CHAPTER VI

Findings, Recommendations, and Conclusion
6.1 INTRODUCTION

Every society faces the problem of crime and them device methods to control crime and criminal behaviour. Prisons and imprisonment are key strategies in curtailing criminality. At the same time the modern society views crime in a social and individual context and demands more humanistic and dignified approach to prisons and prisoners. A sentence of imprisonment constitutes only a deprivation of the basic right to liberty. It does not entail the restriction of other human rights, with the exception of those which are naturally restricted by the very fact of being in prison. Prison reform is necessary to ensure that this principle is respected, the human rights of prisoners protected and their prospects for social reintegration increased, in compliance with relevant international standards and norms.

Imprisonment disproportionately affects individuals and families living in poverty. When an income generating member of the family is imprisoned, the rest of the family must adjust to this loss of income. When released, often with no prospects for employment, former prisoners are generally subject to socio-economic exclusion and are thus vulnerable to an endless cycle of poverty, marginalisation, criminality and imprisonment. Thus, imprisonment contributes directly to the impoverishment of the prisoner, of his family and of society by creating future victims and reducing future potential economic performance. It is in this context modern society is concerned about prison reforms. Prisons are presently identified as reformation centers whereby prisoners were trained to become good citizens. Prison reforms in Kerala are moulded with this reformative aspect in mind. However it is a matter of debate whether the reforms had brought out the expected results. The present study is an attempt to look into the matter of
prison reforms and its outcomes with special focus on the operation of
gatekeepers and channel blocks in the reform process.

6.2 TITLE OF THE STUDY

The title of the study is ‘IDENTIFICATION OF CHANNEL BLOCKS AND GATEKEEPERS IN PRISON REFORM: A STUDY BASED ON KERALA PRISONS’

6.3 OBJECTIVES OF THE STUDY

The present study is undertaken with the following objectives:

• To study the evolution of prison administration system in Kerala and identify their characteristics;

• To identify the role of gatekeepers and channel blocks in prison reforms

• To analyze the impact of prison reforms on the inmates in prisons of Kerala; and

• To analyze the reform programmes in the Kerala prison system

6.4 HYPOTHESES OF THE STUDY

• Prison reforms have made significant change in the infrastructure development of prisons in Kerala;

• Prison reform has contributed significantly in shaping mental inclination towards social commitment of prison inmates in Kerala

• The benefits of prison reforms fail to reach the beneficiaries because of the channel blocks and gatekeepers in the prison system
6.5 MAJOR FINDINGS OF THE STUDY

1. Prison reforms have made significant change in the infrastructure development of prisons in Kerala;

2. Prison reforms have contributed significantly in shaping mental inclination towards social commitment of prison inmates in Kerala.

3. The benefits of prison reforms fail to reach the beneficiaries because of the channel blocks and gatekeepers in the prison system.

4. The age wise classification of the respondents shows that majority of the prisoners belongs to the age class of 18 - 47 years. This shows that a lion’s share of prisoners were in their productive age of life. They are capable of contributing effectively to the society.

5. Majority of the respondents (36.5%) were imprisoned for the first time, 18.2% were imprisoned for the 2nd time, 9.4% of the inmates were imprisoned for the 3rd time, 7.7% of inmates were imprisoned for more than 6 to 10 times.

6. It was found that 40% of the inmates have completed their high school education, 33% have primary education, 11% of them completed Pre Degree/+2 level education.

7. Regarding the employment profile of the inmates, it was found that before entering into the prison system, 23.9% were engaged in manual labor and 21.4% are skilled labors. 8.5% of them were self-employed, 8% of them were farmers and 6.3% of the inmates were employed in private sector.

8. Regarding the residential status of the inmates it was noted that before entering prison, 35.9% of them were houseless, 23.6% have
Findings, Recommendations, and Conclusion

satisfactory dwelling facilities, and 23.4% were residing in very poor situation and only 17.1% have good condition residential homes.

9. The family status shows that 36.5% of them have no relatives, 35.3% are having either wife/husband and 19.9% of the inmates have children to take care of them.

10. From the status of the mental health, it is observed that 88.3% of them have no psychological illness and only 11.7% feel some kind of psychological problems and few of them are still using medicines.

11. It is noted that 65% of Inmates have no disability, 22.5% of them are disabled by disease and 7.1% disabled due to accident. The remaining 4.3% became disabled due to drug addiction and 1.1% of them are disabled by birth.

12. Regarding the health status of inmates it was found that majority (67%) of them have no illness, 22.5% have severe diseases, 7.1% suffers from life style diseases and the remaining 7% of them have sexually transmitted diseases.

13. Regarding the religious belief and faith in God, it is found that 68.7% of them have faith in God, and the remaining 31.3% of the Inmates have no belief in God or in any religion. Majority of the inmates are highly religious in their personal life.

14. It is observed that majority (61.8%) of inmates regret about their past and repents, the rest of 38.2% do not have any regret about their past. The repenting majority is a positive sign in the process of reformation.
15. Out of 351 inmates, 59.3% is unaware about Gandhi and his ideals. It can be concluded that the awareness among 40.7% shows a positive sign for future reformation in the prisons.

16. It was found that 52.1% of the Inmates do not think about the sufferings of the victim family and relatives, and 47.9% think about victim’s family and relatives. This can also be seen as a very positive sign for the future reformation of the inmates.

17. Regarding the channel blocks (non-structural) in prison reforms in Kerala it is concluded that there are non-structural channel blocks in the prison.

18. The statistical results regarding channel blocks (structural) in prison reforms in confirms that there are channel blocks (structural) in the prison reforms in Kerala.

19. From the results of the analysis it is concluded that there are gatekeepers in the prison reforms in Kerala.

20. The Counseling in the prison created a change in 56.1% of the respondents and the remaining 43.9% of them are not benefitted by the process. This highlights the need for strengthening the counseling programs in the prison.

21. 67.8% of the respondents feels that the Prison Reforms are effective. This can be viewed as a positive sign for strengthening reformation process.

22. It was noted that 72.6% of the Inmates employed in prison feel mental relief due to engagement in jobs. It can be concluded that engaging with work is an effective tool for reformation.
23. It is observed that 66.4% of the respondents are aware about the de-addiction programs held in the prison and the rest 33.6% are ignorant about the programs.

24. Regarding the change in the criminal behavior, it was noted that 81.5% of them feel that the stay in the prison changed their behavior. It can be concluded that the imprisonment significantly helps to change the behavior of the convicts.

25. It was found that 84.3% of the respondents feel that vocational training in the prison will help them for earning their livelihood in the future.

26. 86.3% of the prison inmates feel that there is a Psychological change after Imprisonment and rest disagrees with this opinion.

27. It was noted that 87.5% of the respondents feels that Capital Punishment is an effective measure to prevent crime.

28. It was observed that 35.3% of the Inmates feel monthly counseling is essential and 19.4% needs daily counseling and another 14.2% requires weekly counseling sessions for reducing their mental strain. This necessitates the need for more counselors in the prison for strengthening the reforms.

29. Regarding Self-Criticism through reflection and atonement it was noted that majority (75.8%) of them disposed favorably and the rest 24.2% inmates disposed negatively.

30. 78.6% of the inmates opined that conducting self-employment course will help them to obtain good jobs in future after release from the prison.
31. Regarding the relevance of the present prison rules, a clear majority (73.5%) opined that it is an outdated one.

32. Majority (96.9%) of the respondents feel that the Health club /Yoga is essential in prison for providing recreational facilities.

33. It was observed that 94.9% of the respondents need the support from Local Self Governments for their rehabilitation. It can be seen as a positive sign in future reformation process and a step to the socialization process.

34. 94% of the respondents feels that the distance education programs containing Gandhian philosophy will help them for overcoming mental strain inside the prison.

35. Regarding the attitudinal changes of the Prison Staff, it was found that 79.8 % of them feels that there are positive changes among the Prison staff.

36. A majority (92%) of the respondents feel that imprisonment will reduce crime/criminal behavior and from this it can be concluded that there is a change in the attitude of the prisoners after imprisonment.

37. As regards the need for a holistic change in the prison, it is observed that 95.4% of the respondents feel that there should be a holistic change in the prison system.

38. It was found that 65.8% of the respondents agree to the new initiative of chapatti making in the prison. It can be concluded that majority of them support this new flagship programme of the jail authorities and it can be adopted in other places of the state and country.

39. The results of the study shows that 63.5% of the respondents are satisfied with the revised wages in prison.
40. Regarding the effectiveness the coin box system 45% of the respondents reported that it was moderately effective and 30.2% of them felt that it is a very effective system for communication. Only 24.8% of them opined that the system is not effective.

41. It was reported that 60.5% of the prison inmates stated that CCTV system is an effective tool for preventing and reducing crimes inside the prison.

42. It was observed that 45% of the respondents reported that NGO intervention, religious counseling, family relation rapport creation are moderately effective and 30.2% of them said that it is highly effective.

43. 58.7% of the inmates reported that the newly installed solar power system improved living condition inside the prison.

44. It was reported that 64.7% agreed that interview system is good for maintaining relation between families and for reducing the mental struggle. This can be implemented effectively for better reformation.

45. It was found that majority (62.4%) feels that the new initiatives have made significant change in family relation and communication.

46. The results of the study show that only 28.2% feels that the legal support in prison is highly effective. 47% reported that, it is moderately effective and the remaining 24.8% said that free Legal support is not effective.

47. Regarding the effectiveness of freedom in prison 51% reported that there is moderate freedom in prison, 24.8% stated that there is low freedom.
48. It was reported that 78.6% of the inmates never received remission during the period of their Punishment.

49. Regarding parole it was found that 72.9% of the Inmates never received any type of Parole during the period of their imprisonment. This is a negative sign in the process of the socialization of the prisoners.

50. The results of the analysis shows that 40.5% of them have a high relation with their family members before Imprisonment and 21.9% stated that they have a poor relation, another 19.4% have no relation and, the remaining 18.2% of them had a moderate relation with their family members.

51. It was reported that there was a sharp decrease in the family relation after imprisonment. 51.3% stated that they have a very poor relation, 20.5% have a moderate relation, 19.7% of them have no relation and rest, 8.5% of them maintains good relation with their family members.

52. With regard to the share of responsibility in family matters it was noted that 37.9% of respondents had a moderate share, 35.6% does not share any responsibility, 15.4% have high share of responsibility and the rest, of the 11.1% of them have low share of responsibility.

53. The study shows that 67.5% of the prisoners exhibit high risk sexual behavior, 32.5% belong to low risk sexual behavior. It is concluded that a major portion have high risk sexual behavior, which is not a good sign for socialization.

54. It was found that 63.7% of the respondents were addicts of different types of narcotics before imprisonment, another 15.8 % were addicts
of alcohol, tobacco or drugs and rest 20.5% of them have never/used these items before imprisonment.

55. The study found that 69.8% of the respondents are using alcohol/drugs/tobacco after the imprisonment. This is an important area where the prison authorities have to focus in future. Proper measures are to be taken to restrict the availability of these items in the prison.

56. 59.3% of the respondents were in addiction during the time of Crime. It highlights the role of intoxication in the criminal activities.

57. It was reported that 72% of the respondents do not want to quit the use of drug/alcoholic products and only a minority (17%) expressed their willingness to partially quit from alcohol/drugs type of stuff and rest of them (11%) said that they are ready to quit completely the use of these products. This necessitates the need for more rehabilitation programme in the prison.

58. To the majority (55.8%), the imprisonment process affected them negatively and the rest 44.2% feel that it created some positive impact in them.

59. It was found that 62.7% of the respondents are satisfied with the sanitation condition. 32.8% of the inmates reported that sanitation facilities are good.

60. Regarding the provision of water in the prison 62.7 % of the total inmates are satisfied with the facilities in the prison.

61. It is concluded that around 59.2 % of the respondents are satisfied with the availability of cloth in the prison.
62. 51% of the total Prison inmates are satisfied with the availability of light in the prison.

63. It was found that 71.8% of the respondents are satisfied with the facilities to sleep in the Prison.

64. 70.9% of the inmates are satisfied with the provision for watching TV in the prison.

65. 86.3% of the prisoners are satisfied with the medical facility available in the jail.

66. Regarding job activities in the prison it was found that 48.1% of them are satisfied, 44.2% of them stated that it is good and 7.7% of them reported that it is poor.

67. It was observed from the study that 51% of the respondents are well satisfied with the food in the prison, 41.9% of them consider that it is good and the remaining 7.1% reported that it is poor.

68. 51% of the inmates said that there is poor exhibition of copies of rules inside the jail. 34.2% of them consider that it is satisfied and 14.8% reply that it is good. Under section 59 of prison rules, copies of rules, so far as they affect the government of prisons, shall be exhibited, both in English and local language.

69. 56.1% of inmates consider that computer literacy programmes are beneficial for prisoners.

70. Reading time and the related facilities in prisons are still in the primitive stage.
71. The changes happened in the food menu got a lot of appreciation, but need a person centered approach in the changes of menu.

72. The efforts put for the educational enhancement of inmates are not systematic.

73. The selection process for the open prison has to be systematic and merit based. It is also to be ensured that the implementation of a comprehensive approach for the mental inclination towards social commitment of prisoners.

6.6 RECOMMENDATIONS OF THE STUDY

6.6.1 Recommendations to Government

1. Governments tend to refuse to fill up vacancies and augment the staff strength across criminal justice wings. Manpower shortage has been a major bane of the Indian prison system. It is recommended that there should be adequate manpower to manage the jails. The government can ensure speedy and proper recruitment of vacancies in the department by establishing a special recruitment wing exclusively for prison officials.

2. Prison officials of all ranks need to be given special training and orientation for reforming and rehabilitating deviant members of the society. At present there is government facilities for training officials. But these institutions are under-staffed and not effective. Expert service may be availed for training the officials.

3. Departments of correctional services, should support voluntary organizations working on the rights, welfare and rehabilitation of
convicts/custodial populations. reinforcing manpower. Voluntary organizations can effectively deal with the inmates.

4. Over-population of prisons is a major problem in the prison management. It can be tackled by reducing the population of under-trial prisoners. For this purpose speedier trials in special fast-track courts, Lok Adalats, special courts and via video conferencing can be utilised.

5. It is found that many prisoners keep languishing in jails long after they are acquitted, because of the lack of coordination between the court and prison administration. Modern methods of information technology and e-governance should be brought into service for improvements in co-ordination.

6. The Prison authorities and government should introduce more distance learning courses and bridge courses to the prisoners to help them to join into the formal educations stream.

7. Steps are to be taken to strengthen the existing vocational training programs on the basis of the current scenario.

8. The present jail manual are be revised on the basis of the changes in the international standards.

9. More steps are to be taken to popularize the use of Health club and Yoga training inside the prisons.

10. It is found that the initiatives like cake factory and Chappathi making are very popular with the prisoners and the public. These initiatives projects a new image of prisons to the general public. As such this opportunity can be well utilized by the authorities. This model can be expanded to all jails in the state.
11. More coin boxes are to be installed to make the communication system very effective.

12. Majority of the inmates are highly religious in their personal life and religious classes are to be arranged to the inmates.

13. Special training programmes are to be arranged to inculcate the Gandhian values among the prisoners.

**6.3.2 Recommendations for Policy**

1. The present Prison Reforms are effective in reforming the prisons. However the inmates are yet to realize the potential of reforms. There should be more concrete policy measures to implement the reform.

2. At present the inmates feels that the Job in prison gives mental relief. So adequate policy measures are to be taken for the inclusion of more activities inside the prison on the basis of the identification of inmate’s attitudes.

3. After-care for prisoners assumes greater importance when correctional programmes in prisons are enforced properly. Both voluntary and statutory after-care will have to be organized in future.

**6.6.3 Recommendations to Judiciary**

1. The judiciary is to ensure that prisoners are not denied their basic rights of consultation with their lawyers. For this purpose video conferencing should be properly implemented. It can also promote and protect the human rights of prisoners.

2. The support of various agencies like Kerala State Legal Services Authority (KELSA) can be used for providing free Legal support in prison.
3. Many reforms required for effective functioning of the Indian law and justice system, prison reforms are an important part. The various issues requiring urgent attention include the physical structure of prisons, conditions and treatment of prisoners, training and re-orientation of prison personnel, modernization of prisons, and better correctional administration and management.

4. The rules regarding parole should be made more liberal, because it helps the inmates to actively participating in the process of socialization.

5. The existing counseling programmes are to be strengthened by making them more interpersonal process.

6.4 Recommendations to Police

1. The delay in availing police report is a major hindrance in availing parole and release. So there should be proper mechanism to ensure timely issue of police verification to the convicts.

2. Without water down the constitutional rights of every person accused of crime, the law should place positive obligations on accused persons to assist the court in the discovery of truth. Every citizen including those suspected of having committed crime have a responsibility to assist administration of justice. This can be done by more liberal use of rebuttable presumptions and shifting the burden of proof in appropriate cases.

3. Conduct Social Audits of Police Stations and police cases. A social audit is a way of measuring, understanding, reporting and ultimately improving police performance. It can help narrow the gap between a vision and reality.
6.6.5 Recommendations to Probation System

1. The Central Correctional Bureau observed the year 1971 as “Probation Year” all over the country. Probation seeks to socialize the criminal, by training him to take up an earning activity and thus enables him to pick up those life-habits, which are necessary for a law-abiding member of the community. The Probation Officer should guide the offender to rehabilitate himself and also try and wean him away from such criminal tendencies.

2. Probation Officers act as coordinator of district level probation work. At present there is a shortage of probation officers. So steps should be taken to recruit a cadre of qualified officials as probation offices. There should be also monitoring staff who work parallel to probation officers. They are supposed to assist the inmates in the learning process. They can also take care of the post-prison life of an inmate.

3. Persons under 21 years of age are not to be sentenced imprisonment unless the court calls for a report from the probation officer or records reasons to the contrary in writing.

6.6.6 Recommendations to Local Self Government Institution (LSGI)

1. The LSGIs are to formulate more schemes to the rehabilitation of the ex-convicts.

2. LSGIs must take leading role for the self-employment schemes for released inmates.

3. LSGIs should offer social support for the rehabilitated prisoners.

4. All LSGIs must made separate fund in Budget for the rehabilitation of prisoners.
5. LSGIs should show role models in social support and employment programs own areas for the reformed skilled prisoners.

6. LSGIs should support victim’s family as well as the reformed prisoner’s family.

6.3.7 **Recommendations to Health/Mental Health Hospitals**

1. More efforts are to be taken to improve the primary medical support to the inmates in collaboration with more hospitals

2. Inmate need a permanent solution for their psychological problems, so that a fulltime care hospital must be attached with the Prison

3. Special care word in hospital with specialist doctors should be appointed in prisons because of they have high mental tension.

4. All services inside the jail/Prison must be clubbed and made available to all without any discrimination.

5. Medicines are provided in jail/prison for pain killers and common fever/headache. But availability and accessibility is not up to the mark.

6. Training prisoners in nursing care and using their services in the area after their release also can be considered.

6.6.9 **Recommendations for Counselling**

1. More personal counseling programmes are to be conducted to motivate the inmates and create a self awareness among themselves

2. Proper awareness programmes are to be arranged for informing the prisoners about the jail reform activities.
3. Course offered for counselling those who shows good habit and same kind of social responsibility knowledge and educational background prisoner’s that must be support welfare wing for Correctional service in prison also for self-inclination.

6.6.10 Recommendations to Non-Government Organizations (NGOs)

1. The existing de addiction programmes are to be diversified by using the help of more NGOs, who are actively engaged in the rehabilitation of the addicts. The Alcoholic Anonymous (AA) meetings are to be periodically arranged to the inmates.

2. It is suggested that the NGO’s intervention, religious counseling, family relation rapport creation are to be more participative.

3. The opportunities to meet the family members may help to improve the relation with the family in a positive manner.

6.6.11 Recommendations to Prison Staff and Officials

1. There must be a female doctor inside the prison as well as female guards in charge of the female prison premises.

2. Women prisoners must be routinely screened for physical and mental health problems and provided treatment at the earliest.

3. Considering the mental health morbidity in women/men prisoners, mental health services and counselling needs to be provided.

4. Effective planning for mental health care for staff is needed because most of the staff work for years without any relief or break.
5. **De-addiction facility:** Most of the staff use Tobacco and alcohol due to the situation and job stress. Remedial de-addiction facility should be made to correct the behavior.

6. Involvement of family members in counselling is an essential component to good health of women/men staff.

7. **Behavioural Modification and rehabilitation training** are to be conducted every year: High-risk behaviors such as aggression, violence, self-injurious behavior, impulsivity, sexual behavior and substance need to be addressed with appropriate techniques.

8. Junior officers and wardens are to be posted near to her/his house as far as possible.

9. Two month yearly compulsory leave for relaxation for all staff

10. There should be a separation between Correctional and custodial staff

### 6.7 SCOPE FOR FURTHER RESEARCH

The present study focus on the role of gatekeepers and channel blocks in prison reform. The study is also limited to the Kerala context. It is suggested that the same study can be repeated in a national scale to get more information on the topic. There are many rehabilitation schemes operated by state and non state actors. However the impact of such reforms is not properly measures. Thus the working of rehabilitation schemes is a serious topic of research. It is noted that the prison life makes many changes in the orientations of the inmates, particularly with regard to the social system. This subject of social orientations of jail inmates is another suggested research. This study can effectively trace the development of new socialization process inside the prisons. Prison administration in
Findings, Recommendations, and Conclusion

general is a complex subject since the administrators are to take the role of both regulator and reformer. This is a difficult task and a research on ‘the administration of prisons in Kerala’ is a relevant topic of further research. Another suggested area of study is ‘The significance of crime and punishment in the life of victims’. This study can trace out how criminal justice system is accepted by the victims of crime. This study can also be extended to the area of ‘victim-criminal interrelations with a focus on the compensation systems.

The prisons of Kerala are crowded with under-trials. Many of them are denied opportunities of fair and speedy trial for a long time. They face many human right violations. Their plight needs immediate research. Another area of research is the role of technology in prison reforms. There is good much potential for modern technology to ensure more reforms in prisons. This may include video conferencing, surveillance mechanisms and the like. The human right scenario inside the prison is also a possible area of research. Such a study can look into the various aspects of the prisoner’s life.

6.8 CONCLUSION

Prison reforms are a major agenda in democratic societies. There are many initiatives from the part of state and non-state actors to introduce reforms in prisons. In the global level UN\(^1\) and its agencies are working hard to ensure the rights of prisoners.

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1 Key among standards and norms that relate directly to prison reform in the global level are:

- United Nations Standard Minimum Rules for the Treatment of Prisoners
Body of Principles for the Protection of All Persons under Any Form of Detention and Imprisonment

Basic Principles for the Treatment of Prisoners


United Nations Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders (Bangkok Rules)

Other UN instruments relevant to the prison system are:

- Universal Declaration of Human Rights
- International Covenant on Economic, Social and Cultural Rights
- International Covenant on Civil and Political Rights
- The Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment
- Basic Principles for the Treatment of Prisoners
- UN Declaration on the Protection of All Persons from Enforced Disappearance
- Convention on the Elimination of All Forms of Racial Discrimination
- Convention on the Elimination of All Forms of Discrimination Against Women
- Code of Conduct for Law Enforcement Officials
- Basic Principles on the use of Force and Firearms by Law Enforcement Officials
- Safeguards guaranteeing protection of the rights of those facing the death penalty
- UN Recommendations on Life Imprisonment
- Basic principles on the use of restorative justice programs in criminal matters
- Kampala Declaration on Prison Conditions in Africa
- Arusha Declaration on Good Prison Practice.
At the same time, governments are also moving in the way of prison reforms. In the case of India the reforms are effectively taking place in many prisons. The Tihar prison reforms stand as a role model for the global society itself.

The present research shows that the state of Kerala is active in prison reform initiatives. The state and its agencies are promoting many reform projects ranging from coin box to freedom chappathy. These reforms positively influence the inmates. The society is also developing a brighter image of the prisons. It is no more a hate-depository, but a place from where positives are anticipated and produced. At the same time the prison reforms fail to reach its potential with the presence of channel blocks in the prison reforms in Kerala. There is also a high prevalence of gatekeepers in the reform process of prison system in Kerala. The prison reforms have made significant changes in the infrastructure development in prisons of Kerala.

Prison is considered as correctional institution so that all kind of correctional activity focuses towards reform. Systematic and need based interventions and constrictive programmes may help the inmates to develop pro-social inclination and socialization. It is suggested that with better policies and proper implementation mechanisms, prisons can serve their purpose. The prison reform initiatives need larger support from the part of authorities including Government, Judiciary, Officials and Local Self Government. The help of non-government agencies is also vital in the reform process. The new reforms can produce more and more good citizens from our prison system. For this what we need is more comprehension of the prison system and a proper understanding of the prisoner as an individual.