

Prisoner Reentry and Community Policing: Strategies for Enhancing Public Safety

Reentry Roundtable Meeting

The Urban Institute

Washington, DC

May 12-13, 2004





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Working Papers

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History of the Reentry Roundtable

Three years ago, the Urban Institute launched a major research and policy development initiative on the issue of prisoner reentry, with a broad substantive agenda that encompasses criminal justice policy as well as the impact of incarceration and reentry on children, families, former prisoners, communities, and civil society. (A prospectus of Urban Institute's reentry activities can be found at <http://www.urban.org>.) One of the key components of our initiative has been the creation of the Reentry Roundtable; —a group of prominent academics, practitioners, community leaders, policymakers, advocates, and former prisoners that convenes about twice a year to push the envelope of research and practice. We also invite about a hundred individuals (including practitioners, researchers, foundation officers, and community members) to observe meetings of the Roundtable, and have been impressed with the breadth and stature of people who have joined us to become part of a larger national network. The mission of the Roundtable is to develop new thinking about the issue of prisoner reentry, broadly defined.

The first meeting of the Roundtable was held in the fall of 2000, with the purpose of exploring the many dimensions of the reentry issue. We commissioned discussion papers by leading academics examining the state of knowledge on this topic from a variety of perspectives—health, substance abuse, family, gender, race, employment, community capacity, and state criminal justice policies. Those papers (and two others on mental health and victims' perspectives) were published in a special issue of *Crime and Delinquency* (volume 47, issue 3, 2001). They also provided the basis for the Urban Institute monograph entitled “From Prison to Home: The Dimensions and Consequences of Prisoner Reentry.”

Following that meeting, the Urban Institute designed a multistate longitudinal study on prisoner reentry, entitled *Returning Home*. At the second meeting of the Roundtable in March 2001, we focused attention on that design, with special attention to understanding the impact of reentry on family and community. We have completed the pilot study of *Returning Home* in Maryland and are implementing the full study in Illinois, Ohio, and Texas.

The third session of the Roundtable, held in March 2002, focused on the role of the institutions of civil society in creating barriers and bridges to the successful reintegration of record numbers of former prisoners. The papers from that meeting have been published on the Urban Institute's website. The fourth meeting, held in December 2002, examined the nexus between prisoner reentry and health. Those papers were published in a special issue of the *Journal of Correctional Health Care* (volume 10, issue 3, Fall 2003). The fifth meeting examined the employment dimension of prisoner reentry. A monograph report based on the findings of that Roundtable to be published in the Summer of 2004. The sixth meeting of the Reentry Roundtable, entitled “The Youth Dimensions of Prisoner Reentry: Youth Development and the Impacts of Incarceration and Reentry,” was held in San Francisco at the end of May 2003. The papers from this session were published in a special issue of *Youth Violence and Juvenile Justice* (volume 2, issue 1, 2004). The seventh meeting of the Reentry Roundtable, entitled “Housing, Homelessness, and Prisoner Reentry,” was held in October 2003. A monograph report based on the findings of that Roundtable will be available in Fall 2004.

Reentry Roundtable: Prisoner Reentry and Community Policing

The eighth meeting of the Reentry Roundtable, held in May 2004, addressed the nexus between reentry and public safety. Meeting participants, including academics, practitioners, service providers, and community leaders, were brought together to share their perspectives on the role of law enforcement and community policing in tackling the public safety consequences of the four-fold increase in the number of individuals entering and leaving the nation's prisons each year. To facilitate discussion, the Urban Institute commissioned four discussion papers exploring how community policing can respond to the challenges of prisoner reentry and public safety within the context of community concerns, sentencing policy, and corrections.

This document provides the full-text working papers commissioned for the Roundtable. Additionally, a report of a pilot study surveying public attitudes on reentry and public safety is provided. These working papers will be also published in a special edition on reentry in *The International Journal of Comparative and Applied Criminal Justice*.

A summary of the Roundtable meeting, including highlights of presentations by the authors of commissioned papers and the discussions that flowed from them, is available at <http://www.urban.org>. We are in the process of producing a monograph report of this meeting that will be available in Winter 2004.

Reentry Roundtable May 2004 Meeting Participants

Jeremy Travis (Cochair), Urban Institute	Jean Johnson, Public Agenda
Jim Bueermann (Cochair), Redlands, California Police Department	Robert Johnson, Anoka County Minnesota, County Attorney's Office
Alfred Blumstein, Carnegie Mellon University	Paul Joyce, Massachusetts Executive Office of Public Safety
Patrick Bradley, Massachusetts Executive Office of Public Safety	George Kelling, Rutgers University
Edward Davis III, Lowell, Massachusetts Police Department	David Kennedy, Kennedy School of Government, Harvard University
Walter Dickey, University of Wisconsin School of Law	Edmund McGarrell, Michigan State University
John Fitzgerald, Hampden County Massachusetts Jail and House of Correction	Alan Mobley, University of California-Irvine
Ellen Halbert, Travis County Texas Office of the District Attorney	Brenda Palms-Barber, North Lawndale (Chicago) Employment Network
Susan Herman, National Center for Victims of Crime	Carl Peed, Office of Community Oriented Policing Services
Gary Hinzman, Sixth Judicial District Department of Correctional Services	Charles See, Lutheran Metropolitan Ministry Association
Martin Horn, New York Department of Correction and Probation	Michael Smith, University of Wisconsin School of Law
Jacobson, John Jay College of Criminal Justice	Faye Taxman, Bureau of Governmental Research, University of Maryland
Gary Johnson, Texas Department of Correction	Reverend Steven Tucker, New Commandment Baptist Church

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BRICK WALLS FACING REENTERING OFFENDERS¹

Faye Taxman

Bureau of Governmental Research, University of Maryland

Abstract: Offenders returning from prison and jail often experience psychological and social anxiety about their standing in the community. The returning offender arrives in the community with grand expectations about their prospects and their revived role as a citizen in the community. A citizenship identity is one where the offender becomes an active member of civil society by assuming a constructive role as a breadwinner, parent, sibling, and so on. Offenders are often positioned to discard their prior roles (e.g., as the outcast, the deviant, etc.). While the offender may desire to be a citizen, the society has institutionalized strategies and practices that continue to reaffirm the outcast persona. The offender is then placed in the position of trying to manage a citizen role while being “less than” and often lacks the competency in core social and psychological skills to navigate through the maze of issues involved in reaffirming the citizenship role. The pathway to an outcast is far easier for many offenders than trying to overcome the obstacles to being a citizen.

Offenders returning from prison and jail often experience psychological and social anxiety about their standing in the community. The returning offender arrives in the community with grand expectations about their prospects, and their revived role as a citizen in the community. A citizenship identity is one where the offender is an active member of the civil society; this identity includes assuming a constructive role as a breadwinner, parent, sibling, and so on. The offender is often positioned to discard their prior roles (e.g., the outcast or the deviant). While the offender may desire to be a citizen, society has institutionalized strategies and practices that continue to reaffirm the outcast persona. The offender must then try to manage a citizenship role while being “less of a citizen” (Uggen, Manza, and Behrens 2003). In addition, the offender often lacks the competency in core social and psychological skills to navigate through the maze of issues involved in reaffirming the citizenship role. As described by Irwin

¹ This paper is partially sponsored by the Urban Institute and the University of Maryland. All opinions are those of the author and do not reflect the opinion of the sponsoring agency. All questions should be directed to the author at 301-403-8335 or at <http://www.bgr.umd.edu>.

(1970) and furthered by Maruna (2001), the pathway to an outcast is far easier for many offenders than trying to overcome the obstacles to being a citizen.

The question confronting us today is the formula for assisting offenders to identify with the citizen role as a means to minimize the identification and subscription to the outcast persona and to fulfil the goals of reintegration. Assuming that there is agreement that the offender should adopt the role of a citizen, then societal institutions are challenged to consider how to break down the walls that account for offender's identification with an outcast role. Key institutions such as law enforcement, parole, and the community must consider how they interact with the offender, and how these interactions influence the decisions that offenders make regarding the citizen versus outcast identity.

In this paper, we will begin with a review of some of the factors aiding and abetting the role of an outcast. We will focus the review on specific institutions that have a direct relationship to the offender and to the community after years of incarceration. Specifically, we will examine the law enforcement agents, parole authorities, and community members. Then we will outline how the social institutions can foster the acquisition of a citizenship role in society and can assist the offender in discarding the outcast persona.

Constraints of the Past, Present, and Future

Reintegration—the concept of rejoining and becoming a productive member of society—has not been in vogue for nearly 30 years. In the past, strides were taken to ease the transition back into society through a series of halfway houses (transitional living), employment, and counseling (Taxman, Young, and Byrne 2003a). For the most part, this limited infrastructure has dissolved during the last 30 years, as a move toward just deserts and more punitive approaches dominated the sentencing landscape. A collateral consequence that similarly crept into the

landscape continued the punishment in the community after release from prison and reinforced the offender's role as a wrongdoer. These restrictions affect some of the basic needs identified by Maslow as those affecting a person's social and psychological security, such as shelter and employment. Both of these ultimately affect the ability to thrive and participate in society. (See Petersilia [2003] for a discussion of specific areas where restrictions have intensified in civil society, such as type of employment, access to educational loans, and access to housing.)

Exacerbating the problem is the altering supervision context where "accountability" is the name of the game. Under the accountability model, the offender is held to a standard of behavior that even law-abiding citizens may experience difficulties achieving such a high standard. These accountability standards increase the conditions of release as part of a strategy to restrict liberties and freedoms while simultaneously raising the bar about normal societal behaviors. Ultimately, this process has yielded a greater likelihood that the offender will be violated for failing to abide by the "rules." Not surprising, technical violations are an increasing problem that contributes to new prison intakes (BJS 2002). The stiffening punitive nature of supervision sends a message to the offender about the limitations on their likely success as a citizen. In addition, it serves to reinforce the offender's tendency to identify themselves as an outcast and seek continuous psychological and social support from others in a like situation. The escalating community-based collateral consequences have distanced the offender from the community by stiffening the hardships associated with tearing down the walls that prevent an offender from becoming a citizen. In a quest to deter others from engaging in criminal conduct, the increasingly harsh sociopolitical climate has reinforced the offender's role as an offender (the outcast persona). It has not met one of the tenets of a retributionist policy that focus on "cleaning the slate" for the offender. Restricting housing options, limiting employment choices, identifying the offender as

an *offender*, and other factors have constrained the offender from integrating into society; essentially these strategies have placed a scarlet letter on the offender that is visible to the offender and others. More important, these factors reinforce the offender's self-concept as an offender with all of the trappings of a deprived status.

Law Enforcement

A closer look at the sociopolitical environment details the challenges confronting the criminal justice system, particularly for law enforcement agencies. The 1980s led to an explosion in arrests for drug crimes and a search for effective police strategies to curb the violence and drugs invading the streets of America. Four different efforts emerged to cope with the escalating problems of drugs: the "broken windows" approach, community policing, place-based policing, and COMSTAT and performance management (Weisburd 2002). Each had a different purpose, yet they continued the criminal career perspective proffered by Blumstein and Cohen (1986) that a small number of offenders account for most of the crime. In the broken windows approach, the focus was on public order and nuisance behaviors that degraded the community; often the targets were offenders who frequently committed low-level offenses. Community policing positioned police officers to focus on problem-solving community issues tied to the places or individuals that affected criminal behavior. Place-based policing focused attention on buildings, locations, or places where criminal conduct frequently occurred. COMSTAT provided a change to the culture of policing by providing a management strategy to increase performance of police units to address community-based problems. Together, these represent a new era in policing with innovations to alter policing from a reactive posture to proactive policing strategies. Albeit, each has had different impacts (some more effective and others more negligible) but together they

increased law enforcement awareness of offenders (especially those who had been incarcerated) and the places that crimes occur, particularly the persistent ones.

Community policing was the only of these initiatives that was designed to change police officers' position in society from that of solely maintaining public order to addressing public order issues. This strategy was designed to transform police from enforcer to problem solver (Greene 2000). Community policing varies in its impact due to the multitude of ways that it has been implemented, defined, and so on. At its heart, community policing positions the police officer to address community problems in a new fashion—instead of focusing on the offender or the person committing crimes, the emphasis is on working with the community to prevent crime. In many ways the community policing efforts were designed to alleviate crime-producing conditions but also to advance community organizing efforts and the problem-solving skills of the officer. The experience with community policing is quite mixed, but overall, police departments that tried the new style of policing found that some police officers were more comfortable with their public order and enforcer roles, and less interested in the problem-solving roles.

The law enforcement efforts have yielded mixed results. Most salient is that crime decreased in the last part of the 1990s and citizens expressed feeling more comfortable in their own communities. The impact on the individual offender and their role in the community has not been explored.

A recent poll in California on the criminal justice system reveals that many of our efforts to reform police and sentencing may actually only serve to backfire; we should be concerned particularly about the likelihood that offenders reintegrating into the community will be

successful since the offenders and their communities are skeptical about the intentions of the criminal justice agencies.

Another important finding of this poll reveals that the image of California's criminal justice system is in trouble. Surprisingly, in a country where the criminal justice system is supposed to be the strongest and the most dependable, majorities of the poll's 12 racial and ethnic groups think California's system favors the rich and powerful. Eighty-eight percent of African Americans and 75 percent of American Indians agree with that concept. Moreover, the state's criminal justice system scored low on the most important criterion: its fairness. More than two out of three African Americans, Latinos, and American Indians indicated that they have only "some" or "very little" confidence in the fairness of the criminal justice system of California.

The results of the poll reveal good news and bad news for California's police departments. On the positive side, all of the groups are satisfied with the job that their local police departments are doing in protecting their neighborhoods. More than half of all the groups and four out of five Arabs and Armenians rate their job performance as "good" or "excellent." On the negative side, a majority of California's racial and ethnic groups believe that their local police tend to harass and detain people with darker skin or with foreign accents more than they harass and detain other Americans. Namely, three-quarters of African Americans and nearly half of all Latinos believe that their local police officers often abuse their power (Bendixen and Associates 2004).

If this sense of unfairness and inequity holds true, it is likely that the returning offender will be leery of the criminal justice system and its intent in all efforts—even efforts to reintegrate the offender back into the community. As noted in the procedural justice literature, citizens that perceive situations as being unfair or inequitable are more likely not to comply with the law (Tyler 1990; Tyler 1994; Taxman, Soule, and Gelb 1999). This situation may create ambivalence toward compliance with the law or program requirements. The advances in policing in the 1990s may have intensified offenders' perception of themselves as social outcasts and thus targets of unfair police efforts. The offender's perception may be that the hidden agenda is merely a camouflaged "lock 'em up" strategy that strives to catch the offender in even the most insignificant behavior instead of maintain order in the community.

The Community

The community became a central point in crime prevention efforts in the 1990s as more and more efforts were devoted to improving community capacity to address crime problems. Some of the escalating collateral consequences derived directly from communities being inundated with felons and fear that such offenders would prey on the community. For example, some of the prohibitions on offenders convicted of felonies in public housing areas (e.g., Section 8) derived from community concern about returning offenders residing in areas where they could easily resume their criminal behavior. At the same time, many communities realized that there was a need to take a different approach to welcoming the offender back into the community by creating guardians, angels, advocates, or others that could assist the offender in the transition back to the community (Taxman, Byrne, and Young 2003b). Scholars have learned that the problem of offenders returning home is not evenly distributed through all communities in the United States, but rather is concentrated in select neighborhoods (Clear 2004), and by and large these neighborhoods tend to be adversely affected by other social ills in employment prospects, housing problems, poor performing educational institutions, and so on. In these communities, it is unclear what role the offender assumes. What is clear is that the offender joins the neighborhood members in struggling to obtain the basics of shelter, food, and clothing.

In general, the question that plagues this discussion about the community is a simple one: Who is the community? The community ranges from family and friends to the neighborhood to the political district or jurisdictional area. At each level, the community plays a critical role in defining where the offender fits into the social arena. Each level has different expectations and demands on the offender, and the offender has reactions to these expectations and demands. What should be considered are how these demands and expectations affect the offender's sense of psychological and social safety. To coin John Irwin's discourse on the reintegration process,

the central focus is on how to assist the offender in “making good” (being a citizen in the community).

With La Bodega and other innovative family based programming, more attention has been placed on the relationship between the offender and the community. Jennifer Gonnerman’s recent book (2004) focuses on life after prison and portrays some of the issues affecting the offender’s reintegration into a family when the offender has been removed for an elongated period of time. Recent attention has been drawn to the family issues related to the offender both in and out of prison. In prison, the offender is removed from his or her family but the removal does not necessarily mean that the offender does not have obligations or a sense of responsibilities to blood relatives (or even others that are part of the offender’s extended family). The removal often exacerbates the issue by placing new demands on the family, both emotionally and financially, including the need to maintain contact, to provide emotional support for the incarcerated loved one, and to provide the offender with needed goods. These needs drain the financial resources of the offender’s loved one and often absorb resources that only serve to strap the family even more. Upon entrance back into the community, the family often expects the offender to repay the resources consumed while the offender was incarcerated, and to assume a pivotal role in the family. Some offenders prefer to delay reuniting with the family to ease the pressure (Young, Byrne, and Taxman 2003) while others merely reunite with the family while rejecting the demands to contribute to the family.

At the neighborhood level, the returning offender meets new challenges. The parole system (or some form of supervision) has certain restrictions on the offender that can range from restrictions on area (places), time (curfews and appointments), people (other offenders even if they are family members), and so on. These restrictions are not necessarily designed to affect the

offender's role as a citizen in typical areas of responsibilities (e.g., employment, parenting, and civic participation) but, like other scenarios, there are unintended collateral consequences. Much depends on the policies of the local parole office, and in many cases, the practices of individual parole officers. As a result, the offender has an increased sense of unfairness, and these restrictions may actually interfere with the offender's sense of obligation to the community. From the offender perspective, these restrictions may affect the reintegration into the community since it serves to belittle the offender in ways that challenges the offender's sense of self-efficacy and role identity.

In addition to the criminal justice authorities, the neighborhood community has certain role expectations for the offender as a provider for his or her loved ones, as a law-abiding citizen, and as a civic member of the community. The neighborhood organization is part of the natural support system that bonds the person to the community and is available to assist people in times of need. Whether the neighborhood community is the civic association, community organization, church, or some other organization that has a presence in the neighborhood depends on the community. Expectations will vary according to the organization and its position in the neighborhood, on the individual, and on what types of services the organization will provide to the community. Civic associations may be concerned about the organization's physical presence in the neighborhood, while the church or other icons may be focused on the needs of that organization; the organization may offer services to those in need, such as food for the homeless, used clothing, and assistance with housing or emotional support. Increasingly many of these efforts undertaken by the natural support systems have slowly evolved from volunteer (natural efforts) to contractual services. As natural efforts, these services are provided for the expressed goal of assisting those in need. A contractual basis for the services may affect both the type of

services offered and how those services are delivered. For example, under a contract there may be limitations on the type of people that are eligible for services, amount of services available to an individual, duration of the services, and other constraints that often occur with providing services based on a contract. The contractual relationship changes the nature of the services and may involve modifying the services to fulfill the demands of a contract. The person in need must then modify their expectations of the services provider, and this can be accompanied by increasing resentment toward or ambivalence about the services. It can also create a sense of unfairness if these services were previously provided under a different context, and therefore create a sense of lost legitimacy for the services (LaFree 2001). The migration from a natural system to a contractual (or limited service) may have an impact on the community and how the offender perceives the social institutions in the community (e.g., as a caregiver, as a government entity, or as a form of social control).

With the increasing awareness that there are a limited number of neighborhoods that are likely to be affected by the migration of returning home offenders, more attention has been given to the capacity of these neighborhoods or communities to reintegrate the offender into a citizenship role. With several studies under way to examine the social capital in these neighborhoods, it is apparent that these neighborhoods suffer considerably from a lack of resources to assist the members of the community, regardless of whether they are offenders returning from prison or citizens that are not involved in the criminal justice system. These neighborhoods generally lack sufficient organizations or resources to fulfill the needs of the citizens. The existing organizations have demands that they expect for the offenders to meet upon returning home.

A Citizenship Role for Offenders

The police, parole officers, and the community (at all levels) have expectations about the offender, and as currently presented in the sociopolitical environment, these expectations often reinforce the offender's outcast persona. The prior discussion has shown how the offender is confronted with the offender persona from society. The question that remains is what steps can society take to reinforce the offender's natural tendency upon release to identify with a citizenship role (Gonnerman 2004; Uggen, Manza, and Behrens 2003; Irwin 1970; Maruna 2001). This challenge occurs in a new era of reentry where social institutions, policymakers, and communities search for strategies to reduce the churning of offenders to and from incarceration. But this recycling of offenders occurs in a socialpolitical environment where the civil rights of the offender are constrained, and the balance between the rhetoric of "accountability" and "hug a thug" has yet to be resolved.

The returning offender encounters certain challenges upon entrance into society. Irwin (1970) and Maruna (2001) describe how the offender goes through different phases, beginning with high confidence and expectations about his or her citizen role, and then the offender quickly experiences the realities of reestablishing oneself in society and maintaining a prosocial role. These harsh realities serve as the dissuaders that result in the offender disengaging from society and reverting to old, more comfortable (criminal) ways. The ability to obtain work, and work that offers a living wage, along with finding appropriate shelter, are usually the two main distracters to being a citizen. The offender, in pursuit of shelter and work, consistently hits barriers that he or she had not anticipated. The offender usually does not have the social or coping skills to be able to successfully maintain desistance.

A strategy is needed to affirm the offender's citizenship role and address the fundamental needs that often get in the way of successful role identification with being a citizen (and thus

shed the outcast persona). This strategy needs to attend to the psychological and social needs of the offender as a means to reaffirm their new role in society. Given that offenders tend to return to communities with significant social capital deficits, the strategy is to attend to both the societal need to refurbish the community and provide offenders with the means to “make good.” The strategy derives from the restorative justice model where the focus is on accountability, restoration, and competency development. That is, the restorative justice model provides the framework for reintegration that works toward the offender becoming a member of the community and tearing down the walls that continue to refer to the individual as “ex-offender.” Added to this model is the need to focus on the self-efficacy of the offender in order to build the capacity to desist from criminal conduct and build a prosocial lifestyle.

1. **Department/Rapport Building.** Humanitarian-based interactions are the cornerstone to the offender retaining the high expectations that they have upon leaving prison. The first strategy begins at the time of departure from prison, where the community and/or police agencies should use this opportunity to reinforce the offender’s role as a citizen. That is, the emphasis should be less on the “we know who you are” (and “we are watching”) to more about the breadwinner and citizen role that the offender will have after release. The current stance is that the offender is made aware of his or her limits and restrictions. Building on motivational enhancement approaches, a strategy focused on department is designed to reinforce the offender’s commitment to him/herself as a member of the community that has value. It serves to reinforce the offender’s sense of self-efficacy and place in the community. Part of the strategy is to ensure that the offender views him/herself as having the potential to meet the challenges of reintegration. By having the two agencies less likely to treat offenders as citizens—police and

parole—then it provides a framework for the offender to understand that he or she is a member of the community.

2. Employment to rebuild the community and provide employment. Few transitional employment programs exist like those in New York City that provide offenders with ready employment. Employment is one of the key constructive factors that assist the offender in establishing him/herself as the breadwinner, a key citizenship role. It is also an area where increasing collateral consequences have occurred over the last decade. Employment is a key area that serves both societal and individual needs—it provides the means for an individual to earn funds to be independent and not depend upon criminal conduct to survive. Since many offenders have limited work experience, they lack the skills to function in the workplace. However, employment could ease the transition from prison to successful reintegration. Having a ready employment after release from prison is one of the critical challenges confronting many offenders.

A transitional employment program provides the offender with ready employment that both allows the offender to be supervised and also develops a career path. The employment program typically has three features: 1) administrative support with a full array of jobs, including sales, marketing, advertising, and administrative work; 2) reconstruction business that is modeled after Habitat for Humanity, which rebuilds housing for low income individuals; and 3) career tracks to help offenders learn management and supervisory skills. The program can be used to boost redevelopment in the community through providing employment for the offender and for those in the community. The duration of the program, up to five years, allows the offender to learn a number of skills and establishes an employment record. The focus on the community then serves the purpose of the reparation as well as the competency development of the offenders.

The transitional employment benefits the community as well as enhances public safety. By involving offenders and others in the community, transitional employment programs achieve some of the place-based policing strategies to address locations where criminal behavior tends to occur. The community identifies the areas and types of dwellings that are needed to rebuild the community and neighborhoods.

A total integration of the transitional employment center as part of the community is achieved by different members of law enforcement, parole, and other authorities working with offenders in the community. When authorities work with offenders, offenders can become acquainted with authorities to ensure that there is mutual respect. It is difficult to develop respect if the individuals have not had any opportunities to become acquainted in a different setting than the police station, parole office, or other places where the offender is likely to meet with such officials. These officials could also be a role model for the offenders and assist the offender in learning new citizen roles in a nonthreatening manner.

3. Create fair and equitable processes. Part of the defiance and adherence to the outcast persona of offenders derives from offenders' persistence in their belief that they are being treated unfairly. The offender examines the societal processes, including some of the collateral consequences, and uses these processes to justify that they are being wronged by society. More importantly, these situations solidify the perception that the offender is not welcome by the mainstream and therefore has no choice but to assume an outcast persona. Stated simply, since offenders tend to perceive the world around them as unfair, their perception of society serves to undermine their desires and expectations about the likelihood of becoming a part of society.

One strategy to address this problem is to create more equitable decisionmaking processes that are regimented and apply these processes to all offenders in like situations. Using

the tenets of procedural justice, the goal is to define undesirable behaviors in such a manner that the definitions are agreed upon and then to define the appropriate response categories. This approach creates a level playing field that the offender can abide and it reduces the perception that one offender is treated differently than another offender. This strategy should be used with different decisions: rules such as reentry processes, job opportunities at the transitional center (see above), noncompliance behavior, compliance behavior, and other issues that affect the offender's interaction with the authorities. The procedural justice model has been tried in several areas (e.g., arrests for domestic violence, probation and parole, and drug courts) where the results continue to suggest that offenders tend to accept negative consequences when they believe that they are being treated fairly (Paternoster et al. 1997; Tyler 1994; Taxman and Thanner forthcoming).

Fair and equitable processes also provide a framework for law enforcement, parole, and community representatives to understand what are the target behaviors and responses. Currently, authorities can use their own discretion as to the expectations for the offender behavior—and the offenders tend to find this inconsistency to be a vote of no confidence. The procedural justice model addresses this issue by reigning in the authorities and communities along certain tenets, and it provides a framework for how these individuals interact with the offender.

Conclusion

The sociopolitical climate is one that reinforces the offender as an outcast that is unlikely to be integrated into mainstream society. The collateral consequences remind the offender that he or she is not entitled to the same privileges as others in society, and that some core benefits (e.g., employment based on interests or housing with loved ones) are threatened because of the offender's legal status. The challenge is to assist the offender in assuming role identification as a

citizen. To do so requires eradicating some of these collateral consequences and improving the rapport and respect shared between an offender and authority figures. The community must be a place where the offender can be successful instead of a place fraught with chains to keep his or her head above water.

Breaking down the wall will involve the need to affirm that the offender is a viable member of the community. We should capitalize on the offender's natural tendency to identify with a citizen role upon release and work to disentangle the obstacles that offenders face to maintain their optimism. These struggles are documented by several scholars, including Maruna (2001) in his most recent book, *Making Good*, or the journalist account of Elaine Barlett's journey to be a citizen (Gonnerman 2004). This paper presents the strides to achieve some balance by reframing how the police and community may reconnect with the offender by focusing on a restorative justice model that emphasizes employment and respect for the offender. The goal is to reduce the disparity that offenders confront in the most critical area of being a citizen—making a living wage and establishing an employment record. Breaking through the walls will need to be based on changing the the interaction between the offender and society.

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THE ROLES OF THE POLICE IN THE OFFENDER REENTRY PROCESS

Edmund F. McGarrell, Carol Rapp Zimmerman, Natalie K. Hipple, Nicholas Corsaro, and Heather Perez, School of Criminal Justice, Michigan State University

Abstract: The increasing number of former inmates returning from prison to the community, coupled with the high level of reoffending among former inmates, raises public safety issues for society generally as well as for particular communities where significant numbers of former inmates reside. Given these public safety concerns, inmate reentry emerges, or at least potentially emerges, as an issue of concern for the police. From a problem solving perspective, crime generated by the persistent high rates of offending by recently released inmates is one of those chronic crime problems calling for proactive, strategic problem solving. This paper includes a discussion of some of the ways that the police have become involved in reentry efforts in some communities. Here we draw upon descriptions of reentry programs that have been developed in the states through DOJ's offender reentry program as well as reentry programs that have been developed as part of DOJ's Project Safe Neighborhoods, an initiative intended to reduce gun crime. Additionally, we consider the potential roles that the police might play in reentry programs. We begin with the premise that most reentry programs are based on a relative emphasis on either social support or surveillance/deterrence/incapacitation, or some combination of support and surveillance. Correspondingly, police involvement in reentry may emphasize social support through community building and/or deterrence through heightened surveillance. Interesting theoretical and policy issues arise as to the efficacy of social support and surveillance/deterrence and whether programs combining support and deterrence are more or less effective in fostering reentry. Further, questions arise as to the consistency between individual-level effects (successful reintegration versus recidivism of individuals) and community-level effects (community safety).

Introduction

Offender reentry has reemerged as a topic on the criminal justice agenda for debate, program development, research, and funding. While scarcely a new issue, there is currently a renewed focus on the need to address the high recidivism rate of those offenders returning from secure confinement to the community.

Roughly 650,000 adults are released from state and federal confinement facilities each year (Beck 2002; Hughes et al. 2002; Glaze 2003). Approximately 100,000 of those are youthful “adult” offenders, sentenced to adult confinement, but paroled or released while still under the age of 25. Another 100,000 are juvenile delinquents, released each year from youth facilities. In total, local communities must face the return of approximately three-quarters of a million offenders. Complicating the reentry process is that not all of these returnees will be on the same type of legal status. By the beginning of 2001, 16 states had abolished parole and 4 more abolished it for some types of offenses (Beck 2002; Hughes et al. 2002; Bureau of Justice Statistics 2003).

The United States Department of Justice, Office of Justice Programs, estimates that only one-third of those offenders returning from secure confinement will remain crime free after three years in the community (Langan and Levin 2002; Beck 2002; Hughes et al. 2002; Bureau of Justice Statistics 2003). Research indicates that almost a third of ex-offenders (30 percent) reoffend within six months of release (Petersilia 2003). That means that roughly a quarter of a million ex-offenders will commit new crimes within six months of their reentry date.

For some municipalities this creates large financial and human costs. For example, officials in Philadelphia estimate that two-thirds of the ex-offenders returning to that city recidivate within three years. If they could reduce recidivism by 10 percent, they estimate that the city would save \$6.8 million in jail costs alone (Philadelphia Consensus Group on Reentry and Reintegration of Adjudicated Offenders 2003).

For police departments, similar savings in time and resources could be accrued if a larger percentage of ex-offenders could be reintegrated successfully. However, the role law enforcement can and should play in preventing or limiting reoffending has not been well defined

or intensively and widely researched. Indeed, during the professional era of policing, involvement of the police in reentry was likely to occur only as the police responded to a crime involving a former inmate. As police departments adopt a problem-solving framework, however, the high rate of offending and victimization involving former inmates becomes the type of recurring problem that calls for proactive interventions. Further, these interventions may be enhanced through multiagency, multisector, problem-solving partnerships consistent with the community-building philosophy of community policing.

In this paper, we begin by reviewing several theoretical models of inmate reentry as a means of providing context for discussion of the potential roles of the police in reentry. We then present a conceptual model of that role. We next review a number of contemporary reentry initiatives with particular attention to the roles of the police. We conclude with a discussion of issues related to police involvement in reentry efforts as well as preliminary recommendations.

Theoretical Approaches Informing Reentry Practice

Theories attempting to explain why an ex-offender might successfully reenter society and live crime free or return to criminal activity tend to center on the possible deterrent effect of surveillance or the potential life-course changes associated with the provision of social support. These two dimensions (surveillance and support) form the basis of Studt's (1972)² classic model of probation and parole supervision and offer a tool for conceptualizing the potential roles the police could play in reentry processes. Additionally, we extend the surveillance/support model by drawing upon concepts from structural exchange theory.

² Studt used the term service to include functions described here as support.

Surveillance and Sanctions

Fair sanctions increase compliance with the law by affirming the legitimacy of law enforcement, but unfair sanctions reduce compliance by reducing legitimacy (Sherman 1995, 212)

Perhaps the most congruent role for the police in inmate reentry efforts involves the surveillance of former inmates, likely in concert with probation and parole authorities, to deter criminal behavior or increase the likelihood of incapacitation once an offense has occurred. Such approaches draw upon traditional police roles involving the surveillance of high-risk groups (e.g., gangs, drug distribution networks), as well as promising efforts involving deterrence (Nagin 1998), career criminal initiatives (Martin and Sherman 1986), coerced drug treatment (Harrell, Cavanagh, and Roman 1999; Harrell et al. 2002; Kleinman 1997; Satel 1999) and gang interventions (Kennedy et al. 2001; Decker 2003).

Deterrence is based on the premise that the person considering a criminal act will modify his or her calculation of the potential costs versus the benefits of committing the crime if commensurate sanctions for the crime are known to be applied with certainty and celerity—or swiftness. This is an effort to coerce compliance with legal and social norms through external, formal agents of control. Yet the deterrent effect of increased surveillance of probationers and parolees has produced mixed results (Bryne et al. 1992; Petersilia and Turner 1990).

Applying this principle to ex-offenders returning from confinement has proven problematic on two fronts. First, intensive supervision programs, in which officers from parole, probation, police, or a combination of those agents have attempted to monitor offenders closely have not been shown to be effective (Petersilia and Turner 1990; Petersilia and Turner 1991; Petersilia and Turner 1993; Lurigio and Petersilia 1992). These programs tend to increase the

detection of technical violations, but such technical violations have not proven to be a good indicator of the ex-offender's risk of committing further crimes.

The second problem encountered with fully implementing a deterrence strategy is that, even with specially targeted monitoring or supervision programs, it is virtually impossible to detect and sanction every misdeed. Consistency or inconsistency of surveillance and sanctions appears to affect the value of the intervention. Colvin et al. (2002) theorize that consistent efforts to coerce lawful behavior may result in low levels of antisocial behavior, but that inconsistent coercion leads to anger and an increased risk of criminal activity (Sherman 1993; Cullen 1994).

A model for such external action by formal agents of control could be borrowed from life course models to explain the onset of delinquency. Erratic and abusive discipline increases the risk of delinquency (Loeber and Stouthamer-Loeber 1986; McCord 1991; Smith and Thornberry 1995). This lack of consistent external coercion creates alienation, rather than pro-social bonding between parent and child (Hirschi 1969). The coercive bond is then theorized to be reproduced in other power relationships—between child and school, child and authority figures—like police (Colvin and Pauly 1983).

Gottfredson and Hirschi (1990) argue that such erratic coercion is one of the factors that lead to low self-control (Gottfredson and Hirschi 1990). Colvin and colleagues note a similar result for adults in that “an erratic schedule of coercion teaches individuals that they cannot control consequences because negative stimuli appear to occur randomly, not as predictable outcomes of behavior” (Colvin et al. 2002, 22).

In addition to consistency, the legitimacy of the supervision or sanctions may also lead to increased prosocial behavior, while the perception that such measures are not legitimate may lead to anger, strain, and a return to criminal behavior (Agnew 1985). As Sherman (1993) noted,

if an intervention is perceived to be arbitrary or unjust, defiance rather than conformity to social norms may result. Just as with the impact of social supports, inconsistent support degrades trust and the likelihood of prosocial bonds and inconsistent coercion may similarly degrade trust in the formal agents of society and in the norms that are sworn to uphold (Cullen 1994; Sherman 1993).

To better explain the conditions under which deterrence appears to have less effect, Sherman (1995) identifies four conditions in which defiance, rather than deterrence, may result from police sanctioning: the offender believes the sanction is unfair, the offender is poorly bonded to the agent (the police) and the community that agent represents, the offender perceives the sanction as a personal rejection, and the offender denies or redirects the shame to defiance.

Thus, while there appears to be evidence that increased surveillance can result in reduced criminal activity, the impact appears to be conditional, and the possibility exists that inconsistent and perceived unfair surveillance and coercion may generate criminality.³ The relationship between the social supports offered by the community and the coercive supervision imposed by that community might help explain the effectiveness or ineffectiveness of various reentry intervention strategies.

Social Support

A warm, caring, romantic relationship was associated with decreased involvement with deviant friends and this change in friendship network, in turn, was linked to less criminal behavior (Simons et al. 2002, 427).

Social support can be conceptualized at both the individual level and at the broader level of community or society. At the individual level, Sampson and Laub (1990, 1993, 1997) point to specific transitions that appear to set successful (or unsuccessful) trajectories for the returning

³ Laub and Sampson (2003) warn of the potential of “cumulative disadvantage” as arrest and incarceration disrupts employment, school, family, and community bonds.

offender. A caring relationship with a prosocial (conventional) spouse and a commitment to a job are predicted, by this age-graded theory of informal social control, to lower criminal activity.

Social learning theory predicts a similar outcome for those ex-offenders who are involved in a prosocial marriage or relationship. Warr (1998) found that those delinquent adolescents who were later married to a conventional spouse were more likely to terminate their relationships with criminal peers. Warr argues that it is the change in the social learning environment that led these prior offenders to desist from engaging in further criminal activity (Akers 1985; Warr 1998). Simons et al. (2002) also found that a caring, prosocial partner led to less involvement with deviant peers and to higher work commitment.

Similarly, differential association theory would support the premise of a strong association with a conventional, prosocial spouse fosters a difference in friendship networks and it is that association that enhances the ex-offender's ability and willingness to interact with those conforming to society's norms (Sutherland et al. 1992). This begins to reflect social support at a more macro-level. The more the offender is able to move into conventional society, the less his or her opportunities will be blocked (Cloward and Ohlin 1960).

However, more intimate prosocial groups are not sufficient to create important opportunities (Cullen 1994). To be meaningful, social supports at the community level provide resources that allow people to provide for themselves and their intimates without resorting to criminal behavior. One important aspect of such supports is the consistency with which they are delivered (Cullen 1994; Colvin et al. 2002). If such supports are episodic and unpredictable, the person attempting to rely on them may experience frustration, anger, and strain (Agnew 1985, 1992). However, an ex-offender who perceives social supports as consistent and dependable begins to rebuild (or build) a stronger sense of self and self control as the offender's actions and

interactions lead to understandable, consistent, and positive results (Cullen 1994; Colvin et al. 2002). Consistent social support appears to engender trust, thus opening up the possibility of creating or increasing attachment to prosocial norms, the community, and to conventional society (Cullen 1994).

Just as deterrence through heightened surveillance is complex, so too is social support. The experiment in providing employment and income support conducted by Rossi et al. (1980) demonstrated that mere provision of support was not associated with decreased offending. Rather, it appears that it is the increase in social capital through social ties such as marriage, employment, and parenthood that is most to lead to desistance from crime (Decker and Lauritsen 2002).

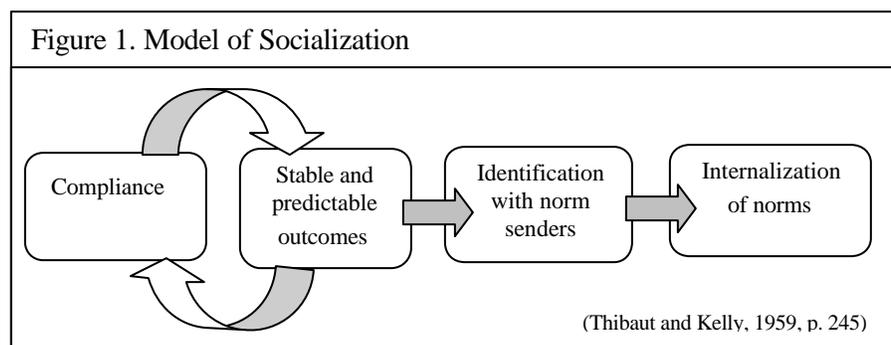
The role of law enforcement in resocialization

Thus, although an “exchange” may appear to be instigated by the actors themselves, it often derives from the performance of social norms or interlocking role obligations (Burns, 1973).

A law enforcement officer is, by definition of the job, a protector and defender of social values and norms. For a person who abides by those norms, the relationship between officer and citizen is typically one-sided and positive. The officer provides a service and is seen as giving more to the relationship than the citizen who has merely to continue to uphold the norms and values he or she already

embraces. The provision of valued public safety services by law enforcement links the

agent to this valued public good. The implicit understanding of the officer’s role reinforces the



benefits of the norms while recognizing an unrealized threat of sanction for violation of those norms. Thus, for the generally norm-following person, law enforcement activity is perceived as positive for the community and the individual. Cooperating with someone who represents the norms of the society is seen as an exchange that provides the benefit of social approval (Blau 1964).

Similarly, socialization (or resocialization) to the community's norms is theorized to occur when the actions of the person are met with stable and predictable outcomes depending on the level of compliance with social norms. Through rewards and sanctions, compliance increases and positive interactions increase, thus leading to identification with the norm senders and finally to internalization of norms (Thibaut and Kelly 1959).

Burns notes that compliance with norms and positive interactions with the agents of those norms are associated with four factors: the degree to which the society satisfies needs, the more the person lacks an alternative means to satisfy those needs, the degree and length of this prosocial bonding, and the more the person depends on the group for guidance in time of uncertainty (Burns 1973, 195). So for the ex-offender who must make choices between a return to criminal associates and enterprises or an attempt to find employment and seek life's satisfactions through socially approved means, law enforcement becomes both the reflection of current attitudes and a possible source of attitudinal change. The more positive the relationship between the officer (as the tangible symbol of law) and the ex-offender, the more viable law-abiding behavior becomes (Thibaut and Kelly 1959).

However, the interaction between ex-offenders and those attempting to preserve the public peace are not simple, product-based, reciprocal exchanges. While it may appear that the officer and the ex-offender are communicating on a person-to-person basis, structural exchange

theory proposes that the communication is heavily influenced by the societal role that the officer is commissioned to play, the context of the interaction, and the social orientation of the ex-offender to the officer and vice versa (Burns 1973). If either party in the exchange perceives that the other will be inclined to create problems or work against his interest, the incentive to behave in a positive manner will be greatly reduced, as no positive return on that investment is expected (Burns 1973). Mistrust breeds mistrust (Scanzoni 1979).

By definition, the ex-offender has violated societal norms, and past experience with law enforcement has led to negative personal consequences. Thus, the offender may choose a negative orientation or a hostile orientation toward any interaction with law enforcement, inhibiting communication, cooperation, and feelings of reciprocity (Burns 1973). This inhibits a productive, positively oriented exchange, as that sort of exchange requires some level of trust between the participants (Blau 1964). Therefore, this theory predicts that threats of sanctions will be most effective with those that are least at risk to commit crime; this theory too predicts that such messages will be met with most hostility and defiance by those with the fewest and weakest bonds to society's norms (Blau 1964; Burns 1973). If sufficient negative sanctions are applied, compliance can be coerced. However, without some internalization of norms, surveillance and sanctions must be ubiquitous to be effective (Thibaut and Kelly 1959; Blau 1964).

The Relationship of Informal Social Bonds and the Use of Formal Social Control

...individuals who report higher stakes in conventionality are more deterred by the perceived risk of exposure to law-breaking (Nagin 1998, 20).

In their study of arrests for domestic violence offenders, Sherman and Berk raise the possibility that failure to find robust, replicable results for general deterrence effects for arrests of domestic violence perpetrators might be due to the fact that “there is a good chance that arrest

works far better for some kinds of offenders than for others” (Sherman and Berk 1984, 270). Although arrest produced deterrent effects for offenders with greater stakes in conformity, they found that that the external application of control by officers for those people who had a low stake in conformity produced more violence, rather than less (Sherman and Berk 1984).

As control theory would suggest, the greater the prosocial bond, the greater the effect of deterrence (Hirschi 1969; Sherman and Berk 1984). Those individuals who exhibit such bonds to conventional others and commitment to conventional activities appear to have internalized or accepted social norms and, therefore, to be more likely to experience and fear shame if such norms are broached (Hechter and Opp 2001; Wolfgang and Ferracuti 1967; Braithwaite 1989).

Intimate Handling: Natural and Agency Handlers

Those who are bonded to peers (or for children, their handlers) who disapprove of crime would seem to be shielded from defiance (Sherman 1995, 216).

Byrne et al. (2000) make the distinction between natural guardians and agency guardians, a distinction between those intimates who may affect the behavior and external agents (such as police or parole officers) who are formally tasked with enforcing legal norms. The concept of persons who hold such sway has also been termed handling (Felson 1986; Cohen and Felson 1979; Sherman 1995). However, for the purposes of exploring the possible role of police within a community reentry process, the idea of expanding handlers to include both intimates and external agents of control may be useful.

Handlers are seen as offering both support and coercing obedience to norms. Handlers, at both the community and individual level, can provide instrumental support and steady encouragement (Colvin et al. 2002). In addition, for adults as well as children, such handlers can serve in a “tracker” role as envisioned by Atshchuler and Armstrong (1994) in their model for

intensive aftercare supervision for delinquents, which envisions a program for effective transition to the community as an amalgam of intensive surveillance and delivery of social supports and services.

The Joining of Informal and Formal Agents of Social Control

The ability of law enforcement to detect warning signs of renewed criminal activity and use their discretion not only to sanction but to use problem solving strategies to intervene holds some promise for officers in terms of prevention and intervention, especially in terms of the imposition of graduated sanctions (Uchida and Forst 1994; Greene and McLaughlin 1993).

Commensurate Interventions

Erratic coercion produces an extreme other-directed anger, because, following Agnew's (1992) insight, the perception of unjust and arbitrary treatment is heightened in an erratic schedule of coercion (Colvin et al. 2002, 22).

Rather than view any violation, even a technical violation, as a reason to remove the offender from the community (to jail or prison), graduated responses to antisocial behavior can reinforce the proposition from deterrence theory that sanctions must be certain, swift, yet commensurate in order to be effective and viewed as legitimate (Sherman 1995). Research indicates that if members of any group, such as ex-offenders, feel that arrest is overly aggressive, that group will not only develop defiance attitudes toward the agents imposing that coercion, but also for the society those agents represent (Greene 2000; Rosenbaum et al. 1998; Walsh 2001).

Social Supports, Surveillance and Sanctions

The community organization model presupposes that various community problems...can be prevented through the collaborative efforts of various social control agencies, including the police, schools, and grass-root organizations (Thurman and Mueller 2003, 168).

The potential to reduce relapses into reoffending by combining social support and surveillance can be informed from research in related fields. Hanlon et al. (1999) found that for drug addicts a combination of surveillance (in this case, urine testing) and treatment resulted in the greatest success in maintaining drug-free lifestyles. While treatment alone was better than no treatment, the combination of treatment with coercive efforts to force compliance provided the most success and the least risk of continued drug abuse (see also Kleinman 1997; Harrell, Cavanagh, and Roman 1999; Harrell et al. 2002; Satel 1999).

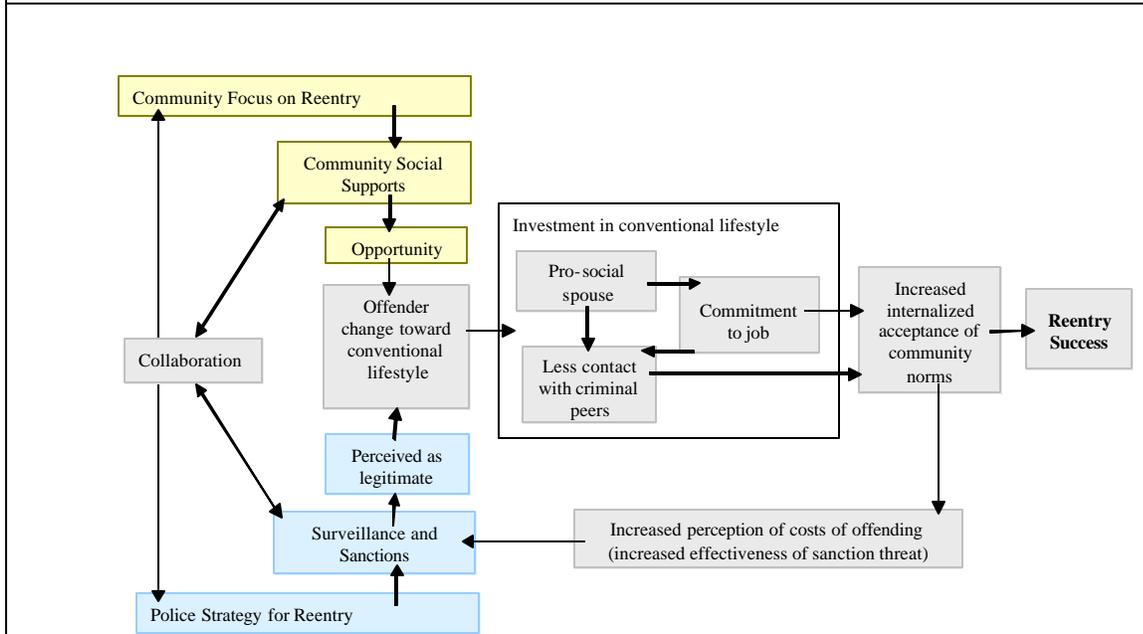
Similarly, an evaluation of the Massachusetts Intensive Probation Supervision Program (Byrne and Kelly 1989) indicated that while employment was the factor most associated with criminal desistance, there was an interaction between surveillance and employment. This led Byrne and Parravina (1992) to posit a model of surveillance indirectly affecting change in the offender's behavior.

Given that the consistent provision of social supports appears to improve reentry success and that external controls, including surveillance and sanctions, appear to be most effective with those who have the largest stake in conformity, then programs increasing stakes in conformity through support seem warranted. Linking surveillance with support should increase the positive impact of deterrence threats for those with stakes in conformity while potentially increasing the detection of criminal behavior for those undeterred.

A Model for Police and Community Collaboration for Offender Reentry Success

This model could be expanded to suggest that such behavioral change could lead to cognitive changes and to a heightening valuation of prosocial norms (figure 2).

Figure 2: A Model for Supports and Deterrence as a Reentry Strategy

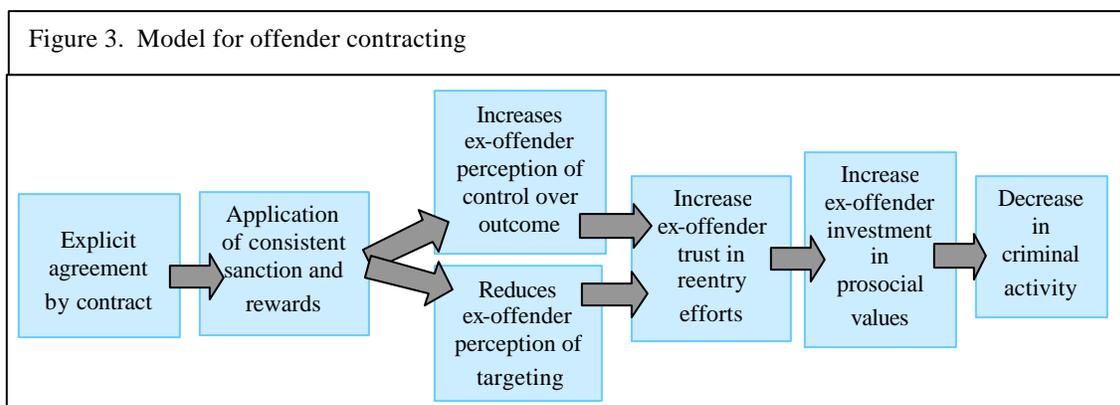


Community supports can lead to both perceived and actual opportunity leading to a greater chance of behaviors reflecting conventional societal norms. Likewise, surveillance and sanctions can, if perceived to be legitimate, coerce adherence to norms. The more practiced and successful the ex-offender in exercising prosocial behaviors the more invested the ex-offender will be in conventional societal norms and institutions. This investment is also proposed to change the decision processes of the ex-offender, giving the threat of sanction greater weight and, hence, making the choice of criminal activity less attractive (Nagin and Paternoster 1994).

In addition, the greater the collaboration and information sharing between police and other members of the community, the greater the possibility that police can detect criminal relapse and intervene with community-based sanctions and support to increase the probability of maintaining the offender's trajectory toward reentry success. Alternatively, the increased information sharing may result in removal of the offender from the community where warranted for public safety.

Offender Contracting

As a means to both operationalize this model and overcome the barriers to meaningful and productive exchange, it may be useful to employ the concept of contracting. The idea of binding the offender and those providing services and sanctions with an explicit statement of obligations and consequences is borrowed from fields of mental health, health, education, and substance abuse (Taxman 1998; Solanto et al. 1994; Zemke 1979; Corbett 1990; Kersten 1990). For example, Kersten (1990) focuses on the need to make obligations and promises explicit and understandable. Since all parties in a reentry effort may come to the exchange with negative and even hostile prior orientations, moving beyond those unstated orientations to clearly stated and mutually understood roles, expectations and consequences can be a first step in creating at least a minimal, working level of trust (McDonald 1981).



Police and Reentry Efforts in Practice

In recent years some attempts have been made to reintegrate police officers and activities into a broader, collaborative effort to help ensure that ex-offenders returning to the community did not also return to criminal activities.

Some of those efforts have involved maintaining the police officer in the more traditional aspects of detection and intervention with criminal activity, or coercion of law-abiding behavior through surveillance and the potential threat arrest and sanctions. Others efforts have attempted to team police with community service providers in attempts to educate offenders about the resources available to support conventional lifestyles and the potential risks of violating the law. Some efforts have attempted to combine surveillance and support.

Reentry Meetings: Getting a Message to Reentering Ex-Offenders

Several programs have drawn upon direct communication with offenders—a strategy that was successful in addressing gang and group violence in Boston, Minneapolis, and Indianapolis (Kennedy, Braga, and Piehl 2001; Kennedy and Braga 1998; McGarrell and Chermak 2003). In these communities, the police partnered with federal and local prosecutors, probation and parole officials, service providers, and community members to deliver a deterrence-based message to probationers and parolees believed to be at high risk for involvement in gun crime. The meetings, known as offender notification or lever pulling meetings, delivered a deterrence message that sought to break down the anonymity of the potential offenders, increase the credibility of sanctions for illegal carrying and use of firearms, and provide a direct connection to community services and legitimate opportunities. Significant declines in homicide and gun assaults were associated with these efforts.

McGarrell et al. (2003) report on the results of a program in Marion County, Indiana, that utilized a one-time community meeting with returning ex-offenders to both inform returning offenders that the police were aware of their presence and their statistical risk of reoffending, while also offering and explaining various community-based support services. Some limited positive results were shown for the groups receiving the intervention, though these were not

statistically significant findings. The limited nature of the intervention (one meeting) would seem to limit the perceived consistency of both sanctioning and support that may be critical for robust results.

A similar program has been implemented in Massachusetts for those ex-inmates reentering the community after confinement in a state facility. The meeting structure is much the same as that of the Indiana project, although the meeting with the offender takes place in the prison facility before the offender is released (Taxman et al. 2000; Office of Justice Programs 2000).

The City of Lowell, in Massachusetts, focuses on support, community surveillance, and control. The police are part of a team that seeks to link former inmates with community services. Additionally, the police meet with the offender prior to release (as noted above) and develop a profile of each offender returning to their community and display those profiles at roll-call meetings in order to decrease the anonymity of returning inmates (Bryne et al. 2000).

Partnerships for Reentry: Police, Corrections, and Community

Operation Night Light has become another model for collaboration. Begun in 1992 as a probation and police partnership, this program has involved lever-pulling meetings, combined parole and police enforcement of curfews and parole conditions, as well as shared intelligence between probation agents and law enforcement. This model was associated with a drop in youth crime, especially gang-related violence (Jordan 1998; Kennedy, Braga, and Piehl 2001)

The offender reentry program in Washington State uses community-based storefront locations, staffed by community volunteers and providing office space for police and parole officers. A beat officer is partnered with a parole officer in an effort to better understand the community context facing ex-offenders and facilitating more timely and effective intervention if

problems arise (Byrne et al. 2000). In Spokane, Washington, police officers work with corrections agents to enforce curfews and with volunteer “guardians” who help ex-offenders access services and attempt to intercede to ensure lapses can be addressed with more preventative measures.

In Vermont, police officers from the locality to which the inmate will return are members of a community review board. Within 45 days of the offender entering the prison, the review board reviews treatment plan options and then continues to monitor the inmate throughout the incarceration process and make recommendations for release (Byrne et al. 2000). In addition, once the offender has returned to the community, police officers are members of community boards that oversee the progress of the parolee in the community. Police officers sit on similar boards in Missouri (Byrne et al. 2000).

Project Safe Neighborhoods and the Link to Reentry⁴

Project Safe Neighborhoods (PSN) is a Department of Justice program that seeks to reduce the level of gun crime in communities across the country. PSN is intended to follow a strategic problem-solving model whereby law enforcement and community resources are focused on the factors driving gun crime. Given the high rate of involvement in former inmates in crime and the high rates of ex-offenders as both offenders and victims in gun crime, some PSN efforts are attempting to specifically address the issue of inmate reentry in their strategic action plans.

Generally those plans attempt to address reoffending through the use of strategies that are in concert with aspects of theory and the practices already discussed. Some plans tend to focus squarely on deterrence, some target high-risk offenders for increased surveillance, some attempt to link social support with policing efforts, and all capitalize on the tremendous value-added by

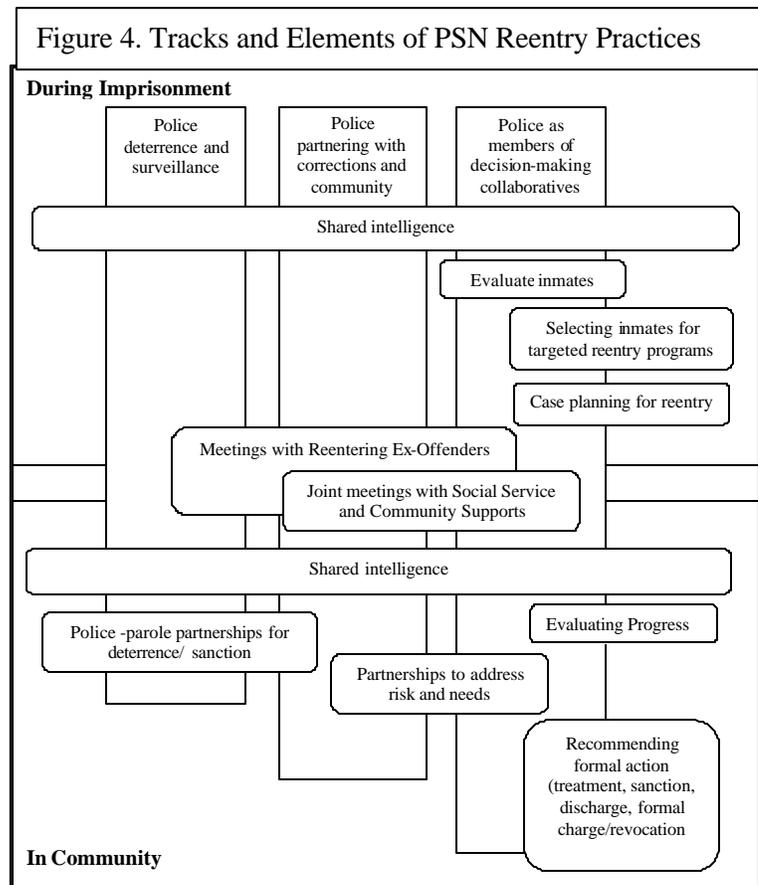
⁴ The information on PSN reentry efforts was gathered in phone interviews with PSN project coordinators who had reported to the Department of Justice that their PSN task force was involved in reentry efforts.

aggregating intelligence through increased communication and collaboration among criminal justice system agencies and personnel.

In general, those strategies fall into three broad categories of police involvement: police integrated into a collaborative decision making process, police integrated into an implementation process, or police acting within their conventional role but with a direct link to reentering offenders and cooperation with other agencies.

Strategies to enhance the conventional role of law enforcement

While still maintaining separation among agencies and mission, law enforcement agencies are enhancing their role in reentry by receiving and transmitting intelligence about reentering offenders. In addition, law enforcement personnel may meet with offenders before or after prison release to deliver a strong deterrence message. In states including Alabama and Iowa, videotapes have been developed by police,



prosecutors, and corrections officials to deliver deterrence messages focused particularly on the sanctions available for felons caught in possession of or using a gun. This is a particular focus of PSN due to the considerable federal penalties for offenses involving felons and firearms.

Strategies to partner with others to implement reentry strategies

Other jurisdictions, such as Missouri’s Jefferson County, have used monthly Ceasefire meetings to establish strong communication networks among reentry partners.⁵ Similar to the Indianapolis and Massachusetts meetings described earlier, these meetings with reentering offenders include a deterrence message from law enforcement coupled with social service and faith-based presentations offering support and links to community resources.

In Providence, Rhode Island, similar meetings are held within the prison to prepare offenders for release. In addition, the Providence Police team with parole officers from the Department of Corrections who bring the reentering offender to the police substation to receive messages about the consequences of reoffending—especially as it relates to firearm violence.

Strategies to harness law enforcement knowledge for strategic decision making

As noted earlier Boston, Massachusetts also holds reentry meetings. However, law enforcement officers are also used as strategic resources prior to the inmate’s release. Police enforcement personnel may also serve on reentry committee panels that select inmates for the reentry program. Targeting reentering offenders appears to be a theoretically—and practically—promising practice. Scarce resources can be assigned strategically using the combined knowledge of members representing the spectrum of reentry committee members.

Panel members then meet with the offender prior to release, delivering a message that balances social support and deterrence. Community mentors, generally members of the faith community, work with the offender as he or she returns to the community.

Durham, North Carolina, is also implementing a strategic, collaborative effort. An aspect of the Durham approach that seems particularly promising is hubbing both physical and human

⁵ The term ceasefire draws on the Boston program that reduced youth gun crime violence through the use of lever pulling or ceasefire meetings with groups of chronic offenders (Kennedy, Braga, and Piehl 2001).

resources. Members of the PSN effort work and often travel together as a team. This fosters both formal and informal communication and collaboration. In terms of physical aggregation of resources, having a centralized Criminal Justice Resource Center facilitates the communication among law enforcement, other governmental agencies, and social support services; it also provides centralized resources for returning ex-offenders.

This project also involves law enforcement as decisionmakers. As members of reentry teams, law enforcement personnel participate in interviews with inmates prior to release and in crafting recommendations to the parole commission on parole conditions. The reentry team also assesses inmates nearing release to help target higher-risk or higher-need inmates for the reentry program. Once the ex-offender is released, the reentry team continues to meet and review the progress of the parolee.

Shared resources for a higher value added

Some PSN projects are beginning to capitalize on the power of sharing human and physical resources in implementing reentry efforts. From fairly straightforward communication and intelligence sharing to more complex networking for strategic efforts in decision making, planning, and deployment of assets, these efforts are pioneering new roles for law enforcement. Some programs reflect just one aspect of these possible protocols; others attempt a wide spectrum of collaborative elements.

Unfortunately, information on the success of program elements and overall program outcomes of law-enforcement inclusive reentry efforts is still sorely limited. Clearly defining the elements in each particular protocol, looking for common measure of implementation and outcome success, and evaluating the program in the context of the community—its norms,

politics, and constraints—are critical steps in building a knowledge base of promising (and then proven) practices.

Policy Recommendations

As the above review of reentry practices involving the police suggests, the police have increasingly become more involved in reentry initiatives. Yet, as just noted, very little is known about the scope (numbers of jurisdictions, numbers of returning inmates affected) or effectiveness of these efforts. For many law enforcement agencies, focusing on inmate reentry likely remains a byproduct of responding to crimes committed by ex-offenders. Dealing with prevention programs or crafting and participating in efforts to stem criminal activity before it occurs—while attractive—must generally be prioritized against the need to expend resources to respond to current criminal activity that threatens public peace. For other police agencies, however, reentry programs may increasingly be seen as part of their community- and problem-solving policing mission. The high rates of offending among ex-offenders and the concentration of ex-offenders in particular neighborhoods creates recurring problems at both the individual and neighborhood levels. Addressing these recurring problems in ways that increase community safety certainly falls within a community and problem-solving framework.

The increased attention by law enforcement to inmate reentry will be shaped by a variety of constraints. These include the traditional reactive focus of many police agencies, public and political expectations, and strained human and fiscal resources. These very real and practical constraints on the role law enforcement plays in ex-offender reentry efforts will affect how any policy recommendations are viewed and considered. An additional constraint is the lack of knowledge about successful reentry practices and about the police role in particular. It is with these very real constraints in mind that these policy recommendations are offered. These

recommendations are proposed to highlight general areas for consideration and evaluation by those responsible for the strategic leadership of these critical agencies.

Recommendations

1. ***Successful reentry is most likely to be the product of multiagency, multisector collaborative problem-solving coalitions.***

No single entity ultimately “owns” the reentry problem, nor can any single entity successfully respond to the problem. This is certainly true for law enforcement agencies. Given the variety of challenges posed by ex-offenders—chronic patterns of offending, housing, transportation, substance abuse, employment, etc.—a wide variety of responses are needed. The police bring the potential for targeted deterrence through increased surveillance as well as the ability to mobilize community resources to increase social support.

2. ***Law enforcement personnel should be viewed as planning resources and should actively participate in preplanning for reentry success.***

If law enforcement from the inmate’s community can be involved in prerelease planning, as is the case in Vermont, that officer can provide localized information—if not about the offender—then about the various opportunities or risks specific to that community setting.

3. ***Law enforcement should be viewed as adjudicators of reentry success and should actively participate in the oversight of reentry compliance and gauge when legal disability should be discontinued.***

Community panels are being used to review the success and preparedness of offenders to be taken off legal disability (e.g., Ohio and Vermont.) In Vermont, those panels include members of local law enforcement. This not only provides the panel with intelligence about the ex-offender and his or her community context, it also provides the officer with the opportunity to frame positive incentives for good behavior and provide a positive outcome (discharge) when and if the panel’s expectations are met. The inclusion of the police (and prosecution) coupled

with victims or victim advocates is also likely to increase the legitimacy of such panels with political leaders and community members.

- 4. Law enforcement should be viewed as a source of intelligence to aid in social service provision. Peace officers can flag needs that should be addressed lest they lead to criminogenic risk.***

A community-based coalition of volunteers, parole officers, and police officers working out of storefront locations (Washington and Oregon) provide neighborhood-level intervention and links to services that can quickly respond to situations that might otherwise develop into risks for criminal behavior.

- 5. Law enforcement should view corrections and social service providers as sources of intelligence so that police are able to intervene when criminogenic risk rises to the level that requires increased surveillance, police intervention, or re-arrest.***

The same programs that link parole and service providers in a community setting provide law enforcement with intelligence about areas or people that may warrant increased surveillance or even more direct law enforcement intervention.

- 6. To the extent possible, law enforcement—and all members of the coalition—should attempt to inform and be informed by community members as to expectations, fears, and opportunities surrounding ex-offenders reentering the community.***

If the community feels that actions by the police or other members of the coalition are understandable, consistent, and fair, community acceptance and support for actions taken to assure community safety increases.

- 7. Any policy, practice, or intervention should be realistic and not reach beyond the agency's capacity to provide a service, surveillance, or sanction fully or consistently.***

Reentering offenders may become frustrated or defiant if actions that are perceived to be punitive or negative are administered in inconsistent or seemingly capricious ways. If positive supports or services are inconsistent or not forthcoming as promised, ex-offenders may be

tempted to return to criminal peers and activities that promise needed resources or desired rewards.

8. *Roles, expectations, and outcomes (positive or negative) should be explicitly stated and clearly communicated (to all members of the coalition and to the ex-offender.)*

Ex-offenders often have negative and stereotypical views about law enforcement, as do law enforcement officers of ex-offenders. If actual positive and negative consequences for behavior are to be effectively communicated, these attitudinal barriers need to be broached. Explicitly and clearly stating roles, expectations, and outcomes is a step in overcoming the perceptual barriers that could limit even well intentioned efforts to provide fair treatment. The idea of using a contract may be helpful.

9. *Direct contact interventions should be made as routine as possible.*

Research suggests that one-time interventions have limited effectiveness. Similarly, research suggests that inconsistent application of negative interventions may actually increase the risk of offending.

10. *Direct contact interventions that provide the opportunity for some positive contact or link to other coalition members that provide positive contact (service) have a better chance to add to offender reentry success than intervention that can result only in negative (punitive) outcomes.*

Although limited, research and theory suggests that balanced positive and negative (support and sanction) interventions have a greater chance of success.

11. Law enforcement should have access to and employ dynamic risk assessments (conducted by correctional officials on incarcerated offenders) in order to strategically target reentry interventions. If some risk assessments are not in force, law enforcement should advocate for the employment of such assessments.

The raw number of returning ex-offenders can overwhelm available resources for intervention. Dynamic risk assessment could help strategically target resources.

12. Interventions, especially those employing surveillance or focusing on negative sanctions, should be targeted at offenders at highest risk for reoffending.

Focused surveillance/deterrence allows scarce resources to be allotted to the greatest risks to public safety while recognizing that targeting lower-risk offenders could actually increase criminogenic risk. Realizing that it is rare (or unheard of) for any law enforcement agency to have sufficient resources to address all public safety needs of the community, and that some interventions may be appropriate for some types of ex-offenders, but unproductive—or counterproductive—with others, a risk assessment allows law enforcement to make truly strategic and defensive choices as stewards of public resources for the public good.

13. Information collected on arrest should be coded to indicate if the arrestee were on parole or probation, an ex-offender (not presently on legal disability), and if the offender were in contact with any reentry interventions.

Without information that allows ex-offenders to be analyzed as a group, the need to specifically address ex-offender reentry cannot be prioritized, and the effectiveness of programs targeted at ex-offender reentry cannot be assessed.

14. Information on the precise nature of any program aimed at ex-offender reentry should be richly described.

The actual interventions undertaken should be clearly documented. Since jurisdictions may vary in what they consider standard practices and definitions, making explicit the protocols used will make the program understandable and replicable in other areas.

15. Information on the outcome of processes should be collected and analyzed to determine if the program is working as planned.

Information on the immediate outputs of the intervention or program should be documented. It is be critical to know if the elements of the program are working and are implemented as planned if an evaluation of the ultimate outcome is to be meaningful.

16. Information on outcomes should be collected, analyzed, and reported.

Outcomes of the program (e.g., lowered reoffending by returning inmates or reduced crime rates) should be carefully defined, measured, and reported to increase our understanding of the effectiveness of varied approaches to inmate reentry.

Conclusion

A confluence of factors has emerged to increase the level of attention given the issue of inmate reentry and of the role of police in reentry. These factors include the increasing numbers of ex-offenders returning to the community, high rates of reoffending by former inmates, patterns of inmates returning in concentrated numbers to disadvantaged neighborhoods, and police agencies moving to more proactive, problem-solving orientations. The review of emerging programs involving the police in reentry efforts suggests that a number of communities are

experimenting with reentry programming. Yet, we have very limited information about the scope, intensity, service variety, and effects of such programs.

The theories reviewed at the outset of this paper indicate that some mix of focused deterrence and social support may hold promise for increasing the success of returning inmates and increasing public safety. Consistent with these theories is limited evidence drawn from congruent programs such as drug courts (when implemented in meaningful fashion) and so-called lever-pulling approaches to reducing gang- and group-involved gun crime. Beyond these general directions, however, a variety of questions remain. Can deterrence through surveillance reduce reoffending? Can social support without heightened surveillance reduce reoffending? Does the combination of surveillance and social support, as suggested herein, reduce reoffending more significantly than either effort in isolation? Do these approaches work better with some ex-offenders as opposed to others? What are the necessary dosage levels to have impact? Given limited resources, can we effectively triage resources to those ex-offenders at greatest risk?

Similarly, issues arise as to the congruence, or lack thereof, between individual-level and community-level effects. One might hypothesize, for example, that increased surveillance and consequent incapacitation of high rate offenders might increase the reported offending levels of individual offenders but ultimately reduce community-level crime rates. In contrast, some have theorized that the high rate of incarceration of young men from disadvantaged neighborhoods may have short-term crime reduction effects but ultimately generate increased crime due to the disruption and loss of human capital (Rose and Clear 1998).

This list of theoretical and policy questions only begins to highlight the set of relevant issues. The critical need is for increased information and understanding about the reentry process and about the nature and efficacy of these reentry initiatives. Consequently, the most significant

recommendation we offer is that these programs be implemented with a research and evaluation component so that we can pool the lessons learned from the variety of efforts being implemented at the local and state levels. Only with a significant increase in our information base and understanding of reentry, can we make appropriate judgments about the role of the police in reentry decision making and processes.

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PROMOTING PUBLIC SAFETY: A PROBLEM-ORIENTED APPROACH TO PRISONER REENTRY

Walter J. Dickey and Cecelia M. Klingele
University of Wisconsin School of Law

Abstract: Talk of opportunity and risk in the context of reentry usually stimulates a focus on offenders—their histories, characteristics, needs, and methods for reintegration, information directed at their treatment and control. Risk is the focus and is usually defined as a trait contained within the offender. Indeed, it may be a mistake to make the offender so much the focus of release planning, particularly if risk is narrowly understood as a mere quality of the offender, instead of a complex interaction between an offender’s propensities and the environment in which those propensities may or may not give rise to criminal conduct. A robust definition of public safety would acknowledge the key role that an offender’s circumstances play in the formation and control of the risks he represents. Rather than being an aggregate sum of measurable crime statistics, public safety is the absence of factors giving risk to apprehension and the risk of harm. This definition suggests that focusing only on an offender—and not also on the persons, property, and locations about which we are concerned—is insufficient.

Public safety: a popular goal for police and correctional agents, and one against which few would argue. But what does it mean to promote public safety, particularly in the context of prisoner reentry? Is it simply a matter of arresting known offenders? Or does it require something more? As examples of the vastly different ways in which the problem of public safety is addressed, we begin with the stories of two cities and their approach to the not-uncommon problem of a troubled street corner.

Milwaukee, Wisconsin

In 1996, Wisconsin convened the Governor’s Task Force on Sentencing and Corrections to address issues of correctional resource allocation.⁶ Task Force meetings were open to the public. One such meeting was attended by a number of Milwaukee citizens who complained that

⁶ The Task Force’s final report, which recommended adoption of many of the principles advanced in this work, has been reviewed elsewhere. See, for example, Morris (1996) and von Hirsch (1996).

the corner of 9th Street and Concordia, a place where they and their children passed daily, was frighteningly unsafe. A local police officer, also in attendance, reported that the corner had been the focus of intense police activity. The result? In the three months prior to the meeting, police had made 94 drug-related arrests at that location alone. When one Task Force member asked the officer what the corner was like in the wake of the 94 arrests, he answered that police tried to avoid the area because they considered it dangerous.

At the time, Milwaukee drug arrestees typically received two-year prison sentences.

These did little to deter new offenders, some of whom were in their early teens, from flowing to the street corner. Once released from prison (and while still on parole supervision), offenders resumed dealing drugs from the same corner at which they had originally been arrested.

The city mayor denied that the corner posed a problem, prompting a local journalist to investigate the claim, and ultimately report that the corner was unsafe, despite the mayor's claim to the contrary. When interviewed by the same journalist, area residents, including elementary school children, were able to easily identify multiple "drug houses" located at the intersection.⁷

The official promise was that a stronger police presence would be deployed to the corner—leading inevitably to more arrests and the recycling of offenders at the intersection. Public officials apparently did not notice that delivering more of what *wasn't* working was unlikely to yield satisfying results. Not lost on local residents was the fact that they and their children were still unable to pass the corner safely despite the repeated incarceration of local youth.

⁷ The public debate between the Milwaukee Mayor and the Task Force over the safety of 9th and Concordia was well covered in the local media. See, for example, "Residents Near Drug Dealing Corner Say Situation Improving," Milwaukee Journal Sentinel, August 1, 1997, which describes the deplorable conditions at 9th and Concordia.

Minneapolis, Minnesota

At roughly the same time, the City of Minneapolis was also confronted with the problem of a dangerous street corner. In the late 1990s, the intersection of Chicago and Lake was the main transfer point for all city buses running north-south and east-west, including buses of high school students traveling to and from school. The volume of traffic provided opportunity for anonymity and high levels of street crime: drug dealing, prostitution, and purse snatching. The area, once a thriving lower middle class business district, had experienced the loss of two of its major businesses, due in part to criminal activity in the neighborhood. These losses had left large areas of the neighborhood abandoned, including a warehouse once used as a Sears Roebuck catalogue distribution center, one of several locations where public safety had fallen into serious disrepair. One of the few remaining businesses was a large hospital complex, which employed a number of area residents. The hospital wanted to expand, and was even willing to contribute to the construction of affordable housing in the area, but was deterred from these plans by concerns over neighborhood safety.

A group of city business owners decided to try “rescuing” the area for themselves and other city residents. Realizing that public safety was the number one obstacle to economic revitalization, the group convinced police to gather and analyze information about problematic locations. When police mapped offenders, they discovered that over 50 percent of area crimes were being committed by individuals under correctional supervision.

Using the information gathered by police and drawing on the knowledge of correctional agents and others responsible for public safety in the area, a partnership formed which included the local business group, elected officials (including the prosecutor), police, and correctional agents. Together, they devised and implemented a new public safety strategy.

The strategy had two emphases: one on places, the other on people. Places within the neighborhood were made safer in a variety of ways. The city built bus depots off the street in order to reduce traffic and pedestrian congestion, permit easier patrolling of waiting areas, and discourage street crime. The abandoned Sears warehouse was torn down. People of concern were also made subject to closer supervision through the assignment of a single parole agent to the area. The agent engaged in the active supervision of offenders located in the troubled neighborhood.

Encouraged by the plan and progress, the hospital undertook its plans for expansion in the space previously occupied by the Sears warehouse, and began construction of housing designed for its employees. The area is fast becoming a place where people want to live, shop, and work—a safe place.

Defining Public Safety

The release of a prisoner is ordinarily thought to be a moment of risk for the community—and it is. It is also a moment of opportunity—for the offender and for other community members who want and deserve safety in their homes, neighborhoods, towns, and cities.

Talk of opportunity and risk in the context of prisoner reentry usually stimulates focus on offenders: their histories, characteristics, needs, and methods for reintegration. This information, while often important, is directed solely at the treatment and control of the offenders in question. (See, e.g., Petersilia 2003; Rodriguez and Brown 2003; Visher and Travis 2003.) Risk is the focus of such inquiry and is usually defined as a trait contained within the offender. The information routinely gathered about offenders, whether for management in prison or jail, or for

release decisions and community supervision, usually focuses on “fixing” the “trait” which causes the “risk.” Some of this information is necessary and useful. It may also be misleading.

Indeed, it may be a mistake to make the offender so much the focus of release planning, particularly if risk is narrowly understood as a mere quality of the offender, instead of a complex interaction between an offender’s propensities and the environment in which those propensities may or may not give rise to criminal conduct. A narrow definition of risk suggests that safety in the places to which offenders return depends exclusively on the inherent “riskiness” of the offenders found there.

But what about “there”? Don’t we need to know more about both the vulnerability to threats and the assets these places possess to mitigate those threats? After all, which is more subject to manipulation for public safety, the inner workings of offenders’ hearts and minds or the external circumstances in which we find—and might control—them? To make this point more starkly, consider the risks posed by a recently released pedophile. His propensity toward sexual contact with children will pose a greater risk to public safety if he lives near an elementary school than if he lives and works on an ore boat in Lake Superior. A robust definition of public safety would acknowledge the key role that an offender’s circumstances play in the formation and control of the risks he presents. Instead, public safety is too often defined and measured solely in terms of arrest, conviction, and recidivism rates—measures that demonstrate a limited understanding of the fluidity of risk and the methods by which it can be controlled.

We offer and prefer a different definition of public safety, one inspired by the work of Michael Smith, which arose out of conversations that took place in the Wisconsin Task Force. We argue that public safety cannot be adequately measured by arrests, prison populations, or crime rates—since it is often when public safety is in worst repair that arrests skyrocket, prison

populations explode, and crime rates (due either to fear of reporting or avoidance of those places in which the risk of victimization is highest) remain steady or even decline. Rather than being an aggregate sum of measurable statistics, public safety is an *absence* of factors giving rise to apprehension and risk of harm. In short, public safety is “a condition specific to places in which persons and property are not at risk of attack or threat and are not perceived to be at risk” (Smith and Dickey 1999, 2). This definition suggests that focusing only on an offender—and not also on the persons, property, and locations about which we are concerned—is insufficient. It is with this understanding of public safety that we wish to offer ideas for increasing public safety, with emphasis upon the circumstances surrounding offenders’ return to the community from prison or jail.

Problem-Oriented Approaches to Public Safety

Why emphasize location? After all, it is offenders who commit crimes and who must ultimately be held accountable for them. Especially when former offenders remain under the supervision of correctional agents, legitimacy requires that there be accountability for their behavior, law-abiding or otherwise. Moreover, it is tempting to define public safety in terms of offenders in hand, rather than in terms which we may not have strategies for addressing.

It is true that accountability is an essential component of successful reentry supervision. It is not, however, the only component, nor should it be. To the extent that promoting public safety is the objective of correctional supervision, the best strategies will be those that consider the assets and liabilities of both the offender and the community to which he or she will return. These approaches promise greater public safety as well as the control of offenders under supervision.

Routine Activity Analysis and Crime Pattern Theory lie behind the approach we advocate here. Both arose out of work in the field of situational crime prevention, and date back to the late 1980s.

The former explains crime as the confluence of a motivated offender and a desirable target at a place and time when “controllers” are absent or ineffective. Control might be exercised by persons in a protective relationship to a potential victim, by persons responsible for the place, or persons in intimate or supervising relationship with the potential offender (e.g., parents, wives, children, friends, employers, even security guards). These “guardians” of people and place are abundant in safe places. But they can also be found in dangerous places, and effective police, probation, and parole officers know how to find them and enlist their help. Crime pattern theory combines routine activity analysis with ideas about rational choice, to help explain the observed distribution of crime across places: rational offenders should be expected to routinely note places lacking effective guardians. Conventional correctional practices—aimed at incapacitating motivated offenders for periods of time or at improving their character or reducing their motivation—seem artificially constricted when the public safety problem is understood in this more complex way. This line of thought leads to more complex engagements by police or others who aim to help produce or maintain public safety. For more than a decade, police have been learning to combine with naturally occurring guardians to solve crime and disorder problems. Probation and parole officers—quite literally “official guardians”—have the same need to look beyond known and potential offenders, to find and invoke the authority of naturally occurring guardians of the offenders under their supervision, guardians of the persons made vulnerable by proximity to these offenders, and guardians of the places where the resulting risks arise.

(Smith and Dickey 1998, 16–17)

For ease of reference, we refer to this approach to public safety as problem oriented.

Some police agencies have developed practices that focus on reducing opportunities for criminal conduct and mobilizing the resources of local communities to provide guardianship for people and places whose safety is threatened (Goldstein 1990; Scott 2003; Cullen et al. 2002; Felson and Clarke 1998). Community mobilization of this sort can take many forms. It may involve the use of “guardians” of people or places at risk (e.g., by increasing the visibility of parents, storeowners, or other authority figures), as well as physical changes to high-risk locations (e.g., adding street lights to a dangerous corner or installing security cameras in stores to deter theft).

An emphasis on location has been a shared feature of nearly all successful problem-oriented police initiatives (see Scott 2003). When obstacles impede an offender's ability to access a target of criminal activity—be it a victim, an item, or a location—crime is less likely to occur (Felson and Clarke 1998)

Although proponents of problem-oriented crime reduction theories have advocated its adoption by parole agents, correctional agencies have, for the most part, ignored the possibilities problem-oriented approaches offer for enhancing supervision and management of former offenders (Cullen et al. 2002).

A problem-oriented approach to prisoner reentry has a number of unique advantages. Unlike other approaches to reentry, success does not depend solely on the offender's degree of rehabilitation or his connection to the workforce and other socializing influences. It is true that rehabilitation, employment, and socialization are desirable and may increase the presence of guardians in the lives of offenders. But success also depends also on whether, in a given location at a particular time, the opportunity for criminal activity presents itself to a person who is predisposed to seize such opportunities. This does not mean, of course, that police and correctional agents should ignore means of reducing the criminal tendencies of offenders, whether through effective treatment programs, employment opportunities, or family support. In fact, those supportive, guardianship-based strategies are vital to any successful reentry plan. What it does suggest is that manipulating the offender directly is not the only way to combat the risks he poses. It also suggests that responsibility—and opportunity—for public safety can be found in the places people inhabit.

Lest we think this approach too complex, consider that most parents have considerable experience with it. Responsible parents realize that it is unrealistic to expect a toddler to navigate

a world in which locations haven't been prepared for the child's presence and objects of curiosity haven't been protected from the child's interest. Instead of sending a child into rooms filled with open electrical outlets or breakable pottery, parents alter locations and remove fragile or dangerous items from their child's reach. Gradually, as the child grows, these safeguards become unnecessary and are removed, since they are no longer required for the child's safety or the safety of the items once endangered by the child's presence.

Similarly, when offenders first reenter communities, they themselves are vulnerable, for all of the reasons that have been suggested in literature on reentry: mental health problems, lack of family connections, drug and alcohol addictions, lack of education and employment... The list goes on and on (Petersilia 2003). They lack skills and experience in managing the ordinary risks and temptations we all face daily. "Fixing" these problems is often implausible, as is the inference that in so doing, public safety will result. Instead, we can alter environments, remove temptations, mobilize guardianships, and ideally, as supervision ends, remove formal safeguards hoping that by then former offenders will have become habituated into behavior that satisfies them and does not threaten us.

Simple though the concept may be, fear of "owning" the problem of public safety has dissuaded more than one agency from making the institutional and philosophical changes necessary for advancing public safety as we define it. It is easier to "own" more modest goals: the payment of restitution, adherence to conditions of release, and compliance with court orders (Dickey and Smith 1999). Of course, a commitment to public safety carries with it the risk of accountability for any failure to achieve it. To be fair, there are serious obstacles to the creation of public safety by police, prisons, and parole agents. Foremost are issues of organizational structure, legal authority and the availability of useful and useable information—matters that can

have a profound effect on purpose, strategies, and success. We will elaborate on these obstacles and how they can be overcome, exploring how the capacity to advance public safety around known offenders can be developed.

Organizational Obstacles to Advancing Public Safety

Organizational structure is one of the most pervasive obstacles to the implementation of problem-oriented approaches to public safety. While place-based organizational models can enhance efforts to reduce the risks presented by returning offenders, all too often agency structures limit the strategies, information, and resources available to jails, prisons, police departments, and correctional agencies.

Ideally, reentry planning should begin in jail or prison. In reality, the organization and orientation of prisons and jails severely limit their capacity to advance public safety. As a result, such institutions admittedly play a limited role in our model because they have little to offer. Cut off as they are from the circumstances and communities to which offenders will return, prisons do best to recognize their limitations.

Many of these limitations are tied directly to purpose. Prisons punish and incapacitate. They do not problem solve, restore, or strategically mobilize community forces to surround those in need of structure and support. Often overburdened, prisons are frequently unable to meet even the most serious medical, psychological, and addiction-related needs of those under their control. It is unrealistic to expect that they can or will make the community safer by connecting offenders to necessary community resources well beyond the prison's reach.

Prisons can best contribute to public safety by minimizing the obstacles they present to its advancement. This can be accomplished in two key ways: by strategically assigning prisoners to local institutions and by facilitating contact between prisoners and their parole agents. Of

primary importance is the connection between reentering prisoners and the communities to which they will return. It is impossible to create appropriately detailed supervision plans for prisoners located hundreds of miles away from their communities, and since it is the interaction of offenders in the community with which we are particularly concerned, proximity is a critical ingredient to successful reentry. Second, prisons should facilitate communication between parole supervision agencies, offenders, and possible guardians of reentering offenders. Prisons and jails can provide a vital service by assisting agents in gathering information about the offender's needs, the risks he poses to the community, and the identities of family or other support people with whom the agent can consult. Police and parole agencies can use this information to further public safety by adding to it the information they gather about the places in which the offender will find himself upon release.

Some will argue that this information is readily available from prison records. After all, correctional institutions are forever conducting risk assessments and prisoner evaluations. The problem with relying on information from institutional records is that such information is oriented to a unique environment: the institution. An offender who poses significant safety risks in prison may present different or lesser risks when located in a different place—in the community, for example. The opposite is equally true: offenders who make model prisoners often make risky and unsuccessful parolees. Despite rhetoric to the contrary, the information collected and used by correctional institutions usually serves one purpose: to control offenders in an institutional setting. While this type of information promotes institutional safety, it does not follow that it will also promote public safety. Unless the utility of additional information is made clear, it is unlikely that prisons will seek out information not of use to them, relevant to a moment and place in the future, and currently unknown and inaccessible.

If, however, correctional institutions provide parole agents with access to prisoners under their supervision, agents themselves can gather the types of community-specific data that will aid in release planning. This type of planning, when it occurs, typically focuses on identifying housing, determining eligibility for community programs (including medical assistance and drug and alcohol treatment programs), and locating potential sources of employment or vocational training (see Taxman et al. 2002). Ideally, correctional agents will also have access to analytic police intelligence about the possible locations to which an offender may pose risk upon his return. This information would permit agents to identify the environmental triggers most likely to increase the risks presented by the offender, as well as the sources of local guardianship available, his or her potential victims, and the places he or she will be found.

Confusion about Clients and Purposes

For community corrections agencies, variations in organizational structure are often explained by an agency's unarticulated answer to the key question: who is the client? The answer matters profoundly, since it will often affect purpose, available strategies, and their public safety consequences. Answers to the question vary, but three are frequently cited: the court, the offender, or the community.

Some correctional agents report directly to the court and treat the judge as their client. Predictably, for those agents, the purpose of supervision is often the enforcement of court orders. This purpose is an even more likely choice if the parole agency is structured as a subdivision of a court (rather than as an autonomous executive agency).

Many parole agencies claim the offender as client. Such agencies often deploy agents to neighborhood centers or streets, where contact with those under their supervision is facilitated. While increased contact with offenders has many benefits, this offender-centered orientation may

encourage some agents to resist those problem-oriented efforts that emphasize place over offender. In a sense, such agents have selected a single strategy for achieving public safety and reject more complex combinations of strategies, even when these combinations promise greater safety.

Another choice of client, embraced with much less frequency, is that of the community. Under this model, the objective is the safety and security of all community members, including but not limited to the offender. Police and correctional staff who view the community as client are more likely to focus on specific neighborhoods. Within their neighborhoods, these officers and agents tend to solve public safety problems through partnerships with area residents, businesses, and service agencies. Working together, members of these partnerships identify and assist the places and people that, in combination, are responsible for local threats to public safety. By altering these troubled locations (shutting down houses of prostitution, installing better street lighting, etc.) and providing appropriate guardianship and services to troubled individuals, agencies are able to further their goal of providing their client with greater safety.

Case Assignment and Office Orientation

The method for assigning cases is another variable with public safety consequences. In the most common structure, parole agents receive assignments based on the overall workload of each agent and the intensity of supervision required by the offender whose case is being assigned. This is not, however, the only model for allocating supervisory responsibility.

During a recent visit to Minnesota, we had the opportunity to interview a probation and parole agent who, as part of a pilot program in community corrections, is assigned to offenders based on the locations in which their crimes were committed. He has responsibility for a geographic section of the city (one which includes the intersection of Chicago and Lake), and

supervises offenders with the goal of promoting public safety in those places. He engages in active supervision, having frequent contact with offenders in the places they live and work. The agent also communicates closely with local police to ensure that officers are aware of the risks offenders pose and that he is aware of places in which those risks are most likely to pose a threat to public safety. His proximity to people and places of concern facilitates his ability to develop and implement a public safety plan that addresses the unique needs of the Chicago and Lake Street area.

Police agencies face many of the same organizational hurdles as their correctional counterparts. Geographic distribution of officers, whether in centralized precincts or in neighborhood stations, affects the ability of police to see and understand the threats to public safety created by particular people, places, and circumstances within their communities.

Linked to an agency's choice of geographic distribution is the agency's organizational philosophy and orientation. Both vitally impact capacity. A police agency oriented around calls for service is likely to be more poorly situated for proactively addressing public safety concerns than a problem- or community-oriented agency—at least insofar as the community-oriented office is accustomed to approaching safety issues as problems instead of isolated events. As is the case with correctional agents, the more contact officers have with the locations and people whose safety they wish to ensure and the more information they have at their command, the more likely they will be to develop responses to local problems that will plausibly address the public safety risks presented in the areas for which they have responsibility. Clearly, an agency wishing to develop its capacity for delivering public safety needs to develop some level of organizational “localization.”

Legal Authority

The legal authority of correctional agents also affects purpose and strategy. Legal authority determines what access parole agents have to offenders and the amount of control and discretion they have in responding to the risks offenders pose in the community. For police, issues of legal authority affect the degree to which they can deal proactively with threats to public safety.

A primary area of concern for both corrections and police is the ability to place and enforce conditions on offenders following their release into the community. Although over 80 percent of prisoners are released conditionally, subject to compliance with various requirements and expectations, an increasing percentage of prisoners are being released without any legally binding conditions, either through unconditional discretionary release or, after having served the maximum sentence permissible under law, through a mandatory release process (Travis and Lawrence 2002). For those committed to public safety, this trend should be a cause of significant concern.

Admittedly, some ex-prisoners pose little risk to public safety and therefore are most appropriately discharged without condition. Many, however, are likely to pose significant risks at the time of reentry, both because institutional isolation has limited their experience of prosocial behaviors and because confinement alone is unlikely to have reduced the propensities for criminal harm that led to their initial incarceration. Often these propensities are compounded by the vulnerability of the locations to which offenders return, some of which are positioned not only to tempt, but to encourage any antisocial tendencies the offender may possess.

Police officers faced this problem while working to improve a troubled area in downtown Austin, Texas. Efforts had been made by various community members to improve public safety

along 6th Street, an area plagued by drug-dealing, aggressive panhandling, and auto theft.

Success was limited in part by the constant influx of recently released prisoners into the area.

Returning prisoners were being dumped into the downtown neighborhood without parole supervision or support of any kind. Upon inquiring, the community-based prosecutor discovered that other prosecutors from his own office, eager to obtain plea agreements, were agreeing to sentences without periods of postrelease supervision, at the request of defendants. Although parole agents operating in the area were successful in limiting the access of parolees under supervision to the particularly vulnerable 6th Street region, they lacked legal authority over these fully discharged prisoners. Ultimately, prosecution practices were changed to ensure postrelease supervision, but the problem was not solved without difficulty.

Although unconditionally released offenders are not subject to formal supervision, public safety requires that individuals not be permitted to fade into anonymity upon release from prison or jail. The burden of supervising these offenders therefore falls largely on police officers to monitor the public safety risks posed by these individuals in the places they go. In order for police to perform this supervisory function successfully, they require a means of discovering the identities, propensities, and locations of unconditionally released prisoners. Prisons or parole agents should routinely provide police with this information.

It is in precisely such situations, when offender cooperation with risk-reducing conditions cannot be legally required, that the advantages of a problem-oriented approach to public safety become most evident. Without changing the behavior of former offenders, police agencies can work to reduce opportunities for crime within the community. Even so, the additional challenges posed by unconditional release argue in favor of sentencing systems, whether determinate or

indeterminate, that build in periods of noncustodial supervision, providing correctional agents with the legal authority to supervise and guide prisoners reentering their communities.⁸

Like organizational structure, legal authority can constrain or expand the strategic choices available to parole agents. The degree to which agents are permitted to sanction and reward those under their supervision has an important effect on an agency's ability to effectively promote public safety. This is most evident in agent responses to violations of parole conditions. In jurisdictions where the only permissible sanction for a parolee is revocation and incarceration, correctional resources will be deployed differently than in jurisdictions where parole agents have more complex authority to provide sanctions corresponding to risks the offender poses and the people and places vulnerable to those risks.

In terms of public safety, not all violations are of equal concern. There is a difference in the safety impact of an ex-forgery who violates a curfew requirement by an hour (especially if it is an hour for which he or she can legitimately account) and an ex-stalker who violates a restraining order against his or her former victim. In order to advance public safety through the enforcement of parole conditions, it is necessary for agents to (1) understand the purpose for which the conditions at issue were imposed (see Smith 1998) and (2) possess the necessary authority to respond proportionately to violations of those conditions. The ability to respond with appropriate sanctions is essential for the agent who sees public safety—and not mere compliance with orders and conditions—as the purpose of the supervision he provides.

Furthermore, similar violations may affect public safety to differing degrees, depending on the underlying connection between the violation and the risk posed by a particular offender. A

⁸ Although the keystone of determinate sentencing structures is their insistence on service of the majority (if not all) of the custodial sentence imposed on an offender, some truth-in-sentencing systems have included postrelease supervision as a mandatory requirement for all determinate sentences. See, for example, Wis. Stat. § 973.01 (mandating a period of extended supervision following all custodial sentences of one year or more in length).

brief relapse into alcohol abuse may be an anticipated and manageable step in one offender's recovery process, while for another, whose periods of intoxication are linked to acts of domestic violence, it may be a violation that cannot be tolerated. Again, without legal authority to provide specific, purposeful sanctions, correctional agents may be forced to choose between ignoring the violation or revoking the offender—neither of which may advance public safety in a particular case.

The Minneapolis probation and parole officer mentioned above provides a good example of the way in which courts can confer on agents the ability to reward clients for success and not merely punish them for failure. Over time, the agent established a relationship with the community court judge in the area to which he was assigned. As a result of the trust that had been established, the judge would routinely order that the agent had the power to furlough court-ordered work requirements at his discretion, effectively making release contingent on the agent and not on the judge himself.

This practice, which essentially provides the parole agent with the key to the county jail, risks abuse of authority. It permits the agent to incarcerate (through revocation of the furlough) and to release (through exercise of the furlough). Since these decisions occur outside the transparent authority of the courtroom, they run the risk of being made capriciously. However, granting parole agents the ability to make these decisions has significant advantages. Allowing the authority closest to the offender and the places he may go to determine the proper moment for safe release and the conditions into which such release should occur provides a way of safeguarding the community and the offender from unnecessary risk. By increasing the agent's arsenal of rewards and sanctions, the court assists the agent in his efforts to motivate and control the offenders under his supervision. Since the agent's ability to provide effective control is an

important (though not determinative) contribution to the success of any public safety effort involving former offenders, the flexible use of court orders is an option that should not be too quickly dismissed.

While in general the legal authority accorded to police is broad, it is not as great as that accorded to many correctional agents engaged in the supervision of offenders. For police officers wanting to promote public safety, and not just respond to breaches of it, closer relationships with correctional agents are highly desirable. Parole agents are likely to possess legal authority the police lack, and such collaboration will foster the type of problem-oriented information gathering that leads to enhanced public safety. Partnerships between police and parole agents, such as those formed in Minneapolis around the problem of Chicago and Lake, assist both agencies in better promoting public safety.

Conclusion

We all share the inclination to define problems in terms of the solutions at hand for solving them. It is daunting, after all, in personal and professional life, to define problems in terms for which solutions are yet unknown. When it comes to promoting public safety through prisoner reentry, we are not practiced at developing strategies centered on places and people, instead of just offenders. Furthermore, we think we already know how to successfully control offenders returning to our communities from jails and prisons. As a result, we all too often limit our reentry efforts to establishing, enforcing, and measuring control of those offenders.

Promoting public safety in the places we inhabit is a more complicated challenge. It requires us to adopt new methods of organizing agencies, gathering information, and allocating authority throughout the criminal justice system. However difficult, facing that challenge and broadening our approach to managing risk permits us to seize the opportunity reentry affords to

create and enjoy, for ourselves and others, safe neighborhoods and communities—the objective to which we ultimately aspire.

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TURNING “WEEDS” INTO “SEEDS”

Alan Mobley
University of California, Irvine

Abstract: The literature on community policing makes one thing plain: there is no clear definition of what community policing actually is. The identity of “criminals” and “ex-offenders” is similarly uncertain. This paper takes advantage of this confusion and offers some contextual data regarding former prisoners and how they have been led to view the world. This rendering does not leave community policing out of the picture—far from it. By and large, former prisoners live in the persistent embrace of police agencies. For “ex-offenders,” escaping from the corrections sphere is as unlikely, and in some instances, as unappealing, as escaping from oneself. This paper forgoes all but a few anecdotal accounts of former prisoners who peacefully coexist (and sometimes thrive) in association with progressive policing. Instead of dwelling on some of the attendant details of their personal stories, this paper moves up one level of abstraction to describe aspects of a perceptual schema common to persons subjected to punitive incarceration and reentry.

This paper, unfortunately, is not the how-to guide that may be implied by the title. What it intends to be is a discussion of both what is and of what might be in the world of criminal justice and prisoner reentry. I justify this broad, ambitious statement of purpose by saying simply that there is no “crime” without “criminals,” and this working paper is a piece of their story: a story of weeds who might be seeds.

The literature on community policing makes one thing plain: there is no one clear definition of what community policing actually is. The identity of “criminals” and “ex-offenders” is similarly uncertain. In this paper I have decided to take advantage of this confusion to offer some contextual data regarding former prisoners and how they have been led to view the world. This rendering does not leave community policing out of the picture—far from it. By and large, former prisoners live in the persistent embrace of police agencies. For “ex-offenders,”

escaping from the corrections sphere is as unlikely, and in some instances, as unappealing, as escaping from oneself. The following accounts will forego all but a few anecdotal accounts of former prisoners who peacefully coexist (and sometimes thrive) in association with (or perhaps even as an element of) progressive policing. Instead of dwelling on some of the attendant details of their personal stories, I will move up one level of abstraction and describe aspects of a perceptual schema common to persons subjected to punitive incarceration and reentry.

Similarly, selected aspects of the perceptual world common to criminal justice practitioners and researchers will be detailed. Interestingly, attentive readers may even notice some overlap in the perspectives of persons who otherwise gaze at one another (and the world) from across the custodial divide.

A disclaimer: what follows is, by design, not the whole story of the souls who populate our “ex-offender nation.” Sadly, neither you nor I can handle their whole story. This, then, is a palatable bite, an introductory meditation on getting to know your delinquent neighbor. It is also an empathic look into what it might be like to be branded a weed and plucked from the garden to make way for seed.

Discussion Question: How Should the Police and Ex-Offenders Work Together?

I am honored to participate in this forum and to address such a wonderfully loaded question, one full of significant and implicit assumptions. I convened a series of focus groups with former prisoners so that I might compile some impressions, if not reach an informal consensus, on the issues at hand. The information obtained from these cyber, telephonic, and actual physical meetings, is condensed below.

Getting right to definitions, it seems that the discussion question itself requires a bit of unpacking before we can continue. Such clarification exercises can be quite helpful, yet they still

should be approached with caution lest they replace the substantive discussion itself. Indeed, deconstruction can be risky business. It can devolve into hotly contested, destructive debates and semantic confusion. But deconstruction can also provide conceptual openings into the nature and theoretical underpinnings of the inquiry. Then (if required), the discussion can go on to the “real” substantive issues.

Rereading the title query: *How Should the Police and Ex-Offenders Work Together?* It would seem prudent that, at a minimum, we ask the following:

1. Who are “the police”?
2. Who are “ex-offenders”?
3. What sort of “work” are we talking about?
4. What does it mean to be or to act “together”?

For the purposes of this discussion I assume the vantage point of the former prisoner, a subject position with which I have some experience. Let me briefly list and comment upon *who* might be constituted by the above categories, and then go on to construct working definitions of the relevant terms.

1. From the former prisoner perspective, who are “the police”?

- All sworn law enforcement officials: federal, state, county, and local police.
- All court personnel: prosecutors, probation officers, diversion officials, judges.
- All community corrections personnel with client supervision responsibilities, including parole officers.
- All social service providers forced by legislation or administrative policy to supervise and report on the affairs of justice system clients.

Law enforcement collaborations under “community policing” plans expand the definition of “police” even more. “One Stop” reentry centers and reentry induction programs, such as California’s “PACT” (Police and Corrections) Teams, add service providers to the accustomed custody and care squad. Finally, neighborhood watch, neighborhood councils, and other community policing partners expand the surveillance of “ex-offenders” to include all who serve as their monitors: drug testers, employers, concerned family members, and active informants (common in high-crime neighborhoods).

Others with potentially significant power to do harm to the lives of ex-offenders, include neighbors, teachers, romantic partners, or anyone else who might be asked for information relating to the ex-offender’s conduct. Such persons would not be viewed by ex-offenders as analogous to police, but would be considered threatening, and sources of vulnerability, if only hypothetically and situationally.

2. From the former prisoner perspective, who are “ex-offenders”?

Everyone who has a criminal record or is likely to acquire one in the foreseeable future is an ex-offender. Place matters. In certain neighborhoods, especially the urban, mostly minority areas most important to reentry policy planning, this means a high proportion of male residents, their friends, and associates. What they have in common is a certain set of experiences, but what may be more important is that they have a common identity among police agencies. They are lumped together, classified as high-risk suspects. In the suburbs, a former felon can hide fairly easily and do all right. In neighborhoods with heavy concentrations of felons and a high police presence, lying low and trying to maintain a semblance of dignity and social significance is more problematic. Finally, since so many prisoners of the past become prisoners again in the future,

the distinction between former, current, and future prisoner takes on something of a surreal, or even academic (i.e., irrelevant) character.

3. From the former prisoner perspective, what sort of “work” are we talking about doing with police?

Let’s assume that the number one job assignment of both ex-offenders and police is keeping the former prisoner out of crime and prison. But no, that would be an absurd assumption, since it flies in the face of lived reality for a large number, if not the majority, of ex-offenders. Of course, colloquially, “working” with the “police” equates with working against the interests of one’s contemporaries. It means being a rat, snitch, or informant, or “acting like a cop.”

The work of police seems to be ever expanding. In Los Angeles, a multiagency task force “cleans up” Skid Row by ridding it of its high concentration of parolees. Immigration agents are now commonly based in police stations, and jail deputies are assigned INS functions. Such mission creep adds a new layer to the law enforcement threat matrix.

National security concerns and depictions of urban gang suspects as domestic terrorists (police don’t negotiate with terrorists) further militarize law enforcement and recreates suspected criminals as implacable enemies of the state. Reconfiguring the Drug War as a central aspect of the War on Terror links suspected urban drug dealers and users with terrorist groups supposedly bent on destroying the American Way of Life. Such a positioning by the police leaves little room for compromise or accommodation with the “enemy” (ex-offenders).

What then might we assume is the common work, task, or bond between ex-offenders and police in the context of facilitating reentry? Working to improve quality of life, perhaps?

Public safety? Maybe a cooperative attempt at lessening the sting or lightening the load of a disadvantaged existence? Hard to say, but we will return to this question and its attendant issues.

4. From the former prisoner perspective, what does it mean to be or to act “together” with police?

How are we to interpret “together”? Would it necessitate trust? Does “together” suggest sharing a time and place while working toward a common goal? Would a “don’t ask, don’t tell” arrangement constitute “working together”?

Factually, police and ex-offenders work together on a regular basis to achieve a multitude of tasks. Such things as fingerprinting a suspect, attending a line up, stepping into or out of a cell, applying handcuffs and shackles, obtaining personal information and bodily fluids or physical (genetic) specimens; each of these tasks is usually performed collaboratively. Indeed, such tasks and the routine steps used to complete them denote the traditional, accustomed relationship norms for police and ex-offenders. Stepping outside these norms in furtherance of some more novel goal or assignment means treading on unfamiliar ground, if not uncharted territory.

Addendum to Unpacking the Discussion Question: Repulsion and Desire

Psychologically, for ex-offenders the Man is everywhere there is a uniform or government desk. Judges, police, prosecutors, parole officers—all are suspect, all are perceived as seeing the ex-offender as a means to an end (with common ends being career advancement, positive press, political advantage). Once you have seen the inside of the system and know its reality: the hypocrisy, selective enforcement, disparities, perjuries, manipulation of evidence, racial preferences, class distinctions, influence peddling, conflicts of interest, etc., it is hard not to harbor an ever-ready attitude of distrust, resentment, and wariness.

In short, all police are perceived as having agendas that far outstrip their interest in public safety or cost control. Ex-offenders simply want to avoid becoming fodder for any aspect of this corrupt system.

But many former felons do find peace and success “working together with police.” They do so by staying within the system in approved, supportive roles. Their positioning as drug counselors and gang intervention workers is usually defined by their motivation: to give back to their communities, to make a contribution where they can, and to use their experience and wisdom in productive, helping ways. But for some, their new roles are not so different from the old days when they were “model prisoners.” Back then, experience or influence permitted them to find a niche or otherwise work the system to their relative advantage. In “the joint,” for example, the smart con who worked as factory clerk responded to the factory’s closing by obtaining a position that offered many of the same advantages. The substantive tasks of the respective jobs were not nearly as important as the perks he derived from them.

When the paramount goal is avoiding harm, all moves are pragmatic, all substantive interests negotiable. The prize is relative safety, comfort, and advantage, and dignity based on the currency of one’s peers and social milieu. None of this is to say that the old prison roles were pleasurable, or that the new ex-offender opportunities are a “con.” Just that the new system positioning isn’t entirely new: it is the reaction of a severely traumatized being, one adapting to changing circumstances in order to survive. It is a form of accommodation, but it is a form of resistance as well.

Resistance and Reentry

It behooves us to know that ex-offenders have an agenda, and that first and foremost is always to live with dignity. Lower numbers on the list, such as shelter, food, love, and work,

may come into conflict with this primary goal, even subsume it at times, but that does not mean that goal number one goes away. When and if an ex-offender sets dignity aside it is no more than a tactical retreat, a maneuver to provide a more tenable position for the long run. Like the plantation slave who avoids a beating by giving deference to his master, or the street youth who avoids the same fate by cowering in mock subservience before an accosting law officer, downtrodden ex-offenders use what they have available to advance their goals. Luckily for them, an abundant and ever-ready resource is the arrogance and perceived omnipotence of their overseers.

Resistance from oppression is not a deviant offender characteristic to be overcome. It is an attribute to be recognized as perpetual, universal, and as having tangible effect. Perhaps most importantly, resistance deserves our respect. For without it, who would we be? Compliant drones? Lifeless functionaries who live, produce, and reproduce children who “know their place” and “accept their limitations?” If this is what we want and if this is what we achieve, where, then, would we be?

Parole and other reentry agents may implore clients to “work with me,” but they still give ex-offenders plenty to resist. Agents consider it a duty to remind their clients that they are not free: that parole is a conditional release, and that they are still technically in custody. Sure, it doesn’t *feel* that way to the parolee, but who is he to decipher reality? Skillful personal repression ensures that resistance will take many forms. In the case of reentry, loosening the shackles of bondage and allowing the restoration of “freedom” provides a vehicle for a resistant offender’s vindication. The reentry scenario, in other words, can be an outlet for rage: “What? Yesterday you had me living under the gun, as a public menace, and today you feel safe to turn your back, to set me free? What changed? Not me.”

Living in the free world provides former prisoners the chance (at long last) to engage in enhanced social expression. Now the ex-offender can distinguish herself in new ways. She can do more than wear her pants several sizes too big, leave her shoes untied, and scrawl provocative or enigmatic signs upon her skin. A new array of tools, a fresh and refurbished palette of skills, is available to her. Some are petty and benign, surely, but others are much less so. Circumstances will indicate which she will use. (In prison, her quiver of survival technologies included a pipe, a shank, the strength of her associations, and her wits. Some were used often; others she held in reserve. Events and her evaluation of them dictated her course of action, her fate.)

For the most part, those of us who comprise the unsuspecting public do not want to know what ex-offenders know. Now that they are out here, we want them to forget all that they learned “in there” and adopt our ways. Of course, we prefer that they start at the beginning, or to put it differently, at the bottom of the socioeconomic ladder—even if they are 40 or 50 years old!

Perspectives, Perceptions, and Objective Reality

Since this working paper is so concerned with ostensibly subjective perceptions, I think it fruitful to explore the ex-offender perspective further. One way we can do this is by looking at a best case scenario: an example of ex-offenders who have chosen to work together with police.

Before we do, however, it should be noted that although the other papers at this meeting discuss organized groups and their possible relations with police, ex-offenders are not the same kind of group. Ex-offenders do not have any organizing body, profession, or source of institutional legitimacy in the way that parole, sentencing authorities, community groups, and others do. Nor are ex-offenders permitted one, for all practicable purposes. Ex-offenders are not an invading army or an advancing plague. They are relatively powerless (structurally speaking) *individuals* who are supposed to blend into the social fabric, to reintegrate themselves into the

societal mainstream. Legal, productive living, however, is obviously quite difficult for persons burdened with the stigma of a felony conviction. Most of the success stories that I know of are persons such as those mentioned above: people who are, for better and worse, caught in a never-ending correctional relationship.

Although choosing to remain a cog in the criminal justice system is one way to postrelease “success,” we need to be clear that there are many risks inherent in such a bold, unconventional undertaking. The psychological vulnerabilities assumed by the gang intervention worker or drug counselor—renegade former outlaws all—take a noticeable toll. The stresses and strains of actively working through the trauma of penal subjugation while “giving back” to others tempers my otherwise whole-hearted call for an organization dedicated to the welfare and political empowerment of ex-offenders. The costs borne by individuals partaking in these troubled relationships might be ably illustrated through reference to the recently emerged position of one of their ilk, the “(ex-)convict criminologist.”

Two-Legged Data

Criminology is a curious business, and it is not clear where, or if, the convict criminologist fits in. There are several difficulties.

The norms of academic discourse discourage the personal. Some scholars forbid their students use of the first person altogether, and permit themselves only the plural. “We,” often referred to as “the royal We” is indicative of the traditional scholarly stance, which holds that the scholar is detached, yet never alone. He or she stands upon the shoulders of those who came before, writing not as an individual, but as a representative of a discipline and master conveyor of a body of knowledge. Individual scholars make personal contributions to this textual body, but personal advancement is not supposed to be the point. The point of scholarly work is not self-

fulfillment or self-expression, and certainly not self-knowledge. Consequently, throughout the decades and the various theoretical epochs, the subject matter of criminology has invariably remained something “out there.”

The situation for the convict criminologist is much different, as he or she is both speaking subject and object of study. As subject, the authority of the convict criminologist is almost certainly called into question, as he or she clearly lacks credible objective detachment, having “gone native” as a convict long before succumbing to the lure of the academic fraternity. The convict criminologist’s claim to the profession thus faces a perhaps insurmountable *a priori* challenge.

As a speaking subject, the convict criminologist is atypical of criminological objects of study. With rare exception, criminals’ voices are muted not only by scholars, but by every aspect of the criminal justice encounter. Our American adversarial system of justice all but requires that defendants allow their representatives to speak for them. Following conviction, criminals are legally held incommunicado in a number of jurisdictions. Even when convictions are overturned after many years, such as in the justly celebrated case of “Hurricane” Carter, human subjects other than the accused are credited with principal agency.

The ability to speak and be heard is not the only problem with the convict criminologist construction. The ex-offender is no longer a convict, but an ex-convict. This point may seem of little consequence, as the main aim of convict criminology is to include in the conversation the voices of those experienced in the “customer end” of the criminal justice system. Yet I consider the distinction an important one. Those of us who emerge from prison after many years know the unsettling sensation of finding ourselves separated from our friends and concerns. People with whom I shared nearly everything lost their immediacy to me almost the moment I stepped

outside prison walls. I was shocked by the sensation, but it was there, real, undeniable. Even as I knew in my innards that I was no free man, I was no convict either. Not anymore.

The legitimacy of the convict criminologist's claim to special knowledge is thus challenged on both ends. Inclusion within the profession is made only tentatively, at the margins. As for being a prisoner and possessing the insights of the imprisoned, well, the convict criminologist does not. The position is distinct, neither here nor there, nor is it likely that both subject positions can be fully assumed at once. The question of identity remains unanswered for convict criminologists and for others caught in the gravitational hold of the system.

Prison and Reentry: Separable Domains or Forever Entwined?

Ex-offenders are not alone in suffering from a conflicted identity. Much of the discussion surrounding reentry and the corrections system itself dwells on just this point. A foundational article on reentry by Travis and Petersilia (2001), two of the foremost thinkers and writers on reentry, examines the possibility of establishing coherent, distinct system identities.

Travis and Petersilia (2001) tap into a deeply felt and longstanding difficulty with community custody when they state that prisoner reentry processes might best be viewed separately from the prison experience. A bifurcation, they suggest, might have the helpful effect of distancing the more punitive aspects of incarcerative penalty from the (hopefully) more ameliorative community-based programs. Their idea is a sound one, albeit with a mixed history. Much debate has revolved around gauging the appropriate degree of separation between punitive custody, preventative supervision, and rehabilitative opportunities. This problem, moreover, has never been limited to community corrections and reentry issues. David Garland (1990), for example, has argued that a version of the "custody versus programs" conundrum troubles (as well as sustains) what he calls the "peno-welfare complex." Garland explains how subservience

to political considerations forces corrections officials to lower penal standards for the sake of administering social services. By the same token, welfare programs become compromised when case officers are compelled to perform police-like surveillance functions along with their more traditional roles as service providers.

A true bifurcation that pushes punishment-oriented, secure custody away from reintegration measures complicates commonly used schemes that use therapeutic and other programs as “carrots” intended to encourage offender cooperation. It also promises to thwart strategies that utilize programs as actual surveillance and control techniques. Penal plans employing such hybrid tactics may lessen the sting of submission and domination for some offenders, but the bald-faced client manipulation can also engender much enmity.

The implementation of Travis and Petersilia’s bifurcation proposal would involve a repositioning or reframing of community reentry programs. This split could be extended by encouraging placement of reentry programs beyond the scope of the justice system. Taking social services out of the hands of police agencies would remove an internal contradiction that has long bedeviled corrections workers at all levels. Offenders, too, suffer from the mixed messages and muddled outcomes of a conflicted justice system. Their frustration, anger, and disgust with inconsistent attitudes and zero tolerance policies have the effect of promoting disrespect for the law and for its guardians. In addition, the “treat ’em and beat ’em” paradox certainly leads persons on both sides to develop fatalistic predispositions regarding the inevitability of parole revocation.

We should be clear that no one wants the separation of prison and parole more urgently than do prisoners. When offenders “get out” they want to *be out*. Any compromise or half-measure, any hoops or hassles placed in their path, breeds resentment. Certainly ex-offenders

need access to social services and community resources, but they should not have to engage with law officers to get them. After years of being thrown together, battling through a struggle that neither could win, the two sides should be allowed to drift apart. Each stands to benefit.

Travis's (2000) article on reentry courts is another useful recent publication in that it perpetuates two misconceptions that can be constructively addressed. The first concerns his notion that, until they prove their trustworthiness by remaining crime-free while on parole, reentering ex-offenders "have not yet earned a place at our table." Travis gives expression to what is no doubt a commonly felt sentiment and for that openness he has our thanks. The perspective he tacitly assumes, however—a subject position he generously extends to his readers through the use of the phrase "our table,"—is that of the law-abiding public. His characterization is made problematic, however, by generations of criminological research that casts doubt upon the existence of such a purified polity.

A more accurate representation of the social world into which ex-offenders return would include reference to disparate sources of violence, fraud, discrimination, and corruption, much of it emerging from the same social strata the authorial voice so ably represents. This more realistic portrayal is already ingrained by experience into the psyches of "offenders." The incarcerated often have more than a passing interest in news from the outside world. They know enough about politics and justice issues to suspect that those who so readily condemn them are not so clean themselves. Prison inmates are not cloistered academics, nor are they justice system practitioners whose vision is clouded by the veil of legal legitimacy and the thin blue line. Convicted and incarcerated felons have experienced life at ground zero, a place where the messiness of actual procedures meets the more hypothetical policy road. Prisoners are the possessors—whether they like it or not—of an arsenal of finely calibrated "bull" detectors. Any

idealized notion of society presented to them as real is discredited and rejected as quickly as their own demonized caricatures are often accepted and even embellished.

Consider the classic sociological literature on prisons. From Sykes to Clemmer, Irwin, and Jacobs, much is made of the divisions and distinctions forged by prisoners. Categories that play out in day-to-day prison relations divide inmates among themselves, separate prisoners from staff, and even cast distinctions among keepers. Such status hierarchies are taken very seriously by prisoners and do not magically melt away on the day of release. The value systems learned or reinforced in prison, whether by choice or as a survival skill, a necessary evil, makes an ex-offender suspicious of new faces and absolutely distrustful of cops. If individual social service providers, including parole and police officers, are to have productive, mutually beneficial and reinforcing relationships with ex-offenders, it makes sense that authorities will have to make an effort to gain *their* trust. Representatives of the dominant societal faction, in other words, if they wish to engage with and actually serve ex-offenders, have to be willing to earn a place at *their* table.

The second point from the Travis article to be addressed concerns the comparability of reentry courts and drug courts. Travis maintains that a period of supervised release can be highly satisfying to the offender. To bolster his claim he points to drug courts and their famously emotional graduation ceremonies. What Travis fails to notice, and perhaps cannot know, is that the joy of drug court graduation comes precisely from the fact that prison was successfully averted. How could we expect people who have served lengthy prison terms and then faced additional sanctions on the outside to feel the same way as those people who served their time on community supervision alone? This fundamental misunderstanding of the subject positions of those sentenced to community custody versus those incarcerated expresses well our collective

failure to appreciate the gravity of prisonization. People tend to emerge from prison edgy, distrustful, frightened, and insecure, in addition to being broke, homeless, and without friends or acquaintances. That period of separation and brutalization known as prison has a profound effect on one's perceptions, and we are misled if we believe they will react to circumstances and events in ways similar to those folks who have not endured like hardships.

Soul in the Hole

While researching reentry on the Internet, I received a note from a colleague alerting me to a web site containing a wealth of information. I visited the site and downloaded several articles to print. When I walked over to the printer to collect the hardcopies I noticed that text appeared on both sides of the paper, something I dislike and had not planned. A closer examination showed that the words on the topside of the discharging sheets derived from a different source than the text on the other side. I began to read the “mystery text” and discovered that it too concerned the experiences of penal subjects, past, present, and future. The narrative was part of a dissertation describing the culture of “pickup basketball” and the persons involved in creating it. Thoroughly provoked, I read on. I consumed the rollicking, thumping basketball piece as quickly as the paper passed from the machine. I then turned the pages over and read the comparatively dry, abstract, yet data-rich criminology literature. The contrast could not have been more striking. Here's an excerpt from the “right side”:

Accustomed to being told exactly what to do and how to do it, they [newly released inmates] often expect their supervision officers to forge a path for them—get them a job, find the right drug treatment program. Disappointed when their unrealistic expectations are not met, some people never form trusting relationships with those who supervise them. As for the officers, they begin the process with no information about how the people they have to supervise respond to authority figures and what they want to do with their lives (Nelson and Trone 2000, 2)

Now here's something from the "wrong side":

To the brothers holding it down on blacktops across America, it ain't just about playing basketball. In fact, balling is only one instrument used by these street soldiers to carve a collective identity out of the unforgiving urban landscape. The blacktop merely serves as a semi-public platform for exhilarative expressions and statements of black masculinity for people who, due to structural opposition and a history of requisite deference to an unyielding dominant culture, frequently find it difficult to establish a meaningful identity in other ways (Mohammed 2001, 1)

It isn't just the style of writing that sets these pieces apart: a sense of flesh-and-bone humanity pervades the "accidental article," and that same insider realism is utterly lacking from the research report. Reading the intended piece, I tried to digest such things as, "Accustomed to being told exactly what to do and how to do it," but the sentiment stuck in my throat. Common sense tells us that few prisoners are micromanaged this way. By all accounts, prison provides a (sometimes dangerous) plethora of activity options, from watching television to playing dominoes, to reading, sleeping, or shooting dope. Upon release, many felons do wait for their parole officers to make the first move, but that's because setting the terms of release, the official agenda, is *their job*.

Being in custody necessarily places one in the role of a counter-puncher. Officials act and prisoners react. So it's not one way: coercive custody is a dance, a creative tension between participants who are sometimes collaborators-in-action, sometimes antagonists, but always provisional partners, trapped together in time and space. To suggest that the prison scene is more akin to a puppet show—inert mannequins brought to life by omnipotent operators—is a distortion that does a disservice to all involved. Surely no puppet masters claim to walk "the toughest beat in the state," as do the corrections officers of California. Surely the Crips and the Bloods, the Aryan Brotherhood, Black Guerilla Family, Disciple Lords, Mexican Mafia, and all

the other prison *gangstas* respond with something of a deaf ear to “being told exactly what to do and how to do it.”

The contrived and artificial tone of the reentry piece (Nelson and Trone 2000) continues as the passage skips past the complexity inherent in creating and maintaining “trusting relationships.” I wish the authors would ask themselves how trusting they would be towards persons who literally hold the keys to their freedom and their futures. Do they really think that finding them a job and a program would establish trust? Get this: “Here’s your job and your program. Don’t screw it up or I’ll send you back.” How’s that for laying a rock-solid foundation for trust? The only hacks we “trust” are those who willingly turn a blind eye, or are so lame they can’t catch us when we “screw up,” or drop the automaton routine and act human.

The paragraph I cite from the reentry article also vastly oversimplifies the process of discovering what parolees “might want to do with their lives.” Again, I put it to the authors (and to all prospective writers on reentry): if you were to start from as near to scratch as is possible in American society, and if you were burdened with a felony conviction, mainstream social stigma, an antagonistic, “unyielding dominant culture,” and minimal resources, what would *you* do with your life? Finally, if I were to ask myself how I “respond to authority figures,” in all sincerity, I would have to answer, “It depends.” I find that I often resent authority, especially when it is practiced arbitrarily or incompetently.

The second piece (Mohammed 2001) depicts its subjects not as fodder existing solely for the manipulation of authoritative others, but as active agents, creators in their own lives. Being young, black, poor, and male in America means many things, but basic to the profile is being “roustable”: police see you and others like you as fair game for a shakedown. In other words, the

police, guardians of mainstream American freedoms, perceive young black males as primary to *their mission*.

I contacted the writer of the basketball chronicle and obtained a copy of the completed project. It felt like discovering buried treasure. And then it dawned on me that used, discarded sheets of paper placed in the printer feeder (something that happens around the department when funds are low and fresh supplies exhausted) led to my find. I pondered the synchronicity of recycled rag turning out (for me) to be better than new. I was reminded of the “wounded healers” phenomenon discussed so much among prison volunteers (that is, those persons who have suffered great wounds often make the best healers). My remembrance of that concept brought me back to the assertion that trusting relationships are critical to the success of ex-offenders trying to make it on the outside. Of course trusting relationships are important! And who better to attend to parolees than their more experienced peers and colleagues—the wounded, returned healers? Do we really expect that most supervising officials will ever know what their clients “want to do with their lives”?

Getting Back On the Court

Former prisoners who involve themselves in community justice (or justice studies) seem to have a visceral reaction to the common one-dimensional view of offenders. Their gut-churning frustration is a response to bearing witness to a “professional” conversation carried out in ignorance of the real people and lived realities behind the profiles. The exclusion from scholarly pages of the impassioned voices and no-frills analysis of people who are more than able, and very often willing, to speak for themselves, is especially grating to people of experience who deal for a living in the areas of prisoner reentry and rehabilitation.

The protestations that I hear typically go like this: “Here we are! Hey! We’re right here! You’re talking about us, right? So talk to us! Hey!”

Usually, traditionally, these pleas have fallen on deaf ears. It would seem that a solution for these frustrations would be for ex-offenders to be more proactive and not wait to be recognized and asked to comment or otherwise participate in penal policy strategizing. Former prisoners *can write themselves* right into reentry scholarship. And they have. Of course, the next questions must be: Is anybody listening? Can anybody hear?

Epilogue

Lest we fool ourselves into thinking that any of this is new, I reproduce the following (provided by my friend and colleague, Chuck Terry):

He is made to feel from the outset that he is a lower animal, incapable of thinking, acting, or doing rationally for himself. This blow struck at his manhood degrades his self-respect. Since those about him will not trust him, why should they seek to merit trust?

He knows himself to be a prisoner, immured for acts over which he knows he had no possible control, and resentment rankles in his breast. Revenge becomes a ruling spirit in his clouded soul. Why should he have faith that his keepers can cure him when he realizes that they so thoroughly misapprehend his condition (Keeley 1897, 89–90).

Can community policing make a difference in the reentry of “ex-offenders”? Perhaps. Working to apprehend the *condition* (instead of the bodies) of current and former prisoners would make for an excellent start.

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THE REVOLVING DOOR: EXPLORING PUBLIC ATTITUDES TOWARD PRISONER REENTRY

Jean Johnson and John Immerwahr, Public Agenda

Abstract: Current attitudes about crime and law enforcement are a backdrop to a more detailed discussion of attitudes about incarceration and prisoner reentry. The presentation draws on current polling from respected research organizations including Gallup, Harris, ABC News, and others. It will also include observations from a Public Agenda/Urban Institute Reentry Roundtable pilot study that looked specifically at attitudes about prisoner reentry. Designed to stimulate discussion and provide hypotheses for further research, the pilot study used focus groups to probe public awareness of prisoner reentry issues. The research examined existing public perceptions of what happens to prisoners after release and explored potential public support for reentry programs, along with possible concerns and barriers. While hardly any respondents in the pilot study had thought extensively about prisoner reentry issues, more were aware that prisoners often face daunting obstacles returning to the community and establishing a noncriminal life-style. In addition, most seemed to think that reentry is an important issue that deserves decisionmakers' attention. At the same time, nearly all the respondents voiced some level of concern about what kinds of prisoners might be included, how well reentry programs would be run, how effective they would be helping prisoners stay out of trouble, and precisely what kinds of services returning prisoners would be eligible for.

Introduction

A typical day of TV programming offers a wide selection of news and entertainment programs focusing on crime, police work, arrests, trials, and incarceration. The depictions may not be accurate, but the overall process is constantly in the public eye. On that same day, however, approximately 1,600 inmates (mostly men) will come out of prison to find their way back into society, typically with little planning, counsel, or support.¹ Yet compared with other aspects of the criminal justice system, there is almost no public discussion of prisoner reentry.

¹ Travis, Jeremy. *Prisoner Reentry Seen Through a Community Lens*. The Urban Institute, 2001.

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The availability of public opinion research follows precisely the same pattern; there is considerable survey data on crime and punishment overall, but virtually none on prisoner reentry.

To gain a better perspective on public attitudes about this issue, The Urban Institute's Reentry Roundtable asked Public Agenda, a nonprofit organization dedicated to nonpartisan public opinion research, to develop a small-scale pilot project. In addition to support from The Urban Institute and Public Agenda itself, funding was provided by Open Society Institute, The George Gund Foundation, and Arthur White.

Focus Groups in Suburban and Urban Areas

Designed to raise questions, stimulate discussion, and provide hypotheses for further research, the pilot project consisted of three focus groups conducted in March 2002 in the Philadelphia area. To offer some insight on how Americans in different demographic groups might think about prisoner reentry, Public Agenda organized the focus groups to reflect different population segments.

- One focus group consisted of residents of the Philadelphia suburb of Bensalem. The group was racially mixed, and respondents' income ranged from less than \$25,000 to more than \$60,000. The group included an advertising sales representative, a retiree, and an employee at Wal-Mart.
- A second focus group consisted of residents of Philadelphia's inner city, primarily from the West Philadelphia area. The group was entirely African-American or Hispanic, and respondents included a legal assistant, a truck driver, and a cook.
- The third focus group consisted of affluent Philadelphia residents. The group was racially mixed, and all earned more than \$30,000. Respondents included the owner of an art gallery, a retired attorney currently doing charitable work, and a therapist.

Limitations of the Research

The responses captured in the Public Agenda focus groups are intriguing, but it is vital to underscore the limitations of this research. Focus groups can be useful tools for observing how people talk about issues and for generating hypotheses for further research. However, they are not reliable predictors of how many people hold a particular viewpoint, or even whether the majority of Americans actually share views that predominate in a focus group discussion. What's more, this particular project includes a small number of focus groups confined to a limited geographic location. It is possible, and perhaps even likely, that the same research conducted among suburban, inner city, and upscale residents in Atlanta, Miami, Phoenix, Dallas or Portland, for example, could produce different results.

Nevertheless, some characteristic patterns of thinking seemed to emerge in all three of the focus groups we conducted, and many echo themes that are prevalent in the public's overall thinking about crime and punishment. In some instances, we are able to cite existing survey data to confirm—or at least buttress—the observations we report from the focus groups. We relied particularly on Public Agenda research from a series of studies on prison overcrowding and alternatives to incarceration conducted for the Edna McConnell Clark Foundation.² And since Public Agenda has conducted dozens of public opinion studies on diverse public issues, and since we have devoted over two decades of work to understanding how citizens typically learn about public issues, we have applied our own judgment and experience in interpreting the results. In the three sessions, we focused specifically on these topics:

- Public awareness of prisoner reentry issues

² Farkas, Steve and Ethan Gutmann. *Punishing Criminals: Pennsylvanians Consider the Options*. Public Agenda, 1993; Doble, John, Stephen Immerwahr, and Amy Richardson. *Punishing Criminals: The People of Delaware Consider the Options*. Public Agenda, 1991; Doble, John, and Josh Klein. *Punishing Criminals: The Public's View. An Alabama Survey*. Public Agenda, 1989.

- Perceptions of what happens to prisoners after release from prison
- Potential public support for programs to help former prisoners make the transition from prison to society
- Reactions to “barriers” regarding employment, housing, voting, etc., that former prisoners face in many states
- Potential concerns and conflicts about reentry programs
- Future directions for research

How Important Is This to Most People?

Opinion researchers often look at two factors to determine how important and meaningful an issue is for the general public. One factor is whether people bring up an issue spontaneously or whether they only talk about it after it has been raised by researchers. The second factor is whether people appear to understand an issue when it is introduced or whether they need repeated explanations and clarifications in order to think about it. The answers to these two questions have vital implications for leaders who need to launch public discussion about an important issue and for journalists who need to cover it.

In many Public Agenda projects, for example, moderators open focus group sessions by giving respondents a “clean slate” and asking them to list their top community or national concerns. Typically, people bring up issues that have “been on their minds,” and that they have already thought, read, and talked about. Issues that people bring up spontaneously have an immediacy and urgency that places them at the very top of the public’s agenda. Issues that must be raised by the researchers are less salient to them.

It is also important to learn if an issue is easily grasped once it is introduced. It is just a fact of public policy life that some problems are easy for people to understand, while others—although they may be equally or even more important to the country’s future—are abstract and difficult for people to wrap their minds around. Several years ago, Public Agenda conducted an

in-depth study on “restructuring public schools”—a topic that attracts significant attention among experts and political leadership. The study explored public thinking about proposals such as vouchers, charter schools, and school privatization, but the focus groups proved to be rough sailing. Only a handful of participants spontaneously mentioned these topics or anything related to them. Virtually none understood how they would work, and the respondents’ puzzlement continued even after moderators passed out printed sheets attempting to clarify the proposals. This is not to suggest that these ideas are necessarily bad or unworkable, but they are difficult for most people to get a handle on. Consequently, they present a complex communications challenge for leaders and advocates.

Rarely Talked About but Easily Understood

Based on this series of focus groups on prisoner reentry, this is an issue that people rarely raise spontaneously, but it is one that most seem to understand readily once it is introduced. In each session, we asked our respondents to tell us about some of the main issues or problems in their neighborhoods. Many people spoke of schools, sprawl, taxes, housing prices, and a variety of other issues. Not surprisingly, several people spontaneously mentioned crime and drugs, but their concerns seemed to focus more on broad social issues facing the neighborhood, rather than the explicitly personal fears of crime so prevalent in focus groups a decade ago. Respondents in these groups reflect what national polls have shown for the last several years—the public’s fear of crime has declined, and most Americans name issues such as education and health care as higher priorities for national government.³

³ Gallup Organization Poll, a survey of 1,011 adults surveyed by telephone, Oct. 11–14, 2001. The public’s perception of whether there was more crime in the United States than there was the year prior dropped from 89 percent in 1992 to 41 percent in 2001; Princeton Survey Research Associates Poll, sponsored by the Pew Center for People and the Press, a survey of 1,202 adults surveyed by telephone, April 18–22, 2001. Fifty-five percent of

In this project, some suburban respondents talked about drugs and vandalism among local teens. Urban residents voiced concerns about people hanging out near convenience stores where, the respondents believed, they bought and sold drugs. Several inner-city residents spoke bitterly about open drug selling and the disastrous effects of drugs on their communities. One upscale urban man put it this way:

The neighborhood popped up in my mind. Basically, in my neighborhood right now there's a lot of drug activity going on compared to when I was growing up. I'm only 25 now, and the kids that are in high school now are going out there now, and there's drugs on every street corner now. That bothers me a lot, and there's nothing being done about it. They do it right in the open. You're driving down the street, and you actually see them handing each other money and drugs.

“Just Throwing Them Out . . .”

Even when the discussion turned to crime directly—including some fairly extended conversations about courts, sentencing, and the local police—none of the respondents specifically mentioned problems that society or their community might face concerning recently released prisoners, nor did they spontaneously voice concerns about how returning prisoners were treated or whether they would be able to rebuild their lives.

However, as soon we asked about the topic directly, we saw that nearly everyone in the groups understood the issue and its possible implications. Most immediately had some concrete observations to make about it. A suburban man responded this way:

What we're saying is, [there are] people that have done their time and want to better themselves, [and there should be programs to help them reenter society] instead of just throwing them out there with no kind of guide rope or no kind of help.

respondents said they would increase spending used to combat crime, while 76 percent said they would increase spending on education and 71 percent said they would increase spending on health care.

Daunting Obstacles, Ineffective Programs

As we discovered, although most respondents had not thought much about prisoner reentry specifically, most were aware that prisoners face daunting obstacles returning to the community and establishing a noncriminal lifestyle. Among the urban respondents especially, both inner city and upscale, there was a virtually instantaneous ability to understand the situation a former prisoner is likely to face—no job, minimal education, few marketable skills, no particular place to go, and very little support or monitoring.

In all three groups, respondents had fairly consistent views about the experience a prisoner has both in prison and upon release. While some of our respondents mentioned hearing about some programs in prisons designed to help people change and lead a better life after prison, virtually no one believed these programs were widespread or particularly effective.

Many thought that an individual might, as a result of being sent to prison, reform himself or herself, but almost all tended to think of this as an individual achievement and not the result of prison programs and policies. Those who become stronger, people seem to be saying, do so in spite of what they find in prison, not because of it. Nearly all the respondents saw the efforts of prisons to rehabilitate and educate people as poorly designed, poorly executed, and ineffective.

One upscale urban woman said:

There are not job opportunities; you're not taught trades. I think they can make license plates or some menial types of things. But I don't believe there [are] programs that help with education and help somebody make better of themselves while they're in for X number of years. So if someone comes in with really low self-esteem and a lot of social problems, they're not going to get any stronger and feel better about themselves while they're in jail for three to six years.

Another man commented:

They used to have some educational programs in prison. I think up until about three to four years ago they took them out, and that's been the problem. I don't know if it was because of funding and stuff like that. That's why, when prisoners come out now, they have nothing. They have nothing education-wise.... So I think that's the problem. If they start putting some programs back in there, that will probably alleviate the situation of people coming back out and recommitting the crimes.

Creating Criminals

The respondents also believed that while prisoners had very little chance to learn useful skills in prison, they have ample opportunity to acquire and reinforce negative behaviors. Several commented on the wide availability of drugs in the prison (often, they believed, supplied by the guards themselves), and others stressed the degree to which prison can be a "school for crime."

One suburban male said:

I think prison creates criminals too. If you send a kid [who] stole a car maybe six or seven times and he was just joyriding with his friends but other than that he wasn't a bad kid. Then he goes in the system. If he goes to a major prison you are going to turn that kid into a career criminal if you leave him in there long enough and don't give him any help.

So what did our respondents think happens to prisoners once they are released? We found very little confidence in, or respect for, the supervision that released prisoners receive from the parole system. Several respondents said that parole officers have huge caseloads and do very little follow up, while others merely regarded them as lackadaisical and gullible. One suburban woman said:

I don't think they're really on them, parole officers. You meet them once a month, every two months. You get a urine test; you have stuff to clean your system out if you're doing drugs... Some people hook them up and say they're working for them, but they're not really not. They're not really on them, parole officers. They don't check and find out. People lie and say they live at this place and don't really live at that place. But they know they have to meet their parole officer [so] at a certain time they go the house and act

like they've been there and lived there and stuff like that. That's how it really is.

Jobs at Chuck E. Cheese

The respondents' negative views about prisons and the parole system echo precisely what Public Agenda found in its earlier work on prison overcrowding and alternatives to incarceration. These studies, conducted in Alabama, Delaware, and Pennsylvania, revealed deep skepticism about the ability of the prison system to rehabilitate and the ability of parole boards to monitor those under their supervision. National surveys have routinely shown low levels of confidence in the justice system overall. In 2000, the Gallup Organization reported that just 24 percent of Americans said they had "a great deal" or "quite a lot" of confidence in the criminal justice system.⁴

Nearly everyone in the focus groups believed that released prisoners face enormous obstacles, especially in finding meaningful work. One man from Philadelphia's inner city said:

And if they do get a job it's like Chuck E. Cheese or McDonald's, nothing they can put time or effort into trying to better themselves. Even then you still won't be able to get a job because there's 100,000 people that went to college and came straight out and did what they were supposed to do. They get the job, not the convicted felon. He's going to have to sit home and wait or work at Chuck E. Cheese or McDonald's and make a \$250 check every two weeks and then go out and decide to go sell drugs again and get locked up. That's how it goes.

And for nearly all the focus group respondents—whether they were in the suburban, inner-city, or upscale group—the picture was as predictable as it was distressing. Prisoners leave prison with few new positive or marketable skills and many bad habits. They have little supervision and

⁴ Gallup Organization Poll, a survey of 1,021 adults surveyed by telephone, June 22–25, 2000. "I am going to read you a list of institutions in American society. Please tell me how much confidence you, yourself, have in each one—a great deal, quite a lot, some, or very little... The criminal justice system." A great deal, 8 percent; Quite a lot, 16 percent; Some, 42 percent; Very little, 30 percent; None (vol.), 3 percent; No opinion, 1 percent.

have a hard time finding a job. As a result, they fall back into the same behavior patterns that sent them to prison the first place. All of this, most our respondents believed, leads to high rates of recidivism and a virtual revolving door, with people going back into prison almost as fast as they leave it. Here is a sampling of what respondents had to say on this score:

They go in there and get whatever they do, go to school or whatever, but they still come out, and then they can't get no job because of what they did. Then they see other people; there's fast money, so they want to do the same thing again. Then they're back in there, they may still sit a little longer, but they still come out doing the same thing.

—*Suburban female*

But the perception is if 100 come out, 80 go back. Eighty got out and maybe 60 of those 80 go back in. Percentage shrinks, but it's still not a successful program. They're not even batting .500.

—*Suburban male*

Not Aware of Many Barriers

The focus groups also suggested that even though nearly all the respondents had a negative view of what happens, or does not happen, to prisoners when they are released into the community, many were surprised, even dumbfounded, to learn about some of the barriers and constraints existing in some states. Most of our respondents, for example, seemed surprised to learn that many prisoners cannot vote, and very few saw any point to this kind of limitation. Others thought provisions that bar former prisoners from driving (given the importance of driving to many jobs) or from entering a field such as hairdressing were both foolish and counter-productive. Here's what some of the respondents had to say:

I feel you're taking a person's right away now. They did the time for the crime. Why should you take their right to vote? You're taking their freedom away.

—*Upscale urban male*

You should give them a driver's license; I believe they should have one.

—*Inner-city male*

[You should be allowed to vote from jail] because you're still a citizen whether you get locked up or not. You still are a registered voter. So I don't understand why you can't vote from prison. I just don't understand it.

—*Inner-city female*

They should vote; it's America. They're going to be living in the community.

—*Suburban male*

They can't get a job with a felony conviction. You put on there, "Yes, I've been convicted." You're not going to get an answer to that, not unless they want you in the basement somewhere.

—*Inner-city male*

Support for Possible Solutions

Given this rather bleak perception of the problems both prisoners and communities face in this situation, it is not surprising that most respondents were receptive to a variety of solutions. Many responded very favorably to the idea of postrelease planning while people are still in prison, as well as for more effective supervision and support after a prisoner is released.

A suburban male commented:

I think [postrelease planning should begin] close to the beginning [of the prison term] because it creates an atmosphere of at least constant recognition [that] you are going to get out and what are you going to do.

There was also substantial support for ideas such as halfway houses, where prisoners could have additional supervision while they actually start to work on a job. One inner city woman said it this way:

Put him in a halfway house for two years, let him get back into society and try to work and get a job. That's what the houses are for.... When he gets out meet him halfway. We're going to put you in a halfway setting to see how you make it from here.

The Preeminent Value of Work

For nearly all the respondents, whether they were in the suburban, inner-city, or upscale group, helping former prisoners find meaningful work was the most crucial and urgent step. Respondents seem convinced that getting former prisoners into solid jobs would both help them as individuals and protect the community from crime.

The strong emphasis on jobs and work is not surprising. The value of work to the American public has emerged strongly in opinion research about welfare and poverty, education, and even the central values of the country itself. One Public Agenda study looked at what U.S. and foreign-born parents believe public schools should teach children about American values. Roughly 7 in 10 of those surveyed said that an essential part of what makes the United States a special place is that people are expected to work hard and earn their living, not rely on government.⁵

For most Americans, work offers a number of important benefits. It provides income, of course, but also it provides structure, meaning, identity, and self-esteem. For many Americans,

⁵ Farkas, Steve, Jean Johnson, Ann Duffett, and Joanna McHugh. *A Lot to be Thankful For: What Parents Want Children to Learn about America*. Public Agenda, 1998. A survey of 801 parents of public school students by telephone, September 3–16, 1998. Additional interviews of 200 foreign-born, 203 Hispanic, and 198 African-American parents were also conducted. “Now I’m going to read you a list of American ideals. For each, please tell me if it is absolutely essential to you personally, important but not essential, or not that important.... People should work and earn their living—they should not rely on the government.” Percentage responding “absolutely essential”: Parents overall, 76 percent; White parents, 80 percent; African-American parents, 69 percent; Hispanic parents, 70 percent; Foreign-born parents, 70 percent.

work is seen as redemptive. Our focus group respondents applied this same line of thinking to the issue of released prisoners trying to establish new lives after leaving prison. Two women put it this way:

I support helping them find jobs and training. Everyone needs money to survive in this world, and it would get them on track. If you set them up with a job, hopefully they'd have a mentor or some sort of manager that would sort of keep them in line, who would give them the work and give them the structure they need. They need somewhere to be during the day, instead of being on the streets or whatever.

—*Suburban female*

...they can't get jobs. You put programs out there or funding for programs or even funding for companies to hire these guys when they get out or provide some training to them, it will keep them out and maybe some of them will become productive members of society. Meanwhile you can always apply for grants and scholarships for college.

—*Inner-city female*

The focus group respondents also supported other programs such as counseling and drug rehabilitation, but they often appeared to assign these a lower priority than anything related to preparing for or holding a job. The general view is that other programs are useful if a person is ready for them, but they rarely work unless a person is truly motivated and persistent, and often, they too can be “revolving doors.” Two male respondents remarked:

No one is going to take treatment if they don't want it; treatment isn't going to be no big help. The big thing, when you do go to jail for drugs, you have to stop. Drugs are in there, too. But what I'm saying, there's a lot of people who stopped in prison cold turkey compared to where you go to a treatment center where, if you're not going to want to stop, you're going to wind up doing it again anyway.

—*Upscale urban male*

I think they've got a real good program now called Treatment Corps Program, like say you get locked up for drug possession or

something like that, they put you in a treatment program for a year-and-a-half, 18 months. They monitor your urine and you have to go in two or three times a week. My brother was on that and that took him like right out of the state that he was in and he got himself together.

—*Inner-city male*

How to Divide a Dollar

Most respondents in the focus groups indicated that spending more money on these kinds of programs would be useful, and we used their preferences about spending to gauge the relative importance they assigned to the different ideas under discussion. We asked our respondents to allocate an imaginary dollar of state revenue and tell us how much of it should be spent on prison versus how much should be spent on postrelease programs. Even though many of our respondents had already described existing prisons as overcrowded and lacking in good rehabilitation programs, many wanted to spend most of the money (often 80 percent) on postrelease programs.

As we suggest below, this does not necessarily mean that voters will readily agree to pay more for prisoner reentry programs, or that the majority of citizens will automatically support shorter sentences for many crimes. Nor does it mean, in any literal sense, that funding could easily be taken from other criminal justice purposes and devoted to this cause. In real life, that would likely require considerable consensus building. What it does suggest is that most of our respondents saw prisoner reentry programs as meeting an important need. And many seemed to think that these programs—compared to prison—might offer a better way to help prisoners and protect communities from crime.

Concerns and Limitations

The views expressed by most respondents in this series of focus groups should be heartening to criminal justice professionals who see prisoner reentry as a weak link in the system and for advocates working to enhance services for prisoners returning to the community. Most respondents seemed to believe that this issue is important and deserves attention. Most seem to consider the ideas we discussed as sound, practical ways to help prisoners and community residents alike. Indeed, many respondents appeared to think that not having such programs is a recipe for more crime. And finally, very few of the respondents seemed ready to write off all prisoners as hopeless causes, or to believe that it is really possible to “lock them up and throw away the key.”

Still, almost all respondents in all three groups voiced some doubts and reservations about what kinds of prisoners we were talking about; how well the programs would be run; how effective they would be in helping prisoners stay out of trouble; and exactly what kinds of services prisoners would be eligible for. Here are the most important caveats, questions, and reservations we heard during the discussions.

The belief in punishment

In the focus groups for this project, nearly all the respondents reacted favorably to the idea of helping former prisoners get back on track. Yet, based on what we observed, this interest in prisoner reentry did not seem to be part and parcel of a broader indictment of the criminal justice system overall. Many professionals and experts working on prisoner reentry also raise important questions about whether American society places too much emphasis on punishment; whether far too many people are incarcerated; and whether the “get tough on crime” political movement of the 1980s and 1990s was misguided, damaging communities and often devastating

families and individual lives. Many question whether “getting tough on crime” has actually reduced crime at all, or whether falling crime rates are instead attributable to a better economy, more jobs, and changing demographics.

But in the three focus groups conducted for this project, virtually no one spontaneously voiced these kinds of concerns. A number of respondents did object to what they saw as an ineffective use of prison space—putting low-level offenders in prison and at the same time releasing much more dangerous people into the community—and many raised questions about drug sentencing in particular. Still, no one seemed especially outraged about the numbers of people being sent to prison. No one complained that the general trends in the criminal justice system over the last few decades have been particularly unfair. National surveys have shown a declining fear of crime, and there is some evidence from polling that Americans are more open to approaches such as prevention and rehabilitation than they were a decade ago.⁶ Responses in these focus groups and survey data suggest that a number of Americans also have questions about current drug sentencing practices. Yet surveys also show very high levels of public support for long prison sentences for those convicted of violent crimes. A 2002 survey by ABC News, for example, found 82 percent of Americans favor a law requiring mandatory life imprisonment for anyone convicted of a third violent felony.⁷

⁶ Peter D. Hart Research Associates Poll, sponsored by the Open Society Institute, a survey of 1,056 adults surveyed by telephone, September 6–17, 2001. “Preferred approach to crime: we need a tougher approach to crime with an emphasis on stricter sentencing, capital punishment for more crimes, and fewer paroles for convicted felons, or we need a tougher approach to dealing with the causes of crime with an emphasis on improving job and vocational training, providing family counseling, and increasing the number of neighborhood activity centers for young people.” Stricter punishment, 32 percent; Deal with causes of crime, 65 percent. In 1994, the findings were: Stricter punishment, 42 percent; Deal with causes of crime, 48 percent.

⁷ ABC News.com Poll, a survey of 1,025 adults surveyed by telephone, February 27–March 3, 2002. “Would you favor or oppose a law requiring mandatory life imprisonment for anyone convicted of a violent felony for the third time?” Favor, 82 percent; Oppose, 14 percent; No opinion, 4 percent. The ABC survey did find much lower levels of support (17 percent) for applying “three strikes” provisions to those convicted of nonviolent crimes. However, this suggests that while Americans might support modifications in the way these laws are applied, they have not backed away from the concept entirely.

The suburban perspective

In these three focus groups, we saw a pronounced difference between the views expressed by suburban respondents in contrast with what we heard from either of the urban groups. Given the topic of prisons and released prisoners, it is perhaps not surprising that suburban residents typically spoke about what they had heard from the media rather than what they had learned from their own circle of acquaintances. In contrast, a number of respondents in the inner-city group had family members or acquaintances who had been in prison, and they spoke from this more personal perspective. The upscale urbanites did not mention any first-hand knowledge, but they were well read, and most seemed fairly liberal in outlook. Reflecting perhaps the political make-up of the urban northeast, every one of the upscale Philadelphia respondents told us (by confidential note) that they had voted for Vice President Al Gore in the 2000 Presidential election.

Generally, the suburbanites voiced much less sympathy for the plight of prisoners, and they seemed more likely to support a tough law-and-order view of crime and punishment. A number of these respondents talked about prisoners as being “coddled” while they were in prison. As one suburban man said, prison is an easy lifestyle: “three hots and a cot.” In contrast to the urban residents who reflected an awareness that more people are serving longer sentences, the suburban residents tended to stress the idea that people weren’t spending enough time in prison. One of our suburban respondents complained about prisoners who got out of prison too soon, and several other members voiced complaints about lack of “truth in sentencing”:

I think that the thing that gets frustrating is the judge hands down a sentence; you have five years in prison. In 14 months that person is out. Four or five years should be four or five years, and then you let them [out]. They should do the time.

—*Suburban female*

Several suburban residents also spontaneously said that they wanted to see prisoners doing more work while they were in prison, in the “road gang” tradition:

I think they should be out more... cleaning up the highways or the trains. I take the train every day down to the city, and along the tracks, it's disgusting, especially when you go up to New York, like the New Jersey side of it, it's horrible. Meanwhile, the prisoners are probably rotting away in prison.

—*Suburban male*

Although the suburban group voiced enthusiasm for redirecting efforts toward prisoner reentry programs, nearly all of their comments conveyed a much harsher attitude toward criminals and prisons. For example, most of our respondents—urban or suburban—supported halfway houses. The urban respondents, however, seemed more likely to believe that halfway houses should be substituted for some jail time. The suburbanites seemed more likely to believe that the halfway house time should be added to the sentence, as part of the transition back into society, rather than substitute for some of it.

The question, of course, arising from this pilot project is how widespread this harder-edged take on this issue is. National polling data over a number of years suggests that the public tends to support a mix of what might be considered “liberal” and “conservative” approaches to crime. As we mentioned earlier, recent surveys suggest that more Americans are more open to prevention and rehabilitation strategies than they have been in the past. But the data also continue to show low confidence in the criminal justice system, very high support for mandatory life sentences for repeated violent crimes, and majority support for the death penalty.⁸

⁸ [[Author: this footnotes repeats text from footnote 4 and 7 above. Delete?]]Gallup Organization, a survey of 1,021 adults surveyed by telephone, June 22–25, 2000. “I am going to read you a list of institutions in American society. Please tell me how much confidence you, yourself, have in each one—a great deal, quite a lot, some, or very little. ... The criminal justice system.” A great deal, 8 percent; Quite a lot, 16 percent; Some, 42 percent; Very little, 30 percent; None (vol.), 3 percent; No opinion, 1 percent. ABC News.com Poll, a survey of 1,025 adults surveyed by telephone, Feb. 27–March 3, 2002. “Would you favor or oppose a law requiring mandatory life imprisonment for

Don't reward prisoners

The most striking reservation—and the one voiced with the most vehemence—was a concern about fairness to those who have not violated the law. Although our respondents agreed that it made sense to help released prisoners finding their way back into a productive role, it was definitely not appropriate, in their view, to give these individuals advantages over law-abiding citizens. One of the clearest examples concerned whether prisoners and released prisoners should receive financial support to get a college education. Our respondents appeared to agree that most meaningful jobs today require more than a GED. But as soon as we discussed the idea of helping prisoners get college courses, we heard a strong negative reaction from a number of our respondents. One of our suburban respondents was outraged when someone in the group mentioned that the University of Pennsylvania was teaching classes in one of the prisons.

It's terrible because Penn is a great school that is recognized. Most people can't afford to go there or aren't smart enough to go there. But people that hurt people or stole from people can go there? That doesn't go with me. Community college, somewhere that anyone can go, fine.... but to get Penn credits? No, I think that's terrible.

—*Suburban female*

We heard much the same response from some of our urban respondents:

I'm not so thrilled about that idea of a college education. It almost sounds like you're rewarding him. If a prisoner is getting something that a youngster who tows the line and behaves himself and can't afford... we're giving special [privileges]...

—*Upscale urban male*

You're working hard for your money to send your kids to college. Here you have a person just coming out of prison for whatever type

anyone convicted of a violent felony for the third time?" Favor, 82 percent; Oppose, 14 percent; No opinion, 4 percent.

ABC News poll, sponsored by *The Washington Post*, a survey of 1,003 adults surveyed by telephone, April 20–24, 2001. "Do you favor or oppose the death penalty for persons convicted of murder?" Favor, 63 percent; Oppose, 28 percent; No opinion, 9 percent.

of crime, and all of a sudden they can get free education for four years when you're struggling, trying to put your kids through college and getting scholarships and everything.

—*Upscale urban male*

A few respondents also voiced similar reservations about helping prisoners get a really desirable job, suggesting that some job programs for former prisoners might be vulnerable, especially when jobs are scarce or particularly desirable:

I think it sucks that people out here trying to get a better job, and then there are these guys coming out of prison who say, yes, I'm going to be a lawyer, cool. You know? Send me for four years to college, make me a lawyer.

—*Suburban male*

Clearly these respondents are making a distinction that is very important to them. They support the idea of helping prisoners get meaningful postrelease work. At the same time, they react negatively to the idea that a released prisoner will have an easier time than someone who has not violated the law.

Violent vs. nonviolent crimes

Criminal justice professionals involved in sentencing, probation, and parole often wrestle with questions about which individuals “pose a danger to society,” which crimes are “violent” or “nonviolent” and which crimes could be considered “victimless,” since they only affect individuals who chose to participate, such as buying drugs or sexual favors, for example. Yet, there is one important caveat from this series of preliminary focus groups—if our respondents are representative of the population at large, many Americans may be using somewhat different definitions of what constitutes “violence” or “danger to the community.”

In these focus groups, we asked respondents to define what they meant by violent versus nonviolent crimes, and many tended to talk about the potential for violence or damage to

people's lives, rather than outright violence. Many, for example, talked about drug crimes as violent, even if no one was explicitly hurt. One upscale urban male said, "Drugs kill people, too, just like guns do." Others saw drugs in terms of the violent lifestyle that goes with them: "If he is selling drugs, he probably has a gun, and he has probably used it."

A woman from the inner city said the following about the connection between drug use and crime:

I'm just about sure two years ago when I was robbed in my apartment, somebody feeding for drugs probably broke in. I always feel like somewhere along the line drugs have some underlying criminal issue that just keeps on going.

Our respondents were particularly concerned about crimes that were sexual or that dealt with children. For several respondents, the very first association to the thought of a released prisoner was "Megan's Law." Some representative quotes:

Depends on what the crime is. I don't want a [halfway] house full of rapists and child pedophiles. But a couple of kids that were on drugs, robbery, whatever, and they kind of rehabilitated them, that's different. See, that's where the community comes in differently. America goes nuts if you mess with kids or rape. They just hate that. I wouldn't want that in my community, period.

—*Suburban male*

I don't know if easing him back into society really works for rapists. It's a crime of anger against women.... But when you can pound some woman like that, you have a problem with dealing with women. You can't talk to women to get what you want; you have to hurt her, almost forever. I have a real problem with that.

—*Inner-city male*

If I found out my neighbor went to jail for beating his wife, yes, I'd be a little leery of getting him upset and getting too close to him. But if he went because when he was 21, he walked in and stole something from the store, you chalk it up to "he served the time, and hopefully he's a better person. Now... I think it really depends on what it is.

—*Suburban female*

Not at the expense of other good purposes

We mentioned that many respondents said that they thought it might be a good idea to reallocate criminal justice funding away from increased spending on prisons toward increased spending on release programs. But in the groups we also asked respondents how they would feel about taking money from other social programs, such as welfare, child care, or higher education and directing it to providing better programs for prisoner reentry. We found very little support for this idea, even among the respondents most interested in addressing prisoner reentry problems.

The respondents readily conceded that released prisoners are a high-risk group, and that intervention might pay off in reduced crime. But they simply did not leap from this premise to the notion that the public good might be served by spending the money here rather than in other areas. Many simply did not want society to focus on this at the expense of other social priorities. Just as many respondents were adamant that they didn't want to reward prisoners by giving them better treatment or advantages not available to other groups, people in the focus groups seemed very reluctant to penalize noncriminal groups by taking their funding to spend it on former prisoners. As we noted earlier, asked to divide a hypothetical dollar between investing more in prison versus doing more on prisoner reentry, respondents would immediately say they wanted 70 or 80 percent to go for released prisoners. Yet asked to divide the dollar between prisoner

reentry and more child care for people trying to get off welfare, most respondents immediately wanted the lion's share of the money to go to child care.

Conflicting Patterns of Thought

When our respondents talked about these issues, they often voiced ideas and opinions that were in conflict with one another in important ways. In part, this may reflect some unfamiliarity with this issue and a lack of time to wrestle with the complexities involved. Public Agenda has often observed that when people have thought a lot about an issue and discussed and debated it with their friends and families, their views tend to become more internally consistent and stable. Typically, if people have a firm grasp of an issue and have thought about it for some time, they will stick to their guns, even when survey questions are asked in different ways or when tradeoffs are posed. Prisoner reentry is, as we have said already, not one of those issues. People may be immediately attracted to many aspects of it, but they have not spent much time thinking about it.

On the other hand, not all conflicts in public thinking resolve themselves with added exposure and deliberation. In some cases, people actually have two ideas in mind that are equally important to them, and they will continually attempt to balance and accommodate both principles as they think about a problem. This is not dissimilar to the problem judges and constitutional thinkers face attempting to balance, for example, protecting the rights of the accused with protecting the rights of a free press. It's never actually resolved; it's a delicate balance. On this issue, we observed several interesting patterns of conflicted thinking, and it is not clear from this limited research exactly how widespread these are. Regardless of whether these conflicts occur in the thinking of many Americans or only a few, or whether they turn out to be

short-lived or persistent, professionals and advocates working on prisoner reentry in the field are very likely to run into them.

The desire to help versus the belief in punishment

There was, as we have noted, a genuine desire on the part of many of our respondents to provide more support for reentering prisoners. As we saw in our earlier work on alternatives to incarceration, many Americans believe that people can change their lives, and that they deserve a chance to do so. At the same time, most of our respondents also expressed a strong conviction that prisoners have violated basic social norms and deserve to be punished. These two views sometimes, as we have seen, came into conflict, as for example, when people stressed that prisoners should be aided in getting meaningful jobs while, at the same time, expressing concern that prisoners should not receive advantages that those who have not violated the law do not get.

A belief that people can change versus a desire to limit risk to the community

As we note above, most of the respondents believed that many prisoners have the capacity to become constructive, law-abiding citizens even after they have gone astray, and they often voiced a seemingly sincere desire to help those who are trying to choose the right path. At the same time, there was also wide recognition that if a former prisoner is not successful in turning his or her life around, it is the community and innocent people who are likely to pay the price. This tension between giving people a chance and protecting the community from danger emerged in these focus groups and in our earlier work on alternatives to incarceration. For many respondents, drug crimes seemed to offer a particularly troubling case in point.

Awareness of the difficulties prisoners face versus little tolerance for failure

In these focus groups, respondents noted how difficult a task it is for people to go straight after being in prison. Many talked, in particular, about the tough challenge prisoners may face to give up the drug or alcohol habits that often propelled them into their current circumstances. Experts in rehabilitation often see failure as a customary phase in a person's attempt to move away from drug and alcohol abuse. Still, Public Agenda's earlier work on alternatives to incarceration, along with national polling on sentencing for drug offenders, suggests that the public's tolerance for failure is quite limited. An ABC News poll shows that while less than one in 10 people approve of jail time for a first-time drug offender, almost 7 in 10 support jail time for repeat users.⁹

The desire for case-by-case decisions versus skepticism about the judgment of criminal justice professionals

In the focus groups, respondents repeatedly resisted the idea of blanket solutions to reentry issues. Most clearly wanted released prisoners to be treated on a case-by-case basis, and they were particularly concerned about the nature of the crime. On one hand, we heard clearly that not all criminals should be treated the same. When we asked our respondents how they felt about a convicted criminal not being allowed to become a hairdresser, a security guard, or even to carry a gun, respondents immediately pressed us for more details about the individuals. These judgments, they seemed to feel, should be made on an individual basis. At the same time, many

⁹ ABC News.com Poll, a survey of 1,025 adults surveyed by telephone, February 27–March 3, 2002. “When a person is convicted for using drugs there can be a choice between sending them to jail or having them go to a drug treatment program instead. What do you think is the best way to deal with a drug user convicted for the first time—jail or treatment?” Jail, 8 percent; Treatment, 89 percent; Depends (vol.), 2 percent; No opinion, 1 percent. “What do you think is the best way to deal with a drug user convicted several times—jail or treatment?” Jail, 66 percent; Treatment, 24 percent; Depends (vol.), 9 percent; No opinion, 1 percent.

of the respondents voiced relatively little confidence that criminal justice professionals adequately supervise prisoners or make valid predictions about their behavior.

What Else Do We Need to Know?

For public opinion researchers, focus groups are typically the first step in a more detailed survey project that confirms, disproves, amplifies, and quantifies observations from the sessions. As we note earlier, focus groups are notoriously poor predictors of precisely how many people hold particular points of view, and they generally provide limited guidance on how different demographic groups can be expected to respond. Focus groups can help seasoned researchers make educated guesses, and they provide a remarkable window on how people learn and think about issues, but they are generally considered formative, not conclusive, research. So, in this closing section, we offer some ideas about subsequent research steps and comment briefly on their benefits and possible uses.

More focus groups

A natural next step would be to conduct similar rounds of focus groups in different parts of the country. Replicating these discussions would provide added confidence that the educated guesses we make in this paper are worth pursuing. Conducting focus groups in different parts of the country could suggest whether regional differences and local political culture are particularly pivotal for prisoner reentry issues. One particular advantage of focus groups is that they can be observed by professionals and advocates now working on plans and programs, giving them a first-hand feel for how community residents talk and think about this issue. However—and we underscore this caveat strongly—even dozens of additional focus groups across the country will

not provide the quantitative results that can withstand scrutiny from the press and political leaders. Additional focus groups will not provide results that can be projected with confidence to the American public as a whole.

A national random sample telephone survey

In pragmatic terms, the random sample national telephone survey is the gold standard for determining what Americans nationwide think about an issue. A national survey provides reliable predictions of how many Americans hold particular points of view and how various demographic categories differ in their thinking about a topic. A well-done survey can attract the attention of press and elected officials, and surveys are a methodology that most find believable and useful. In short, a well-done national survey can help move an issue onto the national agenda. For professionals and advocates working in the field, having good, reliable survey data available can be extraordinarily useful in countering those who sometimes “take the public’s name in vain.” Public discussions on controversial topics are frequently derailed or distorted by those who claim that “Americans will never accept...” or that “the public demands” something without really having the facts in hand.

Panel studies to pretest different plans and approaches

The focus group research completed here suggests that most people can readily understand many questions about prisoner reentry, and consequently we are confident that the issue can be addressed quite well in a survey format. However, there may be specific plans or sets of programs that, because they require explanation, would be difficult to test through a telephone survey. Public Agenda and other research organizations sometimes use panel studies

for this kind of research. Panels of respondents are gathered in various locations. They complete a pretest gauging their views on a given issue, and then they watch a videotape or read specially designed written materials that give more information and set out various options to consider. Then, panel respondents are retested to determine how they respond to the ideas that are presented and to see if their views shift as they receive new information. Public Agenda used this panel methodology in its research on alternatives to incarceration because we believed that we needed the chance to explain how various alternatives work in some detail. In this case, respondents saw a short videotape that described six different alternatives to incarceration, including restitution, intensive parole, and community service. Panels can help policymakers predict how communities will respond to specific sets of ideas and programs and can help fine-tune the planning process to achieve broader community buy-in.

Communication research

Advertisers, advocates, and candidates for elective office often benefit from research designed specifically to help them present their ideas in the most persuasive and compelling fashion. The research itself might include both focus group and survey components, but the distinctive quality to communications research is that it focuses on just what it says—how to communicate effectively. Communications research often tests alternative messages to determine which are most attention getting and compelling; it often tests the reliability and persuasiveness of different messengers or advocates. Sometimes communications research attempts to identify specific segments of the population that are likely to be supportive and, therefore, should be considered the first target in efforts to build a local or national movement. This kind of research is typically conducted by commercial firms on a proprietary basis.

Public engagement and dialogue

Conducting formal opinion research is costly, and it takes time. A carefully designed, well-executed focus group and survey project could easily take nine months to complete, not counting the time needed to secure funding for it. It is quite likely that some of those working on prisoner reentry at the grassroots level need some way to reach out to communities and the broader public in a quicker time frame. One way to move forward might be to use public engagement or “dialogue” techniques to stimulate local discussion. While public engagement is research-based—that is, the approach and materials are designed expressly to address the public’s starting point—it is not research. It is essentially designed to help with consensus building, and it is particularly useful when communities must grapple with issues that are unfamiliar or that are threatening or controversial. Public engagement uses discussion techniques originally developed by Daniel Yankelovich and pretested by Public Agenda and other organizations on issues ranging from health care to nuclear arms to public education. While we do not have a full, quantitative understanding of where Americans now stand on prisoner reentry, the focus groups conducted for this pilot project do offer a good prediction of the themes and concerns that would need to be addressed in public engagement efforts. Our sense is that it would be possible to design an effective, credible public engagement effort with only a modest amount of additional research.