

Community Corrections in China: Development and Challenges

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Abstract

China has long utilized community-based corrections for offenders. Before 2003, however, the practice lacked formalization and professionalization. Since 2003, prison overcrowding, a need for cost-effectiveness, and a move toward a more civilized method of reforming offenders have sped up China's use of community corrections. Based on a literature review of Chinese language publications and face-to-face interviews with local community corrections leaders and officers in Hubei, China, this is an exploratory study of community corrections in mainland China. We briefly examine the practice's developmental history and five types of sanctions—public surveillance, probation, parole, temporary execution of a sentence outside a confinement facility, and deprivation of political rights. China's community corrections' characteristics and implementation are investigated. Finally, the article discusses problems and challenges to China's community corrections system.

Keywords

China, community corrections, probation, parole

China has a morality-based informal crime control tradition. Since the beginning of economic reform in 1978, China has moved toward law-based formal

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crime control (Jiang, Lambert, & Wang, 2007). Community corrections is one of the many practices of this trend. China's central government officially adopted the concept of community corrections and began pilot programs in six provinces and municipalities (Beijing, Jiangsu, Shandong, Shanghai, Tianjin, and Zhejiang) in 2003.¹ Community corrections was extended to all 31 provinces (or equivalents) in 2009 (Hao, 2012). There are many descriptive studies and theoretical discussions of community corrections in China. However, to the best of knowledge of the authors, there are no English-language journal publications on Chinese community corrections. This study intends to fill the void.

This is an exploratory study, and it aims to introduce Chinese community corrections to the world, encouraging comparative community corrections research between China and other countries. This study is based primarily on a literature review of publications on community corrections in Chinese. At the same time, field interviews with local community corrections leaders and officers in Hubei, China, are utilized as an empirical "check" of evidence on Chinese community corrections' patterns and problems. The community corrections literature was retrieved from official websites, such as the website of the Ministry of Justice of the People's Republic of China (PRC), and published articles and books. The interviews were conducted in six city communities, five rural villages, and one township community from June to October, 2012. In each community/village, one interviewee was selected, and he or she was either a community leader who was in charge of community corrections or a correctional officer. The interviews were based on a list of six questions, including (a) whether the respondent's street or township had community corrections, (b) whether the respondent's community/village had community corrections, (c) the year it started, (d) what type of offender was under community corrections, (e) the respondent's evaluation of the effectiveness of community corrections, and (f) problems in community corrections.

The article is organized as follows: The next section commences with "A Brief History" of community corrections in China. It is followed by a description of the types of "Sanctions Under Community Corrections." This is followed by "Implementations of Community Corrections" and the "Community Corrections With Chinese Characteristics." A discussion of "Problems and Challenges in Community Corrections" and a "Conclusion" complete the paper.

A Brief History

Community-Based Corrections Prior to the PRC

Community-based corrections in China can be traced back to the Tang dynasty (618-907; Jin, 1997). However, there was no large-scale use of community-based corrections, and there was a lack of systematic recording and

study of the practice until very recently. According to Jin (1997), Tang Emperor Li Shimin (626-649) sent prisoners home in the harvest season, hot summer, and cold winter seasons. In the late Qing (Qing dynasty, 1644-1911), the government followed the Japanese corrections system in establishing the outside prison corrections offender training center program (*zuifan xiyi suo* 罪犯习艺所) in 1903 (Guo & Zheng, 2004). The center aimed to not only punish offenders but also educate and reform them. Local governments also established the program in the following years (Jin, 1997). This program contrasts with China's tradition of severe punishment of criminal and political offenders. In 1908, the government drafted Qing Prison Law. The law draft had detailed provisions on the prison, including medical parole. In the era of the *Kuomintang* (the Chinese National Party) government (1911-1949), community-based corrections was further developed on the basis of the late Qing. In 1912, Regulations on Parole (*jiashi guanli guizhe* 假释管理规则) was published. The Regulations spelled out clearly who was eligible for parole, the decision procedures for the parole process, and who was in charge of parolees in the community. In the following years, regulations on medical parole were also adopted and implemented (Jin, 1997). In 1935, a revised Criminal Law was adopted that provided details on "security measures" (*baotan chufen* 保安处分). These measures included corrections education, supervision, mandatory labor, mandatory treatment, protective restrictions, and exile (Guo & Zheng, 2004).

Community-Based Corrections in PRC

From 1949 to the present, China has had five types of legal sanctions that are equivalent to community corrections: public surveillance (*guanzhi* 管制), probation (*huanxing* 缓刑), parole (*jiashi* 假释), the temporary execution of a sentence outside a confinement facility (*zanyu jianwai zhixing* 暂予监外执行), and the deprivation of political rights (*boduo zhengzhi quanli* 剥夺政治权利). Generally speaking, before 2003, the public security was in charge of these sanctions in communities (Guo & Zheng, 2004). To be more specific, in rural areas, the local police station (*paichusuo* 派出所) was officially responsible for carrying out these sanctions with help from villages where an offender lived prior to the incarceration. In urban areas, the local police station also took responsibility for the official execution of the sanctions, with help from either a work unit (*danwei* 单位) where an offender worked or a neighborhood where he or she lived prior to the incarceration. As the police had many other responsibilities, community-based corrections depended largely on local community village committees in the countryside and residents' committees in cities. In addition, community-based corrections had no

clear and detailed rules. As a result, offenders were often without any kind of surveillance or supervision (Guo & Zheng, 2004). It is worth noting that before 2003, community corrections was not strictly carried out. Yet, the recidivism rate was quite low (approximately 8%, see Jin, 1997). Thus, recidivism did not attract either public or criminal justice system attention. Low recidivism rates were due to low levels of residential mobility and high levels of informal social control and crime prevention. When offenders were sent back to their communities, local residents knew them well and monitored them.

Low levels of recidivism were also related to the mandatory employment policy within a prison. From 1951 to 1953, prisoners with a short-term sentence reentered the society, and many of them soon committed crimes. To reduce recidivism, the Chinese government adopted a policy requiring those inmates who were evaluated as likely to commit crime again and who had no place to go to stay within a prison for employment after they finished their sentences (Hong, 2012; Jin, 1997). For example, in 1960, 1,251 (or about 70%) of 1,791 Guangdong province prisoners who finished their sentences stayed in a large prison for their employment (Hong, 2012). Because of this policy and the fact that Chinese prisons were in remote areas, many ex-prisoners were still isolated from free society, although they finished their sentences. Thus, ex-prisoners' chances of reoffending were largely reduced.

Several reform changes in China may have led to an official campaign for a law-based and larger scale usage of community corrections in 2003. First, in the years since economic reform commenced in 1978, China's crime rate has had a striking increase. The total criminal cases registered by the public security jumped from 535,698 in 1978 to 5,969,892 in 2010 (Liang, 2005; National Bureau of Statistics of China, 1996-2011). According to the Ministry of Public Security (2010), the registered criminal cases were usually less than 600,000 from 1949 to 1979, between a half million to 2.3 million from 1980 to 1989, and more than 3.5 million since 2000. The increased criminal cases also led to increased incarcerated inmates. The number of prisoners rose from 1,562,742 in 2003² to 1,656,773 in 2010 (National Bureau of Statistics of China, 1996-2011).

Second, as noted above, mandatory in-prison employment was discontinued after the 1980s. Thus, prisoners who completed their sentences needed to reenter free society. In 2003, 342,401 prisoners went back to their community. Reflecting this pattern, the total number for public surveillance, probation, parole, and medical parole was 164,921 in 2002 and 186,272 in 2003 (see Guo & Zheng, 2004, and Table 1 for details).

Third, as economic reforms deepened, internal migration has increased (Yu, 2011; Y. Zhang, Liu, & Liu, 2011). Since offenders in general face more

Table 1. Statistics on Four Types of Sanctions Under Community Corrections in China.

Year	Public surveillance	Probation	Parole	Medical parole	Total
1999	7,515				
2000	7,822	102,459 ^a	23,550		
2001	9,481	110,494 ^a			
2002	9,994	117,278	20,781	17,471 ^a	164,921
2003	11,508	134,927	22,178	17,659 ^a	186,272
2008	18,065	249,111	30274		
2009	16,833	250,635	32704		
2010	16,171	265,230	35724		

Source. Guo and Zheng (2004, p. 49, 356), The Supreme People's Court website: <http://www.court.gov.cn/>

^aThe numbers were computed based on the information provided by Guo and Zheng (2004).

obstacles to finding jobs than regular citizens in their communities, they are likely to move to a remote place for employment. Due to lack of resources and personnel for implementing community corrections, offenders who were required to serve their sentences in the local community were often free to move from place to place. Reports from scattered sources in China indicate that crime or perceived crime is committed disproportionately by transient people (Tian, Xu, & Tong, 2011; Meng, 2011; Yu, 2011) and repeat offenders (Tian, Xu, & Tong, 2011). The increasing crime rate and growing number of offenders, as well as increased recidivism, led to the realization that the Chinese criminal justice authority needed to pay more attention to those offenders who served their sentences in the local community.

Cost-effectiveness is another factor that led to the formalization and professionalization of community corrections. Before China's Prison Law was introduced in 1994, the cost of the prison system was covered by its own system of production (Jin, 1997). After 1994, with growing number of prisoners and increasingly tough economic markets, prison industry could not generate enough profits to cover costs. This need for cost-effectiveness in corrections, along with problems of overcrowding and recidivism, led policy makers to examine community corrections as a present and future alternative (Guo & Zheng, 2004).

Other factors also led the Chinese criminal justice authority to change traditional informal control of offenders. To support and enhance its economic development and modernization, the Chinese government has made

great efforts to move toward law-based formal control (Gallagher, 2006). Corrections in general and community corrections in particular are considered part of this transitional process. In addition, Chinese scholars believe that the evolution from corporal punishment to incarceration to community-based corrections is a process of civilized criminal punishment (Guo & Zheng, 2004).

Community corrections has developed quickly in recent years. On July 10, 2003, the Supreme Peoples' Court, the Supreme People's Procuratorate, the Ministry of Public Security, and the Ministry of Justice ("CPSJ" for short) jointly issued the Notice on Experimental Programs of Community Corrections (*guanyu kaizhan shequ jiaozhen gongzhuo shidian de tongzhi* 关于开展社区矫正试点工作的通知) in Beijing, Jiangsu, Shandong, Shanghai, Tianjin, and Zhejiang. On January 31, 2005, CPSJ jointly issued another notice called Notice on Expanding Community Corrections Experiments. According to the Notice, community corrections was extended to 12 additional provinces (or equivalents): Hebei, Neimugu, Heinongjiang, Anhui, Hubei, Hunan, Guangdong, Guangxi, Hainan, Sichuan, Guizhou, and Chongqing. In 2009, community corrections was officially extended to the entire nation. At the end of 2011, 94% of counties (or equivalents) and 89% of townships (or equivalents) in China had established community corrections programs.

Sanctions Under Community Corrections

According to China's Criminal Law, there are five types of sanctions that can be implemented under community corrections. This section describes each, with a brief history, and their composition in the overall sentence.

Public Surveillance

Public surveillance originated in the Chinese Communist Party-led areas prior to the founding of the PRC, which was used for punishing counterrevolutionary offenders (Guo & Zheng, 2004). Before 1956, public surveillance was imposed by a court or a public security organ. Thus, it could be either a criminal sanction or an administrative sanction. From 1956 to 1979, public surveillance was imposed only by the court and was used for both counterrevolutionary offenses and property-related crimes. In 1979, the PRC enacted its first Criminal Law in which public surveillance was listed as one of the five principal punishments.³ This list of punishment continues in the 1997 edition of Criminal Law and its latest (eighth) revision in 2011. Since 1997, the term *counterrevolutionary crime* is replaced by the concept, "endangering state security."

Public surveillance is a criminal sanction that applies to criminals who endanger state security and public security, or commit property-related crimes and other crimes. The sanction does not require a period of incarceration, just community corrections. The sentence of public surveillance ranges from 3 months to 2 years. According to Article 39 of the 2011 edition of Criminal Law, criminals who are sentenced to public surveillance shall

- (A) (一) 遵守法律、行政法规，服从监督；(A) comply with the law and administrative regulations and submit to supervision;
- (B) (一) 遵守法律、行政法规，服从监督；(B) without the approval of the law enforcement authority, not exercise the rights of freedom of speech, press, assembly, association, procession, and demonstration;
- (C) (一) 遵守法律、行政法规，服从监督；(CCC) report their activities to the executive authority;
- (D) (一) 遵守法律、行政法规，服从监督；(D) comply with the provisions of the meeting with visitors;
- (E) (一) 遵守法律、行政法规，服从监督；(E) apply for the approval of the enforcement authority for leaving the current city, county, or relocation.

Table 1 shows that there were 18,065, 16,833, and 16,171 offenders sentenced to public surveillance in 2008, 2009, and 2010, respectively. They are 1.82%, 1.72%, and 1.64% of the total convicted criminals in the three consecutive years.

Probation

Probation first appeared in Qing Criminal Law in 1911, although the law was not implemented due to the end of the Qing dynasty. In the *Kuomintang* era, probation was defined by criminal law and was implemented. In the PRC, probation appeared in the People's Republic of China Punishment of Bribery Ordinance (*zhonghua renmin gongheguo chenzhi tanwu tiaoli* 中华人民共和国惩治贪污条例) in 1952. When PRC's first criminal law was enacted in 1979, probation was part of it.

China's latest revision of Criminal Law states who is or is not eligible for probation. According to Article 72 of the 2011 edition of Criminal Law, criminals who are sentenced to criminal detention or three years' imprisonment can serve their sentences at community when they are less than 18 years old, pregnant women and 75 years old and above, or when they meet the conditions below:

- ((一) 犯罪情节较轻 ; (A) the offense of a minor nature;
 ((二) 有悔罪表现 ; (B) showing repentance;
 ((三) 没有再犯罪的危险 ; (C) no risk of reoffending;
 ((四) 宣告缓刑对所居住社区没有重大不良影响。 (D) probation
 does not have significant adverse impacts on the local community.

Article 74 of the 2011 edition of Criminal Law declares that repeat criminals and the leaders of criminal groups are not eligible for probation.

Probationers should follow the same rules as those for criminals who are sentenced to public surveillance. If violation of any conditions of probation occurs, the sentencing court will modify the conditions or resentence the offenders. As Table 1 shows, there were 249,111, 250,635, and 265,230 offenders sentenced to probation in 2008, 2009, and 2010, respectively, representing 25.16%, 25.59%, and 26.83% of the total convicted criminals in the three consecutive years.

Parole

Parole in China, similar to the United States, is the status of a prisoner conditionally released from a confinement facility to the community to serve his or her sentence not completed in the facility. Unlike the United States, parole in China is decided by courts (see Articles 79 and 82 of the 2011 edition of Criminal Law) rather than a parole board. Parole first appeared in Qing Criminal Law in 1911. The *Kuomintang* government implemented parole. Parole appeared in the Act of People's Republic of China for Reform through Labor (*zhonghua renming gongheguo laodong gaichao tiaoli* 中华人民共和国劳动改造条例) in 1954. The 1979 Criminal Law and 1997 Criminal Law and the latest revision of criminal law in 2011 all have articles defining the sentence of parole and specifying parole-related implementation.

Article 81 of the 2011 version of Criminal Law states,

Parole can apply to criminals who are sentenced to a fixed-term imprisonment and have served at least a half of the sentence, who are sentenced to a life imprisonment, have served at least 13 years in the confinement facility, have complied with prison regulations, have accepted education and reform, have shown true repentance and have been evaluated with no risk of recidivism while on parole. If there are special circumstances, given an approval of the Supreme People's Court, parole may not be subject to the regulations above.

In addition, the law declares that the following offenders are not eligible for parole: repeat offenders, offenders with capital punishment, and offenders

who are convicted of intentional homicide, rape, robbery, kidnapping, arson, spreading of hazardous substances or organized violent crime and have been sentenced to 10 years' imprisonment or more, and life imprisonment. Finally, offenders who are sentenced to a detention center are not eligible for parole because this sentence is of brief duration. All parole decisions should consider the risk of a parolee in the community where the parolee will live.

A parolee with a fixed-term imprisonment shall serve the sentence he or she has not completed in the confinement facility in the local community. A parolee with a life imprisonment sentence shall serve a term of 10 years under community corrections. A parolee must comply with the same regulations previously described for a probationer.

The proportion of parolees is rather low in China. From 2008 to 2010, China paroled 30,274, 32,704, and 35,724, respectively, representing 1.86%, 1.99%, and 2.16% of the total convicted criminals in the three consecutive years (see Table 1).

The Temporary Execution of a Sentence Outside a Confinement Facility

The temporary execution of a sentence outside a confinement facility in China is the status of an inmate temporarily released from a confinement facility to the community to serve his or her sentence. He or she must meet the circumstances described by the Criminal Procedure Law and the Prison Law. According to the 2012 version of Criminal Procedure Law, an offender who is sentenced to criminal detention or a fixed-term imprisonment is eligible for the temporary execution of a sentence outside a confinement facility when one of the following circumstances exists:

1. serious illness, requiring medical parole;
2. a woman who is pregnant or breast-feeding a baby⁴; and
3. not able to take care of himself or herself and his or her temporary execution of sentence outside a confinement facility does not endanger the society.

Offenders with a life sentence are generally not eligible for the temporary execution of a sentence outside a confinement facility except a woman who is pregnant or breast-feeding a baby. According to the Criminal Procedure Law, offenders with the following circumstances shall not be allowed to have a temporary execution of a sentence outside a confinement facility: (a) the death penalty and (b) offenders who are eligible for the sanction but may be dangerous to the society after release or who injure themselves or make themselves disabled.

Article 257 of the 2012 version of Criminal Procedure Law also states that if an offender has any of the following situations, he or she shall be sent back to a confinement facility immediately:

1. not eligible for the temporary execution of a sentence outside a confinement facility;
2. violations of the conditions of the temporary execution of a sentence outside a confinement facility;
3. the conditions for the temporary execution of a sentence outside a confinement facility are expired, but the sentence is not completed.

Although public surveillance, probation, and parole are decided by the People's Court, the sanction of a temporary execution of a sentence outside a confinement facility is decided by different legal authorities at different stages. Prior to incarceration, it is decided by the People's Court; during incarceration, for offenders in prison, the sanction is recommended by the prison authority and approved by the provincial corrections authority; for offenders in a criminal detention center, the sanction is recommended by the local public security authority and approved by the county (or the equivalent) or higher levels of public security authority. From 1996 to 2002, offenders with medical parole ranged from 0.99% to 2.13% of the total prisoner population (Guo & Zheng, 2004).

The Deprivation of Political Rights

China has two categories of sanctions: principal punishments and supplementary punishments. There are the five principal punishments (as seen in Note 3) and three supplementary punishments: fine, the deprivation of political rights, and the confiscation of property. The deprivation of political rights can be imposed independently of the principal punishments, although it has rarely been used.

Article 54 of the Criminal Law states that an offender can be deprived of the following political rights:

1. the right to vote and to stand for election;
2. the rights of freedom of speech, the press, assembly, association, procession and demonstration;
3. the right to hold a position in a State organization; and
4. the right to hold a leading position in any State-owned company, enterprise, institution or people's organization.⁵

The time period of this sanction usually ranges from 1 to 5 years with several exceptions. First, for the principal punishment of public surveillance, the time period of the deprivation of political rights runs concurrently. Second, for offenders who are sentenced to death or life imprisonment, they shall be deprived of political rights for life. Third, for offenders who are sentenced to death with a 2-year suspension or life imprisonment and then commuted to a fixed-term of imprisonment, the time frame for the deprivation of political rights varies from 2 to 10 years. The public security is in charge of this sanction, assisted by the justice system and local community.

Before the eighth revision of Criminal Law in 2011, the public security was legally in charge of five sanctions, although concrete work was done by the justice system—local justice office (*sifasuo* or 司法所)—with help from community organizations and volunteers. The latest version of Criminal Law, Criminal Procedural Law (the version of 2012), and Community Corrections Implementation Measures (*shequ jiaozhen shishi fangfa* 社区矫正实施方法, CCIM for short, the version of 2012) changed the dual leadership system—the public security and the justice system—of community corrections in the past. The law enforcement of community corrections is now under the leadership of the Ministry of Justice at the central government level. In a community, the local justice office, with assistance from the local community and resident volunteers, is legally in charge of the community corrections of public surveillance, probation, parole, and the temporary execution of a sentence outside a confinement facility. Only the sanction of the deprivation of political rights is still run by the public security with assistance from the local community.

For community corrections, Article 2 of the CCIM prescribes the responsibility of the four components of the Chinese criminal justice system:

The justice system is responsible for the instruction, management, and implementation of community corrections. The People's Court is responsible for offenders' sentences of community corrections. The People's procuratorate is responsible for the legal supervision of community corrections. The public security is responsible for law enforcement when offenders under community corrections violate public security management regulations or commit crime.

According to the CCIM, the county-level community corrections department should help the local justice office set up a community corrections team in the local community. A legal staffer from the local justice office is the team leader. The team members include social workers and volunteers. Relevant organizations such as employers, schools, residents' committees, and offenders' family members or guardians should also be included in community corrections.

Implementations of Community Corrections

China has piloted several different types of experimental community corrections programs. Halfway houses are one of them. Although the halfway house concept can be traced back to the early 1800s in England and 1816 in the United States, halfway houses only began in recent years in China. The most well-known halfway house is the Caoyang Sunshine Halfway House in Beijing, the first halfway house in mainland China. The Center started in July 2008 and is under the leadership of the district government in general and the Bureau of Justice (*sifaju* 司法局) in particular (Yang, 2011). The Center has four units: education and corrections including legal education, counseling and skill training, housing, and the central office. Its main functions include education, psychological counseling, job skill training and assistance for job hunting, temporary housing (3 months), and temporary financial support. These services are especially helpful for “3 have-nots”: no home, no family and relatives, and no income.

Electronic monitoring (EM) is another experimental community corrections program in China. Although the EM concept was proposed in 1964 and the first studies of home detention enforced by EM began in 1986 in the West (Latessa & Smith, 2011), China only initiated EM in community corrections quite recently. Based on information from the website of the Ministry of Justice of the PRC, as of April 2012, the country used global positioning system (GPS) technology to track and monitor offenders under community corrections (Zhao, 2012). The field study by the research team revealed that EM in China faces a great deal of problems. Offenders often claim that GPS does not work. Once a GPS is broken, the local justice office does not have funding for replacement. Once a GPS does not work, the supervision of the offenders who use it is not effective.

Chinese community corrections also has different levels of supervision depending on the classification of offenders. For example, Helongjiang classifies offenders into (a) intensive supervision, (b) regular supervision, and (c) minimum supervision. The general description for the classification is as follows: Intensive supervision is applied to offenders whose thoughts are not stable and who are not actively participating in educational programs and labor; regular supervision is applied to offenders who have good performance with stable thoughts and attitudes; minimum supervision is applied to offenders who actively participate in various programs and have excellent records in the process of reforming themselves. Offenders in the intensive supervision have maximum control in home visitation, required participation in programs, person-to-person contact, and other activities while regular supervision and minimum supervision have medium and minimum control in these

aspects (Sun & Zhang, 2010). Field interviews by the research team found that Hubei also has similar classification and supervision systems as Helongjiang.

Applying different types of community correctional pilot programs, China has made progress on these issues: (a) clarification of the tasks of community corrections or what community corrections needs to do, (b) formalization or the development of written rules on community corrections, (c) professionalization or selection and training of community corrections staff, (d) financial support, and (e) cooperation and responsibility of the different components of the criminal justice system.

There are three major tasks for Chinese community corrections: supervision, education, and support. Supervision focuses on offenders' behavioral control. Education includes political, legal, cultural, moral, and skills components. Support includes occupational skills training, aid to qualified offenders in applying for welfare or retirement, location of housing and employment, and acquisition of contracted land for rural offenders. For example, from 2003 to June 2010, the community correctional system in Jiangsu worked with civil administration, social welfare agencies, labor departments, and companies to establish 1,410 job training sites to help 15,060 offenders learn job and resume-writing skills, and make connections with potential employers (Sun & Zhang, 2010). These tasks reflect two emerging philosophies in China's community corrections practices—control and rehabilitation—which are similar to those in the United States (Miller, 2012).

The formalization of community corrections refers to the development of written rules or regulations. Prior to 2003, China's community-based corrections lacked written rules. Since 2003, there have been numerous notices and regulations issued by CPSJ and local governments. The 2012 version of Community Corrections Implementation Measures, along with related parts in the latest version of Criminal Law, Criminal Procedure Law, Prison Law, results from the experiments with community corrections after 2003. Formalization has made progress at the local government level as well. For example, from November 2004 to the end of 2008, Hubei province formulated 37 regulations, notices, or measures on judicial decisions, offender transformation across criminal justice organizations, supervision, reward and punishment, training, and the community corrections support system (Sun & Zhang, 2010).

The move to professionalization is reflected in the recruitment and training of community correctional officers, staff, and volunteers. Before 2003, the local justice office was primarily responsible for the promotion of the law and legal aid. Some offices had one full-time officer, while others had only one part-time officer. The local justice office along with the local police

station had rather limited offender supervision. Since 2003, China has made efforts to have at least one legally trained full-time officer in each local justice office. Meanwhile, certified social workers have been hired, and volunteers have been recruited for community corrections.

Generally speaking, there are two models of the professionalization of community corrections. One is called the Beijing model or the “3 + N” model. In this model, “3” refers to a professional team that consists of (a) legal assistants, (b) prison police officers, and (c) social workers. In the community, there is one legal assistant from the local justice office, one prison system police officer, and two to three social workers who have a bachelor’s degree and a certificate in the field. “N” refers to volunteers who may be community officers, local residents such as retired police officers, teachers, governmental officers, veterans, and an offender’s family members.

The Shanghai model is the second community corrections model. This model features governmental purchase of service. That is, the government contracts out services to a professional organization—Shanghai Xinghang Community Corrections—that manages community corrections; it had approximately 500 social workers in 2008. Fifty-seven percent of the workers had a bachelor’s degree, 29% had a certificate in counseling psychology, and 62% had a certificate in social work. Like other places in China, community corrections in Shanghai also have legal assistants, social workers, and volunteers.

Before 2003, China did not have a separate budget for community corrections. As community corrections evolves, financial support is needed for legal assistants, social workers, and offender programming. The question of the degree of financial support for community corrections is raised, but there is limited information available for this concern. In Anhui province, Ma’anshang city provided between 2,000 and 2,500 yuan per offender annually to support community corrections. What is the source for community corrections funding? In recent years, the government in some locales established a separate budget for community corrections, while the majority of governments did not (Community Corrections Research Center of Shanghai College of Politics and Law, 2011). To date, there is no designated or long-term government budget line item for community corrections. In addition, society in general is expected to support community corrections. However, donations for community corrections from the public are minimal (Weng, 2007).

Chinese community corrections also advances cooperation across criminal justice organizations. Prior to experimentation with community corrections, the public security, the local justice office, the community and relevant work units had no real system of cooperation. Government cooperation was based on notices rather than laws. As China’s economic reform deepens, an

offender's former work unit may no longer exist. Even where the work unit still exists, it may not have resources or legal responsibility for offender supervision. With increased population mobility, an offender may not be known to the community, and the community may not have recourse or legal responsibility to implement community corrections. Now, the Criminal Procedure Law and CCIM clearly state the correctional system's legal responsibility and the need for cooperation among the public security, the procuratorate, and the court. In addition, the CCIM establishes the time limit and details the required forms and procedures for offender transition from one criminal justice component to another. Strengthening the local justice office, including setting up a full-time community corrections officer, is another important step in facilitating cooperation among criminal justice organizations.

Community Corrections With Chinese Characteristics

Chinese social and crime control features the "total society strategy" (Jiang, Lambert, & Jenkins, 2010; Jiang, Wang, & Lambert, 2010; Shaw, 1996; Tang, 2008). That is, the government "mobilizes a variety of social forces, such as political, economic, cultural, judicial, educational, and the media, to prevent crime and keep social order" (Jiang, Wang, et al., 2010, p. 461). Because the Chinese government is centralized, it can extend its control to mass organizations and quasi-official organizations such as urban residents' committees and rural village committees through province- and county-level channels. The total society strategy is not only carried out by vertical connections but also through horizontal mechanisms. The Chinese Communist Party agencies and governmental organizations, including criminal justice agencies, youth leagues, women's federations, employee unions, the media, and grassroots organizations, are all required to participate in social and crime control (Jiang, Wang, et al., 2010; Shaw, 1996).

The total society strategy in social and crime control is reflected similarly in community corrections. At the community level, the local justice office is legally in charge of community corrections. However, the office is required to work with the street- or township-level government, police station, local court, as well as other correctional systems and governmental agencies such as the department of civil affairs (*minzhengju* 民政局), China's Communist Youth League, the Women's Federation, volunteers, and even a variety of business organizations. On the one hand, the local justice office is responsible for higher levels of justice administrators. Under a dual leadership system of the street office in urban areas and of township government in rural areas,

the office is able to effectively work with other organizations and volunteers. It is worth noting that since Chinese government is centralized and community corrections is a top-down program, local governmental agencies and criminal justice organizations are also required to do their best to lead and support the local justice office to implement community corrections.

Another characteristic of Chinese community corrections is the “total person approach” in which an offender’s values, attitudes, and behaviors are all controlled. The Chinese believe that behavior is determined by thoughts. Thus, to effectively control people’s behavior, their values and attitudes also need control. When comparing Chinese and Western control systems, Ren (1997) states,

[The] most important distinction, perhaps, is the efforts of the Chinese state to control both the behavior and the minds of the people. Social conformity in the Chinese vocabulary is not limited to behavioral conformity with the rule of law but always moralistically identifies with the officially endorsed beliefs of social standards and behavioral norms. (p. 6)

To form and reform people’s mind and behavior, China often uses the fatherly or patriarchal method, an integrative use of sentiment and reason. Li (2004) reported that prison correctional officers often used this method to reform offenders. Field interviews by the research team also found that the fatherly method was used to reform offenders’ thoughts and behavior in the community corrections. As an interviewee in a rural village stated,

I am not trained for community corrections. Thus, I do not have special skills to help offenders. The primary methods I used to help offenders are sentiment or interpersonal relations since the offenders and I grew up in the same village.

Semiformal control is another characteristic of Chinese community corrections. This control is carried out by community-based organizations that are organized and confirmed by the government. Grassroots organizations such as residents’ committees in urban areas and village committees in rural areas consist of unsalaried or partially paid workers or staff. They are not government employees, but they carry out governmental duties and responsibilities. For example, in Fengtai District, Beijing, community corrections in rural areas is led by the township government and local justice office, assisted by both a village committee and village corrections committee as well as volunteers (Beijing Fengtai Department of Justice, 2011). Village committees and village corrections committees are organized by the local government. The members of village committee are elected by farmers but confirmed by the local government. The members of a village corrections committee are

either appointed by the village committee or elected by the village residents. They educate and help offenders on behalf of the government, receiving a small allowance or no payment from the government.

Problems and Challenges in Community Corrections

Progress in the formalization of community corrections is evident in China's enactment of laws, regulations, and measures that are related to or directly address community corrections issues. The result is that community corrections is implemented country-wide and correctional staff have moved toward professionalism. A variety of corrections programs such as halfway houses and electronic monitoring have been employed. However, China's system of community corrections still faces many challenges and problems.

First, there is a lack of scientific and comprehensive assessment of community corrections. Since community corrections began in 2003, assessments have primarily come from governmental agencies. Although there have been some studies conducted by scholars, they are policy-driven and policy-oriented. There is no well-designed assessment (Community Corrections Research Center of Shanghai College of Politics and Law, 2011). In addition, scholars do not have easy access to offender-related data, making it difficult to engage in objective and scientific research.

Our research team conducted an exploratory survey on the effectiveness of community corrections. The team interviewed 12 community corrections leaders and/or correctional officers and asked them whether community corrections is effective. Three respondents said "not clear" or "no evaluation," and the others used general expressions such as "OK," "average," "not very good but not too bad," or "good." This respondent's response reflects a common situation in the 12 communities/villages:

The effectiveness of community corrections is not easy to evaluate. The key is how to evaluate it. If it is evaluated based on the re-arrest of those who were and are under community corrections, we do not have any re-arrests yet. But if it is judged based on whether they are reformed as expected, the effectiveness is not clear since we do not have clear expectations or reforming goals.

The research team found that some offenders sentenced to corrections were not under community corrections. Several communities, especially in rural villages, did not have records of offenders' activities or performance during the period of community corrections. After an offender's completion of sentence, the community might not know whether the offender commits crime again until an arrest or sentence is publicized.

Second, there is no long-term government funding for community corrections. This problem may continue in the near future. Since continued formalization and professionalism of community corrections depend to a large degree on monetary and other resources, they will continue to face challenges. Among the 12 interviewed communities/villages, nine indicated that lack of financial support or lack of personnel was the major problem.

Third, in addition to the monetary problem, a fully developed system of community corrections faces another challenge from the tradition of informality. China has a long tradition of rule by person and rule by informal and unwritten customs and morality. In this tradition, family, friends, and neighborhoods play an important role in social and crime control. Community corrections as implemented at the local community level directly faces this tradition. Given this circumstance, can correctional officers and social workers use legal codes or written rules to supervise and control offenders? Are volunteers willing to follow law and regulations to deal with offenders? These questions need to be examined in the future.

Fourth, the professionalization of community corrections faces a challenge from the total society strategy. Since the goal of community corrections is community reintegration of offenders, the entire community working together seems more effective than professionals working alone. However, our field research revealed that due to the total society strategy, the local justice office has many tasks in the community. Besides community corrections, the office is also responsible for legal education, legal consultation, mediation participation and guidance, dispute resolution on behalf of the street (or township) government, community security management, cooperation with the police station and local court to maintain public order and control crime, and implementation of other legal services delegated by the bureau of justice at the district (or county) level and the street government. With this large menu of tasks, local justice offices usually do not have the personnel, funds, and other resources to carry out community corrections. Systematic research on the strengths and weaknesses of the total society strategy is needed to effectively implement it.

Community involvement is another challenge to community corrections. The field study by the research team found that the Chinese government expects the local community to participate in community corrections. However, community corrections faces a dilemma. On the one hand, the government emphasizes community involvement, a continuation of the mass-line tradition. On the other hand, offenders and their families do not want their neighbors or acquaintances to know they are under community corrections (Yu, 2012) because they may lose face or their normal life. Given this dilemma, community involvement in the community corrections is currently limited to community leaders, carefully selected volunteers, the offender's family members, and relevant work units or schools.

Finally, community corrections is not equally applied to migrants. From 1982 to 2009, the number of migrants in China rose from 6.57 million to 211 million (Yu, 2011). There are two problems for migrants in community corrections practice. First, compared with those who are local residents or who have a local residence booklet (*hukouben* 户口本), migrants are more likely to be sentenced to prison and less likely to community corrections (Yu, 2011, 2012; H. Zhang, Zhu, Zhang, & Chen, 2012). In her survey of 875 juvenile delinquents in Zhejiang province, Yu (2011) found that 357 (41%) were sentenced to community corrections. Among the 357 offenders, 97.2% (or 347) were Zhejiang-registered residents and 2.8% (or 10) were non-Zhejiang-registered residents. Data from the Shanghai Supreme Court show a similar result. From 2004 to 2009, the percentage for juvenile delinquents who had Shanghai household registration and were sentenced to probation was 44.8, 49.1, 48.3, 48.8, 69.5, and 44.9, while the percentage for non-Shanghai-registered residents was 3.9, 3.8, 3.9, 4.5, 8.6, and 9.8 (H. Zhang et al., 2012). The second problem, related to the first one, is the difficulty for community corrections agencies to carry out community corrections for migrants. For example, if the court decides to send migrant offenders back to their household-registered place, then the question is who sends them, which agency financially supports the escort, and which agency receives them. In addition, the majority of migrants are from rural areas. If they commit crime in a city and are sentenced to community corrections there, they need housing, food, clothes, and other support. It is clear that in order to solve transient offender-related community corrections problems in China, some agreements or regulations like U.S. probation need to be developed.

Conclusion

As a result of prison overcrowding, cost-effectiveness measures, and more civilized methods for reforming offenders, China is applying community corrections as an alternative to institutional corrections. Since 2003, China has strived to formalize and professionalize traditional, informal, and semiformal community-based corrections. Due to the lack of designated funding and other obstacles to community corrections, the process of formalization and professionalization is still facing a number of challenges. Based on the interviews and observations in the field, the authors believe that China will continue to experiment and communicate with the world to improve the quality of community corrections. To achieve improvement, laws on community corrections should be enacted. The government needs to have a separate budget for community corrections. More well-trained professionals are needed. And, last but not least, more scientific research and well-designed assessments of community corrections are needed.

Author's Note

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Notes

1. Although China had long practiced community-based corrections, it did not officially adopt the term community corrections until 2003.
2. In 2003, the Chinese government started to publish the data on total prisoners and prisoners who complete their sentence every year.
3. The other four principal punishments are criminal detention, fixed-term imprisonment, life imprisonment, and the death penalty.
4. When the baby is 1 year old, the mother will go back to prison to serve the rest of her sentence.
5. The English translation is from Terrill, 2003, p. 632.

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