

## **Criteria for Designing Penitentiary Institutions in Light of Modern Penal Policy**

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### **Abstract**

This study aimed to identify the design standards of penitentiary institutions in light of modern penal policy. It specifically aimed to identify the criteria for choosing the location of the penal institution. Moreover, it identified the standards for the interior and exterior design of the penal institution. The descriptive analytical approach was used, and the study found that the more the location of the penal institution is not isolated, the more it is in line with modern penal policy. Furthermore, the larger the area of the penal institution is, the more it is in line with modern penal policy. When designing the interior of a penal institution, adequate ventilation, natural lighting, and appropriate temperature are taken into consideration from the environmental standpoint. When designing the internal spaces of a penal institution, the appropriate space for prisoner rooms and dormitory rooms, along with the availability of sanitary facilities in each room, is taken into account. The study recommended making administrative reform and rehabilitation centers in the police force. This can be done by designing and building penitentiary institutions in accordance with modern penal policy.

**Keywords:** Standards, Penitentiary institutions, Design, Modern Penal Policy.

### **Introduction**

Penitentiary institutions are buildings specialized in receiving and housing the accused, and those sentenced to judicial penalties. In this respect, Foucault defined it as a high educational institution. Prison is also known as a deterrent and preventive institution that isolates the wicked from the good to ensure the protection and safety of the latter. An accurate definition of the penitentiary institutions was given by Denis Perix, viewing it as a means of deterring deviance by implementing punishment. They are also defined as reform institutions that provide a public service by preserving inmates sentenced by a judicial ruling. They treat them humanely, and help them follow the law and not violate it, whether during the sentence period or after their release. Therefore, they are known as prisons in which reform programs are implemented (Opsal, et al., 2022, p 105). The aim is to rehabilitate inmates and prepare them to adapt to society

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again through the application of a set of educational, professional, guidance, and recreational programs. In this respect, the Egyptian legislator used the term prisons and defined them as reformatory institutions where custodial sentences are implemented in accordance with the provisions of the law (Adnan & Soran, 2024, p 1266). They are subject to judicial supervision and aiming to care for and rehabilitate convicts socially and culturally (Egyptian Prisons Regulation Law No. 396 of 1956 amended by Law No. 106 of 2015).

Modern penal policies have become largely focused on reforming criminals (Starke & Wenzelburger, 2024, p 255). According to these policies, reform means treating and rehabilitating the criminal or delinquent. This involves using technical methods based on science. The purpose of this is to change the criminal's behavior from anti-social behavior to behavior consistent with the rules and requirements of the rules of morality and good social behavior. On this basis, the prison is based on two main pillars: protecting the social body from the danger of criminal behavior, and protecting the criminal or delinquent himself. This is done by treating, reforming, correcting and rehabilitating him to become a useful member for himself and for the society in which he lives (Schoenfeld & Campbell, 2023, p 482). Rehabilitation is also defined as changing the offender's behaviour to prevent future crime, for example by requiring the offender to receive treatment for drug or alcohol addiction (Schoenfeld & Campbell, 2023, p 482).

Therefore, the problem of the study is that modern punitive policy is based on the idea of reforming and rehabilitating offenders, and reintegrating them into society as good and useful members. This is done through punitive and rehabilitative programs that are implemented in punitive institutions, such as health, sports, entertainment, and vocational training programs. In this respect, the design of punitive institutions must be prepared and consistent to implement these programs (Aleifan & Alsaif, 2024, p 169). There is a set of standards that determine the design of punitive institutions. Thus, this study aims to identify the design standards of penitentiary institutions in light of modern penal policy. It specifically aimed to identify the criteria for choosing the location of the penal institution, and the standards for the interior and exterior design of the penal institution.

Significantly, this study is the first to link the design of penitentiary institutions to the objectives of modern penal policy, which are reform and rehabilitation. Therefore, it will help enrich the theoretical literature on this topic. It will also enable researchers to build future comprehensive studies on the design of penitentiary institutions. Therefore, this study will help the competent authorities, especially the Department of Reform and Rehabilitation Centers in the Palestinian Police Service, to identify the model design of penitentiary institutions.

This contributes to the reform and rehabilitation of offenders through the penal and rehabilitation programs applied in these centers. Thus, this helps in establishing penitentiary institutions according to these standards or at least modifying the design of these institutions accordingly.

### **Literature Review**

The existing research on designing penitentiary institutions in light of modern penal policy has emphasized the importance of the design and environment of penitentiary institutions. In this respect, Abdel-Salam and Kilmer (2022 929–947) investigated the importance of penitentiary institutions' design and environment. The study targeted Halden prison in Norway. Moreover, it concluded with stressing that the juxtaposition of security practices and therapeutic design elements may have unintended punitive effects.

Apart from this, Arandjelović (2023, p 47) investigated incarceration as the most adopted form of punishment in the West. The study rejected the idea of imprisonment as a form of punishment. Moreover, it concluded with a call for reinstitution of punishment. Other scholars focused on the rights of prisoners. In this respect, Bramandita, et al. (2023, p 795) called for the establishment of private prisons. The researchers emphasized that private prisons can ultimately fulfill prisoners' rights.

Some scholars capture the transformation of prisons and prison policy as a response to the needs of inmates and the requirements of the era. For example, Burciu (2023, p 102) examined the phenomenon of post-soviet prisons' Europeanisation. Comparing the transfer of prison policy from Norway to Latvia and Lithuania, the study found that policy-transfer strategy is fragmented, as in Lithuania. In this respect, the outcome is likely to be non-transformative. Contrastingly, leadership is stable, enjoying larger discretionary powers. In this respect, the intervention strategy is holistic, as in Latvia.

Chaichian (2024, p 141) explicated the difference between spacial justice and social justice while comparing two different approaches to treating crime and criminality. The chapter unveiled the difference between the prison policies and prisons adopted by Unites States and Norway.

Apart from this, Cassidy, et al. (2020, p 102295), stressed the need to devote space for mental health care within the penal estate. The study called upon the penitentiary institutions to relook at the design and policy so that the mental health care is included. The design of prisons is also examined by Engstrom and van Ginneken (2022, p 479). The study focused on the ethical aspect of prison architecture. Reviewing prison design wellbeing features, the study found evidence that prison design features significantly affect wellbeing.

The need to reform prison policy and prison design in a way that achieves the principles of rehabilitation of inmates is sensed by a number of contemporary scholars (Faisal, et al., 2024, p 1; Friedman, 2021, p 689; Galouzis, et al., 2023, p 385; Gibson-Light & Seim, 2020, p 666; Hyatt, et al., 2020, p 47; Karavaev, et al., 2020, p 1; Kemp and Tomczak, 2023, p 25; John, 2020, p 1; Wilenmann, 2019, p 259). The findings of these studies reflect the need to design prison environments with rehabilitative features.

### **Research Questions**

The study problem lies in answering the following main question:

- What are the criteria for designing penitentiary institutions in light of modern penal policy?

The following sub-questions arise:

1. What are the criteria for designing penitentiary institutions according to the location in which they are established?
2. What are the criteria for designing penitentiary institutions according to the internal design?
3. What are the criteria for designing penitentiary institutions according to the external design?

### **Research Objectives**

This study will achieve the following main objective:

- To identify the criteria for designing penitentiary institutions in light of modern penal policy.

It also ventures to achieve the following sub-objectives:

1. To identify the criteria for designing penitentiary institutions according to the location in which they are established.
2. To identify the criteria for designing penitentiary institutions according to the internal design.
3. To identify the criteria for designing penitentiary institutions according to the external design.

### **Research Methods**

This qualitative research seeks to identify the design standards of penitentiary institutions in light of modern penal policy. It uses the descriptive analytical approach to describe and analyze the phenomenon. In this respect, data are collected from journal articles, books and theses. Furthermore, the efforts of jurists who have addressed the subject are utilized and their opinions in this regard are analyzed. The analysis focuses on the design standards of penitentiary institutions in light of modern penal policy.

## **Results and Discussion**

The existing research and legislations on the location of the penal institution agree that the location must be closely related to the objectives of penal policy (Abdel-Salam & Kilmer, 2022, p 929; Arandjelović, 2023, p 47; Bramandita, et al., 2023, p 795; Burciu, 2023, p 102; Chaichian, 2024, p 141). It is determined by a number of factors. In this respect, the location should not be chosen within cities. Moreover, it should not be isolated, taking into account the ease of transportation. Besides, the penal institution should be able to benefit from the public benefits of the neighboring city, such as electricity, water, and sewage. The location should also be chosen on the basis that it allows for the proper organization of the institution's buildings, with full use of all existing natural features (Cassidy, et al., 2020, p 102295; Engstrom & van Ginneken, 2022, p 479; Faisal, et al., 2024, p 1; Friedman, 2021, p 689; Galouzis, et al., 2023, p 385; Gibson-Light & Seim, 2020, p 666; Hyatt, et al., 2020, p 47; Karavaev, et al., 2020, p 1; Kemp & Tomczak, 2023, p 25; John, 2020, p 1; Wilenmann, 2019, p 259). When choosing the location of the penal institution, urban growth and the expansion of the city should be anticipated. Some jurists believe that the closer the location of the penal institution to the city, the better its function will be. This is because more highly qualified guards can be recruited from the better-educated urban residents. High-level reform programs can be provided using the staff and medical, educational, and professional resources available in the city. Significantly, a more effective and productive workforce can be organized with better access to communications, transportation, suppliers, and the consumer market near an urban area. By taking advantage of urban facilities, penal facilities do not have to build their own mini-society to take care of all the educational, employment and living needs of correctional officers and their families (Gibson-Light & Seim, 2020, p 666; Hyatt, et al., 2020, p 47; Karavaev, et al., 2020, p 1; Kemp & Tomczak, 2023).

It is revealed that a good location for the penal institution is consistent with modern penal policy. In this respect, a good location contributes to attracting human competencies capable of implementing penal and rehabilitation programs in a distinctive way, whether social, psychological, religious or medical specialists, etc. (Opsal, et al., 2022, p 105; Adnan & Soran, 2024, p 1266; Starke & Wenzelburger, 2024, p 255; Schoenfeld & Campbell, 2023, p 482; Schoenfeld & Campbell, 2023, p 482; Aleifan & Alsaif, 2024, p 169). Furthermore, choosing a good location close to the inmate's family increases the inmate's chances of contact with the outside world. This facilitates his reintegration into society since he is not isolated from the outside world.

The surrounding area of the site must be taken into consideration. Here we see that the area surrounding the site of the penal institution contributes to improving the psychological state of the inmates, especially if the surrounding area includes beautiful natural scenery. Therefore, improving the psychological state of the inmate contributes to increasing the chances of his reform and rehabilitation.

Significantly, the interior design of penitentiary institutions, international principles and standards and modern penal policy stipulate adherence to providing living conditions for inmates. This is consistent with (Adnan & Soran, 2024, p 1266; Schoenfeld & Campbell, 2023, p 482; Aleifan & Alsaif, 2024, p 169). Therefore, a set of standards should be taken into account for the interior design of prisons. These can be summarized as environmental standards and design standards for interior spaces.

Paying attention to environmental standards within penitentiary institutions helps maintain the safety of inmates. The most important of these standards is ventilation, as the ventilation rate should be 4% of the total area of the room. These standards also include lighting and heat. Sufficient natural light should be provided for prison rooms, as the lighting area should be 8% of the total area of the room.

The temperature can be controlled in general by shading the windows and directing the windows of prisoners' rooms to the north and south to reduce solar heat. Therefore, temperatures should be 15-25 degrees Celsius for moderate climates, and 20-30 degrees Celsius for warm climates.

Accordingly, we see that the environmental standards in penitentiary institutions are consistent with modern penal policy (Opsal, et al., 2022, p 105; Aleifan & Alsaif, 2024, p 169). If the design of the penal institution contributes to providing adequate ventilation in appropriate quantities, proper natural lighting, and moderate temperature, this helps in maintaining the health and physical safety of the inmate. This makes him able to undergo penal and rehabilitation programs, whether recreational, sports, educational, work, or vocational training programs. However, if the inmate's health is not good, he will be unable to undergo these penal and rehabilitation programs (.Adnan & Soran, 2024, p 1266; Starke & Wenzelburger, 2024, p 255; Schoenfeld & Campbell, 2023, p 482; Schoenfeld & Campbell, 2023, p 482).

There are design standards for internal spaces. In this respect, there are many internal spaces with different uses in the penitentiary institution. Their design standards of which must be known. The prison rooms are of two types; prison rooms for one person, which must have an area of (5.4) square meters, and double rooms, which must have an area of (3.4) square meters per person.

Furthermore, the distance between the walls of the rooms must not be less than (2.15 m), and a height of (2.45 m).

Penitentiary institutions include dormitories which are rooms that include a group of inmates, and usually use bunk beds. They should provide an area of (3.4) m per person in the case of using single beds, an area of (2.6) m per person in the case of using double bunk beds, and an area of (2.3) m per person in the case of using triple bunk beds. The height of the rooms should not be less than (2.45 m) and the distance between the walls should not be less than (2.15 m).

Moreover, penitentiary institutions must have sanitary facilities. It is preferable to make a toilet for each room in the penal institution. However, if this is difficult, at least one bathroom should be provided for every (25) people. In this respect, the shower facilities should be outside the cells. Furthermore, at least one shower facility should be provided for every (50) inmates.

Besides, the penitentiary institutions include inner courtyards. These are areas that are covered or shaded, where inmates can spend their day outside the cells, providing an area of 4 square meters for each inmate. There should be one office on each floor, with an area suitable for employees to perform their duties in. Here, it is assumed that the internal spaces in penitentiary institutions, if they are not designed according to standards that preserve the physical and psychological health of inmates, will not be consistent with modern penal policy. Therefore, prisoners' rooms must be designed to take into account the psychological and physical condition of the inmate. Whenever prisoners' rooms are designed on the basis of a room for one inmate, this will contribute to the psychological and physical comfort of the inmate.

The sanitary facilities must be designed on the basis of a toilet for each room. This contributes to maintaining the health and physical safety of the inmate. The inner courtyard also contributes to improving the psychological state of the inmate. In this context, the larger the space allocated to the inmate, the more positive its impact on the inmate psychologically and physically. Furthermore, the exterior design of the penitentiary institution is related to the exterior appearance of the penitentiary institution from the outside. This is unlike the interior design which is related to the design of the penitentiary institution from the inside. Security considerations and standards are also related to the exterior design of the penitentiary institution.

When designing the penitentiary institution from the outside, it must be a penitentiary institution with a unified system. This type includes penitentiary institutions that are built as a single complex. Therefore, the building includes all the facilities necessary for the penal institution, and they are coordinated

harmoniously with each other. This type of penal institution is used for dangerous inmates and inmates sentenced to long-term sentences.

There are penitentiary institutions with a block system, which are correctional institutions built in the form of separate buildings. Each building includes a group of activities that include the kitchen, workshops, etc. This facilitates access from one building to another. Moreover, this type of penitentiary institution is easier to manage, and can accommodate all types of inmates.

Significantly, there is a penitentiary institution with a university campus system. In this respect, the penitentiary institution is a group of buildings, but they are not directly connected to each other. The area of the construction site of the penitentiary institution is very large. This makes buildings far from each other and each building has its own separate functions. Therefore, this type of penitentiary institution is effective for separating penitentiary institutions for men and women, or in the case of penitentiary institutions for juveniles whose imprisonment does not require a high security level.

It is urging to mention here the Lewisburg Prison in Pennsylvania in the United States of America. The prison was built in 1932, and its architecture reflects the reform and rehabilitation thought. Moreover, it can accommodate 1,200 people, which was considered the most modern prison at that time. Many prisons were designed in its style later. This is because it included the most prominent American criminal figures, such as mafia leaders, suspected terrorists, political prisoners and civil rights activists, famous white-collar crime, and drug convicts over many decades. The design of the prison is considered a radical start in the architecture of prison design. It embodies the punitive philosophy that emphasized reform and rehabilitation. In his book *Discipline and Punish* (1977), Foucault provided a series of indicators for the transition from pre-modern to modern prisons. They explained the changing relationship between punishment and the human body. He pointed out that pre-modern punishment was characterized by torture and brutality. It was a prison system based on corporal punishment, and a lack of concern for the reform of prisoners. Post-modern prisons, on the other hand, were spatially organized to supervise, control. They control prisoners, through technical methods, surveillance, and unlimited examination of prisoners, with the aim of reforming them. Foucault believes that the origins of modern prisons can be found in the monastery and the army, both of which emphasize self-control, adherence to rules, obedience, and organization. In this respect, Leesburg Prison was designed on a "telephone pole plan" that provided a number of interior spaces and buildings under one roof, all connected by a central corridor. It departed from traditional prison architecture in a number of ways, including the classification of prisoners and their training according to



gradual levels of security. However, some argue that modern prison architecture should include less of what traditional prisons include, creating an atmosphere of terror and occasionalism.

Stylistically, Leesburg Prison provided spaces for contemplation, study, and reflection. It was designed to be more like a university campus than a prison. Moreover, its spatial design reflects the fact that work and play are essential to rehabilitation. The absence of play and work leads to delinquency and riots, as the average person, if deprived of entertainment, becomes gloomy and irritable.

Hopkins chose the rural Pennsylvania location for the prison for a number of beneficial and stimulating qualities. These qualities include the sunlight and fresh air that were widely available in these places. The site also allowed inmates to raise poultry and cattle, grow a variety of crops, and participate in a variety of sports, including baseball, long jump, basketball, boxing, and weightlifting. Some were active in musical and theatrical groups that performed on stage. Some produced a newspaper, and others worked in a blacksmith shop. Ten classrooms, a library, a reading room, and spaces for education, training, and religious instruction were provided. Hopkins' design was published in leading architectural magazines of the day and became the standard for prison architecture for the next four decades. It was widely copied in prisons throughout New York, Pennsylvania, Indiana, and California.

In fact, penitentiary institutions are designed to hold convicted persons. Therefore, they must have a high-quality security system. This system can be provided by human monitoring using surveillance cameras and other means of protection. However, a penitentiary institution designed with sound security standards will require less effort to provide security. These design criteria include limited access, a security corridor, impenetrable materials and an external fence.

## **Conclusion**

This study addressed the criteria for designing penitentiary institutions in light of modern criminal policy. The results show that the more the location of the penitentiary institution is not isolated, the more it is consistent with modern penal policy. Moreover, the area required to build the penal institution is determined according to the expected capacity, and the area required for external activities such as parking lots, activity areas, and access roads. It also showed that the surrounding area of the penal institution includes all environmental features present in the vital area. The climate of the site is related to the level of thermal comfort for humans inside the site. Apart from this, when designing the interior of the penal institution, environmental considerations are taken into account. The

campus system is found to be the most ideal form of penitentiary institutions in terms of external design in harmony with modern penal policy.

### **Recommendations**

In light of the previous results, the researcher recommends that the Department of Correctional and Rehabilitation Centers in the Police Department design and build penitentiary institutions in accordance with modern penal policy. This can be done through:

- Conducting visits to benefit from international experiences in this field.
- Seeking the assistance of experts and specialists from abroad to design penitentiary institutions.
- Training and preparing architects specialized in designing penitentiary institutions.
- Providing the necessary material capabilities to design penitentiary institutions according to standards.
- Conducting a periodic evaluation of penitentiary institutions by the Department of Correctional and Rehabilitation Centers.

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