

Elderly Offender Prison Programming  
in the People's Republic of China and the United States

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### Abstract

Throughout the world, there has been a significant increase in the proportion of people who are classified as elderly. The reasons for this are the increased modernization of many nations due to the impact of globalization on transportation, communications, food production, and medical services. As a result of these improvements in the average quality-of-life, people are living longer. The same growth of elderly persons has been seen within prison systems around the world, as well. This article examines the impact of the graying of society in the People's Republic of China and the United States, in general, and the correctional systems of both countries, in particular. A comparison of each country's approach to providing programming for elderly offenders within each nation is provided. Legal requirements and constraints relevant to correctional administrators and the rights of elderly offenders are discussed. Medical and mental health characteristics of the elderly offender population in both countries are presented. Both similarities and differences in correctional systems as well as offender population characteristics are explained, providing a unique opportunity to gain insight from the two largest correctional systems in the world.

*Keywords:* Correctional systems, Elderly, Offenders, Incarcerated

## **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, Gritzmacher,

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, as was the case generations ago. While households may have several generations of Chinese families living in one house, the reality is that financial necessity is forcing many young people to leave home, with their older parents sometimes being left behind. Thus, urbanization, mobility of the workforce, and longer lifespan have led to social and cultural dynamics that are somewhat similar to those experienced in the United States.

In fact, this is so true that in Southwest China's Chongqing municipal government, a law

was drafted to protect senior citizen's 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 offenders requires special attention and consideration (Skarupski, Gross, Schrack, Deal, & Eber, 2018). For elderly persons, special diets, access to extensive medication regimens, and specialized equipment for mobility, vision, and hearing, may all be necessities while in the institution. Many suffer from health conditions such as diabetes, coronary heart disease, and

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 recession era, many state correctional departments have had to reconsider both their institutional policies as well as their state-level legislation on crime and punishment. This is particularly true due to the compounded impact of the War on Drugs and Three-Strikes sentencing strategies. As sentences became longer, a larger proportion of the inmate population were at later lifespan stages. Thus, costs increased simply because more offenders had been locked up and also because more of the locked up offenders were elderly or near to being elderly. States such as Connecticut, Arkansas, Louisiana, Mississippi, and North Dakota found it necessary to revise their mandated sentencing schemes. In addition, states like California found themselves under injunction and under scrutiny by the United States Supreme Court, requiring that they reduce the number of offenders that they house in their facilities. Overcrowding was directly associated with prior lengthier sentencing and this resulted in even more elderly offenders in custody.

Lastly, in both the United States and China, there are legal requirements for minimal standards of care for inmates in general and for elderly inmates, in particular. It is important to mention that in the United States, there is no specific cut-off age at which correctional systems consider offenders to be elderly (Office of the Inspector General, 2016). However, reports from the Bureau of Prisons and from numerous states throughout the U.S. consider 50 years old to be a point in the lifespan where the person is considered to be substantially *aging* (Office of the Inspector General, 2016). Some of the reason for this is because on the whole, the offender population behind bars tends to have led a lifestyle of neglect due to drug abuse, poor diet, and multiple in-again/out-again patterns of incarceration. Over time, these experiences take an additional toll that leads to advanced aging of the human body.

Regardless of the specific age identified by correctional systems, accommodations for elderly offenders who have physical or cognitive challenges are required by the Americans with Disabilities Act (ADA). The ADA requires that correctional administrators provide living conditions that are amenable to the specialized needs of elderly offenders. Case law such as *Estelle v. Gamble* (1976), has made it clear that medical needs encompass mental health issues, as well, and that prison organizations have a requirement to not exercise deliberate indifference toward the serious needs of inmates. Thus, administrators simply cannot ignore this issue as the legal costs for non-compliance preclude this as an option.

### **Elder Offender Rights in the Chinese Correctional System**

As with the United States, Chinese correctional officials also are confronted with various physiological functions of the elderly that continue to deteriorate with age, accompanied by various chronic diseases (Berger, 2018). In addition, mental health issues of the elderly, such as Alzheimer's disease, are also a continued concern. It would seem that the connection between

physiological health and mental health, as well as the impact of an aging correctional population, have generated similar concerns for both countries.

In response to this growing concern, the People's Republic of China (PRC) enacted a law known as *Amendment 8*, that became effective in 2011 (National People's Congress, 2011). This statute holds that if a person commits an intentional crime at the age of 75 or greater, they may be granted a lighter sentence. Likewise, individuals who are 75 years and older cannot be subjected to the death penalty, unless the offender has committed an act of particular cruelty. The rationale for this statute and for these provisions of leniency in sentencing has to do with an acknowledged degeneration of the brain for persons over the age of 75, which affects the cognitive speed and sense of judgment of persons at this age (National People's Congress, 2011).

It is important to understand that in China, there is a dearth of provisions for the elderly offender, unlike the specialized juvenile legal system. Sentencing and punishment for elderly offenders has not been an area of concern that was prevalent or pervasive enough to warrant more careful consideration, until the past few years. Other legislation stipulates that the commutation of an elderly offender or an offender suffering from a disease or physical disability, is subjectively determined by the honest and heartfelt nature of his or her confession and expression of repentance. Nevertheless, when identifying exactly who it is that qualifies as an elderly offender, Article 39 holds that a criminal who reaches 65 years of age is considered an elderly offender and is given leniency (Lin & Shen, 2017; Sunxiaohong, 2011).

While different legislative articles in Chinese law may dictate the actual age at which an offender is classified as elderly, prison facilities are allowed to set their own institutional rules on classifying offenders. Among the 13 prisons located in Shanghai, China, prison rules dictate that male inmate aged 60 or above, and female inmates, aged 55 or above, qualify as elderly offenders.

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 actual health differences between elderly men and women in the prison environment. To some extent, research in the United States has also found that female offenders in prison facilities exhibit more difficulty coping, both physically and psychologically (Owen, Pollock, Wels, & Leahy, 2015).

### **Prison Mental Health Programming in China**

Mental health services are provided in various prisons throughout much of China. These services, where provided, are innovative and similar to what might be found around the globe in other progressive correctional systems. We present this point, supported by research studies of mental health programs in prisons throughout the People's Republic of China, to demonstrate that mental health programming is not new to the PRC, thereby allaying the concerns of potential skeptics who might wonder if provisions for elderly offenders in the PRC are suitably developed to address serious mental health concerns.

For instance, the use of art therapy has been utilized with successful outcomes among inmates who are diagnosed with schizophrenia (Hong-Zhong, et al., 2017). The use of such programs have been subjected to evaluation using randomized, longitudinal, controlled trial experiments. This research examined the effectiveness of a specific program developed in the People's Republic of China, called *Go Beyond Schizophrenia*. Hong-Zhong and associates (2017) found that programmers who completed this art therapy program had significant decreases in anxiety,

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 (PPI) in a prison located in Hong Kong. Mak and Chan (2018) found “support for the effectiveness of psychological interventions with psychologically distressed women in prison” (p. 158). This study demonstrates that programs

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 conducted in response to problems with heroin addiction and rates of HIV among drug offenders. These types of treatment programs for offenders both in prisons and in the community include compulsory rehabilitation programs (Hser, Fu, Wu, Du, & Zhao, 2013; Yangguoqiang, 2009), the use of harm reduction strategies with drug offenders (Meise, Wang, Sauter, Bao, Shi, Liu, & Lu, 2009), and suicidal ideation and suicide prevention (Zhang, Grabiner, Zhou, & Li, 2010). Lastly, we want to note that this is not meant to be a comprehensive review of offender treatment literature in China but is simply meant to demonstrate that a variety of offender treatment programs are conducted throughout the nation and that these same programs have been subjected to scrutiny of peer-reviewed methodological testing.

### **Corrections in China: An Emphasis on Education and Reform**

The primary source from which most prison standards of operation is derived is the Prison Law for the People's Republic of China (Bureau of Prison Administration, 2007). In Chapter V of that document, specific articles have been included that address the overarching goals of the correctional system throughout China. In particular, Articles 61 through 66 outline specific elements of reform common throughout facilities in China, regardless of the region or city where they are located. These specific articles are provided, in full, as quotes from the Prison Law for the People's Republic of China. Note that any awkward wording of these items has to do with the official translation from Chinese to English. They are the official English translations, to be used verbatim, as disseminated by the Bureau of Prison Administration (2007). Articles 61 through 66 state that:

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 in the United States, calling for occupational and technical education for offenders based on their employment needs after their release. Article 66 encourages self-paced self-study programs among offenders. Lastly and very importantly, Article 67 specifically mentions the use of an educational plan for offenders (consider this the same as an individualized treatment plan) which implies that an overall set of objectives are designed to meet the specific needs of the offender. The fact that cultural issues are part-and-parcel to this process demonstrates the encompassing nature of these treatment plans.

### **Programming for Elderly Offenders in the People's Republic of China – An Emphasis on Shanghai Prisons**

Throughout China, most provinces have not built facilities for elderly offenders. Among cities in China, Shanghai is perhaps the most modern and affluent, with a population of over 24 million people. This means that Shanghai has a population size and economic base that is greater than many entire nations. As such, Shanghai tends to be a trendsetter in China, being a source of innovations in the field of penology. In 2017, Shanghai established the first prison to specialize in the collection of elderly, ill, and disabled offenders. Nanhui prison, as it is called, is the product of

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 choices are discussed. In the PRC, just as in the United States, the offender population tends to lead an unhealthy lifestyle that includes risky behaviors that influence the physical health of the individual. Drug addiction, poor nutrition, contraction

of sexually transmitted diseases, hepatitis, tuberculosis, and other diseases or illnesses are disproportionately encountered among this population when compared to those who are free in Chinese society. Special speakers may visit the facility to provide information on medical issues, large and small. In some instances, cancer-awareness or other prevention initiatives may be the focus of a given presentation. The key desire is to develop better awareness and motivation to live well (Shanghai Prison Administration Bureau, 2018).

**2. Social & Family Relationship Education:** This type of programming provides guidance to offenders on the restoration of important social relations. Many elderly offenders have a strong desire for kinship, and many worry about life outside prison. Therefore, the prison staff aide these offenders on effective family functioning and arrange for them to make family contact, when feasible. These programs also engage a large number of social assistance volunteers who are actively involved in facilitating these programs (Shanghai Prison Administration Bureau, 2018). Many of these volunteers are prison activists and humanitarians who seek to bring care and encouragement to elderly offenders. This program often helps to build a sense of hope among many elderly offenders who are often apprehensive about their own release. In many respects, this is thought to help ease the re-entry process from prison to the community for these offenders.

One specific example of how volunteers, family, and tradition coalesce into meaningful pro-social experiences for these offenders might be the festivities encountered during the *Double Ninth Festival*, a major holiday in China. During this holiday, many relatives will come to the prison and observe plays and skits compiled, directed, and performed by elderly inmates. During this holiday period, prison staff will arrange family meals and provide for family time and discussion (Shanghai Prison Administration Bureau, 2018).

As in the United States, it is not uncommon for elderly offenders in China to find

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 re-connection 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 is intended to cultivate an environment of creative expression and energy. In Nanhui Prison, gardening programs where offenders can grow flowers and other plant life to beautify the facility grounds provides a connection to nature and to living things (Kam & Siu, 2010). Many of these offenders

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 body as the person throws punches, performs kicks, and conducts other maneuvers that parallel involvement in a combat sport; but the person simply shadows what they would do in an actual combat situation. Individuals complete this exercise, which helps to keep the person's muscles and joints in good use, while also contributing to healthy blood flow throughout the body.

### **Programming for Elderly Offenders in the United States**

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 sensory maintenance exercises.

Other forms of intervention include reminiscing groups, where offenders may reflect back on moments of which they are proud, accomplishments throughout their life, or where they can review and take stock of their lives. In some cases, these types of groups can allow these participants to address areas of grief and regret in their lives, providing a forum where supportive feedback can be provided in a venue that is safe and caring. This can provide a significant healing effect and can provide the participant with closure, resolve, and meaningfulness in their life during a time when they are pondering their existence.

As was noted earlier, the entire incarceration experience is stressful; support groups can provide a means for elderly offenders to express their emotions that they usually would not express in the prison facility. When elderly offenders are put into programs where others on the dormitory or cellblock are also participants, the culture of their living environment tends to be conducive to the service delivery of therapeutic programming. In essence, therapeutic communities are formed in doing this and these approaches are among the most notable in assisting elderly offenders. One such program, known as *True Grit*, has been designed by the Nevada Department of corrections, as a premiere program for elderly inmates. The True Grit program allows aging inmates to participate in activities such as wheelchair basketball, pet therapy, art therapy or other forms of active living.

Other forms of programming may include recreational programs such as table tennis, low-impact exercise groups, guest speaker events, creative writing exchanges, book reading groups, and even volunteering for charitable causes. All of these activities are intended to keep the elderly offender physically active, mentally stimulated, and/or socially involved. They also can boost the offender's sense of self-worth and sense of purpose in the world. All of these are excellent means of combatting apathy, depression, and anxiety that can be associated with life behind bars. It is also noteworthy that none of these programs are expensive; quite the opposite, they are very inexpensive.

Research has shown that elderly persons who are socially connected and active tend to have better life outcomes (Krause, 2007). Conversely, isolation tends to contribute to poorer health, over time, as well as a degeneration in cognitive functioning (Eisenberger & Cole, 2012). In an opposite, but logically consistent manner, when older people are kept apart and in isolation, both physiological and psychological health tend to deteriorate. Thus, social interaction, physical activity, and a sense of purpose can all aid in improving the prognosis of elderly offenders in a variety of medical and mental health circumstances. Activities that require some type of involvement or exertion to keep the elderly offender's mind and body in a state of motion are superior to encouraging a sedentary existence that will likely result in muscles or minds that enter an atrophy-like process.

### **Conclusion**

Incarcerated elderly offenders are a fast-growing and expensive-to-house population in correctional facilities in the People's Republic of China and the United States. In both countries, specific programming has been implemented due to humanitarian ideals and legal requirements. Likewise, providing program dorms and locations where elderly offenders are housed together

tends to improve their safety from potential victimization by other younger inmates. This standard-of-care, to provide for the safety and security of those in custodial settings, are expectations in both the United States and the People's Republic of China.

In addition, it is prudent to provide programs that help to buffer against debilitating mental health issues as these can exacerbate medical challenges that these offenders already face. Programs that provide opportunities for elderly offenders to engage in physical exercise, social interaction, and mentally stimulating activities can aid these offenders in their ultimate reentry into society. These programs are effective preventative mechanisms against potential medical or mental health hardship. These initiatives also help the reentry process for the offenders who, without such assistance, are often left in vulnerable circumstances within the community.

In comparing issues pertaining to aging offenders in both countries, it can be seen there are, in actuality, more similarities than differences in the challenges that both systems face. It is clear, however, that in both countries, concern for the offenders, themselves, is a priority. While no correctional system can perfectly address all the myriad challenges presented behind bars, each has made substantial strides to address a burgeoning issue that exists. This means that each system has ample ground to learn from one another and, each system should find sufficient incentive to make efforts to facilitate the sharing of information and ideas. Being that the United States and the People's Republic of China have the two largest correctional populations among the various nations around the globe, such sharing would likely set a good precedent that could positively impact the entire worldwide correctional population. This would be a beneficial outcome for the entire international community.

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