Mass Incarceration and its effects on Correctional Safety

A graduate project submitted in partial fulfillment of the requirements
For the degree of Master of Public Administration
in Public Sector Management and Leadership

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Abstract

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Correctional officers experience fatal and non-fatal work injuries. Although safety of those that work in penal institutions is a critical aspect of the justice system, it has not received the type of attention it deserves. The purpose of this study is to explore the impact of prison overcrowding on correctional officer safety in California penal institutions. This document provides a review of academic literature on prison overcrowding, mass incarceration, criminal justice policies, recidivism, and officer safety risks. This exploratory research will utilize a quantitative approach to determine if there is a correlation between prison overcrowding and correctional officer safety.
Introduction

Correctional officers play a pivotal role in the criminal justice system; they are responsible for the operation of correctional facilities. Correctional officers enforce rules and regulations and control inmate behavior through direct supervision (Freeman, 2002). Correctional Officers supervise people who serve time after having been arrested, detained, and/or convicted of crimes (Flynn, 2002). The terms correctional officers, prison guards, and peace officers are used interchangeably in this report. Frase and Weidner (2002) define the criminal justice system as a set of legal and social institutions responsible for enforcing the criminal law in accordance with a defined set of procedural rules and limitations. One segment of the criminal justice system that is often neglected or forgotten is the sacrifice correctional officers make to ensure public safety. According to Ferdik and Smith (2017), correctional officers are responsible for responding to administrative demands; searching cells for drugs, weapons, and other contraband; and interviewing inmates to resolve potentially violent disputes among inmates. As a result, correctional officers are exposed to safety risks such as violence, threats, and assaults from inmates that result in injuries and fatalities.

The American prison system can be dated back to the 1700s. According to Flynn (2002), Americans began to embrace Cesare Beccaria’s enlightened concept of imprisonment as punishment during the eighteen century. Between 1790-1825 confinement in prisons began to replace capital and corporal punishment. In California, the concept of imprisonment or confinement as punishment can be traced back to 1769 in the missions. Since the inception of correctional facilities, crowding and overcrowding has been a problem. For the purpose of this problem analysis, prison overcrowding is defined as prisons operating above 100 percent of
design capacity. Design capacity is defined as the number of prisoners the facility was built to house (California Department of Corrections and Rehabilitation [CDCR], 2020).

Prison overcrowding is a problem in many countries around the world. At the time of this report, according to data extracted from the World Prison Brief (n.d.), based on occupancy level, there are over 100 countries experiencing overcrowding issues. The Philippines is at the top with the most overcrowded prison system operating at 463.6 percent capacity, followed by Haiti at 454.4 percent capacity, and in third place is Bolivia at 363.9 percent capacity. The United States has the 110th most overcrowded prison system operating at 103.9 percent capacity. However, based on prison population totals, the United States is at the top with 2.2 million inmates, followed by China with 1.7 million inmates. Chavira et al. (2016) report that the United States had the highest incarceration rate in the world and California had the second highest incarceration rate in the country. Incarceration rate or prison population rate refers to the number of people incarcerated per 100,000 of the national population. “It’s a stark fact that the United States has less than five percent of the world’s population, yet we have almost 25 percent of the world’s total prison population. The numbers today are much higher than they were 30, 40 years ago despite the fact that crime is at historic lows” (Olsen et al., 2018, as cited in Clinton, 2015, p. 3).

California’s prison overcrowding has been a problem for nearly five decades. According to Schlanger (2013), if California were a country, its prison and jail population would rank ninth in the world. In its decades of inmate population growth, it should not be surprising that California is considered to have one of the most severe rates of prison overcrowding in the United States. At its peak in 2007, California’s prisoner total was over 173,000 with prisoners who could not fit in cells; operating nearly at 200 percent capacity inmates were crammed into
congregate spaces such as gyms (Schlanger, 2013). Ferdik and Smith (2017) reports that the California prison inmate population has been on the rise since the 1970s when the federal government enacted "get tough on crime" policies that established mandatory minimum sentences and habitual offender laws.

There were several changes in the criminal justice system that contributed to the expansion of the prison population. According to MacDonald (2013) the country implemented strict criminal justice sentencing practices over the course of forty years. California adopted many of the federal policies as well as created additional state policies. Furthermore, Chavira (2016) explains that California policies include the “war on drugs,” which includes harsher sentencing for drug-related offenses; the Uniform Determinate Sentencing Act, that requires mandatory minimum prison terms; and the “three strikes law,” which imposes an automatic prison sentence of 25 years to life for persons with two prior serious criminal convictions who are then convicted of a third felony. Moreover, California instituted a mandatory 3-year parole term after release from prison. Parolees could be sent to prison for new crimes or for lesser violations of parole, such as failing a drug test or failing to report to their parole officer. Parole violations have been noted to be a major contributor to prison re-admissions. Crowding of prison facilities pose a danger to inmates and staff.

Overcrowding in California is an issue in both male and female facilities. The following information is a statistical analysis of public offender population data collected from the CDCR office of research website (CDCR, 2020). California has a total of 35 institutions, out of which 32 are male institutions and 3 are female institutions. The total institution’s design capacity is for 89,663 inmates; male institutions designed to hold 85,858 inmates and female 3,805. As of December 2019, the overall prison population in California was 117,933 operating at 130.9
percent design capacity. However, 32 of out 35 California state prisons were operating above
100 percent of design capacity. For male institutions, California state prison, Solano was
operating at 166.9 percent with the highest overcrowding and California Health Care Facility-
Stockton was operating at 95.9 percent with the least crowded. For female institutions, Central
California Women's Facility had the highest overcrowding operating at 138.7 percent and the
least crowded was Folsom State Prison operating at 108.2 percent. The inmate population in
California has decreased over the last several years as a result of Brown v Plata, a Supreme
Court decision from 2011. This Supreme Court decision was the result of two lawsuits, Coleman
v Brown (1990) and Plata v Brown (2001), filed by inmates due to severe overcrowding. The
Supreme Court decision required the state to reduce the state’s prison population to 137.5
percent. California has enacted policies to decrease the number of inmates which led to the
decreased prison population.

When considering the people or stakeholders that are affected by the issue, it is important
to note that there are internal and external stakeholders. The major stakeholder in prison
overcrowding is the criminal justice system which consists of internal and external members.
Internal stakeholders of the criminal justice system include correctional officers, inmates, local
police departments, judges, probation officers, parole officers, and attorneys to name a few. At
the external level there are local, state, and federal elected officials, advocacy groups,
correctional vendors, religious groups, families, and all community members. Correctional
officers and inmates are the two groups that are most impacted by prison overcrowding. When
correctional facilities are overcrowded and the number of inmates per correctional officers
exceeds regulations it causes safety risks for the officers. Konda et al. (2013) reported that
correctional officers are exposed to unique workplace hazards within a controlled prison
environment and have one of the highest rates of nonfatal, work-related injuries. On February 1, 2017 during a riot a group of inmates took control of a building at Vaughn Correctional facility in Delaware, took four correctional officers’ hostage which resulted in the death of Lt. Steven Floyd, the floor’s highest-ranking officer (Galvin, 2017). Prison riots happen across the United States. Based on CDCR (2019) August 2019 news release, California had five riots that jeopardized correctional officer safety. Staff were injured in one of the five riots. On August 30, 2019, 40 inmates were involved in a riot at California Correctional Center. Four staff members were injured and transported to a local hospital and there were several inmates that were also injured and transported to hospitals outside the prison medical facility (CDCR, 2020).

Correctional officers that are outnumbered by inmates are at risk when performing their duties. Both Republicans and Democrats agree that something must be done in the criminal justice system to address the prison overcrowding issue. Dewan and Hulse (2018) report that President Trump endorsed a bill that would improve prison conditions and lower some sentences. That bill is currently supported by Liberal Center for American Progress, the conservative Koch brothers, and law enforcement groups. Regardless of political views, the prison population is a problem that affects correctional officer safety. The focus of this proposed study is the safety of correctional officers that work for the California Department of Corrections and Rehabilitation (CDCR).
Literature Review

The following review of the literature confirms that penal institutions in California are over overcrowded and that little has been done to address the issue. This literature identifies the history of incarceration in California and the policies that led to mass incarceration. It also details some possible causes for mass incarceration, which include recidivism, sentencing laws, and labor unions. Furthermore, the literature included possible solutions such as policies and alternative programs that could help decrease mass incarceration.

Beginnings of Incarceration

Penal institutions and mass incarceration are not a new concept to California’s history. According to Madley (2019), California’s mass incarceration system can be dated back to California’s Missions beginning in 1769. He argues that Franciscans congregated California Indians into penal servitude to secure labor to build their missions. In his finding Madley (2019) reports that some California Indians came to the mission of free will; however, they were forced into spatial confinement and not allowed to leave the mission without permission. Permission to leave could only be granted by the Franciscans. Whenever California Indians left the mission without permission, Spaniards would be sent to find them, bring them back, and punish them through corporal punishment.

While in the missions, California Indians’ labor, religious observations, and social behaviors were controlled, and they were disciplined by the Franciscans. Madley (2019) compared the Franciscan practices toward California Indians to modern day carceral systems. He suggests that California missions were operated like California’s current penal institutions. The most distinguishable sign of a penal institution in California’s missions was its monjerio or “nunnery”. The monjerios were built of thick walls and barred windows, or no windows and that
is where California Indian females were caged and kept overnight or even longer (Madley, 2014). Like the penal institutions, monjerios were designed and used to minimize communication with the outside and to prevent escape. The literature suggests that spatial confinement was the preferred method of control and continued to evolve into a formal institution.

Both Madley (2019) and Pitts et al. (2014) argue that the use of spatial confinement is a method of control. Overtime, spatial confinement evolved into a formal method of crime punishment through the establishment of penal institutions. Incarceration is the most used form of punishment and Pitts et al. (2014) argues that it is possibly overused. Research findings show that American prisons have a long-standing history of overcrowding and there is evidence that suggests that they have always been crowded. Since the 1960s, the United States has entered into the most extensive campaign towards inmate admissions and prison expansion commonly known as mass incarceration. The practice of mass incarceration results in prison overcrowding.

Lynch’s (2007) research reports that the United States has the world’s largest prison system. From the mid–1960s to the late 2000s the number of people locked in U.S. prisons and jails, and forced onto parole or probation, increased from about 500 thousand to more than 7 million (Jay, 2019). Annual inmate admissions to prisons and jails rose from 171,848 in 1984 to 747,031 in 2006 (Kilgore, 2018). By mid-2005, there were 1.4 million inmates housed in Federal and State prisons. Lynch (2007) analyzes imprisonment data and provides a statistical analysis of imprisonment trends from 1925-2003. His findings show that from 1976 to 2008, the prison population doubled three times in a matter of three decades. In 1982 the prison population was doubled that of 1976, and the same trend followed from 1983 to 1992 and then 1992 to 2008. Prior to 1970, the prison population took 40 years to double. Also, looking at the crime and
punishment trends he concluded that the increase in imprisonment rates does not lower the rate of crime. Galvin (2017) reports that the U.S. prison population spiked between the 1970s and 1990s as the federal government chased the “war on drugs,” leaving states to manage overcrowding with limited funds.

The beginning of mass incarceration in the United States can be traced back to President Richard Nixon's response to the rise of violent crimes. After Nixon was elected the President of the United states of America the country was hit with economic stagnation as a result of the oil crisis in the early 1970s. During this time, cities fought bankruptcy, ghettos grew and there was a wave of violent crime (Olsen et al., 2018). Mass incarceration was a response to increasing crime rates and households filled with fear. Kilgore (2018) stated that supporters of the expansion of inmate admissions to prison argued that locking people was necessary to reduce crime. The number of people being imprisoned began to grow rapidly with the passage of the Crime Control Act of 1970 signed by President Nixon in which the federal government enacted mandatory sentencing. Pitts et al. (2014), reports that the Crime Control Act imposed predetermined sentences for offenders which included longer sentences on drug crimes and restrictions on inmate early release. States lost their autonomy and discretion on prison admissions and releases. The influx of new inmates and the lack of infrastructure to house more inmates for longer sentences caused California prisons to become overcrowded. A problem that has continued to plague the state. According to Pitts et al. (2014) California has a long history of overcrowded prisons and is widely considered to have one of the most severe overcrowding problems in the country.

California’s prison overcrowding problem has received national attention. Jay (2019) points out that in the past decade, mass incarceration has come under increasing attack. Rogan
(2012) examines the United States Supreme Court case Brown, Governor of California v Plata and provides a detailed explanation of the causes that gave rise to the lawsuit. She explains that the basis of the lawsuit was prison overcrowding since it had led to inadequate medical care for prisoners and violations to the 8th Amendment. According to Rogan (2012), the prison population has grown by 750 percent since the 1970s and there was a spike in prison population during the 1990s and 2000s. In 2006, the prison population was at its peak with a prison population of 172,000. According to Jay (2019), as a result of the Great Recession of 2007-2009, thirty-three states implemented policies to reduce their prison population. Although the prison population had decreased to 160,000 by 2011, the prison population was double the intended capacity of prison inmates. The Supreme Court judgement ordered California to reduce its prison population by up to 46,000 inmates. Rogan (2012) fears that the decision may lead states to only provide the minimum standard of care under the Constitution instead of providing solutions to prison overcrowding.

**Legislation and Policy**

The growth of incarceration is attributed to policies adopted by various presidents. Resodihardjo (2011) explains that incarceration rate is largely due to policy choices made and only partially the results of actual crime rate. Like President Nixon, many other presidents adopted ‘tough on crime’ agendas. Due to the American public's demands, a tough attitude to crime became a requirement for public office (Olsen et al., 2018). According to Resodihardjo (2011) the legislators’ policy, choices include which offense to punish by imprisonment, the introduction of minimum sentencing, and the war-on-drugs policy choice that had a dramatic effect on the incarceration rates. The trend towards longer sentences carried considerable political popularity as it reaffirmed the value and utility of punishment (Pitts et al., 2014).
President Ronald Reagan extended Nixon's initiatives 'war on crime' and 'war on drugs' by expanding funding for law enforcement. According to Trott (1985), President Reagan signed the Comprehensive Crime Control Act of 1984. The act was drafted by the Department of Justice and submitted as part of President’s Ronald Reagan’s crime control program. The document contains 23 chapters. This prompted the largest change in the criminal justice system enacted at one time. One of the reforms included implementing tougher penalties for narcotics trafficking. According to Kilgore (2018) Reagan's administration was the key period in the shift to more punitive legislation and prison expansion. Lawmakers began to impose more severe sentences. The Federal Sentencing Guidelines and Anti-drug Abuse Act were established to give longer prison sentences and the use of the death penalty in drug cases. The Anti-drug Abuse Act received a total of 346 votes for and only 11 votes against. Then, in 1994 President Bill Clinton allocated $9.7 billion to prison construction under the Omnibus Crime Bill. Other federal legislators created laws like minimum punishment and the three-strike laws that specify that anyone that has been convicted two times for a felony will automatically be sentenced to life in prison if convicted a third time with possible early release after serving 25 years (Olsen et al., 2018). The increasing number of inmate admissions, inmates serving longer sentences, and inmates not having enough space to be housed has led to the perpetual problem of prison overcrowding.

Public policy once influenced the prison population and now public policy is influenced by the prison population. As a result of the prison population, California is currently under court mandate to decrease its prison population. The Harvard Law Review Association (2010) provides two reviews: one of the 2010 California District Court order to release prisoners and two, of the Prison Litigation Reform Act of 1995 (PLRA). The PLRA was established by
Congress. It is a three-judge court that handles prison condition lawsuits related to prisoners. The PLRA was established, in part, to ensure that prisoner release orders would be a "remedy of last resort." Implementation of prison population reduction is left to the states. The Federal government is not allowed to interfere or dictate in the decisions of the prison population unless it violates the minimal standards of constitutional privileges. The 2010 court order was the result of a 20-year long litigation over medical and mental health care. The court ruled that a reduction in the California prison population was necessary to provide constitutional levels of medical and mental health care. The plaintiff requested that the prison population be decreased to 130 percent capacity and the states suggested a decrease of 145 percent. The court decided to meet plaintiff and defendant in the middle and decided that California prison population had to be decreased to 137.5 percent capacity.

The California Public Safety Realignment Act (AB 109) was passed in 2011. Governor Brown signed the AB 109 to reduce the state’s budget, reduce prison populations, reduce recidivism and preserve public safety (Bushway, 2016; Couzens, 2013). Under this policy the state was authorized to transfer some of the criminal justice responsibility to local jails. AB 109 allows for the transfer of low risk offenders considered to be non-serious, non-violent and non-sex offenders. Vitiello (2013), suggests that California’s realignment program is only a temporary solution to a long-lasting problem.

The California prison system has not solved its problem, it has only shifted its responsibility to the local level. The state managed to reduce its prison population without having to release thousands of offenders back into the community. Local jails used their budgets to build more local facilities instead of finding or creating less expensive alternatives to incarceration. Despite the efforts of the realignment program to decrease the prison population to
137.5 percent, California continues to struggle to maintain its prison population at the levels mandated by the supreme court. Other states have adopted and implemented sentencing commissions. Sentencing commissions have successfully managed prison overcrowding while protecting public safety. Prisons with sentencing commissions use prison space to house violent offenders without budget deficits. Vitiello (2013), urges California legislature to adopt sentencing commissions for a more permanent solution to the state’s incarceration problems.

The California Public Safety Realignment Act (AB 109) was enacted to reduce prison overcrowding in response to the court mandate to decrease its prison population. Bushway (2016) compiled an analysis of various studies that evaluate the impact of the California Public Safety Realignment Act. The findings of the studies he reviewed show that since the realignment enactment California has seen a significant decrease in prison population and a decrease in crime rates. In two of the studies conducted, the researchers used empirical data in their evaluations. Both studies used different methods, but they came to similar conclusions. One finding shows that the prison population has decreased by 17 percent and that there has not been an increase in violent crimes and the increase of property crimes is very low. The other study shows the same number in prison population decrease and further reports show that incarceration rates have also declined by a significant 8 percent. Both studies suggest that realignment has had a positive effect on the decrease of crime rates. The other studies collaborate that realignment studies provide evidence that suggest policies should move away from using prisons to combat crime.

**Unionized incarceration**

Published literature of unions’ influence on mass incarceration provide mixed results. Baker (2011b), Gottschalk (2011) and Page k(2011) argue that decarceration efforts have been
trampled by prison guard unions. While Doob and Gartner (2011) suggest that prison unions have not had a significant influence on mass incarceration.

The United States has the highest incarceration rate in the world and although criminal justice is a local and state responsibility all 50 states have experienced similar prison population growth. Mass incarceration has a long-standing history in both the United States and California. Since 1982, California has built 24 prisons at a cost of $280 to $350 million each (Gottschalk, 2011). Even after the Brown v Plata Supreme Court order to reduce its prison population, California has failed to significantly reduce its inmate population. The following provides a historical outlook of the California Correctional Peace Officers Association (CCPOA) and evidence-based research that suggests that prison guard unions are a major obstruction to prison population decrease. According to Gottschalk (2011), the CCPOA, which was once considered a social club or fraternal organization gained political and financial influence in the 1980s. Page (2011) states that CCPOA is the most successful prison guard union in the United States and possibly in the world. The CCPOA has powerful influence on political measures; as it gained memberships and financial capital, the union began to endorse politicians that supported more punitive punishments for criminal offenders.

Analyzing the influence of prison officers’ unions on mass incarceration Page (2011) highlights the union’s opposition against prison reduction initiatives. The CCPOA spent more than $250,000 campaigning against proposition 66 (an initiative to change the three strikes law) and over $1 million against The Nonviolent Offender Rehabilitation Act (NORA), both of which aimed to decrease prison population. Page (2011) also points out that although the union has fought against these initiatives it is not to be blamed for the creation of mass incarceration. California mass incarceration and prison overcrowding problems had begun before the
establishment of the union. However, Gottschalk (2011), suggests that the causes that sustain prison overcrowding differ from those that created prison overcrowding. Further research is needed to explore causes of continued prison overcrowding.

Baker (2011a) acknowledges that CCPOA is responsible for mass incarceration and provides a detailed analysis supported by findings in The Toughest Beat: Politics, Punishment, and the Prison Officers Union in California By Joshua Page. Based on the literature findings she concludes that (CCPOA) has contributed to the problem of mass incarceration and prison overcrowding through its political actions and contract negotiations. Instead of supporting measures to improve prison conditions and security for inmates and staff, the union supported the three strikes law that increased sentencing and opposed proposition 66 which aimed to reduce prison population. Baker (2011a), reports that for more than 10 years California’s prisons were operating at 200 percent capacity housing 156,000 inmates. Inmates were forced to live in unsanitary, unsafe, and unhealthy conditions and were unable to access basic medical care. In Brown v Plata, the U.S. Supreme Court established that overcrowding in California state prisons is unconstitutional—it is cruel and unusual punishment. Baker (2011a) indicates that prison guard jobs and benefits were gained at the expense of inmate and prison guard safety. She reports that overcrowding led to the spread of infectious diseases, higher suicide rates, and made the job harder for guards.

A research study that analyzes data from prisons with and without unions concluded that there are no significant differences supporting that CCPOA is responsible for mass incarceration. (Doob & Gartner, 2011) analyze the influence of prison officers’ union on imprisonment rates in California. The authors studied imprisonment trends across the United States of prisons without unions, those with independent unions, California Correctional Peace
Officers Association (CCPOA), and those with unions affiliated with the traditional union umbrella, American Federation of Labor and Congress of Industrial Organizations (AFL-CIO). The comparison shows that there are no significant variances between imprisonment rates among the three groups (Doob & Gartner, 2011). The problem of mass incarceration requires legislators to look at various aspects which includes looking at the unions’ opposition of decarceration to develop long term solutions.

**Beyond bricks and mortar**

As the states become unable to sustain inmates in prisons, they have begun turning communities into alternative prisons. Court mandates for reducing prison populations have led states to adopt poorly thought out solutions like supervised early release programs that have proven to be ineffective. Jay (2019), reports that many people locked in U.S. prisons and jails are forced into parole and probation. There has been an increase from less than eight hundred thousand to more than seven million from 1960 to the late 2000s. Most of the people that have been incarcerated are minorities and low-income individuals. Furthermore, 40 percent of all incarcerated people have been diagnosed with a mental illness or cognitive disability. To reduce prison populations, the country has launched prison reform initiatives. They consist of releasing inmates with probation/parole, electronic monitoring devices, into halfway houses or rehabilitation centers. According to Jay (2019), the prison reform is a systemic coercion into low wage jobs, homelessness, and discrimination.

Supervised early release program refers to the release of inmates under the supervision of a parole or probation officer. Mayeux (2011) identifies parole policy as the driver of mass incarceration. Parolee revocations have resulted in more than a third of inmate prison admissions in the nation. In California, over 60 percent of prison admissions were the result of parole...
revocations, not new criminal convictions. Since 1987, the largest incarcerated group has been parolees. California grants the highest number of supervised early releases (parole) and has the highest number of recidivists. The number of parole violations range from committing new crimes to missing a meeting with the parole officer which are cause enough to be returned to prison. Reform to the parole system has received little to no attention. Parolee reform is necessary before addressing prison overcrowding and public safety. Furthermore, alternatives to incarceration are considered of last resort.

Recidivism

A bulk of inmate admissions consists of reoffenders. Couzens (2013) is a retired judge from Placer County Superior Court and he provides an evaluation of realignment and evidenced-based sentencing in California prisons. California’s tough sentencing laws have caused prison overcrowding, high recidivism rates, and a financial crisis for its prison operation budget. To address those issues, California state prison implemented The California Community Corrections Performance Incentives Act (Senate Bill 678) in 2009 and the Public Safety Realignment Act in 2011. Under Senate Bill 678, the prison reduction focus was on recidivism and probation because 40 percent of new arrests were from probation revocations. The act aimed to save money by keeping people out of prison through county probation. A portion of the savings was to be used towards evidence-based practices and programs. The realignment act was created so that offenders with less serious crimes serving their sentences in state prison could be transferred to serve their time in county jails. This law did not make any changes to the length of punishment. The realignment act allows prison inmate releases supervised on Post release Community Supervision (PRCS) by county probation officers instead of supervised on parole by CDCR. At the time this article was written, there wasn’t enough information to conclude the impact of SB
evidence-based practices, and realignment. Many critics argue that the state’s actions have only shifted the incarceration problem from the state to the counties and local jails. Those offenders released need more than supervision to help stay out of the penal system.

Besides focusing on implementing prison reduction policies California also needs to consider policies that reduce prison admissions. One of the many options to reduce prison population and admissions includes focusing on early release programs that allow inmates to be placed on supervised conditional release or parole. A study conducted in Montana on recidivism shows that there is a high recidivism rate amongst those released directly from prison and that increased recidivism has caused more financial problems for the state. California has the highest recidivism rate in the nation with two-thirds of its released inmates returning to prison within 3 years. To find suitable candidates for the early release programs, California has developed tools to identify the likelihood of recidivism based on an inmate’s criminal history. However, findings show flaws in their system. In a continued effort, California has created reentry programs to help early release inmates’ transition into the community. In comparison to inmates that have not participated in reentry programs, findings show that programs have proven effective and have significantly reduced recidivism rates.

Ex-offenders face difficulties and lack of opportunities upon release. Some of those difficulties include lack of education, a criminal record, and no community support. Lobuglio and Piehl (2015) have focused their research on the effects of having a criminal record. They suggest that the effects of mass incarceration go beyond prison overcrowding issues. While the United States has begun to adopt new policies to reduce prison populations, this will not be enough to undo the lasting effects of those that have been incarcerated. People with criminal backgrounds face employment difficulties. The increased practice of background checks and the
availability of criminal records force former inmates into dead end jobs, lower salaries, and fewer benefits. It is imperative that prison reform includes reentry programs and support systems to help individuals reintegrate into the community. Those programs should include employment, housing, mental health services, finances, and cognitive behavioral programs.

In a study to assess the impact of Department of Correctional Education programs on recidivism, Hull et al. (2000) analyze statistical information in the Virginia Department of Correctional Education (DCE). The authors report that “two-thirds of offenders released from state prison will be rearrested for a new crime within three years of their release” (Hull et al., 2000, p. 256). Contrary to popular belief, literature suggests that correctional education programs are an effective method of reducing recidivism rates. The research conducted was a random study. The sample size was 3,000 men and women that had been released from the Virginia Department of Corrections between 1979-1994. The study included former prisoners that had no educational involvement during incarceration, academic enrolled but did not complete, vocational enrolled but did not complete, academic completers and vocational completers. Findings show that the recidivism rate was much lower amongst academic completers and vocational completers than those that had no educational involvement during incarceration. With the current conditions of prison overcrowding it is incumbent for the state to examine and adopt programs that help reduce recidivism.

Cost of Incarceration

California's current economy cannot sustain the cost of inmate housing in California state prisons. Barker (2011b), compares fiscal policies and imprisonment rates, public policies to the San Andreas Fault. She explains that California is in a $20 billion deficit and it is imperative for political officials to make changes to incarceration policies. According to Resodihardjo (2011)
imprisonment policies in the United States are costly, insufficient, and produce unintended consequences. The cost to house inmates has overwhelmed the budget expenditures and is no longer feasible. Furthermore, conditions of overcrowded prisons were ruled as a violation of the eighth amendment to the United States Constitution (The Harvard Law Review Association, 2010; Rogan, 2012; Pitts et al., 2014; Schlanger, 2013).

While the state still needs to address public safety and crime punishment, it is important to seek alternative solutions. According to Turner (2011) prison cost increases and budget shortfalls on the rise are forcing states across the nation to implement new criminal justice policies and programs. Alternate approaches to incarceration could alleviate some of the overcrowding while not posing a serious risk to public safety. From a cost-benefit point of view, Resodihardjo (2011) suggests that alternative policy options might be a better and smarter choice. Some states have already implemented cost cutting strategies while others are contemplating those same solutions. Price et al. (2007) agrees and states that voters should be interested in the cost-effective administration of the incarceration system since it is a significant burden in tax dollar allocation. Barker (2011b), proposes the exploration of decarceration and the possibility to consider less repressive and milder penal sanctions. She states that 26 states have implemented decarceration measures and have successfully decreased the prison population.

Alternatives

Rosenfeld (2011), points out that criminologists oppose mass incarceration and support smart policing as crime reduction options. Reducing prison sentences and prison populations will help the state save money which can be used to implement better policing. Research indicates that policing may be a better option at crime deterrence than giving longer prison sentences. He argues that criminal justice should move away from longer prison sentences to deter crime and
shift the focus to parole policy and practice because parole violations have the highest contribution to prison growth. He further argues that parole policies should include policing as part of their restructuring. He also cautions against policing practices that may lead to higher arrest in disadvantaged urban areas or in minority communities. For that reason, policing needs to be combined with community interventions that help address crime issues such as drug addiction to eliminate drug possession arrests.

Williamson (2014) reports that in 2011 California signed into law Assembly Bill 109 which required nonviolent, nonsexual, and non-serious offenders to be transferred from state prison into county jails. San Joaquin County, with local jail overcrowding issues, was forced to seek alternative housing options. Two correctional officers created, detailed, and implemented an educational and vocational farming program, Honor Farm Horticultural Program. Inmates must apply and be accepted to the program. Correctional officers teach, mentor, and guide inmates in skills needed to work the vegetable farm. As part of the educational plan, inmates learn to plant, prune, water, and harvest. They also learn about seed germination, plant propagation, seedling nurturing, underground irrigation, seasonal effects on crops, and providing community needs via the crops. Upon completion of the program, the inmates receive a certificate and picture of their work. The program has helped decrease rule-violation incidents where they are housed by 42 percent and none of the participants have quit the program. More solution focused research and implementation of alternative programs is needed to help keep people out of the penal system.

**Safety Threats**

Correctional officers face workplace safety challenges that are unique to their profession. According to Udechukwu (2009) the primary responsibility of a correctional officer is to hold inmates in involuntary confinement against their will. Konda et al. (2013) suggests that
correctional officers experience unique work-related dangers and Ferdik and Smith (2017) reports that correctional officers work in dangerous environments that threaten their general safety and wellness. Although, correctional officers’ profession is closely related to police officers, unlike police officers, correctional officers work in enclosed spaces and are often unarmed (Brower, 2013). Udechukwu (2009) points out that the environment in which a correctional officer functions is filled with many dangers with no reliable means of defending themselves against any unforeseen acts of violence by the inmates, beyond the radios they carry around. Correctional officers constantly deal with inmates that are mentally ill, suicidal, impulsive, and manipulative. Violent threats from inmates are considered occupational hazards.

The amount of work-related injuries sustained by correctional officers is greater than that of many other professions. In 2011, Correctional officers ranked the 3rd highest rate of non-fatal workplace injuries. Correctional officer safety is in constant threat. At the Ohio Penitentiary (OP) in Columbus, the threat to employee safety resulted in prison guard strikes (Staudohar, 1976). Inmates rioted OP and two months later another riot occurred and the national guard, and local police were called to control the riot and free hostages. Some inmate-related incidents against correctional officers result in fatalities. According to Kinman et al. (2016) prison officers experience high levels of job-related stressors, which can impair their well-being and job performance. As a result, Correctional officers experience high levels of stress, burnout, physical injuries, and fatalities. Patenaude (2001) indicates that correctional officer burnout, which has been shown to reduce the overall effectiveness of a correctional officer, is caused by working excessive overtime, either voluntary or mandatory, contributes to burnout.

Konda et al. (2013) points out that correctional officers' work-related injuries are amongst the highest rates. Brower (2013) reports that the greatest risk to correctional officers’ safety are
the threats of violence or injury from inmates. Most researchers focused on data related to correctional officer safety agree that Correctional officers’ work conditions threaten their well-being and safety. Correctional officers interact and supervise violent inmates, gang members, individuals with mental health issues, and even terrorists (Ferdik & Smith, 2017). “In 2011, correctional officers experienced 554 work-related injuries per 10,000 full time employees due to assaults and violent acts” (Konda et al., 2013, p.122). A study found that the leading cause of fatal and non-fatal work-related injuries are assaults and violent acts. For the study, the authors collected fatal and non-fatal work-related injuries from all 50 states. The findings concluded that 113 Correctional officers died and an estimated 125,200 were injured between 1999 to 2008. 40 percent fatal injuries and 38 percent non-fatal injuries were the result of assaults and violent acts. Brower (2013) notes that out of 113 Correctional officers’ deaths, 40 of those deaths were intentional. He also notes that between 1992 to 1996, 216 out of every 1,000 correctional officers suffered non-fatal inmate-related injuries. Statistics put into perspective the extent of the problem but do not determine the risk factors nor assist in finding a solution. To truly address the problem, it is important to determine risk factors.

**Theoretical Framework**

Patenaude (2001) claims that correctional agencies throughout the United States are challenged everyday by several policy issues involving both inmates and staff. Kinman et al. (2016) states that major incidents such as rioting, hostage taking, and serious attacks on staff have increased dramatically. This creates various workplace safety concerns for the well-being of correctional officers. Moreover, it raises safety concerns for the safe running of prisons. While mass incarceration is a national problem, correctional officer safety remains the responsibility of local government. It should be noted that the stressors experienced by correctional officers
should cause serious concerns for management and administration. Internal organization policies are key to implementing workplace safety. In order to create internal policies, Boin and Lodge (2016) suggest using public administration practitioners as the field has much to offer. He emphasized that the field contains expertise in the areas of information management, inter-agency coordination, institutional design, public–private partnerships, multilevel governance, public leadership and accountability.

Public administration must pay attention to the issue of risk. According to Boing and Lodge (2016) administrations need to prepare for unknown threats and focus on identifying generic capacities that can be applied to many possible events. In the case of CDCR, correctional officers are faced with risk inherent to their job. Factors such as absenteeism, burnout, and turnover increase their risks for assaults and violent acts from inmates. Regardless of legislative changes to decrease prison overcrowding, correctional officers continue to work in unsafe conditions. Even when the prison population is under design capacity correctional officers still supervise unrestrained inmates with antiauthoritarian behavior "Udechukwu, 2009).

Public management studies on correctional institutions reveals that employee turnover is a risk factor that increases safety risks as it interrupts normal workflow operations. When correctional officers quit it creates a disparity between the number of inmates one correctional officer must oversee. The TASA Group (2015), states that correctional officers experience higher safety risk while performing security checks and counts due to staff being outnumbered by inmates and when prisons are overcrowded inmates are housed in less secure locations not designed for inmate housing.

Inadequate staffing of correctional institutions negatively affects correctional officer safety and work performance leading to high turnover rates. Patenaude’s report (as cited in camp
& camp, 1999) emphasized that voluntary leave among trained and experienced correctional officers has become one of the most important policy issues. In a study about causes of turnover rates in sheriff operated jails conducted by Price et al. (2007) suggest that county jails have been dealing with high turnover for a long time. He stresses that jail managers, county commissioners, and legislatives bodies should direct their attention to high turnover and seek solutions. In a similar study at the George Department of Corrections (GDC), Udechukwu et al. (2007) indicates that turnover rates are high and very costly.

Turnover creates direct and indirect cost for penal institutions. Researchers agree and state that employee turnover problem is expensive monetarily in terms of expenditures for the recruitment and training of replacement officers and covering overtime in vacant positions and in many in many other ways such as separation costs, learning costs, and acquisition tools (Price et al., 2007; Udechukwu, 2009; Udechukwu et al., 2007). According to human resources/management experts Kay and Jordan-Evans (2014) replacing key individuals in your staff will cost twice the individual’s annual compensation.

From a human resources perspective correctional officer safety can be improved by addressing employee turnover. Researchers agree that management retains more employees than salaries and benefits and found that at least 75 percent of the reasons for voluntary turnover can be influenced by managers (Kay & Jordan-Evans; 2014Price et al., 2007). For managers to retain employees they need to have conversations with their employees about their needs before they announce their intent to leave. Kay and Jordan-Evans (2014) have called this the “stay interview” and suggest that if management holds stay interviews, there will be less regrettable turnover and fewer exit interviews.
The needs of correctional officers can be explained through Maslow’s hierarchy of needs. The hierarchy is divided into five sets of goals: at the bottom we have physiological needs like hunger and thirst, followed by safety needs, love, esteem, and at the very top the need for Self-Actualization. Well known psychologists Abraham Maslow and Carl Rogers emphasized that people strive to make the most of their potential through a process called self-actualization, or self-fulfillment (Peterson, 2006). Correctional officers find meaning in their work by making a positive difference in the lives of the citizens they serve through public safety. They are often motivated by a deeper desire to make a difference, an ability to have an impact on public affairs, a sense of responsibility and integrity, and a reliance on intrinsic rewards as opposed to salary or job security (Brewer et al., 2000). It is believed that the desire of everyone is to reach self-actualization; however, it can be difficult to achieve because it only becomes relevant when the needs that fall below it have been successfully addressed (Peterson, 2006). There are several challenges for correctional officers to reach self-actualization. First, Correctional officer’s physiological needs need to be met at least up to 80% then safety becomes the next need (Udechukwu, 2009). Therefore, managers need to spend significant resources on correctional officer safety.

Previous Studies

Risks to Correctional officers’ safety can be divided into institution and work-related dangers. A research study conducted by Brower (2013) identifies four stressors: inmate-related, occupational, organizational/administrative, and psycho-social. A later study conducted by Ferdik and Smith (2017) identified some similar and more detailed stressors: gang activity, mental illness, overcrowding, closed work environment, hyper-vigilance, understaffing/turnover, mandatory overtime/shift work, inadequate resources, lack of family support. These threats pose
high risk to Correctional officers’ mental and physical health. Institutional dangers include understaffing, co-worker conflict, extended hours, and inadequate resources. Correctional officers’ safety is threatened by the inmates they supervise. Another cause for increased threat of physical violence is the fact that Correctional officers are required to deal with violent inmates and conditions daily. Ferdik and Smith (2017) notes that Correctional officers work in dangerous conditions and that safety risks increase when changes occur in prison population growth. Prison crowding/overcrowding, high turnover, and absenteeism have resulted in understaffing and poor working conditions. As a result, institutions have higher inmate-to-officer rations and inmate-on-inmate, as well as inmate-on-staff assault (Ferdik & Smith, 2017; Lambert, 2004; Steiner, 2008).

Martin et al. (2012) conducted a correlational research study about crowding in relation to correctional officers’ physical health and safety at Alabama State Prisons. The study findings concluded that prison overcrowding contributes to inmate-related violence and a threat to officer safety. Completed surveys were collected from 3 prisons. Correctional officers were surveyed to identify the effect of crowding on job performance, health and safety, and inmate control. The facilities were operating between 154 percent to 206 percent capacity. Correctional officers reported higher levels of stress and fearful of inmate violence. Quantitative and qualitative methods were used. Quantitative results indicated that crowding is a significant threat to officer safety. Qualitative findings suggest that overcrowding poses a risk to prison management and safety. Higher numbers of inmates make it harder for crowd control. Respondents reported fearing assaults and breaking up fights between inmates. “All respondents (100 percent) reported that crowding affected officer safety. When asked specifically whether crowding led to violence at their facility, 100 percent of the sample answered "yes." (Martin et al., 2012, p. 95).
Lambert (2012) conducted an exploratory study on prison staff burnout. The study had a sample size of 272 staff members at a midwestern state prison. Findings show that prison staff experience higher levels of burnout compared to the general population. Research shows that burnout has negative effects on both individuals and organizations. Lambert points out that burnout leads to decreased job performance, increased absenteeism, and quitting the job. In penal institutions, burnout strains relationships with coworkers and inmates. Lambert (2012) argues that prison staff well-being has not received the proper research attention. Findings on previous studies suggest that increased contact with inmates may be linked to higher burnout levels. Surveys were distributed to 400 Correctional officers and 272 responded. Findings show that the more contact a respondent had with inmates the higher the level of emotional burnout he or she reported.

**Knowledge Gap**

Mass incarceration has a long history in California. Researchers have noted that causes, policies, solutions, alternatives, and public safety are all public and political officials’ concern (Baker, 2011b; Doob & Gartner, 2011; Pitts et al., 2014; Resodihardjo, 2011; Rogan, 2012; Udechukwu et al., 2007). There is an abundance of research studies aimed toward the study of mass incarceration and the causes of prison overcrowding. However, there is limited literature on the effects of mass incarceration on correctional officers’ safety (Martin et al., 2012). Correctional officers work under dangerous conditions daily (Ferdik and Smith, 2017). California has been identified as having one of the biggest inmate overcrowding issues and is currently under court mandate to reduce prison population (Chavira et al., 2016; Schlanger, 2013; Pitts et al., 2014). As noted in the literature review, prison overcrowding poses safety risks to inmates and correctional officers. Various of the literature studies that were found focused on
the effects of prison overcrowding on inmates’ health and safety (Chavira et al., 2016; Kay, 2019; Page, 2011; Schlanger, 2013). While there has been a primary focus on correctional officers’ safety and well-being, very little attention is focused on overcrowding as a possible cause of safety risks. Furthermore, the literature found suggests that little emphasis has been placed on Correctional officers’ workplace safety. To address correctional officers’ occupational dangers, correctional institutions have adopted policies and programs dedicated to enhancing correctional officer wellbeing. Employee assistance and peer support programs have been implemented but research to be evaluated is needed (Ferdik & Smith, 2017). Considerations for future research on correctional officers’ safety and wellness include specific factors that contribute to fatal and non-fatal work injuries. Researchers should ask the following questions: “Are there individual and institutional differences in the rates of injury and fatality experienced by COs? Are officers employed in more overcrowded prisons more likely to experience injury and fatality? and What specific types of policies, training regimens, or programs can address these dangers?” (Ferdik & Smith, 2017, p. 20). More research is needed to increase awareness of the safety risks that prison overcrowding creates for correctional officers.
Methods

The objective of this exploratory research project is to examine the effect of prison overcrowding on correctional officer’s safety in the California Department of Correction and Rehabilitation (CDCR). Overcrowding has been a major issue in California prisons. Despite court orders and policies to reduce the prison population, it continues to be a serious problem. There is a lot of literature surrounding mass incarceration and prison overcrowding but most of the literature focuses on how it affects inmates' physical and mental health. Although this paper will discuss the complexity of the criminal justice system and prison overcrowding, the focus of this paper is to gather information about whether prison overcrowding has a significant effect on the safety of correctional officers that work for California Department of Corrections and Rehabilitation (CDCR). This project aims to provide CDCR with a better understanding of how prison conditions impact its pivotal staff in hopes for the development of safety initiatives for correctional officers. The study aims to answer the following question: Does prison overcrowding decrease correctional officer safety? Or another way to phrase the question is: What is the impact of prison overcrowding on correctional officer safety.

Research Questions and Hypothesis

The following research question and hypotheses will be explored:

Research Question 1: What is the mean difference in the number of correctional officer injuries (fatal and non-fatal) during prison overcrowding as compared to no prison overcrowding or less crowding.

Hypothesis: It is hypothesized that more injuries will be reported during higher rates of overcrowding.

Variables
**Dependent variable**

The dangers associated with being a correctional officer include the threat of violence or injury from inmates. According to Brower (2013) correctional officers experience non-fatal and fatal incidents while working. The dependent variable will be the number of fatal and non-fatal injuries correctional officers received from inmates.

**Independent variable**

Prison population is defined as the number of inmates confined in a prison or a jail under the jurisdiction of the state or Federal Bureau of Prisons (BOP) (Bureau of Justice Statistics (BJS) - Terms & definitions: Corrections, n.d.). In this study the prison population will be the number of inmates confined in a California prison under the jurisdiction of CDCR.

**Study Design**

The approach for the study will be a quantitative exploratory because the study will compare the mean of group 1 to group 2 to predict if prison population influences correctional officer safety. According to Rubin and Babbie (2011) exploratory study of your methods aims merely to gain familiarity with the phenomenon and generate tentative possible explanations or insights that can be tested out more carefully later in an explanatory study. The advantage of this design is that there is no predefined structure and the ability to compare two or more groups. The disadvantages of exploratory studies is that interpretation of findings are subject to bias. The study used for this design is also a content analysis of written material because some of the research is based on literature reviews from credible researchers.

**Population and Sample**

Population and sample participants will be based on availability sampling. The study will require use of existing data. The study will include statistics from California’s 35 adult
institutions which include 3 adult female institutions. The prisons range from low custody to maximum security prisons. Information on prison populations can be obtained from CDCR population data reports. This database captures the monthly prison population from all 35 CA prisons. Nonfatal injury data and fatal injury data will need to be requested from CDCR’s Office of Research via e-mail at Data.Requests@cdcr.ca.gov. The researcher will need to submit a formal Public Records Act request on inmate-to-correctional officer incident reports and/or rules violation reports (RVRs).

**Instrumentation**

Collection of secondary data from existing databases from CDCR Office of Research. As noted in Macdonald et al. (2008), secondary data can be analyzed using the same methods used in the analysis of primary data. Furthermore, secondary data is useful for an evaluation or analysis to gain some background knowledge and understanding.

**Data Collection**

The data collected will be divided into 3 groups which will include data from the year 2000, 2005, and 2015. The statistics will be recorded separately into an SPSS database. The scores of groups one will be compared to the scores of group two and three.

**Data Analysis Plan**

Quantitative data analysis procedures using SPSS will be used to examine the relationship between prison population and correctional officer safety. The Analysis of variance (ANOVA) can be used to test differences between two or more means as in the t-test without increasing the error rate (Macdonald et al., 2008). Collected data will be analyzed using descriptive statistics and ANOVA test. The data will be analyzed by measuring the mean of the
three groups the ANOVA determines if three or more populations are statistically different from one another.

**Ethical Consideration (Human Subject Protections)**

Written permission to conduct the research study will be required from the Institutional Review Board (IRB) at the respective university conducting the research. Informed consent will not be necessary from any subject prior to data collection because the data collected is secondary data available to the public. Confidentiality of the subjects will be maintained since none of the data collected reveals the names of correctional officers or Inmates.
Conclusion

This research is designed to explain what contributes to prison overcrowding and explore correctional officers’ safety. The study design uses existing statistics collected by CDCR office of research that can be analyzed to emphasize the magnitude of correctional officer safety issues. The literature looks at the criminal justice system and public policy to address prison overcrowding issues. It touches on causes of prison overcrowding, costs of incarceration, and possible solutions. Furthermore, it explores management theories to help influence internal policies for correctional officer safety. As noted in the literature review, correctional officers are the largest and most important individuals in the successful operations of any correctional organization. Considering the lack of research on correctional officer safety the objective of this exploratory study is to provide awareness and generate interest amongst correctional institutions and other researches to further explore this topic.
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