



## **The Rehabilitation Dilemma in Texas County Jails**

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### **ABSTRACT**

*Inmate rehabilitation and treatment programs are relatively scarce in county jails. A general questionnaire distributed to Texas county sheriffs or their jail administrators indicated that larger jails were more likely to have both inmate education and substance abuse treatment programs than smaller jails. Few institutions reported comprehensive or sophisticated programming and many reported none at all. These findings were consistent with conclusions drawn by other researchers. We concluded that administrative restraints linked to the fundamental purpose of local detention, the unique history and political characteristics of the office of county sheriff in Southern states, and the crime control model of justice contributed to the absence of rehabilitation offerings.*

### **INTRODUCTION**

Those of us who regularly attend criminal justice conferences, workshops and conventions are exposed to dozens of evaluations and reviews of various correctional education and rehabilitation programs. To be sure, hundreds of prison administrators, counselors, teachers and other workers strive tirelessly to help inmates achieve rehabilitative results. Professional journals, newsletters and trade publications are filled with examples of these programs to the extent that one might logically conclude that America's incarcerated population is subjected to a universal dose of treatment-oriented corrections programs. While we acknowledge the quality of scores of individual programs, and we certainly commend the many fine men and women who are involved with prisoner rehabilitation, we also find an overall lack of inmate treatment programs, especially in local detention facilities.

An in-depth inquiry reveals that: 1) most inmate rehabilitation programs are conducted in conjunction with state-level prison or parole and probation efforts (Norman, 2003), and 2) they provide opportunities for only a select minority of the total incarcerated population (*Corrections Digest*, 2001). According to a Bureau of Justice Statistics Report in *Corrections Digest* (2001), only 40% of the nation's jails and prisons offer drug rehabilitation programs. Of the more than three million persons incarcerated, only 173,000 actually receive drug treatment despite the fact that some estimate the number of inmates that have drug abuse problems is as high as 75%. The

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2000 Report of the Arrestee Drug Abuse Monitoring Program (US Department of Justice, 2003:23) found that between 27% and 47% of all arrestees may be at risk for drug dependence. State prisons fare somewhat better when it comes to the delivery of inmate education programs, but trends indicated a five per cent drop in the rate of inmates participating in prison education programs between 1991 and 1997 (Correctional Law Reporter, 2004). This occurs as numerous studies tout the advantages and results achieved by education programs in a prison setting (Chappell, 2004; Gordon and Weldon, 2003; Higgins, 2002).

It has long been established that county jails provide rehabilitation opportunities to only a small fraction of their inmates. Norman (2003) discusses the lack of attention paid to correctional education and Wilson (2000) points to the lack of drug treatment programs in county jails. This paper is presented in an effort to examine the underlying reasons for the lack of such program availability in local detention agencies. But before addressing the question of why programs in this category seem underrepresented, findings from a recent Texas jail study are reviewed.

### **The Texas County Jail Study**

A survey of county sheriffs and their local jail administrators in the State of Texas (Kellar, Jaris and Manboah-Roxin, 2001) was conducted in an effort to develop a descriptive “snapshot” of policy issues and operational strategies. Approximately 60% of those queried responded to the survey. One topic yielded interesting results when we addressed managers’ general attitudes toward rehabilitation and the implementation of such programs in local detention facilities. When asked to respond to the statement “Jail should be used to rehabilitate inmates,” more than one half (55.8%) of the 137 respondents noted agreement (57 marked “somewhat agree” while only 20 marked “strongly agree”). However, almost one in four respondents, a total of 33 or 24%, disagreed with the statement (19 marked “somewhat disagree” and 14 marked “strongly disagree”). The remaining 27 (19.6%) chose “neither agree nor disagree.” This suggests that while county sheriffs and their representatives generally support inmate rehabilitation, the support was lukewarm at best, while a sizeable minority of administrators voiced an opposition to inmate rehabilitation (pp. 28-31). This finding is consistent with research by Applegate, Davis, Otto, Surette and McCarthy (2003), who found that community justice leaders in Orange County, Florida, were somewhat ambivalent toward defining goals but were generally supportive of rehabilitation at the local jail level.

Next, we attempted to determine the number and types of treatment programs available in Texas jails (Kellar et al. 2001:65-68). Only 62 of 142 respondents (44%) reported any inmate education programs in their institutions. The remaining 80 (56%) replied that they had no organized inmate education programs. As one might expect, the larger jails were more likely to offer educational programs than the smaller jails.

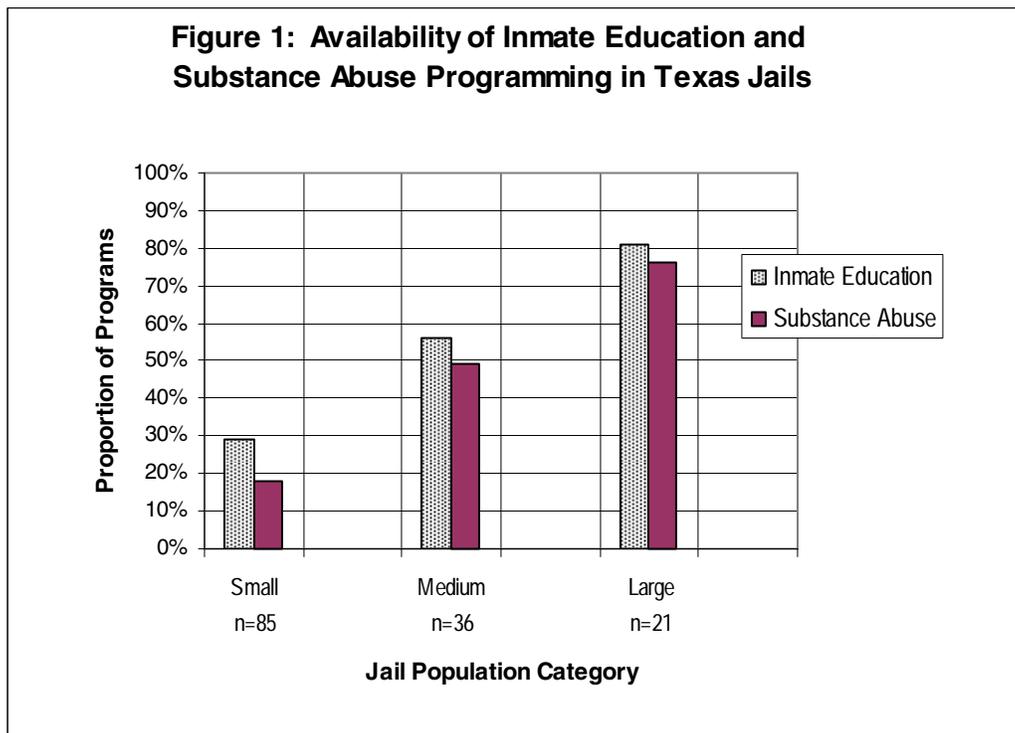
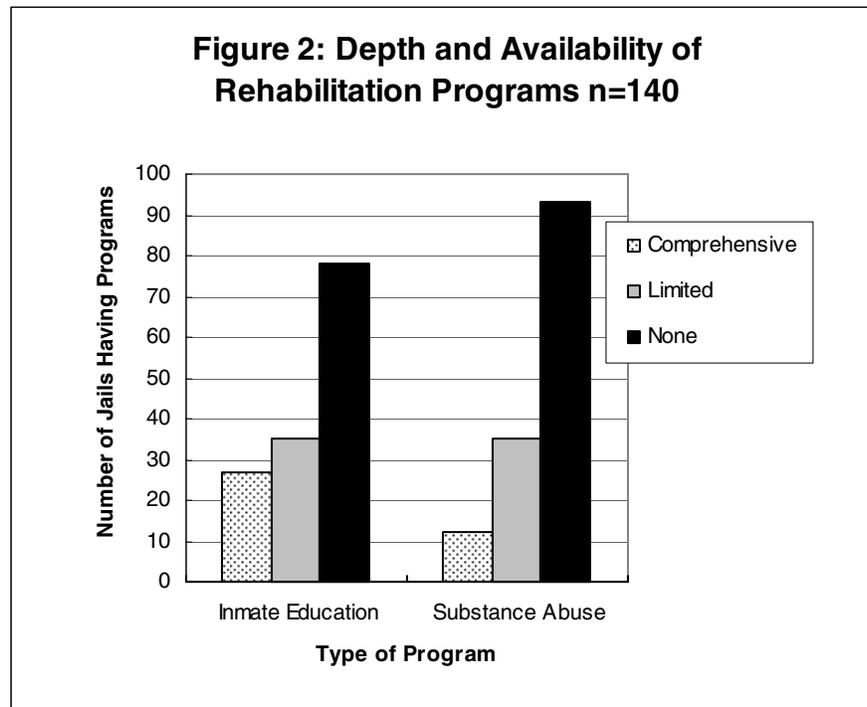


Figure 1 illustrates the proportional breakdown of educational and substance abuse programs by size of institution. The small jail category had an average daily inmate population of from 1 to 49 inmates, the medium of from 50 to 249, and the large of 250 or more. Note that 71% of the small jails had *no* inmate education programs, whereas only 19% of the jails with more than 250 inmates reported no education programs. Those inmates held in larger jails had a greater likelihood of participating in education offerings than those housed in smaller jails.

Another related issue is substance abuse treatment (Kellar et al., 2001:60-61). When asked if the agency conducted organized substance abuse programs, only one in three of all jail administrators (47 of 138) reported any programs. The number of responses to this question was slightly less than that recorded for the inmate education questions. The study also indicated that size of the jail had a positive relationship with the availability of substance abuse prevention programs for inmates. Only 18% of small jails reported any type of substance abuse programming; but 76% of large jails reported substance abuse programs. Inmates in large jails were more likely to receive substance abuse programming than inmates in smaller jails.

Figure 2 illustrates the depth of rehabilitation programming as reported by jail managers. Of the 62 who reported education programs, more than one half (35) described the programs as somewhat sporadic and delivered by part-time volunteers. Twenty-seven programs were funded and staffed by coordinated efforts with local community college or school districts. Only seven administrators reported vocational training or life-skill training programs. The most common educational program was basic literacy or high school (GED) equivalency training. Those who did report substance abuse programs frequently listed part-time volunteer efforts such as

Alcoholic Anonymous or Narcotics Anonymous as the extent of substance abuse programming. While these approaches have established excellent track records in providing service, the exclusive use of volunteer efforts is often subject to periods of instability and inconsistent program delivery. Only two jurisdictions responded that they offered programs such as “therapeutic community approaches” and only three jurisdictions reported the use of “drug courts.” Seven other jurisdictions provided some form of extensive programming.



These findings are consistent with literature reviews that indicate a shortage of educational and substance abuse programs in jails. Wilson (2000) estimated a national average of 42% of local jails having some sort of substance abuse program. Although his national average is slightly higher than our findings in Texas, his figures included detoxification as one type of treatment program while the subject study did not. Other researchers have also concluded that substance abuse programming is inadequate in local jails (May, Peters and Kearns, 1990:32, 33; Mays, Fields and Thompson, 1990), even though a growing body of literature indicates that some programs are extremely effective (McCollister, 1990; Tunis, Austin, Morris, Hardyman, and Bolyard, 1996; Lipton, 1995).

## CONCLUSIONS

While the survey results indicated a large portion of jail managers, at least those in Texas, tacitly support rehabilitative efforts, they were less than enthusiastic about large scale program implementation. The question then becomes why so few rehabilitation programs are available for inmates housed in local jails, and why so much of that programming is sporadic at best. At least three factors seem to contribute to this phenomenon: the practical imperative of the

administrative nature of local detention agencies, the political imperative of the county sheriff as a law enforcement agent, and the philosophical imperative of the prevailing crime control doctrine.

### **1. Administrative and Procedural Restraints Placed on Local Jails**

County jails represent a kind of systemic hub for the justice system wherein the major components - the police, the courts, and corrections - interface to form a dynamic processing structure. Approximately three-fourths of local detention systems across the nation (Kerle and Ford, 1982) and virtually all of those in Texas (State of Texas Revised Civil Statutes Article 5115, 1925; State of Texas Revised Civil Statutes Title 81, Article 5115.1, 1975) and other Southern states are administered by elected county sheriffs. The county jail almost defies structural definition because it incorporates all three justice components. Jails may be considered the final phase of the policing function because the arresting officer places the accused into the custody of the sheriff's office and initiates formal criminal charges. Many sheriffs consider policing as their primary responsibility.

On the other hand, the local jail may also be viewed as an adjunct to the judicial system. The jail maintains care and custody of the accused while the judicial process unfolds. Those who fail to post bond may be held in jail for extended times as the court proceeds in the complicated adjudication process.

A third dimension of county jails involves a corrections function. The sheriff is charged with providing a full correctional system for those convicted of misdemeanor crimes and sentenced to serve time in the county jail. These seemingly contradictory functions mandate a highly complicated processing system that often functions adversely to the interests of goals such as inmate rehabilitation or treatment. Further, since the local jail is usually established as a part of the county government system, individual agencies reflect unique rather than standardized organizational practices. Policies and procedures vary drastically from jurisdiction to jurisdiction.

The jail inmate population is constantly changing as a function of the ongoing processing required by the institution. This reality impacts every phase of operations, including the ability to provide rehabilitation programs. Consider the concept of the average daily population (ADP). The average daily population (ADP) is a baseline figure used extensively in prison research. The ADP, as calculated for a jail, has a completely different meaning than that calculated for a state prison. On average, a jail's turnover is about 12 to 15 times that of a prison. A prison with an ADP of 1000 will serve about 1500 prisoners on an annual basis, while a jail with an ADP of 1000 will serve approximately 8000 individuals annually (O'Toole, 1999).

Increased prisoner turnover in the jail environment creates a formidable obstacle for those who would develop and implement rehabilitation programs, because one cannot be sure which inmates will remain in the system from day to day. For example, a court may reduce the bond requirement for a particular inmate, thus increasing the likelihood of his or her immediate release

from jail. Often, criminal charges are negotiated away through plea bargaining, and the inmate may be transported to another facility or placed on probation with almost no notice of status change given to the jail authorities. It is therefore extremely difficult to plan organized activities when prisoner availability is in constant flux.

One popular misconception holds that local jails house a less dangerous class of inmate than their state prison counterparts. This is simply not true. Typically, a large jail will simultaneously house prisoners from hot check writers to serial killers. Practically all convicted prison inmates spend some time in a county jail before sentencing. Unlike state prisons, the local jail must accommodate all types of offenders in a single facility or, at best, in a limited choice of a few facilities. In addition to those charged with both misdemeanor and felony offenses and those sentenced to serve time in the jail, the local institution will house inmates awaiting parole or probation revocation hearings, those awaiting transfer to other jurisdictions, those bench-warranted to appear in various courts, and even civil detainees (Austin, 1998:4).

This diverse inmate population creates special administrative challenges for the jail manager, which may adversely affect the implementation of rehabilitation efforts. Proper segregation of inmates by risk category in housing, programs, and other endeavors is imperative (Austin, 1998:5). Because of the wide range of prisoner types being held and the short time-span and limited resources allotted to determine individual classification, the jail staff must take a conservative approach to inmate assignment. Since the jail manager does not have the luxury of extended time to develop comprehensive assessment procedures (psychological testing, educational placement, in-depth medical screening, and the like), the individual inmate must be assumed as a higher rather than lower risk for the purpose of classification if any information is lacking. It is better to err on the side of caution than to put the institution at risk. For this reason, many inmates who might be eligible for programs in a prison setting are classed as ineligible in the jail setting.

Furthermore, it is difficult to structure classes and other groups when regular attendance cannot be assumed. Most rehabilitation efforts in local jails are forced by necessity to rely on “open enrollment” classes. While this approach may sound egalitarian in theory, it presents practical problems for the instructor, counselor or facilitator, because the make-up of the inmate group constantly changes (Kellar, 1999). Note that technology may have produced a solution, or at least a reasonable alternative, to this dilemma. Both educational and therapeutic programming may be presented through self-paced, computerized learning methodologies. Closed-circuit television systems, distance learning technologies, and modular approaches to individual achievement can be structured to provide viable rehabilitation in the jail environment. Such strategies require extensive planning, some costs, hard work, and a firm commitment from policy-makers, but they can be successful.

One must also take into consideration the fact that the county sheriff’s office has been conscripted through time to perform a myriad of required duties that are mandated by various state laws (Moore, 1997:50). The sheriff is required to present prisoners to the courts as directed by the courts, to transport convicted inmates to the state department of corrections, and to serve

warrants as directed by the courts. In the area of corrections, the sheriff is required to provide those basic rights to inmates as promulgated through current case law. All of these requirements carry a high priority mandate, whereas the delivery of treatment programs normally does not. Therefore, if tasks compete for priority or for the allocation of limited resources, (which is always the situation in county government environments) rehabilitation programs will predictably be relegated to a second class status.

## **2. The Sheriff's Political Imperative**

To fully appreciate the political realities of county jails, one must first understand the nature of the office of county sheriff and the fact that it is not particularly conducive to inmate rehabilitation. Recent movements toward a "county police" model, wherein the jail is administered by an appointed corrections professional, while somewhat popular in certain regions, have failed to replace the traditional "county sheriff" model as the primary custodian of the local jail in Southern states (Moore, 1997). For practical purposes, the county sheriff remains the primary administrator of the local detention facility.

The sheriff represents a unique and almost mythical political figure. Historically, the first *gaols* were established by Henry II in the year 1166 (Kerle, 2004) and the local *Reeve* of the *Shire* (*shire-reeve* or *sheriff*) was assigned administrative responsibility for detention along with a general responsibility to provide for the enforcement of the King's law (Kerle, 2004). As government grew and became more embedded in the culture, the local sheriff's responsibility to provide both detention and law enforcement was fused into both the English and American justice systems. During the early 19<sup>th</sup> Century, as Jacksonian Democracy swept the American political scene, county sheriffs, along with a host of other local officials, became popularly elected through at-large ballots within the county. The process of election, and the title of being the chief law enforcement agent in the county, gave local sheriffs charter membership in the "court house crowd" or "county seat gang." The county sheriff became one of the most powerful local politicians in 19<sup>th</sup> Century America (Moore, 1997). Although Southern sheriffs no longer have the unrestricted political power that they enjoyed in the past, a vestige of political prestige is still evident in the office. The sheriff is often seen as the local political force in determining law enforcement policy.

Sheriffs generally consider their law enforcement role as a priority concern and often address their detention function as a secondary responsibility. Sheriffs are typically elected because of their position on law enforcement issues rather than on corrections issues. They therefore tend to emphasize law enforcement, often at the expense of corrections. While some sheriffs may attempt to develop a level of expertise in the corrections field, many remain completely uninformed or delegate their correctional responsibilities to a subordinate.

County sheriffs routinely manage the local jail and concurrently perform a variety of law enforcement tasks. Though some have criticized sheriffs for neglecting jails in favor of law enforcement functions (Mays and Winfree, 2002 p. 91), even those observers most sympathetic

to county sheriffs must admit that jail issues often do not receive the same priority given law enforcement issues. In systems where the jail staff is comprised of licensed law enforcement officers, assignment to jail duty is usually considered less glamorous, boring, or even demeaning (Peak, 2001). Our study revealed that most Texas jails employ corrections officers, rather than certified peace officers, to perform inmate management functions, although a sizeable minority (21%) are staffed by peace officers (Kellar et al., 2001:38,39). We also found that almost half of the reporting managers used certified peace officers as supervisors so that corrections officers often report to peace officers (39). This structure lends itself to the probability of assigning marginal officers or supervisors to the jail division as punishment for incompetence or disciplinary sanction. Such practices will inevitably lower morale and reduce professionalism in the jail.

The jail function of the sheriff's office has little political "sex appeal". Zupan (2001, p.48) attributes Huey Long with the adage, "There ain't no votes in prison." Powerful organized lobbies and influential interest groups rarely advocate increased focus on jail activities. Note that negative jail issues may attract public attention, but positive activities go largely unnoticed. If an institution is subjected to high profile inmate civil rights litigation, staff brutality complaints by inmates, or a high rate of escapes, the sheriff may well be held accountable.

For many sheriffs, this produces a kind of "prevent defense strategy" wherein emphasis is placed on reducing the probability of riots, brutality, escapes, lawsuits, and violence, rather than on developing positive approaches such as rehabilitation or innovative managerial pursuits. This approach seems to indicate a political perception that while jail issues usually do not help an incumbent sheriff, extremely negative jail press can certainly adversely affect an office holder. The sheriff is elected from a community of constituents who do not hesitate to make their political wishes known. In turn, the sheriff has a civic obligation to comply with the wishes of the people.

Most citizens support an active, anti-crime enforcement administration with little regard to jail policy. This is not to suggest that voters are against sound jail policy in general or rehabilitation programs in particular. In fact, some researchers (Applegate, Cullen and Fisher, 1997; Cullen, Scott, Skovron and Evans, 1990) report that the public actually supports a number of rehabilitative efforts. But in most instances, they, like the sheriffs and administrators mentioned above, are merely complacent. As Richard Seiter (2002:17) notes, "although the principle interest of the public is to be protected, once they believe their safety concerns are met through incarceration of offenders, they support rehabilitative programs..."

The public has little interest in the conditions of the local jail. Most citizens are perfectly content to ignore the local jail, and this attitude often finds its way to the county sheriff. In other words, the sheriff is under no perceived political obligation to maintain a quality jail operation as long as the jail does not get out of control. It appears that Long's political assessment is as valid today as it was in the 1930s. Therefore, the county sheriff enters office with a commitment to actively pursue enforcement objectives, especially crime control, but with no specific corresponding obligation to provide quality detention services. We may therefore conclude that

the voting public does not automatically connect inmate rehabilitation with a reduction in crime. While a sheriff may be dedicated to general professionalism and may see the jail as a legitimate component of his responsibility, there is rarely a political mandate to persuade policy initiatives in the area of jail management or increased rehabilitation programs.

Jail policy is especially sensitive to what local administrators perceive as politically acceptable practices. Note that to some extent, state prison systems are insulated from this political sensitivity, because prison administrators are appointed rather than directly elected. To be sure, prison policy reflects public sentiment; but the manager is not directly responsible to citizens through the ballot box, as is the case with the county sheriff.

### **3. The Commitment to Crime Control**

How did public perception of crime control develop, and how did the assumption that rehabilitation may not be a legitimate component of that control come about? Herbert Packer presented his classic paradigm of criminal justice philosophy in the book *The Limits of the Criminal Sanction* (1968). According to Packer, the primary principles of the crime control model were to repress, or at least control, criminal activity throughout the justice process. This view stood in stark contrast to the rival due process model that defined the justice system as a vehicle to assure that individual rights are maintained. As a general rule, those who espouse the crime control approach advocate more police, more jails and longer sentences. In contrast, proponents of the due process model emphasize a limitation on police powers, an expansion of community sanctions, and the development of amenities for those incarcerated.

Packer's models were never meant to be mutually exclusive. One who advocates the due process model does not necessarily believe that the police should be stripped of *all* arrests powers; rather he or she believes that the powers should be subject to reasonable restraint. Likewise, one who espouses the crime control model does not or should not believe that the Bill of Rights should be abolished, but that it should be interpreted within a fairly narrow range. Reasonable people can use the paradigm to assess the relative merits of public policy within a reasonably defined set of standards. At the time of the writing, Packer noted an emerging judicial trend which emphasized the due process model by redefining the traditional powers of law enforcement. Landmark U.S. Supreme Court cases, such as *Gideon v Wainwright* and *Mapp v Ohio*, were fresh in the public forum and sent strong signals to the crime control camp that the proverbial pendulum was swinging toward the due process camp. To that extent, Packer presented a brilliant tool that prophesized a justice dichotomy in the latter quarter of the 20<sup>th</sup> Century.

Unfortunately, the debate between due process and crime control quickly entered the political arena during the 1970s and degenerated to a street fight centered on public justice policy. Instead of academic insight and thoughtful analysis as the basis for a given position, rhetoric and demagoguery became the rallying points for both camps (Walker, 1998). It was during this emotion-driven phase of modern penal development that rehabilitation seems to have been defined in the public arena as a component of the more liberal due process end of the

continuum. Although rehabilitation may theoretically and logically be construed as an attempt to change and thereby control criminal behavior (the crime control model), public attitudes seem to have associated inmate treatment with an underlying trend to increase those amenities extended to prisoners (the due process model). For example, many inmate education programs were initiated to provide minimum intellectual and coping skills necessary for one to compete in modern society and thereby avoid a criminal lifestyle. But the rhetoric of the times focused on programs that provided convicted felons the opportunity to receive a free, publicly supported higher education that was not available for the average non-criminal citizen.

Scholars have traditionally noted fundamental conflicts concerning the basic purposes of incarceration (Diiulio, Smith and Saiger, 1995; White, 1991). While many authorities list various series of universally accepted goals of corrections, they may be summarized as either punishment or crime control. Incapacitation, deterrence, isolation, rehabilitation, restitution, and re-entry into mainstream society are all designed to reduce or control crime, either present or future, and can be classed as special instances of crime control. If successful, an inmate treatment program will reduce an individual's propensity toward criminal behavior and theoretically result in a reduction of future crime.

However, some crime control advocates fail to recognize or endorse the essential principle that well-structured rehabilitation programs can be, and frequently are, tough on inmates with self-discipline being the ultimate programmatic goal. If one is able to substantially change maladaptive behavioral patterns, the result will inevitably be an increase in socially acceptable behavior, accompanied by a corresponding decrease in criminal activity. Therefore, well-structured rehabilitative efforts are indeed consistent with the crime control orientation, but they are not normally associated with the public perception of tough on crime.

Punitive correctional practice is not synonymous with Packer's concept of the crime control model; but, unfortunately, some would have us believe that all correctional efforts should be based on a philosophy of punishment. Any reasonable person would have to conclude that corrections should contain some elements of both punishment and crime control. The problem with assigning relative priority to one or more of these alternative missions is that they sometimes represent conflicting issues. The local administrator is asked, not whether rehabilitation should be a part of the jail system, but how much rehabilitation and what types of rehabilitation should be a part of the jail system. The underlying assumption is that some forms of rehabilitation enjoy some amount of success in changing the client's behavior from criminal activity. But do they?

Robert Martinson's (1974) famous "What Works? Questions and Answers about Prison Reform" article set off a fierce debate when he affirmed that *no* prison rehabilitation programs were effective. Rather than reporting the article as the conclusion of a small group of reputable scholars subject to opposition by many justice academics, the popular media ran with the story as a statement of absolute fact.

The political world rarely makes an effort to clarify or to carefully examine complicated social phenomena. In most instances, reports such as Martinson's are of little interest to the general public and go virtually unnoticed. But in this case, the public was captivated by the sound bite composed of an extension of the report's title; "What works? Nothing works!" Suddenly the crime control camp could lock on to a valid academic position, which fueled a political firestorm. Given the massive resources that had been authorized for medical model era prison programs, the public suddenly demanded increased accountability from corrections managers. Treatment programs that were defined as an extension of the crime control model were seen as irrelevant because they were perceived as ineffective across the board.

In fact, Martinson's work actually suggested that many programs were not properly applied to target groups, and that appropriate follow-up designs were not always incorporated. Further, a number of scholars, and eventually Martinson himself, (Lipton, Martinson and Wilkes, 1975; McShane and Williams, 1989; Walker, 1997) raised serious questions concerning the process of program evaluation. Some (Logan and Gaes, 1993) held that Martinson's original conclusion was essentially correct with a few exceptions.

Others, led by Daniel Glaser (1994), argued that many rehabilitation efforts do indeed work. Regardless of the insights that may or may not have been formed by "What Works", Martinson's article produced immense political fallout in opposition to the due process model of criminal justice. Let me emphasize that the popularity of the crime control model during the 1970s was certainly not the exclusive result of Martinson's article. Indeed, crime control thinking flourished as a result of numerous failures and controversies from various aspects of the due process orientation.

Riots at Attica and New Mexico, controversial court decisions, an alarming increase in violent crime rates, burgeoning prison populations, the transition of organized crime, and public reactions to a long history of permissive social programs (to name a few), all contributed to a complex political climate. But for our purposes, it seems fair to declare that Martinson's argument temporarily removed the impetus for rehabilitation efforts from the public policy crime control table. From a political perspective, to advocate any form of rehabilitation was to deny the efficacy of legitimate crime control. This position was most notable in conservative Southern states and county sheriffs rallied to support a tough on crime, no non-sense, punitive standard which automatically rejected the "mollycoddling" of prisoners through any form of rehabilitation.

During the next two decades the crime control school gained a distinct political advantage throughout the nation. The fear of increasing crime rose to the top of the political agenda for both liberals and conservatives. More prisons were built, tougher and longer sentences were enacted, discretionary judicial authority was curtailed through sentencing guidelines, and parole restriction was adopted. When the debate over crime control became a political issue as opposed to an academic discussion, the positions of elected county sheriffs as crime control advocates were cemented for generations. Even those who understood the value of

sound treatment and rehabilitative alternatives were forced to embrace a tough on crime or “lock ‘em up and throw away the key” position.

Politically conservative groups generally show less support for spending on those programs that they associate with other negative public policy initiatives (Timberlake, Rasinski and Lock, 2001). Therefore, drug rehabilitation has less support than drug enforcement because rehabilitation is often linked with the welfare state or a soft on crime policy. A local sheriff may risk alienation of a large voting block when he or she advocates increased spending on treatment programs.

Political attitudes are not subject to dramatic or instant fundamental change. Once rehabilitation was presumed anti-crime control, the likelihood of local sheriffs embracing rehabilitation was further reduced. Nowhere can the rejection of rehabilitation in favor of punishment for inmates be illustrated more dramatically for political purposes than in the case of Maricopa County (Phoenix), Arizona Sheriff Joe Arpaio. As a law and order advocate, Sheriff Joe built an enormous public favorability rating of some 85% by espousing programs which brazenly inflicted punishment on county jail inmates. *Harpers Magazine* journalist Barry Graham (2001) reported that Arpaio instituted measures to house inmates in Korean War Era tents; fed them green bologna and charged them for it, banned coffee, cigarettes, and pornography from prisoner consumption, and forced inmates to wear pink underwear. Incredibly, Sheriff Joe, in a pensive moment, confided to Graham that he sincerely wished to develop a series of educational and drug treatment programs for Maricopa County inmates (Graham, 2001). This may indicate that Arpaio might possibly have used his status as a supreme crime control advocate for political expedience.

### **Future Implications**

Our evidence (Kellar et al. 2001:61-68) indicates that Texas jail managers are not particularly concerned about the status of rehabilitation programs, either educational or drug abuse prevention. We must reiterate the fact that each of the conclusions detailed above works against the widespread establishment of rehabilitative efforts. The public perceives the primary purpose of local jails as detaining prisoners, rather than rehabilitating them. Most voters believe that county sheriffs are elected to provide a law enforcement service to the community, not to rehabilitate, and certainly not to “mollycoddle” those accused of crime. The popular crime control model of justice emphasizes the punitive and not the treatment-oriented aspect of incarceration. With these realities in mind, administrators may marginally support the concept of inmate rehabilitation, but they do not enthusiastically support the expansion of rehabilitation in a real sense. Given the current political climate and the general apathy toward jail policy, it is doubtful that any major policy shift will be generated in the near future. As long as the public equates rehabilitation with prisoner amenities (Wittenberg; 1996), no large scale policy change seems on the political horizon, even though some public opinion surveys suggest that rehabilitation is not particularly unpopular (Cullen et al.1990; Applegate et al. 1997).

Although they are relatively few in number, some jails, especially larger institutions, have developed excellent and even exemplary rehabilitation programs. Kerle (2004:165-183) reminds the reader that jail rehabilitation programs have increased dramatically during the past decade. He describes a number of detailed cases throughout the country to strengthen the point. Seiter (1998) echoes this sentiment as it relates to prisons and labels a current trend toward the development of treatment modalities as the responsibility model. For future reference, such a movement may well be in its embryonic stage; however, based on present fact, one must reasonably conclude that for each innovative inmate rehabilitation program established, several dozen jails remain without any offerings. This is especially true in smaller jails. For the foreseeable future, we must conclude that rehabilitation will probably remain a secondary priority in local jails.

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