research Rubric and the  Presentation Rubric for assessment.   * What legal rights do inmates have while incarcerated? * Do you think that these rights are sufficient? * Do you think that inmates have too many rights?   *Individualized Education Plan (IEP) for all special education students must be followed. Examples of accommodations may include, but are not limited to:*  NONE |
| **Independent Practice/Laboratory Experience/Differentiated Activities \*** | 1. Inmate Reflection. Have students write a report or “journal entry” describing the realities of prison life from the inmate’s point of view. Alternatively, have students describe the realities of prison life from the prison administration’s point of view. For extra points have students volunteer to read in front of the class. Use the Writing Rubric for assessment.  *Individualized Education Plan (IEP) for all special education students must be followed. Examples of accommodations may include, but are not limited to:*  NONE |
| **Lesson Closure** | None specified |
| **Summative/End of Lesson Assessment \*** | * Organization of Correctional Systems Exam and Key * Discussion Rubric * Group Evaluation Rubric * Individual Work Rubric * Presentation Rubric * Research Rubric * Writing Rubric   *Individualized Education Plan (IEP) for all special education students must be followed. Examples of accommodations may include, but are not limited to:*  For reinforcement, the students will define and illustrate the Organization of Correctional Systems Key Terms. Use the Individual Work Rubric for assessment. |
| **References/Resources/**  **Teacher Preparation** | * 0133009793, *Criminal Justice Today* (10th Ed.), Frank Schmalleger, Prentice Hall,2013 * Texas Department of Criminal Justice <http://www.tdcj.state.tx.us/> * Texas State Historical Association * Texas Penal Code * Investigator/Officer’s Personal Experience |
| **Additional Required Components** | |
| **English Language Proficiency Standards (ELPS) Strategies** |  |
| **College and Career Readiness Connection[[1]](#footnote-1)** |  |
| **Recommended Strategies** | |
| **Reading Strategies** |  |
| **Quotes** |  |
| **Multimedia/Visual Strategy**  **Presentation Slides + One Additional Technology Connection** |  |
| **Graphic Organizers/Handout** |  |
| **Writing Strategies**  **Journal Entries + 1 Additional Writing Strategy** |  |
| **Communication**  **90 Second Speech Topics** |  |
| **Other Essential Lesson Components** | |
| **Enrichment Activity**  (e.g., homework assignment) | For enrichment, the students will research and write a report based on a US Supreme Court case related to Prisoner Rights. The following websites may assist the students’ research. Use the Research Rubric for assessment. |
| **Family/Community Connection** |  |
| **CTSO connection(s)** | SkillsUSA |
| **Service Learning Projects** |  |
| **Lesson Notes** |  |

1. Visit the Texas College and Career Readiness Standards at <http://www.thecb.state.tx.us/collegereadiness/CRS.pdf>, Texas Higher Education Coordinating Board (THECB), 2009. [↑](#footnote-ref-1)