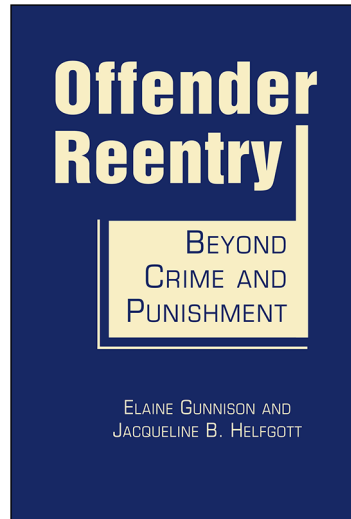


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**Offender Reentry:  
Beyond Crime and Punishment**

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# 1

## Understanding Offender Reentry

THE STEREOTYPE OF OFFENDER REENTRY MIGHT LOOK SOMETHING like the classic Coen brothers movie *Raising Arizona*. In the 1987 movie *H. I. McDunnough*, played by Nicolas Cage, is seen repeatedly entering and returning to prison and having his mug shot taken again and again. It appears that H. I. is a serial recidivist. Movie scenes like this provide a powerful example to the audience that offender reentry is not a successful endeavor and that prison serves merely as a pit stop in the revolving door of justice. In 2011, just under 7 million offenders were serving under some form of correctional supervision (i.e., prison, jail, probation, and parole). Of that total, approximately 1.2 million offenders were serving sentences in prison. Every day in the United States 1,600 adults (700,000 annually) leave federal and state prisons and return to society (Glaze and Parks, 2012). Thus, each day offenders are attempting to successfully reintegrate back into their communities. However, successful reentry is an elusive goal for many. P. A. Langan and D. J. Levin (2002), in a 1994 study of recidivism rates tracked 300,000 prisoners in fifteen states. They reported that 67.5 percent of offenders were rearrested within three years. Clearly, as the Hollywood images have portrayed, prison may serve as a revolving door for many offenders.

While successful reentry is an issue for prisoners, it is also a concern for those serving probation or parole sentences. In 2011, 4.8 million offenders were currently serving such sentences and represent the majority (70 percent) of those being supervised in state and federal correctional systems (Maruschak and Parks, 2012). The Bureau of Justice Statistics conducted several studies on offenders during the 1980s and reported that recidivism rates, defined as rearrest within three years, to be 43 percent for felony probationers and 62 percent for parolees (Beck

and Shipley, 1989; Langan and Cuniff, 1992). Correctional administrators walk a tightrope as they try to balance community safety and foster offender reentry success while facing cutbacks to their budgets. The cuts to the budgets of departments of corrections are a national problem (Scott-Hayward, 2009). In fact, the cuts have been so severe the Vera Institute of Justice labeled the problem as a “fiscal crisis in corrections” (Scott-Hayward, 2009, p. 1).

The public may tolerate approximately 5 million offenders serving sentences in the community, but if these offenders commit crimes, the community becomes outraged. In 2002, Elizabeth Smart was abducted from her bedroom in the middle of the night in Salt Lake City, Utah, and her case drew national media attention and scrutiny. The police focused their attention on Richard Ricci, a parolee, who had been hired as a handyman by the Smart family (Henetz, 2003). A media circus enveloped Ricci as he seemed to “fit” the profile. To the media and the public, Ricci was another example of a parolee who could not reintegrate successfully into society following his prison sentence and harmed an innocent community member. However, Ricci refused to confess to the crime, maintained his innocence, and ultimately died from a brain hemorrhage in jail a few weeks later. Ultimately, Smart was found nine months later alive in the custody of Brian Mitchell and Wanda Barzee (his wife)—her kidnappers.

Beyond protecting the public, correctional administrators are expected to ensure that those offenders returning to their communities will successfully reintegrate and assimilate back into society. However, offenders face many barriers. Research on offender reentry over the past thirty years has demonstrated that offenders’ ability to reintegrate successfully is hindered by numerous obstacles such as difficulty in obtaining employment, acquiring housing, and being admitted to higher education (Allender, 2004; Cowan and Fionda, 1994; Delgado, 2012; Harlow, 2003; Harris and Keller, 2005; Hunt, Bowers, and Miller, 1973; Nagin and Waldfogel, 1998; Paylor, 1995; Rodriguez and Brown, 2003; Starr, 2002; Whelan, 1973) along with serious social and medical problems (Petersilia, 2003). Newly released offenders encounter stigmatization (Bahn and Davis, 1991; Funk, 2004; Steffensmeier and Kramer, 1980; Tewksbury, 2005), lose social standing in their communities (Chiricos, Jackson, and Waldo, 1972), and are in need of social support (Cullen, 1994; La Vigne, Visser, and Castro, 2004; Lurigio, 1996) and substance abuse and mental health treatment (Petersilia, 2003). Thus, correctional administrators struggle to protect the public while at the same time promoting offender reentry success in the face of what seem like insurmountable obstacles with limited resources.

All too often, offender reentry is viewed as an afterthought by politicians and the public. The focus of the criminal justice system has been centered on punishment over the last several decades, specifically tough penalties for offenders due to the “get tough on crime” philosophy. This attention gap has left many ex-offenders struggling to successfully reintegrate back into society. The term *ex-offender*, as used in this text, is defined as an offender who has received and has completed any form of correctional punishment including a prison sentence, probation, parole, or any range of intermediate sanction (e.g., home confinement, work release, halfway house).<sup>1</sup>

Whereas the public may have not paid much attention to the struggles ex-offenders face during reentry (i.e., the process of reintegrating back into society following a punishment), researchers have not ignored this group, examining and identifying their needs and challenges. However, much of the focus on ex-offender reentry has revolved around *failure* rather than *success*. That is, an overwhelming amount of discussion surrounding offender reentry has mostly centered on examining recidivism rates as offenders reintegrate back into the community. Such discussions of offender reentry have been void of the identification of what factors could contribute to successful reentry and what makes for successful reentry. Also missing from the literature on offender reentry are the voices of ex-offenders—their own success stories about how they beat the odds—and perspectives of practitioners regarding the necessary ingredients to foster successful reentry for ex-offenders.

In this book, we seek to fill this gap by providing an overview of research on offender reentry and the inclusion of original research. In the rest of this chapter, we address historical and contemporary perspectives on offender reentry. In Chapter 2, we provide factors and profiles of successful transition and reintegration. The identification of the needs and challenges of ex-offenders during reentry to create opportunities for successful transitions is presented in Chapter 3. Chapters 4 and 5 explain how success may differ for ex-offenders in regard to race, ethnicity, gender, and social class. Chapters 6 and 7 provide original data with the inclusion of qualitative findings from interviews with twenty-one ex-offenders and nineteen community corrections officers (CCOs) in the state of Washington in 2012. In these interviews, ex-offenders and practitioners were asked to identify factors that foster successful reentry, to provide examples of successful reentry narratives, and to offer their opinions as to what needs to be done to increase reentry success. Ex-offenders were asked to provide their own accounts of their success and to explain, in their own words, what contributed to their success, and CCOs were asked to recall success stories of former clients that they had supervised.

In conclusion, Chapter 8 outlines current policies that have the potential to enhance offender reentry and new policy ideas are presented.

Before getting to those viewpoints later in the book, we will define what is meant by the term *reentry* and to provide a detailed history of the policies and practices that have had an impact on offender reentry in the United States.

### **What Is Offender Reentry?**

The term *reentry* may conjure up images of parolees from mainstream Hollywood movies who have attempted to “make it” outside the prison walls. In the 1994 film, *The Shawshank Redemption*, the main character Andy (played by Tim Robbins) was sentenced to a forty-year prison sentence for the murder of his wife, but later escapes from prison. One of his friends in the movie, Red (played by Morgan Freeman) is released on parole. Upon Andy’s escape, he exposes the corruption taking place at the prison where he was incarcerated. Both Andy and Red are able to slip into a comfortable postprison existence. On the other hand, in the 1999 thriller, *Double Jeopardy*, the main character Libby (played by Ashley Judd), who was falsely convicted of killing her husband, who was actually alive, struggles upon receiving parole and commits numerous parole infractions and new crimes in a quest to find where her husband is hiding and uncover her lost son’s whereabouts. In the 2006 film *Sherrybaby*, Maggie Gyllenhaal plays ex-offender Sherry Swanson, who struggles with postprison issues, including addiction and being reintroduced to her daughter. The film similarly shows the difficulties faced when ex-offenders return to society. With pop cultural images of offender reentry such as these, it is no wonder why most in society do not have a clear understanding of the real-world experience of reentry or a clear understanding of who the offenders are that are attempting to reintegrate back into society.

Reentry is most commonly referred to as the transition of offenders from state and federal prisons to community supervision (e.g., parole) (Hughes and Wilson, 2004). This definition suggests that the only individuals who are attempting to reintegrate back into society are those who have served their full prison term sentence or those released early from prison via parole. However, reentry occurs for many types of offenders besides those on parole. J. Travis notes,

reentry is a nearly universal experience for criminal defendants, not just returning prisoners. . . . Everyone who is arrested, charged with a crime, and then released from custody moves from a state of imprisonment to a state of liberty. Everyone who is released on bail, placed on probation

after a period of pretrial detention, sentenced to weekend jail, or released to a drug treatment facility experienced a form of reentry. (2001, p. 26)

Thus, offenders can also be sentenced to probation, and probationers make up another group that is attempting to reintegrate back into society after the commission of a crime (Travis, 2001). After all, probationers have to abide by conditions of their probation sentence, which can include obtaining legal employment, obtaining educational or vocational training, and participating in substance abuse treatment. Yet other examples of offenders attempting to reenter society would include those who had gone through work release programs, halfway houses, and day-reporting centers.

Work release programs can be described as community-based treatment correctional programs where offenders reside, after serving most of their prison sentences, to assist them in reintegrating back into society (Elmer and Cohen, 1978). These programs allow certain offenders to serve the remainder of their sentences in the community under close supervision (Turner and Petersilia, 1996). Offenders can also be directly sentenced to a work release program in lieu of serving a jail sentence first. At the work release program, offenders participate in programing, search for employment, and begin to reestablish family connections. The offender is required to abide by the work release program rules (e.g., curfew and drug/alcohol testing) while participating in the program. These programs help facilitate the successful transition of offenders into their communities. For example, offenders receive referrals for services (e.g., clothing, education, licensing) and are required to seek employment (Turner and Petersilia, 1996).

Similar to those in work release facilities, offenders serve some, or all, of their sentence in a community-based residential treatment program known as a halfway house. By being directly sentenced to a halfway house, offenders are diverted from serving time in the local jail. Utilizing this type of sentence, judges can alleviate the overcrowding in local jails by ordering offenders to participate in a program that may assist them in transitioning into their communities (Latessa and Smith, 2011). Much of the programming found in a halfway house may not be found in jails due to budgetary restrictions and the diverse populations that jails serve. The time served in the halfway house can be anywhere from one month to several months, and residents are required to obtain legal employment, find housing, and participate in programs (e.g., Alcoholics Anonymous). Additionally, halfway houses may be used as a bridge between prison and reintegration. The use of halfway houses for prisoners prior to release assists in alleviating overcrowding conditions at the prison as well as fostering successful transition for the offender

from prison to the community. Thus, some offenders are not directly released on parole and sent into the community, but rather these offenders are released to a halfway house for a range of time that can be as long as eighteen months. After demonstrating the ability to abide by curfew and find adequate housing and legal employment, these offenders are then released in their communities.

Another example of offenders attempting to reintegrate into society outside the scope of parole are those offenders serving in day-reporting centers. Typically, offenders serving these sentences include persons over the age of eighteen; persons charged with a crime who are incarcerated or facing incarceration; pretrial detainees, sentenced offenders, and postsentence violators; and misdemeanants and felons (Latessa and Smith, 2011). The offenders are supervised by a probation officer and are required to report to the center on a daily basis. At the day-reporting centers, the offender will also be required to participate in programming such as mental health counseling, education programs, social skills training, and substance abuse treatment. Participants in day-reporting center programs are monitored for drug and alcohol use. Since pretrial detainees can be included as participants in day-reporting center programs, the time served in these programs for offenders can range from less than one week for offenders who have not gone to trial to as much as one year for those offenders who have been formally sentenced to a day-reporting center as punishment.

In sum, a wide range of offenders are attempting to reenter society. Some of these offenders serve long sentences postrelease, while others serve short sentences. The term *offender reentry* as used in this book refers to the postrelease experience of any offender who completed any sentence in the correctional system (i.e., prison, probation, parole, or any form of intermediate sanction) and is transitioning back into the community. Given the wide range of offenders reintegrating back into society and the various resources that may be available to assist these offenders, offenders face an uphill battle in the bid to successfully reenter their communities. To better understand offender reentry in the present day, we need to examine how reentry was viewed in the past and the policies that have an impact on the ability of offenders to successfully reintegrate back into their communities after serving a short- or long-term correctional sentence.

## **Historical Underpinnings**

To understand the evolution of the offender reentry movement in the United States, one must examine the influence of early writings of



criminologists. Early criminologists viewed criminality as being due to biology or atavistic traits. One of the most influential early theorists was Cesare Lombroso who in 1876 published *L'Homme Criminel* (The Criminal Man). In this book, Lombroso presents results of his research whereby he examined the physical characteristics of male Italian prisoners and compared them to male Italian soldiers. He claimed that criminals are born as criminals and appear distinctly different from noncriminals as they have various atavistic traits such as twisted noses, broad shoulders, excessive moles, long arms, or an extra finger or toe.

While these claims seem laughable by current research standards, interestingly discussion still resonates in today's culture around the appearance of offenders. Much of the dialogue regarding the appearance of offenders can be viewed in some of the most notorious or current captivating cases in the criminal justice system. For instance, many in society are flabbergasted that men, defined as handsome by many in the media, such as Ted Bundy (infamous Northwest serial killer) and Scott Peterson (husband living in the suburbs of California who killed his wife and unborn child) could commit homicide. Additionally, the media presented the 2011 Florida trial coverage of Casey Anthony as a pretty yet wild (as depicted by images of her partying that were posted on her Facebook page) mother who is a pathological liar and may have killed her daughter (Hightower, 2011). In yet another example, Amanda Knox, a University of Washington student who was studying abroad in Italy was convicted in 2009 of killing her roommate. Throughout her Italian trial and subsequent appeals, Amanda was referred to as "Foxy Knoxy" by the press in the United States and Europe (her murder conviction was overturned in 2011) (Johnson, 2009). The past and current discussion regarding the physical appearance of the aforementioned criminal defendants in the media and by the public provides a more recent example of Lombroso's proposition that offenders are somehow supposed to look different (i.e., perhaps unattractive) from nonoffenders. Lombroso's claims that criminals are born, not made, influenced the focus of the nascent correctional system in the United States during the 1800s. That is, as the thinking of the times went, if offenders are plagued by biological deficits, the main focus of corrections should be on punishment, specifically incarceration, rather than rehabilitation. Thus, reentry of offenders into the community after serving their sentences was not a concern of correctional administrators or encouraged by the public.

With the inception of the Walnut Street Jail in 1790 in Philadelphia and subsequent jails and prisons that opened in the late 1700s and early 1800s in the United States, the primary goal of their use was punishment with rehabilitation being a secondary goal. After all, if as Lombroso proposed, individuals were biologically determined to commit

crime, efforts to reform them were futile. However, as more jails and prisons opened, the idea that offenders may need assistance, as opposed to just incarceration, and support upon release was on the minds of some. John Augustus, considered the Father of Probation, as he coined the term *probation* and developed the first probation program in 1841 in Boston, was one of the first reformers to push for rehabilitation for offenders (Latessa and Smith, 2011). Augustus believed that one of the objects of the law was to reform criminals (Dressler, 1962). He recognized that incarcerated offenders had needs (e.g., alcohol addiction) that were not being addressed in the jails. Using his own money, he bailed out first-time offenders (e.g., those who had committed petty crimes or displayed public intoxication) from jail and persuaded the court to release the offenders to his custody. While the offenders were in Augustus's care, they were rehabilitated and obtained legal employment. He then would return them to court and demonstrate that they were now reformed. At the time, he was considered by many to be a fanatic or just a fool. Unfortunately, Augustus was ahead of the times as the chief concern of the public and correctional administrators was not on rehabilitation of the offender but rather on punishment of the offender.

The ideological shift of the focus in offender corrections from strictly punishment to rehabilitation originated from the 1870 National Prison Association meeting in Cincinnati, Ohio (Latessa and Smith, 2011). At this historic meeting, reformers laid out seven principles of corrections including one with a focus on reforming or rehabilitating the offenders. Throughout the late 1800s and early 1900s, progressive reformers began lobbying for the importance of rehabilitation and urging its implementation within the correctional system (Cullen and Gilbert, 1982). During this period, the time was ripe for rehabilitation to be considered a viable focus of corrections by both correctional administrators and the public. With growing social awareness by the public following the Civil War, massive prison overcrowding, and the shifting view on offending behavior by criminologists, the time was "right" for a change in corrections (Latessa and Smith, 2011). For instance, criminologists were moving away from solely biological explanations of criminality and began proposing that the environmental factors (e.g., neighborhood, peers) and strains played a role in the onset and shaping of criminality (see Agnew, 1992; Merton, 1938; Shaw and McKay, 1938; Sutherland, 1947b). From the 1940s through the 1970s, discourse on the nature of the location of criminal behavior in biology, personality, and environment occurred in criminology. There was a movement away from the location of criminal behavior in biological and personality factors, and a movement toward utilitarian, free will models of criminal behavior and

toward treatment approaches and criminal justice responses that reflected that view (Andrews and Bonta, 2010). As a result of the National Prison Association meeting and new criminological perspectives on offending, sentencing practices shifted from determinate (fixed sentences) to indeterminate (range in a sentence from a minimum to a maximum), thereby fostering the implementation of probation and parole programs across the United States. The shift in correctional philosophies and changes in sentencing practices enabled probation and parole programs to focus their energies in assisting offenders.

With the renewed focus on rehabilitation and the use of indeterminate sentencing, preparing offenders for release from prison to parole was a chief concern of correctional administrators during the first half of the 1900s. Thus, educational and vocational programs, substance abuse counseling, and mental health programs were all integral parts of the prison experience. By the mid-1900s, all states were utilizing indeterminate sentencing practices and parole boards to make the decisions about when to release offenders (Clear and Cole, 1997). If offenders demonstrated that they had participated in correctional programming, had gained insight into the root causes of their criminal behavior, and had “changed,” then offenders were granted early, yet supervised, release on parole. In fact, parole became an integral part of the correctional systems, and its use peaked in the 1970s. In 1977, the Bureau of Justice Statistics reported that during that year, 72 percent of all offenders being released from prison were being released on parole. However, the focus on rehabilitation of offenders and promoting successful offender reentry abruptly changed in the late 1970s and early 1980s.

Changes in societal climate of the 1980s and 1990s brought a “get tough” approach with a focus on mandatory sentencing such as “three-strikes” legislation and “civil commitment” for sexual predators. In civil commitment sentences, offenders are confined to a special commitment center once they have served their prison sentences. The offenders remain at the special commitment center until they have demonstrated they can be safely reintegrated back into society, which for some sex offenders might be never. This time also saw the introduction of the actuarial prediction to make decisions at all stages of the criminal justice process from pretrial to sentencing to release (Harcourt, 2006). This late-modern shift from the social welfare era to a culture of control was marked by mass imprisonment, actuarial justice, a focus on surveillance, and crime prevention through environmental design strategies. Predictive policing on one hand, and the maintenance of the notion of the superpredator “other” who can be controlled through the use of actuarial tools, environmental and situational crime prevention strategies,

and technological advances on the other supplanted the social welfare model of rehabilitation, indeterminate sentencing, and reintegration of the 1960s and 1970s (Garland, 1990, 2001a, 2001b). This dramatic shift in attitudes and practices directed toward crime and its response has led to mass imprisonment, which some have argued has increased rather than decreased crime (Harcourt, 2006). This movement within criminal justice has disenfranchised poor minority males, broken up families, weakened the social-control capacity of parents, eroded economic strength, soured attitudes toward society, and distorted politics in impoverished neighborhoods, a trend that can only be rectified through sentencing reforms and philosophical realignment (Clear, 2007).

The abrupt departure from rehabilitation can also be partly attributed to research conducted by R. Martinson (1974). In 1974, Martinson, who reviewed 231 studies of prison rehabilitation programs, declared that nothing works in regards to rehabilitation and that offender treatment was essentially ineffective. This research shook the foundation of correctional administrators and the public. If rehabilitation was as futile as Martinson claimed, then perhaps it should not be the focus anymore. The abandonment of rehabilitation became the platform for many conservatives who were already disillusioned with the use of rehabilitation. These same conservatives viewed the use of rehabilitation to be indicative of being soft on crime, which was at odds with their “get tough on crime” philosophy.

Criminologists, who had long since abandoned the idea that offenders were biologically determined to commit crime as Lombroso had claimed, but who had previously brought in the role of environment (see Sutherland, 1947b) and its relationship to crime rate and discussed that failure to commit crime was due to social bonds (see Hirschi, 1969) were now proposing that offenders decided to commit crime. That is, offenders made a rational decision within the situational and environmental context of routine activities and increased temptation and decreased controls (Felson, 2002, 2006) to commit a crime after weighing the costs and benefits of doing so. According to D. B. Cornish and R. V. Clarke (1986), decisions to engage in crime by offenders are based on the offender’s expected effort and reward compared to the likelihood, or certainty, of punishment, along with its severity, as well as other costs of crime (e.g, losing friends). R. Seiter and K. Kadela explain that inmates were no longer viewed as sick and needing assistance in the form of rehabilitation programs, “but as making a conscious decision to commit crime” (2003, p. 363). Research was emerging to support the claim that ex-offenders were making a rational decision to get out of crime just as their decision to enter crime was also rational (Cusson and

Pinsonneault, 1986; Mischowitz, 1994; Shover, 1996). When reflecting on the character H. I. from the movie *Raising Arizona*, many in society would view his failures to keep himself out of prison as due to his choices. After all, many believe that all ex-offenders need to succeed is to “just make a different choice,” and they can alter their life-course trajectory of committing crimes. Even CCOs can hold the perspective that criminal behavior revolves around choice. In a survey of 132 state and federal CCOs in Seattle, E. Gunnison and J. B. Helfgott (2011) found that CCOs in their sample felt that offenders make decisions to reoffend, or violate, believing that offender success is primarily due to rational choice.

The idea that criminals make rational decisions to commit crime resonated with the media and the public in the 1980s and continues today, regardless of one’s social or celebrity status. In 2001, actress Winona Ryder was arrested for stealing designer clothes from a Sak’s Fifth Avenue store in Los Angeles. She was convicted a year later despite her celebrity status (Deutsch, 2002). A few years later, in 2004, Martha Stewart was convicted of obstruction of justice after she lied to investigators about a stock sale (McClam, 2004). A firestorm of media publicity surrounded Stewart regarding her crime, and the public demanded that Stewart, like Ryder, be punished regardless of her social position or celebrity status. The media and public deemed other recent celebrity cases, those of heiress/socialite Paris Hilton (drug conviction) and actress Lindsay Lohan (DUI, theft), to have deliberately decided to commit crimes, and thus should be punished despite their social status (McCartney, 2011; Silva, 2010). Apart from the social or celebrity status of an offender, where the public attributes their criminal behavior to rational choice, there are crimes that members of the “general public” commit that are also deemed as rational, such as gang banging, homicide, and prostitution. Members of the public and even researchers might view prostitution as a rational crime (Calhoun and Weaver, 1996). After all, a prostitute can set his or her own price for specific sexual encounters and also decide where the location of the act will occur. This line of thinking holds this act to be very rational to some and perhaps the sole reason for why a prostitute is engaged in the sex trade.

In 1979, Martinson recanted his earlier proclamation that nothing works in regard to rehabilitation and noted that some studies demonstrate that rehabilitation can be effective. However, the damage had already been done. The pendulum in corrections had already swung, and corrections entered the crime control era in the late 1970s and early 1980s. The crime control model dictated that the focus of corrections be back on punishment, particularly harsh punishments, and just desserts

(Hollin, 2000). Infamous cases, such as the case of Willie Horton in Massachusetts, were splattered on the news and further solidified support for the crime control model. Massachusetts governor Michael Dukakis allowed first-degree murderers such as Willie Horton to be released for the weekend as part of a rehabilitation program known as the prison furlough program. However, when Willie Horton was released in 1986 for his rehabilitative furlough, he did not return but rather he physically and sexually assaulted a young couple (Anderson, 1995). Following this case, outrage by the public and politicians resulted in the closing of the furlough program in 1988. A similar series of cases in Washington State during this time solidified the public's distrust of the rehabilitation system: convicted rapist Charles Campbell was released on furlough after serving his sentence and went to the home of his rape victim to murder her, her eight-year-old daughter, and a neighbor who was visiting; Westley Dodd, after a history of arrests and periods of short-term confinement, went on to rape and murder three little boys; and Earl Shriner, after a twenty-four-year history of sexual assaults against children, was released from prison to rape, sexually mutilate, and murder a seven-year-old boy. These devastating failures of the correctional system fueled legislative changes in Washington State that led to major shifts in sentencing policy and attitudes toward offenders, demonstrated in the introduction of "two-strikes" and "three-strikes" legislation and civil commitment of sexually violent predators. At the same time, "determinate-plus" sentencing was also introduced for sex offenders. Under determinate-plus sentencing, offenders mandatorily serve a minimum sentence in the state of Washington and then the Indeterminate Sentencing Review Board evaluates whether they might be released back into the community or continue serving time (Helfgott, 2008; Helfgott and Strah, 2013).

Between the 1970s and the 1990s, both state and federal governments began to shift their funding from rehabilitation and funnel it instead to crime prevention (e.g., policing of hot spots, enhanced surveillance) and other forms of deterrent punishments, known as intermediate sanctions, sentences that are alternatives to probation such as house arrest (Seiter and Kadela, 2003). With prisons becoming overcrowded during this time, correctional administrators needed cost-effective alternatives to traditional incarceration that ensured public safety and were considered to be tough by both politicians and the public (Latessa and Smith, 2011). Because intermediate sanctions attempted to fill these lofty goals, the implementation and use of these sanctions exploded during this time period. Intermediate sanctions have been defined as "a punishment option that is considered on a continuum to fall between

traditional probation and traditional incarceration” (US Department of Justice, 1990, p. 3). E. J. Latessa and P. Smith (2011) state that intermediate sanctions allowed the punishment to be individually tailored to the offender, and the offender is still held accountable for his or her behavior. A wide range of punishments fall under the intermediate sanctions umbrella including day fines, intensive supervision probation, day-reporting centers, shock incarceration, house arrest, electronic monitoring, and boot camps (Latessa and Smith, 2011). These punishments were designed to enhance the surveillance and control of offenders in society, not to foster successful reentry. Occasionally, discussions in the mainstream media occur as to whether these punishments are suitable for anyone, especially celebrities who often find themselves on the receiving end of one of these sentences. For instance, in 2011, Lindsay Lohan was sentenced to house arrest after a parole violation (McCartney, 2011). Discussion in the media during this time period revolved around whether her punishment was too soft and not in line with the crime control model.

Beyond the change in sentencing options beginning in the 1970s, sentencing practices shifted from indeterminate to determinate due to prolific prison overcrowding, disillusionment with rehabilitation, sentencing disparity, and disparity in parole (Seiter and Kadela, 2003). Prior to the passage of sentencing guidelines, judges had the ability to impose any sentence they deemed acceptable for a convicted offender as long as it fell within statutory guidelines. I. Weinstein explains, “In the mid-1980s, federal criminal sentencing was characterized by almost completely individualized and unreviewable judicial decision-making” (2003, p. 89). Since federal judges could impose any sentence they wanted to, sentencing disparity occurred for many offenders, particularly minority offenders (Bahn, 1977). The passage of the Sentencing Reform Act of 1984 and the Anti-Drug Abuse Act of 1986 established sentencing guidelines for judges and mandatory minimum sentences for offenders convicted of a crime (Weinstein, 2003). With sentencing guidelines now in place, judges would be forced to sentence offenders based on their prior record and current offense, with a mandatory minimum, in an attempt to remove biases based on skin color. Before the establishment of federal sentencing guidelines, some states had already implemented their own guidelines and many more states adopted their own guidelines following the federal legislation. J. S. Albanese explains, “Between 1976 and 1982, forty-three states passed mandatory sentencing laws for certain crimes and nine states adopted determinate sentencing systems” (1984, p. 270). The newly established guidelines by no means assisted offenders in successful reentry in any way shape

or form. Rather these guidelines aimed to make sentences and release from prison equitable and fair for all offenders.

With the departure from indeterminate sentencing and concerns about disparity in the parole system, many states began to abolish parole. Maine was the first state to do so in 1976 with six other states following suit by 1979 (Krajick, 1983). The federal system soon followed. The Comprehensive Crime Control Act of 1984 established the use of determinate sentencing in the federal system and the phasing out of the use of parole for federal offenders (Hoffman, 2011). Currently, fifteen states have abolished parole (Seiter and Kadela, 2003). Washington, for example, abolished parole in 1984. The Board of Prison Terms and Paroles, as it was then known, was disbanded and replaced with the Indeterminate Sentence Review Board (ISRB) in 1986. The ISRB makes parole decisions for felony offenders who committed crimes before July 1, 1984, and were sentenced to prison terms (ISRB, 2008). Additionally, the ISRB makes decisions regarding release for sex offenders, under the determinate-plus sentencing policy enacted in 2001 (ISRB, 2008). In 2011, an estimated 6,956 offenders were on parole in Washington State, in stark comparison to the state of California, which had the highest number of parolees in 2011 at approximately 105,000 (Maruschak and Parks, 2012).

The abolishment or limitation on the use of parole has had a profound impact on the number of offenders that are granted parole. In twenty years, the granting of parole dropped from 72 percent of releases in 1977 to just 28 percent in 1997 (Bureau of Justice Statistics, 1977, 1997). Approximately 853,000 offenders were on parole in 2011 across the United States (Maruschak and Parks, 2012). In those states that kept parole, new state statutes defined which offenders, depending on the crime they committed, could even be eligible for parole (Seiter and Kadela, 2003). For instance, many states require that offenders, no matter their crime, serve a significant portion of their sentence before they are eligible for parole, a requirement due in part to truth-in-sentencing laws that were passed in the 1980s.

Truth-in-sentencing laws usually require that violent offenders serve a greater percentage of their sentences, typically 85 percent or more, in order to be considered for parole (Travis, 2001). Violent offenders are those convicted of Part 1 violent crimes of the Uniform Crime Reports and include murder and nonnegligent manslaughter, forcible rape, robbery, and aggravated assault (Shepherd, 2002). The federal government encouraged states to adopt truth-in-sentencing laws and provided them with financial incentives for the implementation of these laws with the implementation of the Violent Offender Incarceration



and Truth in Sentencing Incentive Grants program as part of the Violent Crime Control and Law Enforcement Act of 1994 (Seiter and Kadela, 2003; Shepherd, 2002; Turner et al., 2006; Weinstein and Wimmer, 2010). J. B. Weinstein and C. Wimmer (2010) report that in 1994, states' use of parole sharply declined when the federal government earmarked \$10 billion for new state prisons to those states that implemented these laws. Some states expanded the definition of which offenders would be required to serve the majority of their sentences. For example, in Mississippi, the truth-in-sentencing laws, adopted in 1995, require that all offenders (not just violent or sex offender) serve 85 percent of their sentences (Wood and Dunaway, 2003).

Prior to the Violent Crime Control and Law Enforcement Act of 1994, only five states had truth-in-sentencing laws (Shepherd, 2002). The impact of the pressure on states by the federal government incentives was enormous, and by 1999, thirty states had changed their laws to align with the truth-in-sentencing philosophy (Weinstein and Wimmer, 2010). As explained by Weinstein and Wimmer, "because these truth in sentencing laws—so-called transparency requirements—were not accompanied by any statutory reduction in authorized sentences, they resulted in a sudden, dramatic increase in length of time served for a broad variety of offenses" (2010, pp. 1–13). Besides discouraging parole or eliminating it altogether, truth-in-sentencing laws reduced the amount of credits an offender could receive for good behavior while incarcerated and discouraged many offenders from participating in programming while incarcerated (Seiter and Kadela, 2003). Whether or not offenders behaved well in prison and participated in programming did not matter now as the incentive of parole no longer existed. The adoption of truth-in-sentencing laws across the nation contributed to the explosion in the use of incarceration during the 1980s and 1990s (Kadela and Seiter, 2003). Subsequent evaluations of the impact of truth-in-sentencing laws have been mixed (Shepherd, 2002; Turner et al., 2006). Results from research conducted by S. Turner and coauthors (2006) cast doubt on the effectiveness of truth-in-sentencing laws in being a direct cause of actual time served. The researchers found that "the percentage of sentence served by released violent offenders has increased since 1993 for both truth-in-sentencing and non-truth-in-sentencing states" (Turner et al., 2006, p. 364). However, J. Shepherd (2002), utilizing county-level data, found that truth-in-sentencing laws deterred violent offenders and increased the portion of prison sentences actually served.

While more research is needed on the actual impact of these laws on offenders, these laws clearly inhibited successful offender reentry. With offenders required to serve more time in prison, their ability to

successfully reintegrate into society postrelease is stifled. These offenders have an even more difficult time making an earnest attempt to transition into a law-abiding citizen upon release as their lengthy incarceration sentences make it more challenging for them to find employment and reestablish family connections.

The absence of parole has had unintended consequences such as prison overcrowding, the loss of the incentive for inmates to participate in rehabilitation programs in prisons, the costs of caring for a growing geriatric inmate population, and the absence of parole board experts to guide offenders in formulating a release plan for reentering their communities (Latessa and Smith, 2011; Seiter and Kadela, 2003). Additionally, the reduced use of or absence of parole has left a gaping hole in the support structure for offenders (Travis, 2001). Many offenders are serving their time in prison and being released back into their communities with no supervision or support. While some offenders may feel a disconnect, or social distance, between themselves and CCOs (Helfgott, 1997), and social distance between correctional personnel and offenders can be viewed as a day-to-day psychological survival strategy for correctional staff enabling them to do their job in a difficult context that requires sharp personal boundaries (Swanson, 2009), the lack of a prosocial advocate in the form of a CCO may stifle successful reentry. The CCO plays a vital role in assisting parolees in obtaining needed services (e.g., substance abuse treatment, employment and housing referrals) and holding the offenders accountable for their behavior, such as the failure to actively look for employment. In fact, the CCOs may be the only prosocial people in the lives of the offenders and the only people to whom the offenders must answer for their behavior. Without prosocial contact, offenders are left to their own devices and will likely reestablish connections with antisocial friends. These antisocial associates will likely continue the cultural transmission of ideals that are deviant or criminal or both (Shaw and McKay, 1972; Sutherland, 1947b).

Those states that still offer parole for offenders have had difficulties in facilitating successful offender reentry. With shrinking budgets for corrections operations, many parole agencies are underfunded (Scott-Hayward, 2019; Travis, 2001). The underfunding of parole agencies has resulted in increased caseloads for CCOs. In 2006, the national average caseload for CCOs with parolees was 38; however, some CCOs in individual states had caseloads as high as 100 (Bonczar, 2008). Since CCOs have larger caseloads, supervision and surveillance of the offenders becomes their first concern with successful reentry for the offenders becoming a secondary goal. Seiter and Kadela explain that “for most of the 1990s, community supervision (probation and parole) underwent a

transition from helping and counseling offenders to one of risk management and surveillance” (2003, p. 366). CCOs are expected to ensure public safety although this goal can all too often be compromised.

A relatively recent example of the failure of parole can be witnessed in the Jaycee Dugard case. In 1991, eleven-year-old Jaycee Dugard was abducted from outside her home in California. Her abduction was witnessed by her stepfather. Despite a national manhunt, Jaycee could not be located, and her case remained unsolved for over eighteen years. In 2009, her whereabouts were finally uncovered when she showed up at a parole agency with her kidnapper, Phillip Garrido. Phillip Garrido, a sex offender on parole at the time he abducted Jaycee, hid Jaycee in a tent for over eighteen years in his backyard with the help of his wife, Nancy. He also repeatedly raped Jaycee, which resulted in pregnancies, and she gave birth to two daughters (Leff, 2011). When Jaycee’s identity was finally uncovered, the community erupted in outrage. Citizens wondered whether the parole officer was doing his job since he was required to inspect Garrido’s residence when he visited. Jaycee Dugard, her mother, and her daughters sued the state for negligence, and they were awarded a settlement of \$20 million (La Ganga and Goldmacher, 2010). Philip Garrido and his wife pled guilty to kidnapping and rape in 2011 and were sentenced to 431 years and 36 years to life, respectively (Leff, 2011).

With approximately 600,000 offenders returning to their communities each year and the fact that 95 percent of state prisoners will eventually leave prison, discussion has returned to offender reentry (Hughes and Wilson, 2004; Petersilia, 2003). The failure rates for those on supervision (probation and parole) are high—50 percent or greater (Hughes and Wilson, 2004; Langan and Levin, 2002). L. Winterfield and colleagues explain that “the high recidivism rates of released prisoners, along with a fuller understanding of their need for services, have prompted policymakers to realize that the lack of access to and the largely fragmented nature of existing programs and service delivery networks need to be addressed” (2006, p. 4). While a shift back to a pure rehabilitation model for corrections is not under way, the recognition that rehabilitation plays a role in successful reentry has been noted by policymakers. However, with cuts to state correctional budgets and the fiscal difficulties states are experiencing, more programming, in-prison or postrelease, will not be added to assist offenders in successfully reintegrating back into society (Scott-Hayward, 2009; Winterfield et al., 2006).

In 2003, the federal government instituted the Serious and Violent Offender Reentry Initiative (SVORI) and provided sixty-nine agencies

funding, specifically \$100 million, to implement or enhance reentry programming for both juvenile and adult prisoners (Winterfield et al., 2006). As explained by P. K. Lattimore and her colleagues,

the goals of the initiative are to improve quality of life and self-sufficiency through employment, housing, family and community involvement; improve health by addressing substance use (sobriety and relapse prevention) and physical and mental health; reduce criminality through supervision and by monitoring noncompliance, reoffending, rearrest, reconviction, and reincarceration; [and] achieve system change through multi-agency collaboration and case management strategies. (2004, p. 2)

P. K. Lattimore and C. Visser further explain, “The complexity of the disadvantages confronting prisoners after release means that individual offenders often require more than a single program or intervention” (2009, p. 5). Initial findings regarding housing support for high-risk offenders appear to support Lattimore and Visser’s (2009) assertion. In a meta-analytic review of twelve research studies that had examined housing assistance for mentally ill individuals and ex-offenders, M. Miller and I. Ngugi (2009) found that housing assistance provided for serious violent offenders in tandem with other services (e.g., substance abuse treatment) resulted in a 12 percent reduction in recidivism for this group.

Specifically, the SVORI programs connect correctional agencies with many government, community, and faith-based organizations to provide needed services or resources to those transitioning back into their communities (Winterfield et al., 2006). Often, many agencies attempt to assist offenders in their communities. If these agencies do not communicate with one another, then they may be providing offenders with overlapping services, thereby wasting both agencies’ precious resources. Additionally, if the agencies are not aware of one another, then each agency would not be able to refer an offender to another for services. In the city of Seattle, many agencies attempt to assist offenders in their transition: AAHAA (Alcoholics and Addicts Helping Alcoholics and Addicts) Sober Living, Saint Vincent de Paul (assists the homeless and low-income individuals with meals and clothing), Interaction Transition (a private nonprofit agency in Seattle, Washington, dedicated to assisting ex-offenders in the reentry process), United Way, Dress for Success (business attire for low-income women including offenders), Northwest Treatment Centers (mental health treatment), the Salvation Army, work release facilities (e.g., Helen B. Ratcliff and Madison Inn), Catholic Community Services, and many more.

The literature is mixed on the success of SVORI programs. On one hand, researchers have found that SVORI programs have assisted offenders in the areas of employment, housing, and substance use abstinence (Bouffard and Bergerson, 2007; Lattimore, 2008; Lattimore and Visher, 2009; Winterfield et al., 2006). For instance, J. A. Bouffard and L. Bergerson (2007), in an investigation of a SVORI program in the Midwest, found that SVORI participants were less likely to test positive for drug use while on parole and had lower postparole rearrest rates compared to non-SVORI participants. Lattimore and Visher (2009), in a multisite evaluation of SVORI programs (twelve adult and four juvenile) consisting of approximately 2,400 participants, report that SVORI program participants did receive an increase in the number of services and programs and were more likely to have reentry plans. Additionally, SVORI program participants had lower substance use rates when compared to non-SVORI participants. Overall, the researchers report, "The results suggest modest improvements in outcomes for the adult SVORI participants and few differences between the juvenile SVORI and non-SVORI participants" (Lattimore and Visher, 2009, p. vi). However, research regarding the success of SVORI programs has reported on several problems plaguing them including service delivery (i.e., quality), staffing issues (insufficient staff or staff resistance), and communication problems (Lattimore et al., 2005). The failure in service delivery is not surprising given that many treatment programs are plagued by the lack of a theoretical foundation or a solid plan for later methodological inquiries into their effectiveness (Lattimore and Visher, 2009). M. Henderson and D. Hanley explain,

Given the massive number of federal dollars available for the development of reentry programs, many agencies hasten developing and obtaining funding for reentry programming without first considering how the program fits within the larger criminal justice system in their jurisdiction and without coordinating with community-based organizations. The end result is a reentry initiative that lacks program integrity and ultimately fails to reduce barriers offenders face when returning to the community. (2006, p. 64)

Clearly, more research is needed to determine the overall merits of these programs in fostering successful offender reentry in the future.

Recognition that offenders released from prison need support in reentry continues. In 2008, the Second Chance Act was passed. This federal legislation was designed to assist offenders in making a successful transition from prison to their communities and to reduce recidivism rates (Bureau of Justice Assistance, 2011). The Second Chance Act provides

“federal grants to government agencies and community and faith-based organizations to provide employment assistance, substance abuse treatment, housing, family programming, mentoring, victims support, and other services that can help reduce offending and violations of probation and parole” (Carothers, 2010, p. 5–13). For 2010, \$100 million and for 2011, \$50 million were earmarked for Second Chance Act programs (Reentry Policy Council, 2011). Funding was funneled to, among other entities, reentry courts, reentry substance abuse treatment programs, family-based treatment programs, mentoring programs, technology career training, reentry research, mental health treatment, and education programs in prisons (Reentry Policy Council, 2011). Following the passing of this legislation, many states began implementing their own reentry initiatives, including Washington State. In Washington, the Department of Corrections is dedicated to fostering successful reentry for offenders (either released from prison on supervision or not) through the Reentry Initiative. As part of the Reentry Initiative, the Washington State Department of Corrections invests in intervention programs and services that help offenders, thereby improving public safety. “Even as budget resources become scarcer, DOC [Department of Corrections] still considers evidence-based re-entry programs to be a high priority and will continue to invest in basic and vocational education, life skills, additional community justice centers, expanded chemical dependency and mental health treatment, and family centered programming” (Washington State Department of Corrections, 2011, p. 14).

In sum, the definition and understanding of offender reentry has often been overshadowed by the preoccupation with offender reentry postrelease and horrific stories of offenders reintroduced into the community after a period of incarceration who go on to commit atrocious crimes and present an extreme threat to public safety. Additionally, the historical shift from the social welfare focus on rehabilitative support for ex-offenders to the late-modern focus on surveillance, control, actuarial prediction, and maintenance of the “us versus them” stance toward offenders’ reentry has been fraught with policies that served to stymie any institutional supports that could benefit individuals who are released from prison with the sincere and wholehearted intention to engage in a prosocial lifestyle and to succeed as a law-abiding and productive citizen upon release. Today, although research, discourse, and programs are directed toward offender reentry, still very little discussion or research can be found on the successes of those offenders who managed to reintegrate into their communities despite all the odds stacked against them. This emphasis on success, rather than failure, in the reentry process will be the focus of the following chapters. We will present profiles of those

reintegrating; the needs and challenges offenders face; gender, race, and social class issues; the voices of offenders who have succeeded; and the voices of practitioners regarding their perspectives on what is needed. We will follow with a discussion of policy recommendations to further assist in successful offender reentry.

## Note

1. We use the term *ex-offender* for the purpose of clarity and because it is the most commonly used term in the scholarly literature and the criminal justice system. However, for many individuals who have been convicted, incarcerated, and released, the term *ex-offender* brings with it a pejorative tone implying “once an offender, always offender.” Terms such as *ex-convict*, *ex-inmate*, *ex-felon*, or *former prisoner* also carry stigma and are equally problematic for some individuals for different reasons. Thus, whereas we use the current terminology, *ex-offender*, in this book, we hope that this research, and a more hopeful look at the successes rather than failures of ex-offenders, will inspire and support current and future ongoing dialogue about potential shifts in academic, public, and private terminology that carry less of a stigma and a more hopeful mind-set of success rather than failure.