Abstract

This paper discusses issues within the criminal justice system in regards to prisoners leaving the corrections system and attempting to reenter society. Scholarly articles such as Visher’s *Returning Home: Emerging Findings and Policy Lessons about Prisoner Reentry* (2007) and Garland, Wodahl, and Mayfield’s *Prisoner Reentry in a Small Metropolitan Community: Obstacles and Policy Recommendations* (2011), along with several other works are analyzed and accompanied with facts from government documents and acts of legislation in an attempt to highlight the issues faced by former inmates. These issues range from problems with the parole system, employment, housing, family struggles, and general daily life. Ultimately this paper aims to demonstrate reasons as to why the criminal justice system needs to reevaluate and reinvent the way prisoners are freed from correctional facilities.

All of the articles and facts are accompanied by the real life story of Elaine Bartlett, through the works of Jennifer Gonnerman in her book *Life on The Outside: The Prison Odyssey of Elaine Bartlett* (2004). Elaine Bartlett was arrested under the Rockefeller Drug Laws and was sentenced to 20 years to life within the New York State Correctional system, all as a first time offender. After serving sixteen years of her sentence, Elaine was granted clemency and was set into society with big dreams and yet very little means to achieve them.
Prisoner Reentry Issues

*Life on the Outside: The Prison Odyssey of Elaine Bartlett* is a book written by Jennifer Gonnerman depicting the story of Elaine Bartlett. The book highlights Elaine’s interaction with the criminal justice system including the police, courts, prison system, and parole. It highlights Elaine’s struggles in prison as well as the daily struggles she endured upon her release from prison. One of the main points of this book is a problem that is not unique to Elaine, reentry issues for inmates.

One of the several issues facing prisoners reentering society is a multitude of difficulties in dealing with the parole system. The parole system is designed to aid prisoners in reentering society by assisting in job placement and offering classes. It also helps to ensure that individuals on parole, parolees as they are called, stay out of trouble and do not revert back to their old habits that landed them in the correctional system in the first place (Parole.ny.gov, 2013).

However, there are several flaws within the parole system that ultimately make the system ineffective for many parolees. One of the main issues with the parole system is the increase in prisoners released in modern society (Visher, 2007). In 1980 there were 170,000 prisoners released back into society. By 2006 this number had increased substantially to an astounding 713,000 (Garland, Wodahl, and Mayfield, 2011).

Although the number of prisoners released increased at such a high rate, the number of parole officers did not increase nearly as much. The increase in numbers of offenders released from prison resulted in a parole officer case load increasing from 30-40 cases per officer all the
way up to an average of 70 cases (Visher, 2007). This increase in case loads led to a decrease in the quality of work provided to the newly released prisoners as parole officers had less time to spend with each individual (Garland et al, 2011).

The increase in case load for parole officers led to a change in the type of service provided. Parole supervision went from a service type of work where the officers attempted to help each individual, to a surveillance type of work where officers tried to catch parolees committing violations and look to send them back to prison (Garland et al, 2011; Visher, 2007).

Aside from an increase in case load to today’s parole officer, it is evident that the average parole officer lacks the training needed in order to be able to effectively connect parolees to the services they need, such as ways to attain better education, employment possibilities, and effective rehabilitation for drug or alcohol abuse (Visher, 2007).

The research available clearly suggests that it is a necessity to reinvent or at least restructure the parole system. As previously stated, the increase in prisoners released lead to an increase in work load for parole officers and a decrease in the quality of service provided. This could suggest that more parole officers need to be hired (Garland et al, 2011; Visher, 2007). The hiring of more parole officers would allow for each officer to have fewer cases and in turn, more time available to spend with each parolee. This added time would allow for parole officers to commit to helping parolees, not just “checking in” on them. The reduction in case loads for parole officers would greatly reduce their stress levels. This reduction in stress could lead to happier officers and in turn create a more friendly and productive environment (Visher, 2007). This friendlier environment could result in the parolee further trusting their parole officer rather than fearing them. In a society that already creates enough fear for ex-offenders, the last thing a
newly released prisoner needs is another person to be afraid of. The addition of more parole officers would also have economic benefits as well.

The idea of an approachable parole officer as opposed to a “hard-ass” of a parole officer was evident within *Life on the Outside* with Officer Camacho and Miss Russel. Officer Camacho was Elaine’s first parole officer and turned out be her favorite. Officer Camacho was an understanding parole officer and was willing to cooperate with Elaine. This was exemplified when Elaine received a job with Project Renewal. Although curfew for parolees is at 9pm, Officer Camacho was willing to allow Elaine to work nights and provide ample time for her to return home. Miss Russel on the other hand was stricter. Although she continued to allow Elaine to work nights, she was less understanding about her travel time and wanted her home sooner. With Miss Russel it was her way or the highway, and the highway led back to Bedford Hills.

Aside from adding more parole officers, the approach of parole should be adjusted to a more individualist approach rather than as a group effort. Garland, Wodahl, and Mayfield (2011) highlighted a survey performed that focused on released prisoners and their experience with a mandated drug program. Interviews with those involved reveal mixed results. Some said that the program helped them with their recovery and reentry. However, others said the program was pointless since they did not have a drug abuse problem or offense. Some individuals even said that the program increased their desire to use drugs (Garland et al, 2011).

The infectiveness discovered in these programs is a prime example of why parole should be an individualistic approach. Although the program may have been effective for some, the lack of efficiency and negative effects towards the others may be more damaging. With a more individualized approach to parole, parolees can be placed in programs that are more suited to their needs and can be more effective towards preparing them for their future within society.
PRISONER REENTRY ISSUES

In regards to Elaine, she was placed into a class that was designed to help her and other parolees attain employment. This class could be viewed as ineffective as several of those in attendance were sleeping during the class and the instructor seemed uninterested or unable to effectively help those involved. Elaine herself felt this class was unnecessary, but it was mandated for her to go so that “South 40” could help her land a job. A good example of why this class was ineffective was the length of time it took Elaine and most prisoners in general, to attain employment. The aspect of former prisoners and employment will be discussed in great detail later in this paper.

Another issue with the parole system is that it should start prior to release, continue immediately after release, and meet frequently the first few months. 20 percent of released prisoners receive no supervision after release because their court appointed sentence is over (Garland et al, 2011). The first three months of an inmate’s release prove to be the most critical in regards to his chances of staying out of prison (Garland et al, 2011; Visher, 2007). In fact, studies have shown that as each month passes, arrests rates among former inmates decline. Along with arrests rates declining, studies have shown that death rates among released prisoners are thirteen times higher the first few weeks after release than of people of similar demographics who were not recently released (Visher, 2007). Causes of death among the first few weeks include but are not limited to drug over dose, homicide, and suicide (Visher, 2007). These are examples of former inmates reverting to their old ways and depression.

Upon Elaine returning to apartment 13B she became disgusted and depressed with the condition of the apartment, as well as the attitudes and behaviors of several individuals in it. Although neither suicide nor drug use were an issue for her, they could have been for an individual who may have a history of drug abuse or suicidal tendencies. This could be avoided
with closer supervision from a parole officer the first few days and weeks outside of prison. The conditions of apartment 13B will be discussed in more detail later in this paper.

The idea of depression from post release realizations is another reason why parole systems need to be a more individualized approach. With a more individualistic approach, parole officers could help inmates facing reentry understand the realities of what they may be returning to and help them set realistic goals. This was demonstrated by Elaine and her high goals of landing a successful job, getting healthier, and obtaining a home for her and all of her children to settle into. If Elaine had more one on one time with a parole officer she could have realized what she was returning home to; resentment from some family members, difficulties in obtaining employment and housing, and the fact that while she was away her family still had lives and will continue to have lives even once she was released.

The parole system should be restructured in order to include family and communities ties with a prisoner’s reentry to society (Visher, 2007). As of 2001 3.5 million parents were involved within the corrections system as inmates. Prior to their incarceration, 64% of all female inmates lived with their children (govtrack.us, 2005). This means that after arrest and conviction, children were left without their mothers, families were broken.

This affects the children not only while their mothers are away, but once they return. Upon their return to the household, if they are lucky enough to not have lost their child to the foster care system, or to even get out of prison, the balance within the home is thrown off and there is a possibility of hostility toward the returning mother. This was demonstrated in the case of Elaine Bartlett. When arrested Elaine was living with her four children, Apache, age ten, Jamel, age six, Satara, age three, and Danae, age one (Gonnerman, 2004). Elaine’s arrest took her from her children who were then raised by a combination of Elaine’s mother, sister, and
eventually, by each other. Although most of her children accepted Elaine once she returned home sixteen years later, there was clearly damage done, specifically to her daughter Danae who often demonstrated resentment and hostility towards her mother. Often times Elaine responded towards Danae’s actions inappropriately and even physically hurt her. With more help and a concentration on family reintegration Elaine may have been able to handle the situation with her daughter in a more proper fashion and may have been able to have a more positive relationship with her daughter.

Additionally, many successfully reentered individuals cite family support as their main reason for being able to successfully remain in society and avoid recidivism (govtrack.us, 2005). Martinez (2005) states that former prisoners with strong family support systems were far more likely to succeed within society than those who lack strong support from their family.

Other issues affect a prisoner’s successful reentry into society besides the parole system. One of these other issues is housing. Released female inmates identified five themes that were significant to their successful reentry, those themes were: finding housing, obtaining legal income, redeveloping social contacts, gaining confidence in themselves, and developing community memberships (Garland et al, 2011). The idea of finding housing being significant to successful reentry is complicated as several former inmates struggle to obtain satisfactory housing.

As important as housing appears to be to former prisoner’s reentry and reintegration into society, there are several restrictions that are working against former prisoners finding housing. For example, ex-felons are prohibited from receiving several forms of public assistance including but not limited to, public housing benefits and welfare (Wheelock, 2005).
An example of public housing benefits that were specifically mentioned in regards to Elaine Bartlett’s reentry is the program known as Section 8. Section 8 housing is a housing voucher program. The program offers vouchers to help pay rent for low income families. The vouchers cover a large portion of the rent and are paid directly to the landlord; it is the individuals’ responsibility to pay the landlord the difference from there (www.benefits.gov, 2013).

Although not all offenders are restricted from receiving Section 8, private landlords can deny an applicant or evict current residents for arrests and convictions of all types (Pogorzelski, Wolff, Pan, and Blitz, 2005). Additionally, if an individual who is receiving public housing and allows a drug offender to live with them, even temporarily, that individual can legally be evicted (Pogorzelski et al, 2005).

With programs such as these being unavailable to ex-felons, as well as the unavailability of welfare and difficulty in finding employment, ex-felons are often left with no money and are forced to live in crowded, unsafe, and unsanitary conditions. This was the case for Elaine Bartlett as she was forced to live in apartment 13B with several of her children, their boyfriends and children, as well as some of her own siblings. Aside from being overcrowded, apartment 13B was often dirty and unsanitary.

Housing issues are especially prominent for drug related offenders, regardless of their situation. The Housing Opportunity Program Extension Act, ironically known as HOPE for short, allows authorities and private landlords the right to deny drug related criminals housing (McGrath, 2012). Mothers such as Elaine are no exception.
Housing issues are not unique to Elaine or drug offenders. In a study presented by Garland, Wodahl, and Mayfield (2011) 16 percent of released prisoners reported housing as a major issue within their first few days released. This number decreased to two percent by the end of the first month, but increased to five percent by the end of three months. However, most complaints were regarding poor living conditions, not actual homelessness (Garland et al, 2011). This was true for Elaine as well. 75 percent of those involved in the study described their living conditions as temporary homes (Garland et al, 2011). It is important to note that not all prisoners return home to poor living conditions. In a separate study presented by Martinez, 84% of released prisoners stated that they felt welcomed back into their homes (2005).

Another struggle facing former prisoners attempting to reenter society is obtaining employment. Obtaining a legal income, or in other words a legitimate job, was identified as one of the five themes that signified a successful reentry for female inmates (Garland et al, 2011). However, for many released inmates, this task is easier said than done.

Offenders, female in particular, are often automatically eliminated as potential employees by employers. Half of all female offenders were without employment one month prior to their release (McGrath, 2012). In the study presented in Garland, Wodahl, and Mayfield’s Prisoner Reentry in a Small Metropolitan Community (2011), 33 percent of released inmates stated that employment was an issue at the one month mark. By the end of three months, 28 percent of those former inmates said that employment was an issue. A stat provided in the Second Chance Act of 2005 (2005) stated that after one year back in society, 60 percent of former inmates had no legitimate source of employment.

In regards to Elaine Bartlett’s hunt for employment, it took her roughly five months before she landed her position with Project Renewal. Although five months may not seem like
much time, especially in comparison to the sixteen years she served in Bedford Hills, five months is an incredibly long time for someone with no money to try to survive.

Although several different studies reveal different unemployment rates amongst former inmates depending on location, but one thing that is for sure, ex-offenders are at an extreme disadvantage when it comes to their ability to land a job. In a personal interview conducted with Dan Lau, general manager of Advance Auto Part in Oswego, Dan stated that although he reviews applicants that are former felons, he typically avoids hiring them at all costs. Dan says he does this because he does not believe these individuals can be trusted (personal communication, October 12, 2013). This is in regards to an entry level retail sales position; if individuals with felony records are barred from employment in positions such as these, there is not much hope for them obtaining a position with a promising long term future.

Although much still needs to be done to help reintegrate former prisoners into society, they have not been completely ignored or forgotten. In 2005 President Bush signed the Second Chance Act into action. The Second Chance Act allotted for around $200 million to be devoted to helping state governments provide reentry assistance to former inmates (Visher, 2007). In short, the Second Chance Act aims to revamp programs in an effort to assist in offender’s reentry in areas such as education, helping aid in employment search, and basic skills required for daily life (govtrack.us, 2005). Struggles with reading affect an inmate’s ability to find a job as well as hinder the accomplishment of daily tasks.

Education is an aspect of reentry that has not been touched on in this paper mainly because of Elaine Bartlett’s relatively high level of education. However, Elaine is one of few exceptions in regards to education. Studies have shown that 70 percent of prisoners read at the lowest two literacy levels (govtrack.us, 2005).
The Second Chance Act also aims to help prisoners with reentry with basic daily tasks that may seem routine to people who have not been away to prison for years at a time, but for someone who has been gone for an extended amount of time are actually very complicated tasks (govtrack.us, 2005). An example of this that was demonstrated in *Life on The Outside* would be simply grocery shopping. When Elaine first returned to society she went grocery shopping and spent hundreds of dollars. Someone with more experience with modern stores and products would know what would be a reasonable price to pay for specific products. Elaine did not know any better as she had not had experience with this task in over sixteen years.

Although attempts have been made to help ease prisoners back into society as evident in the Second Chance Act, it is clear that more needs to be done. Nearly two thirds of all released prisoners will be rearrested and end up back within the corrections system, many of which within their first three years of release (McGrath, 2012; Visher, 2007). This recidivism rate, which has remained nearly unchanged for over a decade (Visher, 2007) proves that change still needs to be made in order to prevent these individuals from reoffending causing further victimization, and ultimately resulting in a return to the correctional system.

It should be noted that reentry and recidivism problems are not unique to the United States. British home offices reported that of the prisoners released in 2002, 67 percent were convicted of a new crime within two years. The same is true in Australia, although to a lesser degree as 47 percent received a correctional sanction (Visher, 2007). This fact suggests two possible explanations. The first is that there are no easy solutions in rehabilitating offenders. The second is that there simply is no way to truly rehabilitate criminals. This suggests that once a criminal, always a criminal.
PRISONER REENTRY ISSUES

*Life on The Outside: The Prison Odyssey of Elaine Bartlett* is a novel written by Jennifer Gonnerman that depicts the story of Elaine Bartlett’s crime, arrest and conviction, her life in prison, and her reentry from prison into society. The book highlights Elaine’s many struggles with her family, her issues with parole, her difficulties in obtaining employment and housing, as well as adapting to life on the outside after sixteen years of confinement. These struggles are not unique to Elaine as many released prisoners deal with the same difficulties. Many of those released revert back to their old habits and end up back in prison. This high rate of recidivism exemplifies the dire need to implement changes to help prisoners reenter society in an effort to keep them from recommitting crimes, leading to more victimization as well as a return to the corrections system.
References


