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THE PRIVATIZATION OF THE PRISON SYSTEM IN THE UNITED STATES: A COMPARATIVE STUDY OF REHABILITATIVE RESOURCES

Wendi Witherell

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THE PRIVATIZATION OF THE PRISON SYSTEM IN THE UNITED STATES: A
COMPARATIVE STUDY OF REHABILITATIVE RESOURCES

A Project
Presented to the
Faculty of
California State University,
San Bernardino

In Partial Fulfillment
of the Requirements for the Degree
Master of Social Work

by
Wendi Lee Witherell

May 2022

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Approved by:

Dr. Rigaud Joseph, Faculty Supervisor, Social Work

Dr. Laurie Smith, M.S.W. Research Coordinator

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ABSTRACT

Facing high rates of mass incarceration and prison overcrowding, the United States of America seems to believe that the privatization of its prison system could be a viable solution to the aforementioned problems. Despite the increased incarceration rates of the past few decades, the gradual privatization of the prison system is an understudied area. It is therefore important to understand the rationale behind the movement away from the public sector toward the private sector. This cross-sectional study adopted three theoretical approaches—Models of Incarceration Theory, Political Explanation Theory, and Overcrowding Theory—in an attempt to determine such rationale. It was hypothesized there will be a statistically significant difference in rehabilitative services between government-run prisons and privatized prisons in the United States. Multivariate binary logistic regression results from a sample of 1,009 prisons across the country ($N = 1,009$) demonstrate that government-run prisons offered more rehabilitative services than those run by the private sector ($OR = 2.1, p < .001$). The results in this study hold implications for theory, research, social work practice, and policy.

Keywords: mass incarceration, recidivism, overcrowding, prison privatization, rehabilitative services, multivariate binary logistic regression

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CHAPTER ONE

PROBLEM FORMULATION

Overview

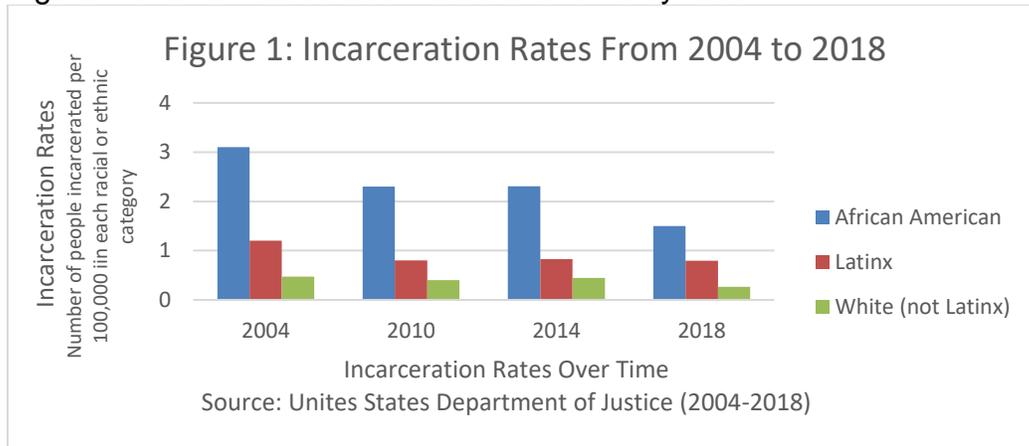
An issue of social injustice that affects the United States is mass incarceration. Mass incarceration is a term that is typically used to describe the unique manner in which the United States has incarcerated individuals in state, federal, and county jails at an alarming rate. The United States uses incarceration as its primary form of punishment for those who commit felonies and other crimes. Leipold (2019) reported that the United States incarcerates more people, both absolutely as well as per capita, than any other country in the world. Mass incarceration is a national issue that may create long-term disadvantages, one of which is prison overcrowding.

Prison overcrowding is defined as density, or the proportion of inmates compared to the capacity of any given institution. Widra (2020) wrote that typically, these institutions are considered overcrowded upon reaching or exceeding 80% of their capacity at any given time. Currently, 41 states are operating at 75% or more and at least nine are operating at more than 100% capacity. Minorities are the groups that are most affected by overcrowding as their numbers are disproportionately higher than Caucasian incarceration rates.

Figure 1 shows incarceration rates over time by race. Based on the data in this figure, there has been a decline in incarceration rates across all racial groups from 2004 to 2018. However, African Americans have been the most affected by

overcrowding, with incarceration rates disproportionately higher than that for Hispanics and Caucasians.

Figure 1 shows incarceration rates over time by race.



Long-Term Disadvantages

Individuals

Individuals are now being affected by longer sentences than ever before, and “marked” with having criminal records upon release. It seems in this country that individuals are unable to escape the legal system once involved. Reich and Prins (2020) reported that mass incarceration may have an effect, not only on individuals obtaining employment upon release, but that this exposure to the criminal justice system may increase the employer’s power over them and impair their ability to advocate for themselves during their employment.

The revolving door that many individuals face is sometimes a lifelong issue. Many of these individuals have underlying issues that need to be addressed as well. For example, some prisoners are suffering from mental illness

and/or drug addiction. Unless these primary issues are addressed, these people will continue to recidivate. Recidivism refers to the likelihood that a prisoner will continue to re-offend after being released.

Families

Families are being affected by mass incarceration since many of these prisoners have children. Not only are these prisoners someone's son or daughter or another important family member, but many also have children of their own. Most prisoners in this country are men, this leaves many young children without fathers. In many families, the father is the breadwinner or primary source of support. This issue expands even further with African American males being disproportionately represented in the prison system. Western and Wildeman (2009) wrote, "Just as incarceration has become a normal life event for disadvantaged young black men, parental incarceration has become commonplace for their children" (p. 235). These families may also have to deal with the adjustments that need to be made upon release, including the fact that the father now has a criminal record, which may create challenges while searching for employment and/or housing.

Communities

Minority communities are primarily affected, as their representation in the prison population is disproportionately higher among prisoners in the United States. Western and Wildeman (2009) reported that in low-income urban communities, women and children are commonly enduring life and living with the

absence of fathers and husbands. Young men in these communities lose any positive male role models and many of them turn to gangs. Western and Wildeman (2009) went on to say that this gang activity only leads children further into a life of crime, and that crime rates are higher for young, disadvantaged men than the rest of the population.

The problem of mass incarceration needs to be addressed within our society. There are also underlying issues that need to be taken care of for many of these prisoners. Simply putting people behind bars is not a solution, these people will need to have their primary issues resolved before any real reduction in incarceration rates can be made. This introduces another issue of whether rehabilitative needs are being met during these periods of incarceration.

Interventions

Kennedy (2015), with the American Civil Liberties Union (ACLU), argued that all the “tough-on-crime” initiatives of earlier presidential administrations, starting in the 70s, were the beginning of the mass incarceration movement. Arguably, mass incarceration is likely to lead to prison overcrowding, which creates a lack of care and rehabilitative resources for inmates, in a blatant disregard for their human and constitutional rights. There have been major efforts intended to prevent and/or counteract mass incarceration, prison overcrowding, and lack of care across the US prison system. The most notable interventions include the Eighth Amendment to the US Constitution, the US Supreme Court’s

2011 Landmark Decision against the State of California, the First Step Act of 2018, and prison privatization. Each of these interventions is described below.

Eighth Amendment to the Constitution of the United States

The Eighth Amendment states that “Excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishments inflicted” (National Constitution Center, n.d.). What exactly is the definition of cruel and unusual punishment? Some would argue that this is too broad a statement and needs clarity. In this project, the cruel and unusual punishment clause is what comes into question when looking at the prison overcrowding in the United States. Filling a jail to capacity, and leaving prisoners to sleep on the floor, in mostly deplorable conditions, is arguably considered cruel and unusual punishment.

The US Supreme Court’s 2011 Landmark Decision Against the State of California

In 2011, the United States Supreme Court delivered a landmark verdict against the state of California with respect to prison overcrowding. In effect, the highest court of the country ruled that California needed to drastically reduce its prison population by 2013. At the time the case was argued, the prison population in California was almost twice what these prisons were designed to house. Two federal class action lawsuits against the state of California, showed that prisoners with severe mental health issues are not receiving minimal, adequate care, which is in direct violation of these prisoners’ eighth amendment

rights. This case also brought to light that the state of California was not in compliance with prior rulings from 2001 and 2005, describing continuing deficiencies caused by overcrowding. The Supreme Court ordered the state of California to reduce its prison population to 137.5% within the next two years (US Supreme Court, 2011).

The First Step Act of 2018

The First Step Act (FSA) of 2018 was signed into effect on December 21, 2018, by President Donald J. Trump, with the purpose of improving criminal justice outcomes and reducing the size of the federal prison population (Federal Bureau of Prisons [BOP], n.d.; US Congress, P. L. 115-391). The FSA will try to reduce recidivism rates by offering different incentives for both prisoners and their families. The FSA requires the Attorney General to develop a risk and needs assessment system. This system will be used by the BOP to assess recidivism risk and to help place these prisoners in recidivism-reducing programs. The FSA also offers incentives for success and allows prisoners to earn up to 54 days of good time toward every year of their sentence. More incentives offered by the First Step Act are, confinement laws requiring inmates to be housed in facilities as close to their homes as possible. Some correctional reforms that protect female, pregnant, and juvenile inmates have been put into place as well. Lastly, the FSA has sentencing reforms that help to reduce the mandatory minimum sentencing laws that have played a role in the mass incarceration of this nation (Federal Bureau of Prisons, n.d.).

Prison Privatization

Prison privatization, or for-profit prison, is a term that refers to the imprisonment of people by a third party which is contracted by the state or federal government. The privatization of the prison system was designed to take some of the burden off the public system. Cheung (2004) writes that state and federal prisons have a history of contracting out services with private companies, such as food service and transportation, but that the war on drugs introduced a new era of contracting out total management and operation of prison facilities to private companies. These are for-profit companies where the bottom-line is what matters, even above the health and safety of their prisoners. These companies are looking to make a profit and evidence shows that these private prisons are neither more efficient nor more cost-effective (Cheung, 2004).

Purpose, Rationale, and Significance of the Study

The purpose of this study was to compare the rehabilitative services offered by both the public and private prison systems. In effect, the privatization of the prison system in the United States has increased in the past few decades (Cheung, 2004). It is therefore important to understand the rationale behind the movement away from the public sector toward the private sector. This study asks the following question: Is there a difference in rehabilitative services between government-run prisons and privatized prisons in the United States?

The findings of this study will be significant on many fronts. First, the findings will expand the scholarship on the topic of for-profit prisons. Additionally, the findings will compel social workers to keep fighting for the rights of people behind bars. In fact, both mass incarceration and prison overcrowding remain significant social issues, despite some improvement in the past decade. Furthermore, the findings will inform policymakers about whether for-profit companies improve their rehabilitative services and better prepare prisoners for life after release. In sum, this study will shed light on whether or not the government spends taxpayer money wisely regarding the privatization of the prison system.

CHAPTER TWO

LITERATURE REVIEW

In this chapter, the researcher explored and summarized the existing literature on the topic of whether there is any difference between the rehabilitative services offered by private prisons, and the rehabilitative services offered by public prisons. In addition, this chapter synthesized the literature by providing a critical analysis of existing studies. Furthermore, the researcher identified and described theoretical perspectives that guided this research, prior to concluding with a critical analysis of these theoretical perspectives.

The literature on prison mass incarceration, prison overcrowding, and privatization is unfocused, as most studies reflect different facets of the problem, including prison privatization, political influence, cost-effectiveness, privatization and recidivism, and rehabilitative services. These areas are covered below.

Prison Privatization

Prison Privatization has been in use since the seventeenth century, when England would transport their prisoners to the Americas to be sold into short-term slavery in the colonies. These practices were used for more than 200 years for no other reason than it being cheap for the state (Simonds & Wright, 2017). Although prison privatization has changed drastically since the seventeenth century, some would argue that the reasons for contracting out punishment are purely political, cost-related, and have little to do with rehabilitative efforts. Camp et al. (2002) wrote that the influx of private adult prisons in the 1980s generated a

wealth of experts studying whether these prisons were more effective. There still seems to be a debate on this topic, more than 40 years later, that lacks empirical evidence to strongly support either side.

Political Influence

Jing (2010) argued that the privatization of prisons is driven specifically by political motives that serve the purpose of increasing social control. Jing (2010) went on to say that from a core government function perspective, the privatization of prisons shows the political rationality of our governments.

Simonds and Wright (2017) went on to further say that the privatization of prisons increases efficiency because these prisons can bypass some of the red tape and escape public involvement. Moreover, Simonds and Wright (2017) claimed that policymakers have viewed privatization as a viable option amidst the more than 200% increase of imprisonment our nation saw during the 80s and 90s, and that our public sector simply did not have the funds available to expand existing prisons (Simonds & Wright, 2017).

Cost-Effectiveness

Of the three studies found concerning cost-effectiveness, all three yielded different results. One study conducted by Sellers (1989) found that private prisons were indeed more cost effective and were able to retain that effectiveness without compromising the quantity or quality of services offered. Another study done by Pratt and Maahs (1999) found that private prisons were no more cost-effective than the public prisons that were researched. Yet a third

study that was conducted on cost-effectiveness, concluded that the study was unable to show whether private prisons were more cost-effective than public prisons (Camp et al., 2002). The inconclusiveness is a pattern found by this researcher that shows a large gap or inconsistency of empirical evidence on this topic.

Privatization and Recidivism

Does prison privatization influence the reduction of recidivism rates? This is another topic that surfaced while reviewing the literature. Lanza-Kaduce et al. (1999) wrote that private prisons do have a positive impact on recidivism rates. After studying prisoners being released back into the community, it was concluded that the private prison releasees were less likely to recidivate, and that the crimes committed were less serious than those released from public prisons (Lanza-Kaduce et al., 1999). Spivak and Sharp (2008) argued that evaluating post-release performance is one way to measure the effectiveness of private prisons. These authors went on to state that upon conducting a study on the topic of using recidivism as a means of measuring success, no indication was found that private prison services are superior to those provided in public prisons, and therefore do not have any sizable impact on recidivism rates (Spivak & Sharp, 2008).

Rehabilitative Services

Wright (2010) claimed that it is imperative for the more than 600,000 prisoners that are released each year to receive some form of rehabilitative

services, before being released back into society. Wright (2010) went on further to explain the significance of these rehabilitative services and the positive effects these services have on, not just individuals, but their families, and the communities in which prisoners are being released. Wright (2010) argued that the bulk of research done on prison privatization is on cost benefits and quality of operations, and that there remains no clear pattern of evidence that states whether private prisons are either of these things.

Limitations of Existing Literature

The limitations found during this literature review, were that there is not enough research on specific rehabilitative services that are, or are not, being offered. There is a need for further research on the topic of what rehabilitative programs are being offered in both sectors and their effectiveness. If the private sector can escape public interference, then it is assumed that private prisons may be able to provide better rehabilitative services. If this is the case, then is the private sector doing a better job of preparing these prisoners for release back into society?

A substantial amount of the studies conducted on cost-effectiveness were more than 20 or 30 years old, there is a need for more current research. The data also seems to be inconsistent on whether the private sector is more cost-efficient than the public sector. Consequently, there is no empirical evidence that supports the topic of cost-effectiveness either way. Although a large amount of research has been done on cost-effectiveness, there is a gap in the literature

regarding rehabilitative services. This study aims to fill that gap by exploring the differences between private and public rehabilitative services.

Theoretical Perspectives Guiding This Research

Models of Incarceration

Clear et al. (2009) wrote that since the early 1940s three models of incarceration have predominantly been used; these models are custodial, reintegration, and rehabilitation. The custodial model is mainly used in the United States today and emphasizes security, discipline, and order. This model dominates maximum security prisons. The reintegration model emphasizes the maintenance of the prisoner's ties to family and community; it uses these ties as a method of reform and assumes that the prisoner will eventually be returning to these communities. This model is tied to community corrections. Finally, the rehabilitation model of incarceration, emphasizes the provision of treatment programs that are designed to reform these prisoners before releasing them back into society (Clear et al., 2009). This paper specifically focuses on the rehabilitation model which has fallen out of favor in today's prison practices. Focusing on the question of whether there is a difference between rehabilitative services offered by private and public prisons.

Theories of Overcrowding

Prison overcrowding is an issue in today's tough on crime society. Gaes (1985) claimed that overcrowding can be measured in many ways, floor space, the amount of space each prisoner has per unit, and in terms of the capacity

each facility is supposed to house. This prison overcrowding theory was written by Gerald G. Gaes in 1985. This theory suggests that prison overcrowding is responsible for inmate health issues, inmate misconduct, as well as being the cause of post release recidivism (Gaes, 1985). Gaes (1985) identified three issues associated with prison overcrowding.

The first is that prisoners who visit the clinic most often, and those who have high blood pressure, are typically housed in large dormitory type prisons. The second indicates that these dormitory type prisons also have the highest assault rates of any other type of prison setting. The final issue identified, is that any prison that is overcrowded will also have a higher assault rate than those that are not overcrowded. This theory also suggests that there is a need for further research on whether these overcrowded prisons can provide prisoners with much needed resources (Gaes, 1985).

Political Explanations of Incarceration

The political explanation theory was written by Kevin B. Smith in 2004. Smith (2004) asked the question of why incarceration rates continue to climb, even though crime rates are stable or declining? This brings in the question of politics and policy makers. Smith (2004) wrote that social theorists claim that this influx of incarceration rates can be attributed to political considerations influencing punishment policies.

Smith (2004) went on to say that social theorists have two explanations for imprisonment, and these are as follows; The first explanation states that

imprisonment was designed to improve social order, with the idea that prison would rehabilitate criminals into productive citizens. The second explanation states that incarceration serves political and social purposes. Some go even further to say that these incarceration policies are being used as a form of social control. In other words, this theory suggests that those who are in control of the state are using their power to impose their beliefs on others. This theory brings an interesting insight to this paper and asks the question of whether these tough on crime policies, that the United States has seen since the 70s, are responsible for strictly punishing people rather than rehabilitating them.

Critical Analysis of Theoretical Perspectives

This researcher utilized Joseph and Macgowan's 2019 Theory Evolution Scale (TES) to critically appraise the theoretical frameworks named in this study (Joseph & Macgowan, 2019). The TES is a transdisciplinary, first-of-its-kind tool (Joseph, 2021) with nine criteria that are to be measured while evaluating a theory's quality. These nine criteria include coherence, conceptual clarity, philosophical assumptions, historical evolution, falsifiability, empirical evidence, boundaries, utility, and human agency (Joseph, in press). Furthermore, the TES also measures validity and reliability (Joseph & Macgowan, 2019). Once each criterion has been given a score, the numbers are interpreted to show a quality rating from 9-45; with 9 being the lowest score and showing poor quality, and 45 being the highest score and showing excellent quality (Joseph & Macgowan, 2019).

A valid and reliable instrument, there has been a recent surge in the implementation of the TES in the social work literature (Drew et al., 2021; Joseph, 2020a; Joseph, 2020b; Joseph, 2021a; Joseph et al., 2022; Stoeffler & Joseph, 2020). Both Overcrowding Theory and Political Explanations of Incarceration were scrutinized through the lenses of the TES. Table 1 below presents the results of this analysis.

Table 1. Analysis of Study Theories with the Joseph and Macgowan's Theory of Evaluation Scale

<i>Criteria</i>	<i>Description</i>	<i>Score</i>	
		<i>PET*</i>	<i>OT**</i>
1	The theory has coherence.	5	5
2	The theory has conceptual clarity.	5	5
3	The theory clearly outlines and explains its philosophical assumptions.	3	3
4	The theory describes its historical roots in connection with previous research.	5	5
5	The theory can be tested and proven false via observational and experimental methods.	2	3
6	The theory has been critically tested and validated through empirical evidence.	2	3
7	The theory explains its boundaries or limitations.	1	5
8	The theory accounts for the systems within which individuals interact with people around them.	3	5
9	The theory recognizes humans as active agents within their environment.	5	5
Overall score		31	39

Theory quality based on overall TES score: Excellent for Political Explanation Theory

Theory quality based on overall TES score: Excellent for Overcrowding Theory

*Political Explanations of Incarceration Theory

**Overcrowding Theory

Evaluation of the Political Explanation Theory

The Political Explanations of Incarceration Theory scored a 31 on the TES. This score equates to The Political Explanations of Incarceration Theory being an excellent theory. This theory scored high in the areas of coherence, conceptual clarity, describing its historical roots in connection with research, and in recognizing humans as active agents within their environments. In the areas of philosophical assumptions, and whether the theory accounts for the systems within which individuals interact with people around them, this theory scored in the mid-level and could use some improvement. In the areas of whether this theory can be proven false via observational and experimental methods, and critically tested and validated through empirical evidence the score was very low. The last category of whether this theory explained its limitations or boundaries the TES score was the lowest, showing that this theory failed to explain any sort of limitations or boundaries (Joseph & Macgowan, 2019).

Evaluation of the Overcrowding Theory

The Overcrowding Theory scored a 39 on the TES which places it in the excellent category, with a near perfect score. This theory scored high in the areas of coherence, conceptual clarity, describing its historical roots in connection with research, explaining its boundaries and limitations, accounting for the systems within which individuals interact with people around them, and in recognizing humans as active agents within their environments. This theory scored in the mid-level range for the areas of explaining philosophical

assumptions, of whether this theory can be proven false via observational and experimental methods, and critically tested and validated through empirical evidence. There were no extremely low scores for this theory using the TES (Joseph & Macgowan, 2019).

CHAPTER THREE

METHODS

The literature analysis of this research topic revealed that there is a wide variety of research on the topics of mass incarceration and overcrowding, all of which seem to produce varying results. This revelation presents a need for further research to be done on the topic of whether there is a difference between the rehabilitative services provided by the public or private prisons sectors. The next section of this research project was divided into the following categories: ethics/protection of human subjects, research design, sampling, data collection instruments and procedures, study variables or sensitizing concepts, hypotheses, and data analysis.

Ethics/Protection of Human Subjects

This research project consisted of secondary data. There were no participants with identifiable information in the dataset that was used in this study. Additionally, since the researcher had no direct contact with participants, the implementation of proper COVID-19 guidelines was irrelevant. Therefore, regarding this research, the protection of human subjects is essentially, not applicable. Yet, the researcher sought approval to conduct this study from the California State University San Bernardino Institutional Review Board. This allowed the researcher to remain in compliance with the ethical aspect of research project requirements, as set forth by the CSUSB Office of Graduate Studies.

Research Design

This study was conducted under the quantitative research umbrella. When conducted well, quantitative studies have comparatively less room for biases and may carry generalizability (Grinnell & Unrau, 2013; Royse, 2017). The quantitative approach to this study was also consistent with the positivism/post-positivism theoretical paradigm of inquiry (Guba, 1990). This study embraced a cross-sectional design toward comparing rehabilitative services between the public prison system and the private prison system. Because this study did not involve random assignment, causal inference was not a goal.

Sampling

The sample consisted of government prisons from all 50 states. This study was conducted through a secondary source of data. The original dataset reflected more of a population study and, thus, did not involve probability random sampling. The original sample contained a total of 1,817 prisons, 415 of which were run by the private sector. The researcher randomly selected a comparison group of 594 cases from the remaining 1,402 cases that were run by the public sector. The final sample for this proposed research project consisted of roughly 1,009 prisons (N = 1,009).

Data Collection Instrument and Procedure

This researcher used correctional data collected by the United States Department of Justice and distributed by the Inter-University Consortium for

Political and Social Research (ICPSR). According to the ICPSR (n.d.), US Department of Justice researchers included in the original survey were facilities that “1) staffed with federal, state, local, or private employees; 2) held inmates primarily for State or Federal authorities; 3) were physically, functionally, and administratively separate from other facilities; and 4) were operational on December 30, 2005” (p. 4). In addition, the original surveyors used other inclusion and exclusion criteria for all the adult prisons.

According to the ICPSR (n.d.), included in the original survey were prisons, prison farms, reception, diagnostic and classification centers, facilities primarily for parole violators and other persons returned to custody, road camps, forestry camps, conservation camps, youthful offender facilities except in California, vocational training facilities, drug and alcohol treatment facilities, and state operated local detention facilities in Alaska, Connecticut, Delaware, Hawaii, Rhode Island, and Vermont. By the same token, surveyors excluded prisons such as private facilities not primarily for state or federal inmates, military facilities, Immigration and Customs Enforcement (ICE) facilities, Bureau of Indian Affairs facilities, facilities operated by or for local government, including those housing state prisoners, facilities operated by the US Marshals Service, hospital wings and wards reserved for state prisoners, and facilities that hold only juveniles (ICPSR, n.d.).

Quantitative information was gathered for each facility. These included data collected on “physical security, age, functions, capacity, court orders for

specific conditions, one-day counts and average populations, race/ethnicity of inmates, inmate work assignments, inmate deaths, special inmate counts, assaults, and incidents caused by inmates” (ICPSR, n.d., p. 4). The original study contained several key terms, including census data, correctional facilities, corrections, corrections management, inmate deaths, inmate populations, inmate programs, inmates, jails, prison administration, prison conditions, prison construction, and prison overcrowding (ICSFCF, 2005). Concepts such as types of correctional facilities, inmate programs, prison conditions, and prison overcrowding make the dataset a potential match for this proposed research project (ICPSR, n.d.).

Study Variables

This study contained three types of variables: dependent, independent, and control. The dependent variable was the level of rehabilitative services provided in each of the prisons. Originally, the dependent variable was a mega variable with 36 different services including alcohol/drug treatment, medical treatment, mental health, primarily returned to custody, primarily youthful offenders, geriatric care, crowding, visiting/mail/tele policy, accommodation of disabled, religious practices, mental treatment, medical facilities, library services, recreation, food/cleanliness, counseling, education, does facility have a geriatric unit for inmates of advanced age, facility support services, does facility operate work release program, literacy training, upper basic adult education, secondary education or GED, special education, English as a second language, vocational

training, college courses, study release programs, drug dependency awareness, alcohol dependency awareness, psychological counseling, HIV/aids counseling, sex offender counseling, employment, life skills, and parenting skills. The researcher recoded these variables in a binary manner, with a score of 14 and below labeled 0 for less services, and a score of 15 and above labeled 1 for more services.

The type of prison (public vs private) was the independent variable. This variable originally had five categories: 1 = federal prison, 2 = state prison, 3 = local government prison, 4 = private, and 5 = a combination of public and private. The researcher made this variable binary by recoding as 1 = for public prisons (federal, state, and local government), and 0 = for private prisons.

Finally, the study controlled for another variable: the location of the prison. The researcher recoded that variable in a binary manner labeling each state as either conservative leaning or liberal leaning. Conservative leaning states—Alabama, Alaska, Arizona, Arkansas, Florida, Georgia, Idaho, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maine, Mississippi, Missouri, Nebraska, North Carolina, North Dakota, Ohio, Oklahoma, South Carolina, South Dakota, Tennessee, Texas, Utah, West Virginia, Wisconsin, and Wyoming—were coded as 0. Liberal states—California, Colorado, Connecticut, Delaware, Hawaii, Illinois, Maryland, Massachusetts, Michigan, Minnesota, Montana, Nevada, New Hampshire, New Jersey, New Mexico, New York, Oregon, Pennsylvania, Rhode

Island, Vermont, Virginia, and Washington—were coded as 1. Joseph (2018) made a similar classification of the states.

Study Hypotheses

With respect to the purpose of this study, the researcher formulated the following hypotheses:

H_1 There will be a statistically significant difference in rehabilitative services between government-run prisons and privatized prisons in the United States.

H_0 There will be no statistically significant difference in rehabilitative services between government-run prisons and privatized prisons in the United States.

Data Analysis

The researcher exported and analyzed data, using the 28th version of Statistical Package for the Social Sciences (SPSS). The researcher performed multivariate binary logistic regression, which was the appropriate statistical procedure for this study. In fact, binary logistic regression was appropriate because the dependent variable was binary, and the data was normally distributed. In logistic regression, the researcher entered the variables all at once, using the forced entry technique. The analysis allowed the researcher to determine whether the study hypothesis was true or not. As mentioned above, because the public sector sample was too large, this researcher randomly

selected a smaller sample comparable to the private sector to run the data analysis.

CHAPTER FOUR

RESULTS

In binary logistic regression, social work methodologists have used both the predictive ability and the percentage of explained variance of a model to assess its contribution (Joseph, 2019; Joseph, 2021b; Joseph, in press; Joseph et al., 2019; Stoeffler et al., 2021; Strayer et al., 2022). In this study, the model's predictive ability in Block 0 was 59.7 percent. This tally became 63.2 in Block 1. Meanwhile, the model explained 6.3 percent of the variance in rehabilitation services (R-square = .063).

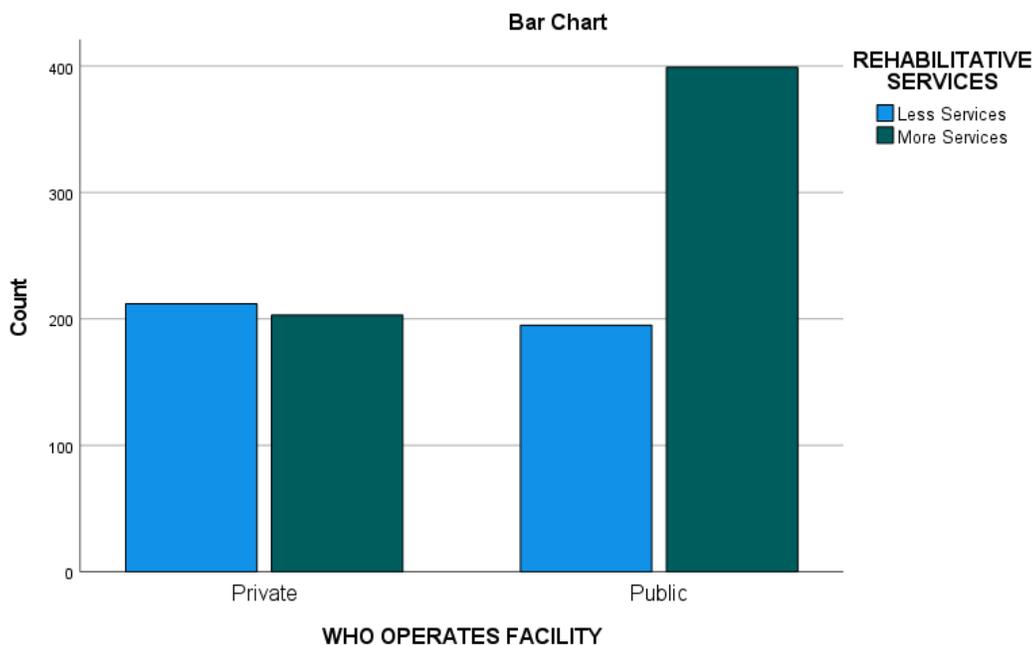
Table 2 and Figure 2 present the results of the binary logistic regression analysis. As seen in Table 2, prisons run by the public sector were twice as likely to offer rehabilitative services as those run by the private sector (OR= 2.1, $p < .001$). In other words, there was a statistically significant difference in rehabilitative services between the two sectors. Therefore, the study hypothesis was supported. The control variable (geographical location) was also significant. In fact, prisons in liberal leaning states were 1.7 times more likely to offer rehabilitative services than their counterparts in conservative leaning states (OR= 1.65, $p < .001$).

Table 2. Binary Logistic Regression Results for Rehabilitative Services Based on Prison Type and Location (N = 1,009)

Variables	B	S.E.	Wald	df	Sig.	Exp(B)	95% C.I. for EXP(B)	
							Lower	Upper
Prison Type	.746	.132	31.743	1	<.001	2.109	1.627	2.733
Location	.501	.132	14.348	1	<.001	1.651	1.274	2.140
Constant	-.265	.115	5.306	1	.021	.767		

a. Variable(s) entered on step 1: Prison Type, location

Figure 2. Rehabilitative Services Between Privately Run and Government Run Prisons (N=1,009)



CHAPTER FIVE

DISCUSSION

The purpose of this study was to compare the public sector and the private sector regarding rehabilitative services for incarcerated people. Considering the prevalence of mass incarceration and the privatization of the prison system in the United States, this study was of paramount importance for criminal justice stakeholders. This study tested the hypothesis that there is a statistically significant difference in rehabilitative services between government-run prisons and privatized prisons in the United States. Multivariate binary logistic regression results demonstrated that government-run prisons offered more rehabilitative services than those run by the private sector.

Consistency of the Findings with Previous Research

Upon synthesizing previous literature surrounding the research question, this researcher was able to find similarities with the work of Simonds and Wright (2017), who claimed that prison privatization has little to do with rehabilitation and may have more to do with money and politics. This coincides with the results of this study, which shows that private prisons offer half of the services that public prisons do, implying that rehabilitation is not their primary focus. In another study, Wright (2010) claimed that while there is a large amount of research done on cost effectiveness and quality of operations in private prisons, there is still no evidence to prove either of these claims to be true. Finally, Spivak and Sharp (2008) conducted a study of whether private prisons had any positive impact on

recidivism rates and were unable to show any superiority in services offered by private prisons over their public counterparts. Overall, this study has produced similar results to a scant amount of research conducted on this topic.

Implications of the Findings

Implications of the Findings for Theory

This study's findings hold implications for Clear et al. 's (2009) theory of the models of incarceration (2009). This theory states that the primary model that is used in the United States is the custodial model (Clear et al., 2009). Clear et al. (2009) argued that this model of incarceration focuses on security, discipline, and order, having little to do with the rehabilitation of prisoners. Through binary logistic regression, this study produced similar results, which are reflected by the lack of rehabilitative services being offered in private prisons.

Implications of the Findings for Research

This study analyzed the number of services offered by both public and private prisons. The main goal was to determine which sector was providing the most rehabilitative services, thus implying which sector was more focused on preparing their prisoners for release back into society. This was a nationwide study, considering various types of prisons in all 50 states, making this research a significant contribution to the existing literature. Existing literature focuses mainly on cost-effectiveness and is still inconsistent on whether private prisons are leading that category (Camp et al., 2002; Pratt & Maahs, 1999; Sellers, 1989). Literature is lacking comparative studies on the availability of services

offered by public and private prisons making this study extremely relevant to this topic.

Implications of the Findings for Social Work Practice

These findings hold implications for macro social work practice. Social workers are likely to work with, and advocate for, this marginalized population. Social workers have a code of ethics which stands at the core of their work, and these ethics are the standard on which social work practice is based. One of the core values of social work, is the practice of social justice. That is to say that social workers have a duty to challenge social injustice, promoting empathy and awareness on social issues.

Implications of the Findings for Policy

These findings also hold implications for policy in asking the question; What is the motive behind the privatization of the prison system? Research shows that it is inconclusive whether private prisons are more cost-effective, after three studies produced different results (Camp et al., 2002; Pratt & Maahs, 1999; Sellers, 1989). Research also shows that it is unclear whether private prisons have a positive effect on recidivism rates, after two studies produced different results (Lanza-Kaduce et al., 1999, Spivak & Sharp, 2008). This study's findings clearly show that the privatization of the prison system has little to do with rehabilitation efforts. Thus, asking policy makers to implement changes, forcing these for-profit prisons to transform their rehabilitative services to better prepare prisoners for their release back into society.

Again, there is the question of why, what is the motive for privatization? The current scholarship suggests that the privatization of the prison system is political. Research argued that privatization *is* political, serving the purpose of increasing social control, and showing the political rationale of our government (Jing, 2010). Further research showed that privatization can bypass some of the red tape and eliminate public involvement (Simonds & Wright, 2017). This researcher would argue that there is no need for lawmakers to privatize the prison system unless these prisons services were improving the rehabilitation of prisoners.

Limitations of the Findings

This study was limited in three main ways. First, the cross-sectional design in this study lacks longitudinal input. The longitudinal design would have collected data over a longer period and thus provided this researcher with a better understanding of the services offered in both public and private prisons. Second, the collection of the data used in this research occurred in 2005. While useful, such data may not reflect the reality of the prison system today. Third, this study lacks qualitative input. Using a secondary source, this study could explore the perspective of incarcerated people. These people may have provided a better insight regarding the quality of the services offered across prisons in the United States.

Recommendations for Future Research

This study produced recommendations for future research, in addressing its limitations. First, there is a need for a longitudinal approach when comparing rehabilitative services in both the private and public sectors. A longitudinal approach would examine these services over time, looking for changes, and bolstering research. Second, future research would benefit from having more current data. This study used data from 2005 that may have not captured the most recent trends in the prison system. It is therefore suggested that more up-to-date information be collected on this topic. Lastly, an important topic for future research would be qualitative studies examining inmate input. For example, are the services available to everyone, are inmates taking advantage of these services, and are the services beneficial? There is a need for research evaluating the effectiveness of rehabilitative services for incarcerated individuals.

APPENDIX A
IRB APPROVAL LETTER



CSUSB INSTITUTIONAL REVIEW BOARD
Administrative/Exempt Review Determination
Status: Determined Exempt
IRB-FY2022-54

Rigaud Joseph Wendi Witherell
CSBS - Social Work
California State University, San Bernardino
5500 University Parkway
San Bernardino, California 92407

Dear Rigaud Joseph Wendi Witherell:

Your application to use human subjects, titled "THE PRIVATIZATION OF THE PRISON SYSTEM IN THE UNITED STATES: A COMPARATIVE STUDY OF REHABILITATIVE RESOURCES " has been reviewed and determined exempt by the Chair of the Institutional Review Board (IRB) of CSU, San Bernardino. An exempt determination means your study had met the federal requirements for exempt status under 45 CFR 46.104. The CSUSB IRB has weighed the risks and benefits of the study to ensure the protection of human participants.

This approval notice does not replace any departmental or additional campus approvals which may be required including access to CSUSB campus facilities and affiliate campuses. Investigators should consider the changing COVID-19 circumstances based on current CDC, California Department of Public Health, and campus guidance and submit appropriate protocol modifications to the IRB as needed. CSUSB campus and affiliate health screenings should be completed for all campus human research related activities. Human research activities conducted at off-campus sites should follow CDC, California Department of Public Health, and local guidance. See CSUSB's [COVID-19 Prevention Plan](#) for more information regarding campus requirements.

You are required to notify the IRB of the following as mandated by the Office of Human Research Protections (OHRP) federal regulations 45 CFR 46 and CSUSB IRB policy. The forms (modification, renewal, unanticipated/adverse event, study closure) are located in the Cayuse IRB System with instructions provided on the IRB Applications, Forms, and Submission webpage. Failure to notify the IRB of the following requirements may result in disciplinary action. The Cayuse IRB system will notify you when your protocol is due for renewal. Ensure you file your protocol renewal and continuing review form through the Cayuse IRB system to keep your protocol current and active unless you have completed your study.

- **Ensure your CITI Human Subjects Training is kept up-to-date and current throughout the study.**

- **Submit a protocol modification (change) if any changes (no matter how minor) are proposed in your study for review and approval by the IRB before being implemented in your study.**
- **Notify the IRB within 5 days of any unanticipated or adverse events are experienced by subjects during your research.**
- **Submit a study closure through the Cayuse IRB submission system once your study has ended.**

If you have any questions regarding the IRB decision, please contact Michael Gillespie, the Research Compliance Officer. Mr. Michael Gillespie can be reached by phone at (909) 537-7588, by fax at (909) 537-7028, or by email at mgillesp@csusb.edu. Please include your application approval number IRB-FY2022-54 in all correspondence. Any complaints you receive from participants and/or others related to your research may be directed to Mr. Gillespie.

Best of luck with your research.

Sincerely,

Nicole Dabbs

Nicole Dabbs, Ph.D., IRB Chair
CSUSB Institutional Review Board

ND/MG

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