

A Time for Transition:
Implementing Meaningful Re-Entry Processes for Recidivism Reduction

A Seminar Paper
Presented to
The Graduate Faculty
University of Wisconsin-Platteville

In Partial Fulfillment of the
Requirement for the Degree
Master of Science
in
Education
Adult Education

Dr. Damira Grady	08/20/2019
Signature of Instructor	Date Approved

A Time for Transition:
Implementing Meaningful Re-Entry Processes for Recidivism Reduction

University of Wisconsin-Platteville

by
Kristen Appelhans

2019

TABLE OF CONTENTS

	PAGE
TITLE PAGE	i
ABSTRACT	1
CHAPTER	
I. INTRODUCTION	3
Background	
Statement of the Problem	
Significance of the Study	
Purpose of the Study	
Definitions of Terms	
II. REVIEW OF LITERATURE	6
A) A Pattern of Problems	
B) Reversing the Trend: Recidivism Reduction	
C) A “Step” in the Right Direction: The FIRST STEP Act	
1. State Level Project RED’s Example	
D) Summary of Findings	
III. CONCLUSIONS AND RECOMMENDATIONS	14
IV. REFERENCES	15

Abstract

Currently, our nation's recidivism rate reflects an average of about 1 in every 3 offenders will end up recidivating within a 3-year period of release (U.S. Department of Justice, 2019). The critical need for traditional criminal justice policy and practice reform is evident, in order to reverse this trend. Restorative practices and meaningful re-entry programs, such as project RED and the recent federally passed, "FIRST STEP Act," provide significant data which reflect the reality for a possible reform success model. By implementing these re-entry methods, on a state level, this will provide the necessary program availability in order to properly prepare offenders for release and reduce the likelihood of their reincarceration, throughout the United States of America (U.S.).

Keywords: offender, recidivism, recidivism rates, Restorative Justice, restorative practices, risk assessment, rehabilitation, re-entry, life skills education, alternatives to incarceration, prison education, reintegration, FIRST STEP Act, project RED.

The United States of America (U.S.) is well-known, worldwide, for many different reasons. Until recently, one topic in particular held the U.S. at the top of the charts for decades: incarceration rates. At the end of 2008, 1 in every 198 U.S. citizens were incarcerated (Pompoco, A., Wooldredge, J., Lugo, M., Sullivan, C., and Latessa, E., 2017). The good news is, for the first time in a long time, the U.S. prison population is currently on the decline. Unfortunately, the same cannot be said of the rates for reoffending, once an inmate has been released from incarceration.

This act of committing a new criminal offense, post release, resulting in a new conviction and sentence to Department of Correction's (DOC) custody or supervision, is also known as recidivism (Wisconsin Department of Corrections, 2016). Currently, our nation's recidivism rates reflect an average of about 1 in every 3 offenders will end up recidivating within a 3-year period of release (U.S. Department of Justice, 2019). In addition, approximately one out of four prison admissions were for offenders actively under community corrections supervision at the time of their current offense (Lind, 2009). There has been an undeniable pattern forming as a result.

The primary goal of establishing prison programs was to ease an inmate's transition back into the community and lessen the likelihood of reoffending by addressing specific risk and need factors during their incarceration period. (Pompoco, et al., 2017). The evidence which presents the same inmates continuing to return to DOC custody, repeatedly, reflects an inadequate response to the problem of crime on behalf of our nations CJ system. The high failure rate and inability to meet the multiple, complex needs of today's inmate population, coupled with an

unreasonably extensive cost for taxpayers suggests that a change in current criminal justice (CJ) policy and procedure, is long overdue. Nevertheless, it continues to be the primary dominant policy response across the nation. This is determined to be due to a lack of alternative approaches to deal with the reality of crime that are both effective and acceptable to the public (Van Ness, D.W., 2010).

Consistently afflicted with issues such as overcrowding, budgetary concerns, and increasing evidence of incarceration's impact on individuals and communities, justice-system officials have recently begun to approve initiatives which are alternative responses to incarceration (Meyer, S., Fredericks, L., Borden, C., & Richardson, P., 2010). Between the federal government's surprisingly progressive passing of the FIRST STEP Act in December 2018 and an increase in organizational implementation of restorative practice and re-entry based programming, enhanced evidence of a positive influence on recidivism reduction is at the forefront of CJ reform (Swavala, E., Riley, K., & Subramanian, R., 2016).

Statement of the Problem

Would a collective effort to shift traditional CJ policy and procedure, toward a restorative model, be more efficient to reduce the nation's habitually rising recidivism rate? What is it that is contributing to this perpetuation of offending and how do we go about addressing these issues, in order to begin to reduce the recidivism trend in the U.S.?

Significance of the Study

Nearly 700,000 people are returning to communities, post-release from prisons throughout the U.S., each year (Bryan, J., Haldipur, L., Martin, J., & Ullrich, M., 2015). This research relates to some of the most recent strides to examine the inmate population of recidivists, caught in a perpetual cycle of crime, incarceration, release, re-arrest, and back to incarceration. The focus is with the reasoning behind this cycle and its inability to cease.

Purpose of the Study

This study identifies some of the major flaws in the traditional Criminal Justice system and provides alternative practice options, in order to assist in reducing the existing recidivism rate. Common characteristics prohibiting a positive reintegration process are identified and discussed. Examples of successful reentry models present possible alternative solutions for incarceration in order to eliminate existing ineffective processes.

Definition of Terms

Recidivism: This act of committing a new criminal offense, post release, resulting in a new conviction and sentence to Department of Correction's (DOC) custody or supervision (Wisconsin Department of Corrections, 2016).

Life Skills Education: The process of teaching which focuses on elements such as self-reflection, critical thinking, problem solving, and interpersonal skills which are meaningful and significant to the well-being of an individual on a regular, daily basis (Pompoco, A., Wooldredge, J., Lugo, M., Sullivan, C., & Latessa, E., 2017).

Reintegration: A process which restores all of the necessary qualities which will be critical for an inmate's individual success upon release from an institution of incarceration, back into the community (Guy, R., 2011).

II. Literature Review

Although the U.S. consists of only a mere 5% of the world's population, it incarcerates more than 25% of those imprisoned, across the globe (Impact of Recidivism, 2019). Upon release, many of these ex-offenders are returned to the same communities which encourage violent tendencies and promote criminal behavior, no different from the ones which they were accustomed to, pre-incarceration. Correspondingly, a perpetuation of criminal behavior exists, resulting in a national recidivism rate of more than thirty-one percent (U.S. Department of Justice, 2019). The need for CJ reform is evident in order to allow incarcerated individuals to be released upon an existing foundation which would assist them in uplifting themselves onto a more positive, established platform, therefore, lessening the likelihood of recidivist activities (Jeffries, H. S., 2018). Most recently, programs based firmly upon evidence-based methods and practices reflecting recidivism reduction, have been able to establish CJ reform efforts are not only necessary, they are also practical for implementation.

A Pattern of Problems

The United States of America (U.S.) has long had a reputation for the desire to be “#1.” That desire transitioned into reality over a three-decade period, beginning in the 1970s, when politicians began to push their “tough on crime” rhetoric around the nation as if it were the next best thing since sliced bread. The use of community-based practices, such as probation supervision, were drastically reduced in favor of mandatory prison sentencing and the incarceration rate tripled during this time (Curtis, 2015). Correspondingly, this situation is responsible for landing the U.S in the lead for the most incarcerated individuals across the globe by the time that the 1990s was concerned. Currently, almost 700,000 of these exact same

individuals are returning to communities' post-release from prisons, each year (Bryan, et al., 2015).

Over the past two decades the predicament has shifted. The prison population in the U.S., as a whole, is actually on the decline (Pompoco, et al., 2017). The largest problem which we currently face, is not that of the number of those incarcerated, but rather, with the more than 10,000 inmates released from state and federal prisons each week, two-thirds of whom are likely to recidivate within 3 years (U.S. Department of Justice, n.d.). That said, many of these released, "ex-offenders," return to the same disparaging communities that encourage violence and endure poverty, which they had once come from, without any additional knowledge or skill to hinder them from returning to the way of life which they "once knew." These individuals are the same people, once recently put into incarceration, with only a minuscule education and a great lack for opportunity. In addition, their treatment needs which are not met in most cases, are left for community supervision to deal with and therefore go unmet due to budgetary restrictions, miscalculations, or unfortunate recidivist activities (Routh, D. & Hamilton, Z., 2015).

The goal of our justice system has always been to produce a change in behavior, yet this is far from what is happening (Sentencing Project, The. 2017). The traditional criminal justice procedures, which are still predominantly in place today, are not producing the results which were expected (Impact of Recidivism, 2019). Instead, current procedures seem only to perpetuate and escalate the problem. This is precisely why it is now, more than ever, that our communities are pressing hard for a solution. We are desperately in need of a system which will provide long-term change and produce a visible impact on U.S. communities, themselves.

Reversing the Trend: Recidivism Reduction

Much of the most recent research behind reducing recidivism rates focuses heavily upon occurrences which take place during an inmate's term of incarceration and the efforts made to prepare them for release (Munro, A., Shakeshaft, A., & Clifford, A., 2017). The idea that inmates, in general, are one human family, one no different from the next, in terms of pathways into criminal behavior, common risk and need factors, and ideations for successful treatment programs, seem to have become a thing of the past. Special populations among inmates are being recognized and their differences researched, in terms of successful re-entry efforts for individuals (Pompoco, et al., 2017).

Overuse of criminal sanctions have recently become an issue dealt with by the highest of authorities, the federal government, with the passing of the FIRST STEP Act (FSA). Unbeknownst to communities in decades past, the federal government is currently acting upon the links between mass incarceration policies and larger social and political theories (Curtis, C., 2015). By shifting these ideals onto current state government officials, the FSA could become the "footprint" for the nation to follow in terms of meaningful and successful re-entry efforts for all offenders.

The FIRST STEP Act: Guidance on a Broad Spectrum

Initially, the First Step Act was not an "Act," at all. It began as a set of reform initiatives, labeled the Sentencing Reform and Corrections Act (SRCA) which was presented to congress in 2017 (Gill, M., 2018). At that time, most people had no faith in the act ever passing and correspondingly decided to "sweep it under the rug." In complete opposite fashion, the Trump

administration took great interest in the reform policies in 2018, based upon President Donald Trump's son-in-law, Jared Kushner, and his deep seeded concerns regarding incarceration after his own father served time in a federal institution (Gill, 2018). Based upon that interest, the U.S House of Representatives introduced their own reform act, standing by some of the policy agenda proposed in the SRCA, adding their own personal dashes of detail, and re-named it the Formerly Incarcerated Reenter Society Transformed Safely Transitioning Every Person (FIRST STEP) Act (Jeffries, H. S., 2018).

The FIRST STEP Act is set upon federal prison and sentencing reform; however, they did leave out any initiative based upon the universally used, "risk and needs assessment tool," which was ruled out in validity, due to it's age and lack of recent research statistics (Gill, 2018). The reforms which passed, included in the FIRST STEP Act, provide additional good time credit when earned, increased the use of home confinement as an alternative to incarceration, a 500-mile placement rule which enables prisoners to be with in a reasonable distance from their support systems in the community, and finally, released the funding and authority for more rehabilitative programming options within the federal prison system (Jackson, J., 2018).

It has only been a mere matter of months since the FSA was officially signed into federal law, therefore, there are no conclusive research statistics on that program's initiatives, to date. These initiative matters were passed along with the FSA, on behalf of the good standing statistics which have been based off of individual state run, non-profit organization's findings (Gill, 2018). One of the most successful organizations, which was able to provide conclusive data for the FSA, is based out of the state of Georgia. Georgia currently has one of the highest recidivism rates in the nation, at 50% of all offenders released from incarceration, will be back in DOC's

custody within a three-year period of time (Swavala, et al., 2016). It was there that the non-profit organization, “Project RED,” was established.

State Level Project RED’s Example

Project RED, which stands for Rehabilitation Enables Dreams, was founded in 2015 by David Lee Windecher, in the state of Georgia. Windecher had a childhood dream of becoming a lawyer, however, found himself caught in between the grips of a poverty-stricken neighborhood as a youth and quickly ended up in the CJ system. Post incarceration, Windecher decided that something had to change and that someone had to be the initiator of that change, so he took it upon himself to begin his own “self-rehabilitation,” beginning with the earning of his GED in March of 1998. He steadily remained on that path and went on to earn his Juris Doctorate degree from John Marshall Law School in Atlanta, Georgia, in 2012 (Impact of Recidivism, The., 2019).

Post Doctorate, Windecher proceeded to pass the Florida State Bar Exam in 2014 and is currently a member of the Georgia and Florida Court of Appeals and the Georgia and Florida Supreme Court (Impact of Recidivism, 2019). Windecher’s mission was to educate as many people as possible about the, “loss of humanity within the legal system,” and to attempt to allow the public to see how punitive approaches within the CJ system result in undue damages to individuals and their communities, at large (Impact of Recidivism, 2019). He developed a 12-step curriculum based on re-entry efforts for non-violent youth and first-time offenders. This soon became known as, “Project RED.”

Project RED's curriculum revolves around a 12-step educational program, offered free of cost, to any referred at-risk youth or first-time offender who finds themselves in trouble with the CJ system. These modules address topics in 4-week sessions. Some of these sessions include educating individuals about personal assessments, anger management, their own legal rights, substance abuse, emotional intelligence, and employment training (Impact of Recidivism, 2019). Students are paired with an individual mentor, based on their need's assessment taken during their initial intake session. These mentors are present solely on a voluntary basis and their goal is to reduce recidivism and the perpetuating crime cycle which has been infesting their neighborhoods for years (www.stoprecidivism.org). To date, project RED is one of the nation's leading non-profit organizations, in terms of meaningful positive data proving the reduction of recidivism by participants (Impact of Recidivism, 2019).

Project RED has the current ability to boast statistics with regard to their participants and volunteers. Currently, RED is 100% donation and volunteer run, with over \$200, 000 in donations, thus far (www.stoprecidivism.org). Most recently, there are 32 active participants enrolled in the program, all of whom were considered at- risk, non-violent youth, upon entry. Most of RED's participants have been actively participating in this program for several years and contribute to organization's claim of a 0% recidivism rate, to date (Impact of Recidivism, 2019). With programs such as this in place, our nation could begin the climb to being recidivism free.

Ultimately, it is up to us, as citizens of this nation to ensure that these non-profit organizations working for a reduction in criminal behavior and recidivism, remain and expand on all platforms. By taking action to encourage our individual state governments to pass and implement reform acts, using the FSA as a model, it will assist individuals in a safe transition

back into our communities. The confrontation to address recidivism must be a collective effort. By providing realistic and meaningful restorative based re-entry opportunities, ex-offenders will be given a legitimate “second chance,” one which is long over-due.

III. Conclusions and Recommendations

The revolving door effect of offender's recidivating is an issue that most ex-offenders in the U.S. have encountered over recent years (Sentencing Project, The. 2017). It can be challenged that current re-entry programs offered across the nation be considered as models for the future success of recidivism reduction. Programs such as Project RED, offer Restorative practice initiatives to reverse the detrimental effects of standard prosecution which occur within the traditional CJ system (Impact of Recidivism, 2019). This new tradition in law enforcement reduces crime, increases alternatives to incarceration, and ends the consistent rise in recidivism rates.

At one-third of the cost of probation, these programs not only free up taxpayer money to reinvest into our communities, but they boost the economy by cultivating more taxpaying, law-abiding citizens (www.stoprecidivism.org). Over time, the benefits to our community include, but are not limited to, a significant economic boost, reduced unemployment rates, and increased safety in our neighborhoods (Sentencing Project, 2017).

The continuity of the FSA and a following by individual state governments, is imperative for future research on successful recidivism reduction efforts. The foundation has begun to be built. It will take a collective effort on behalf of the citizens of this nation in order to ensure the future safety of our communities, as a whole. We can then, and only then, begin to co-exist as one human family.

References

American Psychological Association. (2010). *Publication manual of the American Psychological Association* (6th ed.). Washington, DC: Author.

Bryan, J., Haldipur, L., Martin, J., & Ullrich, M. (2015). Envisioning a Broader Role for Philanthropy in Prison Reform. *Society*, 52(6), 572-579.

Curtis, C. (2015). Caught: The Prison State and the Lockdown of American Politics. *New Political Science*, 37(3), 429–431. <https://doi-org.ezproxy.uwplatt.edu/10.1080/07393148.2015.1056620>

Fedock, G., Fries, L., and Kubiak, S. (2013). Service needs for incarcerated adults: Exploring gender differences. *Journal of Offender Rehabilitation*, 52(7), 493-508.

Gill, M. (2018). Threading the Needle: The FIRST STEP Act, Sentencing Reform, and the Future of Criminal Justice Reform Advocacy. *Federal Sentencing Reporter*, 31(2), 107-111.

Grawert, A., Lau, T. (2019). How the FIRST STEP Act Became Law-and What Happens Next. Brennan Center for Justice. Retrieved from <https://www.brennancenter.org/blog/how-first-step-act-became-law-and-what-happens-next>

Guy, R. (2011). Applied Sociology and prisoner reentry: A primer for more successful reintegration. *Journal of Applied Social Science*, 5(2), 40-52. doi:10.1177/193672441100500204

Hall, T. L., Wooten, N. R., and Lundgren, L. M. (2016). Post incarceration policies and prisoner reentry: Implications for policies and programs aimed at reducing recidivism and poverty. *Journal of Poverty*, 20(1), 56–72. Retrieved from <https://doi.org/10.1080/10875549.2015.1094761>

Impact of Recidivism, The. (2019) RED Program: Rehabilitation Enables Dreams online resource. Retrieved from <https://stoprecidivism.org/impact-of-recidivism/>

Jackson, J. (2018). How the FIRST STEP Act Would Restore Dignity to Incarcerated Women. *Federal Sentencing Reporter*, 31(2), 116-118.

Lind, K. (2009). Stopping the Revolving Door: Reform of Community Corrections in Wisconsin. *Wisconsin Policy Research Institute*, Vol.22 (5). Retrieved from <https://www.wpri.org/WPRI/Reports/2009/Stopping-the-Revolving-Door-Reform-of-Community-Corrections-in-Wisconsin.htm>

Mertanen, K. and Brunila, K. (2018) Prison Break. Education of young adults in closed prisons—building a bridge from prison to civil society? *Education Inquiry*, 9(2), 155-171. doi:10.1080/20004508.2017.1380478

Meyer, S., Fredericks, L., Borden, C., and Richardson, P. (2010). Implementing postsecondary academic programs in state prisons: Challenges and opportunities. *Journal of Correctional Education*, 61(2), 148-184. Retrieved from <http://www.jstor.org/stable/23282637>

Munro, A., Shakeshaft, A., and Clifford, A. (2017). The development of a healing model of care for an Indigenous drug and alcohol residential rehabilitation service: A community-based participatory research approach. *Health & Justice*, 5(1), 1-12.

Murphy, E. (2013). Paved with good intentions: Sentencing alternatives from neuroscience and the policy of problem-solving courts. *Law and Psychology Review*, 37. 83-118.

Piotrowski, C., and Lathrop, P. J. (2012). Prison-Based educational programs: A content analysis of government documents. *Education*, 132(3), 683–688. Retrieved from: <https://search-ebscohost.com.ezproxy.uwplatt.edu/login.aspx?direct=true&AuthType=ip,uid&db=aph&AN=73342115&site=ehost-live&scope=site>

Pompoco, A., Wooldredge, J., Lugo, M., Sullivan, C., and Latessa, E. (2017). Reducing inmate misconduct and prison returns with facility education programs. *Criminology & Public Policy*, 16(2), 515-547.

Routh, D. and Hamilton, Z. (2015). Work release as a transition: Positioning success via the halfway house. *Journal of Offender Rehabilitation*, 54(4), 239-255.

Sentencing Project, The. (2017). US Bureau of Justice Statistics online resource. Retrieved from <https://www.sentencingproject.org/the-facts/#map?dataset-option=SIR>

Swavala, E., Riley, K., & Subramanian, R. (2016). Overlooked: Women and Jails in an Era of Reform. Retrieved from <https://www.safteyandjusticechallenge.org/wp-content/uploads/2016/08/overlooked-women-in-jails-report-web.pdf>

U.S. Department of Justice (n.d.) Prisoner and Prisoner Re-Entry: Introduction. Retrieved from https://www.justice.gov/archive/fbci/progmenu_reentry.html

U.S. Department of Justice (2019). Department of Justice Announces the Release of 3,100 Inmates Under First Step Act, Publishes Risk and Need Assessment System. Retrieved from <https://www.justice.gov/opa/pr/departement-justice-announces-release-3100-inmates-under-first-step-act-publishes-risk-and>

Van Ness, D. W. (2010). RJ City: Phase 1 Final Report. Center for Justice & Reconciliation Prison Fellowship International. Retrieved from <http://restorativejustice.org/amsite/media/rj-city-final-report.pdf>

Wisconsin Department of Corrections (2016). Performance Measurement Series: Recidivism after Release from Prison. Retrieved from <https://doc.wi.gov/DataResearch/InteractiveDashboards/RecidivismAfterReleaseFromPrison.pdf>