

RESOLVING PRISON OVERCROWDING: THE ENLARGEMENT OF COMMUNITY-BASED TREATMENT IN KOREA

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I. INTRODUCTION

A. Increase in Prison Population

Prison overcrowding is no longer a new issue in Korea. Since the economic crisis in 1997, overcrowding has been substantially aggravated and today most correctional institutions are accommodating a lot more offenders than their optimal capacity. This overcrowding has continued up until now even though there may have been a little change in some correctional institutions.

Correctional facilities that house offenders in confinement are various. They include: correctional institutions, juvenile correctional institutions, detention centers, branch of detention centers and social protection centers. Correctional institutions, juvenile correctional institutions, detention centers and branch of detention centers are designed to accommodate the convicted inmates who are sentenced to serve time in prisons or workhouses, and un-convicted inmates who are waiting trial. Social Protection Centers house offenders prescribed by the “protection & supervision” order under the Social Protection Act.

As of May 2002, there are 44 correctional facilities across the nation. This includes: 28 correctional institutions (including 1 open correctional institution, 1 female correctional institution), 2 juvenile correctional institutions, 8 detention centers and 4 branches of detention centers and 2 social protection centers. As for the details of the prison population, table 1 shows the daily average number of inmates in correctional facilities between 1991 and 2000.

Table 1. Daily Average Number of Inmates (between 1991 and 2000)

Year	Legal limit of maximum number	Daily average number of inmates	Inmate categories				
			Convicted	Un-convicted			Sentenced to work-house
				Total	Offenders	Accused	
1991	54,300	55,123	30,176	24,947	3,053	21,894	127
1992	55,300	55,159	31,388	23,771	3,023	20,746	219
1993	55,300	59,145	32,452	26,693	3,167	23,526	398
1994	55,800	58,188	33,752	24,436	2,892	21,544	545
1995	55,800	60,166	32,895	26,785	3,158	23,627	486
1996	57,360	59,762	32,848	26,519	3,272	23,247	395
1997	57,660	59,327	33,123	25,825	2,253	23,572	379
1998	56,500	67,883	35,125	31,238	2,930	28,308	1,520
1999	58,000	68,087	38,364	28,609	2,547	26,062	1,114
2000	58,000	62,959	37,040	24,312	2,441	22,304	1,607

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As shown in the table 1, the average number of inmates in each facility outnumbered the legal maximum number of inmates. Particularly, in the midst of the economic crisis of December 1998, the average number of inmates reached a record-breaking 74,400.

B. Reasons for Overcrowding in Correctional Facilities

1. The Practice of Incarceration before Conviction

The rate of imprisonment prior to conviction is much higher in Korea than that of other countries. In the United States and Japan, incarcerating suspects is principally limited to those who are very likely to conceal or remove evidence or are likely to flee from investigation. The number of un-convicted inmates account for 10 to 20% among the total prison population in these countries. In Korea, the rate of incarcerated suspects accounted for 38.9% among the daily average number of inmates in 2000.

When the economic crisis struck the nation in 1998, the figure went up to 46%, that is 4 times greater than that of other economically advanced countries. This practice resulted in overpopulation, which had already been aggravated by increasing recidivism. The practice of imprisonment before conviction along with the rising rate of repeat offenders contributes to the increasing workload of the judiciary and police investigations, thereby resulting in deteriorating justice and correctional services.

2. All Offenders should be Incarcerated: the Public's General Concept on Offenders

Prosecutorial and judicial policy cannot be separated from the citizens' notion of justice. Western countries provide offenders with extensive opportunities for their defence in the process of trial, such as bail except in serious cases. However, most Koreans agree that offenders should be incarcerated in a custodial facility. This concept hampers the formation of a policy which ensures offenders have an effective means of defence. Considering the fact that less than 30% of the incarcerated offenders are actually convicted in the first trial in Korea, it is necessary to change the general notion that offenders should serve time in a custodial facility.

3. Increase of Offences Stemming from the Economic Crisis

Since the economic crisis in 1998, the rate of robbery, fraud, theft and violence has risen sharply, amid prevailing anxiety over economic uncertainty. The number of imprisoned offenders went up from 62,594 in December 1997, in the wake of the economic crisis, to 73,659 in November 1998, an increase of 10,000 in less than a year (see table 2). During this period, all types of offences had increased. In particular, the number of property crimes such as theft, embezzlement and fraud had increased more than any other crimes. Consequently, incarcerating most of these money-related offenders caused prison overcrowding.

C. Problems of Overcrowded Prisons

Article 1 (objective) of the Penal Administration Act in Korea specifies that the Penal Administration Act is to separate offenders from society and to correct criminal attitudes and behaviours. The correctional service promotes sound ethics and provides inmates with the skills necessary to return to the community. The law also makes it clear that the objective of the custodial services is to prepare them to return to society as law-abiding citizens and to help them break the mold of criminal behaviour.

Table 2. Monthly Average Number of Inmates during the Economic Crisis in 1997 and 1998

Month	Average number of inmates		
	Total	Convicted	Un-convicted
End of Nov. 1997	64,813	34,225	30,588
End of Dec. 1997	62,954	34,380	28,574
End of Jan. 1998	62,011	34,404	27,607
End of Feb. 1998	62,084	35,736	26,348
End of Mar. 1998	63,390	34,907	28,483
End of Apr. 1998	65,367	35,847	29,520
End of May 1998	70,787	36,878	33,909
End of Jun. 1998	70,487	37,429	33,058
End of Jul. 1998	69,748	38,115	31,633
End of Aug. 1998	68,246	36,393	31,853
End of Sept. 1998	70,160	37,374	32,786
End of Oct. 1998	70,542	37,912	32,630
End of Nov. 1998	73,659	39,788	33,871

However, in the present circumstances of overcrowding, an effective correctional service cannot be expected. This overcrowding deteriorates the prison environment and consequently has brought more stress to inmates and prompted them to commit violence and suicide in custody. The shortage of correctional facilities and officers, and the heavy workload have dampened the morale of officers who are in the frontline of duty. The ratio of inmates per officer is over 5:1, whereas the ratio stands at 2:1 or 3:1 in North American and European countries. These statistics show that the workload of correctional officers in Korea is overwhelming.

Conclusively, it is a great risk to take inmates out of the correctional services and leave them to finish their sentences without giving them a chance to alter their criminal behaviour, because inmates will return to our community in the end.

II. COMMUNITY-BASED TREATMENT AS NON-CUSTODIAL MEASURES IN THE CRIMINAL JUSTICE PROCESS

A. Diversion in Policing and Prosecution

Contrary to traditional criminology, the labeling theory focuses on the social control structure with emphasis on the formation and progression of labeling and its negative results. The labeling theory supports the principle of non-engagement in criminal policies that can be summed up by correctional (social learning) programmes within the community, humanization of social control through diversion as well as a breakaway from pro-criminal attitudes. With the labeling theory, police can release offenders though admonition or reprimand in case of slight offences. Juvenile offenders can be released on suspension of indictment with the condition of putting them on correctional plans. Adults can be put into correctional planning, while they are still in society on the suspension of indictment. As a result, this will reduce the number of offenders admitted to correctional facilities, and contribute to easing up the problems with overpopulation in the correctional facilities.

In general, the diversion theory has the following concrete objectives: firstly, it recognizes the flexibility in police investigation and the prosecution system to allow them to address the concerns of

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offenders and society and to deal with crimes more effectively; secondly, it ensures offenders avoid the prosecution process and conviction; thirdly, it gives offenders the right motivation necessary to prevent further criminal behaviour; fourthly, it redistributes resources in a way that the justice system can operate at the optimal level; fifthly, it allows offenders to take responsibility for their behaviour and move on with their lives; sixthly, it encourages offenders to have a job and support themselves and their families; lastly, offenders will be given an opportunity to compensate victims for the damage they have caused.

The advantages of diversion are: firstly, it is a cost-effective way of dealing with offenders; secondly, it reduces the possibility that offenders repeat their criminal behaviour, out of despair from being nailed down with criminal records; thirdly, it lessens the workload of police and the justice system; fourthly, it is more humane, as it provides both the offenders and victims with necessary and adequate treatment; fifthly, it differentiates between less serious offenders and repeat offenders or felons who need to be incarcerated.

Various programmes based on the diversion theory have been developed and implemented to prevent offenders from being isolated from the community and to offer an alternative to the official prosecution process. Despite all the benefits of the diversion theory, many programmes have produced results that contravene the objectives of the theory.

The biggest problems of diversion-based programmes are: they have expanded the social control network contrary to the initial goal of reducing it; the lack of punishment undermines the effectiveness of correctional services in terms of stopping crimes; some programmes have deprived offenders of the right to follow the legal procedures, especially receiving assistance from lawyers. The diversion programmes have not been proven in terms of preventing repeated offences. The flaws of the current diversion programmes can be mended, when offenders acknowledge their wrongdoing and pledge to follow the diversion programmes laid out by the police and prosecution. The police, judges, prosecution and the officials responsible for diversion programmes should stipulate the qualifications necessary for offenders to be eligible for diversion programmes.

1. Diversion Programme Example: the Suspension of Indictment with the Condition of Correctional Service

As society realizes that correctional programmes in correctional facilities do not prevent repeat crimes nor help inmates adapt to the community, the justice system for juveniles introduced the suspension of indictment with the condition of correctional service as an alternative to imprisonment. The suspension of indictment with the condition of correctional service puts juvenile offenders under the protection and control of designated supervisors as opposed to convicting them or admitting them to juvenile institutions. Unlike the regular conditional suspension of indictment, this juvenile suspension of indictment programme includes proactive counselling and support to prevent repeat offending and to help juveniles develop self-regulation and self-management skills. It is mainly for their attitudinal and behavioural change. This system is designed to address the concerns that official prosecution of juveniles may exclude them from the community, cause lower self-esteem and hamper their efforts to return to society, which in effect, prompts juveniles to fall into the vicious circle of repeat offending.

As a core programme of the juvenile protection system led by the prosecution, the suspension of indictment with a condition of correctional service takes the juveniles out of criminal behaviour at an early stage and designates supervisors to provide juveniles with protection and guidance. It is for facilitating juveniles' return to the community and achieving the ultimate goal of keeping juveniles from further criminal behaviour. In other words, the prosecutor releases juveniles on suspension of indictment with a condition that they should abide by the regulations during the release period and be under the guidance of a designated supervisor. When a juvenile fulfills the requirements without breaching the conditions of their suspension of indictment during the period, the prosecution drops the charges.

The conditional suspension of indictment for juvenile offenders started in Gwangju in 1978 and by 1981 it expanded to the rest of the nation. Table 3 shows the annual number of juvenile offenders who are under conditional suspension of indictment programmes.

Table 3. Annual Number of Juvenile Offenders Under Conditional Suspension of Indictment (1991 - 2000)

Year	1991	1992	1993	1994	1995	1996	1997	1998	1999	2000
Number	7,797	7,737	8,065	9,917	11,551	11,062	8,653	9,182	7,076	7,045

B. Avoiding Imposing Imprisonment

1. Fine

A fine is one of the ways to avoid imprisonment and help offenders stay in society. The Laws pertaining to fines under Article 69 (2001) of the Criminal Act states:

- (i) The fine must be paid within 30 days of ruling,
- (ii) Offenders who don't pay the fine will be sent to a workhouse where they must work from one day up to 3 years. However, fines as an alternative to incarceration defeats its purposes when numbers of people are sent to the workhouse because they can't pay the fines. This number actually skyrocketed after the economic crisis in 1998. This also increased the population of incarcerated offenders.

In January 1997, correctional institutions had an average of 400 people at a workhouse, then this number exponentially reached 3,083. The Ministry of Justice released 2,903 people from workhouses with the fines suspended in December 1998 to relieve problems such as infringement upon human rights, budget shortfalls and poor inmates' treatment, which are caused by overpopulation in correctional institutions. Then, the Ministry pardoned them in February 1999.

Some people criticized the pardon as unfair to the people who already paid the fines, while others raised the question whether a one-time release can be a fundamental solution to prison overcrowding. Table 4 indicates the daily average number of inmates in workhouses in each year compared to the average number of inmates in total. This table suggests that the number of inmates in the workhouses went sharply up after the economic crisis. There have been some efforts to improve the system of fining by introducing a deferred payment and a suspended sentence to the fining system. It is mainly to reduce the number of offenders ending up in workhouses. It will also be desirable to put offenders into social work programmes instead of fining them.

Table 4. Daily Average Number of Inmates in Workhouses each Year Compared to the Average Number of Inmates in Total (1991-2000)

Year	1991	1992	1993	1994	1995	1996	1997	1998	1999	2000
Total inmate number	55,123	55,159	59,145	58,188	60,166	59,762	59,327	67,883	68,087	63,472
The number of inmates at work in correctional institutions	127	219	398	545	486	395	379	1,520	1,114	1,607

2. The Suspended Sentence

The most common rulings as an alternative to incarceration by the court are the suspended sentence without verdict and the suspended sentence with verdict. However, these options have a limited role in reducing the number of incarcerated inmates and keeping offenders in the community because of the stringent requirements for these suspended sentences. The suspended sentence without

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verdict puts minor offenders on suspended sentences for 2 years, preempting verdict. If the offenders on suspended sentence without verdict spend 2 years without committing further offences, their offence will be written off the police records, without sentencing.

By leaving offences out of the police records, the suspended sentence without verdict makes it easier for the offenders to return to their communities and encourages them to not commit further crimes. The suspended sentence without verdict is different from the suspended sentence with verdict in the way that one puts sentencing on hold and the other delays implementing the sentences that have been given.

The suspended sentence with verdict holds off the implementation of sentencing for a certain period of time for offenders who commit very minor offences and do not need confinement in correctional institutions. Once offenders serve the predefined time period, the verdict will be cancelled out, as if the verdict had never been made. The suspended sentence programmes resolve the problems of short-term imprisonment without correctional plans, by fostering voluntary and proactive efforts of the offenders to return to society.

The suspended sentence without verdict may be accompanied by 1 year of probation. It is granted when offenders are in need of supervision to prevent further criminal behaviour. The suspended sentence without verdict cannot be coupled with community service or community lesson order, while the suspended sentence with verdict can be made in conjunction with probation, community service and community lesson order. In the case of the suspended sentence with verdict, probation lasts as long as the suspended sentence period lasts. The ruling court, however, may decide the probation period within the suspended sentence period. The community service is for a period up to 500 hours and the community lesson can be up to 200 hours.

C. Most Common Community-Based Treatment in Korea: Probation

1. History

Community correction has the same principles as treatment in society. Probation is a part of treatment in society and also opposite to confinement in correctional facilities. It was first introduced in Korea in 1963 when the Juvenile Act was amended. As the probation Act was enacted and the Juvenile Act was completely amended in 1988, community service orders and attendance center orders commenced as a supplement to the Probation Act. In 1995, the Probation Act was merged with the Rehabilitation and Protection Law and this bore the "Act on Probation". During the same year, the amendment on the Criminal Act paved a way for expanding the probation, community service orders and attendance center orders to adult offenders.

The amended Criminal Act allowed probation to be granted to offenders who are under suspended sentences without verdict, suspended sentences with verdict, and parole. In 1995, the "Act on Probation" went through a phase of amendment to make probation, community service orders and attendance center orders available to adult offenders.

2. Probation in each Act

(i) *Probation in the Criminal Act (2001)*

Firstly, probation for the suspended sentence without verdict

Article 59-2 (2001) of the Criminal Act stipulates that probation may accompany the suspended sentence without verdict, when deemed necessary to prevent further criminal behaviour. The probation may last as long as 1 year.

Secondly, the probation programme for the suspended sentence with verdict

Article 62-2 (2001) of the Criminal Act states that probation, community service orders and attendance center orders may be coupled with the suspended sentence with verdict (Clause 1). Probation may be equal to or shorter than the suspended sentence with verdict in the period (Clause 2), while community service orders and attendance center orders shall be completed within the suspended sentence period, just as in the probation system in the United States.

Thirdly, parole with probation

Clause 2 of Article 73-2 (2001) in the Criminal Act mandates that offenders who are conditionally paroled should be put under probation during the release period. However, probation can be excluded when the authority in charge agree that probation is not necessary. This parole is very similar to that of the United States in the way that it releases inmates before they finish their prison sentence.

(ii) *Probation under the Sex Offender's Punishment and Victim Protection Act (2001)*

Article 16 (2001) in this Act makes it optional to put sex offenders on probation, when they receive suspended sentences without verdict. Sex offenders on suspended sentences with verdict will be given probation for a certain time within their suspended sentence period. Sex offenders who are paroled will be placed under the probation programme until the parole period is over.

(iii) *Probation in the Probation Act (1995)*

Article 59 (1995) of the Probation Act specifies that community service orders should be given up to 500 hours and attendance center orders up to 200 hours for offenders on suspended sentences with verdict. The ruling court determines where the community service order should take place and what are the subjects of the attendance center order. In other words, the Criminal Act introduced the probation programme, and the Probation Act illustrates programme details in terms of content and extent. Therefore, these two laws constitute the backbone of probation.

(iv) *Characteristics of the Probation Programme in Korea*

Probation programmes in Korea are different from those of western countries. Firstly, in western countries, community service orders and attendance center orders are considered as an integral part of the probation programme, while in Korea, the community service order and attendance center order are independent segments of the treatment in society aside from the probation programme. Secondly, western countries practice community service orders and attendance center orders with both probation and suspended sentences regardless of their legal implication when deemed necessary. However, in Korea, the probation, community service order and attendance center order are given to offenders who are under suspended sentences with verdict. In cases of suspended sentences without verdict and parole only probation is granted.

3. The Relationship between Probation, Community Service Orders and Attendance Center Orders

The probation programme is divided into probation and parole. Parole and probation have different origins and history, but they share the core concept of treating offenders in society. Because of this commonality, probation and parole are grouped into the probation programme. Instead of incarcerating convicted offenders in correctional institutions or juvenile institutions, probation allows offenders to carry on their lives in society for a certain period of time under the control, supervision and protection of professionally trained officers. These probation officers help offenders to change their criminal behaviour and consequently prevent further crimes. This is a way to ultimately protect society from crime.

The court may order community service for convicted offenders. This order requires the offenders to work in the community without any payment for a certain period of time instead of being incarcerated. The attendance center order is designed to provide courses or educational programmes for convicted adults or juvenile offenders to assist them to change their criminal behaviour. Probation refers to all treatment in society for offenders; community service orders and attendance center orders are components of probation.

4. Probation, Community Service Orders and Attendance Center Orders

After the introduction of the probation programme, probation, community service orders and attendance center orders were expanded from juvenile to adult offenders in 1997. The number of offenders on probation reached as many as 140,000, calling for communities to assist the government in offender management. The demand for community involvement has enhanced the role and responsibility of the Crime Prevention Board as shown in Table 5.

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Table 5. Offenders under Probation

Year Number	1991	1992	1993	1994	1995	1996	1997	1998	1999	2000
The number of offenders starting the programme	20,104	21,916	26,480	29,053	33,591	38,292	70,082	88,947	80,064	90,431
The number of offenders completing the programme	17,001	19,430	21,704	27,758	31,385	37,924	54,546	80,224	80,378	90,826
Offenders on the programme	17,025	19,511	24,287	25,582	27,788	28,156	43,692	52,415	52,101	51,706

Year	1991	1992	1993	1994	1995	1996	1997	1998	1999	2000
Total	3,800	4,789	4,549	6,441	7,128	9,173	23,694	40,501	37,194	40,082
Community Service Orders	2,460	3,355	3,278	4,671	5,284	7,418	22,030	37,506	33,391	33,580
Attendance Center Orders	1,340	1,434	1,217	1,770	1,880	1,755	1,664	2,995	3,803	6,502

D. Parole

If incarcerated inmates demonstrate good behaviour during their time, they can be released before their statutory release date. Also, inmates are regarded as having completed their sentence unless the release is cancelled or nullified. Parole is practiced as a response to the call to avoid unnecessary incarceration, to help inmates find hope and to ensure inmates make a smooth transition back into society. The objective of parole is to encourage offenders to take a hold of their lives in society, to reward the offenders for their efforts to change their behaviour and attitude, to maintain order in the correctional institutions, to increase the effectiveness of overall correctional services and to save the cost needed for incarcerating inmates.

Parole in Korea has been used as a way of controlling the inmate population. Table 6 shows the comparison between the number of parolees and the total inmate population from 1991 and 2000. In 1991 and 1993, the rate of parole ranged from 27% to 29%. Since 1994, it had stayed below 20%. In 1999, conditional releases surged to 35.3% and then in 2000, it edged up to 40.6%. The reason behind the upsurge in parole was the sudden economic downturn resulting from the foreign currency crisis that caused many to commit offences.

As a result, the whole criminal justice system including prosecutor's offices, courts and the correction bureau have been trying to solve the problem of overcrowding. The correction bureau tried to construct several detention centers and repaired old facilities to enlarge the capacity. The prosecutors' office reduced the number of inmates on remand by controlling indictment rates. The Ministry of Justice broadened parole for many prisoners who showed good behaviour.

Despite the rising offender population, the Korean prosecution service has held on to the tradition of incarcerating offenders in the limited number of correctional institutions until the overpopulation in the correctional institutions became a social issue. Without any serious consideration about the overpopulation in the correctional institutions, the prosecution service may have made concessions and

sought a stopgap measure by paroling inmates. In this case, parole cannot be a fundamental solution. The justice system may be putting risks back into society by releasing inmates who have not been sufficiently rehabilitated.

Sometimes, the justice system faces the situation where they have to re-incarcerate those on parole because of re-offending. Some offenders will end up getting stuck in the cycle of recidivism. With the amendment of the Criminal Act in 1997, the probation service (parole supervision) began to cover adult offenders and those on parole had to stay in programmes during their parole period. However, parole may proceed without probation (parole supervision) if the parole committee decides that it is unnecessary.

Table 6. The Number of Parolees vs. Total Number Released (1991-2000)

Year	Number of parolees	Total number released	Percentage of parolees (%)
1991	6,479	22,734	28.5
1992	7,481	26,832	27.9
1993	6,151	22,749	27.0
1994	4,129	21,438	19.3
1995	2,516	22,614	11.1
1996	2,876	23,797	12.1
1997	2,614	20,014	13.1
1998	4,790	22,731	21.1
1999	8,559	24,242	35.8
2000	8,035	19,774	40.6

III. CONCLUSION

Overpopulation in correctional facilities has long been an issue in Korea. However, it was not until late 1997 that this issue caught the public's eye. At that time, the foreign currency crisis hit the nation and many people committed offences as a result of economic instability.

Correctional services have always been on the back burner of public policy as the central government and the public have had no interest in it. As overpopulation has worsened by the foreign currency crisis and it caught the attention of the public, the government legislated and enacted the National Human Rights Board Act in May 2001. As more people are showing their interest in the human rights of incarcerated inmates, various efforts have been to resolve overpopulation in correctional facilities.

The traditional method of expanding or building correctional facilities is not cost-effective. In addition, correctional services isolated from society do not fulfill the policy objectives, that is, the successful return of offenders to society as sound citizens. Keeping up with the trends of society, Korea legislated with the Private Prison Act in 2001 to address the issues of high costs and low effectiveness. As of now, the Korean Correction Bureau is going to contract out one prison to a private entity. This private prison will be constructed and operated by the private contractor and the operating fees will be paid by the government according to the relevant laws and the contract.

It is one of the major concerns of the public to change the criminal behaviour of offenders and remove the risks they pose to society, and to transform them into socially compatible individuals. Because inmates are returned to the community and become our neighbours, it is the responsibility of society to help them adjust back to life in the community, to provide training and to make them stand on their own feet. In correctional facilities which are isolated from society, education, no matter how

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good it is, will not be enough to prepare the inmates to settle back into society; because human beings are products of their environment.

As correctional institutions have limits in terms of inmates' housing and education, we should look out for new options to more effectively administer correctional services with lower costs. There has been discussion in Korea on electronic monitoring including those on the probation programme. Some people who are in the field of justice are opposed to an electronic monitoring system, they believe that electronic shackles will turn society into a virtual prison by expanding the social control network.

They are concerned that the monitoring system will make human beings "guinea pigs." However, electronic monitoring for thieves or chronic drunk drivers or other offenders, as opposed to conditional release or parole for medical treatment, will have an actual impact of cutting down the incarceration rate. There is some criticism that the electronic monitoring system ends up increasing the population in the correctional services. However, this criticism decreases when tangible results are offered for people along with other efforts to ease incarceration. Now, is the time to discuss the overcrowding issue, its solutions and alternative methods to incarceration.

REFERENCES

The Ministry of Justice (2001). *White Paper on Crime 2001*.

Heo, Ju-uk (1998). *Corrections, Iljo-gak*.

The Ministry of Justice (2000). *Correction Vol. No. 292 (5)*, pp. 12-41.

The Ministry of Justice (2001). *Justice Annual Book 2001*.

Korea Correctional Association (1996). *Correction Research, Vol, No. 6*.

The Ministry of Justice (1999). *Protection, Volume No. 9*.

Criminal Policy Research Institute (1999). *The Status and Improvement of Probation, Community Service and Hearing Order*.

Criminal Policy Research Institute (1994). *Research on Suspended Indictment on Condition of Social Correctional Service*.

The Ministry of Justice (1999). *Protection, Volume No. 6*.