

# A New Model of Penitentiary

**Dorian Chiriță**

*Judge, Craiova Court of Appeal, Craiova, Romania, dorian.chirita@yahoo.com*

**ABSTRACT:** In order to create a better society, due importance must be given to persons deprived of their liberty, in the sense of changing their behavior, so that in the end they no longer commit antisocial acts. As a result, the necessary attention must be paid to the development of appropriate educational and social programs, as well as to places of detention. Thus, as we will show below, the architecture of the penitentiary should be different, both inside and out. We cannot achieve the expected resocialization if we do not adapt the construction of detention units and educational programs to a positive purpose and not to a punitive one.

**KEYWORDS:** Rehabilitation, reintegration into society, penitentiary architecture, healthy environment, communication between detainees and guards, educational programs

In our opinion, the conception and construction of any modern penitentiary must take into account all the evolutions of criminal justice but also of society in general (Micle 2021). Thus, first of all, the architecture of penitentiaries must essentially refer to the detention regimes for which they are intended and to the categories of detainees, as it is not acceptable that in the future, in prisons, there are the same problems as currently related to the detention of minors in the same places of detention as adults, even if there is a separation of the areas intended for them.

We believe that juvenile detention centers should be located separately from the prisons where adults are to be detained, and their architecture, organization and operation should take into account the special needs of minors, and the programs will focus mainly on achieving the educational goal and not repressive of punishment.

In the future, penitentiaries should also be designed separately for men and women, and detainees belonging to sexual minorities should be assigned to male or female penitentiaries, depending on their assumed sexual identity.

Of course, at present it can be seen that, in terms of the construction of detention centers, the new units are gradually moving away from the classic models of penitentiary architecture, characterized by undersized concrete cells along narrow corridors, high-perimeter fenced wires, as well as by other such elements, but, although these buildings have very little in common with those of the last centuries, the architecture of penitentiaries has remained largely standardized throughout the world: large institutions, often located in areas urban, with heavy security features that impress negatively (high perimeters covered with electric wire, visible towers and heavy gates).

Inside, we find sober colors, large rooms in which there are a large number of detainees in small cells, with steel windows, developed on long and narrow corridors. We appreciate that this concept of detention space must be re-evaluated, in the sense of building a truly modern but also useful penitentiary, being necessary to build a detention unit with as many utilities as possible. For a detention center to function as a rehabilitation tool, when designing it, we should start from the premise that people are capable of change and improvement, which is also the purpose of incarceration, respectively that detainees be changed in a positive way at the end period of detention.

It is necessary that the architecture of the penitentiary but also the interior decorations send the message that the incarcerated people are valuable for the society and that the purpose of detention is that of transformation, that from a criminal past we reach a constructive future, and the applied practices take into account the research results conducted in similar institutional settings such as hospitals and long-term care centers.

As a public, social institution, the penitentiary should integrate as a correctional facility, ie integrate as much as possible into the community where the detainee will be released and merge with the surrounding area.

Although it is necessary to maintain a barrier with the outside world, for the safety of citizens, the aesthetic and location objectives of the center should lead to the deinstitutionalization of the building and its integration into the wider community by presenting a modern, citizen-oriented exterior impress negatively or even arouse revulsion.

The penitentiary of the future should also be properly sized: in order to carry out a truly effective rehabilitation program, the operational capacity of any detention center must never exceed one thousand offenders. The smaller the size of the detention center, the greater the chances that program administrators and staff will actually know many of the detainees, that is, their needs, shortcomings, and weaknesses or strengths, and thus better identify efficient ways to treat you.

It thus appears obvious that, when kept in sufficiently small spaces (of course, in compliance with the national and European regulations in force), detainees can receive more attention, training and better individualized treatment. In addition, research has shown that the feeling of isolation and anxiety of the individual is determined by large and crowded spaces.

Consequently, in order to make rehabilitation easier, the centers should be divided into relatively small units, but in accordance with the number of prisoners, properly sized, taking into account the risk and security needs. In order to avoid mixing groups of detainees, each room should provide sufficient space for privacy, which should also include a variety of collective spaces where groups of people can meet to carry out some of the activities practiced and in freedom: cooking, dining, studying, watching TV, reading, playing games and exercising.

In order to ensure specific security, linear projects should be used that provide clear views throughout the center, thus improving search and orientation. To ensure adequate supervision, the organization of direct observation spaces should be organized, with an open office, with a large panoramic window of the penitentiary officer strategically located inside the living area, with a clear and direct view of the detention rooms.

The purpose of direct supervision is to promote constant, direct interaction and normal communication between staff and detainees, proactively identifying and addressing potentially negative events before escalating.

Direct and continuous surveillance of the detention rooms, of detainees entering and leaving these rooms, of observing the route from the exit of the room, along the whole corridor to the entrance to the next corridor, creates an environment conducive to change and self-awareness, encouraging the person deprived of liberty to manage his own behavior and to make responsible decisions regarding his participation in daily activities.

It is necessary to provide a healthy and safe environment: organizing activities that lift the spirits of those deprived of their liberty can benefit not only them, but also the staff, who often spend more time in these facilities than the detainees themselves. Providing a healthy and safe environment throughout the penitentiary is also essential to encourage community involvement and participation, which is essential to the success of the rehabilitation mission.

A living environment that helps rehabilitation more is one that provides a familiar feeling and improves the quality of life. An environment that stimulates detainees in a positive way has abundant sunlight, openness, unobstructed views, good landscaping, access to nature, wooden doors without bars and large windows, mobile furniture, similar to home, with warm colors that express calm and helps protect monotony and motivate the senses.

In addition, allowing a certain degree of confidentiality is a key aspect of the transformation process. Detainees must have the right to privacy for sleep, maintenance and personal hygiene and to the safe keeping of personal belongings. In turn, the personalization of the space should be promoted, for example, by allowing detainees to personalize their

rooms, reorganize the furniture in the living area or adjust lighting fixtures. This promotes a sense of personal dignity and respect for oneself and, in equal measure, respect for the other.

Therefore, a modern detention center requires, in terms of design, a humanizing approach that few other types of public architecture require. A new generation of rehabilitation centers should provide spaces that reduce stress, fear and trauma, spaces that stimulate motivation to participate in positive activities, that reduce negative behavior and that do not create a sense of incarceration and isolation for inmates, but to it helps them to reintegrate into society as future law-abiding citizens.

Life in the safe perimeter of a rehabilitation center should allow as much normality as possible, ensuring detainees a level of responsibility and autonomy that will prepare them for life outside and impose as few restrictive conditions as possible on spaces, traffic and access to indoor and outdoor spaces. However, for those spatial and environmental considerations and their positive attributes to be valuable, they must be accompanied by positive and constructive prisoner management policies, practices and procedures, as well as well-trained staff.

Correspondingly, it should be noted that in the penitentiary system, in addition to the phenomenon of overcrowding which puts detainees in a situation of living in inappropriate and even inhuman living conditions, there are a number of other equally serious problems that need to be resolved and taken into account view on the occasion of the construction, endowment and organization of a modern penitentiary (Zaharia, Turcan, and Romanciuc 2008).

Nature has a special importance on the human psyche, so it is essential that the encounter with nature takes place both outside and inside the penitentiary, for as long as possible. It is therefore essential that detention facilities offer, in this respect, a wide range of outdoor facilities, including an amphitheater, outdoor meeting spaces, walking paths, public art and extensive facilities that detainees maintain as part of their vocational education program.

The creation of spaces in nature for self-reflection, interaction in small groups and meditation contributes to a better re-education. These elements help to create a sense of comfort, protection and belonging and, most importantly, promote rehabilitation and healing, being not only, in the long run, re-education, but also lead to a decrease in incidents of violence between detainees, as well as of detainees to staff. In this context, it should be noted that, given that the prison environment has a particular impact on recidivism, complex solutions must be addressed, using improved design practices that have proven to be effective, ie the old mentality must be abandoned and a new one adopted that is, a mentality of the punishment of rehabilitation and reintegration, so that the current detainees are productive members of the society on release, instead of continuing in the vicious circle of crime.

In many ways, it is difficult to make strong enough arguments to persuade the authorities to build modern detention centers in the future, in parallel with the decommissioning of traditional prisons, punitive buildings whose massive walls express state reproach and are reminiscent of prisons in the distant history of incarceration.

Modern detention facilities need to provide detainees, especially those in the open, with more involvement: their own cell keys, meaningful jobs, better education and mixed age groups - even to allow them to - pain your cells so that you get a sense of familiar place and transform a landscape surrounded by buildings: the library, sports facilities, even a recording studio.

Therefore, more openness is needed in detention centers, with better staff-prisoner relations being a significant factor in preventing recidivism. Therefore, among the architectural elements that should be integrated in the design of a modern penitentiary can be listed a location outside a locality, welcoming entrances to the penitentiary, an atmosphere rather like a civic building, freedom of movement and soft furniture, instead of furniture tough, fixed, access to yards, gardens and technology.

The old prison-style should be linked only to the most difficult detainees by designing or using them only in the most difficult cases. Of course, it should be noted that there are many imperatives that need to be taken into account when it comes to issues of prison inmates, such as access to legal services, the prevention of torture and the effectiveness of the justice system, but it is also essential how to design and build buildings in which prisoners will spend their time.

This is because the architectural design of places of detention is important in itself from the perspective of human rights and human treatment. This is because the architecture sends a silent message to all those who are outside but also inside the place of detention. Inside, architecture has the power to suggest to the detainee what to expect and what are the limits of his behavior.

Unfortunately, in Romania, prisons are about the same. Therefore, in my opinion, their redesign is essential for creating an environment in which detainees can live and not become institutionalized.

Specifically, the emphasis must be on socialization and not on institutionalization, which means providing spaces to stay in touch with their families, work, education and sports activities.

Local cultural values must also be taken into account, taking into account first of all the purpose of applying a custodial sentence, and thus to prepare the detainees not only for the observance of the rules in the penitentiary, but especially for the post-detention period. Thus, if detainees are to lead a law-abiding life when they leave the penitentiary, it is essential that the design of places of detention be carried out in such a way that they can keep up with social practices and community life.

In **conclusion**, I believe that the evolution of society as a whole, but also of those in special situations, such as detention, is, above all, a matter of normalcy.

Regarding the situation of persons deprived of liberty, it must be adapted to the new social, economic, legal and psychological realities. The use of outdated psychological programs can no longer have the expected effect, as society's way of thinking has changed and is changing day by day as much as possible.

Therefore, the change of the legal framework, of the architecture of the penitentiaries, of the psychological programs is very necessary, this affecting, at the same time, the detainees, their families, and the whole society.

## References

- Micle, Mihai Ioan. *Resocializarea deținuților*. <https://www.google.com/search?client=firefox-b-d&q=resocializarea+detinutilor>. Accessed on July 24, 2021.
- Zaharia, V, V. Turcan, and S. Romanciuc. 2008. *Instruirea în domeniul drepturilor omului a colaboratorilor din sistemul penitenciar* [Training in the field of human rights of collaborators from the penitentiary system].