

European-American Prison Project



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CENTER ON SENTENCING & CORRECTIONS



PRISONLAW OFFICE

Project Overview



CENTER ON SENTENCING & CORRECTIONS

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Project Goal

To help inform the beliefs and attitudes of influential lawmakers, judges, corrections officials, and other stakeholders by exposing them to alternative approaches to incarceration in European countries and involving them in subsequent conversations about the implications of European approaches on U.S. corrections policy.

State Partners



European Partners



European Agenda

Germany

- Waldeck Prison
(prisoners with long sentences)
- Neustrelitz Prison
(young adults, age 18-25)

Netherlands

- Penitentiary Institution (PI) Haaglanden
- De Kijvelanden Forensic Care Institution
(mentally-ill and drug addicted offenders)

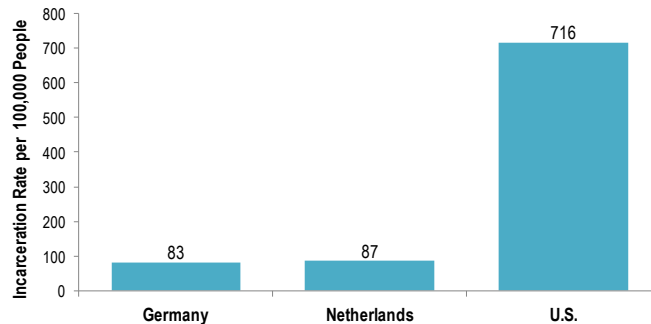


Key Observations:

Use of Incarceration and Corrections Practices

Use of Incarceration

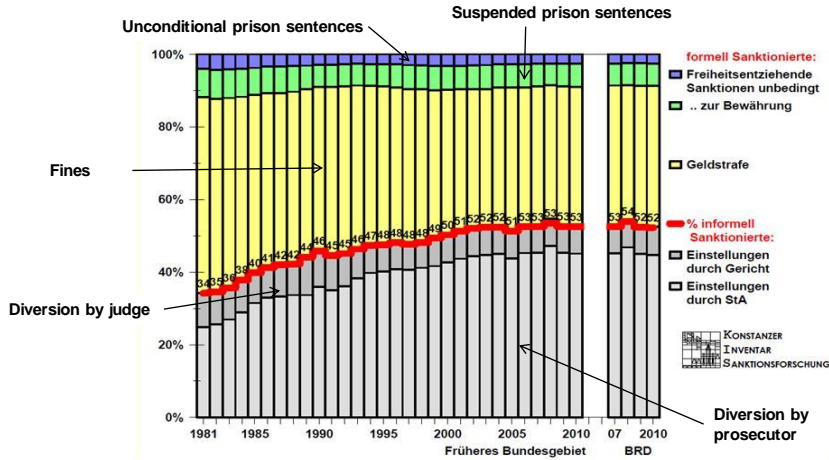
Comparison of European and United States Incarceration Rates



*Year of data varies by country: Germany - 3/12; Netherlands - 9/11, and U.S. - 6/11
** Incarcerated Population includes pre-trial detainees/remand prisoners

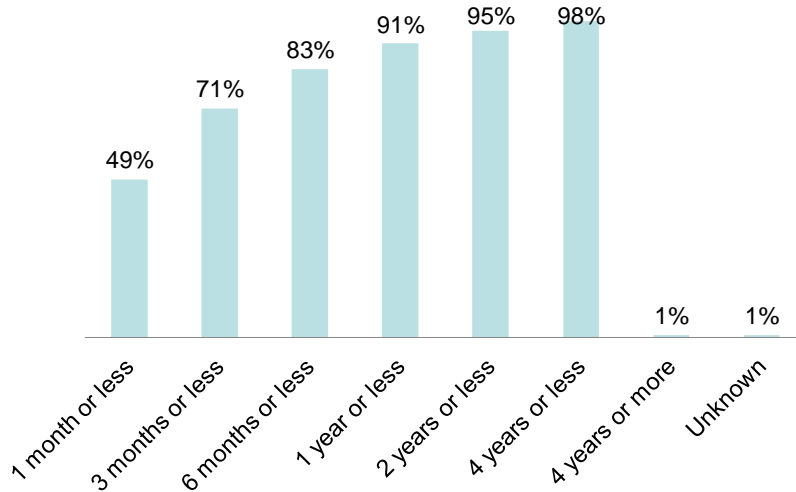
Data Sources for Germany and Netherlands: International Centre for Prison Studies
Data Source for U.S.: Bureau of Justice Statistics, "Correctional Populations in the United States, 2011"

German Sentencing Practices



Presentation by Frieder Dunkel at JVA Waldeck, Mecklenburg-Western Pomerania, February 2013.

Dutch Sentence Lengths



Presentation by Mariëtte Horstink, Director of External Relations, Custodial Institutions Agency, The Netherlands, February 2013.

Approach to Corrections

Germany	United States
“The <i>sole aim</i> of incarceration is to enable prisoners to lead a life of “social responsibility free of crime upon release”	<ol style="list-style-type: none">1. Punishment / Retribution2. Incapacitation3. Deterrence4. Rehabilitation

Normalization & Reintegration

- **Privacy**
 - Guards knock before entering
 - Keys to their own cells
- **Individual expression**
 - Inmates choose their clothing
 - Possession of personal items
- **Self-regulation of daily life**
 - Assist with organizing daily life
 - Inmates can make their own food



Approach to Discipline

- Tailored discipline
- Use of incentives, immediate and delayed
- Limited use of segregation



Mental Health Treatment

- Focus on rehabilitation
- Individualized approach
- Presence of mental health staff

In Mecklenburg, Western-Pomerania, Germany, there are 35 Social Workers and 28 Psychologists for 1,400 prisoners



Treatment of Special Populations

- **Young adults as juveniles**
- **Harm reduction approach for drug offenders**
- **Mentally ill offenders treated in clinical facilities**



Focus on Reentry

- **Mandatory savings**
All offenders are paid and a portion of their income is withheld for reentry planning
- **Sentencing plans**
Each offender receives an individual plan upon admission with a focus on reentry
- **Role of Probation/Parole**
Probation plays in active role in development of sentencing plans



Staff Culture

- **Qualifications and Training**

4-5 year university degree for prison governors (often lawyers), teachers, and psychologists

Prison officers must complete a two-year training course, composed of both theoretical and practical courses

- **Composition of staff**

More therapists and social workers than in the United States

- **Staff and inmate interactions**



Implications for U.S. Corrections Systems

What Kind of Implications?

- **Options**
- **Perhaps inspiration**
- **Potential “legal transplants”**
 - **Professor Richard Frase**

Reduce the Use of Incarceration

- **Reconsider the use of automatic prison sentences: mandatory minimums and three strikes laws.**
- **Improve and expand prosecutorial diversion programs.**
- **Explore the use of fines as the sole sanction.**
- **Alternatives to incarceration for special populations.**
- **Bail reform.**

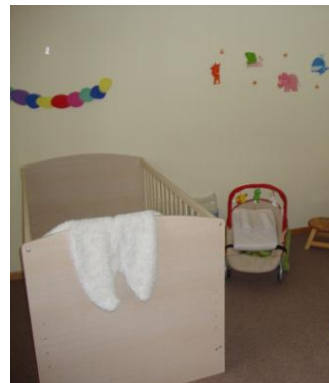
Corrections Practices

- **Rethink the goals and mission of corrections.**
- **Incorporate normalization practices.**
- **Use incentives as a discipline technique.**
- **Reduce the use of segregation.**

“If you treat inmates like humans, they will act like humans.” – Georgia participant

Corrections Practices (cont.)

- **Encourage a continued connection with society**
- **Consider mother-child units**
- **Expand focus on reentry**
- **Revamp staff training**
- **Promote positive interactions between staff and inmates**



Project Report

“Sentencing and Prison Practices in
Germany and the Netherlands:
Implications for the United States”

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Questions

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