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A Need for Change; Critical Issues Facing Kentucky's Correctional System

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A Need for Change; Critical Issues Facing Kentucky's Correctional System

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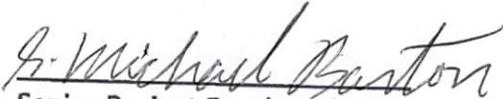
I hereby recommend that the project prepared under my supervision by

Candace Harper

entitled A Need for Change; Critical Issues Facing Kentucky's Correctional System, be

accepted in partial fulfillment of the requirements for the degree of

Bachelor of Integrated Studies- Human Services.


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Abstract

Protecting the public, rehabilitating offenders, and reducing recidivism while increasing desistance are essential goals for the Department of Corrections. In order to maximize the effectiveness of the department, several areas need evaluation, and improvement. The focus on reducing recidivism should begin with reconsideration of the methods used to measure an offender's progress and success. The theory that the current measurement of recidivism is unreliable data needs to be investigated and other methods of measurement should be considered. Another aspect that needs inspection is how Post-Traumatic Stress Disorder can affect the positive progression that evidence-based programming provides, and how PTSD in correctional staff affect both them and the offenders they supervise. PTSD works against the end goal of rehabilitating offenders in order to make them a productive member of society. Lastly, and most importantly, the issues with staff retention and the increasing staff turnover rate in corrections needs to be addressed and rectified. Without ground staff to carry out the current plans that are in place for rehabilitating offenders, corrections will continuously fail to reach its full potential. Drastic steps should be taken to make corrections a sought after and desired profession. Without impressive benefits and above average pay, the payoff is not worth the stress and abuse to the mental, physical, or emotional well-being of the correctional staff. The Department of Corrections is in need of change. We must reevaluate current practices and initiate changes in multiple areas. Identifying the cause and effect impacts throughout the department will determine what changes will be most effective. Specific areas of interest are as follows. How offender progress is measured, PTSD in both offenders and staff, and the staff turnover rate.

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Introduction

A Need for Change; Critical Issues Facing Kentucky's Correctional System

Offender recidivism and staff turnover are two issues corrections now faces on a constant basis. The focus to reduce recidivism rates has to begin with a change in how we measure an offender's success. Continued study in the field of corrections has presented the theory that the measurement of recidivism is not necessarily the most accurate data analysis. Klingele, C. (2019) highlights the issue that the methods of recidivism measurement are not universal and present inconsistencies in the data collected even when analyzing the same individual. Another aspect that needs inspection is the ability and effectiveness of the department to handle post-traumatic stress disorder in both inmates and staff. According to Sindicich et al., (2014) the presence of PTSD increases the likelihood of substance abuse and violence in offenders. Tohochynskyi et al., (2020) states PTSD in corrections staff not only contributes to staff burnout and decreased job performance, but also with increased turnover rates. Each of these situations work against the end goal of rehabilitating offenders and providing them with the necessary tools to become productive members of society. Lastly, and possibly most importantly, there needs to be an increase in staff retention by improving motivation and staff dedication to the department. The path to retaining motivated and dedicated staff starts with being more selective with the hiring process to ensure the department is investing its time and money on qualified staff. Without qualified staff to enforce the plans in place for rehabilitating offenders, continued efforts to develop more efficient ways to help offenders succeed will ultimately fail. However, with staffing at an already record low and current staff working extensive mandatory overtime, the idea of becoming selective with the hiring process is not a realistic one. Steps need to be taken to make corrections a sought after and desired profession. Without compensations such as a

competitive retirement package, premium medical insurance, and above average salary, the benefits of the job are not worth the constant stress and abuse to the mental, physical, and emotional well-being of correctional staff. As long as the department offers mediocre benefits, it will tend to attract mediocre staff. Working with offenders can be both dangerous and exhausting. The only way to effectively manage the offender population is to employ qualified, educated, motivated and dedicated individuals who are capable of keeping up with the high demands of such a job.

Part 1: Measuring Offender Progress and Program Success.

The first critical issue facing the Kentucky's Correctional System is the way offender progress and program success is measured. In truth this is a nationwide issue and is not confined to just Kentucky. Reducing recidivism is one of the main goals of corrections and with the immense amount of money that is poured into corrections every year, it is important to have some type of measurable data to justify the funds being spent. "Recidivism data attempts to quantify whether a person who has committed a crime in the past has gone on to commit another crime in the future." Petersilia (as cited in Klingele, C., 2019). When looking at an offender, professionals in the criminal justice field examine their files thoroughly, focusing on the offender's crime story, past crimes, family history, substance use history, etc. By doing this, a general picture of the offender is produced. For example, there is a psychological difference in an offender who robs and kills someone at gun point versus knife point. Shooting and killing someone offers an avenue of disconnect, whereas choosing to stab someone repeatedly, does not. It takes a different mindset to stab someone. Not only is it close range, but also there is an immediate understanding of the damage one is inflicting. While both are violent offenders, they

will not only require different approaches to rehabilitation, but they also present different risks of reoffending.

By the same measure, a 21-year-old sex offender who is serving time for statutory rape because he had sex with his 16 year old girlfriend is a different case from the 60-year-old man that served time for sexually abusing his underage children years ago and is back again for sexually abusing his underage grandchildren. They are both sex offenders. They are not the same case and they do not need the same interventions. So, which of the two is more likely to reoffend? Data shows that younger men are more likely to reoffend than older men. However, if taking into consideration the crime that might not necessarily be true in this case. Then again, it depends on what qualifies as reoffending. Is reoffending considered a repeat of a current or past crime or is reoffending considered any crime committed that results in an arrest, charge or conviction? Of the two, the younger offender is more likely to commit another crime in general but the 60 year old is more likely to repeat his current crime. The older man's crime is also more likely to go unreported. Victims of these type of criminals are sometimes ashamed of what happened and do not report the crime.

The first challenge in quantifying recidivism is deciding what constitutes proof of a subsequent crime. Most people do not boldly proclaim their criminal exploits, and instead seek to hide- or at least, downplay- their involvement in illegal activities. This basic fact makes formal detection (and therefore measurement) of criminal behavior difficult.

Klinge, C. (2019).

This is a legitimate point. Not only do most people try to cover up their criminal activity, many of them succeed. Simply because an offender is not rearrested or reconvicted does not necessarily prove that the offender has rehabilitated from his life of crime. The best we can do is

find a way to measure offender and program progress and success that will produce the most reliable data given the varying circumstances. Then, that method needs to be made universal across all agencies and departments.

There are four different events used to determine if an offender is reoffending or not. “Four types of documented events can be used as proxies for recidivism: arrest, charge, conviction, and revocation from community supervision.” Petersilia (as cited in Klingele, C., 2019).

“Most experts agree that rearrests, reconvictions, and returns to incarceration during a specified period of time are the primary ways to measure recidivism.” Maltz (2001; Armstrong, 2013; Elderbroom & King, 2014; Urban Institute, 2009 as cited in Johnson, 2017, p. 52).

Johnson (2017, as cited in Klingele, 2019, p. 786) states, “Some studies use only one of these measures, while others examine a combination of two or more.” This presents a problem from the very beginning. Not only are different agencies using different events as proxies for recidivism, some use a combination of multiple ones. This potentially makes the resulting data produced by each agency contradictory of each other, even though it is over the same individual. In addition, there is room for varying data even if the same events are used as a marker for recidivism.

The various definitional differences can create discrepancies between reported recidivism statistics. For example, two agencies that use reconviction to measure recidivism will produce different recidivism rates if one agency includes only reconvictions for felony offenses and the other agency limits reconvictions to the same type of offense at the instant offense, Armstrong (2013, as cited in Johnson, 2017, p. 52).

As Petersilia (as cited in Klingele, 2019, p. 786) discussed, “Comparing recidivism rates across programs or jurisdictions is, therefore, an often-futile task, since each study provides a different measure of re-offense.” Each of the events used by these multiple agencies has its own problem and room for error. Arrest and charge data run the risk of being overinclusive. The wrong person may be arrested, or once taken to trial, charges may be dropped. On the other hand, conviction data may be underinclusive because it requires either an admission of guilt or conviction in a court of law, Klingele (2019).

AOUSC measures recidivism by the first rearrest for new criminal activity that occurs during and after an offender’s term of supervision. However, only the first rearrest for a serious criminal offense is counted as a recidivistic event in AOUSC’s recidivism statistics...AOUSC excludes offenses against public peace, invasion of privacy and prostitution, obstruction of justice, liquor law violations, and traffic offenses. By focusing on major offenses, AOUSC is able to compare recidivism rates across districts and over time, because the statistics are much less influenced by changes in state reporting practices... In addition to minor offenses, arrests resulting from violations of the conditions of supervision are also excluded from AOUSC’s recidivism statistics. Arrests for technical violations are not indicative of new criminal behavior, but rather reflect an offender’s failure to comply with certain conditions of his or her supervision...The USSC study, on the other hand, considered all recidivism events (including felonies, misdemeanors, and technical violations of the conditions of supervision) except minor traffic offenses when measuring recidivism. (Johnson, 2017, p.53).

“The BJS study used the first arrest, including arrests for technical violations, as a recidivistic event, but also reported recidivism rates for multiple arrests. The most serious

offense charge was used to characterize the arrest offense type" (Markman et al., 2016 as cited in Johnson, 2017, p. 53). It is understandable why different studies would produce such different results. There are also differences in the sample size that each study examined. AOUSC studied 454,223 offenders, USSC studied 25,431 offenders and BJS studied 42,977 offenders (Johnson, 2017). "These studies have also brought to light how difficult it is to compare recidivism rates across agencies. Even when using similar data, discrepancies can exist based on definitional and methodological differences" (Johnson, 2017, p. 53).

Different definitions of recidivism can also explain why there are varying results depending on what agency is conducting the study. Most often, recidivism is considered to be when an offender engages in criminal behavior after they have previously received a sanction or had some type of intervention for a previously committed crime. (Elderbroom & King, 2014; National Institute of Justice, 2014, as cited in Johnson, 2017, p. 52) USSC considers recidivism to refer to a person's return to criminal behavior, usually after they have received sanctions or undergone intervention for a previous crime; AOUSC states recidivism is a return to crime by someone who has served a term of supervised release or probation (Hunt & Dumville, 2016, as cited by Johnson, 2017, p. 53).

Why does this matter? Understanding the level of reliability of recidivism data is necessary when considering why that data is used. (Klinge, 2019) points out that the overreliance on recidivism data creates its own problem instead of addressing the already existing ones, by potentially overlooking the positive effects of certain programs and interventions by focusing only on if and when an offender makes a mistake. For example, the substance abuse programs frequently reject people who have reoffended by citing their lack of willingness or readiness to progress. However, by doing this, they are rejecting the offenders

who need the programming the most. It has been acknowledged that when a person is recovering from an addiction, relapse and setbacks are expected, they are a part of recovery. Learning to resist the temptation of substance abuse is the smaller challenge, it's learning how to pick up and continue toward the end goal when mistakes are made that can be the most difficult challenge. To expect an addict not to stumble along the way on their path to recovery is unreasonable. Yet, the way the criminal justice system operates someone that is on their way to recovery and slips can then be denied the programming and support they need to get back on track.

“Overreliance on recidivism rates as a success metric encourages drug court programs to reject the very people who are most likely to benefit from the extra resources the drug court offers. The irony is acute because substance abuse treatment providers have long embraced the mantra that “relapse is a part of recovery” and that the road to sobriety almost always includes setbacks- many of which would qualify as “recidivism” if detected and punished,” Byrne (& Lightman, 2005, as cited in Klingele, 2019, p. 812).

Not only are high levels of perceived recidivism thought to reflect negatively on the Department of Corrections, but there are some instances where people consider it evidence of failure on the part of the department and employees within that department.

Cullen (et al., 2017, as cited in Klingele, 2019, p. 782-783) states “recidivism reduction should be defined as the core goal of corrections, including community-based agencies. Wardens, prison staff, probation and parole chiefs, and officers should all be judged on whether offenders who pass through their organizations return to crime.” They argue that correctional officials should be held accountable for reducing recidivism in the same way “sales managers each year are given goals, and profit margins are tracked carefully.”

Now consider the fact that currently in the state of Kentucky, turnover rates are at an all-time high. Several institutions have gone from three standard 8-hour shifts a day to two 12-hour shifts because they do not have the people to staff the third shift. On top of that, officers are working weeks and weeks without a day off work. Administrative and classification staff are filling in on security posts just so that post isn't closed. There are fewer staff present to enforce the rules, so inmate behavior escalates. Staff burnout occurs, and the turnover rate continues to rise. Meanwhile some people feel that those overworked corrections staff should be held accountable if the unreliable data being used fails to show a decrease in recidivism.

Then, there is the issue of programs altogether. In many instances, whether or not recidivism rates rise or fall can be the deciding factor on what evidence-based programs are kept and which ones are cut. This response can be a problem if the data being used is not completely accurate. Determining the effectiveness of a program based on unreliable data does not give us a clear understanding of that program's potential or capabilities. Once again, the overreliance on recidivism data risks sabotaging the efforts of reducing recidivism as a whole. Numbers may reflect that a program appears to be ineffective; however, this could be due to several factors. Still, the decision is made to terminate the program when in fact that program may have been making progress in the lives of the offenders participating in it, yet it was not reflected in the data used to determine whether the program would be sustained or terminated. Klingele (2019) reaffirms this issue,

A second problem created by overreliance on recidivism rates is the risk that promising interventions may be prematurely declared failures. If the only meaningful measure of a program's success is the rate at which it reduces recidivism, programs that demonstrably

promote desistance, but do not in themselves change recidivism rates, are at risk of termination, Klingele (2019, p. 813)

The question is, what can be done about it? If measuring recidivism is proving to be consistently questionable, what other forms of measurement could be used? Klingele (2019) suggested that finding a way to measure desistance would show margins of improvement much more accurately than recidivism data. This would also help us pinpoint what programs are assisting offenders in the rehabilitation of their criminal thinking and behavior instead of deeming the program ineffective due to the recidivism of the offenders participating in it. For example, imagine a woman who participates in a weight loss program loses 50 lbs. However, one week she is under a lot of stress, eats a lot of junk food, and gains back 4 pounds. Just like that, she has reoffended. Do we deem the weight loss program a failure because the woman gained 4 lbs.? Of course not. The 4 pounds gained does not make the 46 pounds she lost void. Progress is progress and anyone that has participated in a weight loss program will tell you there will be days when mistakes are made. Why then are we holding offenders to a different standard?

Much like attempting to measure recidivism, attempting to measure markers of desistance also has its issues. Once again, there is somewhat of a disagreement on what the official definition of desistance is. “Although correctional psychology and criminology are both interested in desistance, they approach desistance research in different ways... Correctional psychology uses the absence of recidivism over a specified period of time to indicate, for example, the success of an intervention program” McCuish (2020, p.2). However, as explained by Bushway et al., (2001, as cited in McCuish, 2020, p. 2), “For criminologists, desistance is a process that reflects the slowing down of in level of offending over time and then maintaining a state of non-offending.” Depending on the agency or study, different definitions have been

developed, and while they more often than not closely resemble each other, there are varying differences in the criteria used to identify markers of desistance. As with measuring recidivism, different agencies could potentially come up with different data for the same group of individuals.

Meisenhelder (1977, as cited in Kazemian, 2007, p 7.) defines desistance as “successful disengagement from a previously developed, and subjectively recognized, pattern of criminal behavior.” This definition has some room for speculation. What does Meisenhelder mean by “successful disengagement”? If an offender had gotten charged for possession of a controlled substance four times in the past year, but then goes a year with only one possession of a controlled substance charge, is that offender considered as having “successfully disengaged for a previously developed and subjectively recognized, pattern of criminal behavior,” Meisenhelder (1977, as cited in Kazemian, 2007, p 7.)? After all, having one charge versus four in a calendar year is reducing the number of times he has offended. How long has passed between his last charge and the newest one? Has it been eight months? Twelve? If so, it appears that the offender has disengaged from his/her previous pattern of criminal behavior. Also, when dealing with individuals with substance abuse issues, isn't it expected that at some point, there will most likely be relapse? If this offender continues on for another year or longer without catching another charge, is it fair to say he/she has at least made progress, if not completely abstaining from drugs?

Kruttschnitt & Uggen (1998, as cited in Kazemian, 2007, p 7.) offered a different definition, “a shift from a state of offending to a state of nonoffending and its maintenance.” With this definition, one could assume the offender would not be considered as showing markers

of desistance due to the fact that he/she did not maintain a state of nonoffending, even though the pattern of offending apparently changed.

Bushway et al. (2001, p. 500, as cited in Kazemian, 2007, p 7-8.) gives this definition, “the process of reduction in the rate of offending (understood conceptually as an estimate of criminality) from a nonzero level to a stable rate empirically indistinguishable from zero.” Once again, a definition is presented that almost completely contradicts the previous. In this case, the offender may be considered as showing markers of desistance because there was a reduction in how often he/she offended; however, a rate that is indistinguishable from zero would probably be considered a rate less than what the example offender has been charged.

There is the issue of overinclusion and under inclusion in attempting to identify what proxies would warrant being considered as reoffending and thus, maintenance of desistance disrupted. Just as is seen with attempting to measure recidivism, the same question is presented. Should arrest data, charge data, or conviction data be used?

There is also the issue of “False Desistance and Patterns of Intermittency in Criminal Careers” as quoted by Kazemian (2007, p. 9).

Intermittent patterns of offending in criminal careers may lead to the false interpretation that offenders have ceased offending. Individuals may cease offending for any given period of time, but this does not necessarily imply that they have permanently ceased all offending activities. Piquero (2004, as cited in Kazemian, 2007, p 10).

This is further explained by Kazemian (2007, p. 10).

It is plausible to hypothesize that all criminal careers are characterized by some degree of intermittency across the life course, to a lesser or greater extent. Offenders sometimes

offend at high and sometimes low rates. Termination is not likely to occur abruptly; the patterns of intermittency observed in criminal careers underline the importance of perceiving desistance as a process as opposed to a discrete state.

The answer may lie in the notion that regardless of what proxies are used for identifying markers of desistance, the standards used to measure progress are not one size fits all, but instead should be customized for each individual. There is an offender in prison at this very moment that will never stop being an offender. This could be due to any number of reasons. "Offender A" is a middle-aged male that lacked parental support growing up, had constant exposure to a life of crime from an early age, and has a decreased intellectual level that makes it hard for him to see a reality past the one he has always known. Maybe, to "Offender A" this is not a life of crime but simply life, and this fact has caused a complete lack of motivation to change. Sitting somewhere in that same prison is an offender who is in his mid to late twenties and up until this point in his life has made all of the wrong choices. However, unlike his prison mate, "Offender B" has factors in his life that enable him to see a light at the end of the tunnel. A way out. A glimmer of hope that there is a possibility his life doesn't have to be this way forever and, he has the ability to achieve that idea.

These two individuals cannot be measured in the same way. They have different goals and different potentials. "Offender A" needs complete and total structure. He does best when he is told to get up, get dressed, go eat, go to class, go eat, go to work, take a shower, go eat, go to bed, repeat. He gets in trouble regularly and even when he's staying out of trouble he struggles to go more than a few months without getting a disciplinary conviction. His perception of reality is distorted. He focuses his time on writing prison administration personnel letting them know what he needs them to do for him in order for him to succeed. He does not recognize the concept of

self-accountability. When he gets in trouble, he immediately appeals any disciplinary conviction and penalty and insists that if staff want him to succeed, they need to give him special considerations that other inmates are not given. While the programming offered at that prison may not rehabilitate this offender to the point that he can live a full and successful crime free life on the outside, it may instead give him a purpose and guidance to staying busy while on the inside.

“Offender B” needs to be taught a little at a time how to handle freedom properly. Inside the prison, all of his decisions are made for him but that does not mean he is incapable of surviving on his own. In fact, growing up he also had little parental support. The same programming offered in that prison helps give him a guideline to how he needs to approach everyday tasks in the real world without resorting to his previous criminal thinking. Offender B can go long stretches, maybe years or even the entire time he is incarcerated, without receiving any disciplinary reports or convictions. The goal for him is first to get him so far that he recognizes these possibilities and hopefully dedicates himself to changing his life. Once committed, he needs to learn and practice the skills taught in his classes that help him to recognize situations and people that cause him to get in trouble. He needs to learn how to identify these triggers and how not only to avoid them, but how to face them should he get caught in a situation where he is pressured to commit a crime or violation. Then, the goal is to transplant that way of thinking from the prison to the street and apply it to the real world. This is the hardest step as he will have far less structure and support of programming staff on the outside.

The issue with using measurement of recidivism and markers of desistance, in the case the desistance is considered going from offending to the complete absence of offending, to

evaluate prison programs, is the difference seen in the two aforementioned offenders. The progress that both of these offenders make in their journey cannot be discredited simply because “Offender A” appears to show no or very little progress. Suggesting the discontinuation of a program because of individuals like “Offender A” does a great injustice to the progress that program assisted “Offender B” in achieving. This is why the idea that markers of desistance need to be approached on an individual basis is an intriguing one. Not everyone’s potential is the same and therefore, it is increasingly difficult to use the same rubric to measure different offenders. “An important feature of this approach is that individuals serve as their own controls,” Le Blanc and Loeber (1998, as cited in Kazemian, 2007). The concept that individuals serve as their own controls leaves room to see the increase or decrease of criminal activity in an offender’s unique case or situation.

Some individuals have a history of offending at a high rate. Expecting such individuals to remain recidivism-free for even a short-term period (e.g., one year) may be unrealistic, also a poor way of evaluating the effectiveness of intervention and treatment strategies. Take, for example, a person who incurs eight convictions in a single year, receives a particular intervention while incarcerated, and then incurs two new convictions during a twelve-month follow-up period. To researchers who view desistance as the absence of recidivism, the intervention may be interpreted as ineffective. However, desistance research from the perspective of a criminologist may view this hypothetical intervention with optimism since it appeared to help the individual begin the process of desistance. An intervention that helps reduce chronic offending by half may be just as useful, if not more useful, than an intervention that helps low-risk persons stop offending altogether. McCuish (2020).

Further, some offender's official record can be influenced by the reaction to the offender instead of solely the individual himself.

To some extent, findings based on official records of crime (arrests or convictions) reflect the social reaction to the offending behavior. The predictors of official desistance may partly reflect the criteria used by decision makers in the criminal justice system to assess the risks of future offending. In this regard, measures of cognitive predispositions and social bonds may be stronger predictors of official rather than self-reported desistance. For instance, individuals who have a history of employment instability, known substance use problems, and a greater number of past convictions may be perceived as lacking proper social integration and viewed as high risks for recidivism. In contrast, family-oriented individuals who are employed may be perceived as unlikely candidates for reoffending. Also, decision makers may be more lenient with individuals who assume responsibility and are apologetic for their actions, and less tolerant with offenders who adopt a victim stance and attribute blame to others. A comparison of the predictors of official and self-reported desistance would shed some light on these questions and assess whether the use of different measurement methods produces divergent findings.

Kazemian (2007, p. 13).

In the Kentucky Department of Corrections, an offender's Pre-Sentence Investigation or crime story is routinely used to classify the offender into programs and jobs. It is also used to determine their security housing level. Two inmates can commit nearly identical crimes but be classified differently because of how much time and effort was put into writing the PSI or the word choice. For example, in the state of Kentucky, a tool is used that calculates levels of risk. One of the factors that has been scientifically proven indicative of a high level of risk is if the

offender committed a crime in which "serious physical injury" occurred. This means that an offender that committed a crime, which caused "serious physical injury" to the victim cannot be classified as community custody. They can be a minimum, lower level custody and serve time in minimum-security units, but they are not eligible for community custody jail programs or halfway houses. The catch is, it does not actually matter what the injury to the victim was. If the words "serious physical injury" are in the offender's PSI or crime story, it immediately disqualifies that offender from being a community custody inmate. The reason this is relevant is because an inmate can get a felony conviction for drinking and driving and causing a wreck. In that wreck, the driver of the other car sustained a bloody nose when the air bag deployed. When reviewing the case, the investigator notes that the drunk driver's actions could have caused serious physical injury or even death. Later on, the Probation and Parole officer writing the PSI is weeks behind in paperwork and while rushing through the investigator's report writes that the offender caused "serious physical injury." Did serious physical injury actually occur? No. The injury was a bloody nose. However, because that wording was used, now Classification and Treatment Officers in the prison where the offender is serving their five-year sentence is unable to classify that inmate as community custody. It does not matter that the Classification and Treatment Officer, Unit Administrator, Deputy Warden, Warden, and Program Administrators at Central Office all agree a bloody nose is not a "serious physical injury." They all have to go by what is written in the PSI. That offender cannot and will not ever be eligible for community custody. This is an example of how subjective an offender's record can sometimes be, thus affecting housing and program placement.

Measurements of recidivism and markers of desistance are both useful tools when attempting to show a quantifiable measurement of the progress the department is or is not

making and the success of the interventions being used. The issue comes from the lack of uniformity across the board when using either of these measurements as well as the over reliance on the data they produce. Elderbroom & King (2014) had a useful conclusion regarding the direction the criminal justice system should go in improving the measurement of recidivism.

Recidivism is not a single measure of success or failure, and states should move away from using one uniform definition. Making recidivism a meaningful performance measure demands that states employ a wide range of reoffending metrics. States should shift their thinking about recidivism from reporting one number to developing a portfolio of outcome measure that assess the impact of correctional interventions. The types of analyses will vary across states, but they should be responsive to the specific policies, populations, and practices in each jurisdiction. And they need to account for changes in the composition of the underlying released population so that trends across time reflect the impact of policy or practice and not annual changes in the characteristics of the release cohort. Improving recidivism data collection and reporting is a critical first step to advancing our knowledge about what work in sentencing and corrections policy (Elderbroom & King, 2014, p.11).

When addressing desistance, Kazemian (2007) had an interesting suggestion that may drastically improve measuring desistance if it were to be made universal.

Desistance is best viewed as a process and is unlikely to occur abruptly, especially among high-rate offenders. In this regard, a sole emphasis on the final state of termination may overlook valuable information about changes occurring in criminal career patterns across different periods of the life course. In other words, instead of focusing exclusively on the point of termination, it may be worthwhile in invest efforts in better explaining the

mechanisms that come into play during periods in which offenders are in the process of desisting. (Kazemian, 2007, p. 19)

Part 2: Programming and PTSD: How They Each Affect Progress.

The Department of Corrections and the Criminal Justice System has developed and grown a substantial amount in the past 50 years. The past notion of “lock them up and throw away the key” has given way to the more humane and realistic idea of rehabilitating offenders. Indeed, not all criminals have committed crimes that should land them behind bars for life. If an individual is not considered a threat to society, there is a possibility they can be taught to lead productive, law-abiding lives. With that being said, there are individuals who cannot and will not ever function in society. Not only are they a danger to themselves, they are a danger to the people around them. Offenders who have committed crimes so heinous and unfathomable they are a direct reflection of their character and morale composition. Does this mean that they are beyond help? Does it mean they should be treated like animals? Absolutely not. These types of offenders have to have goals as well. If not for them, for the people around them. Remember that those offenders we have already mentioned that are doing a few years of time for non-violent crimes, end up in the same prison and the same dorms and cells, as the ones deemed unfit for society. The staff that work that institution have to deal with those dangerous offenders. While some offenders will rehabilitate and leave prison, others will stay. Those that stay need as much intervention as the offenders that leave. There is a saying in the Department of Corrections, “a bored inmate is a dangerous inmate.” This speaks true on so many levels. Have you ever wondered why prisons have televisions, cable, gyms, board games, etc.? They entertain

and occupy the inmates. They decrease the amount of time those inmates have to think of ways to smuggle in drugs, assault staff, plan an escape, etc.

There has been research to suggest that program quality can have a measurable impact on recidivism. “Does Correctional Program Quality Really Matter? The Impact of Adhering to the Principles of Effective Intervention,” is a study that reviewed 3,237 offenders that were placed in 1 of 38 community-based programs. The programs themselves were also evaluated and ranked as “unsatisfactory,” “satisfactory but needs improvement,” or “very satisfactory.” “Overall, this research indicated that there is a fairly strong correlation between program integrity (as measured by the CPAI) and reductions in recidivism,” stated Lowenkamp et al., (2006, p. 588). Figure 1, adapted from Lowenkamp et al., (2006, p. 586), shows what the study revealed.

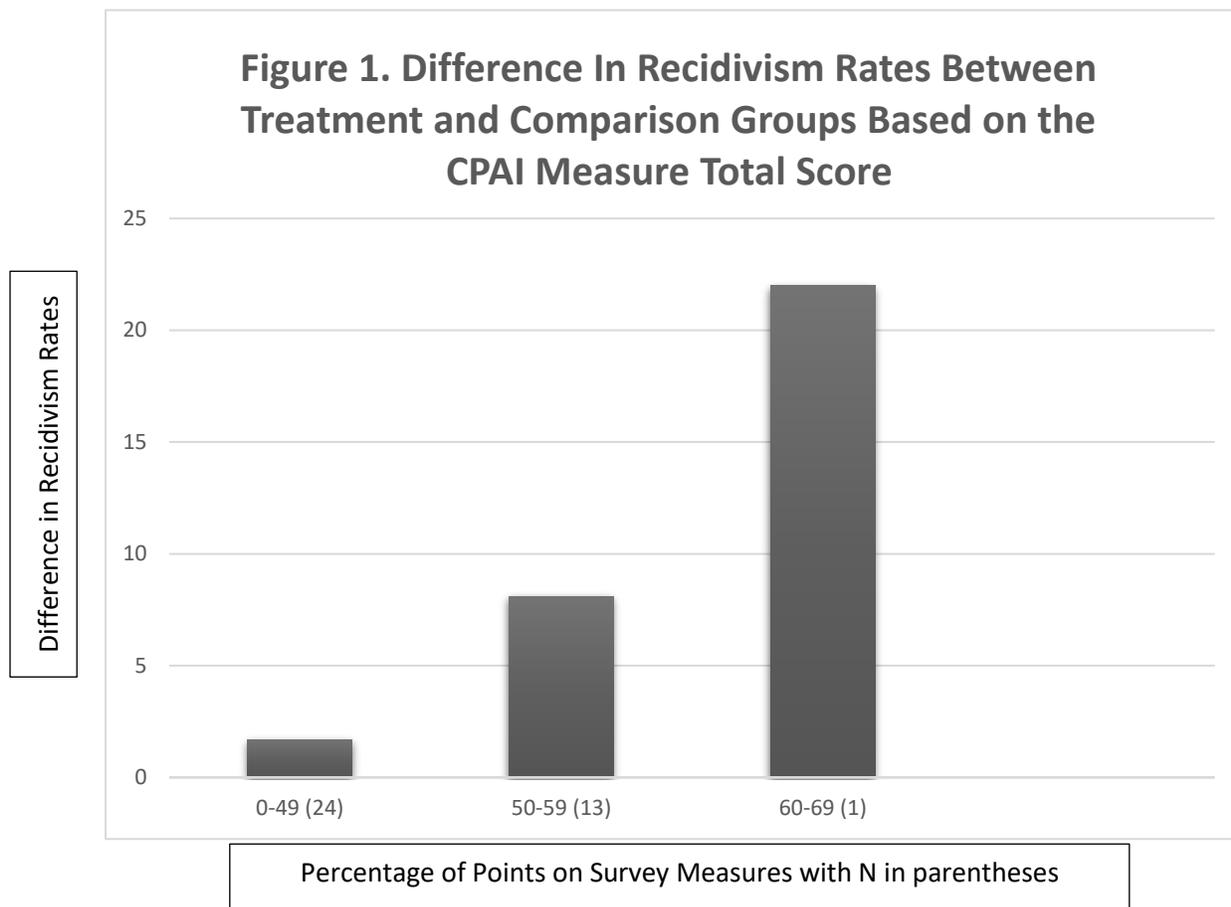


Figure 1 indicates that the majority (24 out of 38, or 68%) of the programs fell into the “unsatisfactory” category. Although this finding represents a large proportion of the programs, it is consistent with other research on the CPAI, which indicates that most programs fail to attain scores above 50%. Recall from earlier that the average score on the assessment for the programs included in this research is approximately 45.51%. Approximately 35% of the programs fell into the “satisfactory but needs improvement” category, and only one program was rated “satisfactory.” What is interesting to note is that the percentage point reductions in returns to prison increase from one category to the next. Although the “unsatisfactory” group of programs averages a 1.7% reduction in

returns to prison, the “satisfactory but needs improvement” group averaged an 8.1% reduction in returns to prison. Finally, the one program that scored over 60% demonstrated a 22% reduction in returns to prison. Assuming a base recidivism rate of 50% for the comparison group, the relative reductions in returns to prison are 4%, 16%, and 44%, respectively, Lowenkamp et al., (2006).

“The Impact of Motivational Curriculum Upon Criminal Thinking Among Incarcerated Men” (Hanser et al., 2020) is a relatively new case study published in April of 2020. During this study, researchers sought to determine whether or not motivational curriculum had any impact on the way offenders processed information and reacted to it. Reducing criminalistic thinking is one of the main goals of the Department of Corrections. If correctional and program staff can successfully change the way an offender thinks, they can, in theory, change the decisions he makes and actions he takes. The study selected inmates that were housed at a medium-security prison in Louisiana and placed them in a substance abuse program, Hanser et al., (2020). They then introduced a type of motivational curriculum, taught in different ways to the groups and evaluated the findings. According to Hanser et al., (2020), the materials used are explained below.

Motivational Psychoeducation Program. A psychoeducation curriculum that consisted of seven lesson topics was presented in a classroom format, similar to other programming at the facility. Each lesson topic included lecture-based lessons with homework assignments that are completed by participants. The curriculum consisted of motivational lectures and goal-setting exercises intended to aide participants in changing both maladaptive thoughts and behaviors.

CTS (Institute of Behavioral Research, 2007). This is a self-report inventory that measures the concept of criminal thinking, which is composed of the following subscales: Entitlement (EN), Justification (JU), Power Orientation (PO), Cold Heartedness (CH), Criminal Rationalization (CN), and Personal Irresponsibility (PI). It consists of 36 items, and participants were asked to rate each item on a 5-point Likert scale. For scoring, the items are first regrouped by subscale; some items reflect a reversal for scoring purposes. The responses for each subscale are then summed and divided by the number of items within that subscale; the average for each subscale is multiplied by 10 to obtain a score that ranges from 10 to 50 for each subscale. For each subscale, a score of 10 is considered very little criminal thinking in that area of measure while a score of 50 reflects an individual with excessive criminal thinking who is, presumably, more likely to recidivate due to their cognitions that essentially condone or support criminal activity. The CTS was administered as both a pretest and a posttest measure. Higher scores on the CTS indicates a higher degree of criminal thinking, Hanser et al., (2020, p. 95).

The inmates participating in the study were all placed into the same substance abuse program at the same institution and then separated into four groups. Group 1 was provided motivational psychoeducation by two inmate mentors. Group 2 was provided motivational psychoeducation by one inmate mentor and one staff member. Group 3 was provided motivational psychoeducation by two staff members. Group 4 was not provided motivational psychoeducation but instead received only the curriculum included in the substance abuse program and used as the control group. “Upon analysis, the data for this study produced numerous significant findings. In particular, significant reductions in criminal thinking were found, from pretest to post-test, for all three groups of study participants,” Hanser et al., (2020, p.

97). However, the findings did not stop there. When comparing groups 1, 2, and 3, Group 2 had the most significant reduction in criminal thinking, suggesting that having the psychoeducational curriculum provided by both a staff member, and a fellow inmate working as an inmate mentor seemed to help inmates more than two staff or two inmates.

When comparing each of the three experimental groups, Group 2 had the best outcomes in terms of both the overall reduction in criminal thinking and the number of subscales that were significant. As noted before, this group was taught by an inmate mentor and staff member team, which very likely may be the best approach when implementing any type of motivational programming with incarcerated populations. We believe that this is a very important finding in this study that can have serious implications for future uses of this and/or other psychoeducational curricula utilized within correctional facilities... To further explain the observed outcomes with Group 2, it is important to note that neither Group 1 nor Group 3 achieved significant reductions in cold-hearted (CH) thoughts and beliefs among participants. This subscale is considered important as the ability to empathize with others is a primary ingredient in reducing an offender's likelihood of victimizing others in society. This is especially true with potentially violent offenders. Although the other subscales may provide clues as to the likely recidivism among participants, the CH subscale is unique in that it can be an effective clue as to the likelihood that an offender will likely commit an assaultive crime, Hanser et al., (2020, p. 100-101).

According to Dewey et al., (2020) programming isn't the only thing that can significantly reduce the chances an offender will re-offend. In a study conducted over eight separate prisons

in eight different states, researchers sought to understand what benefits higher education had in prison.

This study's primary objective was to elucidate nonuniformed prison staff members' and administrators' perspectives on how well prison administrative approaches and modes of delivery for education and psychosocial programming reflect evidence-based practices and indicators of success: reduced instances of recidivism; attainment of educational outcomes such as high school equivalency, vocational certification, or college degrees; improved psychosocial outcomes in mental health and social skills; post-release employment; and impact on prison culture through reduced instances of violence and other negative social interactions. To this end, the research team sought to identify how prison administrators and educators collect and utilize evidence to guide decision making about the types of correctional education and psychosocial programming prisoners receive. Dewey et al., (2020, p. 58)

Out of the findings, the team focused on suggestions for improvements in several different areas. One improvement that they focused on was the opportunity for all offenders to have educational opportunities regardless of how long they were in prison.

Providing Education Opportunities for Prisoners of All Sentence Lengths, Ages, and Conviction Types to Foster a Positive, Engaged Institutional Environment. Prison administrators and staff face great pressure to target courses and programs toward those prisoners with a relatively short time until their release. The rationale, underlying this pressure is that prisoners close to their release date have a greater need for skills that will make them employable, which, in turn, will reduce their likelihood of returning to prison. Yet this rationale ignores the fact that a supportive, engaged institutional environment is

in and of itself more likely to prepare prisoners for reentry into society and, for those with lengthy or life sentences, foster a more positive environment for both prisoners and staff. Lifers and long-termers need hope and meaningful opportunities for intellectual activity just as much as their peers serving shorter sentences. Focusing education and programming efforts exclusively on those close to release risks further social isolation and institutionalization along with an environment characterized by hopelessness, resentment, and an overall sense of limited or nonexistent opportunities. Dewey et al., (2020, p. 83)

While it is evident that programs and higher education have a direct impact on the rehabilitation of offenders, they are not the only interventions available in prisons. In recent years, mental health professionals have been hired at institutions across the country to handle inmates' psychological needs. However, this has been a task beyond what anyone probably imagined. While PTSD is not a new mental health issue, what society knows about it has dramatically increased. The number of offenders that suffer from PTSD surpasses what most people would think. Society and pop culture have handed us movies and television shows that portray offenders as hardened shells of people that are scarcely affected by their situations or surroundings, but this is not reality. Most offenders walking into a prison for the first time are scared and intimidated; it is the fear of the unknown. Kubiak (2004, p. 424) explains the need to understand the relationship between PTSD and Substance Use Disorder (SUD).

Rarely is trauma discussed in relation to incarceration- either the effect of incarceration on those with trauma histories, prison as a site of new trauma, or the effect of trauma-related disorders on recidivism. This is particularly troublesome given the relationship

between post-traumatic stress disorder (PTSD) and substance use disorder (SUD), and the high prevalence of SUD among those involved in the criminal justice system.

“In fact, 80% of federal and state inmates were either convicted of a drug-related crime, were using at the time of the offense, or committed their crime to support their drug use,” (Center for Substance Abuse Treatment, 1998, as cited in Kubiak, 2004, p. 425). That is an exceptionally large percentage of the prison population that has had experience with substance use. Evidence shows that trauma and substance use are more commonly found together than not. “Although research studies have been mixed on support of the “self-medication” hypothesis of drug use, research indicates that trauma exposure usually precedes the development of an SUD,” (Chilcoat & Breslau, 1998; Steward, Pihl, Conrod, & Congier, 1998, as cited in Kubiak, 2004, p. 425).

“Trauma Exposure and Posttraumatic Stress Disorder among Incarcerated Men” is a study that screened male residents housed at a high-security prison operated by the Pennsylvania Department of Corrections for five months in 2012. The offenders examined were screened for trauma exposure and PTSD, Wolff et al., (2014). The ultimate goal was to “profile the type and prevalence of trauma exposure by mental disorder, estimate prevalence rates for lifetime and current PTSD by the type of trauma and co-occurring mental disorder (beyond PTSD), and associate the type of trauma to the likelihood of screening positive (or negative) for PTSD,” Wolff et al., (2014). Understanding trauma is crucial due to the direct correlation with PTSD. Results showed high prevalence of trauma as well as symptoms of PTSD in male offenders. Men in the public population with PTSD and a lifetime diagnosis of PTSD were about 3-6.3%, while men in prison were about 30-60%.

Given the large number of incarcerated males, combined with their high rates of trauma exposure and PTSD, suggest a significant need for trauma treatment in correctional settings. For this reason, expanding the evidence base on the nature and prevalence of trauma exposure among incarcerated men, and the prevalence of current and lifetime PTSD among them, is vital for identifying their behavioral health need and projecting service need within correctional settings. Wolff et al., (2014, p. 708).

The study concluded that not only is there a need for behavioral health intervention in prison, but there is a distinct need for gender-appropriate behavioral health interventions. Male and females were found to have different types of traumatic experiences, which led to their symptoms of PTSD. This is reconfirmed by Kubiak (2004), “Men were more likely to report exposure of traumatic events during incarceration than women, who primarily reported exposure prior to incarceration,” (Kubiak, 2004, p. 428).

Women, in contrast to men, may experience returning to their community as re-entering a traumatic environment. Women not only experience more episodes of trauma but experienced them in the community. This may result in women feeling vulnerable and perhaps “re-experiencing” their trauma when returning to that environment. Thus substance use may be attributed to their desire to minimize symptoms that trigger memories of the event... In addition, the current study suggests that men may experience the majority of their trauma as a result of the incarceration. Therefore, men leaving the facility may take some comfort in departing from their source of trauma, whereas women may be more hyper vigilant in the community, (Kubiak, 2004, p. 431).

In addition, it was noted that programming for males be sensitive to the male mindset, because it is critical for men to feel safe before they will open up about situations where they felt unsafe.

Wolff et al., (2014, p.718) explains why.

The high levels of assaultive violence, both physical and sexual, in combination with lifetime and current PTSD warrant intervention that is trauma-informed and sensitive to male mindsets, particularly regarding what it means to be a man. Delivering these services in an environment that is known for being predatory, harsh, and violent will require sensitivity to privacy, confidentiality, and safety. It is essential for men to feel safe before they can begin to explore experiences where they were unsafe. Developing gender-sensitive trauma interventions for incarcerated men and then testing them using randomized controlled designs is a research imperative with significant potential to improve the behavioral health outcomes of incarcerated men.

This presents another issue that needs to be addressed. It is understood that trauma can occur in prison. The very nature of prisons is somewhat of a breeding ground for traumatic events and PTSD. Some of the programs currently offered to help inmates in dealing with trauma, require that the offender have some mention of trauma in their PSI. This doesn't necessarily make sense considering we have already covered the fact that PSI's can sometimes be subjective. Depending on whether or not that offender confessed to any prior trauma or if the person writing it remembered to put it in there, it could be used to qualify or disqualify that inmate from the program. In addition to that, it does not leave room for the offenders who have experienced traumatic events while in prison. In fact, some correctional professionals would argue that serving time in prison is in and of itself, a traumatic event.

With that in mind, great care would have to be taken in placing inmates that report traumatic events while incarcerated into a group with other inmates in need of these services. It would be counterproductive if an inmate ended up in a classroom with the very inmate that once victimized him, or with an inmate that he is currently victimizing. While prisons do offer individual mental health services, the types of interventions these inmates need really require more personalization and time than simply speaking to a psychologist once a week. However, the mental health department in most facilities is already over extended. For example, at a particular Kentucky prison there, is one mental health professional who handles a population of approximately 676 inmates. Even though not all of those inmates receive routine psychological services, it would still be an impossible task for one mental health professional to manage. Having a caseload of that intensity would also place that mental health professional at an even higher risk of secondary PTSD, which will be discussed later on in this paper. In addition, that staff turnover rate mentioned earlier does not just apply to correctional officers, finding and hiring more qualified psychologist would not be simple.

The idea that offenders can get PTSD from prison is not a new one, but it is one that is becoming increasingly more recognized. Also, the issues that PTSD causes in prison are becoming more understood. PTSD not only increases the likelihood that an offender will reoffend after release, it also increases the chances that offender will use and abuse illicit drugs, especially if a history of substance use and abuse already exists. Substance abuse also increases the chances an individual will reoffend. Since one of the main goals of corrections is to reduce recidivism and criminal behavior, it is vital to the mission of the department that all these issues are studied and addressed in a way they have never been before.

Trauma that an individual experiences while in prison may actually cause more prominent and dangerous PTSD symptoms and substance use disorder than trauma that is experienced prior to incarceration. Sindicich et al., (2014, p. 47) explains, “It was hypothesized that prisoners who reported having suffered a trauma in prison would demonstrate more severe substance use and PTSD, given that they are continually exposed to the environment in which trauma has occurred.” If this is true it would certainly make sense. Imagine a war veteran that has severe PTSD from his time overseas in Iraq. The veteran is triggered by certain sights, sounds, and smells such as the sight of and feel of sand, hearing gunfire and loud noises, the smell of smoke, gun powder, and smell and sight of blood. Cases like this that have been publicized usually indicate that these individuals do their best to avoid these triggers. Now imagine the veteran being forced to live in a sandy area next to a gun range. It is very probable that his PTSD symptoms would become greatly exacerbated from the constant exposure to stimuli that triggers his episodes.

Apply this scenario to an offender who has suffered trauma inside of the prison. Maybe he was raped in a cell by another inmate or inmates. Everything this offender experiences on a day-to-day basis would tie into that rape. Seeing his rapist if he did not report the incident, the sight of the prison cells, seeing the uniform the rapist was wearing on every other prison inmate, the sounds of men’s voices echoing on the cell block can all be triggers from that event; and he is exposed to it every single day. Not only is the likelihood of his PTSD symptoms being exacerbated higher, the likelihood that he will engage in substance use as a coping mechanism is also higher.

The median number of trauma types and the proportion of participants who had experience each trauma type did not differ between groups; however, having experienced

a serious physical attack and/or assault approached significance (prison trauma: 100% vs. no prison trauma: 70.6%)... Fifty-seven percent of participants met DSM-IV criteria for a diagnosis for current PTSD and the mean CAPS score was 57.5... The most endorsed drug of concern was alcohol (36.7%) followed by heroin (26.7%), amphetamines (16.7%), cannabis (13.3%) and cocaine (6.7%)... There was a trend toward a higher prevalence of serious physical attacks or assault among individuals who had experienced trauma in prison, with this difference approaching significance. This is not surprising given the high prevalence of physical assault documented in prison settings. Sindicich et al., (2014, p. 51).

The public may question why this is relevant to investigate. Some people have the mindset that prisoners are in prison for punishment and money should not be wasted on attempting to help them. This misconception has started to dissipate as professionals have recognized the need for evidence-based programming to help rehabilitate many of these offenders. Most inmates serving prison sentences at this very moment will eventually go home. Whether or not they return to prison depends on several things, including how well the Department of Corrections rehabilitates them during their initial stay. However, it is worth noting that many times individuals have gone into prison only to come out worse than before. This increases the likelihood an inmate will return, and as long as they return, they continue to be a burden on society as opposed to being a productive member of it, which is ultimately the goal. "The prison environment has the potential to be seen as a unique opportunity to intervene. Prison may be one of the few opportunities for those in the community who have chaotic lives to access treatment services that can attend to their complex needs," Butler et al., (2006, as cited in Sindicich, 2014, p. 55), Ogloff (2002, as cited in Sindicich, 2014, p. 55).

“PTSD in prison settings: A systematic review and meta-analysis of comorbid mental disorders and problematic behaviors” reviewed the research of 36 different studies that looked at the associations between PTSD and comorbid mental disorders and problematic behaviors in 9594 incarcerated offenders. It found that not only were PTSD and psychiatric disorders linked to suicidal behavior and self-harm, it was also directly linked to aggressive behavior. Facer-Irwin et al. (2019).

In total, twelve studies investigated the association between PTSD and problems relating to suicidality, which included suicide attempts, suicidal ideation, measures of suicide risk, or self-injurious behavior, and nine found statistically significant associations. Three studies investigated associations between PTSD and non-suicidal self-injury (NSSI), will all three also reporting positive main effects. Facer-Irwin et al., (2019, p. 15).

The need for further understanding of these types of situations may not be completely understood by someone who is not involved in the Department of Corrections. After conducting a study on the needs of psychiatric treatment in prisoners, Bebbinton et al., (2017, p. 1) concluded.

These rates of mental ill-health and their similarity in remand and sentenced prisoners indicate that diversion of people with mental health problems from the prison arm of the criminal justice system remains inadequate, with serious consequences for well-being and recidivism.

While it is out of reach to separate out the mentally ill criminals from prisons altogether, it is possible to increase the ability of the department to handle these types of individuals.

Otherwise, the situation will continue to negatively affect the staff that deal with these inmates and negatively impact the inmate's rehabilitation. At Kentucky State Reformatory in LaGrange, KY there is a dorm known as CPTU or Correctional Psychiatric Treatment Unit. Inside of that unit are inmates who have been placed on constant watches, meaning a person sits directly outside of their cell and watches them 24 hours a day, 7 days a week. This might sound at first like a gross intrusion and violation of privacy. However, it is necessary to keep these individuals safe from themselves. Many of these offenders are "cutters." Some of them have cut so many times, their arms resemble that of a fire victim from the scar tissue that now covers their skin. Even with constant supervision, they still manage to cause injury to themselves, just not as much as they would otherwise. Some of them want to die. Others cut to dull their emotional pain. This does not mean they are not at risk of causing themselves serious injury. It is not uncommon for an offender that cuts to help relieve stress, to go too deep. When they do, they depend on the correctional professionals that work that unit to save their life. It is a rare occurrence for KSR staff to go more than a few days without having to respond to an incident of self-harm. Many times, when one offender self-harms it causes a domino effect and others begin self-harming as well. These events can be particularly traumatizing for staff responding to them, which is why rates of PTSD in correctional staff is also very high compared to other occupations.

"PTSD in prison settings: A systematic review and meta-analysis of comorbid mental disorders and problematic behaviors" also found correlation between PTSD and aggressive behavior in inmates. Facer-Irwin et al., (2019, p. 16) reports,

Evidence supporting a relationship between PTSD and violent behavior in adult prisoners was stronger among male compared to female samples, although one adult study which found significant associations between PTSD and aggression utilized a selected sample of

male prisoners with comorbid substance use problems. Five studies also examined the relationship between PTSD and self-reported anger or hostility, all of which found statistically significant associations.

This increased aggression can be directed towards staff and other inmates alike.

Although physical altercations and staff assaults are not uncommon in the Department of Corrections, they are events that need to be reduced at every chance possible. “Violence in prisons presents a threefold challenge to custodial authorities. It poses the risk of injury to prisoners and staff, and impacts on the provision of services, staffing and contact between inmates,” Butler & Kariminia (2005, as cited in Sindicich et al., 2014, p. 53). “Also, it impacts on rehabilitation as the physical and sexual traumas that occur in prison, as found in the study, play a role in combination with other criminogenic factors, in the formation and maintenance of offending behavior,” Widom & Maxfield (2001, as cited in Sindicich et al., 2014, p. 53-54).

Inmates that have a high occurrence of violence, especially those displaying violence towards correctional staff, have an increased probability of being placed in segregation and placed on what is known as “administrative control.” The Kentucky Department of Corrections Policies and Procedures 10.2, which covers special management housing and restrictive housing, offers this definition of administrative control.

Administrative control status means an alternate, maximum-security housing status for an inmate who repeatedly violates the rules of the institution or for any inmate who poses a serious threat to the safety and security of the institution, the staff, the inmate population, or himself. KY DOC CPP 10.2 (2020, p.1)

To further explain, following an incident such as a staff assault, an inmate is taken to the special management unit, which is a form of segregation, and placed on Administrative Segregation.

Administrative Segregation means segregation from the general population or special management population for a relatively short period of time, consisting of confinement to a cell, room, or highly controlled area to ensure the safety and security of the institution, the staff, or the inmate population or pending investigation of an incident if the inmate is a suspect. KY DOC CPP 10.2 (2020, p.1)

Once in SMU, a detention order is completed stating why the inmate is in segregation. In the case of an assault on a staff member, a disciplinary report is entered into the system detailing the incident.

After a supervisor investigates and assigns a charge for the disciplinary report, or “write up” as it is typically referred to, it goes to Adjustments to be heard. The Adjustments Officer decides whether or not the charge is appropriate, and whether or not to convict the inmate. In this case, the inmate would be convicted of a category either 7-01 or 7-04. A category 7-01 is “A physical action against an employee or non-inmate,” KY DOC CPP 15.2 (2017, p. 9). A category 7-04 is “Physical action resulting in the death or injury of an employee or non-inmate” KY DOC CPP 15.2 (2017, p. 9).

Upon conviction, the inmate is given a penalty; if it includes segregation time then the inmate’s status goes from Administrative Segregation to Disciplinary Segregation as he is officially serving segregation time for conviction of a disciplinary report. KY DOC CPP 10.2 (2020, p. 1) gives this definition of Disciplinary Segregation, “Disciplinary Segregation means the segregation or confinement of an inmate from the general population or special management population in an individual cell for a specific period of time consistent with the provisions of CPP 15.2 (Rule Violations and Penalties).” At any time during the process, the classification staff at the institution may review the inmate’s past disciplinary history. If he has had multiple write-ups in recent months

or multiple convictions for dangerous contraband in relation to drugs and alcohol, or multiple violent write-ups, they can recommend him for placement on Administrative Control.

The classification committee in SMU types up the recommendation, which explains the inmate's disciplinary history and reason for AC recommendation. It is then sent to the Warden for approval. From there, it is forwarded to the Central Office in Frankfort, KY where the Central Office Classification Committee reviews the inmate and makes the final decision on whether to approve or deny placement of AC. If approved the initial assignment for administrative control is a maximum 90-day period. After 90 days the inmate is reviewed again. If it is decided the inmate will continue the assignment of AC, he will be administratively reviewed every 30 days until release from segregation. Even though the inmates assigned to Administrative Control status are routinely reviewed, there are inmates in the state that have been assigned to AC for years. If that seems like a long time to be locked inside of a cell, it is. In fact, there are inmates that serve years in segregation and then serve out from their prison cell. Imagine going from years on Administrative Control status, straight out to the street, especially when taking into consideration what this type of confinement can do to the human psyche. In a study conducted by Hagan et al., (2017, p. 146) found the following.

Consistent with our hypothesis, we found a significant association between prior solitary confinement and PTSD symptoms, with those reporting solitary confinement having a three times greater odds of reporting PTSD symptoms after adjustment for potential confounders. Based on our methods, we cannot be certain that solitary confinement played a causative role in the exacerbation or development of PTSD symptoms, but our findings highlight the specific mental health needs of individuals recently released from prison.

The Kentucky Department of Corrections is already taking steps to address the issues of inmates that cannot seem to remain in the general population of their institution and instead find themselves on administrative control status either repeatedly or for long periods of time. KY DOC CPP 18.13 (2018, p.1) defines general population as “primary living units which house the majority of the inmates at an institution.” The development of the Transitional Behavior Modification Program, or TU for short, was developed and implemented more than five years ago in three select institutions in the state. Currently Eastern Kentucky Correctional Complex, Kentucky State Penitentiary, and Western Kentucky Correctional Complex host their own TU programs. Kentucky Correctional Institution for Women is home of the only TU program in the state of Kentucky for female offenders. All four programs were developed with the goal of not only getting AC inmates off Administrative Control status and out to general population, but also teach them how to successfully stay out of segregation by staying out of trouble. EKCC and KSP has tailored their program toward rehabilitating AC inmates with violent disciplinary history, while WKCC’s TU program addresses AC inmates with disciplinary history indicative of substance abuse and KCIW’s TU is a mixture of both.

Offenders housed in the general population of the prison already have access to programs such as these: MRT (Moral Reconation Therapy), MRT Anger Management, and the Substance Abuse Program all teach offenders how to pull away from the criminalistics ways of thinking and focus on preparing them for life outside of prison. MRT Anger Management is tailored towards individuals with violent offenses or disciplinary history while the Substance Abuse Program is specifically for individuals who have substance abuse issues. The TU program digs deeper than the previously mentioned classes. Inmates that are recommended for the TU program are not ready to be conditioned for life on the streets. They first must learn how to

successfully remain in general population of the prison before they can ever begin to prepare for a successful life outside of prison.

Part 3: Corrections Staff Burnout and PTSD

While the KDOC is focusing on improving inmate mental health and rehabilitation there is also a need for improving staff mental health as well. Prison staff are responsible for the safety and security of the institution as well as the rehabilitation of the offenders. If they are not in an optimal state of mental and emotional health, it initiates a breakdown of the entire system. It is not logical to expect individuals suffering from PTSD and burnout to show inmates how to deal with PTSD and stress. While many times program instructors and mental health staff are the ones to formally address these topics with the offender population, their direct contact with inmates is limited to either that class or session. Correctional Officers, Classification & Treatment Officers and Unit Administrators however interact with the inmates daily. While they may not directly approach these topics, inmates watch the way these professionals handle themselves under various stressful situations. Even with this seemingly apparent observation, little has been done to address and prevent the growing issue of correctional staff burnout.

Corrections staff have a direct impact on the behavior of inmates. Staff model behavior for inmates and therefore inmates become students of staff behavior. Correctional Officer's attitudes and personalities can influence the inmates they watch over each day. This can sometimes be a negative thing when dealing with a pessimistic, hateful officer, but the opportunity for institutions to use that direct exposure to their advantage is there as well.

A more tangible feature of the prison environment that may have positive effects for offenders is the role of corrections officers (COs). COs have routine contact with inmates, and the nature of their interactions can be reorganized to promote desistance. Despite this promising proposition, little research has examined the potential rehabilitative influence of COs...COs can significantly contribute to offenders' "correction," here meaning officers' ability to affect inmate well-being and add to positive reentry experiences, (Schaefer, 2017, p. 41).

However, things like staff shortage, mandatory overtime, burn-out, and PTSD can take their toll on staff working day in and day out inside of a prison. This does not just affect security officers. It is common practice for all DOC employees to qualify through training to work a prison post. In the event of significant staff shortage, programs staff and administrative staff are pulled to fill in the vacancies. Depending on the situation, sometimes this is done in place of their regular work schedule, and sometimes it is in addition to it. The result is all staff at that institution are subject to long hours to keep the institution running.

Burnout is a process that begins with excessive and prolonged job stress levels. Work conditions in prisons include various sources of stress which are relatively specific to the prison environment. Career within a prison involves dealing with hostile individuals, life threats, shift work, work under high risk levels, overtime, and fear of contracting incurable diseases when in contact with offenders. All these unfavorable work environment specific factors lead to physical and mental depletion, insomnia, increased alcohol consumption, smoking, medical substances abuse, as well as frequent headaches, gastrointestinal disorders, fatigue and depression. (Liu et al., 2013; Goldberg et al., 1996; Lavigne, 2010 as cited in Stoyanova & Harizanova, 2016, p. 34).

In the last decade, understanding of the significance of corrections staff burn-out has greatly increased. At one time there were studies done to evaluate whether or not PTSD and staff burn-out occurred in corrections staff at all. Now we know that not only does it occur, it is much more common than previously thought. “Burn-out syndrome is a problem among prison staff. Keinan and Maslach-Pines reported that the correctional employees in their study had much higher levels of burnout than the levels found in the general population, even higher than police officer,” (Keinan and Maslach-Pines, 2007, as cited in Stoyanova & Harizanova, 2016, p. 38).

It seems reasonable to suggest that increased demands and responsibilities of controlling and assuring the safety of unwilling and hostile individuals, in addition to other stressors in the correctional environment, could lead to increased levels of occupational burn-out, (Stoyanova & Harizanova, 2016, p. 38).

According to a study by professors Steven Stack and Olga Tsoudis of Wayne State University, the risk of suicide is 39 percent higher for these men and women than in all other professions combined. A 2009 study by the New Jersey Police Suicide Task Force found that corrections officers had double the suicide rate of police officers... Caterina Spinaris is a psychologist who, in 2003, founded Desert Waters to study and provide relief for corrections officers’ mental health. A 2013 study she conducted among corrections officers found that 31 percent of them suffered from PTSD, more than four times the national average and on a par with veterans returning from armed conflict. Some 17 percent were suffering from both PTSD and depression, (adapted from Newsweek Global, 2014).

This issue is not limited to prison security staff. While most studies have focused on the prevalence of burnout and PTSD in Correctional Officers, less attention has been given to the unsung heroes of the Department of Corrections. Classification and Treatment Officers (CTO), or Caseworkers, have such a tremendous responsibility that it is difficult to acquire a cumulative list of the job duties required of them. Not only does it vary from state to state, but also from prison to prison. They are the “catch all’s” of the institution, when an inmate asks a security staff member a question that they don’t know how to answer the seemingly universal response is “Go talk to your caseworker.”

On the surface CTO’s manage the inmate population. They are each given a caseload which can vary but generally averages around one hundred inmates. They review each individual inmate, create a case management plan for the offender complete with short-term and long-term goals to work on, review the offender’s custody score and monitors his/her program progress and job participation. That only begins to scratch the surface. In order for CTO’s to do their job to the best of their ability, they must get to know each offender, identify their strengths and weaknesses and work with them on a one-on-one basis to progress each inmate towards their long-term goals. This requires a much more personal aspect of Corrections than what is often seen by the public. CTO’s are expected to care but not to care, to do their best to help the offender without becoming personally invested in their lives. Even when maintaining professional boundaries, it is common for staff to build a rapport with the inmates they supervise and manage.

Within the prison setting, the caseworker is usually considered part of the treatment staff, which normally makes up less than 30% of overall employees. The correctional or custodial staff, where more research has been focused, usually makes up about 65% of

overall personnel. At most institutions, correctional caseworkers are concerned with treatment of their clients. However, their first priority is to provide security, and only functioning as a correctional officer if needed. Such dual responsibilities can create a potential role conflict from the very beginning, Siefert et al., (1991, as cited in Carlson & Thomas, 2006, p. 21, adapted from https://doi.org/10.1300/J076v43n03_02).

“According to Garland (2002), correctional treatment staff burnout has been virtually overlooked as a barrier to correctional rehabilitation, and as a result, staff can subsequently become less effective and committed to their profession,” Garland (2002, as cited in Carlson & Thomas, 2006, p. 22). Because of the nature of their job, Carlson & Thomas (2006) hypothesized that Caseworkers could potentially carry higher rates of burnout than even Correctional Officers. This is a concerning theory considering the high rates of burnout in Correctional Officers exceeds previous expectations; what their study revealed was no less concerning. “Results indicate that prison caseworkers have higher levels of burnout than correctional officers,” Carlson & Thomas (2006, adapted from https://doi.org/10.1300/J076v43n03_02).

In comparing caseworkers with correctional officers, it was found that there was significant difference between the two groups in four out of eleven areas tested. The first area was in the level of education, which was anticipated since caseworkers are usually expected to have a college degree. Employment as a correctional officer requires either a high school diploma or GED. Caseworkers were found to have a college degree (71.4%) as compared (21%) with correctional officers $X^2(2, N = 269) = 44.12, p = 0.001$. It was also found that correctional officers were more likely to be married than caseworkers $X^2(2, N = 270) = 5.85, p = 0.05$. Fifty-nine (58.8%) percent of correctional officers were

married compared with 42.9% of caseworkers. A statistical difference between correctional officers and caseworkers was found on the number of complaints in the past year $\chi^2(1, N = 270) = 12.24, p = 0.001$. On the survey, caseworkers report a much higher number of three or more complaints being made against them, 50%, as compared with only 23.7% being made against correctional officers. Finally, there was a statistically significant difference in the number of hours a week worked at a second job $t(215) = 7.75, p = 0.001$ (two-tailed). On average, caseworkers worked 8.8 hours a week at a second job as compared with 4.9 hours worked by correctional officers, Carlson & Thomas (2006, p. 28).

In corrections, it is common practice for Correctional Officers to be encouraged not to look up inmate's crimes. As a member of security inside the prison, Correctional Officers are supposed to treat all inmates the same and this is easier done if they do not know what their crimes involve. For example, it may be difficult to treat two inmates the same if it is known that one is serving time for stealing a car and the other is serving time for raping and killing and child. While expected to act as professionals there are times in a correctional officer's jobs where personal feelings are difficult to suppress, therefore it is easier to remain in the dark concerning specifics. Caseworkers on the other hand do not get this option. As a part of the classification staff they are required to read and review PSI's and past criminal history in full detail in order to properly classify an inmate. Caseworkers along with Unit Administrators conduct a classification committee in which they assign a custody score to an inmate depending on a multitude of factors such as age, crime, previous crime, behavior in prison, etc. Imagine having to read in explicit detail about the horrific things some offenders have done to other people, some of those people being children, and then having to professionally care about that

individual. To make decisions on their behalf, create a case management plan for them and work with them to complete programs and classes that will get them released from prison, even if the caseworker does not personally feel that offender should ever be released.

Situations such as just described are why many professionals working in occupations such as corrections, social work, psychology, etc. can be at higher risk for something called “secondary trauma.” This is when an individual does not directly experience a trauma but still suffers PTSD like symptoms from the knowledge of the traumatic event. Rhineberger-Dunn et al., (2016) offer this explanation.

Secondary trauma is a negative occupational outcome experienced by professionals who work closely with clients. The concept of secondary trauma was first used in a study of therapist who treated individuals who had experience trauma, Figley (1995). It refers to the behaviors and emotions exhibited by a person (e.g., the therapist) who is exposed indirectly to another person’s traumatic event by having to listen to or read through documents and images related to the person’s traumatic experience, Figley (1995, 1999). These symptoms often mirror post-traumatic stress disorder, even though the individual did not directly experience the trauma, Figley (1999, as cited in Rhineberger-Dunn et al., 2016).

Having to read through the countless PSI’s a caseworker encounters throughout their career can understandably have an affect on that person. In the study conducted by Rhineberger-Dunn et al., (2016) analysis was done to compare the prevalence of secondary trauma in residential officers (ROs) and probation and parole officers (PPOs). It was found that probation and parole officers were more likely to report secondary trauma than residential officers. However, the

study did not mention caseworkers, also called Classification and Treatment Officers.

Specifically, the study reported the following.

The purpose of this study was to explore the factors that predict secondary trauma among community corrections personnel and to determine if differences in predictors exist between PPOs and ROs. We found that PPOs were more likely to report secondary trauma than ROs when controlling for other variables in the model. Relying on Figley's (1999) conceptions of secondary trauma, these results can be explained by the fact that PPOs must read and listen to offenders describe their crimes. Some of these crimes are violent, sometimes sexual in nature, and are more likely to impact personnel who have more exposure to this material. Additionally, some PPOs are responsible for contacting victims and witnesses in order to prepare presentence investigations. These officers may also be exposed to disturbing, violent, and/or sexual offenses by listening or reading victim and witness accounts. ROs, on the other hand, do not have the same depth or continued exposure to the material. They are largely tasked with making sure that offenders are following the rules of the facility and making sure that everyone in the facility is safe. Rhineberger-Dunn et al., (2016, p. 301).

While as mentioned, the study did not examine caseworkers, when looking at their job responsibilities and duties, CTO's fall somewhere in between ROs and PPOs when it comes to their exposure to offender crimes. While they do not contact victims and witnesses for statements, they are required to read through the in-depth PSI written by the PPOs assigned to the case. This could explain why caseworkers seem to experience burnout at a higher rate than correctional officers.

“Inmates-to-Staff Assaults, PTSD and Burnout: Profiles of Risk and Vulnerability” is a look at the relation of Staff PTSD and Burnout and assaults on staff by inmates.

The main purpose of the present study is to examine both burnout and posttraumatic stress among those who experience inmate’ violence. As was expected, our results show that burnout and posttraumatic stress are highly correlated: high scores of burnout are associated with high scores of posttraumatic stress in correctional staff. Two mechanisms could explain why inmate-to-staff interactions produce this psychological weakening action. The first refers to a relational stress process leading to burnout. Once that process is activated, a second process can operate by potentiating the action of a traumatic event, leading to posttraumatic stress symptoms such as ASD or PTSD. (Boudoukha et al., 2013, p. 2342).

Daily exposure to the negative environment of prisons, emotional exhaustion, depersonalization, and a negative image cast by the public can all affect a staff members attitude and motivation. Traumatic events such as staff assaults can cause PTSD which increases the likelihood of burnout. Burnout increases the complacency commonly seen in seasoned career staff. Complacency causes staff to become more lenient and less vigilant, which in turn can encourage more inmate-on-staff violence. (Boudouka et al., 2013).

Aside from the violent and hostile environment that corrections staff operate in every day, there are other pressures that can place extra stress on the individuals that choose a career in corrections. To an untrained eye, being a Correctional Officer or other staff members inside of a prison, the job seems to be straightforward. There are rules, rules that the Correctional Officer did not make but is expected to uphold. The inmates are to abide by those rules under the watchful eye of the correctional staff. However, this is not always as simple as it sounds. A

recent study dug deeper into what is happening inside prisons across the country when it comes to rules and the decisions that go into enforcing or not enforcing them, as well as the consequences of those decisions.

Prisons are particularly interesting spaces for studying discretion. Prisons have a strict power relationship between correctional officers and people who are incarcerated, with correctional officers enforcing “the law” and regulations set out by the state. Although state policies should ostensibly determine how on-the-ground decisions are made, and theoretically allow little room for discretions, discretionary application of rules in prison is pervasive, however. One key factor that seems to differentiate to operation of discretion in prison from other criminal justice institutions is that correctional officers cannot deal with infractions and misconduct by primarily focusing on what is and is not allowed. In contrast to judges, parole officers, and (to a lesser extent) police officers, correctional officers need to focus on how their responses to misconduct might influence their long-term relationships with criminally involved individuals (Liebling, 2000) and with their colleagues. In contrast to the situation for other criminal justice actors, a broad audience of incarcerated people informally scrutinizes how correctional officers enforce the rules. That necessitates that correctional officers’ responses to rule infractions have to be forward looking and consider how a raft of spectators will perceive their discretionary decisions about rule infractions. (Haggerty & Bucerius, 2021, p. 2).

Simply put, an officer cannot just decide to enforce every single rule, every single time. Part of surviving prison as a Correctional Officer is earning respect from the inmates and being able to count on co-workers. There are times when the choice to enforce a minor rule can raise tensions, increase hostility, and escalate the situation into something easily avoidable. However,

when letting one rule slide for one inmate, it is important to remember that another inmate will also break that rule to see what reaction they get as well. These situations and outcomes are things that officers have to mull over every time they are faced with enforcing or not enforcing a rule. It is yet another source of stress in an environment where even though it is supposed to be, nothing is ever black and white.

To outsiders, prisons vacillate between visions of regimented order and anarchic disorder. The place of rules in prison sits at the fulcrum between these two visions of regulations. Based on 131 qualitative interviews with correctional officers across four different prisons in western Canada, we examine how correctional officers understand and exercise discretion in prison. Our findings highlight how an officer's habitus shapes individual instances of discretionary decision-making. We show how officers modify how they exercise discretion in light of their views on how incarcerate people, fellow officers, and supervisors will interpret their decisions. Although existing research often sees a correlation between "rule following" by incarcerated individuals and official statistics on such misdeeds, our data highlights that official statistics on rule violations do not easily represent the rate or frequency of such misbehaviors. Instead, these numbers are highly discretionary organizational accomplishments... Our findings advance an appreciation for correctional officer discretion by foregrounding the role played by an officers' habitus while providing candid empirical insights into the range of factors specific to the correctional field that such officers might contemplate in deciding what rules to apply and when. We have pointed to many contextual influences and forward-looking considerations that inform an officer's habitus and his or her consequent exercise of discretion. (Haggerty & Bucerius, 2021, p. 1).

All of these situations are examples of why PTSD and burn-out have become such an issue in Corrections. Burn-out causes issues that greatly exceed just not wanting to go to work.

Regarding the work of the penitentiaries, researchers point out that tense working conditions in penitentiary agencies, combined with a lack of funding and staff, overtimes, overcrowding, reduce the job satisfaction level... Burnout and job dissatisfaction also affect the penitentiary system. Correctional facilities are forced to spend additional funds of social benefits for retiring employees and sick leaves, as well as the recruiting, training, and education of new staff.... The revealed relationship between burnout and dissatisfaction with fringe benefits, the quality of the communication field, and the operation conditions of the penitentiaries require the development of measures. In particular, it is necessary to direct the policy of the management of institutions to the sphere of encouragement for job results, analysis of communication in departments and divisions, and improvement of workplace conditions. (Tohochynskyi et al., 2020, p. 165-177).

Part 4: Staff Turnover

Of all the obstacles faced by the Kentucky Department of Corrections, staff turnover is by far the most harmful and the most dangerous. In fact, if the staff turnover problem was to be rectified and the correctional facilities became filled to capacity with intelligent, educated, motivated, and committed professionals, the rest of the obstacles examined in this paper would begin to improve as well. Corrections staff are at the center of it all. From security staff, classification staff, and administration staff all the way to medical staff, food service staff, and canteen staff, they all have a direct impact on the lives of the offenders residing at their facility. They are the very foundation of the entire system. Until the staffing problems are corrected in

corrections, it will not matter how much research, money, time, or effort is poured into attempting to correct the other issues faced by the KDOC. A weak foundation will always produce a weak structure.

There was a time in the not so distant past that a career with the KDOC was a desired and sought-after job. In order to even be considered for an interview, an employee had to drive to the state capitol to take a test to see if he or she qualified. Without an acceptable score, the job hiring process for that applicant stopped there. This was a time that corrections staff today talk about in disbelief. Gone are the days when the KDOC could be selective in its hiring process. Instead, today the department faces a crisis as it has never experienced before. Not only can it no longer afford to be selective, it has come to a point where there is downright desperation for applicants. Anyone with a high school degree, and no felony or violent crime on their record can apply for a job and get it. The continuous lowering of standards in the people hired is evident in the continuous rise of employees quitting, the rise in the number of employees being walked out for bringing in drugs and or having relationships with inmates, and the slow disappearance of the seasoned and experienced staff that once dominated the yard.

It also worth noting that the decreased amount of staff and decreased experience in Kentucky prisons is not just detrimental to offender progress and success, nor is it only dangerous for the employees working the intuitions. The turnover rate the department is facing is also dangerous for the inmates it supervises and the communities it protects. When staff are expected to fulfill duties normally conducted by twice the amount of staff members, they cannot adequately supervise the inmate population. This means extortion, assaults and rapes can and will go unnoticed and unreported. Regardless of how dedicated and vigilant an officer may be, the human brain can only pay attention to so many different things at once. This speaks true for

officers working minimum-security units as well. When security staff are pulled to other areas of the institution and the remaining officers are stretched to cover the posts, inmates notice the absence of staff presence. This means the likelihood of contraband coming in is greater and this increases the likelihood of walk-off escapes happening as well. This puts the community at an increased risk and that is unacceptable.

Still, as it stands, the KDOC cannot compete with other employment opportunities available in the public sector. Twenty to thirty years ago the benefits package that came along with a career in corrections was such that individuals had to compete to secure a job within the department. The pay was decent, although even then it still lacked compared to surrounding states. The retirement package on the other hand was great. Not only did this keep the number of applicants high, once an individual was hired, they stayed. The lure of corrections came from the fact that an individual did not need a college degree or experience to qualify to work in the department. The prospects of a high school graduate with no college education being able to secure a job with a twenty-year retirement kept people around long term. The job itself was not physically demanding and the opportunities for advancement were available for those who stuck it out.

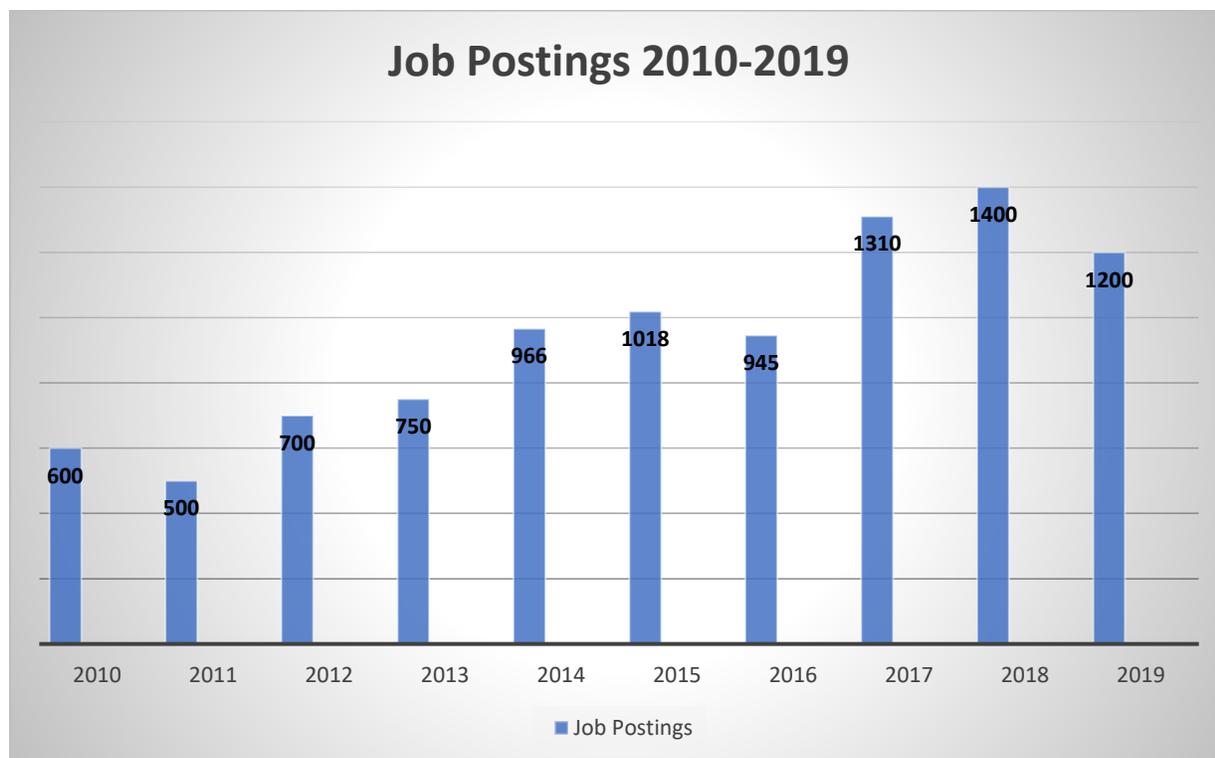
Many things have changed since that have caused a downward spiral in staff turnover within Kentucky's state prisons. The pay is not anywhere near as competitive as it once was, compared to other jobs in surrounding areas and that alone is enough to send people looking elsewhere for careers. There have been a few pay raises here and there in an attempt to correct this, but they have ultimately made little difference. In fact, in most cases raises have not been across the board but instead have focused on security staff. This is understandable considering the nature of corrections; the prison simply cannot operate without its security staff. The flip

side is that now, someone with no experience and no college degree can get a job as a Correctional Officer making about the same or more than a Classification and Treatment Officer, which requires a bachelor's degree. There is no incentive for qualified applicants to apply for the CTO position when they can start making more in security and there is no incentive for qualified CTOs to stay working with the department because they are overlooked for pay raises in favor of other staff.

However, the biggest setback is not the stalemate of pay increases in correlation with the increasing cost of living. Instead, the biggest hit came when Kentucky changed its retirement package. Prior to 2008, an individual could retire from the department having worked twenty years, regardless of age. This was a huge incentive for younger individuals to apply and stick with corrections. One could go in at 21 years old and retire by 41 years old, so individuals had a light at the end of the tunnel to keep them motivated. During those long shifts dealing with aggressive inmates and less than favorable conditions, it was the reason staff stayed. It was beneficial for the department as well as it not only encouraged younger people to apply, it also encouraged them to stay, which gained the department experienced staff members.

In 2008, the KDOC changed its retirement package from 20 years, to 25 years in an effort to save funding. In 2013, they once again sought to alter the retirement package and changed from a 25-year retirement to a system similar to a 401 K, a package that local factories offer as well. Once this happened, it created somewhat of a snowball effect. While corrections does not require hard physical labor, it makes up for it with mental and emotional stress. Within a couple of years the number of job vacancy postings on the KDOC website climbed higher and higher, suggesting that while people were interested in a career with the department, once they experienced the day-to-day stress, they ultimately decided the rewards were not worth the

sacrifice. The following graph contains data adapted from the KDOC Annual Report for years 2010-2019, which can be found on the KDOC website.



On December 31, 2013, the KDOC changed over their retirement package from a 25-year retirement to a system similar to a 401 K retirement. There had been an increase in job postings for the previous two years, but 2014 saw an increase of 216 vacancies from 2013. In 2016, Governor Matt Bevin increased the salary for corrections officers and security supervisors, which was long overdue, but it did little to affect the turnover rate. In less than a decade, the KDOC has doubled the amount of job postings per year following the removal of the 20-year retirement plan and in spite of a salary increase for security staff. This data does not include the job postings that resulted from the opening of Lee Adjustment Center in 2018 due to it being staffed by the private prison contractor Core Civic; nor does it include the opening of Southeast State Correctional Complex, which is staffed by state employees, but did not go into operation

until mid-2020. While an increase in pay for overworked, understaffed corrections staff is a necessity, it is clear that pay alone will not keep experienced individuals from leaving the department.

This is significant in that corrections is not a field that can safely operate, much less reach its full potential, without seasoned, experienced staff. At one time, it would take an officer five plus years to be considered for the promotion to sergeant. Now officers are promoted to sergeant and again to lieutenant. in the same amount of time it use to take to promote once. While this is not always a negative thing, it does limit the amount of experience that security supervisors now carry. There is also limited experience as far as officers go, which means when new staff come in they are being trained by officers that are just out of training themselves. This can add up to dangerous situations due to corrections being what Bogue (2009 as cited in Innes, 2018) refers to as a “high-reliability organization.”

Bogue’s review of the literature on high-reliability organizations noted that correctional systems share a number of key characteristics with other high reliability organizations such as air traffic control, nuclear power plants, air and rail transportations systems, aircraft carrier deck operations, combat operations unit in general, and firefighting units. These seemingly very different types of organizations all are alike in that they work in businesses where very bad things can happen suddenly and mushroom quickly into very, very bad things. And, when they do, it is too late to think about who should do what.

Bogue (2009 as cited in Innes, 2018).

Innes (2018) goes on to explain how experienced staff are vital in these situations and what can happen when the pressures of the organization cost it the expertise upon which it is so heavily reliant.

Deference to expertise and valuing camaraderie serve to increase the resilience of these organizations' cultures and works to counterbalance the effects that a preoccupation with failure, reluctance to simplify, and sensitivity to operations can create in those same organizations. When such organizations operate for an extended period under tremendous pressures, however, they tend to fragment and then rigidify at the expense of the moderating influences of expertise and positive morale so that resilience often weakens. When high-reliability organizations become fragmented, the management and staff react in different ways, but both report a high degree of stress and distress. The assessment teams in the Prison Culture Project repeatedly found a nearly identical pattern in the perceived existing and preferred cultures at the dozens of prisons they visited across the country over several years. The existing culture in these prisons was routinely found to be hierarchical, focusing on stability and control, standard procedures, adherence to structure, and consistency of operations. Just as frequently, the team found an almost universal preference among staff for a shift toward a more flexible culture that honored staff expertise and supported resilience. Innes (2018).

When taking into consideration the influence that correctional staff have on the inmate population and their ability to succeed, it becomes more and more apparent that the need to slow the turnover rate in the KDOC is vital. Serin & Shturman (2007, p. 32) references this.

Therefore, when conducting offender assessments and custody classifications, or even when involved in such mundane events as taking counts and locking offenders in cells, correctional staff have the option to act in the manner of a skilled corrections professional. In so doing, they increase the potential for offender change and, perhaps

unknowingly, can contribute to more effective corrections in terms of safer prisons and enhanced public safety. Serin & Shturman (2007, p. 32).

Attempting to rehabilitate offenders within an unstable environment who have had a lifelong trend of criminal behavior, is similar to what is seen in children when they are raised in unstable, unsafe home situations. They act out, withdraw, strikeout, find unhealthy ways to cope with their stress, and regress anytime they are placed back in that situation. For some offenders, prison is the most safe, stable and reliable that their life has ever been. This means it is an opportunity to provide them with an environment they have never had before and use it to fuel their rehabilitation. However, if the department is hiring staff that have no desire to help or rehabilitate anyone and is only there for a paycheck, or think they are there to punish inmates, or jump at their opportunity to score some side cash by bringing in drugs it is not conducive to the environment needed to encourage offender's success.

Neither is it conducive for saving money within the department. A study from 2007 of the Correctional Officer turnover rate within the Georgia Department of Corrections found that "not only is the turnover rate for correctional officers high, but both the direct and indirect costs associated with correctional officer turnover accounts for more than 50 percent of the Georgia Department of Correction's costs attributed to its employee turnover." Mitchell et al., (2000, as cited in Udechukwu et al., 2007).

Udechukwu et al., (2007) also discuss a data analysis conducted on the Georgia Department of Corrections past employees to examine the motivation behind their separation from the department.

The data gathered from the GDC Intranet information system indicates that the highest percentage of those who voluntarily left in 2003- 42 percent- did so because of other job opportunities. Thirteen percent of those officers who voluntarily left indicated that they left the correctional agency because of job security, 11 percent indicated they left for leave availability, and 10 percent indicated they left for health insurance. Fourteen percent did not like the agency because of infrequent pay increases, while 13 percent felt their efforts were not well rewarded, and 12 percent felt their entry salary was too low. Sixteen percent of the respondents who voluntarily left concluded that better job offers influence their decisions the most to leave. Stuningly, 80 percent declared they were willing to work for this agency again. Given that job security, pay increases, job opportunity and salary were factors noted in how the employees felt about their jobs, these factors are among the typical components of job satisfactions. Equally, organizational commitment has played a part in this scenario given that 80 percent of the correctional officers who left were willing to work for the agency again (Udechukwu et al., (2007, p. 249).

That is something to consider. While the stresses and demands of the job have already been discussed in this paper, it appears that they alone are not enough to chase people away from the department. The most remarkable reflection of this data analysis is the fact that 80 percent of the people questioned stated they would work for the department again. This means if the state could improve the current benefits received by corrections employees, not only would it attract new employees and convince current ones to stay, it may also lure past employees back, bringing with them the experience the department so desperately needs.

An incredible incentive to consider initiating is one that is not typically seen in the United States, but has had tremendous success in other countries. Paid maternity leave. The KDOC currently gives its employees comp time, vacation time and sick time. However, a woman within the department that works for 3 years and manages to build up a few weeks of leave time is forced to completely drain that time if she has a baby. While the paid time off is nice, this puts the woman in a hard position upon returning to work. Having drained her time, the new mother now cannot get a planned paid day off to stay home and care for her baby should he or she fall ill, need to be taken to the doctor for a routine checkup, etc. This forces the new mother to wait until the morning of the scheduled doctor's appointment and then call in sick, as opposed to being able to take a planned day off, which would ensure prior knowledge of her absence and the ability to plan for coverage. It also means she has to take the day without pay. Placing women in situations where they feel they have to choose between being a good mother or being a good employee is an outdated practice that should be addressed whenever possible.

Typically, the standard time off for maternity leave is six weeks for a natural birth and eight weeks for cesarean. While some argue this is not enough time, it would make for a valuable incentive. Should the KDOC supply their employees with this conditional paid time off, separate from what is already allotted, it enables the new mother to use only part of her time should she need to take additional time. For example, if a female staff member has seven weeks of time built up and ends up having an emergency c-section, as it stands now she would have to use all seven weeks of her time and go one week without pay before her doctor would release her to return to work. However, if the KDOC supplies her with six weeks of paid maternity leave she would only have to use two weeks of her own time. In fact, she could afford to use four weeks of her time for a total of ten weeks off to recover. The new mother would still have three

weeks she can use for appointments and other things that should take priority after the baby is born.

Furthermore, this benefit should not be limited to only female staff. A simple two week paid paternity leave for new fathers working within the department would be an impressively progressive move. Granting new fathers the opportunity to be part of such a cherished time is a benefit that families would not take lightly. In a career that demands families often be put second, this would be an easy way for the department to show support of family values and priorities. It would also be a huge step towards making the benefits given to department employees far beyond what is standard in the US.

Finding ways to improve current benefits and initiate new benefits is necessary to increase the potential of KDOC employees. The more satisfied an employee is with their career, the better their productivity becomes. Schaefer, 2018 made multiple recommendations for correcting the correction officer role that were as follows:

“1. Corrections officers should provide correction, 2. Corrections officers should communicate with prisoners using cognitive-behavioral techniques, 3. Corrections officers should act as crisis counselors, 4. Corrections officers should act as frontline diagnosticians and health advocates, 5. Corrections officers should act as corrections counselors, 6. Corrections officers should act as life coaches, 7. Corrections officers should encourage identity substitutions, 8. Corrections officers should suggest new routine activities, 9. Corrections officer should solicit crime controllers, 10. Corrections officers should facilitate transitions.”

This is an ambitious list, but it highlights the potential that some experts see in the position of correctional officers and staff. However, asking them to take on such tasks is out of the question unless the job itself is brought up in standard. More responsibilities will require more in-depth training, higher education and most importantly, a higher dedication to the organization's mission as a whole. These things are not going to be accomplished without the incentives to do so.

This is not news to Kentucky's state leaders. In fact, the Kentucky Department of Corrections and the Justice and Public Safety Cabinet have continuously fought for pay increases for correctional staff. On June 4, 2019 Secretary of Justice and Public Safety Cabinet John Tilley testified to the Budget Review Subcommittee on Justice and the Judiciary. "We have vacancy rates as high as 52 percent at Luther Lockett. That is just off the charts. So, we have to bring people from other prisons across the state to do that. Probation and parole officers, other corrections officers. At the end of the day, the overtime bill is \$13 million."

Sen. Robin Webb, D-Grayson agreed that something needed to be done stating, "Number one, we're not paying them enough and our people should not be compelled to travel two hours or more away from their families to be a prison guard. That's offensive to me that we do that. I think it's important for this committee to know what's going on. We're affecting people's lives by inadequately funding and staffing our correctional system."

Tilley stated, "I concur, it's unacceptable. That's why I am testifying as bluntly as I am today. It is absolutely unacceptable. We've been talking about that for more than a decade, and we continue to go down this same path. That's incredibly frustrating for many of us who work in the field. We will continue to address it." (Sourced from

<http://www.k105.com/2019/06/05/official-kentucky-state-prisons-overcrowded-workers-underpaid/>).

The problem clearly is not going away on its own and the path corrections is on does not lead to a safe environment for the staff or the inmates. Until the issue is a priority and the state dedicates itself to reforming the correctional system, employee turnover will continue to rise, costing the state more and more money only to end up right back where they are now.

Reformation would be an expensive undertaking. However, the money spent correcting these issues would be working toward a goal and potentially save the state money in the end, versus shelling out millions of dollars in overtime pay. At the end of the day, the state of Kentucky is still footing an enormous bill but instead of using that money as an investment in the future of corrections, they are using it as a Band-Aid, which does not advance the situation at all. Pay raises are a great incentive but used in conjunction with things such as the return of the twenty to twenty-five-year retirement and premium health insurance for employees and their families, the department could potentially see a surge in job interests. It is hard to justify giving correctional staff worse health insurance than the cookie factory down the road gives to their employees. Long term these things would enable the department to once again become stricter on the screening process for potential applicants. According to Mike Kappel, founder and CEO of Patriot Softward, LLC, there are five ways to reduce employee turnover.

1. Hire the Right People- Keeping employees starts with hiring the right employees. You likely hire employees who have strong skills that match your open position. But, how well do your employees fit in with your business's culture? You must hire employees who are behavioral and cultural fits for the job.
2. Offer Competitive Pay and Benefits- People want to be compensated well. They need to cover standard expenses like housing, utilities, and food. And most people want enough

money for extras, too. If you don't pay your employees well, they'll find a business that will.

3. Give Praise- Your employees need encouragement and recognition. When employees do something right, show your appreciation. When they finish a large, difficult project or submit a project before the deadline, congratulate them. Show them that you see their hard work.
4. Show the Career Path- If employees stay stagnate in one job for too long, they might search for another job where they can advance. Most employees want to increase their skills and knowledge and move up the career ladder. Showing employees a projected career path gives them a sense of direction and purpose.
5. Allow Flexible Work Schedules- If it's possible, allow flexible work schedules. Flexible work schedules let employees adjust their work time and location. Employees can create a work-life balance for themselves. Your workers can pursue things beyond work, go to appointments, and take care of their families. (Kappel, 2017)

The last one, "Allow Flexible Work Schedules" is not always possible in corrections because someone has to be there to run the prison, the inmates cannot be left to watch themselves. This is why the department should seek to excel in the other ways that Kappel suggests.

The KDOC has an incredibly dedicated workforce. The environment and situations that staff willingly endure each day is a testimony to their understanding of the magnitude of their occupation. Corrections is not a job that everyone can do and do well. Working behind the fence comes with sacrifices, both physically and mentally. It will change the employees that stick it out and make a career out of it. It will change the way they view people, the way they analyze situations, the way they enter a room, the way they walk through Walmart. It will cause

those employees sleepless nights, stress, anxiety, high blood pressure, ulcers, PTSD, and depression. It will cost them their marriage, their relationships, their friendships and time with loved ones. They will work mandatory overtime, miss their child's birthday party, cancel their vacation they had planned for a year, all so they can go into work tomorrow morning and be cursed, spit at or have urine thrown at them. They will respond to a suicidal inmate who has cut his artery and try to save his life, while he begs them to let him die. They will wash off the blood and go home. They will try to "leave it at the gate," and not take the stress of work with them. They will fail. The next morning, they will get up and do it all over again because they have an overwhelming understanding of how important their job is, even if no one else does.

These people are worth the time, energy, and money it will take to better the department to which they so selflessly dedicate their lives. Corrections is not in the position it is in because those that have committed their lives to it have failed at what they do. Instead, they have managed to make it work for too long while being consistently under staffed, underpaid, and undervalued; because of this, they are repeatedly put on the back burner to revisit again later. They deserve better.

Conclusion

The KDOC is in need of change. However, the problems discussed are not individual issues. They are all connected. With better wages, benefits, and insurance, employee turnover will decrease. Staffing numbers will rise. The department will be able to tighten down on the hiring process and become more selective with candidates. Once the department sees a rise in dedicated staff, programs will improve. New ways of tracking offender success and progress can be explored, and evidence-based programs can be altered in accordance to more reliable data. Program quality will improve and be reinforced by the employees that staff the institutions who,

with adequate training, can assist offenders in their rehabilitation process. Offenders who are serious about their progress and success will be more encouraged to work towards their goals. With an adequate number of diligent staff patrolling the yard, offenders will be less inclined to act out. Violent occurrences such as assaults and rapes will decrease, and with them, so will the prevalence of PTSD in both inmates and staff alike. This can change the overall environment of the institution making it much more conducive to positive adjustment.

This will not happen overnight. It will take time and it will be a trial and error process at the beginning, but it is a step in the right direction. The starting point is staff retention. Without correcting the staffing problem, nothing else will be able to improve. It does not matter how perfect the recipe is if the baker is not motivated to bake a cake, or if he cannot read and understand the recipe, or worse, if the position of baker is vacant altogether. The KDOC has the potential to change people's lives, if provided the necessary resources to reach that potential. It is time to make the Kentucky Department of Corrections a priority.

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