



# Reaching at-Risk Student Populations During a Pandemic: The Impacts of Covid-19 on Prison Education

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Since the onset of the COVID-19 pandemic, higher education programs in prisons have suffered due to continued overcrowding, modified schedules, limited access to facilities, 21,183 documented COVID-19 positive cases in the United States Correctional Facilities, an over 11 million documented COVID-19 positive cases in Correctional Facilities across the globe and seemingly uncontrollable outbreaks. Existing challenges for prison education programs have been substantially exacerbated by the COVID-19 pandemic, emphasizing a need to reinvigorate correspondence instruction modalities of teaching so that effective instruction in prison systems can continue. This study analyzes the current situation, strengths, weakness and opportunities available for best communication practices within the established instructional modality in prison and correspondence education during the current pandemic.

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## INTRODUCTION

In this time of Global Pandemic, educators working with incarcerated students are faced with additional restrictions, constraints, and limitations within an already challenging environment for education and instruction (Lukacova, et al., 2018; University and College Union, 2020a; University and College Union, 2020b; University and College Union, 2020c; University and College Union, 2020d; University and College Union, 2020e; University and College Union, 2020f; Montenegro, 2020). Across the globe, millions are currently incarcerated; for example, the United States of America has 2,094,000, China has 1,710,000, Brazil 755,274, Russian Federation has 491,650, and India has 478,600 ranking as the top five most punitive countries with the highest rate of incarceration to date, and a global total of over 11 million (World Health Organization, 2020; World Prison Brief, 2020). Institutionalized Persons all have varied educational backgrounds, knowledge, abilities, and skills associated with formal education, even in countries with a universal right of access to 10 or more years of schooling. A large minority of incarcerated persons—commonly between 25 and 40 percent—face difficulties in math, reading, and digital literacy, as well as conducting basic social transactions (ONU, 1948; Plemons et al., 2018; Añaños et al., 2019).

The benefits of higher education programs in prisons have been legitimized. Research has shown that these programs can reduce recidivism rates and provide student inmates the skills necessary to reintegrate into society and the opportunity for career advancement (Brosens et al., 2020; Hughes, 2012; Smith, 2021). Education acts as a prerequisite for reducing recidivism and reintegration into society by providing access to the means of reconstructing one's self to benefit the community, governments, and the world (ONU, 1948; Añaños et al., 2019). Research shows effectively educated

prisoners are less likely to find themselves returning to prison after release (Vacca, 2004; Ellison et al., 2017; Szifris et al., 2018; Ortiz & Jackey, 2020). Revitalizing correspondence education may be one of the best means to accomplish these goals.

Although support for Prison education has grown in recent years, development in much-needed policy and funding does not match. For example, across the nation and arguably across the globe leaders are identifying way to assist incarcerated people to rehabilitate, advance and acclimate into society upon re-entry. Some suggestions that have been made for policy change include increasing funding for postsecondary and higher education in prison, restoring inmate access to the Pell Grant and similar funding sources, and expanding laws regarding equal opportunity employment to include the formerly incarcerated (Steurer and Educational Testing Service, 2020). Furthermore, outside of the prison system, and due to the COVID-19 pandemic, distance educational modality and capacities have been expanded, except correspondence education, which is the primary modality in which instruction is facilitated to student inmates enrolled in higher education programs (COVID-19 Preparedness Information – CDCR, 2020; Burke, 2020).

In 2003 the United States Department of Justice, Office of Justice Programs reported that more than 11% of the State Prison inmates, 24% of Federal inmates and 14% of non-Federal jail inmates, and 24% of probationers all were attending some form of college (U.S. Department of Justice Office of Justice Programs, 2003). Essentially students who are incarcerated and still part of the system in some fashion may have access to higher education during their term. In 2017 more than 7,000 students from over 35 different state prisons were recorded as active in a higher education program according to the California Community Colleges Chancellor's Office Divisions of Educational Services and Support.

Education is not always considered a right but rather a privilege in society, however, education should be seen as a basic human right that all nationals are required to protect, and enforce regardless of context, breaking past the confines of literal and figurative prison walls (ONU, 1948; Añaños et al., 2019). Education has transformative possibilities, particularly as education has been, or failed to be, promoted within systems of incarceration (Courtney, 2019; O'Grady & Hamilton, 2019). That lesson must be learned by administrations, institutions, and politicians, so that an essential opportunity for education reform in prison is not lost.

The United States State of California has been a leader in acknowledging the impact that education has on meaningful rehabilitation of its inmate population. One of the ways the State has been leading is as an example by creating and facilitating programs of instruction for incarcerated populations focused on the possibilities and consequences education provides as factors for effective rehabilitation. The resultant programs aim to develop incarcerated writers/scholars through education, providing them with the tools needed to succeed in contemporary society. However, there is still work that needs to be done, and the pandemic has heightened multiple ways in which California's correctional institutions have not yet met their educational rehabilitation goals.

Education in prisons worldwide, and overcrowding in prisons as a result of criminalization of social and political behavior and habits along with the tough on crime variants across the globe, now add the current pandemic and its challenges further complicating an already rigid and bureaucratic systems of education and rehabilitation (COVID-19 Preparedness Information – CDCR, 2020; Montenegro, 2020; Population COVID-19 Tracking, 2020; World Prison Brief, 2020; Lukacova, et al., 2018; Manger et al., 2019; University and College Union, 2020a; University and College Union, 2020b; University and College Union, 2020c; University and College Union, 2020d; University and College Union, 2020e; University and College Union, 2020f; Montenegro, 2020; De Maeyer, 2019; UNESCO Institute for Education, 1995; Baggio et al., 2020). Moreover, with these unpredictable environments comes a clear need for advancing instructional practices in this specialized environment.

This perspective piece aims to identify possible communication strategies that have the potential of being replicated at all Correctional Institutions across the globe, and how those strategies are impacted by the effects of the Covid-19 pandemic. This perspective piece includes qualitative observation, analysis, and review of literature and practice with the intent of collecting information that may conclude best communication practices and recommendations for growth in distance education and face-to-face education in correctional institutions. This perspective piece may serve as a starting point for educators, Colleges, Universities, Rehabilitation and Education programs, and Correctional Facilities to gain some insight into this unique environment providing valuable information to aid in meaningful education and rehabilitation.

## HISTORICAL FRAMING OF PRISON EDUCATION

For this analysis, I focus on prison education in California due to my personal experience as an instructor in that system. California's educational rehabilitation system is managed by the California Department of Rehabilitation and Education (DORE). The core mandate for DORE is to create clear pathways for inmate rehabilitation through education and enrichment programs. The origins of the modern DORE program can trace back to the late 1800s at New York State's Elmira Reformatory. Rather than managing the prison as a housing facility for criminals, Warden Zebulon Brockway designed programs at this correctional facility in Upstate New York aimed at measurable rehabilitation goals for inmates at the facility. Education served as the core goal for Brockway's system, utilizing measurable/clinical behavioral analysis to determine how education could positively impact an inmate's ability to re-enter society as a form of behavioral change. The resulting process was an early attempt at a form of total person rehabilitation where education served as a primary means of complete person restoration. However, this early DORE model was less than perfect, with multiple allegations of 'cruel, brutal, excessive, degrading, and unusual punishment of the inmates, all

of which were later confirmed by investigative reports (Cabana, 1996). Thus, this initial DORE model led to a brief acceptance of education as a tool for rehabilitation in the Correctional system; however, it also illustrated an early need for prison reform due to the highly visible negative impacts on the inmate population. Not surprisingly, interest in the model declined in popularity in the early 1900s (Cabana, 1996). However, in the first half of the 20th Century, education based rehabilitation continued, with a focus on reaching the inmate as a potential useful member of society upon release (MacCormick, 1937; Schnur, 1948; Jenkinson & Jenkinson, 1953; Allen, 1958).

In 1959, William Nardini argued that prison education aided in bringing about a type of individual rehabilitation from the inside-out. "Educational training," Nardini argues, helps "bring about within the individual inmate a sense of well-being and tranquility which eventually permeates the entire penal social structure" (p. 3).

Nardini further argues that penal education programs must be fitted to the needs of each institution's specialized population. In 1974, Martinson presented a list of general questions designed to address the concerns brought up by Nardini and others who argued that individual institutions needed to evaluate the education needs, both vocational and academic, of their unique incarcerated populations (Nardini, 1959; Ubah and Robinson, 2003; Ward, 2009; Aheisibwe and Rukundo, 2018).

In recent decades, the unique needs of the California Correctional population and the challenges associated with overcrowding have amplified the need for DORE programs and their potential impact on recidivism (Torre & Fine, 2005; Sabol et al., 2009; Hausam et al., 2018; California Department of Corrections & Rehabilitation, 2020). Since the 1980s, state and federal budgets have shifted away from education to care of prisons, focusing on incarceration instead of rehabilitation (Torre and Fine, 2005). Exasperating the situation further, in 1994, Congress passed the "Violent Crime Control and Law Enforcement Act" essentially disqualifying prisoners from any financial aid or assistance for college eliminating the Pell Grant program established in the 1970s (Ubah and Robinson, 2003; Torre and Fine, 2005; McCarty, 2006; Ward, 2009). However, these challenges have not dissuaded this at-risk student inmate population according to the "Census of State and Federal Correctional Facilities, 2005": 85% of State and Federal facilities had educational classes with over 35% of them being higher education courses (Sabol et al., 2009). Critiques of the "prison-industrial-complex" of this era often highlight the move away from education and other rehabilitation goals and ground many current calls for prison reform.

## THE PANDEMIC, PRISONS, AND PRESENT SYSTEMIC INEQUITIES

The pandemic has further challenged the already complicated and bureaucratic systems of DORE that exist, particularly in light of prison overcrowding and racial inequities that permeate the current prison-industrial-complex (Baggio et al., 2020; UNESCO Institute for Education, 1995). According to the United States

Department of Justice Office of Justice Programs, at the end of 2015, the United States had approximately 1,526,800 prisoners in state and federal correctional facilities. California represented roughly 9% of that population (U.S. Department of Justice Office of Justice Programs and Harlow, 2018). Similarly, three years later at the end of 2018, the United States had approximately 1,465,200 prisoners in state and federal correctional facilities, with California representing roughly 9% of that population (U.S. Department of Justice Office of Justice Programs and Harlow, 2018). Across the globe, millions are currently incarcerated in the United States of America at 2,094,000 ranking as the most punitive country with the highest rate of incarceration to date, taking up 18% of the total global incarceration rates (World Health Organization, 2020; World Prison Brief, 2020).

What this tells us is that California has one of the highest prison populations within the United States, consistent with its high overall population totals. This is one of the rationales regarding how California's efforts to influence education standards and related programs will have potential reliability within this at-risk student population.

A recent report from the California Department of Corrections and Rehabilitation (2020) revealed, in its title, how "Several Poor Administrative Practices Have Hindered Reductions in Recidivism and Denied Inmates Access to In-Prison Rehabilitation Programs." The report focuses on California's DORE effectiveness, explaining how the recent state's goals have focused on transition to workforce after inmate release:

Total inmate population generally has declined in the State of California; however, recidivism rates for inmates are on the upturn at around 50 percent, and oversight is needed for effective facilitation of DORE programs (California Department of Correction and Rehabilitation, 2020).

This report resonates with the unique challenges this student body faces and the unique yet straightforward opportunities there are for sufficient growth. In response to a need for advocative roles needed within this system, programs such as Project Rebound, RISE, and California College Promise Grant have developed as well their related chapter within and throughout the state of California. The analysts explain that the programs are designed to assist inmate transition from the prison environment into ongoing academic pursuits, through a community of support, both vocational and encompassing potential higher education goals (Ludlow et al., 2019). However, this support system needs additional resourcing within as well as outside of the California Correctional system itself, and with clear pathways provided by institutions of higher education.

Currently, Post-Secondary education is offered at roughly 35 California Correctional institutions. These participating programs work in collaboration with The Office of Correctional Education of the Division of Rehabilitative Programs, California Community College Chancellor's Office, and over 34 different accredited California Colleges with instruction facilitated in varied modalities (California Department of Correction and Rehabilitation, 2020). However, tuition fees, textbooks and related course instructional materials all fall on the responsibility of the student inmate, which has

proven to present an insurmountable and progressively challenging roadblock to program completion and recidivism rates. These programs are valuable because they provide dual benefit for the student inmate, Milestone Completion Credit(s) and Education Merit Credit following the California Code of Regulations Title 15, and tools that can be used to prevent recidivism (California Department of Correction and Rehabilitation, 2020).

The ongoing issues regarding access to instructional materials is compounded by the social distancing and sanitization requirements of the Covid-19 pandemic. In many cases, the education department and facilities used to run these programs have been closed down altogether (CDCR Visitor Processing Appointment Scheduling System, 2020; Davis, 2020; Kurtzman, 2020). Significantly, these are the facilities that house the majority of educational materials and related staff who function as liaisons between the colleges and correctional facilities, including proctors and administrative staff that help the programs function (James, 2005; CDCR Visitor Processing Appointment Scheduling System, 2020). The quarantining of materials also impacts the functionality of these programs, with instructors often receiving materials from inmates well after quarter and semester terms have ended. For example in California, United States a statewide order was issued beginning Nov. 26, 2020 that ordered limited movement at all Adult, Youth, Fire Camp, and other facilities, all institutions were required to implement a mandatory 14-days modified program with little to no movement of staff and incarcerated population for COVID-19 mitigation purposes (Ventiecher, 2020; COVID-19 Preparedness Information - CDCR, 2020).

Further, pandemic exposure within the prisons themselves has impacted vendor-based functions within the prison systems (Kurtzman, 2020), including educational processes through the reshuffling of inmates within the California prison system, not all of which have educational facilities and programs attached, and, in some cases, higher levels of access blocks and restrictions. And inconsistent implementation of statewide and effective prison-specific mandates has also impacted the ability for educators to effectively reach their students and enter the prison environment safely during the pandemic (Ventiecher, 2020).

State Representative Sydney Kamlager explained, "As we have seen, jails and prisons have become petri dishes for this pandemic" (Davis, 2020). Senator Kamlager goes on to explain that staff and vendors, including educators, proctors, and school administrators, are also at much higher risk due to the population and overcrowding and outdated air circulation systems in the facilities (Davis, 2020). These problems are further identified by active scholars across disciplines (Bisharyan et al., 2020; Kurtzman, 2020; Lee & Green, 2020). Further, many inmates have contracted and developed symptoms of Covid-19, and statewide funding concerns exacerbated by expenses related to the pandemic have led to the partial or complete closure of some prison facilities, including the inability of educational staff and faculty to enter and facilitate required educational processes (CDCR Visitor Processing Appointment Scheduling System, 2020). For example, in May of 2020, only 2 months into the pandemic in the United States, over 500 prisoners in California

were diagnosed with Covid-19, and there were at least five reported deaths (Davis, 2020). By early November of 2020, the total had reached over 16,000 confirmed cases and 82 deaths (Bisharyan et al., 2020; Lee & Green, 2020).

Therefore, inmates who began programs have needed to shift to completely new or altered program requirements part-way through their degree and are thus being further disenfranchised (Newsom et al., 2020; Steurer and Educational Testing Service, 2020). Upon release, former inmates, some of whom have been released early in an attempt to lessen the impacts of overcrowding during the pandemic, continue to face challenges that existed prior to the pandemic. These challenges include a lack of clear reentry plans, a lack of clear educational pathways, and issues related to housing and food security (Anderson et al., 2018; Castro, 2018; Castro & Gould, 2018; Castro & Gould, 2019; Kurtzman, 2020). Covid-19 exposure in the system prior to release compounds this as time is needed for released inmates to enroll in Medicaid, and quarantine time is required prior to entering halfway houses and other housing facilities (Kurtzman, 2020). Further, prison education systems are correspondence-based, so former inmates have not all received the training required to enter the fully online distance-based education systems most colleges and universities shifted to due to Covid-19, many of which are themselves still in flux.

## THE NEED TO REVITALIZE CORRESPONDENCE EDUCATION

These many ongoing challenges have been highlighted by the pandemic, making them visible outside of the prison education system to a broader range of social justice advocates than prior to the problems related to the spread of Covid-19. Many of the challenges faced by California Detention Center (CDC) staff, instructors, administrators, facilitators, and students result from the unpredictability of the environment, coupled with the bureaucratic confines of the institution itself (U.S. Department of Justice Office of Justice Programs, 2018; U.S. Department of Justice Office of Justice Programs, 2016; U.S. Department of Justice Office of Justice Programs, 2003; Jacobs et al., 2019). The challenges such as overpopulation/overcrowding in prisons, infectious disease control, procedural requirements such as mandatory training, counts, and potential lockdowns serve to amplify pre-existing conditions. Furthermore, these challenges are exacerbated, with all operations standing still due to Covid-19 related restrictions, liabilities, and challenges.

Additionally, these challenges reflect those of many non-traditional educational environments which maintain correspondence formats, often involving communities with limited to no access to travel, resources, funding, and instructional materials, or with limited or controlled communication channels. This includes low-income students, rural students, and students in restrictive communities where government or social controls are in place. In this way, the perils of the prison education system not only echo but draw attention

to issues for at-risk and specialized student populations in a variety of settings.

While correspondence education may no longer be seen as common practice within distance education, it remains the only type of instruction possible for many at-risk and specialized student populations. It is important to note that these kinds of environments face unique challenges, unlike other settings where education is facilitated. Therefore, it is important not to neglect the needs of correspondence instructors, students, administrators, and systems due to a belief in their antiquated nature. Student enrollment figures in correspondence distance learning education programs along with a 500% prison population increase in the last 40 years indicate that a modality of teaching is growing needs continued development (Allen, 1958; Kim & Bonk, 2006; Allen & Seaman, 2010; Lei & Gupta, 2010; Caruth & Caruth, 2013; The Sentencing Project, 2018; Smith, 2021).

Prison education is by intent and design limited to correspondence practices. The prison functions as a system separate from educational institutions and processes, and while it is required to address those institutions' accreditation-based goals and policies, these same goals and policies can directly conflict with the needs and restrictions of the prison institutions themselves. As a result, decision making power and what can and what cannot be facilitated for the inmate students in their education program is a process that flows between multiple institutional entities, and often overlooks the needs and recommendations of instructors and students themselves. For example, a prison warden, who essentially is the final determining power and authority within the prison, need not be guided by pedagogical concerns. Similarly, many educational institutions working with prisons are concerned with standardizing processes and minimizing expense, again neglecting pedagogical best practices.

These differences and variations pose challenges for facilitators and educators, such as how to create applicable education programs and material that can effectively reach incarcerated students in multiple prisons. The challenge becomes how to successfully facilitate academic courses and the educational process in such an unpredictable and varied environment. The pandemic has added to this process, by adding additional stages within the communication processes between instructor and student, between instructor and educational institution, between instructor and facilitators, and between instructor and the prisons.

In order to address these many challenges, there are several aspects of correspondence education for incarcerated populations that need to be explored. First, one of the potential areas for growth includes additional support systems in programs that help to facilitate all inmate student population needs. One example of this could be equipped facilities in every California Detention Center (CDC) that has a DORE program as an essential requirement for funding. A second would be to set and maintain predictable hours and access that students can count on that would closely emulate the services that students would receive in the traditional post-secondary educational process. Other perceived support systems should be re-coded as essential and required.

During the pandemic, these challenges are ever present, but will cost in terms of funding, manpower, and goals-shifting for both the educational and correctional institutions. These recommended changes would be, at best, a starting point to help transition students from the Correctional Facility environment to the outside world and function support of their continued educational journey. Outreach via existing reform movements would also provide benefits. In the State of California, for example, those programs could be implemented within the prison and connected to existing external programs and resources, such as Project Rebound, Corrections to College, California, and Prison Scholars already present at California colleges and Universities. These connections would create additional support systems that are independently funded, objective, and not subject to conflicts of interest. They would also mirror the support systems implemented and provided at colleges and universities for on-campus and commuter students. These positions and programs would serve a facilitating, advocative role in the education process as well as serve as checks and balances within the system (Eggleston & Gehring, 1986). These additional follow up support services are needed to ensure that academic programs and education are both significant and in the interest of the rehabilitation of student inmates.

Additionally, since the current financial obligation for purchasing required textbooks for courses is on the inmate student, this places an additional burden. The pandemic has illustrated how delays in mailing and funding challenges prevent students from accessing essential instructional materials in time to complete required coursework. Therefore, a practical solution to this problem would be state-funded support for instructors, colleges, and universities to promote the development of Open Education Resources (OER) materials in correspondence education. This financial support would encourage the development of more free OER materials while also providing free of cost instructional materials to the student inmate population, therefore facilitating equitable and inclusive educational opportunities.

Also needed is pedagogy-based policy at the state level that would hold each warden accountable in implementing best practices that would facilitate effective instruction for inmate students. Some examples of this would be delaying transfers of inmate students until each academic term is complete, allowing access to facilities, technology, and equipment to aid completion of inmate student assignments. Some level of predictability and agreed upon standards are critical (Plemons et al., 2018; Boyce, 2019; Armstrong-Mensah et al., 2020; Loose & Ryan, 2020). Some of these changes include what students have access to, where, why, and to what extent. There are exponential benefits if these changes are incorporated in correctional institutions, colleges, and universities. Furthermore, all parties stand to benefit from these communication best practices.

Many educational institutions have been forced, by the pandemic, to expand their distance-learning educational capacities (Armstrong-Mensah et al., 2020; Loose & Ryan,

2020). This shift provides an opportunity to also expand and rethink the value of correspondence education to meet the needs of new, at-risk, and specialized populations. The ongoing challenges of the pandemic further highlight how staff, instructors, administrators, and facilitators must all be supported, both in terms of funding and in resources and training opportunities to generate the best practices necessary in this newly disrupted mode of education. While a number of the logistical challenges in prison education, such as overcrowding

and high recidivism rates are best addressed through prison reform efforts, the positive impacts of quality prison education can be facilitated through a focus on education reform.

## AUTHOR CONTRIBUTIONS

The author confirms being the sole contributor of this work and has approved it for publication.

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**Conflict of Interest:** The author declares that the research was conducted in the absence of any commercial or financial relationships that could be construed as a potential conflict of interest.

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