

Higher Education in prison: Detention time in connection to academic time

Katerina Gourgourini¹
University of Patras

Abstract

Higher education in prison is globally valued as a form of investment and a strategy to reduce recidivism, highlighting the necessity of prisoners' access to quality academic education. The ultimate goal of inmates' higher education is to promote innovative, interactive educational experiences in "remote" environments, with the participation and meaningful interaction of students, professionals and academics.

However, the liberating character of education often clashes with the restrictive framework of the prison, due to various obstacles that make the educational process difficult. The absence of appropriate study spaces, lack of internet availability, problems in taking up courses and sitting for exams, difficulties in working with academic advisors and teachers, stress and living conditions in prison, the discouraging attitude of the prison staff, as well as the restrictions on the financial support of students before and after release, are inhibiting factors for the achievement of prisoners' educational goals.

The concept of time in detention conditions takes on a different dimension for prisoners, given the nature of incarceration itself. By extension, the approach to academic time in prison, must take into account the structural characteristics of correctional space and the criteria that affect the goals, opportunities, quality and results of the educational process.

Keywords

Higher Education, Prison, Detention, Academic Time.

¹ Social Worker MSc, PhD candidate, Dprt. Of Educational Sciences and Social Work,
up1080910@upatras.gr

Introduction

The provision of higher education in correctional institutions does not only contribute to changes related to the students themselves. At the same time, it limits educational and social inequalities, through the inclusion of individuals from special population groups in education. The importance of continuous educational programming was also raised as a key issue in the pandemic period, during which the prison system was placed in a state of additional exclusion.

The purpose of this paper is to highlight aspects related to the higher education of prisoners. First, a brief reference is made to the provision of education in prison, with an emphasis on higher education, globally and nationally. Subsequently, an attempt is made to connect the detention time with the concept of academic time. Next, the benefits of university education, while serving a sentence and after release, are illustrated, as well as the obstacles that often make it difficult for prisoners to attend school. Finally, the conclusions of the theoretical study are formulated, in relation to some propositions that emerged through the theoretical review as well as the acquired professional experience in the penitentiary context.

1. The provision of education to prisoners

Education in prison is a basic human right, which includes the provision of an accessible, flexible and acceptable form of education. Consequently, access and participation in the educational process is not affected by the individual's situation and must be feasible for all prisoners, during the serving of their sentence (Muñoz 2009; Petsas 2017). The global community has developed a strong interest in the humanization of criminal justice, the protection of human rights and the importance of education, both individually and collectively. This interest, combined with the recognition of the vulnerability and risk of educational/social exclusion of prisoners, has led to the development of international texts to promote education within prisons (Costelloe et Langelid 2011; Petsas 2017).

The term "education" refers to all forms of formal, non-formal and informal education for the personal development of prisoners, which may relate to vocational outcomes but are not exclusively aimed at employment. "Vocational training" also incorporates the idea of individual development but also contributes to the learning of specific skills for specific types of employment (UNESCO 2021). Pike and Farley

(2018) examining theoretical models of education and training, attempt to identify the appropriate learning environment in prisons, which contributes on the one hand to the active involvement and employment of prisoners and on the other hand to citizenship and the formation of a positive social identity. A degree of convergence is identified between the goals of the modern prison and the goals of prison education, mainly in the direction of personal change, the “reshaping” of the individual and social reintegration (UNESCO 2021).

Prison education can be considered to occupy a strategically strong position in the institutional framework of the European Union as it is linked to three (3) key policy areas: a) justice, b) human rights and c) social policy, education and training (Smith 2019). Therefore, "Correctional Education" is provided as a right to prisoners worldwide, in accordance with the standards and conventions of the United Nations as well as the applicable legislation of each state (Vandala 2019). Therefore, many countries provide prisoners with the opportunity to access and participate in educational programs, as a human right but also as a preparatory process for their gradual reintegration (Coley et Barton 2006) while literacy courses, professional training, with the provision of recognized degrees and facilities such as: scholarships, free books, etc. are foreseen. (Hassiotis 2010).

In Greece, article 35 par.1 of the Penal Code describes the right of access of prisoners to the educational process (Law 2776/1999). The Penal Code recognizes not only the possibility but the right of every prisoner to be adequately informed and to participate equally in educational activities (Alexiadis 2001; Hassiotis 2010), a fact that is consistent with the modern approach to educational and correctional policy. The right of prisoners to education is not only guarantee deriving from the Constitution and international conventions. This is an essential measure for the reintegration of prisoners; however, it is clear that ensuring the right depends on the particular circumstances under which the sentence is imposed (National Human Rights Commission 2018).

2. Higher education in prison

Early forms of prison education were focused on basic education for adult prisoners and vocational skills. Academic education was not a priority in the past. This fact was partly linked to the educational background of the prisoners and to the low levels of

basic education; however, it was probably also a consequence of the decisions of the competent bodies, on the allocation of limited resources and criminal priorities. In recent decades, the provision of higher education in prisons has expanded with the development of partnerships between universities and prisons (UNESCO 2021:69-70).

Prisoner participation in higher education is an important issue of concern to policy makers, higher education institutions, researchers, criminal justice reform advocates, community organizations and the wider prison system. Providing postsecondary education opportunities to individuals serving prison terms is pursued as a strategy to alleviate educational and social disparities and achieve progress toward state and national goals. Also, the specific population of incarcerated students (or prospective students) includes members of racial and ethnic groups that tend to be chronically underrepresented in higher education (Pearson et Heckert 2020).

Higher education is one of the most powerful deterrents to crime, recidivism, and re-incarceration. It is evaluated as a form of investment to reduce recidivism, highlighting the necessity of access to quality academic education for incarcerated individuals (Taylor, Holman, Walsh et Jackson 2020). The ultimate goal is to facilitate innovative, interactive higher education experiences in “inaccessible” environments, with the participation and meaningful interaction of students, professionals and academics (Nichols, Young et Behan 2019). Some prisons use distance learning to overcome structural barriers to higher education (UNESCO 2021).

In Greece, prisoners have the possibility to participate in the University Entry exams for admission and study in higher educational institutions. By Joint Decision of the Ministers of Finance, Education and Religion and Justice, Transparency and Human Rights, the conditions, the method and the necessary details for remotely attending the courses and workshops as well as participating in the exams, according to the study program of the school they attend, are determined (JMD 29809/2015). Also, in 2016, a cooperation agreement was signed between the Ministry of Justice, Transparency and Human Rights (MJHR) and the Hellenic Open University (HOU) for the annual grant of scholarships to prisoners.

3. The academic time in the framework of the detention time

"Academic Learning Time" (ALT) refers to the time during which students are actively, successfully and productively engaged in responding to the learning of the academic

content which is going to be examined and assessed (Squires, Huitt et Segars 1983; Gettinger et Ball 2008). At a broader level, it is the time in which all actions aimed at the production and exchange of knowledge, within a university institution, are included. Academic time and student engagement are often used interchangeably. Each of these is a broader term that includes not only the time required for academic work but also related learner-centered cognitive and affective variables such as self-motivation, initiative, and self-regulation (Gettinger et Ball 2008).

According to Larson (2000), students' time can be categorized into: a) academic time, i.e. the time students spend attending classes, studying and preparing, b) extra-university activities, which have voluntary nature, they are organized and supervised by the university institution but provided outside the official academic programme, and c) free time spent in activities such as attending events, contacting fellow students, etc. Naturally, academic time works differently when embedded in a tightly structured context such as prison. Penitentiaries are subjected to specific regulations and operating hours, which concern all prisoners, while any changes or necessary exceptions must follow a defined approval process. Detention time, which is the required time spent in prison to serve the sentence, must include – in a sense – academic time.

In Greece, based on the Joint Ministerial Decision 29809/2015, the responsibility to support the attendance of courses and to take all the necessary actions in order to ensure the smooth communication of student prisoners with the educational staff and the administrative services of their department of study, is assigned to the Prison Council. Distance learning students are guaranteed the use of computers, controlled access to the internet and any other audio-visual or printed material for educational purposes as well as special study and examination areas (article 11 Law 4312/2014; Dimitrouli et Rigoutsou 2017).

In the decision of the Prison Council on remote attendance of courses, the following are defined in detail: a) the educational institution and the department of study, b) the courses the prisoner declares he will attend c) the bypassing of the store's operating hours for educational reasons d) the special areas that will be made available to the prisoner for remote monitoring and study or examination (Article 4, KYA 29809/2015). Students who have successfully attended 1/3 of the courses during an academic semester are entitled to apply for an educational permit (article 5), in accordance with the provisions of article 58 par. 1 of the Penal Code, Law 4205/2013 and P.D. 62/2014, unless there are special, justified reasons that prevent the possibility

of correct use of the license. In the case of the above successful follow-up, the prisoner is entitled to a beneficial calculation of the days of the sentence according to the analogous application of article 35 of the Penal Code.

4. Benefits of higher education in prison

The main benefits of higher education in prison can be divided into: a) short-term, during incarceration and b) long-term, after release (Poole 2015). Wallace, Eden and Flores (2020), place particular emphasis on the benefits of academic education for inmates, including economic opportunity, social participation, and the development of supportive social networks. Participation in higher education programmes during incarceration engages prisoners with productive activities while also requiring learning complex material that promotes social awareness and enhances skill development (Evans, Pelletier et Szkola 2017).

According to Boggs (2019), it is important that the benefits of prison education programmes are evident before release. Postsecondary education programmes improve the prison environment and culture, creating safer facilities and giving inmates a more positive outlook after incarceration. The programmes "reorient" participants to focus on life after prison, using their time in custody to gradually equip and prepare for their re-entry into society. Student prisoners are trained in critical thinking, communication and social skills, time management, organization and goal setting, responsibility and initiative. Training programmes may train inmates in vocational skills but the university provides long-term goals and planning that help make use of the "dead time" of detention, develop inmates, and facilitate the overall functioning of the prison system (May 2020).

Higher education reshapes the identity realization and the ways in which the individual relates to the family and social environment, reshaping the lives of student prisoners and promoting the gradual transition from prison to the community. Educational participation appears to work beneficially primarily on the personality and behavior of prisoners, providing the opportunity to change attitudes, strengthen self-esteem, improve skills and reduce the likelihood of recidivism (Kelidou 2011:60; Vandala 2019).

Corbett (2019) states that the value of academic education in prisons is not only related to economic factors nor is it a simple transactional motive, but it also involves

the individual's choice and action to engage in spiritual and academic enrichment while embodying the very nature of changing one's personal path through education. Higher education helps to reduce the racial, ethnic, religious and other barriers that are often the cause of tensions and aggression in correctional facilities and significantly improves relations between staff members and prisoners. As a result, there is a decrease in the use of violence and disciplinary infractions among inmates who participate in the educational process (O'Neil 1990; Gerber et Fritsch 1995; Evans et al 2017).

College education improves the employment prospects of those released from prison and it appears that those who participate in educational programmes during their incarceration are more likely to remain engaged in education after their release from prison (Wilson, Gallagher et MacKenzie 2000; Davis, Bozick, Steele, Saunders et Miles 2013; Evans et al, 2017). Educational participation is associated with increased and improved employment opportunities for those released, making the reintegration process smoother, especially as employment is one of the defining characteristics of successful reintegration.

5. Obstacles to the higher education of prisoners

Prisoners often face barriers in accessing and participating in the educational process. These obstacles highlight and intensify differences in educational level between the specific social group and the general population. The differences widen as levels of education increase. According to Wallace et al (2020), prisoners do not often have the opportunity to pursue university studies. Over time, the pursuit of higher education in prison turned into a sustained struggle against the odds. Noise, lack of up-to-date information or access to the internet, problems in conducting classes and exams, disagreements with educational advisors or teachers, stress and living conditions in prison, the discouraging attitude of prison staff, etc., were additional obstacles in the education process (May 2020).

Some scholars have approached motivational factors in reverse, i.e. identifying barriers as “disincentives” that prevent prisoners from participating in the educational process (Korella 2016). The forced coexistence of a large number of people in the same space creates significant difficulties, which are exacerbated when there are additional pursuits (Alexiadis 2001), such as participation in education, ensuring suitable conditions for study, etc. The effort to modernize the prison system and humanize the

living conditions of the prisoners, still runs into prison overcrowding (Gourgourini & Bouna 2021).

Westrheim and Manger (2014), as the main obstacles to the educational participation of prisoners, describe the lack of sufficient information about the possibilities and opportunities provided, the long waiting time, the limited range of lessons as well as additional temporary difficulties. Quigley divides the disincentives into three (3) categories: a) self-determination for participation, which is influenced by already formed – and often negative – perceptions of the prisoner about education and its benefits, b) institutional obstacles (lack of financial resources, educational or prison staff, infrastructure and logistical means such as computers, books, etc.) and, c) to other obstacles that affect the possibility of participating in education (e.g. mandatory interruption of classes due to release from prison, transfer to another detention or commit a disciplinary offense) (Messemer 2011:97).

The prison population typically has a lower average educational level than the general population, which—combined with the stigma of a criminal record—makes it difficult to find work after release (Gibbond et Ray 2021). At the same time, access to education after release from prison is hindered due to restrictions on financial support and discriminatory university admissions practices that require criminal record checks. These factors prevent individuals from obtaining a higher education degree and create a perception that they do not 'belong' at university. In this context, the "Ban the Box" campaign in the United States of America attempts to make education accessible to those released from prison by removing questions about previous arrests and convictions when applying to university. According to Wallace et al (2020), the institutional framework for admission to public or private university institutions should exclude from the process questions about arrests and previous convictions, in order to ensure equal access.

In general, there are several challenges that prisoners face in participating in university education. On the one hand, they are motivated to obtain an academic degree, which they believe will ensure a more favorable future outlook. On the other hand, a degree in itself is not a guarantee for successful social reintegration. It is found that, even if higher education opportunities are available, the expectations of the students themselves often remain low. This is attributed to prisoners' anxiety and fear of social stigma due to incarceration and negatively affects their social participation after leaving prison (Moreira, Monteiro et Machado 2017; UNESCO, 2021).

The already existing challenges for prison education programmes have been significantly increased by the covid-19 pandemic, highlighting the need to implement alternative teaching methods to ensure the continuity and effectiveness of inmates' university education. In the pandemic era, educators dealing with incarcerated students were faced with additional constraints and commitments in an already challenging environment for education and teaching (Montenegro, 2021). In many cases, the equipment and training facilities used to conduct the programs remained unavailable for long periods of time. As a result, there have been significant difficulties in prisoners accessing not only educational materials but also staff who act as a liaison between universities and correctional institutions (Kurtzman 2020).

In terms of the response of prison education programmes to these sudden changes, there have been variations by country. From the spring of 2020 onwards, most universities implemented their courses online. However, higher education programmes in prisons have faced a variety of technological and bureaucratic issues in continuing the educational process. At the global and national level, various ways of solving the difficulties that arose were implemented such as: sending courses by mail, handing in handwritten assignments, adapting assessment measures, educational goals and outcomes (Johnson 2021),

Conclusions

Education in prison is oriented towards: a) reconnection with the educational process, b) mitigating the negative effects of incarceration, c) creative use of "dead" detention time, d) skill development, e) vocational rehabilitation after release from prison, f) to reduce recidivism and criminality (Dimitrouli, Themeli et Rigoutsou 2006). "Correctional education" is called upon to fulfill a dual role: on the one hand, to prepare prisoners for their social reintegration and on the other hand, to be a productive activity during the period of imprisonment (Pettit et Kroth 2011).

It has been scientifically documented that education combined with the maintenance of family and social ties during the period of imprisonment, are two of the most important factors of effective reintegration as well as a determining variable of relapse prevention (Gerber et al 1995). Also, research supports that the educational experience motivates the pursuit of positive opportunities and active social participation for prisoners. Higher education imparts critical thinking and knowledge that is

particularly beneficial to the reintegration process and the process of mitigating the negative consequences of a criminal history, particularly in terms of self-stigma (Evans et al 2017: 18-19).

Higher education contributes to social mobility, empowerment, rehumanization, and by extension social change, through the inclusion of inmates and the provision of liberating educational experiences (Castro, Brawn, Graves, Mayorga et Page 2015). Many student prisoners describe building relationships during their university studies as a key factor in their careers and coping with personal difficulties. Through mentoring programmes, internships, student organizations, research programs, etc., students gain access to mentors and allies who help strengthen them and shape new perceptions and opportunities (Wallace et al, 2020).

Pike and Farley (2018) have highlighted the significant benefits of higher education for student prisoners, prisons, universities and wider society. However, they have identified several difficulties in accessing and supporting all forms of higher education in the prison environment, with an emphasis on postgraduate studies and research. In any case, it is considered appropriate to take into account the special characteristics, educational needs, motivations for participation, available means and the current institutional regime, in order to deal effectively with the resulting difficulties, ensuring on the one hand the rights of the prisoners and on the other hand the proper functioning of the prison (Gourgourini & Bouna, 2021).

Detained students, based on Larson's (2000) categorization of academic time, are allowed to spend a specific amount of time (within detention time) studying, attending, and preparing for their courses. However, this requires the approval process from the administration of the penitentiary. Since the students are in a detention status and do not function in the context of a broad academic community, there is no possibility to participate in other extra-university activities, interaction with fellow students, etc. According to Gettinger and Seibert (2001), there are four (4) variables that contribute to academic learning time: a) available time, b) actual time used for instruction, c) busy time, and d) academic success and productivity. However, according mainly to the Greek data, there are insufficient data for the evaluation of time, academic progress and learning outcomes, during detention and after release.

Regular and meaningful interaction between incarcerated students and educational staff, as well as supportive actions, such as online tutoring and the provision of educational counseling, can contribute positively to the achievement of academic

goals (Montenegro 2021). Globally, proposals have been made to strengthen higher education in prisons, including increasing funding, inmate access to scholarships, and expanding the equal employment opportunity framework to include those released from prison (Steurer 2020). Given the COVID-19 pandemic, the mode and possibilities of distance education have expanded, with the aim of facilitating the teaching of student prisoners enrolled in university degree programmes (Montenegro 2021).

Equal access to educational opportunities, strengthening participation motivation, educational counseling (before and after release) are key factors in promoting the higher education of prisoners and its effectiveness in terms of reintegration, employability and reducing recidivism. Also, similar care is required for the formation of suitable study spaces in prisons, the provision of necessary logistical infrastructure and the strengthening of the use and access of trainees to technological means. Finally, there is a need to utilize research and evaluation as tools that could contribute decisively to the decision-making process and the formulation of higher education policies in the prison area.

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