

Introduction

Around the world, life expectancies are rising as medical services and quality of life continues to improve in both industrialized and developing countries. This has resulted in a graying of the global population. What is often not discussed and not well known is that this is true both for society, in general, and for the incarcerated population within each society, in particular. Indeed, as will be shown, this is a phenomenon that transcends borders. Our current point of interest is to examine the state-of-affairs in prison systems in the People's Republic of China and the United States. This is a unique opportunity to examine this issue in a country of which little is known by much of the scholarly community. In providing this comparison, we will discuss some relevant cultural differences between views of the elderly in each country, then we will provide some basic information regarding elderly offenders, in general, with additional discussion specifically related to medical and mental health considerations with the elderly offender. A comparison of how this population is maintained will be provided for additional examination.

Cultural Views of the Elderly: Tradition Versus Modern Times in Both Countries

Before beginning a discussion specifically focused around elderly offender treatment programming, we believe that a couple of fine points should be directly addressed so as to ensure that the significance of this comparative article is understood by our readers. This is because research and exploratory articles addressing prison system operations in the People's Republic of China has been scant until the past decade or so. In addition, while research in mental health field has been available with more frequency, it usually has not focused on persons who are incarcerated. Likewise, most all of this research has not focused, exclusively, on elderly offenders. To have the ability to examine this very specialized segment of inmate service

delivery in prison environments in the People's Republic of China (PRC) is a rare event. To be able to consider comparisons in approaches to programming between the PRC and the USA is even more rare.

Such an examination, in reality, requires a blend of disciplines when providing such an analysis because there are many components that must coalesce together in order to provide such a vantage point of inquiry. The fields of penology, gerontology, psychology, multicultural studies are, at a minimum, involved in such a presentation. In addition, there exists the potential integration of counseling/social work, health sciences, legal studies, and public administration within this particular inquiry. Thus, there is a multiplicity of concerns and approaches from which this issue could be addressed. Key among these, at the very beginning, is the differences and similarities in how the elderly are viewed, in general, in both countries. This is important because this is the foundation of everything else that follows in this discussion.

In the United States, there is a tendency to celebrate youth and there is a tendency to avoid or at least minimize the integration of elderly individuals within society. In essence, the elderly are somewhat marginalized in the United States, with legal protections having been developed in an attempt to counter this marginalization. In addition, advocacy groups attempt to counter prevailing negative stereotypes related to the aged and it is only recently, with the emergence of the Baby Boomer generation, that widespread acceptance seems to be more commonplace.

In China, on the other hand, the elderly have traditionally been venerated. From ancient China onward, this has been the case, though circumstances are now changing. During the past three decades, China has underwent significant economic and social change; change that has been unprecedented throughout the remainder of its long history (Fang, Stegall, Gritzmaer,

Fuqua, & Fitzpatrick, 2013). China's gross domestic product has grown by 30 fold and, as a result, has undergone substantial urbanization, with the internal migration of many Chinese from rural to urban locations (Fang et al., 2013). This significant shift in population, mostly due to people moving to major areas of employment, has resulted in the fragmentation of families who once lived near each other but now find themselves far-flung from one another in many cases.

Amidst all of this social change and adaptation, there is a graying of the population in China, just as we have seen in the United States (Fang et al., 2013). In China, the aging society coupled with an increasingly mobile labor force has made it difficult to address the long term care needs of many elderly. As Fang and associates (2013) note "future generations might be open to the idea of accepting alternatives to the thousand-year-old traditions. In the past, aged parents lived with adult children, especially sons. The dynamics of the changes in social and cultural aspects of Chinese living conditions have resulted in long term care becoming a social issue rather than mostly a private family matter" (p. 116).

According to Chinese family law, grown children have a legal responsibility to provide support for their elderly parents if their parents are not able to support themselves (Wong, 2013). Despite this legal obligation, the process of actually fulfilling this legal duty is not always easy because of the fact that families are not always in the same vicinity or region. Use of fact tha

was drafted to protect senior citizens' rights requiring children who do not live with their elders to pay frequent visits to their parents, provide regular phone calls, and/or write them on a frequent basis (Wang, 2017). To further reinforce this point, in cities like Shanghai, laws have been drafted that allow elderly parents to sue their adult children if they do not visit and/or maintain contact (Place, 2016). The fact that these types of laws have become necessary in recent years demonstrates how social and economic changes in China have affected the ability of families to care for elderly members.

All of this is relevant to our more focused discussion related to the care of elderly offenders. The reason for this is because as elderly offenders near the completion of their sentences, their plight in both countries seems to be quite difficult without family support. Dealing with these issues is quite challenging for correctional systems that attempt reentry efforts for aged offenders. While China mandates adult children to care for their elderly parents, this does not mean that this is a smooth process. In the United States, such an obligation does not exist, making matters even less defined. While the United States could consider the possibility of legislating such an obligation, the actual implementation of this option would be difficult because many families are disconnected in the United States, especially when incarceration serves as an aggravating issue to maintaining family cohesion.

Common Presenting Issues with Elderly Offenders

Due to a variety of health problems that develop in the aging process, the housing of elderly

asthma, while serving time. Essentially, all the issues that one encounters within the community when people age are also encountered in the prison, as well. However, in the prison environment, the rate of occurrence for these various challenges is much higher than for those in the outside community and, to make matters worse, the age at which these symptoms appear tend to be approximately 10 years younger for criminal populations than is found among the law-abiding population. Much of the reason for this is simply due the cumulative collection of detrimental experiences that go with living a risky lifestyle; the type of lifestyle that most criminals tend to lead.

In addition, the experience of incarceration itself is a stressful experience, even for those criminals who have become habituated to the environment. The entire experience of being charged, awaiting the court date, going to trial, absorbing exorbitant financial costs, and ultimately being imprisoned, is a noxious experience, at best. When offenders are at the older end of the aging spectrum, the prison environment is particularly irritating and aggravating due to excessive noise, forced interaction with much younger and more violent offenders, as well as an overall sense of deprivation (Wangyi & Yufei, 2017; Tartaro & Lester, 2005). It should be very easy to understand how this type of stressful environment can exacerbate both physiological and psychological functioning, with nervous system reactions resulting in heightened and generalized anxiety, confusion, anger, depression, hypertension, and trauma, given the dangerous aspects of the prison environment. Many elderly offenders, when in therapy, report fears of being victimized while in prison or of dying in prison. Further still, the prison subculture often discourages inmates from talking to security or mental health professionals when in fear due to other inmates. Those who do so are often considered to be weak and provided the label of snitch. Thus, many older offenders learn to be quiet and simply endure their hardships without

assistance, sometimes being exploited routinely by younger and more physically fit offenders.

Prison and jail administrators cannot afford to ignore or side-step these issues because they only get worse over time. In other words, the costs and concerns with liability become progressively and cumulatively compounded, over time, so as to make a non-responsive approach double or triple the danger than if one were to address these needs at the outset.

Actuarial models demonstrate that negligence to these issues simply become more costly over time. Thus, a medically appropriate and timely response is the best option for administrators when addressing challenges for the elderly and/or disabled offender within the institution.

Preventative health care and health education are not, therefore, luxuries but are actually cost-effective and cost-saving measures that keep medical issues from progressing to more serious conditions.

In the United States, during the past rece48.81 40 612 7905c7.23 Tm02,q0mIsQq0.00000912 0 612 792 r

The reason that these prisons set distinctions between males and females is because researchers of Chinese corrections have determined that women have more rapid degeneration in prison environments than do the male inmates (Huang, Zhang, Momartin, Cao & Zhao, 2006). Further, female inmates, including those who are elderly, generally present as more motivated to engage in prosocial reformation. Thus, even though men tend to have lower life expectancies than women, the requirement that they be 5 years older before being classified as elderly has to do with the

depression, anger, and negative psychiatric symptoms and showed better compliance with rules, socialization with peers, compliance with medications, and regular sleeping patterns after 16 weekly sessions in this program. These researchers concluded that art therapy was effective in reducing emotional distress as well as negative psychiatric symptoms among prison inmates in China and also noted that when used in conjunction with medication, it is a highly recommended treatment modality for Chinese inmates who present with schizophrenia.

Another group of Chinese researchers, Chen, Hannibal, and Gold (2016), found similar results when using music therapy with inmates in a Chinese prison. This experiment entailed a classic experimental design (experimental group and control group to examine 100 male inmates randomly assigned to music therapy and another 100 male inmates who were assigned to standard care). The music therapy program lasted over a 20 session period of time with measures of effectiveness consisting of administrations of the State and Trait Anxiety Inventory, Beck Depression Inventory, and the Texas Social Behavior Inventory, for anxiety, depression, and low self-esteem, respectively (Chen et al, 2016). Their conclusion was that group music therapy seemed to be effective in improving anxiety, depression, and self-esteem. However, therapeutic gains were most pronounced when applied to young inmates and among those with lower education levels.

One other interesting example would be the use of cognitive-behavioral programs (CBT) and the use of interventions grounded in positive psychology to aid female inmates who experience psychological distress (Mak & Chan, 2018). The program examined utilized eight sessions of CBT and eight sessions of positive psychological interventions

similar to those in the United States (such as CBT and PPI) are used in the PRC and that they can be effective with both female offenders and male offenders.

Other examples of mental health interventions for the offender population have been

Article 61 In the education and reform of prisoners, the principle of suiting education to different persons and cases and persuading prisoners through reasoning shall be implemented and the method of combining collective education with individual education and combining education by the prison with education by the society adopted (no page number, 2007).

Article 62 A prison shall carry out ideological education among prisoners in legality, morality, current situations, policies and outlook on their futures (no page number, 2007).

Article 63 A prison shall, in light of different conditions of prisoners, carry out literacy education, primary education and junior secondary education. If a prisoner has passed due examinations, the educational department shall issue him the corresponding certificate of education (no page number, 2007).

Article 64 A prison shall carry out occupational and technical education among prisoners in accordance with the needs of production in the prison and of employment after their release. If a prisoner has passed due examination and verification, the labour department shall issue him the corresponding certificate of technical grade (no page number, 2007).

Article 65 A prison shall encourage prisoners to study on their own. If a prisoner has passed due examinations, the relevant department shall issue him the corresponding certificate (no page number, 2007).

Article 66 The cultural, occupational and technical education of prisoners shall be included into the educational plan of the area where the prison is located. A prison shall have necessary educational facilities such as class-rooms and reading-rooms (no page number, 2007).

When reading these articles, it can be seen that education is a very important feature of correctional programming in China. This is not too much different from the United States, particularly if one were to broaden out the meaning to the word "education" to include any and all programs that prepare offenders for life on the outside. In essence, education should be considered to be synonymous with the words treatment or reentry that are commonly used in the United States.

Specifically, Article 61 provides an opening statement on the use of education in the reform of offenders, with a desire to tailor education to different persons and circumstances, thereby making it individualized. The desire to use reasoning in collective and individual education is similar to cognitive-approaches to therapeutic programs in the United States. As with many

correctional agencies in the United States, an emphasis on cognitive restructuring, goal-setting, and pro-social decision-making is prevalent in prison programming throughout China (Bureau of Prison Administration, 2007).

From Article 62 onward, more specific statements address educational reform with offenders (Bureau of Prison Administration, 2007). Indeed, Article 62 places an emphasis on healthy living and a focus on the offender's future in society, which is no different from the focus of reentry programs in the United States. Article 63 speaks specifically to core educational pursuits, which is very similar to GED or HiSET programs, as well as college programs, found throughout correctional agencies in the United States. Article 64 is clearly similar to the vocational and technical education programs that are offered

technical education for offenders based on the

encourages self-paced self-study programs and

67 specifically mentions the use of an educational

individualized treatment plan) which implies that

the specific needs of the offenders_ sm

a merger with a very large prison hospital system (Shanghai Prison Administration Bureau, 2018). Medical doctors who have determined that specialized medical services are necessary for a particular offender (Yuanxi, 2010) have diagnosed the elderly, terminally ill, and disabled inmates held at this prison complex. This diagnostic process is rigorous, with a high threshold maintained in determining placement. This becomes even clearer when one considers that the facility holds 2100 inmates, total, which is a marginal number considering the size of the Shanghai area. This prison facility includes both male and female inmates who are separated from one another, of course (Shanghai Prison Administration Bureau, 2018).

It is important to note that Nanhui prison is considered a cutting-edge facility in China, having been the benefactor of numerous honors and awards. Much of this has to do with the fact that this prison was deliberately built to play the role of a showcase facility. The very design of the prison, at the time of construction, was developed to optimize medical and mental health treatment programs. Indeed, throughout the prison, cell placement is such to allow inmates to be brought from their cell to the hospital in approximately 5 minutes or less, in anticipation of a frequent number of emergencies (Shanghai Prison Administration Bureau, 2018). The entire focus of Nanhui Prison is to meet the medical and mental health needs of the inmates within the facility. Various design features have the elderly and disabled in mind, from barrier-free access at ground entrances and exits, to ample elevator access, to toilet facilities with alarms. The focus of the Nanhui facility is the safety and welfare of these inmates housed there (Shanghai Prison Administration Bureau, 2018).

Aside from the medical contingencies that are associated with these inmates, other specialized needs are also considered priorities, including the mental health and emotional welfare of elderly inmates. As we noted previously, the Chinese often refer to their therapeutic service delivery as

education, often considering therapeutic interventions and educational programming to have similar objectives. This is, in actuality, not very much different from what is often referred to as psycho-education in the United States, where the program is not considered a genuine therapy session but is also not an academic, school-based, or vocational program, either. Rather, psycho-educational programming tends to be manualized approaches of programming that present psychological or mental health topics to a large group, collectively, filling in the gaps in knowledge that exists between therapy sessions. In fact, in most custodial settings, this approach tends to be the most commonly used means of disseminating information among the burgeoning prison population in the United States. With this in mind, the Shanghai prison system provides a number of psycho-educational programs, some of which are listed and discussed as follows:

1. Life education: Prison staff attempt to influence the cognitions of elder offenders by providing a positive outlook on life through a variety of mediums including films, literature, and religious materials from Chinese and the world cultures. This is intended to cultivate protective factors against depression, anxiety, and suicidal ideations. As is commonly known among prison administrators, staff, and mental health workers, the elderly are more likely to commit suicide when they are in prison. Programs that provide optimistic messages regarding life, meaning, and the power of human potential give hope to inmates who might otherwise withdraw further from functional programming and social engagement (Shanghai Prison Administration Bureau, 2018).

In some cases, life education programming may also have a health and wellness aspect, where healthy habits and lifestyle

themselves no longer supported by their family. Some will lose contact as family members move on with their lives and lose hope or interest in following up with the elderly person who has been absent for a prolonged period. In addition, many of these elderly offenders may have simply exhausted the patience and care that family members may have once had, particularly if they have been habitual offenders throughout their lifespan. In such cases, these offenders are seen as a liability to the family. However, events such as the *Double Ninth Festival* have resulted in reconnection between the estranged offender and family members. Such outcomes are not only positive for the individual inmate but also for broader society as it helps to diffuse some of the hardship that family or other support persons might bear. This also helps to avoid unfortunate incidents where such individuals are forgotten and discarded within broader society.

3. Voluntary Rehabilitative Labor Projects: When discussing this program, it should be pointed out that; primarily, this is not a compulsory program (Shanghai Prison Administration Bureau, 2018). It is never an expectation that elderly offenders will be required to engage in labor projects. However, many such offenders are accustomed to being busy throughout their day and do wish to have some type of meaningful activity that serves a constructive purpose throughout their incarceration. For many, this activity keeps the time from dragging by at a slow pace, making the experience of doing time more manageable (Shanghai Prison Administration Bureau, 2018). In effect, this coping mechanism counters the mental apathy and hollow sense of being forgotten that many elderly offenders experience.

4. Creative and Optimistic Atmosphere Maintenance: This type of programming : } v ing paa

come from agrarian backgrounds and the ability to feel the soil, be in sunlight, and engage in life-sustaining activity can be very therapeutic. This type of programming is very similar to gardening recreation programs utilized in many prisons in the United States. Indeed, one unique gardening program can be found at Rikers Island in the state of New York. In 1997, the Horticultural Society of New York (HSNY) began GreenHouse, a program providing inmates at the Rikers Island jail complex horticulture training and work experience in the design, installation, and maintenance of gardens (Lindemuth, 2007). This often results in reductions in criminogenic tendencies among offenders and has a calming effect for many elderly inmates (Jenkins, 2016).

Programming that provides for painting and calligraphy activities are also provided to elderly offenders. The use of painting can be therapeutic, both mentally and medically. The ability to engage in creative outlets improves the mood of most inmates, whether younger or older and helps to buffer against negative affect and anxiety-based disorders. Further, the ability to engage in detail oriented artistic pursuits, such as calligraphy, helps to maintain fine motor skills and can buffer against cognitive deterioration, such as is encountered with dementia (Sackett, 2018).

Lastly, Nanhui prison encourages their elderly inmates to participate in a type of Chinese body exercise called *taiji*, also referred to as *shadowboxing* (Shanghai Prison Administration Bureau, 2018). *Shadowboxing* is a slow and calm sport that works various muscles throughout the

Programs for elderly offenders in prison and jail facilities exist throughout the United States but are not sufficiently offered so as to be a common provision. Of those that exist, many of these programs specifically seek to get the elderly inmate involved in socially interactive experiences, work programs to aid in maintaining a sense of independence and self-worth, as well as recreational programs that assist with both social activities and the use of various models

References

- Berger, R. (2018). Criminal behavior among the elderly: A look into what people think about this emerging topic. *Advances in Aging Research*, 7(01), 1.
- Bureau of Prison Administration. (2007). *Prison law of the People's Republic of China*. Beijing, China: Ministry of Justice. Retrieved http://www.npc.gov.cn/englishnpc/Law/2007-12/12/content_1383784.htm
- Chen X.-J., Hannibal N., & Gold C. (2016). Randomized trial of group music therapy Yold C. (2016).

Krause, N. (2007). Longitudinal study of social support and meaning in life. *Psychology and Aging* 22(3): 456-69.

Lin, X., & Shen, W. (2017). Do the 'Haves' come out ahead in China's prisons?: An Empirical study of China's commutation procedures. *International Journal of Law, Crime and Justice*, 48, 1-13.

Lindermuth, A. L. (2007). Designing therapeutic environments for inmates and prison staff in the United States: Precedents and contemporary applications. *Journal of Mediterranean Ecology*, 8, 87-97.

Mak, V. & Chan, C. K. (2018). Effects of cognitive-behavioural therapy (CBT) and positive

