

# “A model prison for the next 50 years”: The high-tech, public-private Shimane Asahi Rehabilitation Center



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## Abstract

The declining incarceration rate in America provides an opportunity to rethink the quality of prisons and ask: If you were told that your neighbors were newly released prisoners, what kind of institution would you want them to have served time in? One positive model of prison is a high-tech, public-private partnership prison that embraces rehabilitation, reentry and restorative justice – and that also strives to have the local community as a partner. The article reports on a visit to Shimane Asahi rehabilitation center in Japan. It provides background on the prison and Japan’s experiment with privatizing “social infrastructure.” The article then describes the involvement of the private sector and the infusion of technology, including tracking, scanners, and automated food delivery. Next, it provides an overview of numerous educational, therapeutic, and vocational programs. Finally, it discusses how the prison has a center for community engagement and makes many efforts to utilize the resources of the local region.

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## Introduction

In the last 200 years, the United States has gone from a destination country for anyone interested in penal innovation to a country with the largest per capita incarcerated population housed in prisons that no other developed country embraces as a model. The warehouse prison (Irwin 2004) resulted from an ideologically-based rejection of rehabilitation and a “four-decade mean season in corrections” (Cullen 2013) that emphasized harshness and deprivation for their own sake. The slight decline in the incarceration rate is a welcome trend, but the United States should set a more ambitious goal than having a more reasonable number of warehouse prisons and/or ones that are merely less crowded. It is time to think about the *quality* of prison as well as the *quantity* of imprisonment.

Unfortunately, there is little in the discussion about “prison reform” that has to do with transforming (Branham 2011) the institution we have into something that better serves the inmates, victims and society. Sentencing reform and early release are important, but prison itself needs to accentuate less bad behavior and promote more good qualities. Likewise, reentry services are crucial (Travis 2005), but will have limited impact if prison itself is not more informed by the question: If you were told that your neighbors – or the person next to you in a line, or the parents of your child’s friend – were newly released prisoners, what kind of institution would you want them to have served time in?

The satirical publication *The Onion* (2014), featured a story about people “struggling” to explain “how the prisoner had not been rehabilitated by 15 years of constant threats, physical abuse, and periodic isolation.” In reality, nobody really struggles to understand, but America lacks a model for a post-warehouse prison. Policy seem to lack “a compelling and positive vision of imprisonment” (Cullen et al 2001).

One model of reform is for incremental change by introducing ideas from the study of prison systems that have lower levels of recidivism than ours. For example, the Prison Law Office and Vera Institute of Justice took officials from three states to Germany and the Netherlands (Subramanian and Shames 2013). As it relates to prison- (not sentencing-) reform, the prisons of these countries make little use of solitary confinement and emphasize “normalization.” Thus, “conditions within prison, and treatment of prisoners, resemble—as much as possible—life in the community” because this strategy “increases chances for successful offender rehabilitation and reintegration” (Subramanian and Shames 2013, 19).

An additional path is suggested by the recent and unstudied experience of the Japanese, who created what they call “a model prison for the next 50 years.” This article describes a high-tech, public-private partnership prison that embraces rehabilitation, reentry and restorative justice – and that also strives to have the local community as a partner in ways that go beyond economic development. It is based my visit to the institution, follow-up discussions with one of the programming consultants, and research from English language sources.<sup>2</sup> The facility is the Shimane Asahi Rehabilitation Center, which is one of four public-private partnership rehabilitation centers.

Shimane Asahi is an important case study for the United States because it represents an additional and less frequently considered path: the creation of an experimental space for a new model of incarceration. The mix of privatization and rehabilitation is a relevant and realistic political compromise, even if few on the ideological spectrum would support this as their ideal reform. Further, these four Japanese PFI prisons are experiments in “restorative rehabilitation” (Cullen et al 2001) and exist in the only other industrialized nation to have a death penalty, which is supported by more than 80 percent of the population (BBC 2010). Given the many rules, strong surveillance and strict discipline, it might better serve as a starting point for discussion of prison reform, than, say, Norway, whose “cushy” Ikea showroom-looking prisons tend to be dismissed as models despite having the lowest recidivism rate of the Nordic and European countries (Hernu 2011).

Finally, Shimane Asahi is based on a diligent review of the literature and extensive international travel to better understand certain best practices. It is thus an outside audit of sorts, about what correctional programs one thoughtful nation decided had enough support to try to implement. Notably, the programs were not just the mainstream ideas like therapeutic communities, but ones that involved training seeing eye dogs, horse therapy and therapeutic gardens. Ironically, a

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<sup>2</sup> I would like to thank the Warden of Shimane Asahi, Fumiya Tezuka, for allowing me access and giving graciously of his time. Warden Tezuka was part of the team that help build the programming at Shimane Asahi and he was rotating through as warden during the time of my visit, so his perspective was especially helpful. Akinobu Sato was a very helpful point of contact and his translation work was invaluable. Atsuko Otsuka also provided high level translation; during additional discussions after the tour, she has provided additional perspective on the institution that added considerable depth to my understanding. Anders Linde-Larson provided a departmental professional development grant that facilitated this visit and for which I am thankful. Frank Cullen, Robert Johnson, Kristine Levan, H. Bennett Wilcox and Peter Wood provided comments and support for this piece, for which I am grateful. This article builds on a presentation at the 2013 American Society of Criminology meeting and a TEDxEMU talk, “Thoughts from a day in a Japanese prison,” <http://tedxtalks.ted.com/video/Thoughts-from-a-Day-in-a-Japane>.

number of the programs are originally American, meaning there are few concerns about importing them from a Japanese cultural context to an American one.

This study of Shimane Asahi should be of interest to people in many nations who are interested in prison reform, reaffirming rehabilitation, evidence-based rehabilitation and vocational programming, technocorrections, and prison economics. This article starts with (a brief) background on the PFI Act and Shimane Asahi. The subsequent three sections each explore one of the “pillars” of Shimane Asahi: the private-public partnership (especially in terms of technological innovation), the vocational training and rehabilitative programs, and the partnership with the local community. The conclusion offers some additional thoughts on the important lessons for constructing a post-warehouse prison.

## **Japanese PFI Act and background on Shimane Asahi**

The Japanese politicians saw benefits to Western-style privatization, but did not blindly follow the trends that started with British Prime Minister Thatcher or American President Regan. They studied American private prisons, which became the model for some European countries, which involved allowing private companies to build and run entire prisons (Selman and Leighton 2010). But the government wanted to keep more control over the prison. So, the 1999 Act on Promotion of Private Finance Initiative (PFI) aimed to improve “social infrastructure,” which meant “rehabilitation centers” rather than prisons. The warden of the PFI prisons are government employees; they oversee a team of government employees who monitor and enforce contracts with more than a dozen private businesses at each prison. For example, the main contractor is the Japanese engineering and construction firm Obayashi Corp, which designed and built the institution. Under the PFI contract, Obayashi will operate the prison – including classification, educational and rehabilitative programs – for 20 years before returning it to the government. Another private partner, Alsok, provides security for the prison, while other private partners provide food service, cleaning and other services.

The fundamental philosophy behind Shimane Asahi involves three main pillars. The first is public-private cooperation, which they expected to bring cost savings and innovation. The second is preventing recidivism through various educational, vocational and rehabilitative activities. The third is a facility that is “co-built” with the local community and places great importance on “building together” with the local region.

In creating programs for Shimane Asahi, experts from a number of fields came together to review the literature and identify what we would call evidence-based

practices. For example, clinical and educational psychologists were involved in drug and alcohol rehabilitation programs, sex offender treatment, social skills training, and the creation of a therapeutic community program. Teams from Shimane Asahi traveled to the United States, Canada, Germany and other countries to tour prisons and observe programs. For example, personnel from Shimane Asahi visited Amity's therapeutic community program, then flew their director, Naya Arbiter, to Japan to help with the training and implementation.

The Shimane Asahi facility is a men's institution with a capacity of 2,000, but Warden Tezuka felt it operated best at about 80% of that capacity. Under the Japanese classification system, prisons are level A or B, and Shimane Asahi is the lower security level A prison. It houses offenders whose sentences are one to eight years, which includes mostly petty offenders (theft, drugs) with a smaller number of violent offenders and white collar criminals. Most inmates are in individual cells, which have a bed, TV, desk, toilet and sink. (Before release, inmates are put in a room with others so they can relearn how to share living space.) The windows are made of a tempered, shatter-proof glass and are not covered with bars, which made the room bright. Many rooms had an unobstructed view of the surrounding countryside, which reduces stress and promotes rehabilitation (Pretty et al 2013).

## **Private Sector Partnership – cost savings, innovation and technology**

Privatization in the U.S. and Europe is frequently divided into nominal privatization (outsourcing food service, health care, education) and operational privatization (allowing a private company to run an entire prison) (Selman and Leighton 2010). Japan did not allow for operational privatization, but the nominal privatization has had a substantial impact on two of the four PFI prisons, where the private sector was involved in the design and construction. This partnership led to an infusion of technological innovation that has important implications for inmate-staff relationships as well as savings on the cost of certain staff.

The design and construction aspects of Shimane Asahi embrace technocorrections. First, the facility uses technology to search for drugs and other contraband, so there are no strip searches or invasive body cavity searches. They have a "sniffer" or "puffer" machine, like what is used at airports to detect explosives, but tuned to detect drugs. A "Safe View" scanner, a millimeter wave full-body imaging system, also used at airports, allows staff to screen for contraband without touching the inmates. While this technology is used in some U.S. prison to screen visitors (Bulman 2009), Shimane Asahi uses it to screen inmates to promote

better inmate-staff relationships. They believe inmates will have less hostility to staff because the demeaning strip and body cavity searches no longer happen. The staff's work environment, and arguably their view of inmates, is also improved by no longer constantly viewing inmates performing strip searches.

Second, Shimane Asahi uses a "Location Info System," a radio frequency tag attached to inmates' clothing, to reveal where all the inmates are all the time. The tag emits a unique identifier, which is picked up by receivers and fed into a system that displays location information on a computerized map of the prison. Their briefing materials note the technology is coupled with "the security that comes from human eyes and judgment." Several private businesses, including NEC (a Japanese information technology company), helped build the system. Also, a Japanese security company, contracts to operate the system (so staff in the prison's security center wear their company's uniform rather than a government uniform that identifies them as employees of Shimane Asahi).

This technology eliminates time-consuming daily counts and the associated lockdown of inmates. Further, daily routines are programmed in and alerts pop up when inmates are not where they should be. About ten U.S. prisons use this technology to track inmates and aid in investigations, but these systems have minimal feature sets because of cost and other considerations (Hickman, et al 2010). In contrast, the setup in Shimane Asahi allows inmates to move through the facility unescorted because the tags are linked to a system of 660 cameras. Staff can remotely follow the inmate and open doors for him. They believe this ability to move around without being accompanied fosters autonomy and self-discipline. It also reduces labor cost by reducing the need for security staff, and it is thought to also reduce tension with staff that arise from the inmate's child-like status when guards need to physically chaperone inmates.

Third, an automated guided vehicle (AGV) automatically delivers 6,000 meals a day to inmates in their living quarters. The AGV is a small self-directed unit that follows a special tape on the floor while towing a food delivery cart. This system reduces the need for staff to deliver meals throughout the sprawling facility, which covers 325,000 square meters (about 24 acres). The AGV also reduces the security issues involved with having all those staff enter and exit the compound. Because having inmates line up and gather in the cafeteria are seen as occasions when trouble is most likely, the AGV is supposed to help maintain institutional order because inmates eat in the common areas of their housing pods.

Fourth, Shimane Asahi uses a Kiosk Terminal to allow inmates access to many services, cutting down on staff and the frustration inmates feel when they are unable to attend to certain matters. The kiosk uses a fingerprint and password for

access, after which inmates can set up appointments, place orders with the commissary, make library reservations and conduct other institutional business.

## **Vocational Training, Rehabilitation, Reentry and Giving Back to Society**

Embedded in Japanese society is “the Confucian obligations that the ruler be benevolent and the ruled by obedient” (Johnson 1996, 5). While this has not always insulated Japanese prisons from harsh conditions and human rights violations, it provides support for classification, education, vocational training and rehabilitation programs. The 2007 Act on Penal and Detention Facilities states that “treatment of a sentenced person shall be conducted with the aim of stimulating motivation for reformation and rehabilitation and developing the adaptability to life in society” (Act on Penal Detention Facilities and Treatment of Inmates and Detainees 2007, 10).

The programming at the four Japanese PFI prisons was developed with input from respected Japanese victimologists. All of the inmates at PFI prisons receive some kind of vocational training, while only 7.3 % of inmates of other prisons receive any kind of training. The variety of vocational and therapeutic programming at Shimane Asahi stands out even among the PFI prisons. In order to match inmates with available programs at Shimane Asahi, inmates have a lengthy interview that is used for classification and assessment and which is completed within two weeks of intake.

The first three weeks of programs at Shimane Asahi involve “foundation courses,” which are a detailed orientation to the institution. (Japanese prisons are known for having numerous and detailed rules that are strictly enforced.) The final two weeks before release are focused on reentry, although some time before that is spent on family reunification and other reentry exercises. In between are 45 weeks of educational programs that include understanding of victims and victim viewpoints. Depending on classification and evaluation, inmates may also be required to go to programs for alcohol or drug rehabilitation, sexual violence, general violence, parenting, and/or employment skills. There is a program to help sex offenders create self-management plans. Finally, since 46 percent of inmates have graduated from junior high, but not high school, the institution offers school courses in Japanese, Math, etc.

In general, the programming is built on three pillars. The first is the therapeutic community. While this is common in the U.S., Shimane Asahi is a leader in taking Western materials and adapting them to the Japanese context to connect people with each other and “learn about humanity,” as their briefing materials put it. The

second pillar is restorative justice, which in this case does not involve direct work with the victim but the more general goal of having inmates take responsibility for their actions and give something back to society. A program to translate books into braille, for example, produces a social good, as does a volunteer program to repair bicycles that are sent to developing countries where health practitioners use them. (After the 2011 earthquake and tsunami, which caused the catastrophic failure of the Fukushima Daiichi nuclear plant, bicycles were instead sent to the disaster area.) The third pillar is the common cognitive behavioral therapy to make inmates aware of values and patterns of thinking that lead to crime, with the goal of creating change.

In addition to prison labor (involving wood and metal work, laundry, etc.), Shimane Asahi has a number of vocational training programs. The private sector created a foundation course for occupational training is open to all inmates and teaches them basic business skills, commercial transactions, bookkeeping, computer skills, and a category they list as “safety-sanitation, quality control and environmental consideration.” Inmates interested in special subjects can request one, which must be approved by staff. Special subjects include barber/hairdresser, medical clerk/medical office work, and personal care assistant (which is low pay but in high demand because of Japan’s aging population). There is a training program for bakers, which uses an in-house commercial scale bakery. They have programs for computer information processing, braille translation and retail sales. Another program trains inmates on heavy construction machinery, which includes a gravel pit area inside the prison walls with a back hoe; the classroom has a clear Plexiglas front for safe viewing of demonstrations. Finally, they have a program for digital content editing that teaches special effects and editing HD video. (When we stopped in during the tour, inmates were sitting in front of computers that displayed an audio wave and were learning how to do adjustments like boosting the signal.) Several educational institutions and industries are partners in the programming, which emphasizes training relevant to the current job market.

Shimane Asahi is unique in Japan for having a program to train seeing eye dogs for the blind. Inmates for this program are usually involved with work on braille translation – a way for inmates to give something back to society because teams translate a book that is donated to libraries. This exercise also has the potential to develop empathy as they learn about the challenges of being blind, learn patience from training puppies and how to build trusting relationships. The relationship with an animal helps buffer stress, and giving something useful to society increases the inmate’s self-esteem. Several people in the Ministry of Justice had read a book on service dogs, who help people with physical disabilities or trauma, by Atsuko

Otsuka and asked her to help create programing for Shimane Asahi. The result was a program to train seeing eye dogs because there is a substantial shortage of them and the Guide Dog Association of Japan was willing to participate. Teams of officials from Shimane Asahi came to the U.S. to study programs here (Britton and Button 2007; Harkrader et al. 2004).

There is also a horse program where inmates take care of two quarter horses in the prison's horse barn. The goal of that program is not to teach inmates to ride but is a therapeutic program to teach inmates to build a relationship with the animal without force, which involves understanding the horse and developing strategies for working with it cooperatively (Furst 2006; see generally Fine 2006). Equine Assisted Psychotherapy is thus not about "breaking" the horse, "mastering" it or even learning to control it, but seeks to "create a program based on mutual respect and responsibility between the horses and the participants" (Otsuka 2010, 2).

Last, at the time of my visit, Shimane Asahi had almost 100 inmates classified as having psychiatric and/or intellectual disabilities. They required social skills training and had different activities available to them. During the tour, we stopped in a room where 30 or so inmates with psychiatric problems were making masks and beaded costumes for a local festival. The Warden commented that having activities to do with their hands helped keep the inmates calm and engaged. They learned about a regional culture and built self-esteem by contributing to it. These projects and others involving local handicrafts are done with the cooperation of local organizations and build ties to the community. Shimane Asahi also has therapeutic flower gardens and hydroponic rose growing as activities for emotionally disturbed inmates who can benefit from such settings (Pretty et al 2013).

Warden Tezuka was rightfully proud that a very high percentage of inmates passed licensing or qualification tests required to practice certain professions, although discrimination by potential employers is still a barrier that needs to be better understood as Shimane Asahi engages in formal evaluation of its programs and recidivism rate. Having such plentiful vocational options for inmates appears to be controversial, but the Warden has great confidence in the explanation that this set of programs helps turn inmates into rehabilitated citizens and taxpayers – and that is the type of neighbor most people want returned to their community. Notably, Mr. Tezuka has also been warden of Fuchu prison near Tokyo and does not believe that many of the hardened criminals there, including yakuza (organized crime), are able to be rehabilitated. But he believes in making the effort with the less serious criminals sentenced to Shimane Asahi and wanted to maximize the programing available in the model rehabilitation center.

## Cooperation with local region

In the U.S., many rural areas wanted a prison for economic development, and the massive prison expansion of the 1980s and 1990s was more of an economic stimulus plan than a public safety initiative (Selman and Leighton 2010). The Japanese PFI prisons are built with an awareness of the economic impact they can have, especially on a depressed region, but are not built for that reason. The larger idea they embrace is “building together” with the local region and having the community as an ongoing partner. The phrase “to create prisons that the public can understand and support” appears on the websites of all of the PFI prisons.<sup>3</sup>

After passage of the PFI law, more than 50 localities expressed interest in hosting a PFI rehabilitation center (Japan Times 2006), although the central government ultimately decided to build just four centers. Shimane Asahi, completed in 2008, was the last and no additional ones are contemplated at this time. The first PFI center at Mine (pronounced ME – nae) was built in a former coal mining area that has about half the population it did in 1960 (Japan Times 2006). Shimane Asahi is built in a region where 40 percent of the local population is over 60 and the rural area supports few other businesses.

In *The Big House in a Small Town*, Williams argues that the two types of prison relationships with the community in the U.S. – “the citizen” and “the hermit” – are both heavily dependent on the personality of the warden (2011, 62). In contrast, Shimane Asahi was designed to be integrated into the community regardless of the personality of the warden, who is rotated every two years.<sup>4</sup> For example, across from the prison there is an “area for regional interaction” with a visitor center for community events. This “town center” also has housing for government officials, child care, a children’s park, and a martial arts center. The guide dog training center is housed in this area because the dogs are (anonymously) handed off from inmates to volunteer community members for the weekends, then returned on Sundays for training the next week. At Mine, a co-ed facility, the medical clinic is run by a local hospital and provides gynecological services; they are also be available to

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<sup>3</sup> In addition to Shimane Asahi, the others are Mine Rehabilitation Program Center (original capacity 1,000 expanded in 2010 to 1,300), Kitsuregawa Rehabilitation Program Center (2,000 persons) and Harima Rehabilitation Program Center (1,000 persons). All have English language webpages that can be found through google.com.

<sup>4</sup> Johnson (1996, 62 – 65) discusses the rotation of positions, although not specifically wardens. Mr. Tezuka speculated that it may be to help reduce corruption: a warden who knows he will be moving on in two years is less likely to get involved in corrupt practices than to do the right thing and correct them.

the community, which previously had no access to such a service (Japan Times 2006).

In the U.S., agriculture, especially in Southern plantation prisons, was seen as a way to reduce cost – and other prisons see food service as a cost to be minimized by partnering with a private contractor that uses heavily processed foods from national providers. Some prison systems spend as little as \$1.13 per day per inmate (Collins and Thompson 2012). In contrast, Shimane Asahi sees the rich agricultural land surrounding the prison as part of the “power of the local region,” so it purchases seasonal vegetables for prison meals. Indeed, having seen American inmates eating “mystery meat” sandwiches on white bread, I was surprised to be invited for a lunch with the warden that would be the same meal the inmates ate. The flavorful vegetarian meal made good use of locally-grown vegetables. Warden Tezuka noted that some inmates find health problems disappear in prison because the diet is healthier than what they ate on the outside, which reduces the prison’s health care costs. Over lunch, he mentioned his interest in adding a class on food and nutrition for the inmates.

Shimane Asahi has a modest agriculture program on the prison grounds, which uses local farmers as instructors and is set up to not compete with local agriculture. An off-site complex operated by a private enterprise provides additional opportunities for inmates to learn about agriculture – tea leaves, vegetables and organic mulberries – and good work habits. Interestingly, this agricultural work site is wired with the same “Location Info System” that the prison has, so the security company at the prison can remotely monitor inmates via the radio frequency tag in addition to the visual surveillance on the site. A GPS satellite monitors inmates on the prison bus on route to the farm site.

With all respect to the Shimane Asahi model, fairness requires noting that the rural location makes it very difficult for families to visit, especially when the inmates are drawn from all over Japan. When a goal of the prison is reintegration, and family can be a major aspect of that process, this flaw should not be underestimated. The rural location and aging population also do not provide the best resource for recruiting the specialized personnel required by the programming.

## **Conclusion: towards a model post-warehouse American prison**

The point of this article was to stimulate thought about transforming prison rather than being complacent – or self-congratulatory – about closing a handful of prisons

after building more prisons between 1980 and 2000 than we had built in all the rest of the country's history (Vieraitis et al. 2007). Shimane Asahi, for all its virtues, is not to be blindly copied. But it should draw attention to the need for a post-warehouse prison; and it should offer some visions that are both inspiring and grounded in the politics of compromise.

An obvious limitation to this process is sparse data on Shimane Asahi. This article reports on a single visit and limited information available in English. Readers also may want to know about the evaluation results of Shimane Asahi. A five year evaluation has just been completed. I have received a copy and will soon start the work of getting it translated and incorporating that information into future writings on this topic. While I know literally nothing about the results of the evaluation, I would counsel caution and patience. Five years is not much to work the bugs out of a new type of institution, especially when it includes the first program to train seeing eye dogs in a Japanese prison and the first effort to establish a therapeutic community in a Japanese prison.

However, several implications of Shimane Asahi are clear for the development of an American post-warehouse prison. Given the overall condition of prisons in America, the development of an experimental, paradigm-shifting facility is not a substitute for reform of existing institutions. Ideally, the development of an American "model for the next 50 years" would help facilitate change in other prisons through the development of technologies and programs that existing prisons could adopt.

Another clear implication of Shimane Asahi and the PFI rehabilitation centers is the need for a next-generation prison to emphasize rehabilitation. The Japanese Ministry of Justice explicitly embraced the idea of rehabilitation centers and created institutions that live up to their name rather than pay lip service to it. As Cullen continues to remind his readers, "the rehabilitative ideal draws its power from its nobility and its rationality—from the promise that compassionate science, rather than vengeful punishment, is the road to reducing crime. Rehabilitation allows us to be a better and safer people" (Cullen 2013, 310). Any movement claiming to be "smart on crime" needs to endorse this idea in word and deed.

Even as he repeatedly "reaffirms rehabilitation," Cullen points out two concerns with the rehabilitative ideal: "One is that the ideal is a lie; we promise to save offenders but in reality intend often only to control and coerce them. The second is quackery; we claim to have the expertise to cure offenders but often do not" (2013, 310). Without wanting to minimize concerns about high ideals masking coercive ends, I want to offer some caution in evaluations of programs and conclusions of quackery in a post-warehouse prison.

First, concerns about quackery should not stifle innovation and promising practices in favor of a few well-established, politically safe programs. To their credit, the Japanese included programs involving animals and gardens, and post-warehouse American prisons may want to revisit the idea of drama programs (Shailor 2010; Thompson 1998; Trounstein 2004). These programs seem to have a benefit for certain types of inmates. Indeed, one of the lessons from Martinson's false conclusion that "nothing works" is that many programs work when matched to the right population, and effects wash out if the program is used indiscriminately with inmates or used with the wrong type of inmates. A post-warehouse prison likely needs to revisit the lost art of inmate evaluation and classification, so inmates can be intelligently matched with the right programs and opportunities.

Second, the default setting for program evaluations, upon which officials will resolve concerns about quackery, tends to be recidivism. This is an important measure to keep prisons accountable for public safety, but a post-warehouse prison may also have programs designed to maintain institutional order or give back to society. If such programs do not contribute substantially to a reduction in recidivism, they may be wrongly written off as quackery (or "government waste"). For example, a post-warehouse prison needs to rely less on solitary confinement, which is overused and has destructive effects when used longer-term and/or on mentally ill inmates. If, to comply with the recommendation of a United Nations Special Rapporteur on torture not to have solitary confinement exceed 15 days (United Nations 2011), prisons develop gardening programs (Jiler 2006) or activities like mask-making, then these activities need to be evaluated in terms of institutional order. Officials may hope that a program to translate books into braille will foster empathy in inmates, but if the main point is to give something back to society, then the evaluation of that program needs to reflect that goal.

Ultimately, concerned citizens, policy makers, academics and practitioners should not wait for a definitive word on Shimane Asahi before contemplating what an American post-warehouse prison should look like. No doubt it would be more expensive than our current ineffective prisons. But when rehabilitated offenders get jobs, they become taxpayers *and* society is spared the costs of crime: physical harm, medical costs, financial losses, emotional harm and trauma, lost productivity, etc. Our expectation should not be that next-generation rehabilitation centers are a panacea; policy makers need to confront social conditions that produce criminality, the effects of excessive sentences, post-release discrimination against inmates and a number of other issues. But certainly the idea is worth thinking about to improve our public safety – and to identify some of the political and cultural barriers to a

variety of 'smart on crime' beliefs to prison better serving the interests of public safety and American communities.

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