Chapter 9

Beating the perpetual incarceration machine: overcoming structural impediments to re-entry

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Introduction

In this chapter we introduce the convict perspective and a structural analysis of prisoner re-entry to the community. We then discuss the economic and legal consequences of incarceration, qualitative methods used in our study of Iowa convicts, our findings, the perpetual incarceration machine, programme recommendations and beating the penal machinery. We conclude with an esoteric discussion of descent and ascent, a means mentally to overcome the material structures of the incarceration machine. As former penitentiary prisoners we learnt mind over matter and the need to struggle against the oppression of determinist structural barriers.

Our research study attempts to answer the following questions. Why do so many ex-convicts experience re-arrest and reincarceration? What are the social-structural variables, impediments and obstacles that contribute to recidivism? Specifically, what insights into the structural problems of prison release explain parole failure? How do convicts beat the machine?

Convict perspective

The convict perspective is built upon the experience of captivity, ethnographic research and the need to give voice to the men and women who live behind prison walls. The Convict Criminologists (e.g. Richards and Ross 2001; Ross and Richards 2002, 2003) – a growing group of...
former prisoners now employed as criminology and criminal justice faculty at different universities - are developing their own literature. Research and publication by this group (e.g. Irwin 1970, 1980, 1985; Jones 1995; Richards and Jones 1997; Richards 1990, 1995, 1998; Newbold 1982/85, 1989, 1991, 2000; Austin and Irwin 2001; Richards et al. 2002; Austin et al. 2003; Richards and Ross 2003; Terry 1997, 2003) should be viewed as a dramatic attempt to critique, update and improve the critical literature in the field. For example, we do not use the terms ‘inmates’ or ‘offenders’, as these words suggest statistical categories, and are used by correctional authorities to dehumanize persons. We prefer prisoners, convicts and persons convicted of criminal offences. Thinking about prison and re-entry, we conceptualize problems and possible solutions from the viewpoint of prisoners.

A structural analysis of prisoner re-entry to the community

From a convict perspective, the structural realities of prison conditions and re-entry to the community (Richards 1995) are the issue, and not the criminal or deviant behaviour of individuals. We suggest that criminal careers are not necessarily chosen but may result from incarceration and reincarceration that are predicated on the structural problems experienced by prisoners when released from prison. In effect, many prisoners are never allowed a fair opportunity to return home and start a new life. Instead, these persons are processed through correctional stages where they are structured to fail, return to prison and, over time, become institutionalized.

Controlling for individual differences and deficiencies, how does the rule-resource structure of prison release contribute to work release and parole failure? For example, consider a hypothetical sample of 100 innocent men or women, without criminal records, psychological disorders, alcohol or drug abuse problems, or deficiencies in educational or vocational training. Now imagine a mad criminologist, without any concern for human decency or professional ethics, designing a nightmare double-blind experiment whereby these respectable citizens are arrested for a serious felony, convicted and sentenced to serve ten years in a penitentiary. Serving time in prison they are considered by convicts and staff to be ‘Square Johns’ (Irwin 1970: 32–5) who had families and employment before their incarcerations, and do not learn and internalize criminal identities while in prison. We predict that these men, upon leaving prison, will have the same rate of parole failure and subsequent reincarceration as a conventional non-experimental population of parolees. Considering this hypothetical sample, what structural variables, as opposed to individual behaviour, may explain parole failure?

The purpose of this study was to explore what structural impediments, as opposed to individual deficiencies, may contribute to parole failure and recidivism. The research was guided by three theoretical propositions that derive from Giddens’ structuration theory (1984, 1987, 1990, 1991):

1. Prisoners upon release, depending upon the length of time spent in prison, may have little memory traces of societal rules and resources (memory of social structure) with which to reciprocate in the practice (social integration) of day-to-day life (routinization). These men experience the disjuncture between two different structurations of time and space (prison and the free world) as a lack of confidence and trust (ontological security) in the structure they re-enter. Conversely, society may react without confidence and trust to prisoners who wear a stigmatized and spoiled identity (Goffman 1961, 1963).

2. Prisoners upon release, even when they are able to ‘pass’, may carry with them memory traces of the rules and resources (structure) acquired in prison back to the streets.

3. The speed and complexity of modern society impose additional structural impediments or barriers to ex-prisoners’ re-entry and reintegration into the community.

Convicts, scholars and practitioners are frustrated by the high rate of parolee failure and recidivism. Unfortunately, recent policy developments have only made prisoner re-entry more difficult for persons released from prison. These policies have resulted in what Austin and Irwin (2001) called ‘the rising tide of parole failures’, which they explained as the result of parolee misconduct, technical violations, drug testing and close parole supervision. In contrast, we focus on how the structure of time and space, and rules and resources, may contribute to parolee programme failure.

Our research study looked at the experiences of convicts in the Iowa state prison system as they were transferred from medium and maximum-security institutions to correctional half-way houses in Des Moines. Qualitative research methods were used to explore the experiences of prison convicts with prison release and re-entry to the community. Our study asked prisoners and correctional staff to
comment on the problems of prison release, work release, re-entry to the community and recidivism. The focus was on structural impediments to parole success, defined as economic and legal barriers to prisoner re-entry to the community.

Economic and legal consequences of incarceration

The public does not understand that a prison sentence carries both direct and indirect consequences. The direct consequences of incarceration, which may be pervasive and profound, include what Sykes (1958) termed the 'pains of imprisonment.' These include being deprived of liberty, material comfort, heterosexual relationships, autonomy and security. Convicts may lose nearly everything dear to them, including the intimacy of family and friends. Most of their worldly possessions are forfeited, loaned or stolen. They may have their homes, farms, businesses and material possessions claimed by relatives, repossessed by the bank or confiscated by the government. Eventually, they lose their spouses and children.

The indirect or collateral consequences of incarceration may not be evident to prisoners until they are released from prison. The collateral consequences of criminal conviction (Allen and Simonsen 1995) include disabilities, disqualifications and legal restriction. In a study of state statutes Burton et al. (1987: 52) found collateral consequences of a felony conviction were:

In some sixteen states (nearly one third of the jurisdictions surveyed), courts may terminate parenting rights upon conviction or incarceration of a parent. (2) More than half (twenty-eight states) permit divorce for conviction or imprisonment of a felony. (3) Some 30 percent of the jurisdictions permanently bar convicted felons from public employment in their home states, unless pardoned or restored to full citizenship. (4) If one is a felon in nineteen states, one may not hold public office. (5) Almost every state forbids a felon from possession of a firearm. (6) Only eight states require the felon to register as a former offender, and only four states continue the practice of civil death.

These legal structural impediments to successful re-entry to the community restrict the ex-prisoner to a structure of diminished resources.

Historically, the legal status of prisoners has been defined by civil death statutes. Johnson (1990: 155–6, 168) discussed civil death:

When we sentence criminals to prison we suspend their civil lives, rendering them civilly dead until they are deemed worthy of return to the society of the living. Civil death entails the loss of one's freedom and of the attendant benefits of civil life in the free world ... Prisoners, until fairly recently, were viewed as the legal equivalent of dead men ... They were civilites mortuis, and their estates, if they had any, were managed like those of dead men.

Civil death (Davenas 1983: 61; Allen and Simonsen 1992: 6, 273–4) implies that their worldly legacy is claimed or inherited by others; a prisoner’s property is confiscated in the name of the state (a common practice of the federal government); a man’s wife is declared a widow and is free to remarry; and a ‘dead’ person is disqualified from signing contracts or conducting business affairs.

Many prisoners leave prison with barely enough money to survive a few days. According to Lenihan (1974: 4–6): "Most State governments give each releasee clothing, transportation, and "gate money," ranging from $10 to $200 – the median is $28. Fifteen states do not provide transportation; six do not provide clothing; three give neither; and two give no money." Today, in Iowa and many other states, prisoners are issued $50 gate money and a bus ticket.

Convicts are released from prison with considerable debts and financial liabilities. These debts are a consequence of being locked up for years and being forced to work at prison wages, usually only pennies per hour. With these meagre earnings, they must provide for their personal needs, for example, commissary, legal expenses and collect phone calls to family. Released from prison, the ex-convict has little if any money and is typically hit with delinquent bills that have built up over years, including court costs and fees, fines, restitution, tax deficiencies, child support and domestic family bills.

Considering the research on parolees securing employment, it is no surprise that many persons return to prison. The relationship between employment, crime, imprisonment and recidivism has been the subject of much empirical analysis (e.g. Greenberg 1977; Janovic 1982; Chirico and Bales 1991; Zimring and Hawkins 1991). In a market economy, unemployment marginalizes individuals and may contribute to high rate of imprisonment and parole failure (Welch 1996: 50–2). Pownell (1969: 49) reported that federal male parolees experience three times the
rate of unemployment of the general population; Tropin (1977) estimated the national rate of unemployment for all ex-offenders at three times the rate for non-offenders. Dale (1976: 323) suggested that ex-offend unemployment is related to the rate of recidivism: 'This high unemployment rate is reflected directly in the rate of recidivism. Of the more than 100,000 released from prison each year, 70 percent will return to prison - 30 percent within a year after release.' Recent studies (Dickey 1989; English and Mande 1991; Richards, 1995; Richards and Jones 1997; Richards 1998; Austin et al. 2001; Austin and Irwin 2001) also suggest that unemployment contributes to community programme failure and recommend priority be given to job development assistance.

Generally, ex-offenders are unlikely to receive any prison training in marketable skills, employees are reluctant to hire them and they have great difficulty in filling out employment applications that inquire about arrest and conviction records. While on parole they must okay their employment with the parole officer who is required to verify the parolee’s employment by calling or visiting the parolee's work site. This may lead to the termination of employment.

Restrictive laws and policies provide obstacles for ex-offenders in the labour market. The unemployment rate of ex-offenders may be used to discriminate and laws prohibiting their hire. Smith (1984: 5) reported: 'The American Bar Association (1973) speculated that the reasons for an unusually high (36 percent and higher) unemployment rate among ex-offenders are not only their lack of skills but laws, regulations, and practices which prohibit certain jobs to those with a criminal record.' Stanley (1976) discussed three barriers to ex-offenders securing legal employment: licensing restrictions; civil service rules and practices; and bonding requirements. A study by the American Bar Association (Hunt et al. 1973: 5) found '1,948 separate [state] statutory provisions that affect the licensing of persons with an arrest or conviction record'. Ex-offenders are required by state statutes to prove 'good moral character' to receive an occupational licence for the following: restaurant work where alcohol is sold; bartender; chauffeur; plumber; physical therapist; teacher; tree surgeon; dry cleaner; midwife; funeral director; doctor; lawyer; stock broker; car salesperson; insurance agent; barber; cab driver; and child care worker. As Stanley (1976: 152) indicated, 'There are lists pages long of occupations for which a license may be denied if the applicant has committed a criminal offense'.

Ex-offenders may fare no better in public sector employment. Miller (1972) reported they faced formidable obstacles in securing government employment. Stanley (1976) suggested that civil service laws were worded to deny ex-offenders employment opportunities. Most cities, counties, states and the federal government do not hire ex-offenders for many job categories. Criminal records are used to deny ex-offenders employment as policeman, fireman, teachers, garbage collectors, secretaries, clerks, and to prevent enlistment in the military. Ironically, one innovative programme, funded by the US Department of Labor, the 'Model offender program', was unable to hire ex-offenders as employment counsellors because of restrictive regulations.

More recently, a growing number of universities are using criminal records to reject student applications for admission, student loans and employment. University systems now ask 'Have you ever been convicted of a felony?' on applications for admission and employment. Applicants are being denied admission to both undergraduate and graduate programmes. The same 'felony question' may preclude professors being hired as faculty.

Bonding companies routinely denied bonding to ex-offenders. This practice effectively excluded them from many jobs, including truck driving, furniture moving or employment that required handling currency or operating a cash register, such as fast food or retail sales. Businesses may be concerned that employing felons will increase their insurance premiums.

In summary, the direct and indirect consequences of incarceration created legal and economic difficulties for prisoners who served time in prison and upon release to community facilities. Economic impediments include:

1. problems with securing employment in both the public and private sectors (barriers to employment may include criminal records, restrictions on occupational licensing, bonding and civil service requirements);
2. imposition of court fees and fines, restitution, lawyer bills and child support;
3. years of imprisonment that result in the accumulation of various unpaid consumer bills;
4. the relative poverty of prisoners released as measured by their 'gate money;' assets and debts; and
5. the rate of unemployment as compared with the general population.

Legal impediments include the loss of civil rights and collateral consequences of criminal convictions.
Qualitative methods used in our study

The original study (Richards 1995; Richards and Jones 1997) of prisoner release from Iowa prisons and return to the community in Des Moines was conducted in 1992. In this chapter we discuss the methodology and finding and revisit our discussion and update our recommendations. This research was conducted by two ex-convicts (both Iowa State University PhDs) observing prisoners upon their release from prison to work-release facilities and parole. As former penitentiary prisoners familiar with the cultural context and symbolic meanings of the prison world, we have some insight into prison release and problems encountered. We also make no pretense to value-free objectivity (Weber). The data in this study are open to different interpretation, depending upon both the analysis and analyst.

Understanding prisoner experience requires a methodology that gives convicts a voice to report their problems with the many stages of custody. Convicts do prison time and, on a given day, pass through prison gates to continue their sentences in community facilities. A new life is supposed to begin when the convict walks out the prison gates.

We interviewed men released from prison, following them from the prison gates to their designated correctional half-way houses. First, we visited the prisons to learn about pre-release programmes and procedures. Secondly, we stood outside the prison gates and waited for random prisoners to walk out. ‘Hi, I’m an ex-convict sociologist studying prison release. Do you mind if I ride the bus with you to Des Moines and ask you a few questions?’ Along the way, when the Greyhound stopped at a truck stop, we bought the just released prisoners meals and smokes. Once the men relaxed and decided we were not police, although they still did not have a clue what a sociologist was or believe we were ex-cons, they were talkative, asking as many questions as they answered. When the bus arrived in Des Moines, the men were required to report immediately to the community half-way house.

Thirdly, in an attempt to understand how community facilities operated, we spent long evenings at three correctional half-way houses visiting with both prisoners and staff. Over the months we also observed correctional staff and prisoners in prisons, half-way houses and parole offices. Having collected initial observations, programme reports and official permission to conduct prisoner interviews, we then decided systematically to survey prisoners using an open-ended questionnaire. Our criterion for selection of men was that they were convicted felons who had served more than one year in prison. As it turned out, most of the interviewees were recidivists who have served more than one prison sentence and a considerable part of their adult life in correctional institutions.

Fourthly, 2-4-hour interviews were conducted with 30 male prisoners on site in person with audio-taped questions and answers. A number of men were interviewed twice, and several group interviews were also completed. These interviews were conducted late into the evenings, sometimes past midnight and on weekends, over a six-month period at one prison, two residential work-release centres, a house of hospitality for ex-convicts, parole and probation offices and the offices of human service providers. Correction staff at these sites graciously provided office accommodation. All interviews were private and confidential without interruptions from either staff or clients. The prisoners, without exception, were cordial and eager to discuss prisons, prison release and their future plans with ex-convict researchers.

After a few initial interviews, it became apparent that the men had their own stories to tell, regardless of our research protocol. As a result, we consciously attempted not to control the interviews. The vulnerable status of work-release prisoners and their precarious foothold in the community while residing in a correctional facility with controlled movement dictated that we not jeopardize them personally. We did not ask compromising questions about criminal records, court cases, drugs, alcohol or illegal activities. However, discussion of these subjects was initiated by the prisoners.

We decided not to review either criminal or prison records of prisoners. These records, including pre-sentence investigations (PSI), court records, police records and central correctional files, are official records of stigmatization. Criminal history record information is used by statutory provision to deny felons the right to purchase firearms, to refuse bail, to upgrade criminal offences, to enhance sentences for offenders with prior convictions, to provide for mandatory sentences for habitual felons, to deny probation, as evidence in pre-sentence reports, to decide correctional classification and to affect parole eligibility. Thus criminal history records were instrumental in the processing of prisoners through every stage of the criminal justice system. Consequently, it is not surprising that some prisoners would be threatened by an outside researcher reviewing their records. Prisoners complained that official records were used both to enhance and sustain criminal sanctions; they are part of their punishment.

Interviews of correctional staff provided an opportunity to get
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background information on both prison release and work-release programmes. As the study progressed, we were able to check contradictory or conflicting information by comparing prisoner and staff responses.

Findings

Theoretically, Iowa operated a prison system where prisoners were processed through a series of structured environments of diminishing security levels, as they gradually progress to release. They were transferred from prison to community half-way houses operated by the Department of Corrections. These facilities were secure facilities, with locked windows and doors, staffed by uniformed officers, with controlled movements and frequent ‘counts.’

The prison population studied consisted of men who individually had served time in a number of different prisons (maximum, medium, minimum security) before being transferred to a work-release facility. As they completed their prison time they were provided with an opportunity to serve the last 3–6 months in work release which provided them with a chance to adjust in stages to working and living in the community. Upon successfully completing the work-release programme the men were eligible for parole. They would still be in ‘constructive custody’ for a number of years until they finished parole supervision.

Gate money

Prisoners were released from prison to work release with five dollars ‘gate money,’ a bus ticket and $50 release money from which the cost of their ‘prison blues’ was deducted. Two prisoners interviewed together discussed release money:

First prisoner: Out of the money allotment for clothes [$50] I bought two pairs of their jeans and a shirt. And basically it ain’t like I went down to the clothing room, I got the clothing I already had up in my locker.
Interviewer: How much did that cost you?
First prisoner: The pants were fifteen, the shirt was seven, and they made me pay for my boots.
Interviewer: Did you have any of that $50 left?
First prisoner: About $10 or $12, something like that.
Second prisoner: Did you get out in winter time man?

The balance of the fifty dollars was forwarded to the men’s institutional account at their intended destination, the work-release facility, where it was applied to their first week’s rent bill.

Clothing

These men walked out of prison wearing old, worn-out prison uniforms, carrying a cardboard box containing their personal belongings, with five dollars gate money in their pockets. Upon arrival at the work-release centre most of them were ‘stone broke’ until either their family arrived to provide them ‘walk around money’ or their prison account money was delivered by mail, which may take a few weeks or more. Many of them received loans from the work-release centre to tide them over while they looked for work, waited for their first real pay cheque, or pursued alternative means to securing street money.

Why are these men exiting prison wearing prison uniforms? One community corrections employee discussed the problem:

They come in with no clothes. He came in [referring to one prisoner in a group interview] with no shoes. January 24th and no shoes no coat, T-shirt and a pair of pants. Coming from prison, one guy from Oakdale came in with, in December, cut off shirt, one lense in his glasses, not two. They did get his hearing aid cleaned so he did have that. Pair of pants that’s it, no coat. And we are seeing more and more of that. We are seeing more and more come in with nothing. And they are even talking about cutting the money they get when they leave [prison]. That’s rumors from the budget cuts.
Another community corrections employee responded to our question: 'How long has it been that you’ve been seeing them walk in here wearing prison blues?'

Well they have always done that, oh yeah, forever. Even when they dressed people out they really didn’t dress them out in clothing that was really appropriate. You could pretty much pick them out in a crowd no matter what. I’m not sure it has to be that way but that’s the way it’s always been. The shoes are a big give-a-way most of the time.

The prisoners left prison wearing ‘prison blue’ uniforms and penitentiary boots. It is amazing they were not arrested by the police as escapees. They arrived at the work-release centres without appropriate clothing to wear when applying for employment. The same community corrections employee explained:

If they could get a stock of clothing that was varied enough that would fit in, I think that probably would help. I certainly don’t like to see them come in here [wearing prison blues] because that’s one of the first things we have to deal with. The work release prisoner says, I don’t have appropriate clothing to job search.

I don’t know what the answer to that [street clothes] is. At some point in time they need to address that, whether it be at the institution or give us enough money and resources here to be able to do it, one or the other. But it needs to be addressed, that is a problem. If we had a pre-release center that certainly would be the appropriate place to deal with those kinds of issues.

The amount of ‘gate money,’ release clothing and bus tickets were only some of the issues that need to be addressed.

Inadequate preparation for release

The prisoners also said they did not have sufficient notification and time psychologically to prepare for their transfers from prison to community work release. Some of these men had spent years in the penitentiary and were surprised to learn they were being released. The director of a work-release facility stated:

What I see happening is there is a waiting list [at the prisons], I don’t know that there is a hell of a lot of work that goes on with that individual prior to the time that he is to be released. Has that counselor really sat down and tried to work with and prepare that guy for release? I don’t think so. They are jerking a guy out of a cell or off his work detail and saying, ‘Here pack your stuff you are going to Newton, your bus leaves in an hour.’ That’s the kind of thing I see happening. That’s the stories we hear.

Correctional staff reported that, upon arrival at the work-release centres, the prisoners appeared to be in a euphoric trance, happy to be out from behind the wall but unprepared for the challenges before them. The same director of a work-release facility explained:

There is not a heck of a lot of time for that individual to get a mind set about what he is going to try to do or try to accomplish while he’s on work release. Maybe that somewhere along the line did take place but then with our waiting list we got with the half-way house maybe that was three months ago. He still has to get that mind set going to say, ‘Okay, you know I’ve got to do this, I’m going to do that, I’m going to really try to do this, I’m going to try to avoid that.’ He is probably thinking about that on the way here on the bus. And then we bring him in here and nail him with all the rules and regulations in an orientation and he’s just spinning. We know that that’s a problem.

‘Spinning’ refers to the state of mind the prisoners were in upon arrival at the work-release centre. They have been transported from prison, with its rules and regulations, to a new environment, the work-release facility, with an entirely new set of rules and specific obligations. Upon arrival at the work-release centre they are confused and anxious, even a little frightened. Some of these men, particularly those who served a long time in the penitentiary, had not been required to pay rent, purchase food or look for employment in years.

They have no money when they arrive at the half-way house

Leaving prison the convicts are issued with a bus ticket to Des Moines and $50 gate money minus what they are charged for prison-issue clothing. In effect, they ride the bus with $20-30 in cash, mere pocket money to pay for meals.

Getting off the bus and entering the community half-way house facility, they are wearing their prison uniform and carrying a cardboard box with their meagre personal possessions. Locked up in prison they
were unable to save money because of low prison wages and the court-ordered deductions (for court fines, restitution, child support) from their monthly pay. Most of the interviewees reported their penitentiary wage as one dollar per day or 12.5 cents an hour, for a total of 20 dollars a month. One prisoner reported:

Two dollars was top pay [per day]. I was making twenty-five cents an hour top pay. The pay we get up there [prison] now is just ridiculous, it’s nothing to live on. You have to have your people send you money in. If your people out on the streets don’t have it then you’re screwed.

Out of this 20 ($1 a day for 20 days) to 40 dollars ($2 a day for 20 days) a month, convicts were required to pay for their own cigarettes, paper, envelopes, stamps, commissary food and collect phone calls. Typically, convicts estimate it takes at least $100 a month to pay for their expenses while in prison. Iowa prisoners were forced to depend on their families to make up the difference.

Most of these prisoners, as a means of survival, relied upon money from home that arrived as US postal money orders and was added to their commissary accounts. These cheques mailed from family and friends, are cashed by the institution and used to pay court-ordered restitution. The convicts told us the prison authorities forged their signatures and cashed cheques made out to them. One prisoner said: ‘If my family had intended to pay my restitution they would have mailed their check to the court.’ They saw this practice as the prison stealing from their families.

**Visits in prison**

Seven of the thirty men in the study received no visits at all while they were incarcerated. A number of others reported considerable anxiety about the visits they did receive. One prisoner recalled his visiting days:

I remember a lot of days like that. My visits would be the next day, and the day before I would get real quiet. On the day my visit was coming I always got real nervous. And I never understood why because I had known this girl for ten years. When it was time to go visit her I would always get real nervous. I’d get nervous to the point where my hands would shake.

Some of these men refused visits while others had no family or friends that were interested in or able to visit them. A number of men referred to their families’ low income as the reason why the latter did not visit their sons, husbands and fathers in prison; other men preferred that their families not visit them because of the degrading treatment they would receive from penitentiary staff. The number of visits a convict receives per year may be related to the length of his sentence and number of prior incarcerations. Prisoners serving long sentences (ten years to life) or who have served a number of prior sentences may lose their community ties and have fewer visits per year.

**Most significant needs**

We asked the prisoners what were their most significant needs upon release from prison. The most frequent responses were money (24 men), job (23 men), new friends (18 men), job training (13 men) and education (13 men). The convicts now at the community half-way house were desperate for money and willing to take nearly any employment. A number of them were concerned that, after working all week, they had no money to give their wives to pay house bills. An even more pressing problem were demands for money from the correctional authorities.

**The programme is all about money**

The men reported being under constant pressure from the staff to work for money that would be deducted from their pay cheques to pay for mandatory rent and restitution. Money was needed immediately to comply with work-release centres’ rules that they pay weekly rent, purchase institutional sheets (15 dollars is deducted from the money that arrives from the prison or their first pay cheque), and provide for their own food and transportation. The prisoners called the correctional staff ‘collection officers’ because they felt they were more concerned with collecting money for the state than providing assistance to their residents.

The correctional counsellors were ordered to collect money from each man. Prisoners paid four, seven or twelve dollars a day rent for their bed in a work-release centre, depending on the facility and their status; and $120, $210 or $360 rent a month plus a 20 per cent deduction for restitution from their paycheques. The rent was for a bed or bunk in a dormitory or four-man room in a controlled movement facility and did not include food. Most of the prisoners quickly fell into debt to the work-release centre for back rent. In some cases, their resentment of correctional staff handling their pay cheques and deducting for rent and
restitution dampened their interest in legitimate employment. Some of the men who worked 40-hour weeks complained they had little money to purchase food, clothes or presents for their children. One prisoner voiced his resentment:

You leave the penitentiary on a Tuesday, you come here, and you’re broke for the whole week or two till they send you money from the penitentiary. What kind of shit is that? Ya know, I mean a man come home from the penitentiary they don’t even give you gate money. They give you five dollars [and] bus fare. You got rent to pay, bus tokens to pay for. They make you buy sheets. They give us two sheets, pillow case, face towel, and a bath towel, and charge us fifteen dollars. And it ain’t like do you want it, you got to take it. There ain’t no option. They do that and that ain’t right.

We coming straight from the penitentiary, they trying to take our money. And then you get your money, okay my money just come [from the penitentiary]. I owe for sheets, owe for bus tokens, I owe for my rent. You’re automatically two weeks behind in rent, see what I’m saying. Then your counselor, I don’t where, they get the power to take your money and spend it like they want to. I didn’t ask to come here and be put in the hole by your all program. Ya all know that when I come here it would take a while for me to find a job.

Even if they do locate employment, in their first few weeks at the work they find themselves in debt for rent, sheets and bus tokens. Every week that passes without working puts them deeper in debt to the programme. This debt contributes to the tension and bad feeling that exists between the staff and some of their less successful clients. Men who are unable or unwilling to find work, usually at minimum wage, and who do not have the resources to pay restitution and work release rent are restricted to daily release only to look for work, or sent back to prison.

One prisoner reported: ‘I ain’t going to do time and pay for it too. You don’t have to pay that restitution.’ The problem was if a prisoner was unable to find employment, and failed to pay half-way house rent or monthly restitution payments, he would be punished by being returned to prison. During the weeks we were interviewing, a number of men were ‘cuffed up’ and transported back to the state penitentiary (maximum security) or reformatory (medium security) when they refused work or complained about rent and restitution.

The prisoners had accumulated considerable debt, including restitution, court cost and fees, back child-support bills with the county and miscellaneous domestic bills. The debt ranged from a few hundred dollars to tens of thousands of dollars. A few of them also owed back taxes, complete with fines and interest that built up while they were incarcerated. They were subject to a 20 per cent deduction from their pay cheques that started in prison and continued through work release and parole and would later face garnishment of their pay.

Paying for public defenders

Many of the men complained bitterly about being assessed legal fees for court-appointed lawyers. At the time that their court cases were being decided (by their public defenders pressuring them into pleading guilty) they were unaware that they would be assessed attorney fees. None of them understood how they could be charged legal fees for public defenders. A prisoner stated: ‘Court costs, reimbursement to the place we broke into, the stuff that we took. It’s really weird, it’s suppose to be free [public defender], when you lose [plead guilty] you have to pay.’ Court-appointed lawyers collect their fees for services rendered to indigent clients through the imposition of court costs on those who plead guilty; the fees are collected by the state and paid to the attorneys. Seasoned prisoners, those who had been through the court system more than once, were not surprised they were pressured by public defenders to plead guilty. Defendants who plead not guilty and demand a trial are not assessed legal fees.

Prison losses

Prisoners experienced a dramatic reduction in material resources as the result of serving prison time. The sample of 30 work-release prisoners in this study reported losing the following as a result of their prolonged removal from the community during their incarceration: 11 reported losing a marriage (divorced while in prison); 8 reported losing homes or farms, either by bank repossession or divorce; 17 lost cars upon going to prison; 10 had their furniture disappear; and 11 reported not being able to locate their clothes upon release. The most commonly reported loss was employment, with 17 losing the jobs they held prior to incarceration.

Employment: working for the man

When the prisoners did find a job they were not even allowed to even receive their own pay cheques. They would work all week and never see
a pay cheque. The men were directed to apply for employment at local companies that were part of the 'state programme' and already prepared to hire them. The rule was that half-way house prisoners' pay cheques were mailed to the facility and cashed by staff. If by some chance they found a job on their own, the employer would then have to comply with state rules: mail the employee's pay cheque to the correction facility. Still, come pay day they may have been reluctant to mail the pay cheque to the state, especially as this did little to improve employee morale.

Most of these companies paid minimum wages, were desperate for new employees and would hire nearly anybody who could walk, talk and show up on a regular basis. The typical job was fast food or telemarketing where the men could report everyday at the same address. The men were not allowed to work in construction, in door-to-door sales or in transportation jobs where they were off site and could not be monitored closely. They were usually not allowed to work cash registers, handle money or drive while employed. None of the interview sample attended school or college.

The work-release centers required prisoners to take the first available job. At the time of the interviews, 23 of the 30 men were employed. The unemployed men had either just arrived from prison, were disabled, recently laid off or had had their employment terminated. Most of the men, with the exception of the disabled and impaired, who may require assignment to sheltered workshops, did find employment. But they were limited by their interrupted work histories, the missing years in their work records, the requirement that they disclose their place of residence to prospective employers, employment application questions about criminal records and other legal restrictions to the lowest-paid occupations. They took minimum-wage dead-end jobs: laundries, food service, car washes, day labour, service stations, hotel service, low-paid factory, temporary labour or telemarketing.

Many of them expressed dissatisfaction with the low pay and working conditions of the jobs they worked. Most of them had worked at jobs before going to prison that paid considerably better than their present employment. Prior to going to prison, the men averaged wages over ten dollars an hour with a number of them working union construction and factory jobs. Arriving at the work-release centers they averaged only $5.50 an hour, with only one man of the 30 receiving a wage that was significantly above the minimum wage. As a group, the work-release prisoners were being paid approximately half the hourly wages they made before going to prison.

Few of the men who were employed managed to save any money while they were at the half-way house. Because they were only able to find low-wage employment, much of their pay cheques went to pay for their keep, with little left over. Few of them were able to save the money they would eventually need upon leaving the half-way house to pay for security deposit and first-month rent on a private apartment.

Summary: the perpetual incarceration machine

In 1988 the total population prison population in Iowa was 2,890. By 1989 this population had grown to 3,322, an increase of nearly 15 per cent. In 1989 there were 2,913 total admissions and 2,481 total releases. At this rate the state will have to build a new medium-size prison every year to keep up with the anticipated increase in incarceration. Of these 2,913 new prison admissions, only 1,156 were new court commitments, while 570 were revoked probation, 650 were parole violators, 56 were shock probation returns, 205 were escape returns, 139 were work-release returns, 38 were OWI returns and 99 were other admissions. For 1989, over half of all prison admissions were former prisoners returned on either new criminal charges or revocation of community custody. These revocations of probation, work release and parole were largely due to increases in programme violations rather than new convictions for felonies or aggravated misdemeanours. In effect, the state's prison population continues to climb as the result of prison-release failure, as reflected in the rate of community custody revocation.

Direct and indirect or collateral consequences of incarceration are reflected in the rules and resource structure prisoners encounter upon leaving prison. Felons as ex-convicts are subject to a plethora of bewildering restrictions upon release from prison, as stipulated by the rules of, first, work-release facilities and then parole. These rules are predicated on the requirements of custodial supervision and not the needs of the released prisoners. At the same time that these men are subject to parole rules and regulations they have experienced a dramatic decrease in personal resources.

Iowa operated a perpetual incarceration machine, a system of institutional facilities designed as human warehouses for the return of damaged goods. Prisoners are released to work release or parole with little preparation for success. Over 50 per cent of the men fail work release, and nearly 70 per cent fail parole and eventually return to prison. Many of these parolees are being returned to prison for status offences as they have violated the rules and regulations of their community custody status. The prison system is perpetuating growth as a result of its own institutional failure properly to prepare prisoners for
release. The system is a revolving door that shuffles prisoners from one level of custody to another, from probation to prison, from prison to work release and parole and from parole back to prison.

Revisiting the original 1992 study: the Iowa prison system in 2002

Since we first conducted this study in 1992 (Richards 1995; Richards and Jones 1997), the situation for prison release in Iowa and the USA has deteriorated. The last ten years of prison admissions proves our thesis stated above. The Iowa prison system has grown by nearly 300 per cent in less than 10 years, to over 10,000. This was accomplished by building new facilities that are now nearly all overcrowded, with the entire system 20 per cent beyond legally rated capacity (Iowa Department of Corrections Home Page 2001). We predict that if we return to Iowa in 2012, the prison population will again be larger. The Iowa prison population, like those across the country in numerous states, continues to grow because of its failure to rehabilitate, educate, train and prepare prisoners for successful re-entry to the community.

Nationally over the last two decades, the prison population has tripled from 500,000 to 1.8 million (Irwin et al. 2000: 135). Today in the USA over 500,000 men and women exit prison every year (see Austin et al. 2001). Nearly 50 per cent of prison admissions are women and men being returned as the result of the effects of incarceration and community programme failure.

Further, we also predict that the national prison population will continue to grow as a result of mandatory minimum sentences, so-called truth in sentencing laws, repeat offender statutes and the continued failure of prisons to ‘do corrections’. Unfortunately, prisons today have become human warehouses with fewer programme opportunities (educational or vocational) and resources to train prisoners to be productive citizens. As the prison population increases, along with the average length of sentence, this convict hypothesis becomes more evident: the more time in prison and the higher the security level, the more institutionalization and less chance for successful return to the community.

Programme recommendation updates

Our observations and interviews at work-release facilities convinced us of three essential facts:

1. Prisoners have not been properly prepared for release to work-release facilities.
2. Work-release prisoners need a carefully planned ‘staged release programme’.
3. There is a need for better communication and programme continuity between the prisons and the work-release centres.

Prisons need exit programmes that properly prepare men for release. This programme should include expanded visitation privileges, home furloughs, and family and employment counselling. The pre-release programme should arrange for the prisoners to have driver’s licences and social security cards before leaving prison. Prisoners with outstanding consumer or tax debt could receive legal counselling on filing for bankruptcy. They should be supplied with a set of clothes appropriate for their employment search and sufficient gate money to meet their needs for at least 90 days.

All prisoners should have a detailed pre-release plan prepared while on community furloughs. This may be a work-release or parole plan. The plan should include specific reference to family, place of residence and employment or school. Social workers or parole officers should be assigned to take these men home for a first visit with their children and spouses or ex-spouses. This provides the man and his family with a professional observer if assistance or intervention is required.

A pre-release programme needs to be one step in a carefully planned programme of staged release that includes prison vocational and education programmes, the pre-release programme, and work-release facilities that allow the men (or women) to attend colleges or universities. The director of a work-release facility explained:

I think that that needs to be a natural progression in the chain again. From there it needs to slow down, bring it back in there, let’s do those steps, let’s hammer those things into these people, let’s work with them. Get it to a natural progression again. Get it going again. We did that years ago. We did it and we had a seventy-some percent success rate. We are not doing it now. We are getting a fifty-some success rate. And believe it or not we are working harder than ever with people, working with resources that we have never worked with before, in manners that we have never done before. We are knocking our brains out and getting less pay back. The system is just not working properly.
A carefully planned programme of staged release requires increased funding, a commitment to helping prisoners, community co-operation and a steady flow of information and feedback between the prisons, community corrections and conditions on the street. Community corrections cannot be funded on the 'cheap' (Gibbons 1986) or at the expense of prisoners, without a high rate of predictable programme failure.

We recommend an ongoing effort be made to improve communication and co-ordination between this pre-prison release programme and the work-release centres and parole offices. As the situation now exists, convicts have a better understanding of the correctional system than some of the staff. Prisoners have lived and experienced the succession of correctional stages, while most correctional staff have only worked in prison or community corrections and do not have a comprehensive understanding of the systems as a whole. One community corrections employee stated: 'I don’t know what they tell these people. I don’t know what they do in the prison system. But I will tell you there is very little communication between the institutions and community-based corrections.' This lack of communication between the prisons and community corrections does not allow for effective prison release planning and implementation. We recommend that the Iowa Department of Corrections encourage staff to apply for positions both inside and outside the prison, as a means of acquiring experience with different stages of the correctional system.

Another recommendation concerns the need for work-release facilities that operate with less supervision. Few work-release clients require the intensive supervision of controlled movement facilities. Some prisoners may benefit from a less structured work-release centre that is operated informally, on an honour plan. We suggest that the Department of Corrections may want to tour less restrictive work-release centres currently operated by the federal government and non-profit agencies.

For example, the Salvation Army manages modest motels and hotels all over the country occupied by both state and federal prisoners and homeless families. Typically, prisoners prefer these facilities because the Salvation Army provides services (counselling, help in finding employment and housing) and little correctional supervision. Generally, the house rules are simple and there is no provision for drug testing or collection of restitution. The prisoners are treated no differently from the homeless. The Salvation Army correctional contracts provide for state and/or federal payments (so many dollars per day per prisoner) that support a community shelter that provides rooms, food and services for the prisoners and hundreds of homeless families each year.

Another less restrictive facility, located on 6th Avenue in Des Moines, Iowa, is the Hanson House of Hospitality operated by Criminal Justice Ministries. This group home for men released from prisons operates without any government funding. Hanson House charges nothing for rent and food and has successfully assisted over a thousand former prisoners with their re-entry to the community.

All states should consider funding residential and counselling services administered, operated and staffed by ex-offenders. Only ex-offenders know and understand the difficulties of leaving prison and re-entering the community. Their expertise is an available resource rarely utilized and desperately needed if we are ever to make a dent in the rate of recidivism.

Further, these findings suggest that the states need to rethink the public defender system. In this study of Iowa prison release we did not ask work-release prisoners questions about the court system. However, in nearly every interview we conducted, when asked about court-ordered restitution, the men complained bitterly about being assessed for court-appointed attorneys. We recommend that the present system of appointing and paying for public defenders be investigated. We suggest that this is a topic for further legislative and academic study, and possible legal action.

Courts are now handing out multiple sentences, what Morris and Tonry (1990) call 'punishment packages', that include prison time and alternative sentencing. Prisoners complain that they understood probation, restitution and community service to be alternatives to incarceration. Community supervision (for example, probation or court-ordered treatment for substance abuse) was developed as a means to divert minor or first-time offenders from prison. Financial sanctions, such as court-imposed fees, fines and restitution, were intended to reimburse the state for administrative and judicial costs, compensate the victims of crime and teach the defendant civic responsibility as an alternative to prison.

Unfortunately, the State of Iowa's attempts to extract money from prisoners may be structuring community programme failure. While assessing fees, costs and restitution orders may appear to serve as a means of paying part of the state expense for operating courts and prisons, it may be counterproductive in the long run if it contributes to increased status violations, recidivism and subsequent incarcerations.

In Iowa prisons, the prisoners were paid (top pay) a dollar a day for
work. Under a new programme where 20 per cent is deducted from prisoner pay, commissary accounts and cheques received from family and friends, the total sum of funds collected from Iowa prisoners does not amount to more than $30,000 a month (Hovelson 1992). This collection of $30,000 a month works out at an average of $10 a month for 3,000 prisoners. Considering all the court, prison, community corrections and parole staff time devoted to collecting restitution payments from prisoners, we doubt the effort is worth the trouble. States may save money (the salaries paid to state employees required to collect restitution) by terminating the collection of restitution from prisoners. Research is needed to compare the cost of restitution collection and the funds received as a means of evaluating the present policy.

Even if the collection of restitution from prisoners was profitable for the state, it may not be the best use of staff resources. Why are state court and correctional professionals being employed as bill collectors? Prisoners complain that correctional counsellors are more concerned with collecting restitution than providing counselling. Considering the emphasis put on collecting restitution by prison authorities, it is not surprising that Iowa convicts refer to correctional counsellors as ‘collection counsellors’. We recommend that the practice of deducting restitution and rent money from prisoner paycheques be terminated. We suggest that work-release facilities negotiate banking services with local banks for the benefit of their clients. Prisoners could deposit their own pay cheques in a saving account that would accrue interest. This would provide the prisoners with an opportunity to save money for re-entry, for housing, transportation, education and employment.

Another policy recommendation concerns restoring prisoners’ civil rights. States might consider installing voting booths in all their prisons. The restoration of voting rights to felons and prisoners may have interesting repercussions for prison conditions and correctional budget demands. For example, if prisoners could vote, politicians may suddenly become interested in providing increased budgets for prison educational and vocational programmes. At the very least, restoring voting rights to prisoners would encourage state politicians to visit prisons. This may result in dramatic improvements in the food service, reductions in overcrowding and increases in general funding for maintenance and repair of facilities.

States might consider a programme that waives the first year of tuition at state-supported schools and universities for men just released from prison. The state would save money by sending men to school, including college, rather than back to prison. It now costs, depending on

the state and level of security, from $15,000 to $30,000 a year to keep a woman or man in prison. The taxpayers could save millions of dollars by transferring thousands of prisoners to live in dormitories on state university campuses. At least provided with an opportunity to get a college education, we know that we would not only save money on the cost of incarceration but also we predict for these prisoners that fewer would return to prison. Instead, they would get an education, find a job and pay taxes like the rest of us.

The state could use correctional funding to build dormitories on community college and university campuses. Higher education would serve as an incentive for some prisoners to reform, relieve prison overcrowding and lower recidivism. We suggest the prisoners be released early from prison to attend college, with their first year of room and board paid for by the state. If they violate the law or flunk out of school they return to prison. Ex-convict college graduates could be employed as academic and lifestyle mentors.

We recommend that states close the ‘big house’ prisons and replace them with smaller facilities. Penitentiaries are outdated, a relic of the nineteenth century. Modern prisons should be small, with populations of 200 or less. One correctional counsellor suggested: ‘If you had unlimited resources you could plunk one of them down here for 100 people. And I still think that it takes probably less money to do it that way than to build a gigantic prison, and probably going to be more productive in the long run.’ Small facilities provide the staff with an opportunity to get to know the prisoners, their names, their needs and their ability for self-improvement.

Finally, we recommend that prison and community programme administrators have their personal employment performance review graded by how much they reduce recidivism. It is no longer good enough simply to be evaluated by how they manage their budget, prevent escapes or maintain an orderly institution. No warden should keep his job if he or she cannot deliver the goods: design and deliver programmes that reform prisoners and lower the rate of return. One trip through the machine should be enough for most people.

Discussion: beating the penal machinery

Revisiting the original 1992 study, we have checked our finding by interviewing additional prisoners in prisons and community facilities over the last 10 years. Numerous prisoners have related to us how they
were victimized by the perpetual incarceration machine. They described how they were returned to prison for petty programme violations – for example, refusing to pay restitution or rent, work a minimum wage job or failure to abide by half-way house rules.

Reflecting how poor public policy and mean spirited legislation contribute to parole failure and recidivism, we have renamed community corrections 'community punishments' (Richards 1998). Prisoners may see these community programmes as simply a collection of correctional businesses operated for private profit or to provide local employment (Welch 1996: 49–50). Convicts now dread half-way houses as facilities designed to frustrate their attempt to 'go home'. In a similar fashion, they fear parole supervision as they do not expect to be able to comply with the rules and restrictions and 'walk down paper' successfully. Instead, they may elect to refuse reassignment to a half-way house, and even parole release, and wait in prison for mandatory release at the completion of their sentence. Many of these men and women no longer trust community programmes to give them a fair deal.

A related problem is that prison administrators are not being held responsible for their inability to 'do corrections'. They do not adequately assume responsibility for properly preparing prisoners for their re-entry to the community. The result is a correctional system that continues to grow at an alarming rate as it consumes a growing percentage of scarce public resources. Meanwhile, our inner cities deteriorate, school systems go without adequate funding, economic development waits and taxpayers pay the bill.

Unfortunately, the emphasis has always been on parole failure, recidivism and career criminals, with too little attention paid to the ex-convicts who 'make good'. Correctional authorities and scholars have failed to document success stories. There has been virtually no effort to interview convicts who have returned to the community to lead law-abiding lives. Recent academic publications have begun to fill this gap in our understanding (Jones and Schmid 2000; Maruta 2001; Richards and Ross 2001; Ross and Richards 2002).

Still, despite the odds, it is possible to beat the system and avoid returning to prison. The perpetual incarceration machine is a slow-moving bureaucratic force, a mechanical animal with metal teeth and claws, but easily defeated by those that are able to move beyond its reach. The secret is to learn from incarceration, to transcend the experience through personal transformation.

**Conclusion: descent and ascent**

Departing from our study, we have elected to close by speaking to ex-convicts about descent and ascent. From a convict perspective, beating the perpetual incarceration requires more than programme recommendations. Prisoners cannot wait for prisons to improve or community punishments to recede. Instead, they 'do their own time', avoid imprisonment and must learn to rise above the chaos and confusion of the criminal justice machinery. A person descends when he or she goes to prison and then, if he or she can muster the intellectual or spiritual desire to remake him or herself, he or she ascends from the shadows to rejoin the world. This is also our opportunity to remind the reader that convicts are human beings, each more or less pieced together from the lessons and struggles of life. If corrections is to mean anything, the person who enters prison is somebody new and improved upon his or her release.

The co-authors of this chapter are both ex-convicts who transcended the humiliation and pain of incarceration. This required much more than re-entry to the community, finding a job, a place to live and avoiding rearest. To transcend the prison experience a person must honestly understand who he or she is and what he or she wants to be, and do the work to accomplish the change. Returning to our hypothetical sample, even 'innocent men', after serving time in a penitentiary, have serious work to do if they ever hope successfully to regain freedom and rejoin conventional society.

In deference to the reader, it is time for us to show you the way home. Solzhenitsyn (1975: 619) writes: 'A duel with years and with walls constitutes moral work and a path upwards if you can climb it. Amid the broken and helpless, some men grow wings. Cervantes, Victor Hugo, Alexander Dumas, Tolstoy, Dostoevsky and Solzhenitsyn were prisoners. Did they not grow wings to ascend? Dr Albert Schweitzer tells a story of being imprisoned with his wife by the French government in 1914, for the duration of the First World War. Upon arrival at the prison in the French Pyrenees, he experienced a feeling of déjà vu. He found the entrance foyer to the prison somehow familiar. Then he remembered a painting of the exact same entrance foyer that hangs upon the wall of his parent's Alsatian home. This was of a painting by Vincent Van Gogh, painted by the artist when he was a prisoner in the same French prison a hundred years before. Did Schweitzer learn his famous philosophy, respect for life, in prison? Did Van Gogh learn to paint vivid colours while incarcerated in a drab confinement?

Descent eventually levels off. After all, how far can a person free fall?
Eventually you hit bottom. After the first or second year of imprisonment, a convict, illusions gone, begins to understand his fall from the world. As Chekhov said: 'Soul searching – that is what's truly needed for correction' (Solzhenitsyn 1975: 628):

And on the whole, do you know, I have become convinced that there is no punishment that comes to us in this life on earth which is undeserved. Superficially, it can have nothing to do with what we are guilty of in actual fact, but if you go over your life with a fine tooth comb and ponder it deeply, you will always be able to hunt down that transgression of your for which you have received this blow. (Solzhenitsyn 1975: 612)

Descent leads to soul searching and, for some convicts, the acknowledgment of their mistakes in life.

These transgressions, acknowledged or not, usually have little to do with the legal code. A prisoner, with years of time to think, can’t help but to think of his family, children and friends. Searching his soul, he remembers the times of his own impatience or inconsideration for the needs of others. Living with so many other men, sharing their pain, witnessing their soul searching, reshapes a man. Other men learn from imprisonment to accept the modesty of non-material existence.

The unique beauty of prison is the equality of environment. Convicts live in an almost communal society where there is little social differentiation, no money other than rolls of coins and cigarette cartons, and little if any opportunity to escape each other. Prisoners dress alike, personal property is severely restricted, men share common quarters and there are no social class distinctions.

This simplicity, although enforced by the regimented environment, has its own lesson to teach: that feelings of security are a function of a person’s mental state and not a collection of his or her material possessions; that a person can be happy with less. After a few years, a prisoner may learn tolerance for other men. Sharing cells or rooms together they learn to respect other men for their differences. For example, convicts are amazingly tolerant of homosexuals and, despite media stories of racial gangs, most prisoners develop close relationships with prisoners of other racial and ethnic groups. It could even be argued, although no academic has thought to research the topic, that prison is the most racially integrated environment, with convicts the most sophisticated in their acceptance of diverse racial cultures, as they have shared the horror and humiliation of captivity.

Living in this collective of degraded humanity may transform some individuals and inspire new beginnings. Provided that the time to be served has an ending (are not life sentences), a convict, if he is fortunate, may learn to appreciate his environment. Given the opportunity for reading, study and reflection, ascent may occur. Ascent is a function of a person rising, growing wings, being reshaped as a new person. The old person remains, but transformed. This transformation, or metamorphosis, like Kafka’s ‘hunger artist’, is the result of suffering, of soul searching and rebirth. No alcohol, drugs, sex, money or egotistical social status sets the stage for creative rebirth. Reduced to a common denominator by descent, by reduction to humility, the prisoner is reshaped again by ascent:

And as soon as you have renounced the aim of surviving at any price, and go where the calm and simple people go then imprisonment begins to transform your former character in an astonishing way. To transform it in a direction most unexpected to you. And it would seem that in this situation feelings of malice, the disturbance of being oppressed, aimless hate, irritability, and nervousness ought to multiply. But you, yourself do not notice how, with the impalpable flow of time, slavery nurtures in you the shoots of contradictory feelings. Once upon a time you were sharply intolerant. You were constantly in a rush. And you were constantly short of time. And its months and its years, behind you and ahead of you – and a beneficial calming fluid pours through your blood vessels – patience. You are ascending. (Solzhenitsyn 1975: 610–11)

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Beating the perpetual incarceration machine


Chapter 10

With eyes wide open: formalizing community and social control intervention in offender reintegration programmes

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Introduction

The responsibility for preparing inmates for return to the community has generally been delegated to institutional corrections. In some systems, this role is shared with parole agents, although their involvement with offenders before release is usually limited to one meeting. The general purpose of this meeting is to focus on aspects of the inmate’s plans that can help the agent monitor compliance with release conditions. In practice, transitional services provided by prison or parole staff often amount to helping the inmate draft a ‘paper plan’ for his or her return to the community. Detailed and realistic release planning is left to the offender, who must find a place to live and a steady job, while re-establishing family and other social connections under a new, crime-free identity. The implied assumption is that offenders can comfortably make these preparations from their prison cells, build upon the lessons learnt from incarceration and readily pick up whatever positive pieces they left behind (Taxman et al. 2003).

The sheer volume of offenders returning to the community – nearly 600,000 a year in the USA – has spurred a renewed interest in the re-integration process. Due, in part, to the disregard shown by correctional institutions for this process, scholars and practitioners have turned to community justice models to tap another set of social controls – albeit informal ones such as family, religion, cultural and community groups – to assist transition and re-entry. Compared to reliance on conventional and formal institutions, the new models reflect a ‘good society’ where the community assumes a central role in supporting the returning