

# Commission on Crime Prevention and Criminal Justice

Promoting the Rehabilitation of Criminal  
Offenders Back into Society



<b>Forum</b>	Commission on Crime Prevention and Criminal Justice
<b>Issue:</b>	Promoting the Rehabilitation of Criminal Offenders Back into Society
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## Introduction

Successful crime prevention programs must address the causes of the huge number of crimes perpetrated by people who have been incarcerated for a period of time but were unable to successfully reintegrate into society as law-abiding citizens after their release. Offenders may find it extremely difficult to break the cycle of release and re-arrest in the absence of financial, psychological, and social support at the time of their release. There are few options for effective treatment and interventions to stop future recidivism when people are imprisoned for little periods of time or remain in jail for lengthy periods of time. Almost one-third of repeat offenders and nearly seventy percent of those with many prior convictions have at least one prior conviction, whether it was in juvenile or adult court. The majority of those who are convicted of crimes have at least one past conviction. Governments and communities must create successful interventions that will help ex-offenders effectively reintegrate into society and deter future crime in order to maintain community safety. Processes and programs for managed offender reentry are becoming more popular and may provide a practical means of reducing crime. Policymakers and practitioners are putting more effort into finding the programs and approaches that will enable inmates to successfully reintegrate back into their communities without committing new crimes.

There is disagreement over the efficacy of ex-offender reentry support programs in promoting reintegration and lowering recidivism rates. There haven't been many assessments of current programs to yet. Numerous current initiatives were created in response to program evaluation results that were somewhat contradictory in allied correctional fields (e.g., the effects of drug treatment, employment training, counseling, and community supervision). Although there are many theories about what should function, the results of program evaluations are frequently unsettling. Additionally, the bulk of reintegration programs have not been the subject of controlled



studies, and effective methods still need to be found and explained. Research and practice frequently seem to advance in different directions.

Instead of subjecting criminals to the stigmatizing and damaging effects of jail, social reintegration involves implementing community-based sanctions in an effort to promote social reintegration of offenders into the society. Correctional programs in jail and aftercare treatments are included for persons who receive a prison term. The community-based, post-release component of these therapies has gone by a number of names in recent years, including "aftercare," "transitional care," "reentry" or "reentry support," reintegration, or resettlement. While the offender is still incarcerated, several post-release interventions may start with the goal of assisting post-release adjustment.

By enhancing their behaviors, abilities, mental health, social functioning, and access to school and work, rehabilitation programs aim to lower recidivism among adult offenders. Throughout their interaction with the criminal justice system, they may participate in rehabilitation programs at various times. These programs are frequently offered in connection with some sort of consequence (such as probation or incarceration). As a result, the majority of programs—such as those based on probation or parole—are given in a correctional setting while the person serves out their sentence or in a community setting after their release. Inpatient settings, such as mental hospitals and outpatient treatment centers, as well as supportive residential housing, like halfway homes, can also be used to deliver community-based settings.

For example, when American convicts are freed, they are met with a hostile environment that intentionally discourages them from contributing to society in a positive way. 67.8% of ex-offenders are arrested again within three years after their release, and 76.6% within five years. Recidivism hurts society as a whole and the families of inmates, as taxpayers continue to fund a dysfunctional system that sets ex-offenders up for failure after they are released, with more than 2 million people behind bars in the United States. After being released from prison, ex-offenders struggle more than the general population to obtain a decent job, find stable housing, and generally operate in society due to "systematic legal and social challenges", as stated by PlanStreetc a software for social impact companies. Ex-offenders face lifelong consequences for the challenges they are susceptible to after their release and are generally viewed as second-class people. Ex-offenders at all socioeconomic levels are affected by these constraints which are rooted in society ("From Prison to Society: Easing Ex-Inmates' Reintegration into Communities.")



In most countries around the world, people who have served their time in jail are released with enormous and ongoing societal and economic barriers that frequently prohibit them from succeeding, which inadvertently encourages them to return to crime and into the criminal justice system. Many companies won't hire ex-offenders, and systemic collateral effects limit the legal rights of tens of thousands of ex-offenders, thereby extending their sentence and impeding their capacity to live regular lives. While many organizations are attempting to remove these barriers, regulatory changes are still necessary before ex-offenders may actually benefit from opportunities that foster success and lower recidivism. The post-prison milieu that ex-offenders encounter is one of the most damaged institutions in the United States.

## Definition of Key Terms

### Social reintegration

Broadly refers to the support given to offenders during their reentry into society following imprisonment. This can be in the form of programs means of intervention and support systems all aimed at reintegrating/ reintroducing an ex-offender into a law-abiding life. The purpose of forms of “reentry”, “transitional care” or “aftercare” to avoid the severe punishment of re-arrest that can be detrimental to individuals leaving the harsh environment of incarceration that has a toll on their lively hood and ability to function as productive members of society. This is why they are often offered community-based probation or alternatives forms of punishment to re-arrest as a way of “reintegrating” (“The Social Reintegration of Offenders and Crime Prevention”).

### Institutional

Relating to organized establishments, foundations, societies that are often rooted in a particular communities way of life and refers to what is considered the norm by community and general population.

### Correctional Programs

A form of structured interventions that target risk factors directly linked to criminal behavior in order to reduce reoffending.

### Recidivism

According to the Congressional Research Service it is “the re-arrest, reconviction, or re-incarceration of an ex-offender within a given time frame.”

### Conviction



A formal declaration by the verdict of a jury or the decision of a judge in a court of law that someone is guilty of a criminal offence.

## General Overview

Understanding the micro, meso, and macro levels of analysis is crucial before looking into the areas and methods ex-offenders are impacted by. Simply said, the micro level of analysis refers to individuals, the meso level refers to families of ex-convicts and society, and the macro level of analysis refers to communities, organizations, agencies, and huge groups of people, including nations. These levels are interrelated and have an impact on one another in practically any setting involving social change.

### Micro-challenges

#### *Livelihood*

It is undeniable that ex-offenders have a far lower likelihood of finding job than members of the general community, despite the fact that data on post-incarceration employment in connection to recidivism is notoriously scarce. Previously convicted jobseekers with almost equal professional experience as non-offenders were found to be less than half as likely to receive employment offers in a 2002 study of more than 200 firms in the Milwaukee region. Only 12.5% of companies, according to the Bureau of Justice, claimed they would accept an application from a convicted felon. Ironically, returning to work reduces recidivism, yet there are obstacles for ex-offenders to get employment.

Because they have little formal education and work experience, many inmates find it challenging to find employment once they are released. Numerous studies have found that "roughly 70% of offenders and ex-offenders are high school dropouts." Many ex-offenders are perceived unfavorably by their former employers or by people in their old professional networks, if they ever had one, as a result of their incarceration and involvement in the criminal justice system. Ex-convicts may find it extremely challenging to land an interview with a potential job because of their small professional networks and obvious résumé gaps.

Many employers are concerned about facing legal action for losses brought on by "negligent hiring." Many people object to the idea of hiring someone with a criminal record because



they fear being held accountable for exposing the public to a potentially dangerous person. Employers have lost in 72% of instances involving negligent hiring and have faced average settlements of \$1.6 million, which serves as an effective deterrent to hiring perhaps "risky" people.

Furthermore, race is also a determining factor which, alongside a record of incarceration, decreases the possibilities of employment even more. African-American criminals were two-thirds less likely to obtain offers in the aforementioned Milwaukee employers' research from 2002, while African-American non-offenders were just half as likely to do so as white non-offenders. African-American ex-offenders thus confront two enormous challenges: Even if they hadn't done anything wrong, racism would have severely limited their employment options; now that they have done something wrong, they must find a way to get through racism and persuade the company that they are not a hazardous choice because they are ex-cons.

Fortunately, when employers discover that the incarceration was for non-violent reasons or drug-related, they become more willing to hire criminal offenders so-long as their criminal record after release remains clean.

## Meso-challenges

### *Family*

According to studies, recidivist rates are lower for convicts who stay in touch and connected with their family regularly during their sentences. More than half of jailed people have minor children, which means they might lose out on many of the years when their kids are most vulnerable and developing. Unfortunately, maintaining regular touch with family is difficult, and once freed ex-offenders face difficulties.

Some challenges that families encounter in visiting prisoners in jail are; inadequate details on visiting processes, prison facilities' proximity to families: jailed men are often 100 miles from their kids, while incarcerated women are typically 160 miles away, the cost of getting the family to the penitentiary is sometimes too elevated or tiring, trouble organizing visits, visitation processes are awkward or humiliating, the visitation environment is not "child-friendly" and can be shocking to younger children, and foster parents may refuse to assist with visits. In addition, phoning or mailing prisons (convicts) is hard and expensive.



Some jails include parenting skill improvement programs to make it easier to reconnect with family and lost years of parenting experience. The participation in these prison-based programs has decreased recently, despite evidence to the contrary that they are successful and advantageous for both convicts and their families. A US Department of Health and Human Services study indicated that those convicts who were unable to convince the other parent to co-participate were less likely to maintain participation. The reason for this is unclear. As a result, several jails developed brand-new rewards for inmates' engagement, such as expanded video chat rights and petrol cards for partners to encourage more visits.

### *Society and expectations upon release*

Ex-offenders frequently discover that their hopes for returning to normal life are not always attainable after being released from prison. This is especially true for inmates serving lengthy sentences since they are more likely to encounter technological advancements that are crucial in emerging employment markets and to lack the training necessary to be competitive applicants.

Re-entering criminals typically hail from a small number of concentrated communities with "above-average unemployment rates, percent of female-headed households, and percent of families living below the poverty level." It is extremely difficult for ex-offenders to get work anywhere, so returning to a place with little chance of employment increases the chances of unemployment.

54% of inmates who were due to be released believed they could rely on their own employment for financial support, and 82% anticipated assistance from their parole officers in making the adjustment back home. Only nearly half of those who were released said their parole officers were helpful during their transitions, and 51% said they relied on their family to a much greater extent than they had anticipated.

Living in a less structured environment and having fewer social interactions are the two main transition difficulties. Prison life is very regimented, and those serving lengthy terms get used to it, which makes its absence in the outside world startle and distress them deeply. They might go back to their families or communities of origin, but their social networks might not be the same or may have altered. Inmates who have been freed must therefore rebuild or establish new social networks.



Learning about new technologies that have taken the place of conventional systems can be one of the most surprising adjustments. For instance, individuals serving medium or lengthy terms of imprisonment might not have ever used a smartphone or a metro card. Since we went through these changes in stages, most of us may think of them as small adjustments, but adapting and learning from the challenges simultaneously while they replace old habits can be difficult and perplexing (“The Challenges of Prisoner Re-Entry Into Society”).

## Macro-challenges

### *Collateral Consequences*

Some are explicit and unchangeable, such being prohibited from requesting federal grants. Administrators frequently take the strictest interpretation of others since they are ambiguously written. Ex-offenders are not prohibited from public housing, for instance, but housing administrators may reject a candidate because of their criminal history. Many housing administrators mistakenly believe that they must reject applicants with criminal records, leading to a de facto ban on public housing that is pervasive.

### *Parole*

The conditions of parole usually vary between states but some are very widespread and common and might have negative effects on the successful reintegration of criminal offenders. Some include; maintaining a specified geographic area, getting authorization to move is necessary, maintained employment, possession of guns is forbidden, paying fees for supervision, allowing parole officials to search your home, you, or your vehicle at any moment, not consuming alcohol or going to bars, and obeying local, state, or federal laws. These conditions might make ex-inmates feel like prisoners again, only not behind bars but in homes, limiting the reintegration process not feeling “normal” as the rest of society.

One frequent collateral effect, for instance, is difficulties renewing a driver's license. Because of their criminal history, many ex-offenders are sometimes denied a new driver's license; nonetheless, they still need to travel to work or to meet with their parole officers. They are fined for using a vehicle without a valid license, which increases their debt and makes getting a license more difficult. There are many instances of this, yet there is scant or no proof that these limitations work to curb crime.



## Major Parties Involved

### Amnesty International

Operating worldwide, the organization has made efforts to improve the odds of rehabilitation for criminals. They have done so by promoting criminal rights across the world.

### Global Program on Prosecution, Rehabilitation and Reintegration (PRR)

The PRR focuses on bringing individuals accused of terrorism out of their criminal organizations and into normal society, aiding their families as well. They were established in 2015 and have rehabilitated thousands of people in Central Asia and the Middle East.

### International Centre for Criminal Law Reform and Criminal Justice Policy (ICCLR&CJP)

The ICCLR&CJP is a non-profit, CCPCJ-affiliated organization with the aims of supporting legal reform movements and initiatives and improving criminal justice enforcement.

### United Nations Interregional Crime and Justice Research Institute (UNICRI)

UNICRI, founded in 1968, cooperates closely with UN member states in creating improved policies in their respective justice systems. They also conduct research on anti-human and drug trafficking, as well as counter-terrorism since 2005.

## UN involvement, Relevant Resolutions, Treaties and Events

- Reducing Reoffending Through Rehabilitation and Reintegration, 16 December 2021 (A/RES/76/182)
- Strengthening United Nations Action in the Field of Human rights through the Promotion of International Cooperation and the Importance of Non-selectivity, Impartiality and Objectivity, 17 December 2015, (A/RES/70/150)



- Providing Technical Assistance for Prison Reform in Africa and the Development of Viable Alternatives to Imprisonment, 27 July 2006 (Economic and Social Council (ECOSOC) resolution, 2006/22)

## Previous Attempts to solve the Issue

Norway's criminal justice system has seen incredible success with its controversial style of imprisonment. In Norway's prisons, criminals are given all the necessary resources to self-sustain themselves, as well as build skills necessary for work outside of prison. They have the lowest recidivism rate in the world, with only 16% of prisoners reoffending. Additionally, the prisoners of Norway who do not reoffend find employment opportunities more often than any other prison system in the world.

However, the Scandinavian prison model relies on community confidence in the security of the prisons, the integrity of the policemen and the belief that rehabilitation is in the best interest of the state. This level of trust has not been achieved in other countries, and so the Scandinavian model for prisons is likely too ideal and not practical for nations where the public does not have faith in the policing system.

Other prison systems around the world have had less success in effectively reintroducing their criminals into their country than Norway and its neighboring states. In the rest of Europe, countries have struggled to implement rehabilitation programs due to issues with the prison system. Namely, European prisons have suffered from chronic overcrowding, which have made it difficult to provide education and healthcare to all prisoners, which are the necessary components of a rehabilitation programs. In developing nations, lack of funding for prisons leads to a scarcity of available rehabilitation programs.

NGOs (non-governmental organization) such as Penal Reform International, International Centre for Criminal Law Reform and The World Justice Project have done their part in helping prisoners find rehabilitation in their prison, and have encouraged nations governments to reform their prison and justice systems to improve living conditions in prisons and protect workers rights. They have had limited impact, however, as they have not had the support of the governments they operate, limiting the extent of their operations.



The Doha declaration, agreed upon during the thirteenth session of the CCPCJ in Doha, Qatar on the 14<sup>th</sup> of November, 2001, provided nations with guidance on how to develop their prisons for rehabilitation and reintegration promotion. The United Nations office on Drugs and Crime (UNODC) produced a roadmap for nations developing prison-based programs for rehabilitation, as well as a handbook on the reduction of recidivism and the means to socially-integrate criminals. In the time since the declaration, recidivism rates (the percentage of people who reoffend after leaving prison) have indeed been on the decline.

## Possible Solutions

Education, mental health therapy, drug abuse treatment, job training, counseling, and mentoring are just a few examples of the types of institutional programs available to help offenders get ready to reenter society. When these programs are concentrated on a thorough diagnosis and assessment of offenders, they are more effective. Community-based organizations that are equipped to offer after-care and follow-up with offenders after their release from incarceration offer some of these services prior to the release.

Effective institutional programs typically concentrate on several changing risk factors and the problems or requirements of the offender that must be addressed in order to get the offender ready for release and a successful reintegration. However, as these programs are non-mandatory, it is easy for convicts soon to be released to ignore their presence and usefulness and therefore be released without having participated in any community-based program. Therefore, a possible solution which would solve this is targeting the source of the problem by making attendance of institutional programs mandatory to convicts which are shortly to be released while they are still in prison which would act to further them away from the reality of the prison, which can often times be harsh, and back into society.

Furthermore, in order to widen the audience and target of criminal offenders to range from sex to ethnicity to age and also to mental stability, it is important to implement inclusive programs and adequate for any type of gender, age group or illnesses. For example, many prisoners with mental illnesses have to be treated accordingly and with adequate attention to ensure their safe reintegration into society. Equally for young criminal offenders, academic programs to recover the studies is an important factor in assuring them a job once freed from prison and make them equal to



their peers of equal age. However, it would be effective to make young convicts resume their studies during their sentence allowing for a reduction of stay in prison in the case of good results.

Lastly, a solution which enhances opportunity for successful reintegration of criminal offenders is incentivizing employers in some way to hire ex-convicts which have gone through retraining or institutional programs in order for the criminal offenders to not have to fall back into their hold habits allowing them to make a living out of fair and honest work. Furthermore, the government could release a certificate confirming that the offender passed evaluations positively, thus is deserving of a job and that whoever hires the individuals is exempt from any subsequent responsibilities. This is necessary due to the skepticism of society towards ex-convicts which might prevent the job places from being filled in with criminal offenders. In conclusion, monitoring both sides of the issues, criminal offenders, and members of society, is important in planning solutions, and interventions to reduce recidivism.

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## Appendix or Appendices

Solutions to the Problem: <https://www.publicsafety.gc.ca/cnt/rsrscs/pblctns/scl-rntgrtn/index-en.aspx>

CCPCJ affiliated institutions:

<https://www.unodc.org/unodc/en/commissions/CCPCJ/PNI/institutes.html>

