

A STUDY OF RECIDIVISM AMONG EX-CONVICTS

By

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A Thesis respectfully submitted

to

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INTRODUCTION

Living in the heart of Acreage Homes, the oldest predominately black neighborhood in Houston, Texas, I have seen in excess the high crime turnover rate of ex-convicts among my family, friends, neighbors and peers. Bothered by the circumstances forced upon my family and friends after incarceration, I was inspired to conduct a study that would expose the justice system on behalf of ex-convicts and somehow open the eyes of our senators that believe the right answer for the rehabilitation and reformation of convicted criminals is the building of more prisons.

Criminals make up our economy just as the working class, yet the working class work for the benefit of criminals. You may ask yourself, well how that is? If you question my thoughts, ask yourself these questions: Who pays taxes to support the upkeep of state correctional facilities, half way homes, and county medical hospitals? Who pays for the children left behind in the care of the state by convicted criminals? Who I ask? The irony of the working class paying the way for ex-convicts is that the justice system designed to support and reform ex-convicts enables them from successfully establishing a quality of life for themselves after incarceration, therefore promoting no other options but recidivism. If you question my thoughts ask yourself these questions. What are the chances of a convicted felon being approved for residency in apartment complex? What are the chances of an ex-convict being hired for a job that will allow him/her the opportunity to sufficiently provide for oneself, meaning shelter, food and clothing? What are the chances? It is from this level of frustration that I began this study.

This study was conducted to research the causes of recidivism among ex-convicts, identify the population, as well as crimes of those engulfed in the act. In addition, it will focus on the conditions of supervision and limitations placed upon ex-convicts upon release. This research involves interviews with state prisoners before and after their release from state correctional facilities, interviews with ex-prisoners family members, focus groups with residents in neighborhoods to which prisoners return, analysis of exact data on local indicators of community well being, and interviews with community stakeholders. This research describes existing data on incarceration and release trends and presents a new analysis of data on Texas justice systems and ex-convicts.

Related Studies Literature Review

WASHINGTON, D.C., March 19, 2004 – The Texas correctional system released 55,183 inmates from its prisons and felony jails in 2001, five times the 10,636 men and women who returned to society in 1980, according to a new analysis from the nonpartisan Urban Institute. Nearly six in ten went to just five counties: Harris, Dallas, Tarrant, Bexar, and Travis. Harris County, home to Houston, took in one-fourth of the former prisoners. Texas accounted for one in nine state prisoners released throughout the United States in 2001.

The state's increase in exiting prisoners parallels the five-fold jump in its prison population, which climbed from 28,543 in 1980 to 152,577 in 2001, largely as a result of longer prison stays and more admissions. In 2002, 53 percent of all Texas admissions were because of parole and felony probation revocations. By the end of 2002, Texas held the second highest state prison population in the nation and the third highest incarceration rate.

As a result, more prisoners nationwide are returning home having spent longer terms behind bars, exacerbating the already significant challenges of finding employment, managing health and substance abuse problems, and reconnecting with family. In Texas that challenge is greater, since prisoners there spend 37 percent more time behind bars than their counterparts around the country. Follow and take a glimpse in time. Research shows that recidivism plays important role in today's society when refereeing to ex-convicts return in and out of prison at a rapid pace because of lack opportunity that hinders them because of their criminal record. Cycling in and out of prison is a way of life among released prisoners.

Study shows that the Bureau of Justice Statistics that tracked state prisoners released from prisons in 15 states in 1994 stated that within three years of a studied release almost 52 percent were back in prison for new prison sentences or technical violations of the conditions of their release. The inmate history released state prisoners in Texas demonstrate slightly lower patterns of return back to prison. Study shows 41 percent of state prisoners released in 1994 returned to a state prison or state jail facility. However by 1998, the percentage of state prisoners who had been incarcerated within three years had fallen to 31 percent. This proved to be the lowest recidivism rate in a decade.

When comparing the recidivism rate of the state prisoners who had been confined, one must examine two-year incarceration since those are the only data collected. When comparing incarceration rates of state prisoners with confines, one must examine two-year incarceration rates since those are the data available for confines. Study Report of confines released in 1998 shows 19 percent was incarcerated in two years.

METHODOLOGY

An instrument of twenty-seven Liker-type scales and twenty-eight demographic items was used. The twenty-seven attitude questions were designed to measure the concerns in relationship with recidivism of ex-convicts. However an additional 10 items centered on relationships with employers, and community orientation. The scale was named "The truth behind the label: A study on Recidivism among ex-cons". Accidental non-probability sampling was used for study. That is, it was limited to ex-convicts who happened to be staying in the halfway unit in Downtown Houston, or receiving rehabilitation from the Houston recovery campus at time of research. Additionally, cluster-sampling procedures were used due to the fact that the research population came from several different groups and halfway home units. The same criterion was used for each group.

Subjects: Subjects consisted of 42 volunteer felons, counselors, and guards both male and female from Houston area halfway homes, and alternative correctional placement centers.

Measures: To identify variables, which might explain variations in the dependent variables?

Procedures: Formal letters were sent to area correctional facilities, rehabilitation centers, and halfway homes for permission to conduct surveys as well as for them to sign waivers for permission to interview. As a result I received seven responses from Houston area facilities in agreement to allow me to conduct my study. Although I am still in progress of completion I have conducted several interviews, received 42 surveys and interviews back and waiting for results of my findings.

Outcome of the Inmates Questionnaires

My results from 36 out of 42 surveys proved to be an overwhelming as far as the results from felons, counselors, and guards both male and female experiences in the correctional world from Houston, Harris County area halfway homes, and alternative correctional placement centers. Many of the inmates who were surveyed and interviewed were repeat offenders (which statically in numbers shows it to be about 86% who reoffended).

Questionnaires and interviews provided the basis for gathering information from inmates, counselors and guards. Although the questionnaires did not provide information about the inmate's offenses, they provided a glimpse into the oftentimes lengthy and/or repetitive incarceration background. Several inmates later reported they had been sentenced to prison three or more times. Several inmates later reported during their interview that it was during their incarceration that they worked on preparing their selves for reentry back into society by furthering their educational goals.

Questionnaires provided valuable information on how long the inmates were incarcerated. Having background knowledge of the inmate prior to conducting the interviews provided helpful information as far as some reason why their recidivism was inevitable. Most of the inmates were in the 18-28 year age range, and the average age being 33.1 years. Therefore, it was important for me to discover the inmates background as far as family history, father status, and educational status. Many of the inmates reported a disrupted and incomplete school history that led them to criminal activity, which started the revolving door to recidivism.

The average drop out reported from the inmates were at the grade level of 10th

grade or earlier, most of these inmates were at least 17 years of age when they dropped out. However those who left school prior to completion, 36.6% cited drug and alcohol problems or some type of school difficulties as the primary reason for leaving school. An additional 23% stated they did not have the desire to get a job. Almost half of the inmates I interviewed reported they felt they had a learning disability which they was ashamed of and embarrass to show it among their fellow class mates, which also caused them to have social problems and little desire to attend school, which they looked to the life of drugs, crime.

The interview questions were created to gain a better understanding of why they committed crimes over and over. Such question like what can you do to be productive and not re-offend upon your release was a hot topic, seemly like if that issue had a cure the recidivism rate would drop increasingly. These interviews were also conducted on a one-on-one basis in a confined monitored area. The environment was quiet and calm, and relatively private and relaxed. I used legal pads and a pen for my note taking process to refer back upon in documenting research.

Before the initial interview in the prison I thought of conducting the survey however, the level of accuracy in results was questionable. I decided that the best and most accurate findings could only be found by conducting the interview process opposed to the survey. With over 13 years of experience in law enforcement one would think I was confident in going in and speaking to the inmates. Surprisingly I was quite uneasy feelings of being a threat to the inmates crossed my mind, but they perceived me as "Boss" and things went well. I got a chance to really get into the minds of several inmates and got them to think about the choices that led them to re-offend numerous times. What

puzzled me is that most of the inmates reported either family or friend connections are present in their lives, which I taught recidivism in inmates with families would be less than inmates without families.

Interviewing inmates in respect to their prison experience they reflected on their time with a combination of regret, acceptance, deceit and obliviousness. Some of them felt they had learned few things about themselves and their deeds, while others regarded the incarceration process as a complete waste of their time. For the most part I noticed most of the inmates alluded to lessons learned during the times. However personal reflection of past recidivism demonstrated some regret about past wrongs, the value of being free, and the harsh reality of life.

My experience reflected back on two inmates who had been incarcerated for more than two years who spoke of having to relearn the proper way to adjust in normal society. One inmate said that he learned how to be violent in jail where everyday he felt the need to prove and protect himself. He said that he truly needed a spoke of social clarity while in prison. He stated he knew where the lines were, what was or was not tolerated from corrections personnel and from the other inmates. Moreover a step out of line could end up with time spent in the hole. The only positive comment in regards to prison was giving by a drug trafficking offender. He had the opportunity to lower his sentence by attending a year long drug course. He stated that this course allowed him to come back to himself. It allowed seeing people for who they are, and not be so judgmental. His response to the experience was one that he never wishes to see again, but one that bought him some time on a second chance at life. I am happy to say that that inmate has recently been released and is currently pursuing a Commercial Drivers License to become a professional truck

driver.

FINDINGS

The paper uses a "reentry framework" to analyze the challenges ex-convicts face in this unprecedented era of mass incarceration. Reentry is the process of leaving prison and returning to society. However reentry is not a form of supervision, like parole. Reentry is not a goal, like rehabilitation or reintegration, it is not an option. Reentry reflects the iron law of imprisonment: they all come back. Moreover the concept of reentry applies to release from any type of incarceration-jails, federal prisons, or juvenile facilities-this paper focuses on the reentry of state prisoner's back to the community. These type prisoners are those individuals who are sent to prison for serious offenses under sentencing schemes that reflect the changes in American penal policy over the past generation. A new report shows that nearly half of the inmates released from the Texas State prison system eventually return back to prison.

The Texas prison system incarcerates 140,000 people, second only to California, and is so big that prisoners are released every weekday. The question no one asks is: Who's coming back? But if someone did, the prisoners would answer: Not me. National studies show otherwise: Roughly half the men will be proved wrong within three years. Texas does spend a lot of money on rehabilitation. However the Bureau of Justice Statistics report that recently released convicts commit 5 percent of serious crimes. A system that can keep convicted criminals from re-offending would save money and better protect the public. Efforts to rehabilitate begin as soon as a criminal enters the system. The first stop for everyone is the James Byrd Diagnostic Center in Huntsville. There, an inmate is tested on intelligence, education, emotional and mental stability and job skills.

From the test results, prison officials create an individualized rehabilitation plan. An inmate who cannot read at a seventh-grade level is enrolled in school. Those already educated can further their studies in college or vocational classes. Everyone who is able is put to work in cafeterias, on farms and in factories making license plates, clothing, and wood furniture. There are 41 prison factories. For many, it is the first steady employment of their lives. For drug addicts, there are six- to nine-month counseling programs, and the counseling continues after release. For the most part, inmates adhere to their rehabilitation plans because refusing affects chances. An inmate who gets an education, completes his rehabilitation plan and stays out of trouble stands a pretty good chance of earning. An inmate who does not serves more, if not all, of his sentence.

Texas incarcerates more of its population than any other state except for Louisiana. It keeps its inmates in jail longer. Marc Maurer, deputy director of the prison reform group, The Sentencing Project, which reveals, "The key to reducing recidivism, said is to stop locking up so many people." "I think a main issue is we've come to rely too heavily on prison. Half the people are there for non-violent offenses, more than four-fifths are there for drug offenses," Maurer said. "There needs to be consequences for violating the law, but we need to distinguish between offenses. Prison should be used as a last resort." The best way to ease the transition back into society is to eliminate it altogether, Maurer said.

The criminal justice system would be more effective if it allowed non-violent criminals to maintain their connections tooth community and their families. Let them keep their jobs and help them overcome the addictions that inspired their crimes, Maurer said. "Ultimately, 95 percent of the people are coming back to the community anyway,"

he said. If roughly half the prisoners who go through the system come back that also means half will not.

Where do most ex-convicts reside after release?

Immediately following release, the vast majority (99 percent) went to a Texas community, with 58 percent returning to five of 254 counties. None of the remaining 249 counties received more than 2 percent of the returning prisoners. Twenty-six percent returned to Harris County, which includes Houston. Fifteen percent went to Dallas County, which encompasses the city of Dallas. Eight percent headed to Tarrant County, home to Fort Worth, and 6 percent returned to Bexar County, which includes San Antonio? Travis County, which includes Austin, received 4 percent. Of the 23,177 prisoners released to community-based parole or mandatory supervision, the largest share (23 percent) returned to Houston. Within the city, 26 percent returned to just seven neighborhoods facing high levels of poverty, crime, and joblessness: Alief, East Houston, East Little York/Homestead, Kashmere Gardens, Trinity Gardens, Third Ward, and Macgregor. Each neighborhood received between 196 and 538 supervised prisoners, more than many entire Texas counties. Adding to the challenges faced by these neighborhoods, the researchers observe, few programs designed to aid ex-prisoners with employment, housing, substance abuse treatment and other services are located in or around most of the areas. I must state as strange as it may sound these areas that are listed above are really high crime areas.

My study and research alone with surveying ex-convicts was sometimes puzzling with the responses that I received. I asked the question to several ex-convicts, why they return back to these areas they committed crimes and were arrested in. I received several

different answers but the one that every one admitted was that “this is home and this is where we feel safe”.

The First Day Out

Research suggests that the first days following release are critical to an offender's failure or success establishing a law-abiding life. However many ex-convicts describe their first day of freedom to be like they are free expectations that are rapidly dashed following release. Most ex-convicts that were interviewed stated that they have no idea about what's going to happen when they get out. Several ex-convicts admit that they are scared because they have been used to being dependent on someone to wake them up, feed them and not worrying about responsibilities while incarcerated. Survey also discovered most inmates who will be released in the near future state that they have a fear of relapsing on drugs that caused them to commit criminal activities and allow them to be convicted and sentenced.

When inmates that were in halfway houses were surveyed they express a more positive attitude about their release than inmates that were in a correctional setting. Research showed a negative attitude for halfway home ex-convicts because they have the ability to leave the center which resides in and greater risk and chances to violate their sentencing. I interviewed an ex-convict that served 7 years straight because he was accused of sexually assaulting a female co-worker. After making parole he explained that the first day of his release back into society was devastating, he explained that the free world was foreign to him. He explained he was used to people telling him when to wake up when to eat and when to do just about anything that was dealing with his freedom of

movement. He explained that he was worried about getting stop by the police because he did not have any type of identification besides his prison id.

When I spoke to numerous inmates and ex-convicts they explains that the positive aspects have been expecting to be released and become productive citizen and being given a fair chance to prove that they belong in society. One inmate stated he prepared himself just for that day of release by receiving his degree while incarcerated for reentry. Unfortunately, he admitted that upon his release productivity did not happen that way because of discrimination from employers.

The study also shows that when offenders are released and return to the street, far from it being a time of relief or joy, anecdotal evidence indicates that it is rather a very difficult and confusing time. While speaking to inmates and ex-convicts, it saddens my heart to hear some of the confessions and stories. One ex-convict explained to me that he was free and he should have been happy but he had never been sadder at the time in his life when he was released back into society, because he had no family and no one to call nor any where to go. He had no skills to do anything as far as daily survival, however almost all the inmates looked forward to leaving the facility, not all anticipated their return to the community to be joyful.

Many viewed their experience while incarcerated as a break from their addictions and social issues and looked upon their return with trepidation. Another inmate spoke of developing an entire new social network. Peer support and guidance were said to be his priority, which he stated that something he lacked in his current social situation. As strange as it may sound I spoke to several inmates who felt like upon their release they

felt like their friends were waiting them to get out and try to sabotage their sobriety effort to maintain sober. Family members who were addicts also caused problems for inmates that were being released back into the homes were they were paroled to.

Limitations and Boundaries in acquiring Shelter

Study shows more than 1.2 million persons are incarcerated in our state prisons - and an additional .9 million more in our Jails and federal prisons. What the public doesn't realize is that almost 40% of these persons will be released over the next twelve months and over 70% within five years or less.

Over 95% of all prisoners will eventually be released. Nationwide, more than 600,000 states and federal prisoners are released every year. Studies have also shown that about 2/3 of prisoners who are released will be arrested within three years - many within the first six months. As we have made conditions within our prisons harsher and harsher over the recent past, we sometimes forget the eventual result. If we give up on trying to rehabilitate offenders, what can we expect when these persons reenter our communities? However we know that offenders most often leave prison with few marketable skills, an inferior education, and with severe emotional problems.

Employers are seldom willing to hire them. The Urban Institute and many other public and private agencies are attempting to determine what local communities can do about this problem. What are the critical factors and what can communities realistically do to avert a devastating scenario in our urban areas within the next decade? Politicians have for decades enhanced their "tough on crime" credentials by creating laws and policies that impose adverse collateral consequences on many categories of those with criminal records.

People with criminal records seeking reentry now face a daunting array of counterproductive, debilitating and unreasonable roadblocks in almost every important aspect of life." These include restrictions on voting rights, housing, employment, and government welfare assistance. No matter how exemplary their subsequent lives, people who have a criminal record bear a modern-age scarlet letter, or a new civil identity that they cannot shed. One very application they will constantly confront questions about their criminal records-from applications for welfare or for a job at a fast food restaurant, to a volunteer dog-catcher position at the SPCA (Society for the Prevention of Cruelty to Animals), and even a box on the application to join a Parent-Teacher Association. With these types of roadblocks, many convicts are unable to receive the help that they need, which are the basic necessities. Minimal attention is being paid to the needs of many returning prisoners for supportive, transitional services. Many of these barriers are the result of public laws and directly restrict the rights and opportunities of those with criminal records.

Exclusionary housing policies constitute one of the most significant barriers to reentry. People leaving prison and jail are typically among Americans with the direst housing needs. For them, publicly supported housing is the only realistic option for safe and stable places to live. Excluded from public housing, they often end up swelling the ranks of the homeless, become inhabitants of grimy and unsafe transient hotels and motels, or crowd into the homes of relatives and friends. None of these options is conducive to the development of stable, productive lives for former prisoners or their children HUD's current exclusionary policies and those of local PHAs ignore the changing landscape of the poor in the U.S. As the number of people with criminal records

continues to soar, so their proportion among the impoverished in the United States grows.

Policies that exclude them from housing thus have the effect of excluding an ever-growing number of those in need. As one tenant advocate in Pittsburgh, Pennsylvania told us: No one's in more need than ex-offenders. That's what this housing is for. I understand that originally it was for women and children and vets, but as times change, our federal programs need to recognize who's needy in our society. Advocates feel like they have a responsibility for tenants, as well as the responsibility to be the housing of last resort. They receive large sums of federal money to be the bottom-line safety net of housing for folks out there. The Housing Authority is that safety net. That's why they can get all those grants. If it wasn't the intention to make sure that the safety net is there, why give them all that money? If all they want to do is cream the population and take the best, why are they getting all that money? Housing authorities used to be the ones that would give people a second chance. President Bush called attention to certain barriers to reentry, including the need for transitional housing, in his 2004 State of the Union address.

Members of Congress responded with bipartisan bill introduced in mid-2004. The bill calls for structured post-release housing and transitional housing, including group homes for recovering substance abusers, through which offenders are provided supervision and services immediately following reentry into the community [and] assisting offenders in securing permanent housing upon release or following a stay in transitional housing. The house bill would provide states with a small amount of money to develop a system of reentry services, of its own versions of the Second Chance Act.

The first mirrors the provisions of the house bill with which it shares a name. The

second, the Enhanced Second Chance Act, contains many of the same provisions, but among its chief differences is a call to strengthen HUD rules to require PHAs to conduct individualized determinations of housing applications from those with criminal records. At this writing, all three bills were still pending in Congress. Human Rights Watch recognizes the importance of increasing the supply of transitional housing. But transitional housing is by definition temporary. It is not a solution to the need for permanent housing. "Effective reentry will require expanding the supply of affordable housing." To date, no federal reentry initiative has proposed to increase the supply of public housing. And the Enhanced Second Chance Act is the only legislation thus far that would address the barriers to successful reentry that are embedded in existing housing policies. Finally, there is no designated federal funding for alternative facilities to house those currently excluded from existing public housing because of their criminal records. The impact of federal and local exclusionary policies is not limited to public housing. Increasingly, private landlords are following the lead of public housing and screening people for criminal histories. Federal law allows "owners" of private housing to decline to rent to those who have been deemed eligible and awarded a voucher by a PHA. But housing advocates told Human Rights Watch that landlords are also refusing to rent to prospective tenants in the private market because of their criminal records.

Offenders Returning to Federal Prison, 1986-97

Research study describes offenders returning to Federal prison within 3 years of release and their time served upon return. Comparisons are made of offenders returning for technical violations of supervision conditions and offenders returning for new crimes. Additionally, the Special Report presents the return rate for offenders sentenced pursuant

to the Sentencing Reform Act and offenders sentenced pursuant to sentencing law and policies in effect prior to the implementation of the Sentencing Reform Act. Some of the major findings include the following: The proportion of offenders returning to Federal prison within 3 years increased from 11.4% of those released during 1986 to 18.6% of those released during 1994. 60% returned following a technical violation of release conditions, 30% following a conviction for a new offense, and 10% for other violations. Offenders convicted of a violent offense returned to prison at a higher rate (32% of releases) than those convicted of a property (17%), public-order (15%), or drug (13%) offense.

Recidivism of Prisoners Released in 1994

Prison release reports on the re-arrest, reconviction, and re-incarceration of former inmates who were tracked for 3 years after their release from prisons in 15 States in 1994. However former inmates represent two-thirds of all prisoners released in the United States that year. The report includes prisoner demographic characteristics (gender, race, Hispanic origin, and age), criminal record, types of offenses for which they were imprisoned, the effects of length of stay in prison on likelihood of re-arrest, and comparisons with a study of prisoners released in 1983.

Highlights include the following:

Released prisoners with the highest re-arrest rates were robbers (70.2%), burglars (74.0%), larcenists (74.6%), motor vehicle thieves (78.8%), those in prison for possessing or selling stolen property (77.4%), and those in prison for possessing, using, or selling illegal weapons (70.2%).

* within 3 years, 2.5% of released rapists were arrested for another rape, and 1.2%

of those who had served time for homicide were arrested for homicide.

* The 272,111 offenders discharged in 1994 had accumulated 4.1 million arrest charges before their most recent imprisonment and another 744,000 charges within 3 years of release.

* At least 95% of all State prisoners will be released from prison at some point; nearly 80% will be released to parole supervision.

* at year end 2002, 1,440,655 prisoners were under the jurisdiction of State or Federal correctional authorities.

In 2001, about 592,000 State prison inmates were released to the community after serving time in prison. Nearly 33% of State prison releases in 1999 were drug offenders, 25% were violent offenders and 31% were property offenders. 670,169 adults were under State parole supervision at year end 2002. By the end of 2000, 16 States had abolished discretionary release from prison by a parole board for all offenders. Among State parole discharges in 2000, 41% successfully completed their term of supervision; relatively unchanged since 1990. In fiscal 2001 Federal, State, and local governments spent over \$167 billion for police protection, corrections and judicial and legal activities, a 7% increase over 2000. Per capita expenditure across the three government types and criminal justice functions was approximately \$600. In fiscal 2001 State and local governments spent a combined 85% of all direct justice dollars; the Federal Government spent the rest. Federal government spends more than \$25 billion on direct expenditures for criminal and civil justice in fiscal year 2001. State governments spend nearly \$59 billion and local governments spend over \$83 billion.

Prisons Don't Prevent Repeat Crime

A study has found that the rate at which inmates released from prison commit new crimes increased from the mid-1980s to the mid-1990s. Two-thirds of offenders released from prison in 1994 committed new crime(s) within three years; the rate is 5% higher than the rate of re-offending of inmates released in 1983. The best predictor for estimating the odds an inmate would commit a new crime when released was the number of times they had been previously arrested.

Prisoners with just one prior arrest had a 40% recidivism rate while those with more than 15 arrests had an 80% recidivism rate. At least one criminologist has indicated she thinks the reason for this is that states trying to get tough on criminals cut back on rehabilitation programs like drug treatment and vocational training. Others point out that the study also demonstrates our failure to prepare prisoners for reentry into their home communities, a problem expected to reach crisis levels in the next few years as more and more prisoners are released. Are these reasons enough to drastically modify our punishment driven prison system?

A Profile of Returning Prisoners

Of the 55,183 prisoners released from Texas Department of Criminal Justice custody in 2001:84 percent was male; 18 percent were married. 44 percent were non-Hispanic blacks, 32 percent were non-Hispanic whites, and 24 percent were Hispanics. The median age at release was 34, and 70 percent were under 40. The youngest prisoner was 17 years old and the oldest was 97. 39 percent had been incarcerated for drug offenses, 33 percent for property crimes, 17 percent for violent offenses, and 11 percent for other infractions, including driving-while-intoxicated and weapons offenses.

The average prisoner served 3.3 years in state correctional facilities. 60 percent were released through non-discretionary means, such as the end of a court-ordered sentence; nearly all the rest were released through the approval of the Board of Pardons and Paroles. 59 percent were subject to parole supervision or felony probation supervision after release and had to abide by such conditions as having a job or participating in drug or alcohol treatment. Recidivism refers to a return to criminal activity by a person who has been convicted of and punished for a crime.

Policy makers are concerned with the recidivism rate as a measure of the success or failure of efforts to rehabilitate criminal offenders. The recidivism rate refers either to the frequency at which criminal's re-offender the percentage of criminals who re offends.

Real Life Stories on Employment among Ex-Convicts

One question on the job application is about having a criminal record. For those who have such a record, writing "yes" can kill a potential interview. Writing "no" would be grounds for instant and unconditional dismissal from many jobs. Many ex-convicts often put a dash, which allows job applicants to get their foot in the door and try to explain their past. "We are trying to sell ourselves but not tell a lie," said Arlene Porter, a coordinator at the Croton Job Center at 1916 Monterey Ave., one of two city employment centers in the borough: "If you've done time, if you've been away, don't let your past bear on your future." But the past can be a heavy burden.

Even in a strong economy with a growing job market, mistrust and fear often prevent employers from hiring those with a criminal record. Repeated rejections can keep them on public assistance and also lead to new crimes, experts say. "It's a catch-22," said Roberta Meyers at the Legal Action Center. The problem is especially true for those who

have been through prison. "We don't know whether employers discriminate against prisoners, or prisoners become worse workers as a result of prison," said Richard Freeman, a Harvard University labor economist. "But after prison, the chances of getting a job go down." Robin Monroe, 37, fresh from a one-year sentence for crack possession, said she went to one clerical job interview that ended with a "door shut in my face." "It was all going real smooth and then I told him about my conviction," Monroe recalled. "And he started downplaying everything. He said, 'Don't call us, we'll call you.'" No one called back. Her crack-possession record did not legally disqualify her from the clerical job, Meyers said. Monroe insists she does not do drugs anymore. "Six dollars worth of crack got my life turned upside down," she said. "It isn't worth it." An employer can legally reject some applicants because their criminal history may be interpreted as endangering clients or property, Meyers noted. For Ella Davis, an elderly Bronx native who has served time for "beating up people because they bother me," a job may be even harder to find. On welfare for nearly 30 years, Davis is now looking for a job to care for old people.

The predicament of those with a criminal past is compounded by the 9.7 percent unemployment rate in the Bronx, stated Jeffrey Weissenstein, an economist at the city's labor department. "The rate citywide is 7.6 percent. New York City as a whole has generated 300,000 new jobs in the past decade," according to Weissenstein. But the new jobs often require a high level of skill, he noted, and Bronx residents with limited education or experience have benefited less than others. At the same time, the city has lost plenty of manufacturing jobs, which have traditionally served as an entrance into the labor market.

Two fast growing job areas are home health care and retail sales, which can be hard for ex-inmates to enter into, Weissenstein said. Arlene Porter, who works at the Crotona Job Center, paused for a moment when asked about ex-prisoner success stories. She recalled Fred Larson, who spent six years in jail where he wrote poems. When he came out, he got a job as a janitor in a Manhattan museum. Then, Porter put him in touch with a copyright lawyer. Finally, a couple of weeks ago, he flew to Los Angeles to write hip-hop lyrics. But his story is rare, Porter said. Monroe, along with a dozen other job seekers, sat in a room filled with telephones and classified pages. She made 16 phone calls, which she logged in on her "employer contact list"—a requirement at the job center. She set up an interview in a Manhattan warehouse for 2 p.m. At 1:30 p.m., she said she was too tired to go. Her friend, Roseanna, who also has a prior conviction, said she does not even bother to look for jobs anymore. Then she offered to sell a Metro Card that Monroe just received from the center for free. "When you are out of jail, you can't find a job," Roseanna said. "I make my money on the streets." The State of Delaware got its right this year by lifting the ban on licensing for individuals with felony convictions for over 35 professions and occupations. This will help prisoners adjust back into society after their release. This move will prevent ex-convicts that want to turn over a new page instead of returning to prison. It is already hard for them to get a job once they are out of prison, and most states make it as hard as possible for them to stay on the straight and narrow by making it virtually impossible for them to make a living. They have already paid their debt, but are continuing to be punished once they are out. When are those running the state of California going to get smart and do something like this? I spoke with 3 ex-convicts that served time for drug trafficking, theft, and robbery.

My first survey was with inmate Roberto Decarlos who served 3 years in a Texas Prison for drug trafficking. He explained that the hardest part for him was to get his life on track. He declared he did not receive proper tools or an education to prepare him for reentry back into society. He also stated that he went to many employers explaining his incarceration and they denied him at all attempts. I asked him questions that I felt were important when considering reasons that lead up to recidivism. His response was society looks at him and other ex-convicts as trouble. I also asked him how long he will continue to try and be a good model in society until he thinks he might re offend; his response was that it is harder every day because he feels like society will not give him a fair chance.

My second ex-convict was Eric McCloud who also explained in similar words, he was sentenced to one year as an accessory to a bank robbery in 2003. He admitted he has re offend several times because society looks at him like he is a monster and he stated that this type of treatment makes him angry and that's why he does not care about being a free man any more. Interestingly, McCloud revealed that he was well respected in prison and did not have to worry about a job, drugs nor food and money because it was all at arms reach to him in prison. He claimed that the parole system is not productive and it is set up to "snatch you right back into the system over and over".

My last personal interview came from two-time ex-convict, Ira Drayton. He explained that he spent his childhood bouncing between foster homes, juvenile detention and life on the streets doing what ever he wanted. He reminded me that he had to be a man fast when he really was only a boy. He knew the only way that he would survive would be joining a gang for protection. He had no problem letting me know he was a bitter young man who was angry at his parents because he felt like they abandoned him

without any explanation. He also expressed that he tried to escape the criminal life that his childhood situation led him to be apart of, but it was hard. Drayton stated that he wanted everyone to know that “he did not choose this life the life chose him”. Finally, Drayton stated that his world is cold and dark and recidivism is a part of his life and he has no intention of changing.

Methods for Reorganizing Probation and Re-Designing Probation to Address a Lack of Employment of Parolees.

When offenders are paroled from prison they may find it difficult to find employment because of their criminal background. It is my opinion that we should work with this problem by initiating a work program through the government. If the government and state would solicit businesses to employ probationers with incentives perhaps the lack of employment for probationers would be alleviated.

One incentive might include cash incentives for each parolee hired. Even if our taxes have to pay for the cash incentive, I think that it would be a cheaper alternative than having to pay for an offender's incarceration. If the offender is unable to become employed he would probably be more susceptible to returning to a life of crime in order to meet his needs. So, if citizens paid for the incentive, he would get a job, and citizens would not have to pay for his incarceration. In order to alleviate the fears of the businessperson that might be more afraid for his safety than his desire to obtain the cash incentive, the state would fund surveillance cameras in the business. These surveillance cameras would be directly linked to the parolee's guidance center so that if the probationer does anything illegal he will be on camera and will be immediately seen being in direct violation of his probation. Also, the surveillance camera can immediately

alert the police so that the businessman will not be in any direct physical threat from the probationer.

The business man fears should, through this incentive, be dramatically decreased. Assuming responsibility for the business man's establishment while employing a probationer would also be an incentive. If the state accepts responsibility for the probationer and his actions while employed under the incentive plan the employer would not have to fear any financial damages incurred by a probationer. The state would also, as an incentive, and in conjunction with the cash incentive, allow all taxes that are required to be paid on the wages of a probationer employee to be waived.

I believe that this incentive plan would offer the prospective employer security within his business while earning financial reward for his efforts in helping taxpayers lower the cost of institutional rehabilitation. Surely, the amount of money it would cost to implement this plan would be far less than the incarceration of offenders. Also, the cost for society as a whole would be far less if the offender gains meaningful employment rather than resorting back to a life of crime.

Ideas and Programs to Reform Ex-Convicts

- 1) Requirement to pay taxes on the wages of probationers would be waived.
- 2) 100.00 a month cash incentive for each probationer employed.
- 3) Responsibility for all damages by the probationer will be compensated by the state.
- 4) Surveillance equipment will be installed at all businesses participating in the probation's program. This equipment will be directly linked to Probation

Guidance Centers, and local police stations at the cost of the state.

Research reveals several programs that have made an attempt to assist in reforming ex-convicts as far as preparing them to be productive citizen when they return to society. The first program, Project RIO, was established in Texas for the increase recidivism problems among released ex-convicts the history. The program was long overdue.

Project RIO is a state program that began in 1985 and is jointly operated by the Texas Workforce Commission and the Texas Department of Criminal Justice. The project is funded through the Wagner Peyser Act, which allows a state's governor to target 10 percent of these funds towards serving special populations such as ex-offenders. Except for active substance abusers and those released with outstanding warrants, the Texas Department of Criminal Justice regulations require parole officers to refer to Project RIO all unemployed, underemployed and part-time employed parolees during their initial parole visit. However, only 10 to 55 percent follow up on their requirement. The rest will either find a job on their own or will return to prison for violation of their parole. Project RIO provides placement services to about 16,000 parolees each year.

A 1992 independent evaluation documented that 69 percent of RIO participants found employment, compared with 36 percent of a matched group of non-RIO parolees. During the year after release, only 23 percent of high-risk RIO participants returned to prison, compared with 38 percent of a comparable group of non-RIO parolees. However the study found that the program was especially beneficial for those rated "high risk." Other programs like the South Forty Corporation proved to be positive for ex-convicts as

far as assisting in finding ex-convicts employment and to better assist them in barriers that they face upon their release from prison.

My research shows employers prefer to hire individuals without criminal records, but there are incentives for considering ex-offenders. The Safer Foundation markets itself to employers by offering a wide range of services that includes drug testing and processing of FICA (Federal Insurance Contributions Act) statements to verify a client's claim about previous employment. This way, employers do not need to rely on employment agencies, which, according to many employers, do not adequately screen the applicants they refer. Furthermore, according to a survey conducted by the Safer Foundation in 1996, 78 percent of responding employers said they strongly preferred job candidates referred through Safer over candidates referred through traditional means because of the strong motivation of Safer clients.

The South Forty Corporation also provides an array of services to add value for an employer. Among these services are free recruitment, pre-screening and testing of job seekers with a criminal background. Also, the Corporation assists employers with financial incentives for hiring an ex-offender such as wage reimbursements for extraordinary training costs, free surety bonding and the Work Opportunity Tax Credit. South Forty also has an extensive testing module that includes a question and answer section specifically geared towards the most common questions asked by employers.

Provide Long-Term Follow-Up Support

Given current favorable market conditions, job placement of ex-offenders has become less of a problem than job retention. Unless ex-offenders can hold down jobs, they will not become self-sufficient. Many ex-offenders face numerous obstacles such as

drug and alcohol relapses, conflicts in the work environment, family conflicts, and the like. To prevent ex-offenders from quitting their jobs due to these obstacles, long-term direct follow-up and assistance must be provided. The Safer Foundation provides long-term follow-up services through so-called “lifeguards.” Lifeguards provide support to clients, their families and employers. Their support ranges from finding childcare to making arrangements for substance abuse counseling to resolving conflicts with employers. This follow-up lasts for up to one year. The South Forty Corporation provides ongoing counseling and follow-up services for its clients as well as for its employers as long as they need them. One example of assisting clients with initial on-the-job difficulties is South Forty’s evening support groups, which give participants an opportunity to discuss their challenges of transition with experienced social workers and peers.

Ongoing Challenges to Practice and Policy

This research has highlighted the formidable challenges that ex-offenders face seeking employment, despite favorable labor market conditions. The explosion of the prison population in recent year’s means there will be an increasing number of offenders released back into their communities, a high percentage of which are poor urban neighborhoods of color. There are numerous challenges for community-based providers, advocates and policy makers as well. First, social service providers and community-based organizations need to adapt their services to facilitate the reintegration of returning ex-offenders not only into the job market but also into the community at large. Second, advocates and policy makers need to promote workforce development policies that accommodate the special needs of the ex-offender population. Also, they need to address

legal barriers that currently exclude ex-offenders from certain professions. Finally, they must step forward and raise public awareness about the devastating effects of the emerging prison economy on poorer urban communities.

Challenges in Readjustment

The previous section outlined successful strategies for serving ex-offenders; however, even the most experienced service providers confront a number of continuing challenges. One of the most serious problem providers' faces today is that ex-offenders released from prison have a more complex array of needs than in earlier times. Among those pressing needs are substance abuse, mental health, and literacy along with anger management issues. As pointed out above, the funds to address these needs during the time of incarceration have been cut over the year, which means that ex-offenders often have to receive extensive post-release services before they can find gainful employment. Therefore, treatment and training programs in prisons must be expanded for reintegration of ex-offenders to succeed. Failure to address the needs of prisoners prior to their release is one of the primary reasons for high recidivism rates among ex-offenders. The level of recidivism is particularly high for those ex-offenders who do not receive any services after their release. Going through ex-offender employment programs such as those offered by the Safer Foundation, the South Forty Corporation or Project RIO has proven successful in lowering the incidence of recidivism. For example, while the recidivism rate for the state of Illinois is estimated to be as high as 40 percent, the rates for participants of the Safer Foundation's program range between 10 and 24 percent. Closely connected to high rates of recidivism are low rates of job retention among ex-offenders. The inability to retain a job and secure a stable income often brings ex-offenders back into the

criminal justice system. The difficulties ex-offenders have retaining jobs can be attributed to several factors. For one, ex-offenders often face problems adjusting to the culture of the workplace and lack the appropriate interpersonal skills to resolve conflicts with supervisors and co-workers. Participants in the UIC focus groups emphasized that they often have difficulty in dealing with supervision at the workplace because they associate this behavior with a lack of trust in their ability to do the job: “[It is important] how people treat you. I don’t want to come in there with somebody always having an attitude, somebody always riding my back, always looking over my shoulder, telling me how long I took for lunch and this and that.... You pay me to do a certain job, then let me do that job. If you stand behind my back, it makes me nervous. I’ll tell them to get away from me and step back. You are paying me to do this. So let me do this.”

Many ex-offenders also suffer from low self-esteem and fear of failure. At the same time, providers observe that ex-offenders frequently have difficulty dealing with possible success on the job because they have become so accustomed to failure and rejection. Thus, service providers have to continuously provide post-employment counseling to encourage and motivate clients and assist with conflict resolution. Given that a positive and friendly work environment is among the primary reasons for ex-offenders to stay on a job, service providers should seek to identify employers that provide this type of work environment and that are willing to train and raise awareness among their employees toward this end.

According to the Safer Foundation, one of the most crucial points of intervention is at the time when an offender is released from work release, parole or probation since that is when most ex-offenders will quit their jobs. This might be attributed to ex-

offenders wanting to bring an end to everything they associate with their incarceration, including the job they held during this period. Low rates of job retention can also be traced to the types of jobs that ex-offenders with little formal education and little to no work experience are relegated to. Because of their lack of experience and the stigma of their criminal background, many ex-offenders are concentrated in low-wage and temporary jobs with no upward mobility. Although they did not provide a clear breakdown by industry, the ex-offender employment initiatives described above indicated that the majority of their clients are placed into entry-level customer services jobs. Undoubtedly, entry-level employment opportunities enable clients to learn basic work skills and are often a prerequisite to finding employment in higher paying jobs. However, job retention is likely to increase when clients' skills and interests are appropriately matched with a particular position. Also, retention will improve when entry-level positions are identified that provide clients with upward mobility and individual career advancement. Reaching this goal requires extensive case management and vocational counseling, which is often neglected due to pressures of complying with placement requirements.

Besides the problems of recidivism, low job retention and the wide range of client needs, service providers are continuously confronted with employers' reluctance to hire ex-offenders. Ex-offenders are still considered high-risk and costly hires, which makes it essential for ex-offender employment initiatives to use innovative approaches to serving as intermediaries between the employer and employee. By screening clients carefully and ensuring that the employer's needs match the client's skills and interests, service providers can market themselves as employment specialists that make it easier for

employers to identify and retain qualified employees. Such services should be of particular interest to smaller employers, which typically lack the staff and resources for hiring enjoyed by larger employers.

An innovative effort to address the multiple challenges of integrating ex-offenders back into the community has recently been launched by the North Lawndale Employment Network (NLEN) in Chicago. NLEN has established the Ex-Offender Employment Service Network (ESSN) which brings together Chicago's leading organizations involved in serving ex-offenders. These organizations have agreed to offer their services at the United Baptist Church on Chicago's West Side and thus provide a "one stop" community-based approach to ex-offender reintegration. Among the services provided to ex-offenders are career planning, substance abuse and mental health assessment and treatment, job readiness training, job placement, family reunification, transportation and housing services, and peer support groups. The major goals of this effort are to assist ex-offenders in Chicago's North Lawndale community to successfully enter the workforce and maintain living-wage career- path jobs as well as to build a safe inner-city community. The initiative was launched only recently, but has the potential to become a model approach to serving the comprehensive employment needs of ex-offenders.

Possible changes in policy to lower Recidivism rates

Efforts to improve the practice of providing employment services to ex-offenders need to be accompanied by significant policy changes. Directly related to the recommendations for post-release practice stated above is the need to improve pre-release services to prisoners so that they are adequately prepared for their job searches upon their return to society. This means expanding educational and vocational training programs as

well as drug and mental health treatment. Advocates should also seek to reinstate Pell Grants in prisons to provide inmates with access to post-secondary education. In addition, there should be a concerted effort to issue inmates with proper identification prior to their release to avoid lengthy waiting periods after release that slow down the job search process. Advocacy should further promote a re-examination of state statutes that require employers to bar ex-offenders from certain professions.

One alternative to life-long banishment of ex-offenders from these professions would be the introduction of time restrictions. This would require ex-offenders to be without convictions for a certain time period before they could apply for positions that are now commonly barred for ex-offenders. Thus, time limits would give ex-offenders the opportunity to establish a record of trustworthiness and give them a second chance. Advocates should also closely monitor the implementation of the Workforce Investment Act (WIA).

As mentioned above, federal guidelines have granted considerable autonomy to localities in implementing the Act. However, the early implementation has demonstrated that some states and localities have used this flexibility to promote job placement over job training and preparation through the One-Stop Career Centers. A purely “work-first” approach is not sufficient, however, to achieve job retention, especially when it comes to hard-to-serve groups like ex-offenders.

The shortcomings of a pure “work-first” model can be witnessed in states and localities that have adopted this approach to implementing the welfare-to-work legislation. The “work-first” approach attempts to place individuals in jobs and to provide

training at a later point if needed. This strategy contrasts with previous strategies of training job seekers *prior to* placing them. A literature review by Julie Strawn of the Center for Law and Social Policy (1999) finds, however, that “work-first” programs in practice are “work-*only*” programs because they provide few opportunities for upgrading skills. Even though quick-employment programs reduce the number of welfare recipients, they generally do not lead to jobs that enable individuals to support themselves and their families.

According to Strawn’s review, the only programs that prove to be successful in increasing participants’ earnings over time are those that combine job search services with a range of intensive individually tailored services that include education, job training, on-the-job training and follow-up support. Mixed-strategy programs that combine these services are particularly important when it comes to serving the most disadvantaged job seekers such as ex-offenders. Besides targeting local and national workforce development policies, other policy areas that indirectly affect the employment of ex-offenders need to be addressed.

One of the major policies that currently work to the detriment of the reintegration of ex-offenders is the new welfare legislation. As mentioned above, this legislation bars drug offenders from receiving public aid, including food stamps. With the difficulty of finding employment immediately after their release, ex-offenders often do not have a source of income and thus are encouraged to pursue illegal activities to survive.

Moreover, ex-offenders, including drug offenders, should have the opportunity to apply for public assistance or food stamps to bridge the initial period of financial

hardship and—if necessary—cover the basic costs while attending a drug treatment program. Finally, advocacy should be geared towards raising public awareness about the alarming growth of the prison population and the emergence of a “prison industrial complex.” Since 1980, spending on corrections at the local, state and federal levels has increased about fivefold and recently reached a level of an estimated 35 billion dollars per year (Schlosser 1998).

Corrections have become a major growth industry with its own conventions, mail order catalogues and direct marketing campaigns. The main beneficiaries of this development are private corporations that have discovered prisons as a lucrative market. Informing the public about the actual financial and social costs of the current prison boom might dampen public support for a “tough-on-crime” approach. The public should also be made aware that the majority of inmates in our prisons were convicted for non-violent drug offenses.

Many of those convicted for a drug-related crime deal with serious substance abuse problems that are not adequately addressed through incarceration. Thus, instead of filling prisons with these individuals, alternative sentencing programs including treatment should be considered. A promising effort in this direction can be found in New York City, where a coalition of judges, community advocates and religious leaders is pressing to treat substance abuse as a public health rather than a law enforcement issue. Advocates and policy makers should aggressively support efforts to help ex-offenders become part of the workforce and the community once they are released from prison. At the same time, they should explore alternative sentencing strategies with a strong employment and training thrust that would prevent many non-violent offenders from becoming part of the

growing prison population.

CONCLUSION

With considerable thought, ex-convicts have a mounting battle to face upon release. The odds are obviously against them. They are forced to be responsible and independent citizens when all they know is dependence. They are challenged to find and maintain jobs of those employers who do not hire convicted criminals, and if they are not fortunate to beat the odds violate probation and labeled as another statistic of recidivism. My research is a mere attempt to highlight the challenges ex-convicts face upon release concentrating on the individual challenges facing returning prisoners, their families, extended social networks, as well as the societal challenges our country faces as a result of the fourfold increase in incarceration and reentry rates. It is my hope that this research will prompt a new consideration of the best ways American society can face the complex and profound challenges inherent in the new reality that more than 630,000 individuals leave prison each year to return home and return back into incarceration because of the barriers of discrimination placed upon ex-convicts.

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