Problems On Preparation for Pre-Releasing The Elderly Inmates In Thailand

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Abstract

This qualitative research aimed to study problems on preparation for pre-releasing elderly inmates in Thailand in order to identify the root cause and eliminate such problems for increasing the efficiency of the preparation program for pre-releasing elderly inmates. The data was collected by in-depth interview and focus group methods. The samples comprised people with experiences in working with elderly inmates, and both male and female inmates aged 60 years and above. There was a total of 64 informants. The instrument used to collect the data of people with experiences in working with elderly inmates was a structured in-depth interview, and the instrument used in the research and collecting data was a focus group. The results revealed that problems on preparation for pre-releasing elderly inmates in Thailand included pre-releasing program, management in the Department of Corrections, and inmates themselves. Therefore, the preparation for pre-releasing elderly inmates in Thailand should utilize alternative detention for elderly inmate.

Keyword: elderly inmate, pre-releases program, reentry, correctional service, prison

Introduction

Elderly inmates are the fastest-growing group among inmates of various countries such as Australia, Japan, the United Kingdom, and the United States. In the United States, elderly inmates were found to increase from 3% to 10% of the state prison population from 1993 to 2013 which was a 400% increase (Psick et al., 2017; Carson & Sabol, 2016). The application of stringent anti-crime policy in various countries causes long-term imprisonment for inmates that they enter aging while being imprisoned. This causes an increase in the number of elderly inmates. Additionally, the current prison construction has developed to support the number of inmates long-term with

imprisonment (Carson & Sabol, 2016; Fellner & Vinck, 2012; Maschi, Viola & Sun, 2013). Due to an increase in the number of inmates in prisons of various countries, it is difficult for internal prison management. This may lead to serious challenges for correctional officers that they need to deal with problems or respond to emergencies related to the elderly. For example, the study conducted in Switzerland found that an increase in the number of elderly inmate results in a significant increase in chronic illness and disability such as heart disease, cardiovascular disease, and problems of the endocrine system (Wangmo et al., 2016).

For Thailand, there are 344,161 inmates detained in prisons across the country

(Department of Corrections, 2020). According to the statistical survey of the Department of

Corrections of the Ministry of Justice, in 2019, there were 5,891 elderly inmates as follows;

Table 1.1 Statistics of elderly inmates in 3 age groups throughout Thailand (Department of Corrections, 2019)

Age	Sex		Number
	Male	Female	(people)
60-69 years	4,461	1,162	5,623
70-79 years	0	157	157
80 and above	96	15	111
Total	4,557	1,334	5,891

Elderly inmates regardless of male or female are the group with the problem of adjusting to the environment and society after entering the prison. This may lead to a crisis causing physical and mental effects (Saenpong & Suksawat, 2018). In addition to the problem found while being imprisoned, the implementation of rehabilitation activities is also difficult. Due to a great number of inmates, it is difficult to thoroughly access rehabilitation activities. Furthermore, many released elderly inmates have not received enough rehabilitation and pre-release preparation before they are released since there are a number of inmates. This is also a major restriction causing the elderly not fully prepare for pre-release before reintegration into society. Consequently, the elderly inmate rehabilitation is ineffective (Kamkonket, 2016). Therefore, it is essential to study problems in preparation for pre-releasing the elderly in order to identify the root cause so as to eliminate such problems and to improve them for increasing the efficiency of preparation program for pre-releasing elderly inmates.

Literature Review

The concept of human rights and inmates

Human rights are basic rights and liberty that every person shall be entitled to receive equally and fairly as being human regardless of differences in race, family, religion, culture, language, way of living, gender, appearance, age, and intelligence or inequality in economic and social status (Onthong, 2019). Human

rights play a role in humans or even inmates. The revised United Nations Standard Minimum Rules for the Treatment of Prisoners (Mandela Rules) has been unanimously approved by the United Nations General Assembly. These rules determine the minimum standard for effective prison management and ensure the rights of all inmates to be treated with the respect to human dignity and human value. The treatment should consider the basic needs of such inmates without discrimination and torture or other brutal treatments towards inmates. Moreover, The Mandela Rules require prison to provide educational, vocational, and occupational services shall be conducive rehabilitation/socialization and reintegration into society in order to achieve the purpose of imprisonment that is to ensure security to society and reduce recidivism. The prison, therefore, should provide vocational programs to be appropriate to the skills and characteristics of each inmate, and should always be aware that prison officers play an important role in the inmate rehabilitation process. Another significance is that inmates, officers, service providers in prison, and visitors must be safe at all times (Thailand Institute of Justice, 2016).

Concepts and Theories of Rehabilitation

The rehabilitative punishment aims to adjust attitudes and behaviors of offenders through diverse rehabilitation processes such as providing education or vocational training. This is developed from the concept of Positive School of Criminology which considers that criminal behaviors are not caused by free will

but determinism. In other words, an offender does not intend to commit an offense, but their criminal behavior is cultivated and forced by various causes or factors, whether it be internal including mental or biological disorders, or external factors including social and environmental conditions (Ashworth, 2015). These factors are beyond human control. Therefore, individuals' criminal behaviors may be caused by different factors. Since an offender is considered a "patient", punishment should not focus on offense but on studying an offender to find the cause of offense by using scientific methods and rehabilitating such cause. When an offender is rehabilitated, such an offender will no longer commit an offense. If considering an offender as a patient, he or she should receive the right medicine for their illness (Thongyai, 2019).

Pre-release preparation and pre-release preparation program in Thailand

Pre-release preparation is training for rehabilitating deviant behaviors of inmates who are not accepted by society such as pre-release preparation in terms of education, occupation, income, and family. Rehabilitation training is necessary and important to implement before reentering society so that these people can live and society safely.

The Department of Corrections, therefore, rehabilitates deviant and socially undesirable behaviors to be socially desirable behaviors. There are 4 aspects of activities, including vocational training, education such as general education, vocational education, dharma education, air education, moral training, and pre-release preparation. Namely;

- 1. Pre-release training: inmates shall undergo training to be informed about various procedures and conditions before being released so that this will be a guideline upon their release;
- 2. Sending inmates to serve public service outside prison: convicted inmates who have good behavior shall be selected to work outside the prison and they shall be given sentence mitigation that is equal to days of

serving public services. If this job is profitable, inmates shall also receive wages;

3. Other activities are to develop inmates according to the rehabilitation plan conducted by the Department of Corrections based on inmates' needs and appropriations of detention conditions (Kamkonket, 2016).

Therefore, the Department of Corrections implements 4 aspects of rehabilitation, including vocational training such appropriate promotion and development of vocational training, education such as general education, vocational education, Dharma education, air education, moral training, such as weekend meditation training, training. Moreover, what is important is pre-release preparation such as pre-release training, sending inmates to serve public service outside the prison, and other activities. In addition, prerelease preparation is an inmate treatment guideline by employing mental rehabilitation methods so that inmates can reform themselves to be decent citizens and adjust to normal life outside society (Taekasem, 2009).

Preparation program for pre-releasing inmates of the United States

Pre-release preparation refers to the operation for preparing inmates to reenter society through the reentry house. Pre-release preparation begins during the last term of detention. Prerelease preparation aims to help inmates to adjust to be ready to encounter the real situation of society when they are released and reduce recidivism risks (Ellis & Henderson, 2017). Section 3621(b) requires the Bureau of Prisons -BOP to take into account various factors to determine the pre-release preparation plan for inmates in prison to reenter society. Factors that are related to inmates and required to consider include inmates' backgrounds and behaviors, manners and circumstances of their offenses, statements given in the court, purposes of detention, or recommendations. In addition to factors specified by the law, prison personnel need to consider inmates' detention terms, family relationships, and qualities, communities, and environments (Ellis & Henderson, 2019). Inmates are required to

attend a pre-release preparation program at least 30 months before the date of their release according to the sentence. Additionally, inmates with imprisonment sentences not exceeding 30 months need to immediately register to attend a pre-release preparation program (Ellis & Henderson, 2017).

The BOP officers must start planning the release of inmates by holding an initial meeting with inmates and officers which include wing warden, officers responsible for pre-release preparation plan, and counseling officers. Basic programs for pre-release preparation of the United States comprise health and nutrition employment matters, personal/consumer financial skills matters, community resource and information matters, self-development matters. determination of content, duration and the number of inmates of each program is based on officers who are responsible for such prerelease preparation plan. For example, an employment program may train by simulating job interviews, writing resumes for applying to jobs, and so on. For some programs, officers responsible for the pre-release preparation plan invite external speakers to lecture. The duration for attending basic programs for pre-release preparation must not be less than 11. The BOP officers are responsible for assessing and determining before releasing inmates into the reentry house at the center for pre-release preparation which is less regulated. Inmates can choose to live as they want. Pre-release counsel and other activities are provided in the center for building confidence (Ellis and Henderson, 2017).

Previous study of reentry program of elderly inmates

The pre-release preparation program contributes to a better quality of life for eximmates, families, and communities (Jonson & Cullen, 2015). To adjust ex-inmates who attend the program is an important basis to build social knowledge and understanding. The pre-release preparation program must be consistent with participants' backgrounds, genders, capacities, and cultures (Harvey, 2020; Wolfe, 2018). The

reentry programs must be variety and provide inmates to understand information about health, accommodation, occupation, development, financial management and social networks (Harvey, 2020; Burden, 2019; Price-Tucker et al., 2019). Even though public sectors cannot support provide all those programs. However, the basic pre-release preparation program should at least include educational and vocational programs (Duwe, 2018). The research also reveals that factors leading to the success of preparation for pre-releasing inmates include policymakers, correctional officers, people involved, including family community, the intenseness of pre-release preparation program, locations, budgets, inmates, and other factors (Kamkonket, 2016; Shand, 1996).

Methodology

This research was a qualitative study. The data was collected by in-depth interview and focus group methods to study problems in preparation for pre-releasing elderly inmates in Thailand. The samples comprised 25 people who have experiences in working with elderly inmates from the Department of Corrections, Ministry of Justice, Department of Older Persons, Ministry of Social Development and Human Security, Thailand Institute of Justice, Ministry of Public Health, non-profit organizations, and criminological academics and administration; and 39 both male and female inmates aged 60 years and above used to collect data from a focus group. There was a total of 64 informants. The instrument used in this research and collecting data of people with experiences in working with elderly inmates was a structured in-depth interview, and the instrument used in this research and collecting data was a focus group. The interview of each informant took 60-90 minutes on average. In data collection, key informants were asked for permission to record audio. In case key informants did not consent to be audio recorded, the researcher took notes during the interview. When all data from the in-depth interview and focus group from key informants

are acquired and verified, the researcher analyzed data by content analysis and presented results in descriptive content.

Result

The results showed that problems on preparation for pre-releasing the elderly inmates in Thailand comprised of three main factors, which were reentry programs for elderly inmates, prison system and elderly inmates.

Reentry programs for elderly inmates

The programs for pre-releasing the elderly inmates mainly focus on vocational training that proper for gender. Female inmate will be trained about beauty and fashion. While male convicts will practice such as technician, mechanic, carpenter. Those vocational skill require practician with good health and wellbeing such as young inmate. However, aging prisoner will not unsuitable due to degenerative conditions of health.

"The programs for pre-releasing the elderly inmates are not variety. From my experience, I found only two program that are appropriate for elderly such dharma and meditation. I attended meditation program and I pained my legs after pay respect to Buddha because I had to sit on floor for praying for Buddha. The program is not really fit for aging prisoners"

The study also found that programs for prereleasing do not meet the needs of the elderly inmates. Mostly, aging prisoners require programs that support their health and reduce stress such as exercise, listening music, painting or drawing. Moreover, they require the programs that educate and provide information about primary health care for the elderly such as nutrition, first aid for aging accident.

> "I need program that teach about aged care or financial management or retirement. I think that these programs would be more advantage for elderly inmate than meditation program because aging can gain knowledge that

benefit for them when release and reentry into community."

Prison system

The prison system does not correspond to the elderly's physical and health conditions. The major problem of prison system is insufficient number of correctional staffs. This study found that staffs have faced hard work and heavy workload. Then, the staff may experience stress and cannot manage work-life balance. As a result, performance of correctional staffs to operate reentry program for elderly inmate may ineffective.

"Staffs are inadequate. Therefore, some staffs may perform many duties. For example, a correctional staff may work in office from Monday to Thursday and he has also to attend seminar in Friday and Saturday morning. It leads to heavy workload and sleep deprivation. This factor cause results in ineffective performance"

Moreover, the research also found that some correctional officers do not truly understand specific problems and health condition of the elderly. Aging prisoner have degenerative conditions. Consequently, they cannot do activities conveniently as young generation.

"Some officers do not understand this physical and mental health problem. For example, when inmate questions, some officer speak very softly that question. Elderly inmate cannot see and hear clearly due to health condition. So, they do not understand and the inmates did not ask the officers again."

Furthermore, prison structure is inappropriate and assistive equipment is limited for the elderly. For example, sleeping dormitories and toilets of the elderly still lack assistive equipment for the elderly such as handrails and non-slip mats in the shower room. Currently, since various prisons in Thailand have an increase in the number of inmates, this causes prison overcrowding and problems in public utility in the wing which cannot support the number of inmates such as drinking water, food.

"...prison structure such as sleeping dormitory; the elderly still sleeps on the floor. They are hard to get up or sit down. To imaging that the elderly will get tired when they sit on the floor or get up. If their sleeping dormitory is on the upper floor, the elderly needs to walk up the stairs. The toilet is a squat toilet, not a flush toilet. Also, there is no handrail in the toilet..."

Elderly inmates

The research reveals that another major problem also caused by elderly inmates themselves. Aging prisoners do not realize the significance of the program because they deem that the current program does not respond to their needs and the reentry program should be the program that the elderly is willing to learn. Furthermore, elderly inmates do not understand the important of attending reentry program. The program aims to assist the elderly inmate for behavior modification when releasing into society. However, the result indicate that aging prisoner participate the reentry program because they hope another benefit and advantages such as parole, reducing sentence.

"I do not the meditation program. So, I do not attend the program"

"...It takes only 3 days to complete prerelease program for inmates aged 60 years. I do not understand the reason to attend the reentry program. And I do not know what benefit that I can earn from attending this program..."

Discussion

According to the analysis of problems on prereleasing elderly inmates in Thailand, there are three main barriers that occurs from reentry programs for elderly inmates, prison system and elderly inmates.

The previous study indicates that the prerelease program must correspond to inmates' knowledge, capacity, and needs (Harvey, 2020; Wolfe, 2018). Additionally, the pre-release program must be diverse and a variety of programs will encourage inmates to rehabilitate and develop themselves effectively (Harvey, 2020; Burden, 2019; Price-Tucker et al., 2019; Duwe, 2018). However, this research is not consistent with the previous study. This study reveals that the pre-release program does not correspond to the needs of elderly inmates, and lacks variety. Therefore, it is unable to draw the attention of elderly inmates to attend the program.

Moreover, correctional officers are another important factor for implementing preparation for pre-releasing elderly inmates. Successful and effective correctional activities and operations require officers who are competent and understand various characteristics of inmates. Officers need to understand the physical deterioration of elderly inmates or the mental state of inmates who have mental disorders. Moreover, the number of officers must be sufficient and relevant to the workload. Sufficient knowledge, understanding, and officers are conducive to more effective correctional management and operation. However, this research reveals that officers are insufficient that it is unable to thoroughly take care of elderly inmates. Additionally, officers face a heavy workload, causing ineffective performances. Furthermore, some offices lack comprehension of inmates, causing insufficient care. These findings support the previous study that sufficient understandings and officers are related to the efficiency of correctional operation and management (Kamkonket, 2016; Shand, 1996).

The research reveals that because elderly inmates do not recognize the significance of the program, they do not participate in the program, or they participate in the program with hidden purposes such as parole, and sentence reduction. Basically, the major purpose of this pre-release program is to enable elderly inmates to adjust themselves to society and not reoffend. The way elderly inmates are released to reenter society without preparation or participation in the program may cause problems such as adjusting to a new society, being neglected by family and community, or reoffending. The reason supporting elderly inmates participating in the program may be because some elderly inmates are not interested in learning and correcting their behaviors. Since inmates are shaped by deficient environments and societies for a long time, they are not interested and do not recognize the significance of such behavioral correction and preparation. Additionally, insufficient resources in prison may be another factor causing elderly inmates not interested to participate in the program. Since corrections must select limited qualifications of program participants, elderly inmates have more difficulties in participating in the program. As elderly inmate stated;

> "In this preparation program for prereleasing elderly inmates, the corrections also set qualifications. The more people are qualified, the more people need to compete to attend training. This is because each program accepts a few numbers of participants if compared to the number of those who want to attend training."

Participation of family and community is another factor causing successful and effective preparation for pre-releasing inmates (Kamkonket, 2016; Shand, 1996). This is because, in addition to assisting and relieving of correctional burdens officers, participation of family and community strengthens good relationships among family, community, and inmates. This causes sympathy and inmates will not reoffend. However, this research reveals that the major reason that family and community do not participate in the pre-release preparation program is that laws and regulations of correctional agencies do not allow outsiders to enter prison areas. This is to prevent accidents and be easy for prison management. General people can enter prison in some cases and they must be permitted by prison such as being instructors invited by the corrections to provide knowledge for inmates.

Conclusion and Recommendation

This qualitative research aims to study problems on preparation for pre-releasing

elderly inmates in Thailand in order to identify the root cause and eliminate such problems for increasing the efficiency of the preparation program for pre-releasing elderly inmates. The data is collected by in-depth interview and focus group methods. The samples comprise people with experiences in working with elderly inmates, and both male and female inmates aged 60 years and above. There are a total of 64 informants. The instrument used to collect the data of people with experiences in working with elderly inmates is a structured indepth interview, and the instrument used in the research and collecting data is a focus group. The results found that barrier of preparation for pre-releasing the elderly inmates in Thailand comprised of pre-releasing program for aging prisoner, inmates and correctional service.

Due to an increase in the number of inmates in prisons of the country, the government should include alternatives to detain elderly inmates. This is due to the fact that these inmates have the problem of physical deterioration that there should be more alternative laws to replace the imprisonment such as house arrest and Electronic Monitoring: EM, behavioral monitoring, parole which needs to reduce restrictions. In addition, detaining elderly inmates does not require stringent prison and they should be in soft prison to reduce prison congestion.

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