

The Reentry Phenomenon

Although the number of individuals coming home from state and federal prison is staggering, there are additional salient realities to keep in mind as the nation considers the ramifications for its unprecedented reentry phenomenon. First, jails are an important but often overlooked part of the reentry conversation. BJS estimates that each year 13 million individuals³ leave the nation's jails. Put another way, jails have contact in three weeks with about as many individuals as state and federal prisons release each year. Second, post-release supervision is expanding. Approximately 80 percent of those released from prison are placed on supervision, up from 60 percent in the early 1970s. Also, the nature of supervision has shifted from service oriented to surveillance oriented, resulting in a seven-fold increase, between 1980 and 2000, in the number of people sent back to prison for parole violations.⁴ Third, as the prison population and parole population have increased, the number and extent of collateral sanctions, called "invisible punishments,"⁵ have also increased. People with conviction records are legally barred from more jobs, benefits and other forms of civic participation than ever before.

The net effect of these realities is profound. A large number of individuals, 90 percent of whom are men, are removed from their families and communities, held in the nation's prisons and jails, and then returned home facing substantial barriers to reintegration. A majority of these individuals come from a small number of communities in urban America, communities already struggling with disadvantaged schools, poor health care and weak labor markets.

In recent years, America has witnessed a remarkable surge of policy interest and innovation in response to these realities. Beginning in the Clinton administration, when Attorney General Janet Reno called for new approaches to inmate reentry, and continuing under the Bush administration, with the Serious and Violent Offender Reentry Initiative and the President's Reentry Initiative, the federal government has demonstrated commendable leadership. A particularly powerful moment came during President George W. Bush's, 2004 State of the Union address, when he announced his administration's commitment to a multiyear federal reentry program and declared that "America is the land of second chance, and when the gates of the prison open, the path ahead should lead to a better life."

The legislative proposal that flowed from this commitment — the Second Chance Act, signed into law by Bush in April 2008 — is of historic importance. Broadly bipartisan and encompassing a variety of reentry initiatives, the Second Chance Act marks a turning point in the nation's history. And now, with the inclusion of \$25 million to fund the Second Chance Act in 2009 and the large increase proposed by Congress for 2010 — \$100 million in the House and \$50 million in the Senate — one can argue that the U.S. has entered a new era. Furthermore, the decision by the Obama administration to request \$100 million for reentry programs in the 2010 budget signals the support of President Obama for a national reentry strategy.

A New Era in Inmate Reentry

By Jeremy Travis, Anna Crayton and
Debbie A. Mukamal

Authors' Note: This article is based on testimony given by Jeremy Travis before the U.S. House of Representatives Committee on Appropriations, Subcommittee on Commerce, Justice, Science, and Related Agencies on March 12, 2009.

Ever since prisons were first built, incarcerated individuals have been released and returned home. But today, more people than ever before are leaving prison. According to the Bureau of Justice Statistics, more than 700,000 leave U.S. state and federal prisons each year. Thirty years ago, fewer than 200,000 made this journey. During the past 35 years, the rate of incarceration in America has more than quadrupled, and the prison population now stands at 1.6 million people. There is a simple and immutable "iron law of imprisonment"¹ — except for those who die in prison, everyone who goes to prison ultimately returns home.²

At the state and local levels, elected officials in such cities as Chicago, Boston and Baltimore have passed “ban the box” laws that require employers to ask the “have you ever been convicted” question at the end, rather than the beginning, of the application process. Additionally, most states have created reentry councils to coordinate health, work force development, education and other social service agencies to improve prospects for individuals returning home.

The Public Safety Nexus

Determining the most effective strategies to address the challenges of inmate reentry requires considering the objectives of those strategies. When addressing reentry, there are two overarching goals: to promote public safety (by reducing recidivism rates) and to reintegrate inmates (by connecting returning prison inmates with the indicia of citizenship, including work, family, peer groups, community and democratic responsibilities and participation such as voting). The following paragraphs focus on the first of these goals; however, the importance of the second should not be diminished.

The public safety dimensions of reentry can be considered through three lenses. First, the recidivism rate of returning prison inmates is very high. If recidivism is defined as one or more arrests for new crimes over a period of time, then, according to BJS data, the three-year recidivism rate for individuals leaving state prisons is more than two-thirds. And about one-half of returning inmates are reincarcerated within that three-year period. The challenge the reentry field faces is daunting: to make significant reductions in this high rate of rearrest.

The second lens on public safety is particularly important when considering the effectiveness of inmate reentry interventions. The rate of failure — as defined by rearrest — is significantly higher in the initial months following release. According to BJS, 30 percent of all arrests during the entire three-year period occur within the first six

months. These statistics pose a specific challenge to those working in the reentry field. If the risk of failure is highest in the first six months, then efforts and resources should be devoted to reducing the rate of failure in those months. It is a simple, but revolutionary concept: front-load reentry services and align resources to match the risk.

The third lens on public safety and reentry underscores the policy imperative the U.S. currently faces. Because crime rates have fallen to historic low levels, and because the size of the reentry population has risen to historic high levels, the percentage of all arrests in a jurisdiction that can be attributed to individuals recently released from prison has grown steadily. In 1994, the arrests of inmates released in the previous three years accounted for 13 percent of all arrests. By 2001, that figure had increased to more than 20 percent.⁶ This simple mathematical reality underscores the importance of developing reentry programs that are effective at reducing rates of failure. Stated differently, there is an opportunity to reduce crime (as measured by arrests as a proxy for crime) by focusing on a relatively small, known population and giving them the tools and supports needed to succeed.

Effectiveness of Reentry Interventions

About 30 years ago, a team of researchers reviewed the extant literature on treatment programs for offenders and reached a sobering conclusion, captured in a short-hand phrase: “nothing works.”⁷ This statement (which was not quite accurate at the time) certainly cannot be repeated today. In the intervening years, researchers have developed an impressive body of studies that underscore the effectiveness of a variety of interventions. Steve Aos and his colleagues⁸ at the Washington State Institute for Public Policy have surveyed the literature and found a number of rigorous evaluations that lead to conclusions about effective programs, some of which reduce recidivism rates more than 20 percent (see Table 1).

Table 1. Correctional Program Effectiveness

Program Type	Number of Studies	Reduction in Recidivism
In-prison drug treatment (therapeutic communities)	6	6.9%
Drug treatment in jail	9	6%
Drug treatment in the community	5	12.4%
Cognitive-behavioral therapy	25	8.2%
Correctional industry programs	4	7.8%
Vocational education and training programs	3	12.6%
Employment training and job assistance	16	4.8%
Adult basic education	7	5.1%
Intensive supervision (treatment-oriented programs)	10	21.9%

This literature has also produced a set of guidelines for effective programs.⁹ According to Joan Petersilia,¹⁰ to reduce failure rates, programs should:

- Focus on behavioral outcomes, targeting criminogenic needs and using positive reinforcements;
- Target high-risk offenders;
- Use risk assessment instruments;
- Begin treatment in prison and provide continuity in the community; and
- Provide intensive interventions for at least six months.

Research also provides a good sense of what interventions do not work. For example, from a variety of evaluations, it is clear that intensive supervision does not reduce recidivism rates.¹¹ Additionally, a landmark study conducted by the Urban Institute indicated that supervision itself does not reduce recidivism; individuals placed on parole supervision after prison are no less likely to be rearrested than individuals released with no supervision.¹²

This emerging body of research should be viewed positively. Far more is known today than a few decades ago about program effectiveness, allowing interventions and services to move toward a policy of evidence-based programming, so that all correctional and community-based programs can be assessed to determine whether they adhere to these principles. This body of research also allows the field to see the potential for measurable reductions in recidivism. In fact, according to the best estimates of researchers, if effective programming was implemented for all returning inmates, with all the resources needed, modest recidivism reductions of about 15 percent to 20 percent could be expected. However, these investments would be cost-effective because they would pay for themselves by reducing future criminal justice and corrections costs.¹³

New Approaches to Inmate Reentry

The advances in research on what works present a complex challenge. It is now known that intervening in the lives of returning inmates can reduce their rates of failure, particularly their rates of rearrest for new crimes. Resources to fund successful interventions should be made available and all reentry programs should be required to meet a standard of proven effectiveness. But even in the best of circumstances, after a substantial investment of new resources, this strategy would produce modest results, perhaps on the order of 20 percent reductions in recidivism rates.

Neither policymakers nor the public should be satisfied with these results. The field can only achieve results that match the magnitude of the reentry phenomenon if it recognizes the approach has been too timid. Programs have been constrained by a medical approach that focuses on individual-level interventions rather than also embracing an ecological model that focuses simultaneously on the community context within which individuals are struggling to thrive after prison. The next chapter of innovation in this area should test ideas that attempt to change the

environment to which individuals return home. There are four promising innovations:

Offender notification forums. As part of its Project Safe Neighborhood (PSN) initiative, the city of Chicago launched an offender notification forum. In designated neighborhoods, individuals recently assigned to parole or probation who had a history of gun violence and gang participation attended a forum hosted by the PSN team. In these forums, the individual met with representatives from state and local law enforcement agencies, community representatives and service providers. The meetings focused on the consequences of gun crimes and choices individuals can make based on alternatives that are available, including job training, education programs, drug treatment, temporary shelter and counseling. An evaluation of the PSN initiative indicates the forums have been “remarkably effective in reducing neighborhood crime rates.”¹⁴ There was a 37 percent reduction in homicide rates in the target neighborhood after the program began compared with the previous three years.

Comprehensive, interagency initiatives. The Boston Reentry Initiative (BRI) is an example of a comprehensive, interagency initiative that focuses on individuals posing the highest risk and starts working with those individuals within 45 days of their admission to the Suffolk County House of Correction (the local jail). Each month, between 15 and 20 high-risk individuals are identified to meet with representatives from social service organizations, law enforcement and community corrections to discuss alternatives to crime and consequences of re-offending. Additionally, caseworkers and faith-based mentors meet regularly with participants. On the day of release, the institution arranges for either a family member or mentor to meet them at the door. According to a recently published evaluation,¹⁵ the “BRI was associated with significant reductions — on the order of 30 percent — in the overall and violent arrest failure rates.”

Reentry courts. The concept of a reentry court, first proposed nearly 10 years ago,¹⁶ is taking hold in state and federal systems. As with the PSN initiative in Chicago and the BRI in Boston, the reentry court represents a new way to coordinate available services. By placing a judge (or magistrate) in the role of reentry manager, these courts, which draw upon the successes of drug courts and other problem-solving courts, create a different relationship between returning prison inmates and the criminal justice system. They provide for coordinated services in ways that are not possible in traditional parole systems. Although reentry courts have not yet been rigorously evaluated, some early findings are promising and show reductions in recidivism rates.¹⁷

Community-based interventions. Around the country, there are a number of demonstration projects testing a new reentry model, namely a community-based approach to reentry. Recognizing that some communities are experiencing high rates of incarceration and reentry, these projects approach reentry as a community phenomenon. These programs create coalitions of community organizations to interact with every person returning home from prison. One such program — the Baltimore Reentry Partnership — was evaluated by the Urban Institute and was found to be associated with a substantial reduction in homicides. The crime decreased from two homicides and 11 attempted

homicides in the comparison group to no homicides and no attempts in the treatment group.¹⁸ In New York City, Mayor Michael Bloomberg has supported the creation of the NYC Justice Corps, providing transitional employment for young adults returning home from prison and jail in two New York City neighborhoods most impacted by incarceration and reentry. In each location, a local organization brings together young people with their community to identify community improvement projects the NYC Justice Corps members can execute while developing hard skills that ready them for the labor market.

These demonstration efforts represent a new frontier in reentry innovation. They do not focus exclusively on individual-level interventions. Rather, they create a coalition of support for individuals returning from prisons and jails, bring together law enforcement and community leaders, communicate clearly about the consequences of illegal behavior, and provide a clear pathway out of a life of anti-social conduct.

The U.S. has reached an important moment in its history. With record high incarceration rates, an unprecedented extension of state supervision over individuals leaving prison and a complex maze of legal barriers to reintegration, more ex-offenders than ever before are returning home in the face of daunting challenges to successful reintegration. In these circumstances, the leadership of federal, state and local governments in the reentry arena is commendable, and the level of innovation in the world of practice is impressive. However, current reentry policies are still quite primitive; the field is just now beginning to develop an approach to reentry based on evidence of best practices. At this moment, it is critically important to invest in rigorous evaluations to identify which interventions are effective at promoting public safety and inmate reintegration. Perhaps more important, government support is needed in the development and testing of new ideas, particularly those that recognize that successful reentry is more than an individual act of will. Successful reentry requires strong community support networks and comprehensive services. Interventions that reflect these principles may hold the greatest promise for success.

ENDNOTES

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² Approximately 95 percent of all incarcerated individuals ultimately return home. About 40 percent of those in prison today will be released within the next year. Petersilia, J. 2003. *When prisoners come home: Parole and prisoner reentry*. New York: Oxford University Press.

³ There are 13 million releases from jail, consisting of about 9 million individuals, some of whom are released more than once.

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⁶ Rosenfeld, R., J. Wallman and R. Fornango. 2005. The contribution of ex-prisoners to crime rates. In *Prisoner reentry and crime in*

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⁷ Martinson, R. 1974. What works? Questions and answers about prison reform. *The Public Interest*, 35:22-54.

⁸ Aos, S., M. Miller and E. Drake. 2006. *Evidence-based adult corrections programs: What works and what does not*. Olympia, Wash.: Washington State Institute for Public Policy. Available at www.wsipp.wa.gov/rptfiles/06-01-1201.pdf.

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¹¹ Petersilia, J. 2004; Aos, S. et al. 2006.

¹² Solomon, A., V. Kachnowski and A. Bhati. 2005. *Does parole work? Analyzing the impact of postprison supervision on rearrest outcomes*. Washington, D.C.: The Urban Institute. Available at www.urban.org/UploadedPDF/311156_Does_Parole_Work.pdf.

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¹⁴ Meares, T., A.W. Papachristos and J. Fagan. 2009. *Review of research. Homicide and gun violence in Chicago: Evaluation and summary of the Project Safe Neighborhood program*. Available at www.psnchicago.org/PDFs/2009-PSN-Research-Brief_v2.pdf.

¹⁵ Braga, A.A., A.M. Piehl and D. Hureau. 2008. *Controlling violent offenders released to the community: An evaluation of the Boston Reentry Initiative*. Rappaport Institute for Greater Boston Working Paper Series. Available at www.hks.harvard.edu/rappaport/download/braga_BRI_final.pdf.

¹⁶ Travis, J. 2000. But they all come back: Rethinking prisoner reentry. Sentencing & Corrections Issues for the 21st Century: Papers from the Executive Sessions on Sentencing and Corrections, Number 7. U.S. Department of Justice, National Institute of Justice. Available at www.ncjrs.gov/pdffiles1/nij/181413.pdf.

¹⁷ Allen County Community Corrections Re-entry Court. 2006. *Cost effectiveness of controlled re-entry: Inmates returning to Allen County, Indiana: 4 Year Study 2001-2005*. Available at www.allencounty corrections.com/ReEntryCourt.html.

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Jeremy Travis is president of John Jay College of Criminal Justice. Anna Crayton is deputy director of research at the John Jay College of Criminal Justice's Prisoner Reentry Institute. Debbie A. Mukamal is director of the Prisoner Reentry Institute at John Jay College of Criminal Justice.