

Did You Know? 1

Did you know . . . that there are 52 different criminal codes in the United States?

Each state and the District of Columbia has its own criminal code, and the federal code defines federal criminal laws. What may be legal in one state may not be legal in another, and prosecuting crimes that cross state borders can be very difficult. However, in the early 1930s, a group of law professors, judges, and lawyers, known as the American Law Institute, began creating a Model Penal Code (MPC) intended to serve as a guideline for more consistency among criminal codes. Many states have since used the MPC to inform their own criminal codes of law.

Questions to Consider

1. What are some disadvantages of states having different criminal codes? What are some advantages?
2. The MPC does not contain any laws criminalizing drug activity, leaving that issue to the states. Do you think it should be revised to include drug laws? Why or why not?
3. If the MPC were to be revised, should viewpoints from people other than judges, lawyers, and law professors be part of the process? Explain.
4. What more do you want to know about this topic?

Did You Know? 2

Did you know . . . that public humiliation or “shaming” is still used as a punishment in the United States?

In Florida, a judge ordered that people convicted of drunk driving place glow-in-the-dark bumper stickers on their cars identifying them as drunk drivers. In Rhode Island, a judge ordered one man to take out a four-by-six-inch advertisement in a local paper showing his picture, name, and age and a statement that he was convicted of child molestation. In Georgia, a man who drove away from a gas station without paying was required to march up and down a busy highway holding a sign saying, “I stole gas, and this is my punishment.”

Supporters of this kind of punishment argue that it is less expensive than incarceration, that victims feel an emotional sense of satisfaction, and that public outrage strengthens community pressure not to violate laws. Opponents of “shaming” punishments argue that they violate human rights to dignity and amount to cruel and unusual punishment, without reducing crime.

Questions to Consider

1. Do you think public humiliation is an appropriate punishment for those convicted of a crime? Why or why not?
2. When shaming punishments are imposed, who else might be affected besides the person convicted of a crime? Would these effects be positive or negative?
3. Conduct some research to find a specific example of a shaming punishment that has been imposed on someone in your state. Do you think this punishment was appropriate? Why or why not?
4. What more do you want to know about this topic?

Did You Know? 3

Did you know . . . that the way prisons are designed reflects changing beliefs about the functions that prisons should serve?

Most people never see the inside of a prison. However, for prisoners and corrections officers, the design of a prison has a direct daily impact. In the 1800s, the Quakers believed that prisoners could only be reformed through strict isolation, and their prisons included large numbers of solitary cells with no opportunity for distraction. A prison reform movement in New York reflected a belief that prisoners could be rehabilitated through labor with other prisoners, and “reformatories” were designed with large common spaces in which prisoners could work. A modern prison in Austria contains pods of cells with soundproofed walls, private bathrooms, kitchenettes, and balconies, reflecting a belief that prisoners should be treated as human beings if they are to be rehabilitated.

Questions to Consider

1. Do you think that designing prisons to be less stressful and unpleasant for inmates and corrections officers is a good idea? Explain.
2. In what ways could new technologies be used to improve corrections facilities or make them more efficient?
3. Choose two prisons currently in use and compare their design. What purposes are met through the layout of each? How has the public responded to the design of each?
4. What more do you want to know about this topic?

Unit 3 Did You Know? References

Did You Know? 1

Lynch, G. E. (2003). Revising the Model Penal Code: Keeping It Real. *Ohio State Journal of Criminal Law*, 1(219), 1–3. Retrieved from http://moritzlaw.osu.edu/osjcl/Articles/Volume1_1/MPC_commentary/lynch.pdf

Robinson, P. H., & Dubber, M. D. (March 12, 1999). *An Introduction to the Model Penal Code*. Retrieved from www.law.upenn.edu/fac/phrobins/intromodpencode.pdf

Did You Know? 2

Markel, D. (August 31, 2004). Humiliation Is Simply Wrong. *USA Today*. Retrieved from www.usatoday.com/news/opinion/editorials/2004-08-31-oppose_x.htm

Massaro, T. M. (June 1991). *Shame, Culture, and American Criminal Law*. Excerpted from Massaro, T. M., (June 1991), Shame, Culture, and American Criminal Law, *Michigan Law Review*, 89, 1880–1944. Retrieved from <http://academic.udayton.edu/legaled/crimlaw/01-Intro/01into02.htm>

Vedantam, S. (November 27, 2006). Abandoned O.J. Project Shows Shame Still Packs a Punishing Punch. *The Washington Post*. Retrieved from www.washingtonpost.com/wp-dyn/content/article/2006/11/26/AR2006112600720.html

WSBTv.com. (November 21, 2006). *Man Ordered to March With “I Stole Gas” Sign*. Retrieved from www.wsbtv.com/news/10374299/detail.html

Did You Know? 3

Johnston, N. (n.d.). *Prison Reform in Pennsylvania*. The Pennsylvania Prison Society. Retrieved from www.prisonssociety.org/about/history.shtml

Lewis, J. (June 10, 2009). Behind Bars . . . Sort Of. *New York Times Magazine Online*. Retrieved from www.nytimes.com/2009/06/14/magazine/14prisons-t.html?pagewanted=all

Library Index. (n.d.). *Prevention History of Corrections: Punishment or Rehabilitation? The Reform Movement*. Net Industries. Retrieved from www.libraryindex.com/pages/2498/History-Corrections-Punishment-Prevention-or-Rehabilitation-REFORM-MOVEMENT.html



Murphy, N. (December 8, 2009). Introduction to Prison Design.

PrisonDesign.org. Retrieved from <http://prisondesign.org/2009/12/08/introduction-to-prison-design/>

New York Correction History Society. (n.d.). The Evolution of the New York Prison System, Part 1. *The Official Report of the New York State Special Commission on Attica*. Retrieved from www.correctionhistory.org/html/chronicl/state/html/nyprisons.html