

Criminal Justice *in* America

EIGHTH EDITION



GEORGE F. COLE

CHRISTOPHER E. SMITH

CHRISTINA DeJONG

13

Reentry into the Community

THE NEW ORLEANS PROGRAM

- Through an initiative at the Orleans Parish Prison in New Orleans, offenders can complete a 10 week course on job skills, self-development, and behavior intended to help them succeed as they near release from prison. This is one of many programs designed to address the fact that many released prisoners will end up back in prison if there is no preparation or support.
- With more than 600,000 prisoner released from prison each year, do you think this is a wise use of tax-payer dollars?

LEARNING OBJECTIVES

- LO1 - Describe the nature of the “reentry problem.”
- LO2 - explain the origins of parole and how it operates today.
- Name and define the mechanisms for the release of felons to the community.
- Identify the problems that parolees face during their reentry.

REENTRY

- *A transient state between liberty and recommitment*
 - A period of limited duration of supervision whereby an inmate moves to either full liberty in the community or is returned to prison for a new crime

RELEASE

- More than 40% of those leaving prison will likely return because of a new crime or a parole violation
- What factors might hinder the ability of officials to persuade the public to spend more government funds on reentry?

REENTRY CHALLENGES

- **Recent trends in states to abolish parole has eliminated the possibility of structured release**
 - There has been little or no pre-release planning to ensure that the new parolee has a job, housing, and a supportive family
 - The longer time in prison means a longer period the prisoner has lived apart from family and friends

REENTRY CHALLENGES

- Uneven commitment of resources for prison education, job training, and other rehabilitation problems
- Profile of returning prisoners has changed
 - More than 1/3 of those released on parole were in prison for drug offense
 - Average time served has increased
 - Drug and violent offenders are exiting after longer terms

PRISONER RELEASE AND THE BUDGET

- States and counties pay \$25,000 or more to hold one prisoner
 - Many states are reducing prison populations by accelerating release into the community of non-dangerous offenders
 - Many states are terminating programs and reducing services that help prepare prisoners for reentry
 - Often reentry and release is driven by economic necessity, not good policy

INSTITUTIONAL REENTRY PREPARATION PROGRAMS

- 40% of those released are re-incarcerated within 3 years
 - More cost effective to prepare inmates to adapt to civilian life
 - Often focus on transition – halfway houses
 - Gives inmates job skills
 - Gives inmates knowledge about finances and asset management

INSTITUTIONAL REENTRY PREPARATION PROGRAMS

- In 2012, Florida Department of Corrections announced that it would close two reentry facilities as part of an effort to solve a budget deficit. Closing the centers meant that 300 prisoners would be cut from job-training and life-skills courses and sent back to general population.
- What is the responsibility of communities for transitioning offenders back into society? Are these programs worth the cost?

PAROLE

- The conditional release of an inmate from incarceration, under supervision, after part of the prison sentence has been served
 - Today, about 850,000 people are under parole supervision, a fourfold increase since 1980

PAROLE RESTS OF THREE CONCEPTS

- **Grace**

- The prisoner could be kept incarcerated but the government extends the privilege of release

- **Contract**

- The government enters into an agreement with the prisoner whereby the prisoner promises to abide by certain conditions in exchange for being released

- **Custody**

- Even though the offender is released from prison, he or she remains a responsibility of the government. Parole is an extension of correctional programs into the community

ORIGINS OF PAROLE

- In early 1800s was the earliest precursor of modern parole and stressed:
 - Strict imprisonment
 - Labor on government chain gangs
 - Freedom within a limited area
 - A ticket of leave or parole resulting in a conditional pardon
 - Full restoration of liberty

DEVELOPMENT OF PAROLE IN THE UNITED STATES

- In 1876 Elmira State Reformatory in New York began to experiment with the concept of parole
 - Prisoners could be released when their conduct showed they were ready to return to society
- This idea spread, so that 20 states had parole systems by 1900, and 44 states and the federal government had them by 1932

FOUR BASIC RELEASE MECHANISMS

- **Expiration release**

- Release of an inmate from incarceration, without further correctional supervision; the inmate cannot be returned to prison for any remaining portion of the sentence for the current offense.

- **Mandatory release**

- Required release under state guidelines to community supervision upon expiration of a certain period that was specified by determinate sentencing or parole guidelines.

- **Other conditional release**

- Term used in some states to avoid rigidity of mandatory release by placing convicts in community settings under supervision

FOUR BASIC RELEASE MECHANISMS

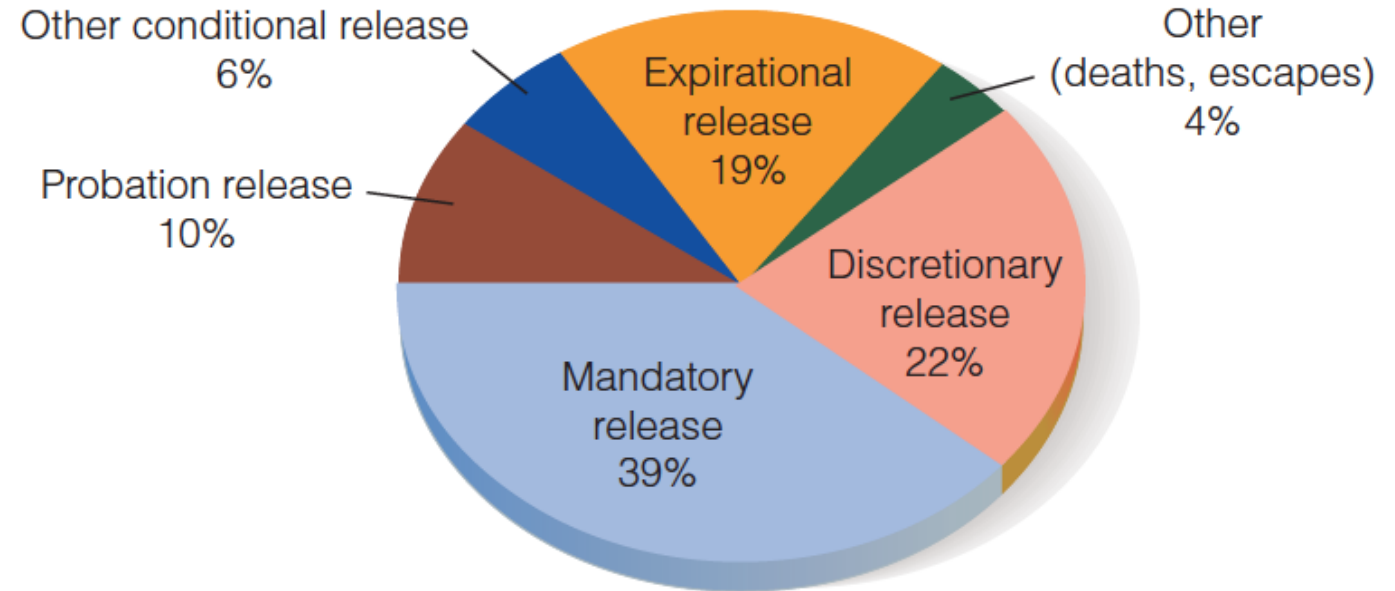
- 4) *Discretionary release*
 - Release of an inmate to conditional supervision at the discretion of the parole board within the boundaries set by the sentence and the penal law

FOUR BASIC RELEASE MECHANISMS

FIGURE 13.1

Methods of Release from State Prison Felons are released from prison to the community, usually under parole supervision, through various means depending on the law.

Source: Bureau of Justice Statistics
Bulletin, November 2006, p. 8.



PAROLE BOARD PROCESS

- Typically board members appointed by governor
- Hold hearings to see if inmate should be released
 - 77,540 in Texas in 2010
 - Often informal, but records are kept
 - Victims and victim's family members can be part of decision and 'testify' at hearing

PAROLE BOARD PROCESS

- In recent decades, crime victims have become participants in the parole process. How much influence should crime victims have over parole decisions?



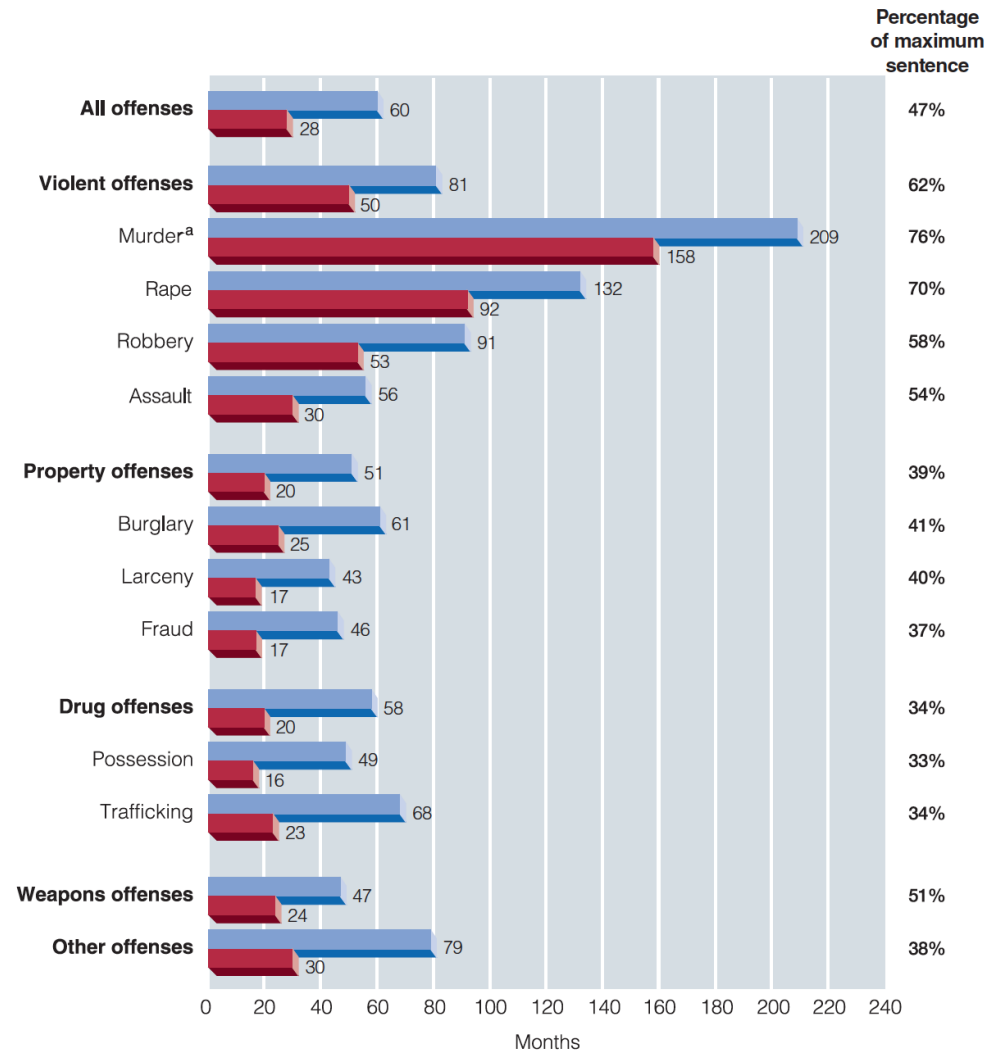
IMPACT OF RELEASE MECHANISMS

- Potential reductions built into the sentence mean that the full sentence is rarely served
 - Good time can reduce punishment even if there is no eligibility for parole
 - In most states good time and jail time are the main factors that reduce the time actually served
 - On a national basis, felony inmates serve an average of 2 ½ years before release

IMPACT OF RELEASE MECHANISMS

FIGURE 13.2
Estimated Time to be Served by Adults Convicted of Selected Crimes The data indicate that the average felony offender going to prison for the first time spends about two years in prison. How would you expect the public to react to that fact?

Source: Thomas P. Bonczar, *National Corrections Reporting Program—Statistical Tables*, May 5, 2011, Table 9 (<http://bjs.ojp.usdoj.gov/index.cfm?ty=pbdetail&iid=2174>).



CRITICISMS OF DISCRETIONARY RELEASE

- Shifts responsibility from judge to administrative board where discretion rules
- In state with discretionary release, parole hearings are secret
- No published criteria guide decisions
- Prisoners receive no reason for denial or granting of parole

CONDITIONS OF RELEASE

- Conduct restrictions that parolees must follow as a legally binding requirement of being released

CONDITIONS OF RELEASE

- What do you think the most beneficial things are that prisoners need to be taught in order to prepare them for release into the community?



PROFILE OF PAROLEES

- **Race/Ethnicity**
 - 41% White
 - 40% African American
 - 17% Hispanic
- **89% Male**
- **Reasons for Incarceration**
 - Drugs 33%
 - Violence 29%
 - Property Crime 22%
- 82% on active supervision
- 95% served 1 year or more
- Few marketable skills
- No dependable employment or housing

COMMUNITY PROGRAMS FOLLOWING RELEASE

- **Work and educational release**
 - Inmates released during day to attend work or school and return to prison at night
 - Wages may go to pay for prison
 - Seen by some as competition with regular citizens
- **Furloughs**
 - Temporary (1-3 day) release to establish ties to family and support network
- **Halfway houses**
 - A correctional facility housing convicted felons who spend a portion of their day at work in community but reside in the halfway house during non-working hours.

COMMUNITY PROGRAMS FOLLOWING RELEASE

- Many states have work release programs which help ease reentry. Should the government assist offenders in finding jobs?



PAROLE OFFICER: COP OR SOCIAL WORKER?

- Parole officers are asked to play two incompatible roles:
 - Cop
 - Social worker
 - Parole was designed to help offenders make the transition from prison to the community
 - Supervision has shifted ever more toward surveillance, drug testing, monitoring curfews, and collecting restitution
 - Safety and security have become major issues in parole services

PAROLE BUREAUCRACY

- Parole officers deal with serious criminals
 - With major issues officers have to prioritize parolees
 - Most spend extra time with newly released
 - Must monitor how parolee functions in the community to determine if their level of supervision can be adjusted to “active” or even “reduced”

ADJUSTMENT TO LIFE OUTSIDE PRISON

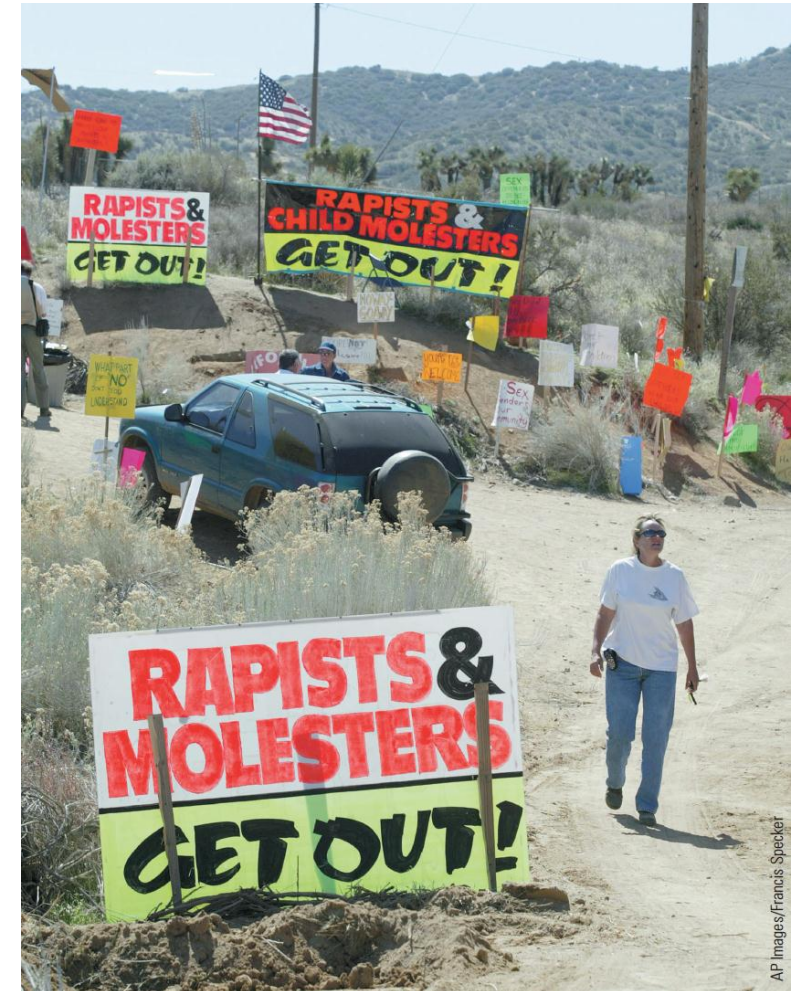
- Ex-offenders move from the highly structured, authoritarian life of the institution into a world filled with temptations and complicated problems
 - News accounts of brutal crimes committed by ex-offenders on parole fuel a public perception that parolees pose a threat to the community
 - Preoccupation with potential parolee criminality makes it even more difficult for ex-offenders to reenter society successfully

ADJUSTMENT TO LIFE OUTSIDE PRISON

- Since the 1990s, Congress and many state legislatures have imposed new restrictions on ex-felons
 - Denial of welfare benefits such as food stamps
 - Access to public housing
 - Student loans
 - Voting rights in some states
 - Sex offender notification laws

ADJUSTMENT TO LIFE OUTSIDE PRISON

- Residents in many neighborhoods protest the renting or sale of property to paroled sex offenders. To what extent have these laws resulted in all parolees being labeled as “dangerous”?



REVOCACTION OF PAROLE

- The public tends to view the high number of revocations as a failure of parole
 - Recent trends show that many states who increase the number of prisoners released on parole try to avoid revoking parole unless there is serious misconduct
 - Decreased emphasis on technical violations

FUTURE OF PRISONER REENTRY

- Need to reduce prison populations and facilitate successful reentry at the same times states are dealing with budget problems makes a focus on evidence-based practices important
- Parole and other community programs represent an effort to increasingly reduce prison populations