

EX-OFFENDER REENTRY: AN ANALYSIS OF CURRENT POLICIES AND PROGRAMS

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Recidivism rates among ex-offender populations have consistently remained high. With over 600,000 ex-offenders being released from prison each year, reducing the rate of recidivism among the ex-offender class has become a highly debated issue. Ensuring ex-offenders successfully reintegrate into the community post-incarceration may help to reduce recidivism rates. Through a qualitative thematic analysis, this study examined various policies and programs that may impact recidivism rates among ex-offenders. The policies and programs reviewed in this study were categorized among six main themes which were identified in prior literature as the most crucial elements needed for successful reintegration. The findings indicate that while many policy changes have been made to positively impact ex-offender reintegration by allowing initial access to services post-release from prison, more should be done to ensure ex-offenders actually receive needed services.

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CHAPTER 1

INTRODUCTION

Factors Associated with Successful Prisoner Reentry

One of the most important elements of an effective justice system is ensuring ex-offenders are able to successfully reintegrate into society. Over the last several decades, prisoner reentry has become a central topic of recidivism debates. Due to various policy changes driven by popular punishment philosophies, America's prison and jail systems have experienced increased volumes of prisoners going in and out of its doors. Nearly 630,000 inmates are released from prison each year which raises public safety concerns (Travis, 2005) since nearly 80 percent reoffend within five years post-release and return to prison (Durose, Cooper, & Snyder, 2014). While not all states experience an increase in prison population as a result of reentry failures, some states are familiar with rising numbers of parole violations which adversely impact their prison populations. In California, approximately one-third of the prison populace are parole violators readmitted for technical violations or a new sentence (Austin, 2001). Similarly, the Texas Criminal Justice Policy Council (as cited in Austin, 2001) found that sixty-seven percent of prison admissions are offenders who were unsuccessful at completing the requirements of their community supervision.

As prisoners are released, the primary concern becomes their successful reentry, or reintegration, into society in hopes of reducing the likelihood of recidivism. Recidivism occurs when a person returns to a life of crime after receiving an intervention for a previous crime or following a period of incarceration (Travis, 2005). As alluded to earlier, ex-offender recidivism is considered an imperative issue because people released from prison often return to prison for either committing a new offense or violating the conditions of his/her parole. According to

Austin (2001), state prisons are largely unsuccessful at providing an integrated pathway for the successful reentry of released offenders back into the community. The average sentence served by incarcerated individuals is 28 months and roughly 17 percent of state prisoners are released from prison within one year after being incarcerated (Lynch & Sabol, 2001). The inescapable truth is that eventually they will all return to their communities and attempt to become functioning members of society (Travis, 2005).

Prisoners face daunting challenges while attempting to reenter society. Whether it be documented problems with health issues and mental illness, finding employment, lack of a positive support network, or substance addictions, ex-offenders must confront all these challenges in order to successfully rejoin their community after leaving prison. Additionally, ex-offenders may face legal barriers, or “invisible punishments,” associated with having a criminal background that may increase the stress associated with reentry (Visher, 2007). Some of these barriers may involve prohibition from various occupations (e.g., health care, child care, import/export, real estate, etc.), restrictions to government benefits (e.g., student loans, food stamps, federal housing, etc.), and even the potential of losing parental rights. Such legal barriers combined with mandatory parole conditions (employment, restitution, parole fees, and face-to-face parole reporting), make the time following release from prison particularly crucial (Equal Employment Opportunity Commission [EEOC], 2012; Visher, 2007).

Koschmann and Peterson (2013) found that released offenders often reenter society with additional disadvantages: limited welfare qualification, untreated substance abuse addictions, restricted employment opportunities, mental health problems, and possible revocation of parental rights. As noted by Travis and Petersilia (2001), the U.S. has paid dearly for its prison growth, namely being ill-equipped to aid in the return of ex-offenders to the community with little

attention given to developing skills, connecting offenders to employment opportunities, and providing substance abuse treatment. The most common themes associated with successful reentry include: available housing, rehabilitation and treatment programs, governmental benefit programs, health care, employment opportunities, and effective parole supervision (Visher, 2007; Naser & LaVigne, 2006; Travis, 2005; Travis & Petersilia, 2001).

Self-reported data generally indicates offenders have high expectations of successfully reintegrating into society. Unfortunately, this perspective may be based on false hope. Typically, when former prisoners are faced with obstacles, they can become dejected and may fall back into their previous tendencies toward criminal behavior. Therefore, in conjunction with economic stability, housing, and the provision of basic needs (e.g., food, clothing, etc.), additional resources and learned skills are immediately needed for ex-offenders to successfully stay out of prison (Visher, 2007).

Legislative Involvement

Since the mid-1990s, the U.S. has seen declines in most crime categories that are akin to those of the 1970s. Despite the declines, imprisonment rates have remained constant or have increased. The current prison population can be attributed to three main legislative actions, all of which are susceptible to policy reform. First, a large percentage of prison growth in the U.S. is an outcome of an increase in the average length of time inmates are to remain incarcerated (Travis, 2005). Typically, offenders may be eligible for early release from prison if they have good behavior standings while incarcerated. Referred to as “truth-in-sentencing,” prisoners are required to serve a large portion and, in some cases, the entirety of their sentence without the

possibility of early release (Ditton & Wilson, 1999; Austin, 2001). This increase in prison sentence length was a legislative action created to target violent offenders (Travis, 2005).

Second, the high incarceration rate has been largely fueled by sentences for drug related offenses (Travis, 2005). Mandatory minimum sentences, which are enacted by Congress, automatically require judges to give offenders specific minimum sentences for their offenses. These sentences were originally created for drug offenses but have since been used for other offense types (Ditton & Wilson, 1999). Lastly, parole violators keep the rotating door of the prison spinning as they go in for short periods of time, are released, only to find themselves back in prison. This group of individuals contributes to the sustained prison population. While a few states have made strides in reducing their prison populations by reforming “truth-in-sentencing” and mandatory minimum guidelines, other states must follow suit to change the current state of affairs. Ultimately, police reforms are needed to create significant drops in the prison population, as simply relying on crime rate reductions is ineffective. To truly reduce the prison population, new crime policies must be created to improve prisoner reentry strategies (Travis, 2005).

As expected, these policy changes created a shift in the amount of time prisoners remain incarcerated. Thus, as more and more prisoners are sent to prison to serve the entirety of their sentence, former prisoners being released and returned to society at a constant rate. This influx of released offenders can strain the communities which already disproportionately accept those being released. For example, in 2001, nearly one half of returning prisoners were released to New York, California, Illinois, Texas, and Florida. In these states, all released offenders returned to only 35 counties. A sudden flood of ex-offenders returning to the same areas can negatively impact the social efficacy of the community. If those released from prison happen to reoffend, the community may suffer the social costs (Wheeler & Patterson, 2008).

In recent decades, the U.S. has experienced higher levels of prisoner reentry. Travis (2005) postulates that a considerable amount of crime, measured through arrests, can be credited to ex-offenders recently released. He argues this phenomenon is greater now than it ever has been which should give policymakers encouragement to develop strategies that will result in a reduction of ex-offender recidivism rates. In brief, if the primary concern is to lower crime rates, effort and resources should be given to promote successful reentry of prisoners back into the community. Considering almost 30 percent of violent crime arrests may be a result of reentry failure (i.e., reoffending or parole revocation), policymakers must try to find ways to address this issue, especially if they hope to ensure public safety (Travis, 2005).

Recently, interest in prisoner reentry has extended beyond the confines of academia as the issue has received attention from policy-makers. Several initiatives were formed in an attempt to find relief for the overburdened correctional system and identify ways to handle the ever increasing number of prisoners being released each year from state and federal institutions. One example is the Serious and Violent Offender Reentry Initiative (SVORI) which was formed in 2003 to help reduce the probability released offenders would continue in criminality and imprisonment. SVORI seeks to improve reentry outcomes for employment, housing, education, and healthcare coverage (National Institute of Justice, 2014).

After evaluating the effectiveness of SVORI, Lattimore and Visher (2010) found there was no difference in improved healthcare, recidivism, and housing between SVORI participants and non-participants. Notably, SVORI participation did improve ex-offenders' access to reentry programs post-release from prison. While this indicates that SVORI participants have a better reentry plan, access to services did not last over time. Results of the SVORI evaluation demonstrate that reentry processes must be combined in order to achieve success; simply

providing one service while not address other concerns may prove to be disappointing (Lattimore & Visher, 2010).

Finally, the Second Chance Act of 2007 was passed by Congress in an effort to give federal monies to states in hopes of improving reintegration processes for former inmates (Visher, 2007). The initiative is specifically intended to improve employment opportunities, drug and alcohol treatment programs, available housing, counseling, and other support systems for ex-offenders returning to the community (Second Chance Act of 2007, 2008). Evaluation research for the Second Chance Act of 2007 is still ongoing so the impact of programs associated with the act is still unknown (National Institute of Justice, 2016). While these initiatives are positive signs that Congress is attempting to help limit the obstacles facing ex-offenders during the reentry process, more effort is needed to ensure ex-offenders can achieve successful reintegration.

Research Questions

Improving the recidivism rates of released offenders by addressing prisoner reentry through policy initiatives has become a principal issue in the U.S. While attention on prisoner reentry has grown in recent years, a study of the impact of policies relating to reintegration is needed. To date, most attention regarding prisoner reentry is focused on the evaluation of specific reentry programs. This research aims to evaluate the impact programs and policies may have on ex-offender recidivism and reintegration. By analyzing current policies and programs related to prisoner reentry, this study hopes to answer the following research questions:

1. What policies and programs impact risk factors associated with recidivism?
2. What policies and programs increase recidivism rates, and how?
3. What policies and programs decrease recidivism rates, and how?

This study will use thematic analysis to identify policies and programs used across the U.S. created to impact ex-offender reentry post-release from prison. These policies and programs will be identified using websites and research articles. The policies and programs may be created by informal social organizations or implemented by formal government agencies. The factors introduced in this chapter represent the main themes which were previously identified in the literature as factors necessary for successful ex-prisoner reentry back into the community post-release from prison. The policies and programs identified in the following chapter will be categorized according to the six main themes: employment; housing; effective parole/probation supervision; rehabilitation and treatment programs; government benefits; and healthcare.

Conclusion

Traditionally, prisoner reentry concerns have fallen to the wayside of criminal justice policy. Under the established models of retribution and punishment where determinate sentencing and “tough on crime” policies exist, prisoner reintegration had no place. However, addressing prisoner reentry has become a necessary undertaking in order to improve the recidivism outlook for ex-offenders returning to society. In general, research recommends that ex-offenders must have certain benefits in order to successfully reintegrate: employment; housing; effective parole and/or supervision; rehabilitation and treatment; government benefits; and health care. There have been occasional policy attempts (e.g., SVORI, Second Chance Act, etc.) to relieve some of the challenges ex-offenders face when reentering society, but these have shown to be ineffective over time.

The current study seeks to identify the policies directed at prisoner reentry and to analyze their effectiveness at reducing recidivism among the ex-offender population. The following

chapter describes the factors needed for ex-offenders to reintegrate successfully. An in-depth review of the literature provides a synopsis of what we already know regarding prisoner reentry. Insight into why each factor is important for successful reentry and its effect on recidivism is discussed.

CHAPTER 2

REVIEW OF THE LITERATURE

Introduction

The purpose of this literature review is to summarize the research on prisoner reentry relating to the factors necessary for successful reentry and lower recidivism among ex-offenders being released from prison. The goal of the literature review is as follows: 1) provide insight into the challenges ex-offenders face when reentering society post-incarceration, 2) highlight how these challenges affect recidivism rates of released offenders, and 3) provide the context needed to frame the current study in terms of analyzing how policies address prisoner reentry and recidivism.

Employment

Research shows that gainful employment post-release from prison and retaining family ties while incarcerated are key factors for successful reintegration and lower recidivism. Ex-offenders' ability to obtain employment may be mediated by family members helping them find employment once they are released from prison (Berg & Heubner, 2011). Even though approximately two-thirds of prisoners within the U.S. worked prior to incarceration, ex-offenders report that finding employment is the primary concern when preparing to reenter society post-release from prison (Visher, 2007). Maintaining contact with community members while incarcerated, specifically family and friends, increases offenders' chances of obtaining employment in a shorter amount of time compared to their counterparts (Nelson, Dees, & Allen, 1999; Visher & Kachnowski, 2007; Mallik-Kane & Visher, 2008). Pogrebin, West-Smith, Walker, and Unnithan (2014) found that almost half of the participants in their study of Colorado

parolees lived with their family post-release from prison; consequently, those respondents obtained employment quicker than respondents who did not reside with family post-release from prison.

Visher, Debus-Sherrill, and Yahner (2011) argue that ex-offenders who are able to reconnect with previous employers will likely have an increased chance of swiftly obtaining employment. Prisons can act as a mechanism for making it more difficult for prisoners to develop work skills, time management skills, and relationships with prospective employers ultimately lessening human capital (Travis, 2005). Unfortunately, due to parolees' traditional lack of legitimate employment histories, connections with former employers may not be an option (Pogrebin, West-Smith, Walker, & Unnithan, 2014). Brown (2011) argues that locating and securing sustainable employment and gaining financial security are factors which can reduce recidivism risks for ex-offenders.

Extant literature details that state mandated parole expenses, financial restitution, housing costs, court expenses, and personal debt are examples of mandatory, and often unsurmountable, financial obligations which may compound the issues associated with successful reentry (Bannon, Nagrecha, & Diller, 2010; Pogrebin et al., 2014). Additionally, financial obligations not imposed by the criminal justice system such as child support, interest fees, late fees, collections, or payment plan fees connected to a parolee's failure to pay bills while incarcerated may impact their ability to provide for basic needs (Shivy et al., 2007; Bannon et al., 2010). Plus, failure to pay debts may be a violation of parole which can lead to reincarceration (Bannon et al., 2010). These discouraging circumstances can create feelings of predetermined failure and diminished hope for successful reentry (Pogrebin et al., 2014).

Legal restrictions, the negative stigma accompanying a criminal record, and the lack of education, skills, or training can impede an ex-offender's ability to secure employment (Brown, 2011). Public policies at the state and federal levels of government can present challenges to successful reentry evident through ex-offenders being restricted from student loans and public aid (Harrison & Schehr, 2004). Contrastingly, some policy initiatives are tailored to alleviating such restrictions. Initiatives, like "Ban the Box," are aimed at attempting to abolish the constraint on job applicants to disclose any felony convictions during the initial application stages for jobs which are publicly financed. After the former prisoner has been identified as a qualified candidate to be further considered, the employer may then request any criminal history information (Visher, 2007).

Travis and Petersilia (2001) note successful reentry is largely reliant upon the individual's ability to secure employment that can fund, at minimum, basic living expenses. If an ex-offender is able to secure employment, it is typically unskilled work for lesser earnings compared to their counterparts (Becker, 1968; Grogger, 1995; Western, Kling, & Weiman, 2001; Kling, 2006; Lyons & Pettit, 2011). To describe the difficulties ex-offenders face when trying to gain employment post-release from prison, Pogrebin et al. (2014) examine the financial responsibilities of ex-offenders that can thwart sustainable economic stability even when the individual is gainfully employed. Data collected through interviews with parolees who were asked questions regarding employment obstacles they faced when reentering society show those who were unable to gain employment were highly likely to fail and may return to prison on a technical parole violation.

Having a criminal record can influence employer attitudes toward hiring ex-offenders which may negatively impact parolees' ability to successfully reintegrate into society post-

release from prison (Swensen, Rakis, Snyder, & Loss, 2014). Individuals lacking training or education face great difficulty obtaining employment (Pogrebin et al., 2014), however; individuals with a criminal record have reduced odds when considered for employment (Pager, 2003; Vacca, 2004). Nally, Lockwood, and Ho (2011) found that offenders who are exposed to formal education or job-specific training while incarcerated are less likely to reoffend and more likely to experience higher rates of employment post-release from prison. These findings suggest education and job training opportunities while incarcerated increases an offender's likelihood of success once released from prison (Nally, Lockwood, & Ho, 2011).

Holzer, Raphael, and Stoll (2002) found that employers are more likely to hire non-criminal individuals receiving welfare, or those with little job experience, over ex-offenders. Having a college education may be the only mitigating factor for employer attitudes concerning hiring individuals with a criminal record. Employers may associate having a criminal record with untrustworthiness. When considering individuals for employment, employers are more likely to hire people without a criminal record compared to respectively qualified ex-offenders (Pager, 2003; Holzer, Raphael, & Stoll, 2007). Researchers report that ex-offenders attempt to overcome the negative effects of a criminal record on employment consideration by concealing their criminal histories to avoid disqualification based on their ex-offender label (Harding, 2003; LeBel, 2012; Pogrebin et al., 2014). Sadly, this strategy may prove ineffective for long-term, preferable positions due to mandatory background checks (Harding, 2003; Pogrebin et al., 2014).

Restitution must be paid to victims to compensate for the victims' monetary loss. Restitution shadows the offender while they are incarcerated and must be paid as a parole condition. Typically, the monthly payment is set by the parole officers and based on the ex-offender's income. The payment amount can fluctuate depending on whether the ex-offender has

obtained employment, the amount of income they receive, and can vary over time as income changes occur (Pogrebin et al., 2014).

Ex-offenders who are unable to gain economic stability may find themselves in a state of dependency perpetuating the stigma that they are still irresponsible and did not learn from their imprisonment. An inability to secure employment post-release from prison is essentially the last nail in the coffin of reentry failure. Unfortunately, employment alone is not a guarantee of financial security, since even job security does not seem to solve the growing debt problems accompanying parole obligations. After leaving prison, individuals may be relieved of their inmate label but still be confined by additional devastating challenges: the permanence of stigma in a capitalist driven society which places boundless importance on economic success. The best of intentions would crumble under these circumstances. Although many believe reentry shortfalls are a result of personal inadequacies, the challenges ex-offenders face are so overwhelming it is no wonder reentry frequently fails (Pogrebin et al., 2014).

Housing

Having a criminal record can inhibit ex-offenders from public benefits, housing, and even housing subsidies (Geller & Curtis, 2011). Former prisoners returning to the community may have problems trying to live with friends and/or family members who reside in public housing (Harding, Morenoff, & Herbert, 2013). This is due, in part, to the ex-offenders' poor economic circumstances, namely a lack of employment and unsatisfactory credit histories. In addition, many property managers require a criminal history background check which can negatively impact the acceptance of a housing application. Some federal policies restrict individuals with criminal records from living with tenants of public housing (U.S. Department of Housing and

Urban Developments, 1996). In some instances, the tenant may face eviction if anyone residing in the home is involved in criminal activity with or without their knowledge (*Department of Housing and Urban Development v. Rucker*, 2002). The threat of eviction can potentially create hesitancy on the part of the tenant to offer help to individuals with a criminal history (Harding, Morenoff, & Herbert, 2013).

The conditions of parole an ex-offender must follow enforce restrictions on where they can reside. For instance, those with a sex offense conviction are generally barred from living near schools or childcare facilities. Those who are electronically monitored, such as wearing an ankle bracelet, may be required to live where they have access to a home phone or internet access. This allows parole officers to monitor their clients through data transmission. In many states, ex-offenders receive home visits as part of their parole conditions. Home visits give the parole officer an opportunity to determine if the parolee is involved with criminal activity, if there are illegal substances or firearms in the home, and to verify those living with the ex-offender do not have a criminal record, all of which are violations of their parole agreement (Harding, Morenoff, & Herbert, 2013).

Housing restrictions, like those mentioned earlier, pose threats to released offenders that can potentially cause them to be unsuccessful when reentering society. As these restrictions limit living arrangements by location, they also restrict the type of people with whom ex-offenders can live. Unfortunately, the social networks of a large portion of returning ex-offenders would fall into the category of “restricted.” A study conducted by Metraux and Culhane (2004) reviewed the housing status of all released and paroled individuals from 1995 to 1998 ($N = 48,424$) in New York. The authors found that two years post-incarceration, roughly 11.4 percent of ex-offenders resided in a New York City homeless center.

Few studies have examined the mobility and instability of housing among offenders attempting to reenter society post-incarceration (Harding et al., 2013). Petersilia (2003) argues we know very little regarding the specific living arrangements of released offenders. One study (Gellar & Curtis, 2011) analyzed the mobility and instability found among fathers involved in the Fragile Families and Child Wellbeing study. The findings of the study were rather dismal. They found that fathers who had previously been incarcerated were significantly more likely to have unstable living conditions, or even be homeless, compared to fathers who had not been incarcerated. Harding and his colleagues (2013) analyzed a sample of released offenders ($N = 3,221$) in Michigan to determine their residential trajectories post-incarceration. Contrary to conventional belief, the study showed most former prisoners do not return to their pre-incarceration neighborhoods. One important implication of these findings is that ex-offenders who are unable to easily rejoin their community may lack access to social networks and economic support which are important for successful reentry (Harding et al., 2013).

Research shows that ex-offenders have a greater likelihood of successfully reintegrating into the community post-release from prison when there is a supportive family network (La Vigne, Visher, & Castro, 2004; Kushel, Hahn, Evans, Bangsberg, & Moss, 2005). Alternatively released offenders experience financial relief when given the opportunity to live with family and/or friends as reported by Visher, Debus-Sherrill, and Yahner (2011). Contrastingly, returning to a different community post-prison may help propel ex-offenders toward successful reentry. Returning to a potentially criminogenic neighborhood post-release from prison may encourage a renewed interest in criminal activity and/or drug use for former prisoners (Harding et al., 2013).

Effective Parole/Probation Supervision

Parole supervision is a potentially valuable component of prisoner reentry. Successful reentry is more likely to occur when the offender's post-incarceration supervision is aimed at helping them overcome any challenges they may face upon returning to the community. Community supervision can involve either parole or probation. Parole refers to a term of conditional supervision following a term of incarceration. Individuals on parole, referred to as parolees, can be supervised after being mandatorily or discretionarily released from prison. Probation is the supervision of an individual in the community by the criminal justice system. Generally, probation is ordered by the court as an alternative to prison. In some instances, probation may be combined with incarceration where the term of probation is served following the term of imprisonment (Herberman & Bonczar, 2014).

A major consideration in ensuring ex-offenders are able to successfully reintegrate into society is providing individualized case management in order to effectively address the extensively diverse needs traditionally prevalent among ex-offender populations. In 2005, nearly 400,000 inmates were released from state prisons in 30 states. Approximately 67.8 percent of the released former prisoners were rearrested within three years following their release from prison. Within five years of being released to the community, 76.6 percent were rearrested. The reported rearrests were for the commission of new crimes (Durose, Cooper, & Snyder, 2014). By the end of 2014, roughly 1,561,500 adults were serving time in state and federal prisons (Carson, 2015). In 2015, the Bureau of Justice Statistics reported around 6.8 million adults were under some form of criminal justice supervision. Of the 6.8 million individuals receiving some form of supervision, 4.7 million were parolees or probationers under supervision (Kaeble, Glaze, Tsoutis, & Minton, 2015).

The increase in parole failure rates, along with a rising parolee populace, has overwhelming repercussions for America's prison population (Travis & Petersilia, 2001). In 2005, roughly 68 percent of prisoners ($n = 404,638$) in 30 states were rearrested within three years of being released from prison. Within five years of release, 76.6 percent of ex-offenders were rearrested (Durose, Cooper, & Snyder, 2014). In 2013, 16.4 percent of adults exiting parole were re-admitted to prison as a result of a parole revocation for technical violations (Herberman & Bonczar, 2014). Parole violators are those who are sent back to prison for engaging in a new offense or for a technical violation (Beck, 2000). Thus, the combination of the constant rate of prison admissions for new offenses and technical violations in recent years potentially contributes to parole violations being a significant factor in the increased prison population (Travis & Petersilia, 2001).

The reduction in the use of parole boards as the assessment tool to determine whether an offender is ready to be released back into society (typically based on behavior while incarcerated and/or treatment program participation) has possibly alleviated the pressures for prisoners to ready themselves for reentry (Travis, 2005). Over time, the role of a parole officer has changed. While parole used to be focused on providing the best care for offenders and helping them successfully reintegrate, presently the emphasis is on supervision. Historically, parole officers were responsible for coordinating services following the offenders release from prison. These personal services would link ex-offenders to job opportunities, help schedule service provider (e.g., drug treatment, psychologists, etc.) appointments, and possibly giving them small sums of money for emergency situations (Visher, 2007).

Today, parole and probation officers do not receive adequate training necessary for linking the ex-offender to needed support services. Due to full caseloads, parole officers may

also find they have insufficient time necessary for helping former prisoners get back on their feet. With the fleeting emphasis placed on reentry services, parole officers may find their main job function to be keeping a watchful eye over those on their caseload by using surveillance control. To improve parole supervision, case management tactics should cover an array of needs through each of the reentry stages: prerelease from prison through post-release supervision. Further, making sure parolee case files are regularly updated will increase parole supervision effectiveness (Visher, 2007). Helping ex-offenders develop treatment plans for when they are released from prison and linking them to quality treatment programs once they return to the community is an example of proper case management from the prerelease stages to the post-release stages of ex-offender reentry into society post-incarceration (Petersilia, 2003).

One study was conducted by Solomon, Kachnowski, and Bhati (2005) on the effectiveness of parole supervision in terms of recidivism. The project assessed the recidivism status of ex-offenders who were under some form of supervision versus former prisoners released unconditionally. Results of the study demonstrate that ex-offenders released under state supervision are only somewhat less likely to recidivate compared to released prisoners receiving no supervision. Finally, supervision was found to be most effective within the first six months post-release from prison (Solomon, Kachnowski, & Bhati, 2005).

In prior decades, prisoner intake leveled off bringing releases and prison admittances to a paralleled rate (Beck, 2000). However, in recent years, the balance has been disturbed resulting in an exponential increase of released offenders while the rate of incoming prisoner cohorts has remained constant. This constant rate of prison admittances may be a result of sentencing philosophy shifts and the creation of harsher sentencing policies. While new and rearrested offenders are continually being sent to prison, a growing number of prisoners must to be released

to avoid prison overcrowding issues. Unfortunately, the operation of parole and probation systems became inept at managing the influx of parolee cases. To accommodate this growing population of released offenders, the role of parole supervision was forced to make adjustments. As expected, more and more offenders are being released without any form of community supervision (Travis & Petersilia, 2001).

One view of this new pattern is that parole supervision has been ineffective at reducing arrests for new offenses, yet effective at increasing arrests for technical violations. Prior research lends no support for the case that technical violations prevent new criminal activity. Simply stated, a parole requirement does not equate to fewer new crime commitments (Petersilia & Turner, 1993). Conversely, if transitioning from incarceration to the community is indeed fraught with complications, then effective supervision focused on creating a smooth transition is paramount. Public safety is also a supporting factor for community supervision. Considering traditionally violent offenders who have completed their required sentence and are released straight from confinement to the community, parole supervision would be beneficial in ensuring the ex-offender remains in accordance with his/her conditions of parole (Travis & Petersilia, 2001).

As previously mentioned, the increase in caseloads has not been equally met with an increase in resources (i.e., spending). Not only has funding has not increased to meet caseload demand, but in many cases parole funding has decreased (Travis & Petersilia, 2001). Essentially, as the parolee to parole officer ratio continues to expand, fewer resources are available to sustain the current system of requirements. Travis and Petersilia (2001) argue that the current state of parole affairs has left much to be desired. Regardless of the varying sentencing attitudes governing what individuals go to prison, ex-offenders are returning to the community through a

broken model of reintegration. This model has recessed performance function which may be more concerned with returning parole violators to America's prison system rather than encouraging successful reintegration. Punishment and sentencing philosophies should maintain successful reintegration objectives; because, in the end, prisoners are released and most attempt to effectively reenter society regardless of the motives of the current aims of punishment. The authors claim the only way to achieve this is by eliminating the parole system and changing to a system solely focused on reintegration (Travis & Petersilia, 2001).

Due to the minimal impact current parole supervision processes may have on recidivism (Solomon, Kachnowski, & Bhati, 2005), "reinventing parole" has become a new goal for prisoner reentry strategies (Travis, 2005). Austin (2001) suggests that since formal supervision often leads to reincarceration, usually as a result of technical violations or misdemeanor acts, reentry processes should be altered, either by eliminating supervision for some released offenders or decreasing the timeframe of supervision. Taxman (2007) believes refocusing the goals of supervision toward a process with specific stages and objectives that the ex-offender can realistically follow is needed to ensure successful reentry.

After reviewing all the complex disadvantages ex-offenders may face during the reentry process, it is plausible that a generic solution is not possible to guarantee successful reentry for all ex-prisoners returning to society. Researchers have pushed for an expanded focus on broad strategies that can help address a multitude of issues individual offenders may have. The objective of prisoner reentry efforts should be reintegration, not just the reduction in recidivism, in order to be effective in getting ex-offenders to fully participate in the community post-release from prison (Visher, 2007).

Rehabilitation and Treatment Programs

Importantly, the likelihood ex-offenders will successfully return to the community post-release from prison may increase when rehabilitation and treatment services are offered immediately following their release from prison (Visher, 2007). Maltz (2001) conducted a study examining the role of perceived societal attitudes toward recently released prisoners. His study found that ex-offenders were 13 times more likely to die within two weeks of being released into the community compared to a comparable demographic group who had not experienced prison release. The main causes of death found in the study were homicide, drug overdose, suicide, and heart disease.

Seventy percent of state prisoners and 64% of federal prisoners report having a history of drug and/or alcohol abuse (Mumola & Karberg, 2006). Irrespective of the funding set aside for treatment programs within prisons, ex-offenders with a history of substance abuse who need treatment do not receive it (Travis & Petersilia, 2001). Policies related to drug treatment converge with criminal justice policy through the lens of recidivism concerns. Research shows that participating in drug treatment programs in the timeframe just prior to release, when merged with continued treatment post-release, may significantly diminish drug use and decrease recidivism (Leshner, 1997; Harrison, 2001).

In an evaluation of Delaware's drug treatment programs offered to offenders with drug or alcohol abuse histories, Harrison (2001) concluded how imperative drug treatment is as offenders transition to the community after release from prison. Delaware's programs consisted of treatment in prison and an intense work-release program outside of prison. Offenders either participated in one or both of the treatment programs; however, drug-involved offenders who participated in both experienced less future drug abuse and lower rates of recidivism at the

follow-up period compared to participants in only one program or those who received no treatment (Harrison, 2001).

A large number of ex-offenders are required to abide by conditions set by the parole system or court as part of their sentence. For many, drug and alcohol treatment are required. Some may be required to attend a 12-step program, such as Narcotics Anonymous or Alcoholics Anonymous, while others must abstain from substance abuse which can be monitored by requiring the parolee to submit random drug tests for screening to ensure compliance with the conditions of their release. Unfortunately, one of the biggest barriers to providing treatment to offenders during the reentry phase is the misguided belief that treatment is ineffective. Also, the increasing costs of healthcare required to treat offenders while incarcerated often outweighs the benefit of offenders receiving treatment since rehabilitation is often viewed as ineffective (Harrison, 2001).

Traditionally, drug abuse has been segregated to a public policy corner, shoved there by public perceptions of drug use, and ultimately controlled by the criminal justice system. Science demonstrates that substance abuse or addiction is as equally a public health concern as it is a social justice problem. One concern related to releasing offenders with a history of drug and/or alcohol abuse is illustrated in prior literature which found that addiction is a disease that negatively affects the brain. Persistent drug use produces pervasive modifications in brain function that may exist long after stopping the drug use. Subjection to “conditioned cues” can be an important influence in returning drug habits or cravings regardless of past treatment success (Leshner, 1997). Travis and Petersilia (2001) explain the difficulties which accompany this disease can be intensified once the parolee returns to his/her community. Old plights and habits

can act like a spark to the brain, subsequently increasing cravings which can place the addict at a heightened risk of relapse (Travis & Petersilia, 2001).

Focusing on the substance abuse treatment needs of ex-offenders is critical in reducing the social costs and incarceration costs of crime. A change in public opinion regarding continued substance abuse treatment post-release from prison is imperative to reducing drug abuse and recidivism. The cost-benefit analysis explained above should be at the forefront of education initiatives when vying for policy changes. Equally vital is the understanding that drug addiction is not an easily treated, flu-like disorder. Evaluating treatment should be based on an understanding that addiction is a disease and any reduction in substance use or any progress in social performance should be considered a success. The goal is to stop believing that relapse is the nail in the coffin for drug-involved offenders. Helping offenders move beyond the relapse toward a continued effort of abstinence is vital to continued treatment success (Harrison, 2001).

Leshner (1997) believed a correct understanding of the effects of drug use should change the responding strategies employed by the criminal justice system. If the primary issue is with how drug use affects the brain, then a criminal justice perspective for combating the problem is only half of the equation. Focusing treatment on the brain should be at the center of the solution. For instance, once offenders are identified as having a dependency on drugs, it becomes unacceptable to merely incarcerate them. As research indicates that without treatment recidivism is likely to occur, incarceration without treatment makes little sense (Leshner, 1997).

Government Benefits

Even after ex-offenders pay their debt to society, they may remain subjected to various restrictions. These restrictions can remain a hindrance long after the former prisoner has

completed his/her sentence, and can potentially become permanent. Several state and federal policies restrict former prisoners from accessing public assistance, student loans, exercising his/her right to vote, and holding a valid driver's license. Additionally, running for office, adopting children, acting as a foster parent, and even serving on a jury are privileges no longer enjoyed by ex-offenders. Some states have laws requiring restrictions, such as being disqualified from voting, while other state laws authorize gate keepers (employers, housing authorities, etc.) to place restrictions. Further, some laws help facilitate restrictions, like allowing criminal record information to be publicly shared (e.g., sex offender registry). Interestingly, such restrictions cannot be identified as a component of a criminal sanction, nor part of criminal law (i.e., criminal codes) (Hoskins, 2014).

Scholars have noted that although restrictions are considered to be civil disqualifications, they should actually be viewed as punishments (Karlan, 2004; Chin, 2012). Restricting access to public benefits may be intended to specifically target dangerous ex-offenders, but the infringement they have on the rights of non-dangerous ex-prisons raises moral concerns. The use of restrictions may be unjustified when the risk of harm is improbable or insignificant. For example, the use of welfare restrictions as a risk-reduction ploy may not hold up to critical analysis. Restricting ex-offender access to welfare benefits became acceptable because of a wide-spread belief that welfare monies given to ex-offenders would be used to purchase drugs. For this reasoning to be supported, there would have to be a great number of ex-offenders buying drugs with welfare funds and the resulting consequences would need to be significantly harmful for the community. Meanwhile, ex-offenders who would in fact use welfare benefits as they are intended, such as providing for their families, may be adversely affected by these collateral consequences (Hoskins, 2013).

Moreover, the financial burden sometimes placed on families caring for former prisoners gets overlooked. Former prisoners turning to their families for support immediately following their release from prison can place extra financial strain on the family, especially if they are already receiving government benefits. Often, social service benefits are not adjusted to account for the addition of former inmates as part of the family unit (Visher, 2007). This hardship can further disenfranchise the ex-offender while producing undue stress on those caring for them.

Health Care

While incarcerated, prisoners are supposed to receive adequate healthcare, as mandated by the Eighth Amendment (*Estelle v. Gamble*, 1976; *West v. Atkins*, 1988). Upon release, however, problems arise for ex-offenders regarding sufficient healthcare provisions as treatment options may be limited. Research shows that lower recidivism rates and lower likelihood of future substance abuse can be attributed to ex-offenders having access to healthcare (Freudenberg, Daniels, Crum, Perkins, & Rickie, 2005). As discussed above, providing routine substance abuse treatment to parolees throughout the stages of reentry can profoundly decrease the number of individuals returning to prison for drug related reasons (Travis & Petersilia, 2001).

In a recent study, Cuellar and Cheema (2012) strive to explain the importance of health insurance coverage for ex-offenders, especially considering their exceptionally poor health upon release from prison. To do so, the authors estimated the number of offenders released from prison who would be eligible for Medicaid assistance along with those who would qualify for a federal tax credit which could be applied toward purchasing insurance. Over thirty percent of former prisoners in the sample were eligible for Medicaid. Around twenty percent were eligible for federal tax credits. Simply stated, nearly half of the released offenders in the sample would

receive health insurance and federal provisions. These researchers propose that ensuring health insurance coverage is held by ex-offenders reentering the community is important due to the severity of diseases, such as HIV or TB, and chronic illnesses that plague the offender population (Cuellar & Cheema, 2012). These findings illustrate the need for policy changes directed at providing health coverage to more former inmates by possibly making the eligibility requirements even less stringent.

Individuals leaving prison are less likely to have access to affordable health insurance coverage. The health conditions and bleak employment prospects that often mark former inmates further confound issues with procuring health insurance. Employer-based health coverage may be unavailable or too expensive if the position is part-time, low wage, or only temporary. This leave former inmates with the daunting financial task of finding other means of obtaining health insurance coverage. Even though the ex-offender may have received Medicaid benefits before their incarceration, often they miss the renewal requirement for continued benefits while incarcerated (Cuellar & Cheema, 2012).

Furthermore, renewal of Medicaid benefits can present problems for released inmates. For instance, there is an identification requirement for renewal, but for former inmates, identification is often lost or expired making renewal virtually impossible. For ex-offenders, renewing an identification card or driver's license may pose issues depending on the state in which the offender resides (Cuellar & Cheema, 2012). Supplemental Security Income (SSI), another form of government healthcare assistance that may be available for ex-offenders, is usually reserved for individuals who are: U.S. citizens; sixty-five or older; blind or disabled; earning a limited income; and limited on resources. There are a multitude of other stipulations

that fall into the category of citizenship requirements that are less relevant to the current discussion (Social Security Administration [SSA], 2016).

Individuals who meet the requirements for SSI eligibility are not guaranteed acceptance. In the past, former inmates were disqualified from SSI if they resided in a halfway house where they were still considered to be part of the department of corrections. Ex-offenders and probationers who violated the conditions of their release faced penalties related to their continued benefit eligibility. Additionally, individuals were required to answer to any felony warrants before attempting to renew or apply for SSI benefits. Importantly, SSI eligibility is usually followed by Medicaid benefits (Cuellar & Cheema 2012).

Cuellar and Cheema (2012) provide several policy change options that may help to improve former offenders' opportunities to gain access to health coverage. First, states should allow offenders to suspend their Medicaid or SSI benefits while incarcerated instead of letting them expire. Second, offender data should be easier to access so former inmates can fill out renewal or enrollment forms quicker which may expedite the enrollment process for SSI and/or Medicaid. Third, states should prioritize ensuring former inmates have adequate healthcare coverage by establishing an open line of communications between the various systems of criminal justice (i.e., corrections, probation, and parole) directly influencing ex-offender reentry success (Cuellar & Cheema, 2012).

Conclusion

Previous research on prisoner reentry has shown the major factors needed for ex-offenders to successfully reintegrate into society post-release from prison (Visher, 2007; Naser & LaVigne, 2006; Travis, 2005; Travis & Petersilia, 2001). These factors include: obtaining and

sustaining employment; finding housing; having effective parole supervision; access to health care; and access to government benefits. While this list is not exhaustive, these factors are the most powerful consistent themes found in the literature. High recidivism rates among the ex-offender population brings prisoner reentry to the forefront of policy discussion and strategy development. The most common approach to address reoffending concerns is the development of reentry programs followed by their evaluation. Unfortunately, this only addresses the treatment portion of the problem. In order to fully address the issue, the other part of the equation must receive equal attention: reforming policy to reduce the disenfranchisement of former prisoners.

While these factors were discussed separately, it is important to note that they interact in complex ways. For example, securing suitable housing post-release from prison may only be a positive step in the right direction as long as the ex-offender has employment. Maintaining the cost of housing requires the ex-offender to earn enough money to cover the cost of rent is also an important consideration. Additionally, parole supervision may be effective, but if the ex-offender is not able to meet any of the conditions of his/her parole release, reentry failure is likely to occur. If an ex-offender is able to secure employment and unable to receive drug treatment post-release from prison, he/she may lose their job due to failing a required drug screening test. Subsequently, failure to keep a job can cause an ex-offender to violate the conditions of their parole. As indicated by the examples above, each of the factors discussed interact with one another and can influence the success rate of prisoner reentry. Successfully meeting only one or two of the main factors identified in this chapter may not guarantee reentry success given how they can depend on the other factors.

The present study seeks to analyze current programs and policies related to prisoner reentry which may be subject to reform. Historically, Congress has sought to address

recidivism by ratcheting up the amount of punishment without taking any subsequent consequences into consideration. Recidivism may be affected by addressing the factors mentioned above, not simply relying on stricter policies (Travis, 2005). Examining existing policies which may affect prisoners attempting to reenter society post-incarceration will be used to answer the following research questions:

1. What policies and programs impact risk factors associated with recidivism?
2. What policies and programs increase recidivism rates, and how?
3. What policies and programs decrease recidivism rates, and how?

CHAPTER 3

METHODOLOGY

Introduction

This research employs qualitative thematic analysis to identify and describe the impact policies and programs may have on recidivism rates among the ex-offender population as related to reentry into society post-incarceration. Braun and Clarke (2006) define thematic analysis as a method of organizing, describing, and reporting patterns among the data in great detail. Using the six themes previously identified in the literature review as necessary components of successful prisoner reentry into the community, this qualitative research approach may provide a greater understanding of the issues being studied from a broader social context. It is important to understand how policies or programs impact individual ex-offenders, but it is equally important to determine whether a policy can affect ex-offenders as a population. For instance, if employers are legally allowed to conduct background screenings and bar ex-offenders from employment based on their criminal history, then that policy can be negatively impactful. The key issue is not just finding the policies and programs that impact ex-offenders, but also to what degree do they do so. While the EEOC may allow background checks, many states limit their use as the sole reason for employment disqualification. By using deductive thematic analysis to build on existing themes, outcomes of this analysis may add to this body of literature by providing insights into the effect standalone reentry programs and policies have on ex-offender recidivism rates.

Research Questions

The first research question explores policies that may have an impact on the risk factors

related to recidivism among ex-offenders following their release from prison. The main purpose of the question is to identify those policies which may affect ex-offender recidivism rates.

- 1) What policies and programs impact risk factors associated with recidivism?

The second and third research questions will evaluate and explain the policies identified in the first research question. Moreover, the questions will examine the directional effect of the impact in terms of recidivism. Specifically:

- 2) What policies and programs increase recidivism rates, and how?
- 3) What policies and programs decrease recidivism rates, and how?

The following sections explain the specific types of analysis used for this study and how the data was collected and analyzed. Finally, potential limitations related to this study are discussed.

Thematic Analysis

Thematic analysis is beneficial to this study as it allows the researcher to systematically gain a better understanding of the interaction between ex-offenders reentering society post-incarceration and the formal and informal mechanisms which may impact that process. The purpose of this approach is to allow the interpretations of the data to develop beyond the confines of individual ex-offender experiences to incorporate a broader perspective of the impact policies and programs may have on ex-offender reentry back into the community post-release from prison. A thematic analysis has the flexibility of allowing themes to develop from other themes; essentially, patterns will be found among the data as policies and programs are categorized using the main set of themes identified in chapter 2.

A theme is a pattern which develops within the data and pertains to the specific research question. This study seeks to identify patterns using policies and programs intended to impact ex-offender recidivism. The direction of the impact is also important to this study. For those policies and programs that have not been evaluated, inferences as to their positive or negative effect can be made. For example, if current policies allow employers to run background checks, it is likely this will negatively affect an ex-offender's chances of obtaining employment. Conclusions regarding the effects of employment background checks can be drawn even though the policy has not been evaluated.

Policies and programs that are found to positively impact ex-offender reentry into the community can potentially inform future policies and programs. Likewise, those that may have a negative impact can potentially provide decision-makers with an understanding of what may not work. The prevalence and frequency of the theme across the data set is often used to determine the importance of the theme. For instance, if the policies and programs found in the following chapter repeatedly indicate they help to improve the employment status of ex-offenders, the theme is likely important. Themes can also gain relevancy when an important aspect is captured as each policy and program interacts with one another. Maintaining flexibility during the analysis stage is vital to identifying important themes in the data set (Braun & Clarke, 2006).

Deductive Thematic Analysis

Along with determining the type of method being used, it is important to note the specific type of analysis to be used with this data set. The themes in this study will be identified through deductive thematic analysis. This type of analysis is driven by specific research questions related to the subject matter. Additionally, deductive thematic analysis is a valuable methodological

technique when the primary themes already exist. The six factors discussed in the earlier chapters are the main categories previously identified in the literature. The data that will be collected and analyzed in the next chapter will be placed into categories that correspond with the main themes. How these factors interact across the data may provide insight into how recidivism rates could be impacted by policies and programs created to address ex-offender reentry back into society post-incarceration (Braun & Clarke, 2006). Table 1 provides the themes that were identified in the literature and the definitions for each theme.

Table 1

Themes and Definitions

Theme	Definition
Employment	The ability of ex-offenders to obtain and keep a job after being released from prison
Housing	The need for ex-offenders to find suitable living arrangements once they return to the community
Health Care	The ability of ex-offenders to have access to affordable care for physical health needs
Effective Parole/Probation Supervision	Individualized supervision that is effective at connecting ex-offenders to valuable resources once released from prison
Treatment and Rehabilitation Programs	The availability of mental health and drug treatment for ex-offenders post-release from prison
Government Benefits	Ex-offenders' ability to access government benefits that meet their primary needs (e.g., food stamps or grant funding for education)

Data Collection

As discussed in chapter 2, there are specific factors which have been found to influence successful prisoner reentry post-incarceration. These factors have specific relevance in how they

interact with policies and programs created to impact ex-offender reentry back into the community. Specifically, policies and programs are created to address the barriers ex-offenders may face once they are released from prison. The experience of ex-offenders who are trying to successfully reintegrate into society becomes the framework on which policies and programs are built. This interaction continues when policies and programs possibly impact the success or failure of ex-offender reentry into society post-release from prison.

Various policies and programs related to prisoner reentry post-incarceration will be identified by reviewing research articles, social service organizations, government assistance programs, and government funded research organizations. Programs and policies will be found using sources such as the U.S. Bureau of Justice Statistics, U.S. Bureau of Prisons, U.S. Department of Labor, and various other formal organizations. Reentry groups can easily be found using websites. Each of these databases contains research and information specific to prisoner reentry initiatives. Occasionally, a program or policy may be driven by federal or state statute. For instance, employers who are willing to hire ex-offenders can be found using the website of an independent organization, but their hiring practices may be informed by the Equal Employment Opportunity Commission. Research articles and websites help to identify policies and programs that may impact ex-offender reentry post-release from prison while often giving specific insight into how they were created, whom they potentially affect, and why they may impact recidivism rates among ex-offenders. Formal government programs that potentially impact the ex-offender's ability to reenter the community are often evaluated extensively to determine whether or not they are effective.

Usually, a longitudinal study is conducted which will follow program participants from initial involvement to when they either complete the program or even years later. Longitudinal

studies allow researchers to determine if the program was effective at reducing recidivism by measuring the recidivism rates of ex-offenders prior to program participation and after completing the program. If the recidivism rate is lower after program participation, then the program probably has a positive impact on ex-offender recidivism. These evaluations are usually conducted by government agencies such as the U.S. Department of Justice.

While formal government programs and policies are created to impact ex-offender recidivism rates, social service organizations can also influence former prisoners trying to return to society. Social service organizations may include, but are not limited to, activist groups, religious groups, non-profit groups, and reentry groups offering programs for ex-offenders. These types of organizations attempt to partner with ex-offenders as they return to society after being released from prison by connecting them with reentry programs. Housing, employment, and healthcare are examples of services offered to ex-offenders by various social service organizations. The hope is that these programs will help ex-offenders successfully return to the community post-incarceration.

Simply, both formal government action and informal social services may have an impact on the successful reentry into society by former offenders. The effect policies and programs have on ex-offender reentry may not be explicitly positive or negative. A policy or program may have a positive effect, negative effect, or no effect on ex-offender recidivism. Also critical to this discussion is that some programs or policies may produce an effect that was unintended or not predicted or may not be evaluated.

Legal barriers that many ex-offenders face when returning to the community may have unintended consequences, referred to as “invisible punishments.” For example, some states may have legal regulations on ex-offenders that bar them from obtaining a driver’s license. Without a

valid driver's license, it is unlikely an ex-offender will be able to drive to work. As expected, being unable to drive to work can be problematic for ex-offenders who live and work in regions where public transportation is not easily accessible or are not in a position to rely on friends and family for transportation. These unintended impacts, either positive or negative, can help inform future policies and programs by advising researchers and policy-makers of the potential pitfalls or strengths of current policies. The more detail learned from studying the directional impact that policies and programs may have on ex-offender populations, the greater the likelihood that future policy and program attempts will improve ex-offender reentry success rates.

The purpose of this study is to consider the policies and programs which may have an impact, intentional or not, on ex-offender recidivism. The specific things that each program or policy does to help ex-offenders will be outlined in the following chapter and can help to improve current policies and programs as well as inform future policies. For instance, if a rehabilitation and treatment program does not appear to have an effect on recidivism rates, the program may not be effective enough to continue its funding and operation. However, if the program is implemented poorly, the results of the evaluation may not be significant. This information can then be used to either improve the current program or inform how to better implement future programs with similar goals.

For each of the main themes previously discussed, policies and programs will be identified and grouped according to the theme for which it applies. For example, policies and programs that are intended to impact the treatment and rehabilitation of ex-offenders once they are released from prison will be grouped under the main theme of treatment and rehabilitation. Each theme will have multiple policies and programs that will be analyzed to assess any potential impact they may have on ex-offender recidivism post-release from prison. Once each

policy and program has been paired with its respective primary theme, a detailed account of any tools or practices used to help ex-offenders rejoin society will be discussed. Additionally, any interactions that occur between the policies and programs for each theme will be notated. For example, not having effective parole supervision can create problems for other needed reentry factors. If an ex-offender is unable to get connected to needed services and the parole officer is not equipped to help, then ex-offenders may be rearrested for violating their conditions of release that requires them to participate in a rehabilitation program. These interaction effects can be used to recognize patterns which will be used to identify the directional impact policies and programs may have on ex-offender recidivism rates. Improving our understanding of the interaction between ex-offenders and the programs and policies intended to affect ex-offender recidivism rates will help further the research related to successful ex-offender reentry into the community post-incarceration.

Limitations

Much like any form of analysis, this study has some limitations which must be addressed. In thematic analysis, the themes should be centered around a main concept. When all facets of the data are not considered or there are problems with the interpretations of the data, the analysis may be unconvincing or weak. This can happen when the researcher fails to provide sufficient examples of the data. For instance, only providing one or two policies and programs for each theme would constitute a weak analysis. Providing only a few examples of policies and programs for each theme may be fascinating or informative but could not be used as an overarching pattern. To avoid any issues which may arise from a limited amount of collected data, multiple

policies and programs will be discussed in detail so a clearer picture of the directional effect of the impact each may have on ex-offender reentry post-incarceration can be seen.

Another potential issue is that the main themes identified in the literature may be unreliable. The literature in this study, while not fully inclusive, is representative of the literature on ex-offender reentry as a whole. The themes identified in chapter 2 are consistently found throughout the research as factors needed for the successful reentry of ex-offenders back into the community. Validation among researchers of each theme at the first level is helpful as it will provide more accurate and reliable information for informing the second level of themes which will be identified in chapter 4.

Interpretations derived from qualitative research can change from one researcher's opinion to another. As a result, there is no way to determine if the results are representative of the impact policies and programs may actually have on reducing recidivism among the ex-offender population. Even though there are limitations in the current study, the amount of detail which will be discussed can influence future policies and programs that are intended to help ex-offenders released from prison achieve success when reentering society.

CHAPTER 4

RESULTS

Introduction

To address the research questions identified in the previous chapters, this chapter includes a discussion regarding a subset of policies and programs that may affect ex-offenders returning to the community post-release from prison. Table 2 provides the policies and programs that are discussed in this chapter along with the impact each has on ex-offender recidivism rates.

Table 2

Programs and Policies

	Policy/Program	Impact
Employment	Equal Employment Opportunity Commission	Not Yet Evaluated
	Federal Bonding Program	Positive
	Help for Felons	Not Yet Evaluated
	Federal Offenders Reentry Group	Not Yet Evaluated
Housing	U.S. Dept. Housing and Urban Development Section 8	Not Yet Evaluated
	Halfway/transitional housing/housing grants	Not Yet Evaluated
	Craigslist	Not Yet Evaluated
	Property Management Groups	Not Yet Evaluated
	Fair Housing Act	Not Yet Evaluated
	Effective Parole Supervision	Reduced Probation Caseload in Evidence-Based Setting
Policy/Program		Impact
Rehabilitation and Treatment Programs	Second Chance Act of 2007	Ongoing Evaluations
	Reentry Modified Therapeutic Community Program	Positive
	Multi-Modal, Community-Based Prisoner Reentry Program	No Evidence of Effectiveness
	Strengths-Based Transitional Case Management	No Evidence of Effectiveness
	Treatment Alternatives to Street Crime	No Evidence of Effectiveness
Government Benefits	Student Loans	Not Yet Evaluated
	Food Stamps/Social Security/Adoption	Not Yet Evaluated
	Right to Vote	Not Yet Evaluated
Healthcare	Medicare	Not Yet Evaluated
	Medicaid	Not Yet Evaluated
	Private Healthcare	Not Yet Evaluated
	Affordable Care Act	Not Yet Evaluated

Each of the policies and programs discussed in this chapter are categorized according to their corresponding theme. Importantly, many of the policies and programs might apply to more than one main theme. This may be another indication that although these themes are discussed independently, they all interact in important ways. The findings for each policy or program are included to show whether or not there is a positive, negative, or inconclusive impact on recidivism. Those policies and programs without an evaluation component are also included.

Employment

Identifying employers who will take the risk of hiring ex-offenders is one of the biggest challenges ex-offenders face when looking for a job after serving their sentence. Employers may fear hiring an ex-offender or may be restricted from doing so as part of a company policy that bars individuals with specific criminal records from being eligible for employment. This may make finding a job more difficult, but not impossible. Various policies and programs exist to impact the transition of ex-offenders from prison to employment in the community.

According to the EEOC (2012), states usually permit the rejection of employment if the criminal conviction was job-related or if there is a reasonable justification for disqualification (EEOC, 2012). More than 80 percent of public and private employers continue to use background screening (Burke, 2004). However, states that still permit the use of background checks for employment consideration is limited or regulated. Approximately 27 states do not allow or limit employers from excluding ex-offenders from employment or licensing eligibility based on criminal record (Kincaid & Lawrence, 2001). Employers often use background checks to find if the applicant has a criminal record so they can avoid employer hiring liability issues. Fortunately, some states offer protection against hiring liability claims. In the event something

happens while the ex-offender is working, employers would have legal protection from penalty for hiring an individual with a criminal record (Kincaid & Lawrence, 2001).

The Federal Bonding Program is another option for protection of both the employee and the employer and has shown to positively impact ex-offenders. Once an ex-offender is able to find employment, the bonding program can encourage employers to feel comfortable about hiring individuals with a criminal record (Department of Labor, 2016). Bonding insurance covers economic loss, but not employers from liability for injury on the job or poor work quality (Kincaid & Lawrence, 2001). Employers are offered free insurance coverage if they hire at-risk individuals. This bonding coverage can be applied to ex-offenders looking for a job or those who have employment but may run the risk of being laid off. The employer or ex-offender, in any state or at any job, can request bond insurance. The free coverage lasts for six months after which it can be purchased by the worker as long as they have demonstrated honesty while employed (“Ex-offenders and Employment,” 2008).

Some states, such as New Jersey, Florida, and Arkansas, allow any disqualification standard to be lifted after a period of time has lapsed since the applicant’s release from prison or if there is a showing of successful rehabilitation. This showing can consist of a certificate of rehabilitation, evidence of good conduct in or out of prison, successful completion of treatment, completing educational courses, recommendation from a parole/probation officer, work release, or job training. Additionally, many states offer tax credits as an incentive for employers to hire ex-offenders. For example, in Louisiana, ex-offenders must have completed rehabilitation and six months of consistent employment for the employer to qualify for the tax credit (Kincaid & Lawrence, 2001).

Help for Felons is an independent, informal organization that hopes to help ex-offenders find employment, housing, information on substance abuse, insurance, and access to various reentry programs. Additionally, the organization promotes job training and helps ex-offenders learn how to obtain small business loans. Help for Felons primarily utilizes their website as a way to connect ex-offenders to services. Ex-offenders can easily find information about reentry programs categorized by state. For instance, if an ex-offender needs services after leaving prison as they rejoin the community in Connecticut, Help for Felons provides information on EMERGE Connecticut, Family Reentry, Project Fresh Start, and Hartford Reentry Services. With each of these state-run and nonprofit programs, additional information for support services can be found by following any of the website links. Help for Felons hopes to decrease recidivism rates for the ex-offender population by ensuring they adjust well to reentry back into the community (Help for Felons, 2017).

The Federal Offenders Reentry Group (FORGe) attempts to connect with federal agencies and national organizations to help individuals under control of the federal criminal justice system develop the necessary skills ex-offenders need for successful reintegration as well as connect them to valuable resources. This service can be for individuals on probation, in prison, defendants, or anyone else under federal control. The goal is to help individuals get connected to support services in a variety of stages, such as during incarceration at residential centers or while on probation. The support services and programs employed by FORGe focus on health (mental and physical), education, employment/career building, character, daily living, and leisure time. For example, the Federal Bureau of Prisons maintains a job fair list which contains contact information for job coordinators who may be contacted to request access to job fairs for ex-offenders (“Federal Offenders”, n.d.).

The overall tone of the policies and programs regarding ex-offender employment is generally positive. The use of background screening, while potentially harmful to an ex-offender's chances of being hired, is monitored by most states. This shift with states not allowing a person's criminal history be the primary reason for rejection creates more job opportunities to ex-offenders. States that offer employers protection against liability claims which may create a positive impact on the hiring of ex-offenders. Efforts directed at providing this type of protection encourages employers to hire ex-offenders with the reassurance they will be shielded from any damages involving the ex-offender while on the job. Other initiatives, such as Help for Felons or FORGe, may potentially have a positive impact on ex-offender employment since they make it easier for ex-offenders to get connected to services after being released from prison. The efforts of the EEOC can be negative since it allows business owners to reject an application based on criminal record. However, this is even monitored to an extent and is necessary to protect the interest of some business owners.

Housing

Finding adequate housing can be a difficult task for ex-offenders trying to return to the community. Locating somewhere to live may be more difficult today than in the past. Often, individuals with a criminal record are denied housing by landlords or property management groups. In addition to having a criminal record, poor credit history can also impede an ex-offender from obtaining housing. There are various formal policies and efforts of independent organizations that impact an ex-offender's ability to successfully find housing.

Housing tax credits, public housing, property management groups, and even Craigslist are some examples of housing options for ex-offenders. Ex-offenders typically fall into a

substandard income range and are in need of both low rent payments and financial assistance with their rent payment. Housing authorities (HUD) offer low cost or free housing to individuals with incomes below the national poverty level. Policies concerning ex-offenders receiving aid from housing authorities varies by state and location. This is not to be confused with Section 8 HUD housing, but they both consist of an application process and a potential waiting period lasting 3-12 months (HUD, 2015).

Section 8 housing is an additional form of public housing available to ex-offenders. Just like housing authorities, discriminating against an individual who applies for housing because of a prior conviction is a violation of the Fair Housing Act and Title VI of the Civil Rights Act of 1964. Section 8 housing differs from housing authorities as it allows the applicant to have a choice of housing and financial assistance is provided (i.e., housing vouchers) based on the housing market. Section 8 also prevents the landlord from discriminating based on income. Some felony convictions that may automatically disqualify ex-offenders include: sex offenders; drug traffickers; violent crimes; and fraud (HUD, 2016b; HUD, 2015).

Housing grants and halfway/transitional housing are other types of public housing that ex-offenders may access. Grants are funded by the state and can be awarded by public or private organizations. Craigslist is also a resource for finding housing. Landlords who advertise rental property may not be as strict when it comes to criminal background checks. However, obtaining housing from a property management group may be the most difficult option for ex-offenders. Property management groups are typically very strict when it comes to background checks and credit checks. Ex-offenders usually leave prison with poor credit and a criminal record making property management groups a riskier choice for a housing option. While these options may be a

great solution to the housing issue, it is important to remember it is often difficult for ex-offenders to receive government-funded aids (Help for Felons, 2016; Travis, 2005).

The Fair Housing Act (42 U.S.C. § 3601) prevents discrimination against any protected class seeking housing. The act does not specifically prevent policies that restrict housing access to individuals with a criminal record who are trying to gain private or public housing approval. However, when members of a protected class are discriminated against, housing providers may violate the act (24 C.F.R. § 100.500). This may give some ex-offenders protection against housing restrictions. Determining whether a housing policy has a discriminatory impact based on criminal history is a case-specific inquiry established by the facts of each situation.

Having a criminal record can be a legitimate reason for barring access to housing, but an ex-offender, or even the U.S. Department of Housing and Urban Development (HUD), can still succeed with an unlawful discrimination claim as long as the criminal history is not the primary reason for denying rent. For example, a black applicant may have a criminal record and be denied rent by a housing provider while a white applicant with a criminal history is approved for housing (HUD, 2016a). This is discriminatory on grounds other than criminal history indicating a violation of the Fair Housing Act.

These legal restrictions, as long as discrimination has not occurred, often leave the responsibility of housing ex-offenders after release to non-profit organizations. Non-profit organizations can be prisoner aid organizations, special needs providers, or community-based housing developers. Unfortunately, all of these groups likely have little experience with long-term housing solutions for ex-offenders and housing development. Obtaining federal funding or building permits can be extremely difficult, especially when the organization is unfamiliar with the process or must use their resources for additional reentry services. This inexperience and

complexity may have a harmful impact on offenders needing a place to live once released into the community (Scally, 2005). Failure to secure affordable housing can lead to devastating outcomes (e.g., homelessness) which can lead to continued recidivism.

Efforts directed toward ensuring ex-offenders find suitable housing seem to have potential negative and positive effects. HUD may offer positive effects as it helps connect ex-offenders to affordable housing; but, the application requirement and waiting period can negatively impact ex-offenders who need housing immediately following their release from prison. Section 8 housing has the same potential positive and negative effects as HUD since they operate similarly. Section 8 housing may have an added negative impact since ex-offenders with serious offenses on their record may not qualify. Other public housing options, such as transitional housing or private landlords, offer a positive housing alternative for ex-offenders. On the other hand, property management groups may not have any positive benefits for housing as they tend to be more restrictive with the use of background and credit checks. Non-profit organizations show potential for having a positive effect on ex-offenders trying to find housing. Unfortunately, these organizations often lack the resources necessary for long-term housing solutions for ex-offenders. Overall, more evaluations are needed to assess the effects of the policies and programs discussed in this section.

Effective Parole/Probation Supervision

While effective parole supervision has been found to be necessary for successful ex-offender reentry, there are few related studies. Having effective parole supervision may be an understood necessity that is expected to naturally exist. There were few policies or programs found where probation or parole officers had a direct impact on ex-offender recidivism. The

Reduced Probation Caseload in Evidence-Based Setting program is one that specifically used the role of probation officers to impact ex-offender reentry. The program hopes to provide more intensive care for high-risk ex-offenders while on probation. The success of the program depends on practices that combine a more intense treatment routine and supervision. Treatment can include cognitive-behavioral programs and increased supervision which occurs from a decrease in caseloads for officers. Probation officers with lighter caseloads may have the opportunity to provide more monitored supervision for those probationers who are at a higher risk of reoffending. Probation officers must determine the level of supervision each probationer needs based on their likelihood of reoffending (NIJ, 2012).

Jalbert and colleagues (2011) examined the effectiveness of the Reduced Probation Caseload in Evidence-Based Setting program by measuring the effects of increased supervision on high-risk probationers compared to probationers who received normal supervision. The researchers hypothesized that probationers who received more intensive supervision would experience higher recidivism rates because probation violations would be more easily detected. However, there appeared to be no differences between groups relative to recidivism rates. The probationers belonging to the treatment group had lower rates of rearrest than their counterparts. Results of the study showed evidence that the program successfully reduced the rate of recidivism among high-risk ex-offenders on probation (Jalbert et al., 2011).

Additionally, there are some existing studies that indicate the effects of parole supervision on reoffending rates. Ostermann (2013) studied the effects of supervised parole verses unconditionally released offenders on recidivism rates. Using data from inmates post-release ($N = 29,299$), this study found that parolees are 8 percent less likely to recidivate if they are conditionally released (i.e., placed under supervised parole) from prison compared to their

counterparts. These results indicate that recidivism rates can be lowered for ex-offenders under effective parole supervision, but these effects do not have a long-term effect for rehabilitation (Ostermann, 2013). Contrastingly, Solomon (2006) generally found parole to be ineffective when comparing ex-offenders who were released conditionally as opposed to those unconditionally released. Data were collected from the Bureau of Justice Statistics that measured effectiveness based on recidivism rates among participants ($N = 38,624$) from 15 states. Notably, this study did not account for variation in parole processes between states or the types of parole approaches that may be more efficient than others. The findings indicate there are no significant differences between ex-offender recidivism rates for either group (Solomon, 2006).

Studies show mixed results for whether or not effective parole supervision can have a positive impact on ex-offender reentry back into the community. An underlying assumption that parole supervision is generally effective may reduce the amount of attention or evaluation given to the topic. However, more studies that determine the impact supervision has on recidivism rates are needed in order to develop programs or policies that can improve current practices. Any future studies conducted to measure the impact of parole supervision should take into account the parole processes of different states.

Rehabilitation and Treatment Programs

Around 60 percent of prisoners claimed to be under the influence of drugs or alcohol around the time of their offense (Mumola & Karberg, 2006; Mumola, 1999). Many ex-offenders leaving prison have a long history of substance abuse and are in need of treatment after their release (Pogorzelski, Wolff, Pan, & Blitz, 2005). Receiving treatment post-release has been

shown to effectively reduce recidivism. There are a variety of state and independent organizations that implement and fund rehabilitation and treatment programs for ex-offenders.

There are few legislatively created policies directed at these types of programs. One well-known policy related to rehabilitation and treatment is the Second Chance Act (SCA) of 2007 which hopes to make community reentry services more effective for those leaving prison or jail. Programs that are created under the requirements of the SCA receive funding through the Justice Department. The SCA highlights the need for ex-offenders to receive assistance when trying to rejoin society. Funding is granted to various state and non-profit organizations to implement programs aimed at helping ex-offenders obtain employment, housing, substance abuse treatment, and various other resources. Programs that receive funding from the SCA are still in the process of being evaluated (Second Chance Act, 2007).

The Reentry Modified Therapeutic Community (RMTC) is a voluntary program for ex-offenders with substance abuse problems. These programs support self-help, community-centered treatment by encouraging participants to connect with self-help organizations (e.g., Alcoholics Anonymous and Narcotics Anonymous), and counseling and coping-skills training. The program is designed to allow the ex-offender to progress through multiple stages. With each additional stage, the ex-offender can steadily receive more responsibility. The higher level the resident achieves the more time they can spend working in the community to help save for eventual independent living. In the beginning, the ex-offender participates in program activities 3-7 days a week for six months (Council of State Governments Justice Center (CSG), 2017b).

Sacks, Chaple, Sacks, McKendrick, and Cleland (2012) evaluated RMTC using recidivism outcomes and self-reported criminal involvement for individuals participating in the program. The program's effect on reducing substance abuse has not been evaluated. The findings

of the study indicate the program significantly reduces reoffending rates (measured by reincarceration data). Additionally, those who participated in the program were able to remain in the community for longer periods compared to non-participants (Sacks et al., 2012).

The Multi-Modal, Community-Based Prisoner Reentry Program offers substance abuse treatment to ex-offenders, who are at a higher risk of reoffending, during a 24-month period while under community supervision. During the supervisory period, the ex-offender remains in a group home residential setting or shelter care. The goal of the program is to reduce relapse and recidivism rates among ex-offenders working through substance addiction (CSG, 2017a).

Grommon, Davidson, and Bynum (2013) evaluated the effect of substance abuse treatment on recidivism rates using data from ex-offenders participating in the program who were randomly assigned to a treatment ($n = 263$) or control ($n = 248$) group. The findings show that recidivism outcomes from program participants were marginally worse compared to their counterparts. There were only minimal differences between groups. The authors indicate the decrease in the fidelity of program implementation over time may have an effect on the results of the evaluation. Overall, the authors indicate the program may not be effective at reducing recidivism or substance abuse (Grommon, Davidson, & Bynum, 2013).

The Strengths-Based Transitional Case Management (TCM) is a voluntary program for paroled ex-offenders who have substance abuse problems. The program helps transition the ex-offender from prison to the community. TCM has three phases: (1) participation at a community treatment facility two months before leaving prison; (2) meet with an assigned treatment counselor, parole officer, and support system members (e.g., family members) to develop a reentry plan one month before being released; and (3) meet weekly with an assigned case manager followed by monthly meetings for an additional three months with any subsequent

meetings occurring on an as needed basis (CSG, 2017c). Prendergast et al. (2011) studied the impact that the transitional intervention program has on recidivism and substance abuse outcomes for ex-offenders after being released from prison. Using drug test results and self-report surveys, data was collected three months and nine months after being admitted to the program. The findings indicate that participating in the transitional case management programs has little to no effect on outcome measures for recidivism or substance abuse for released ex-offenders participating in the study (Prendergast et al., 2011).

Treatment Alternatives to Street Crime (TASC) is another substance abuse program that targets the ex-offender population. The goal of TASC is to reduce recidivism using case management strategies that help direct ex-offenders to substance abuse treatment programs in the community. The program is implemented in many states as pretrial diversion programs, but Colorado's TASC is an ex-offender focused program. TASC acts as a bridge between treatment providers and parole supervisors. The program includes services such as ex-offender assessment, drug testing, treatment referral, and continued monitoring (CSG, 2017d).

Two studies were conducted to evaluate the effectiveness of Colorado's TASC programs on recidivism rates for program participants. Recidivism outcomes were measured at 12- and 24-month time frames after the participant's released from prison. Recidivism was measured based on rate of reincarceration. The findings suggest there was little or no significant difference between the treatment and comparison groups from recidivism outcomes. Neither the one- or two- year follow-up evaluations demonstrated a significant difference in recidivism rates for participants and non-participants (Owens et al., 1997).

Evaluations of rehabilitation and treatment programs typically show moderate to positive effects on recidivism. Interestingly, the programs discussed above were not always evaluated for

their impact on substance abuse. Evaluations for the programs that receive funding as a result of the Second Chance Act of 2007 are still ongoing. However, the SCA may show to have a positive impact on recidivism since it helps fund programs that support substance abuse treatment programs for ex-offenders. Of course, this is dependent upon whether or not the program operates in a manner proven to successfully treat those with substance abuse problems. The Reentry Modified Therapeutic Community program has been demonstrated to have positive effects on ex-offender recidivism rates. The progressive nature of the program seems to make the transition from prison to the community easier. Other programs, such as the Multi-Modal, Community-Based Prisoner Reentry Program or the Strengths-Based Transitional Case Management, do not seem to have any evidence of effectiveness. How the program is implemented seems to have the greatest effect on the results of the evaluations. If the program loses legitimacy over time, the results of any evaluation may be negatively affected and fail to show any significance.

Government Benefit Programs

Various government benefits may be restricted or more difficult to obtain for many ex-offenders. Student loans, welfare benefits, or other collateral consequences are examples of government benefits. Some student loans are restricted from individuals who have a criminal record. Ex-offenders are barred from Pell Grants if the school they plan to attend is a state or federal institution. Pell Grants may be an option for ex-offenders as long as the school is private or not the recipient of federal funding. Those with a drug related felony on their record are the only class to be specifically barred from obtaining a Pell Grant. However, successfully

completing drug rehabilitation may reinstate an ex-offender's candidacy for Pell Grant funding ("Federal Pell Grants," n.d.; "Students with Criminal Convictions," n.d.).

Federal student aid is also restricted from individuals with a criminal conviction. Fortunately, work studies and grants are still an option for obtaining financial assistance to pay for educational expenses ("Students with Criminal Convictions," n.d.). If student loans are needed to pay for school, ex-offenders are legally allowed to apply for private loans. However, federal student loans are restricted from ex-offenders. Having a criminal conviction does not automatically restrict ex-offenders from qualifying for private student loans. The applicants credit score will be the criteria that may disqualify them from access to a private student loan ("Federal Verses Private Loans," n.d.).

Some classes of offenses may lead to the restriction of federal benefits, such as welfare or food stamps, for ex-offenders. Ex-offenders convicted of an offense related to controlled substances are automatically ineligible for social security or food stamp program benefits. Other felony offenses may be subject to exclusion as well (Social Security Act, n.d.; Eligibility Disqualifications, 2011; Food and Nutrition Act of 2008). Adopting and fostering children is another example of benefits from which ex-offenders may be banned. Ex-offenders are ineligible to adopt a child or become a foster parent because agencies retain the right to conduct background checks on all applicants. These background checks will indicate whether or not an applicant has a criminal history (Schools Safe Act, n.d.).

Removing an offender's right to vote is one of the collateral consequences ex-offenders may face for having a criminal conviction. The decision whether or not to reinstate the voting rights of ex-offenders is left up to the states. With the exception of Main and Vermont, offenders with a felony conviction lose their right to vote while incarcerated. In 38 states, offenders' right

to vote is reinstated once they have completed their sentence. In the remaining states, ex-offenders must complete a waiting period after their release or apply for their rights to be reinstated (National Conference of State Legislatures, 2016).

Some policies ban ex-offenders from gaining access to government benefits. Although these policies have not been evaluated, it is easy to see how they may impact ex-offender recidivism rates. Pell Grants are likely to have a positive effect on recidivism as they help ex-offenders gain access to education. Unfortunately, Pell Grants are only available to those who qualify (i.e., those without offense-specific restrictions). Private student loans are another benefit that can improve an ex-offender's opportunity to earn an education. Federal student loans are not available to ex-offenders and may be an area for potential reform. Social Security benefits and food stamps are restricted to certain offense types, but all felonies are subject to restriction. Those who face restrictions may be negatively impacted by these policies as it would put that class of ex-offenders at a greater disadvantage than other low-income groups who qualify for assistance.

Healthcare

As previously indicated, having healthcare is an important factor for successful reentry. Ex-offenders can secure health insurance through Medicare, private healthcare, Medicaid, or the Affordable Care Act/Obamacare. Medicare is a healthcare program administered on the federal level for those 65 years of age and older, who have renal failure, or are disabled. Having a felony conviction does not prevent an individual from qualifying for Medicare. However, coverage can be suspended while the offender is incarcerated. Ex-offenders can apply for Medicare during the two months following release ("Special," n.d.). There are also private healthcare options for

healthcare coverage. Ex-offenders can qualify for healthcare from private companies, but premiums can vary depending on where the ex-offender lives.

Many ex-offenders sign up for Medicaid when returning to the community. Medicaid is administered at the state level but is funded by the federal government. The state in which the ex-offender resides once they are released from prison is responsible for issuing healthcare coverage. Medicaid eligibility is based on the ex-offender's household income. As with Medicare, having a criminal record does not automatically disqualify ex-offenders from Medicaid healthcare ("Eligibility," n.d.).

The Affordable Care Act (ACA) lessened the eligibility restrictions of Medicaid by including all low-income adults. Nearly half of the states in the U.S. adopted the expansion under the ACA which means Medicaid immediately became available to many released offenders. Eligibility does not mean that every released prisoner enrolls in Medicaid (Barnert, Perry, & Wells, 2014). Under the ACA, nearly 24 percent of released ex-offenders may receive a tax credit to help them purchase insurance since most will not receive healthcare coverage through their job (Cuellar & Cheema, 2012).

Rosen, Grodensky, and Holley (2016) evaluated prisoners ($N = 643,290$) who may qualify for healthcare coverage through federal assistance once released from prison. Seventy-three percent of the sample qualified for a tax credit or Medicaid since they were released in states that applied the Medicaid expansion under the ACA. On the other hand, 54 percent may qualify for only a tax credit as they were released to states that did not expand Medicaid. Notably, 22 percent ($n = 69,827$) were expected to have incomes that were too high causing them to be ineligible for federally-assisted healthcare coverage. While the ACA was expected to allow

most prisoners to gain access to healthcare coverage upon release, a substantial portion of released prisoners fall into a “coverage gap.”

The policies and programs related to healthcare show a potential positive effect on ex-offender recidivism. Although these policies have not been evaluated, it can be easy to assume which might have a positive or negative impact on recidivism. Medicaid shows potential positive effects, especially after the Affordable Care Act expanded the eligibility criteria. While private insurance has a positive impact since it does not restrict ex-offenders from accessing the service, the high premiums may prove to negatively impact reentry success if the ex-offender is unable to afford the insurance. Medicare is another program that can positively impact reentry since ex-offenders are not barred from applying for the service. Even though ex-offenders are able to apply for most all insurance options, the biggest issue surrounding healthcare is that applying does not ensure acceptance.

Conclusion

While the list of programs and policies covered in this chapter is not exhaustive, it captures the nature of what is being done to address ex-offender recidivism after they are released from prison. Even though many of the policies and programs discussed do not have an official evaluation, inferences can be drawn that suggest whether the policy’s impact on ex-offender recidivism is positive or negative. The results of this study indicate a mix of positive and negative impacts which depends greatly on the program, the program’s implementation, and the participants.

To address the second research question in this study, policies and programs in this chapter that appear to have a negative impact on ex-offender reentry success may actually

increase recidivism rates. Some of the program evaluations have shown to lack evidence of success which can negatively impact recidivism rates when program participants do not receive effective services. Additionally, the third research question was answered by categorizing the policies and programs that have a positive effect on ex-offender successful reintegration. Program evaluations showing a positive effect may decrease recidivism rates among ex-offenders. Importantly, many of the identified programs have not been formally evaluated. However, the effects of many of the programs can be supposed by whether or not the component of the program likely make it easier or more difficult to successfully return to the community post-incarceration.

CHAPTER 5

DISCUSSION

Summary

Every year, thousands of offenders are released from prisons around the United States and are attempting to successfully reintegrate back into society. Unfortunately, this population group demonstrates high rates of recidivism. In the past, many strategies belonging to the “tough-on-crime” era have potentially made it more difficult for ex-offenders to find employment, housing, healthcare, and other resources once they leave prison. As concern for this issue has become more pronounced in recent years, policy-makers and independent organizations have made many attempts to help reduce recidivism rates among ex-offenders. Additionally, collateral consequences to incarceration have also been the focus of researchers and policy-makers. The purpose of this study is to identify, determine the directional impact, and explain how these policies and programs may impact recidivism rates among ex-offenders.

As indicated in prior literature, employment is probably the most influential necessity for ex-offenders having the ability to successfully remain in the community. As many may think, working gives ex-offenders something to occupy their time. The hope is that employment will keep them from reoffending. More importantly, having a job provides ex-offenders with the valuable resource of money. If employment is not secured after their release from prison, ex-offenders may not be able to pay for housing, food, living expenses, parole/probation fees, debt, child support, and any other financial obligation they may have. Furthermore, obtaining employment is usually a condition of parole for ex-offenders conditionally released. Failure to meet a condition of parole can lead to reincarceration.

Finding employers who are willing to take the risk of hiring ex-offenders can be difficult.

Fortunately, many policies have been created in recent years that offer incentives for employers to hire ex-offenders. This can include bond insurance for the ex-offender or tax credits for the employer. A large number of employers still use screening strategies, such as background checks, that may instantly disqualify ex-offenders from consideration. However, some states have countered these practices with policies that help protect ex-offenders applying for a job.

Overall, many formal and informal organizations are making countless contributions to help ex-offenders find employment after leaving prison. Employment seems to be the one factor that gets the most attention from policy-makers. In recent decades, more has been done to remove employment barriers for ex-offenders. Federal policies allow disqualification based on criminal record; therefore, employers are still legally allowed to conduct background screenings, but discrimination based solely on criminal record is often not allowed. There seems to be fewer employment restrictions than in the past and those that are still in place are usually offense-specific restrictions. Many employers can hire whomever they wish regardless of an applicant's criminal record except for certain offenders. For example, daycare managers will not be allowed to hire applicants with a history of sex offending. For the majority of ex-offenders, many employers, states, and federal policies are making significant efforts to address the unemployment rate of ex-offenders.

Finding appropriate housing can be a difficult task for many ex-offenders. Some housing authorities or management groups may decline an application based on poor credit history or background checks. Most offenses are not initially banned from acceptance, but applicants with serious offenses on their record are usually not considered. Landlords still legally hold the right to ban ex-offenders from living on their property, either as the renter or by living with an occupant. There are several options for federal housing credits and public housing for which ex-

offenders can qualify. However, these typically have long waiting lists and are flooded with applicants. Failure to find acceptable housing can negatively impact an ex-offender's ability to successfully reintegrate as it may be a violation of their parole or could lead to homelessness.

Many ex-offenders who are returning to the community are placed under parole or probation supervision as a condition of their release. Effective parole or probation supervision is necessary for ensuring reentry success since parole officers are in a position to assist the ex-offender by connecting them to needed reentry services post-incarceration. Whether the ex-offender needs drug rehabilitation, housing, or employment, parole officers who are able to direct them to sufficient services or employers which will potentially make remaining in society more attainable for the ex-offender. This may also help to make sure the ex-offender is abiding by the conditions of their release, such as finding a job.

There were few current policies or programs found that illustrate the impact of effective parole supervision. One evaluation indicates that reducing probation officers' caseloads so they are able to give more intensive care to probationers can have a positive effect on recidivism. Some studies show supervision has a more positive impact on recidivism than release without supervision. Other studies show supervision post-release may have no effect on recidivism rates. It is likely that parole and probation officers are expected to do their jobs effectively; therefore, it may be seen as unnecessary for policy-makers to address this issue.

As discussed in Chapter 2, drug treatment and rehabilitation just before release and post-release has show to increase the likelihood an ex-offender will successfully remain in society after leaving prison. Some offenders may be faced with a court order requiring them to successfully participate in a rehabilitation or treatment program. Others may be required to receive substance abuse treatment as a condition of their parole. No matter what the primary

reason for seeking treatment is, many policy-makers and criminal justice practitioners agree that substance abuse is a serious problem that must be addressed. This becomes a difficult task considering the evaluation research for many drug rehabilitation or treatment programs is contradictory to say the least.

Rehabilitation and treatment programs have received mixed results in terms of the effect they have on recidivism rates. Some programs appear to be effective while others posit moderate to no effect. Studies may have an effect on recidivism rates and not on substance abuse or they may show inconclusive results for either. The successful programs seem to introduce treatment shortly before the ex-offender is released from prison and during the reentry process. Overall, the way in which rehabilitation programs are implemented seems to be the main factor to consider when evaluating programs. If the program is not administered prior to the ex-offender's release from prison and does not continue post-release, the program may not be effective. Also, if the program does not utilize tools to effectively diagnose or treat each ex-offender based on their specific needs, the program may not be successful. Despite the mixed results of the evaluations, most academics and policy-makers would agree that treating substance abuse is necessary for successful reentry.

Various government benefits may be restricted from ex-offenders. For example, an ex-offender's driver's license can be suspended during or after incarceration. This can increase the difficulty of obtaining employment or housing as most employers and housing authorities require proof of identification as a component of the application process. As can be expected, this can potentially cause a released offender to be unsuccessful at reentry. There were not any existing evaluations that could be found to show the effects these restrictions can have on recidivism rates. However, it can be easy to make connections between recidivism rates and being barred

from government benefits. For instance, food stamps are withheld from some classes of ex-offenders. Having access to food stamps can potentially lessen the financial obligations of ex-offenders reentering society which can increase their likelihood of successfully remaining in the community.

Without healthcare, ex-offenders may be unable to receive medical attention for any needed physical or mental treatment. Finding affordable healthcare is one of the main problems ex-offenders face when returning to the community. The Affordable Care Act is one of the most influential policies that helped expand healthcare coverage to include ex-offenders. Making sure ex-offenders are able to apply and get accepted for health insurance is crucial to successful reintegration. It is common for healthcare insurance to lapse while an individual is incarcerated or for renewing/applying to be difficult. For example, if the applicant does not have a valid driver's license, they will be unable to secure insurance. Without treatment for mental or physical conditions, ex-offender may not be able to sustain healthy lives in the community.

Limitations and Suggestions for Future Research

While the literature presented was significant in identifying the primary factors needed to ensure ex-offenders are able to successfully return to the community post-incarceration, it is not exhaustive. There are limitations of the current study that may offer suggestions for further research. One limitation of this study is the lack of attention given to within-group gender, race, and class differences among ex-offenders returning to the community. For example, women are often the primary caretakers of children and this may impact successful reintegration when they are unable to find affordable childcare while they are at work during the day. If the ex-offender,

male or female, can only find housing at a halfway or transitional house, their children may not be allowed to live with them.

It is known that most ex-offenders are in a low income bracket, but class variation within that bracket may still impact successful reentry back into society. Using the Affordable Care Act as an example, ex-offenders who fall just above the poverty line for their income may not qualify for Medicaid or any other affordable healthcare option. Earning slightly more income annually may leave some ex-offenders to find ways to afford private healthcare. These class, race, and gender disparities may be added barriers to reentry for ex-offenders and should be a focus for future research.

Additionally, more rigorous evaluations need to be conducted on program effectiveness. Evaluating programs based on how they impact recidivism levels is important, but learning how they improve each theme is also valuable. Even though recidivism rates may not be exponentially lowered, any rate of change among ex-offenders who are able to abstain from substance abuse is equally notable. Future research should also look at how programs are implemented. For instance, parole and probation supervision should be evaluated by how supervision processes operate or how rehabilitation and treatment programs are implemented as it may impact the effectiveness of the program itself. A program may be deemed ineffective, but if the program does not operate in a way that has shown to be most effective at treating substance abuse then the results of the evaluation may not be accurate.

This study may be limited because of the lack of significant evaluations conducted for each policy or program discussed. Since this study focuses on the widespread issue of ex-offender reentry, quantitative data on program evaluations may prove to be an important addition to this area of research. Combining qualitative and quantitative data for measuring the impact the

programs and policies discussed in this study have on ex-offender reentry would provide the greatest understanding of ex-offender reentry and ensure any conclusions drawn would come from a large sample.

Lastly, this study may be limited since it is based on a convenience sample. Disadvantages to using a convenience sample are that it is outside of the researcher's control and vulnerable to selection bias. This means there is no way to know if the sample drawn is representative of the experiences of those affected by the policies and programs presented in this study. Future research should focus on using a method that reduces the amount of sampling error so the research findings may be generalized.

Conclusion

With the increasing number of offenders being released from prison in recent decades, pressure has been placed on policy-makers to ensure successful reentry in an effort to reduce recidivism rates among the ex-offender population. Many policies and programs, both informal and formal, exist to help ex-offenders transition from prison to the community so they may be successful, productive members of society. While notable developments have been made to improve service access and recidivism outcomes for ex-offenders, achieving significant declines in recidivism rates continues to be a challenging task. The top-down approach to policy-making may provide financial opportunities for programs to be effectively run on the federal and state level while leaving program effectiveness on an individual level to be unknown.

One pattern that has emerged is that while policies have been created to remove or limit restrictions to services, it gives ex-offenders the opportunity to participate but does not guarantee they will be accepted or approved. Limiting an employer's ability to disqualify an applicant

based on criminal history does not guarantee the ex-offender will be hired. Similarly, recent legislation was created to allow ex-offenders to apply for housing or housing assistance through HUD or Section 8 but, being allowed to apply is not the same as being accepted as a tenant.

This study provides a better understanding of the complex issues associated with ex-offender reentry. The literature discussed in this study makes general claims that are not necessarily false, but does not explain all aspects of a policy or barrier. For example, government benefits may be restricted from ex-offenders after their release from prison. A driver's license, one of the government benefits that has been discussed, is needed to obtain employment, housing, and operate a motor vehicle. Some of the literature indicates that ex-offenders are banned from having a driver's license. This may not be entirely true.

As shown in Chapter 4, driver's licenses are only completely restricted in a few states. This restriction can also be removed in all 50 states using various methods. The details discussed in Chapter 4 provide a greater understanding of how ex-offenders may be affected by the decisions of policy-makers and informal organizations. In the end, the barriers expressed in Chapter 2 may be an exaggeration of the actual problem. It is also important to note that even though recent changes have been made that prevent ex-offenders from being banned entirely from services, it does not ensure they will be successful at receiving the assistance they need.

The results of this study suggest that the implementation of the programs on a micro level can be the greatest determinate of whether or not a program is effective. Essentially, policies can be created to address reentry issues by removing restrictions to services (e.g., employment or housing) or by providing funding to states and non-profit organizations to be used to improve the effectiveness of reentry programs. The lack of rigorous studies surrounding reintegration has made it problematic for drawing definitive conclusions about program effectiveness. It is

important to evaluate programs based on measures other than recidivism since this term is not so easily defined. Judging effectiveness in terms of how well the program connects ex-offenders to treatment and services post-incarceration is also an important consideration. In turn, the potential these programs may have at reducing recidivism may be addressed through these other measures. When deciding where to spend money, policy-makers should consider whether more evaluations of existing programs are required, if programs are effective in terms of recidivism reduction, and how the program is being implemented. Valuable actors in the criminal justice system – policy-makers, academics, corrections officers, etc. – should advocate for effective programs targeted at treating offenders as valuable people who have the potential to change.

APPENDIX

LIST OF WEBSITES USED TO FIND POLICIES AND PROGRAMS

<http://www.whatworks.csgjusticecenter.org>
<http://uscode.house.gov>
<http://www.justice.gov>
<http://www.studentaid.ed.gov>
<http://www.helpforfelons.org>
<https://www.fns.usda.gov>
<https://www.ecfr.gov>
<https://comm.ncsl.org>
<http://www.csdp.org/research/satsfp97.pdf>
<http://www.bjs.gov>
<http://www.ncsl.org>
<http://www.nicic.gov>
<http://www.nij.gov>
<http://www.worksupport.com/documents/HVRPFactsheet6.pdf>
<https://gpo.gov>
<https://www.medicaid.gov>
<https://www.medicare.gov>
<https://www.portal.hud.gov>
<https://www.doleta.gov>
<https://www.eeoc.gov>

REFERENCES

- Austin, J. (2001). Prisoner reentry: Current trends, practices, and issues. *Crime & Delinquency*, 47(3), 314-334. doi: 10.1177/0011128701047003002
- Bannon, A., Nagrecha, M., & Diller, R. (2010). *Criminal justice debt: A barrier to reentry*. New York, NY: Brennan Center for Justice, New York University School of Law. Retrieved from <http://www.brennancenter.org/sites/default/files/legacy/Fees%20and%20Fines%20FINAL.pdf> (accessed 10 November 2016)
- Barnert, E. S., Perry, R., & Wells, K. B. (2014). Reforming healthcare for former prisoners. *Journal of General Internal Medicine*, 29(8), 1093-1095.
- Beck, A. (2000). *State and federal prisoners returning to the community: Findings from the Bureau of Justice Statistics*. Paper presented at the First Reentry Courts Initiative Cluster Meeting, Washington, D.C.: Hotel Washington. Retrieved from: <https://www.bjs.gov/content/pub/pdf/sfprc.pdf> (accessed 22 November 2016).
- Becker, G. S. (1968). Crime and punishment: An economic approach. *Journal of Political Economy*, 76(2), 169-217. doi: 10.1086/259394
- Berg, M. T., & Huebner, B. M. (2011). Reentry and the ties that bind: An examination of social ties, employment, and recidivism. *Justice Quarterly*, 28(2), 382-410. doi: 10.1080/07418825.2010.498383
- Braun, V., & Clarke, V. (2006). Using thematic analysis in psychology. *Qualitative Research in Psychology*, 3(2), 77-101.
- Brown, C. (2011). Vocational psychology and ex-offenders' reintegration: A call for action. *Journal of Career Assessment*, 19(3), 333-342. doi: 10.1177/1069072710395539
- Burke, M. E. (2004). Reference and background checking survey report: A study by the Society for Human Resource Management. Alexandria, VA: Society for Human Resource Management.
- Carson, E. A. (2015). *Prisoners in 2014*. Washington, DC: U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Statistics. Retrieved from <https://www.bjs.gov/content/pub/pdf/p14.pdf> (accessed 12 December 2016)
- Chin, G. J. (2012). The new civil death: Rethinking punishment in the era of mass conviction. *University of Pennsylvania Law Review*, 160(6), 1789-1833.
- Council of State Governments Justice Center (2017a). *Multi-modal, community-based prisoner reentry program*. New York, NY: Council of State Governments Justice Center. Retrieved from <https://www.whatworks.csgjusticecenter.org/program/multi-modal-community-based-reentry-program> (accessed 9 June 2017)

- Council of State Governments Justice Center (2017b). *Reentry modified therapeutic community*. New York, NY: Council of State Governments Justice Center. Retrieved from <https://www.whatworks.csgjusticecenter.org/program/reentry-modified-therapeutic-community> (accessed 3 June 2017)
- Council of State Governments Justice Center (2017c). *Strengths-based transitional case management*. New York, NY: Council of State Governments Justice Center. Retrieved from <https://www.whatworks.csgjusticecenter.org/program/strengths-based-transitional-case-management> (accessed 12 June 2017)
- Council of State Governments Justice Center (2017d). *Treatment alternatives to street crime*. New York, NY: Council of State Governments Justice Center. Retrieved from <https://whatworks.csgjusticecenter.org/program/treatment-alternatives-to-street-crime-tasc> (accessed 10 June 2017)
- Cuellar, A. E., & Cheema, J. (2012). As roughly 700,000 prisoners are released annually, about half will gain health coverage and care under federal laws. *Health Affairs*, 31(5), 931-938. doi: 10.1377/hlthaff.2011.0501
- Ditton, P. M., & Wilson, D. J. (1999). *Truth in sentencing in state prisons*. Washington, DC: U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Statistics. Retrieved from <http://bjs.gov/content/pub/pdf/tssp.pdf> (accessed 30 November 2016)
- Durose, M. R., Cooper, A. D., & Snyder, H. N. (2014). *Recidivism of prisoners released in 30 states in 2005: Patterns from 2005 to 2010*. Report. Washington, DC: U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Statistics. Retrieved from https://www.bjs.gov/content/pub/pdf/rprts05p0510_st.pdf (accessed 12 December 2016)
- Eligibility Disqualifications, 7 U.S.C. § 2015 (2011).
- Fair Housing Act, 42 U.S.C. § 3601 (2015).
- Federal Student Aid. (n.d.). *Federal Pell Grants*. Washington, DC: U.S. Department of Education, Federal Student Aid. Retrieved from <https://www.studentaid.ed.gov/sa/types/grants-scholarships/pell> (accessed 12 June 2017)
- Federal Student Aid. (n.d.). *Federal Verses Private Loans*. Washington, DC: U.S. Department of Education, Federal Student Aid. Retrieved from <https://www.studentaid.ed.gov/sa/types/loans/federal-vs-private> (accessed 11 June 2017)
- Federal Student Aid. (n.d.). *Students with Criminal Convictions*. Washington, DC: U.S. Department of Education, Federal Student Aid. Retrieved from <https://www.studentaid.ed.gov/sa/eligibility/criminal-convictions> (accessed 9 June 2017)
- Food and Nutrition Act of 2008, 7 U.S.C. 2012 (2008)
- Freudenberg, N., Daniels, J., Crum, M., Perkins, T., & Rickie, B. E. (2005). Coming home from jail: The social and health consequences of community reentry for women, male

- adolescents, and their families and communities. *American Journal of Public Health*, 95(10), 1725-1736. doi: 10.2105/AJPH.2004.056325
- Geller, A., & Curtis, M. A. (2011). A sort of homecoming: Incarceration and the housing security of urban men. *Social Science Research*, 40(4), 1196-1213. doi: 10.1016/j.ssresearch.2011.03.008
- Grogger, J. (1995). The effect of arrests on the employment and earnings of young men. *The Quarterly Journal of Economics*, 110(1), 51-71.
- Grommon, E., Davidson II, W. S., & Bynum, T. S. (2013). A randomized trial of a multimodal community-based prisoner reentry program emphasizing substance abuse treatment. *Journal of Offender Rehabilitation*, 52(4), 287-309.
- Harding, D. J. (2003). Jean Valjean's dilemma: The management of ex-convict identity in the search for employment. *Deviant Behavior*, 24(6), 571-595. doi: 10.1080/713840275
- Harding, D. J., Morenoff, J. D., & Herbert, C. W. (2013). Home is hard to find: Neighborhoods, institutions, and the residential trajectories of returning prisoners. *The ANNALS of the American Academy of Political and Social Science*, 647(1), 214-236. doi: 10.1177/0002716213477070
- Harrison, B., & Schehr, R. C. (2004). Offenders and post-release jobs: Variables influencing success and failure. *Journal of Offender Rehabilitation*, 39(3), 35-68. doi: 10.1300/J076v39n03_03
- Harrison, L. D. (2001). The revolving door for drug-related offenders: Challenges and opportunities. *Crime & Delinquency*, 47(3), 462-485. doi: 10.1177/0011128701047003010
- Help for Felons. (2016). Breaking through the past. Retrieved from <http://www.helpforfelons.org/> (accessed 4 June 2017)
- Herberman, E. J., & Bonczar, T. P. (2014). *Probation and parole in the United States, 2013*. Washington, DC: U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Statistics, (2015). Retrieved from <https://www.bjs.gov/content/pub/pdf/ppus13.pdf> (accessed 12 December 2016)
- Holzer, H. J., Raphael, S., & Stoll, M. A. (2002). *Will employers hire ex-offenders? Employer preferences, background checks, and their determinants* (Discussion Paper No. 1243-02). Madison: University of Wisconsin, Institute for Research on Poverty. Retrieved from <http://citeseerx.ist.psu.edu/viewdoc/download?doi=10.1.1.217.2010&rep=rep1&type=pdf> (accessed 11 November, 2016).
- Holzer, H. J., Raphael, S., & Stoll, M. (2007). The effects of an applicant's criminal history on employer hiring decisions and screening practices: Evidence from Las Angeles. In S. Bushway, M. Stoll, & D. Weiman (Eds.), *Barriers to reentry: The labor market for*

- released prisoners in post-industrial America* (p. 117-150). New York, NY: Russell Sage.
- Hoskins, Z. (2014). Ex-offender restrictions. *Journal of Applied Philosophy*, 31(1), 33-48. doi: 10.1111/japp.12028
- Housing and Urban Development, 24 C.F.R. § 100.500 (2017).
- Jalbert, S. K., Rhodes, W., Kane, M., Clawson, E., Bogue, B., Flygare, C., Kling, R., & Guevara, M. (2011). *A multi-site evaluation of reduced probation caseload size in an evidence-based practice setting*. Washington, DC: U.S. Department of Justice National Institute of Justice. Retrieved from <http://www.ncjrs.gov/pdffiles1/nij/grants/234596.pdf> (accessed 17 July 2017)
- Kaeble, D., Glaze, L., Tsoutis, A., & Minton, T. (2015). *Correctional populations in the United States, 2014*. Washington, DC: U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Statistics. Retrieved from <https://www.bjs.gov/content/pub/pdf/cpus14.pdf> (accessed 12 December 2016)
- Karlan, P. S. (2004). Convictions and doubts: Retribution, representation, and the debate over felon disenfranchisement. *Stanford Law Review*, 56(5), 1147-1170.
- Kincaid, E., & Lawrence, A. (2001). *Ex-offender employment opportunities*. Washington, DC: National Conference of State Legislatures. Retrieved from https://comm.ncsl.org/productfiles/83136608/ex_offender_employment_report.pdf (accessed 6 May 2017)
- Kling, J. R. (2006). Incarceration length, employment, and earnings. *The American Economic Review*, 96(3), 863-876. doi: 10.1257/aer.96.3.863
- Koschmann, M. A., & Peterson, B. L. (2013). Rethinking recidivism: A communication approach to prisoner reentry. *Journal of Applied Social Science*, 7(2), 188-207. doi: 10.1177/1936724412467021
- Kushel, M. B., Hahn, J. A., Evans, J. L., Bangsberg, D. R., & Moss, A. R. (2005). Revolving doors: Imprisonment among the homeless and marginally housed population. *American Journal of Public Health*, 95(10), 1747-1752. doi: 10.2105/AJPH.2005.065094
- Lattimore, P. K., & Visher, C. A. (2010). The multi-site evaluation of SVORI: Summary and synthesis. Washington, DC: U.S. Department of Justice, Office of Justice Programs, National Institute of Justice. Retrieved from <https://www.ncjrs.gov/pdffiles1/nij/grants/230421.pdf> (accessed 27 November 2016)
- La Vigne, N. G., Visher, C., & Castro, J. (2004). *Chicago prisoners' experiences returning home*. Washington, DC: The Urban Institute. Retrieved from <http://www.urban.org/sites/default/files/alfresco/publication-pdfs/311115-Chicago-Prisoners-Experiences-Returning-Home.PDF> (accessed 10 November 2016).

- LeBel, T. P. (2012). Invisible stripes? Formerly incarcerated persons' perceptions of stigma. *Deviant Behavior*, 33(2), 89-107. doi: 10.1080/01639625.2010.538365
- Leshner, A. I. (1997). Addiction is a brain disease, and it matters. *Science*, 278(5335), 45-47. doi: 10.1126/science.278.5335.45
- Lynch, J., & Sabol, W. (2001). *Prisoner reentry in perspective*. Washington, DC: The Urban Institute. Retrieved from https://www.urban.org/sites/default/files/alfresco/publication-pdfs/410213_reentry.PDF (accessed 2 December 2016)
- Lyons, C. J., & Pettit, B. (2011). Compounded disadvantage: Race, incarceration and wage growth. *Social Problems*, 58, 257-280. doi: 10.1525/sp.2011.58.2.257
- Mallik-Kane, K., & Visser, C. (2008). *Health and prisoner reentry: How physical, mental and substance abuse conditions shade the process of reintegration*. Washington, DC: The Urban Institute. Retrieved from <http://www.urban.org/sites/default/files/alfresco/publication-pdfs/411617-Health-and-Prisoner-Reentry.PDF> (accessed 3 November 2016)
- Maltz, M. D. ([1984] 2001). *Recidivism*. Retrieved from https://books.google.com/books?id=VxLb2pHetakC&printsec=frontcover&source=gbs_ge_summary_r&cad=0#v=onepage&q&f=false (accessed 5 December 2016)
- Metraux, S., & Culhane, D. P. (2004). Homeless shelter use and reincarceration following release. *Criminology and Public Policy*, 3(2), 139-160. doi: 10.1111/j.1745-9133.2004.tb00031.x
- Mumola, C. J. (1999). *Substance abuse and treatment, state and federal prisoners, 1997*. Washington, DC: U.S. Department of Justice, Bureau of Justice Statistics. Retrieved from <http://csdp.org/research/satsfp97.pdf>
- Mumola, C., & Karberg, J. C. (2006). *Drug use and dependence, state and federal prisoners, 2004*. Washington, DC: U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Statistics, 2007. Retrieved from <http://www.bjs.gov/content/pub/pdf/dudsfp04.pdf> (accessed 12 December 2016)
- Nally, J. M., Lockwood, S. R., & Ho, T. (2011). Employment of ex-offenders during the recession. *Journal of Correctional Education*, 62(2), 117-131.
- Naser, R. L., & La Vigne, N. G. (2006). Family support in the prison reentry process: Expectations and realities. *Journal of Offender Rehabilitation*, 43(1), 93-106. doi: 10.1300/J076v43n01_05
- National Conference of State Legislatures (2016). *Felon Voting Rights*. Washington, DC: National Conference of State Legislatures. Retrieved from <http://www.ncsl.org/research/elections-and-campaigns/felon-voting-rights.aspx> (accessed 12 June 2017)

- National Institute of Corrections. (n.d.). *Community Services Division*. Washington, DC: United States Department of Justice, Federal Bureau of Prisons, National Institute of Corrections. Retrieved from <https://nicic.gov/owd> (accessed 6 June 2017)
- National Institute of Corrections. (n.d.). *Federal Offenders Reentry Group*. Washington, DC: United States Department of Justice, Federal Bureau of Prisons, National Institute of Corrections. Retrieved from <https://nicic.gov/forge> (accessed on 5 June 2017)
- National Institute of Corrections. (n.d.). Washington, DC: United States Department of Justice, Federal Bureau of Prisons, National Institute of Corrections. Retrieved from <https://nicic.gov/aboutus> (accessed 5 June 2017)
- National Institute of Justice. (2016). Evaluation of Second Chance Act demonstration projects. Washington, DC: U.S. Department of Justice, Office of Justice Programs, National Institute of Justice. Retrieved from <http://www.nij.gov/topics/corrections/reentry/Pages/evaluation-second-chance.aspx> (accessed 28 November 2016)
- National Institute of Justice. (2014). About the serious and violent offender reentry initiative. Washington, DC: U.S. Department of Justice, Office of Justice Programs, National Institute of Justice. Retrieved from <http://www.nij.gov/topics/corrections/reentry/oages/about-svori.aspx> (accessed 21 November 2016)
- National Institute of Justice. (2012). Program profile: Reduced probation caseload in evidence-based setting (Iowa). Washington, DC: U.S. Department of Justice, Office of Justice Programs, National Institute of Justice. Retrieved from <http://www.crimesolutions.gov/ProgramDetails.aspx?ID=259> (accessed 17 July 2017)
- National Technical Assistance Center at Virginia Commonwealth University. (2008, Oct). *Ex-offenders and employment*. Retrieved from <http://www.worksupport.com/documents/HVRPFactsheet6.pdf> (accessed 2 June 2017)
- Nelson, M., Deess, P., & Allen, C. (2011). The first month out: Post-incarceration experiences in New York City. *Federal Sentencing Reporter*, 24(1), 72-75. doi:10.1525/fsr.2011.24.1.72
- Ostermann, M. (2013). Active supervision and its impact upon parolee recidivism rates. *Crime & Delinquency*, 59(4), 487-509.
- Owens, S. J., Klebe, K. J., Arens, S. A., Durham, R. L., Hughes, J., Moor, C. J., O'Keefe, M., Phillips, J., Sarno, J., & Stommel, J. (1997). The effectiveness of Colorado's TASC programs. *Journal of Offender Rehabilitation*, 26(1-2), 161-176.
- Pager, D. (2003). The mark of a criminal record. *American Journal of Sociology*, 108(5), 937-975. doi: 10.1086/374403
- Petersilia, J. (2003). *When prisoners come home: Parole and prisoner reentry*. New York, NY: Oxford University Press.

- Petersilia, J., & Turner, S. (1993). Intensive probation and parole. *Crime and Justice*, 17, 281-335. doi: 10.1086/449215
- Pogorzelski, W., Wolff, N., Pan, K., & Blitz, C. L. (2005). Behavioral health problems, ex-offender reentry policies, and the “Second Chance Act.” *American Journal of Public Health*, 95(10), 1718-1724.
- Pogrebin, M., West-Smith, M., Walker, A., & Unnithan, N.P. (2014). Employment isn’t enough: Financial obstacles experienced by ex-prisoners during the reentry process. *Criminal Justice Review*, 39(4), 394-410. doi: 10.1177/0734016814540303
- Prendergast, M., Frisman, L., Sacks, J. Y., Staton-Tindall, M., Greenwell, L., Lin, H., & Cartier, J. (2011). A multi-site, randomized study of strengths-based case management with substance-abusing parolees. *Journal of Experimental Criminology*, 7(3), 225-253.
- Rosen, D. L., Grodensky, C. A., & Holley, T. K. (2016). Federally-assisted healthcare coverage among male state prisoners with chronic health problems. *PLOS one*, 11(8), 1-12.
- Sacks, S., Chaple, M., Sacks, J. Y., McKendrick, K., & Cleland, C. M. (2012). Randomized trial of a reentry modified therapeutic community for offenders with co-occurring disorders: Crime outcomes. *Journal of Substance Abuse Treatment*, 42(3), 247-259.
- Scally, C. P. (2005, January). *Housing ex-offenders*. Retrieved from <http://www.nhi.org/online/issues/139/exoffenders.html> (accessed 3 June 2017)
- Schools Safe Act, 42 U.S.C. 16962
- Second Chance Act of 2007, Pub. L. No. 110-199, § 3 (2008).
- Shivy, V. A., Wu, J. J., Moon, A. E., Mann, S. C., Holland, J. G., & Eacho, C. (2007). Ex-offenders reentering the workforce. *Journal of Counseling Psychology*, 54(4), 466-473. doi: 10.1037/0022-0167.54.4.466
- Social Security Act, 42 U.S.C. § 601 et seq.
- Social Security Administration. (2016). *Understanding supplemental security income SSI eligibility requirements—2016 edition*. Baltimore, MD: Author.
- Solomon, A. L. (2006). *Does parole supervision work? Research findings and policy opportunities*. Washington, DC: The Urban Institute. Retrieved from <http://www.urban.org/sites/default/files/publication/50221/1000908-Does-Parole-Supervision-Work-.PDF> (accessed 5 June 2017)
- Solomon, A. L., Kachnowski, V., & Bhati, A. (2005). *Does parole work? Analyzing the impact of postprison supervision on rearrest outcomes*. Washington, DC: The Urban Institute. Retrieved from <http://www.urban.org/sites/default/files/alfresco/publication-pdfs/311156-Does-Parole-Work-.PDF> (accessed 6 December 2016)

- Swensen, J. G., Rakis, J., Snyder, M. G., & Loss, R. E. (2014). Engaging employers and business in the hiring of individuals with criminal records. *Journal of Applied Rehabilitation Counseling*, 45(4), 15.
- Taxman, F. S. (2007). Reentry and supervision: One is impossible without the other. *Corrections Today*, 98-105. Retrieved from http://www.dpscs.state.md.us/publicinfo/publications/pdfs/dpp_corrections_today.pdf (accessed 6 December 2016)
- Travis, J. (2005). *But the all come back: Facing the challenges of prisoner reentry*. Washington, DC: The Urban Institute Press.
- Travis, J., & Petersilia, J. (2001). Reentry reconsidered: A new look at an old question. *Crime and Delinquency*, 47 (3), 291-313. doi: 10.1177/0011128701047003001
- U.S. Centers for Medicare & Medicaid Services. (n.d.). *Eligibility*. Retrieved from <https://www.medicare.gov/medicaid/eligibility/index.html>
- U.S. Centers for Medicare & Medicaid Services. (n.d.). *Special circumstances (Special enrollment periods)*. Retrieved from <https://www.medicare.gov/sign-up-change-plans/when-can-i-join-a-health-or-drug-plan/special-circumstances/join-plan-special-circumstances.html#collapse-3198>
- U.S. Department of Housing and Urban Development (1996). *“One strike and you’re out:” Screening and eviction policies for public housing authorities*. Washington, DC: U.S. Department of Housing and Urban Development.
- U.S. Department of Housing and Urban Development. (2016a). *Office of general counsel guidance on application of Fair Housing Act standards to the use of criminal records by providers of housing and real estate-related transactions*. Washington, DC: U.S. Department of Housing and Urban Development.
- U.S. Department of Housing and Urban Development. (2016b). *Programs of HUD*. Washington, DC: U.S. Department of Housing and Urban Development. Retrieved from <https://portal.hud.gov/hudportal/documents/huddoc?id=HUDPrograms2016.pdf>
- U.S. Department of Housing and Urban Development. (2015). *Guidance for public housing agencies (PHAs) and owners of federally-assisted housing on excluding the use of arrest records in housing decisions*. Washington, DC: U.S. Department of Housing and Urban Development, Office of Public and Indian Housing. Retrieved from <https://portal.hud.gov/hudportal/documents/huddoc?id=PIH2015-19.pdf>
- U.S. Department of Labor. (2016). *The Federal Bonding Program*. Washington, DC: U.S. Department of Labor. Retrieved from <https://www.doleta.gov/usworkforce/onestop/FBP.PDF>
- U.S. Equal Employment Opportunity Commission. (2012). Consideration of arrest and conviction records in employment decisions under title VII of the Civil Rights Act of

1964. Washington, DC: U.S. Equal Employment Opportunity Commission. Retrieved from https://www.eeoc.gov/laws/guidance/arrest_conviction.cfm (accessed 12 December 2016)
- Vacca, J. S. (2004). Educated prisoners are less likely to return to prison. *Journal of Correctional Education*, 55(4), 297-305.
- Visher, C. A. (2007). Returning home: Emerging findings and policy lessons about prisoner reentry. *Federal Sentencing Reporter*, 20(2), 93-102. doi: fsr.2007.20.2.93
- Visher, C. A., Debus-Sherrill, S. A., & Yahner, J. (2011). Employment after prison: A longitudinal study of former prisoners. *Justice Quarterly*, 28(5), 698-718. doi: 10.1080/07418825.2010.535553
- Visher, C. A., & Kachnowski, V. (2007). Finding work on the outside: Results from returning home project in Chicago. In S. Bushway, M. Stoll, & D. Weiman (Eds.), *Barriers to reentry: The labor market for returned prisoners in post-industrial America* (p. 80-113). New York, NY: Russell Sage.
- Wheeler, D. P., & Patterson, G. (2008). Prisoner reentry. *Health & Social Work*, 33(2), 145-147.
- Western, B., Kling, J. R., & Weiman, D. F. (2001). The labor market consequences of incarceration. *Crime & Delinquency*, 47(3), 410-427. doi: 10.1177/0011128701047003007

Cited Cases

- Department of Housing and Urban Development v. Rucker*, 535 U.S. 125 (2002).
- Estelle v. Gamble*, 429 U.S. 97 (1976).
- West v. Atkins*, 487 U.S. 42 (1988).