

Chapter 16

LIFE AFTER PRISON: ETHNIC, RACIAL, AND GENDER REALITIES

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America is the land of the second chance – and when the gates of the prison open, the path ahead should lead to a better life.

–George W. Bush

As suggested in previous chapters, when it comes to criminal defendants, the focus of the criminal justice system, research and publication, and those vested in community safety or social justice has been on formal proceedings, from arrest to once people are released from prison. In the current era of law and order, though, over 50,000 people leave prison every month, and more than 630,000 inmates are released from state and federal prisons every year, the biggest number in the history of the U.S. penal system. Further, in the twenty-first century, prisoners who are being released are serving longer sentences than inmates of earlier decades, and they are less likely to have received an education or job training behind bars and less likely to be rehabilitated. During the 1980s and 1990s, as jails and prisons filled to overcrowding and a tough-on-criminals movement prevailed, states significantly reduced rehabilitation programs. As such, prisoners typically return home carrying their *old* liabilities, like additions, limited education, unskilled, and poor work habits, in addition to new ones, like a damaged relationship with family and friends, a criminal stigma, and often no place to go. Worse, since most exiting inmates are Latino or African American, minority prisoners must also *confront the influence of being Latino or African American*. Together, the central question becomes, how do ex-prisoners fare

on the outside, in the community? And, by extension, how do communities fare in incorporating former-prisoners?

This chapter, then, provides a discussion of “life after prison” for the typical adult male and female offender, which involves not only the experience of Latinas/os and African Americans but Caucasians as well. After noting the methods of release, the major roadblocks to community reentry are detailed, followed by an analysis of the significance of community integration and the importance of building *bridges* between prison and society. It is argued that the most crucial gap to the establishment of social control remains to be bridged: from prison to the community. Otherwise, with limited resources, a chaotic environment, and a hostile community, released inmates are likely to return to prison. Then, recommendations for breaking state and federal *legal barriers* for reentry are provided, followed by propositions for community reentry of both male and female offenders as well as a series of steps for *making it outside* upon release. The chapter concludes with a discussion of major challenges facing reformers in the twenty-first century, as we seek to create a more understanding, tolerant, and forgiving society, while securing public safety.

METHODS OF RELEASE

To begin, the combination of tougher sentences has led to a drastic increase in the incarceration of both male and female offenders, and inmates are serving longer prison terms for a wider array of criminal activity (see Espinoza, this volume). Yet, most prisoners are eventually released back into the community because the majority of offenders are incarcerated for non-violent crimes, normally drug offenses. With the exception of those serving life or death sentences, incarcerated people are released from prison to the community, usually under parole supervision through various means, depending on federal or state laws. These categories include discretionary release, mandatory release, expirational release, or some other form of conditional release. A very small percentage of people are “removed” from prison as a result of escapes, executions, or deaths (Urbina, 2012).

Once offenders have been punished for their crimes, served their sentences, and released from prison, they are back in the community, normally in their “old” neighborhoods, to begin a new life, with the expectation that they will never return to prison. Nonetheless, about 75 percent of inmates return to prison. In this context, there are several essential questions that must be addressed to facilitate *reentry planning* for those who are still in prison to avoid recidivism upon release, and thus reduce the probability of inmates

returning to prison. Morally, what will become of male and female offenders once they are released from prison? Will inmates be able to find legal employment with the skills they learned while incarcerated? Considering the wide range of problems facing both male and female offenders, will they be able to pay for their basic needs, like healthcare, and not return to illegal activities like drugs or prostitution? If inmates do not have the necessary skills, will they be able to acquire credentials and qualifications that will allow them to survive in a highly competitive and technological job market? Will ex-prisoners be able to reunite with their children, partner, spouse, friends, or other loved ones? Will released prisoners be accepted by the community? Or, will they be treated with mistrust, disdain, rejection, or hostility? Ultimately, what is the probability that those released from prison will end up back in the correctional system?

LEGAL ROADBLOCKS TO COMMUNITY REENTRY

As noted above, more than 630,000 people are released from state and federal prisons every year, a population equal to that of most major cities, and hundreds more are released from local jails. Critically, though, rather than helping released inmates successfully transition from prison to the community, many current state and federal laws have the opposite impact, legal barriers which are significantly interfering with the obligations, rights, and expectations of full citizenship in nearly every aspect of people's daily lives. In effect, current state and federal laws diminish rehabilitation efforts, community reentry and stability, and public safety, and they undermine the presumed commitment to equality and justice. Together, as designed and applied, existing laws are creating legal roadblocks to basic necessities for thousands of people who are trying to rebuild their lives, support their families, and become productive members of their communities.

Further, while legal barriers to community reentry have only recently been critically analyzed, for more than 30 years the federal government and various states have drastically increased the range and severity of civil penalties for people with criminal convictions, and, in some cases, applying legal barriers to people who have never been convicted of a crime (Urbina and Kreitzer, 2004). In fact, for 3 decades Congress and state legislatures have created new restrictions for the eligibility of various necessities, including public assistance, food stamps, public housing, drivers' license, and student loans, while further expanding legal barriers to crucial social issues, such as parenting, employment, and voting.

Consequently, as a result of such explosive increase of legal roadblocks during the last three decades, successful reentry into society after inmates

have been released is much more difficult for people who have been arrested or convicted of crimes, especially for drug offenses, and those who have multiple convictions or incarcerations, even if they can demonstrate that they are rehabilitated, qualified to work, and willing to participate in society. As for ethnic and race variation, because Latinos and African Americans are arrested, indicted, prosecuted, convicted, and sentenced to prison at significantly higher rates than Caucasians, minorities are disproportionately harmed by these state and federal legal barriers, leading to widespread social, economic, and political disenfranchisement of Latinos and African Americans. In effect, a two-year study by the Legal Action Center (2004:7) found that “people with criminal records seeking reentry face a daunting array of counterproductive, debilitating and unreasonable roadblocks in almost every important aspect of life.” While obstacles are numerous and complicated, the following are ten of the most influential legal barriers facing released prisoners when they attempt to reenter society and become law-abiding and productive citizens.

Public Housing

Considering that the majority of male and female offenders are indigent (see Urbina, Chapter 11, this volume), with many of them having spent years behind bars, the most immediate concern upon release is a place to stay, especially if they are no longer allowed in their old house or apartment. If released prisoners are not able to stay with family or friends, they either seek public housing or low-income housing, or live in the streets. Federal laws, though, give local housing agencies leeway in most situations to decide whether to bar people with criminal convictions from public housing premises, even if arrests never led to conviction, creating a difficult situation for inmates who have no other place to stay. National data show that:

- In a majority of states, public housing authorities make individualized determinations about an applicant’s eligibility that include considering the person’s criminal record, as well as evidence of rehabilitation.
- Many public housing authorities consider arrest records that did not lead to conviction in determining eligibility for public housing (Legal Action Center, 2004:16).

Public Assistance and Food Stamps

Along with shelter, released prisoners must also cope with actual survival, and if they do not have a place to stay, they are also likely to lack money and

food, especially those who are unable to quickly find employment. As such, released prisoners often look for public assistance. The 1996 federal welfare law, however, prohibits people convicted of drug-related felonies from receiving federally funded food stamps or cash assistance (known as Temporary Assistance for Needy Families, (TANF)). Further, considering that drug offenses have become the focal target of the criminal justice system, most states now restrict people with drug convictions from being eligible for federally funded public assistance, including food stamps and cash (Legal Action Center, 2004). As a lifetime ban, applied even if people have completed their sentence, overcame additions, earned a certificate of rehabilitation, or been employed but they got laid off, such prohibition significantly hinders community reentry for thousands of released prisoners.

Employment

Upon being released from prison, people are confronted with multiple expectations, like obeying the conditions of parole, not engaging in criminal activity, and quickly finding employment. In effect, employment is not only one of the most crucial expectations, but one of the most essential in that it signifies social and economic stability, it provides people a physical address, it enhances the chances of securing housing, and it enables people to afford basic necessities, like clothing and food. This expectation, though, is hindered with employment obstacles in that:

- Employers in most states can deny jobs to people who were arrested but never convicted of any crime.
- Employers in most states can deny jobs to, or fire, anyone with a criminal record, regardless of individual history, circumstances, or “business necessity.”
- States have the power to offer certificates of rehabilitation but few issue them (Legal Action Center, 2004:10).

Access to Criminal Records

While released prisoners have spent their time behind bars for the crime they committed, upon being released they are not immune from the stigma or legal obstacles of a criminal record. Officially, states have the authority to allow the sealing or expungement of arrest records that never led to conviction as well as conviction records after the elapse of an appropriate period of time. Yet, considering the influence of a criminal record on housing, public assistance, employment, and other social, economic, and political activities, national data show that:

- Most states never expunge or seal conviction records but do allow arrest records to be sealed or expunged when the arrest did not lead to a conviction.
- Virtually anyone with an Internet connection can find information about someone's conviction history online without his or her consent or any guidance on how to interpret or use the information (Legal Action Center, 2004:15).

Drivers' Licenses

Possibly more than any other formal document, a driver's license has become a necessary element for *everyday functioning*, ranging from driving to opening a bank account. To further complicate matters for released prisoners, many inmates not having a place to stay and thus no physical address. In 1992, Congress enacted legislation withholding 10 percent of highway funds unless states enact laws revoking or suspending driver's license of people convicted of drug offenses for at least six months after the date of the conviction. More recently, in addition to federal legislation restricting the limits of drivers' licenses to people with criminal records, states have passed or attempted to pass laws restricting, revoking, or suspending drivers' licenses for undocumented people, targeting Latinas and Latinos, especially Mexican immigrants. In 2011, for instance, New Mexico Governor Susana Martínez tried to repeal a law granting drivers' licenses to undocumented people. In fact, some states have attempted to restrict the limits of drivers' licenses to *legal immigrants*, including Texas under Governor Rick Perry. Truly, if implemented, these laws led to consequential obstacles for both illegal and legal immigrants who are being released from state or federal prisons. In short, restricting the ability to drive makes it more difficult to be employed, participate in addiction treatment, obtain an education, get job training, and it restricts people in many other areas of everyday life. In all, national statistics show that:

- 27 states automatically suspend or revoke licenses for some or all drug offenses; 23 states either suspend or revoke licenses only for driving-related offenses or have opted out of the federal law.
- Many states make restrictive licenses available so individuals whose licenses would otherwise be suspended can go to work, attend drug treatment, or obtain an education (Legal Action Center, 2004:17).

Surveillance

In addition to monitoring inmates released on parole to ensure that they meet the conditions of parole, the criminal justice system indirectly or direct-

ly monitors those who have committed felonies, even if the offenses are not classified as violent, as well as immigrants waiting for their immigration status to be determined by immigration officials. However, in the aftermath of the September 11, 2001, terrorist attacks on the United States and the continued international war on drugs, constant surveillance on those suspected of terrorist or narcotics connections is now being conducted by state and federal law enforcement agencies, a critical situation for Latinos who are already associated with narcotics trafficking and even terrorism. While surveillance monitoring seems to make sense in ensuring public safety, intrusive surveillance adds to the legal barriers facing released prisoners, as the criminal stigma of being under constant surveillance makes it more difficult to reintegrate into society and live a *normal* life.

Deportation

In the current era of law and order, immigrants, particularly Latinos, are once again a primary target of anti-immigrants legislation, politicians, law enforcement officials, and immigration hawks (see Posadas and Medina; Romero and Sanchez, this volume). As such, when released from prison, people who are not U.S.-born citizens face the possibility of deportation, this includes undocumented people, legal residents, people who legally reside in the country with some type of visa, and even naturalized U.S. citizens. Realistically, the impact is not only on those who get deported, but also their families, as young children might be left in the United States if they are U.S.-born, creating chaos, fear, and uncertainty for many people and, in a sense, the entire Latina/o community.

Student Loans

As noted in previous chapters, the typical male and female offender is impoverished and uneducated, making it difficult to obtain education and training that enables them to compete in the job market. As such, those who wish to pursue an education or specialized training are forced to seek financial assistance. However, here too, ex-prisoners are confronted with yet another formal obstacle in that the Higher Education Act of 1998 makes students convicted of drug-related offenses ineligible for grants, loans, or work assistance. Consequently, since this federal legal barrier cannot be altered by states, and the fact that the majority of offenders are convicted for drug-related offenses, the great majority of all released prisoners are not eligible for education financial assistance, significantly impacting Latina/o offenders. In effect, while the range of criminal offenses is wide, no other offense results in automatic denial of federal financial assistance.

Adoptive and Foster Parenting

To further complicate reentry, long-term community reintegration, and the opportunity of living a normal life, released prisoners who wish to be law-abiding citizens, be productive members in their communities, and have a stable family are confronted with an additional obstacle in that the federal Adoption and Safe Families Act of 1997 impedes people with certain convictions from being foster or adoptive parents, impacting the everyday life of not only ex-prisoners, but children in need of a family. Though, national statistics show that most states do make individualized determination on the applicants' suitability to be adoptive or foster parents, while considering people's criminal record and evidence of rehabilitation.

Voting

Beyond the daily legal obstacles confronting released prisoners, states have absolute power to decide whether people with a criminal record are allowed to vote, impacting not only individual ex-inmates but the entire community, particularly Latino and African American communities. In fact, all but two states place restrictions on the right to vote for people with felony convictions.

In sum, these ten legal barriers not only hinder reentry, long-term community reintegration, and stability and continuity over time, but these obstacles counteract the very purpose of the criminal justice system, rehabilitation, public safety, and justice. Worse, since the great majority of those who get detected, arrested, indicted, prosecuted, convicted, sentenced to jail or prison, and placed on death row are either Latino or African American. The inability to engage in civil activities, like voting, pushes ethnic and racial minorities further into the margins of society, ultimately silencing the entire minority community. Together, the central question of the current model of arrest, incarceration, and release becomes: are ex-prisoners actually being integrated into the community? Or, are they simply being *placed* back to survival days?

COMMUNITY INTEGRATION OR BACK TO SURVIVAL DAYS?

Theoretically, male and female offenders should be able to *regain* their lives once they are released from prison, arguably inmates should not be worse than when they entered the prison system. In fact, if inmates took advantage of *available resources* while in prison, they should be in a better

position (than those who did not) to begin the community (re)integration process. Practically, though, “life after prison is more a reflection of ‘back to survival days,’ than it is of ‘community (re)integration’” (Urbina, 2008:189).

Released prisoners are in fact not provided with a smooth transition from prison to their next living shelter. Likewise, the existing mechanisms do not provide a smooth transition back into the community. To begin with, when inmates are released, often in the middle of the night, the typical ex-prisoner is confused, scared, has no belongings, and has little idea about what lies ahead. Normally, offenders express concerns as to whether they will be able to turn their lives around after being released, especially if they spent several years behind bars. For female offenders, the situation is even more complicated in that stable housing and employment are essential to regain custody of their children as well as a permanent address and transportation for legal employment to avoid the temptations of the streets, continuation of healthcare, and substance abuse treatment after release. In effect, the majority of women not only suffer from health conditions like depression, but 60 to 70 percent of women released from prison have nowhere to go. In essence, the typical male and female offender “leaves prison economically, politically, socially, and morally bankrupt” (Urbina, 2008:191).

Economically, upon release, the typical inmate has no place to go, limited resources, and has little knowledge of whatever resources might be available in the community. Independent of how long they were in prison, their level of education remains low, lacking the skills to compete in a highly competitive and technological job market. When unemployment is high, the situation is even more drastic for ex-prisoners who are perceived by society as undeserving, threatening, and unwanted in the community. For minority parolees, Latinos and African Americans, the situation is even more devastating in that they are not only being marginalized for breaking the law, but for supposedly taking the few jobs available.

Politically, the typical male or female ex-prisoner has no ties to appointed or elected officials or to America’s main institutions. Consequently, either because their right to vote has been taken away as a result of a criminal conviction or because they simply fail to exercise their vote, ex-prisoners are *strategically* forgotten or neglected by local, state, and federal politicians. As a general rule, politicians’ main objective is to address the concerns of the “voting class,” and thus the views and concerns of ex-prisoners are not likely to be addressed in a proper and efficient manner, as illustrated by the various legal barriers to reentry. In the case of minority ex-prisoners, Latinas and Latinos, the situation is further complicated in that their friends and relatives cannot vote if they are not U.S. citizens.

Socially, ex-prisoners typically have no social support when they are released from prison. To the contrary, former prisoners are usually viewed as

undeserving people who should not be entitled to voice their experiences, views, or concerns. Further, as people who have violated the law, community norms, or challenged the status quo, released prisoners are viewed and treated as third or fourth-class citizens. In the case of women and minority ex-prisoners, the post-prison experience is normally more consequential if they do not have friends or relatives to rely on for social support, like cultural understanding, appreciation, and, ultimately, reintegration. For instance, studies show that weak family ties or complete separation from their children creates a severe problem for reintegration and stability (Urbina, 2008).

Morally, male and female prisoners typically leave the prison system energized and motivated to start their new lives. However, for the typical offender, the prison experience is in fact disheartening, demoralizing, and damaging. Once released, inmates are scared and uncertain about having to interact with a judgmental society, and, for female and minority offenders, morally fragile to diverse and punitive gender, ethnic, or racial stereotypes. Even though the United States is often characterized as a sensitive, understanding, ethical, and moral society, the community is not very forgiving against those who are considered strangers, outsiders, different, or threatening (Urbina, 2011, 2012). In a sense, ex-prisoners continue to pay, economically, politically, socially, or morally, for their criminal acts long after they are released from prison.

Evidently, having a population of ex-prisoners that is absolutely bankrupt carries high consequences in that it leads to the very same problem that we are arguably trying to solve: crime. In effect, studies show that recidivism is partially attributed to economic need as well as discriminatory policies and lack of community support (Urbina, 2008). Consider, for instance, the experience of one released female prisoner:

I really tried to stay out of trouble, but its very difficult, you know. Like once you're into a routine and the people you're hanging about with and everything, and plus you're always getting hassled by the police . . . It was about this time that I left home . . . and I was on the streets for a very long time . . . because I was homeless, I couldn't get a . . . job . . . but I still had . . . fines that I had to pay . . . So I am stuck in this rut. I've got to pay these fines or go to jail, and I've got to live as well. So I was committing more crimes, going back to court and getting more fines, and it was just a vicious circle. So the next thing I ended up back in prison again. (Maruna, 2001:71)

In sum, all inmates are older when they are released from prison. If inmates have served lengthy sentences, they might experience additional difficulties, like more severe health problems. More fundamentally, since the typical inmate leaves prison economically, politically, socially, and morally

bankrupt, most offenders will return to prison. Unfortunately, each time people return to prison, their situation becomes more devastating and consequential. For example, their chances of obtaining a legitimate job are further tarnished with an increase in apprehensions, prosecutions, convictions, and incarcerations. Of course, reentry also presents a critical situation for the prison system in various areas of daily prison life, like management, service delivery, and rehabilitation. For instance, reentry makes it difficult to maintain a reliable medical history, which is vital for community treatment. Still, while the majority of inmates wish to stay out of trouble and become productive members of society, their actual reality is closer to back to survival days than community integration (Urbina, 2008).

BUILDING BRIDGES BETWEEN PRISON AND SOCIETY

Understanding male and female offenders requires that we explore their lives by the totality of circumstances, experiences, events, and situations. This includes the investigation of not only life while incarcerated, but life before, during, and after incarceration (Urbina, 2008). In the context of the prison system, a central objective is to “rehabilitate” inmates for community reentry upon release, so that they can be productive members of society. However, too often, policymakers, politicians, social activists, and others with vested interest in “prison reform” concentrate on offenders who are entering prison and pay little attention to inmates who are about to be released, and essentially isolating inmates who are just released from prison, neglecting reintegration, public safety, and the conditions that originally led to criminal behavior and that will once again place people back in prison, resulting in an never-ending cycle.

As noted above, once inmates are released into the community, they are disconnected from conventional society. As such, without well-established bridges between prison and society, *the typical offender is prone to “fail” as a citizen*, reoffend, and end up in prison for a minor crime, or simply breaking parole conditions, with Latinos, African Americans, and Native Americans being prone to experience greater challenges (Díaz-Cotto, 1996; Oboler, 2009; Urbina, 2008). In essence, as documented by Raymond Michalowski (1985:240),

Prisons in America exist as a kind of distorted mirror image of American society. Like the mirrors in a carnival funhouse, prisons exaggerate and expand some of the characteristics of the society they reflect. Yet, like fun-house mirrors, what they show is based in the very real object they are reflecting. The parallel between free society and prisons exists at both the organizational and the social level.

Exploring the female experience, Barbara Owen (1998:192) reports that

Women in prison represent a very specific failure of conventional society—and public policy—to recognize the damage done to women through the oppression of patriarchy, economic marginalization, and the wider-reaching effects of such shortsighted and detrimental policies as the war on drugs and overreliance on incarceration as social control.

In all, the penal system, with its priority on security and control, places little emphasis on treatment and rehabilitation while inmates are incarcerated, with limited planning for community reentry upon release. Successful reintegration, though, involves proper planning prior to their release, as they are being released, and shortly after their release into the community. The focus should be immediately upon release and not after they have engaged in illegal behavior, and thus the challenge is trying to find ways to keep them in the community and not send them back to prison, especially for issues that can be addressed in the community. In effect, some of the most detrimental issues facing male and female prisoners are best addressed in the community and not behind bars. For instance, substance and alcohol abuse, domestic violence, employment skills, healthcare, (like stress and depression), and parenting responsibilities are best addressed outside the correctional setting. However, under current penal policies, these problems are often deferred to the correctional system by a society unable, but mostly unwilling, to confront the problems of marginalized and neglected people, with the majority being Latinos, African Americans, women, and impoverished whites.

In sum, a well-established bridge between prison and society must be developed to avoid fear, chaos, ruptures, and recidivism. With a sharp increase of prison rates, the penal system is becoming a “way of life” for thousands of people in the United States, and for this very same reason the United States must realize that isolation and detachment is contributing to the very same problem we are trying to solve. Therefore, instead of neglecting, isolating, and marginalizing released prisoners, the criminal justice system, community agencies, and conventional society should work together, share resources, and exchange information to create a *road map* for inmates so that they have realistic established planning, goals, and continuity during reintegration.

Community Programs

The main objective of community-based programs is for ex-prisoners to resolve their legal and social issues without risking future arrest, prosecution, conviction, or incarceration, while keeping the community safe. In fact, con-

sidering that the typical male and female offender suffers from a series of complicated problems, including childhood abuse, addictions, and health issues, community-based programs are probably the single most essential element in the creation of proper and lasting bridges between prison and the community. Upon release, people typically end up in the same physical environment where they grow up, which is plagued with physical contamination, air pollution, drugs, guns, violence, and crime. This time, however, ex-prisoners are burdened with a criminal record and few social, political, and economic resources to rely on while they find a legal job to survive, while trying to meet the requirements of parole.

Unfortunately, even though community programs have proved to be an effective and beneficial mechanism for the reintegration of ex-prisoners into the community, these programs have not been a priority, and thus they have struggled to keep their doors opened because of limited funds, lack of volunteers, and social and political unwillingness to support these agencies. As agencies that are arguably helping criminals, community programs do not get proper recognition by the media, making it difficult to convince the community, policymakers, and criminal justice officials that reintegration is vital for controlling recidivism, fear, and community stability. In the current era of crime and punishment, the biggest challenge facing community programs will continue to be lack of resources and resistance by the warriors of law and order. Community-based programs must be made a priority in order to slow down the *cycle of crime, prison, and release*.

BREAKING STATE AND FEDERAL LEGAL BARRIERS FOR COMMUNITY REENTRY: RECOMMENDATIONS

Together, a well-planned and established bridge between the penal system and mainstream society is missing, and, by extension, there is a huge disconnect between prison and local communities, impacting not only reentry upon release but long-term community reintegration. To begin, there are numerous consequential legal barriers; that is, as reported by the Legal Action Center (2004:23):

Without a job, it is impossible to provide for oneself and one's family. Without a driver's license, it is harder to find or keep a job. Without affordable housing or food stamps or federal monies to participate in alcohol or drug treatment, it is harder to lead a stable productive life. Without the right to vote, the ability to adopt or raise foster children, or access to a college loan, it is harder to become a fully engaged citizen in the mainstream society.

Therefore, along with the establishment of a well-planned bridge between prison and society to facilitate reentry upon release and ensure long-term community reintegration, the state and federal governments should amend existing laws to eliminate legal barriers so that laws will in fact protect public safety, while making sure that people with past criminal records successfully reintegrate. As recommended by the Legal Action Center (2004:22), the following principles are vital for the establishment of strategic reform:

1. Maximizing the chance that people with criminal records can successfully assume the responsibilities of independent, law-abiding citizens is a critical component for guaranteeing and reinforcing the community's legitimate interest in public safety.
2. An arrest alone should never bar access to rights, necessities, and public benefits. Doing so denies the presumption of innocence, the value of our legal system, to millions of Americans. Employers, housing authorities, and other decision-makers should not be permitted to consider arrest records.
3. A conviction should never bar access to a citizen's right to vote or to basic necessities such as food, clothing, housing, and education.
4. Eligibility for employment, housing, adoptive and foster parenting, or a driver's license should be based on the community's legitimate interest in public safety and the particulars of an individual's history and circumstances. Blanket bans on entire categories of people, such as everyone convicted of a felony, are neither wise nor fair; they do not take into account such important factors as the nature of the circumstances of the conviction and what the person has done since the commission of the offense, including receiving an education, acquiring skills, completing community service, maintaining an employment history, or earning awards or other types of recognition.
5. States should enact legislation to provide for the automatic sealing or expungement of any arrest that never led to conviction, and of conviction records after an appropriate amount of time has elapsed. States also should issue certificates to qualified people with criminal records that acknowledge rehabilitation and lift automatic bars.
6. Given the potential for misuse, conviction information should not be publically accessible on the Internet. Access should be restricted to those agencies, such as law enforcement, that need to retrieve criminal records to perform their duties.

RECOMMENDATIONS FOR COMMUNITY REENTRY OF MALE AND EX-FEMALE OFFENDERS

Exploring the experience of female offenders before, during, and after incarceration, Urbina (2008:203-204) notes the following recommendations, which are not politically appealing but they can serve as a significant step in breaking the *revolving door cycle of prison admissions and discharges*, which tends to get more vicious and consequential every time a female or male re-enters the prison system.

1. As the prison population continues to increase, expansion of service delivery among existing programs and the development of additional programs are essential to avoid chaos, reduce medical and rehabilitation deficiencies, and secure a smooth transition from prison into the community.
2. Once released, community programs should be given the highest priority and authorities should be sensitive to the specific needs of the various populations being released from prison. Female offenders, for instance, need better delivery service because they are the ones with the greatest demand for basic healthcare, education, job-seeking skills, and pre-release planning. As for undocumented mothers, they also face the possibility of losing their children. Further, in the case of those who do not have the necessary documentation to obtain a social security number, they are further confronted with additional barriers for service delivery and legal employment.
3. Community programs often discriminate against indigent people through examinations, by withholding information about available resources, or negligence. Therefore, male and female offenders should be fully informed of the programs in their communities long before they are released from prison. Also, for those who are released on parole, parole officials should insure that people continue to receive information regarding resources in the community.
4. A transition team, including correctional staff, community agencies, community organizers, and volunteers, could provide advice, counseling, services, and referrals.
5. Local governments, the media, and the community should advocate for a volunteer program in which people from the community would offer mentoring and one-on-one or group assistance to released prisoners.
6. The implementation of a realistic educational and employment program must be a priority, as a sound education and successful employment reentry strategy can increase public safety, can reduce spending

on costly jails and prisons, reduce poverty for some of the most disadvantaged citizens, and develop social and economic prosperity of racial and ethnic communities. Further, education and employment for reentry can also promote family stability and provide a more stable future for millions of children who have parents in jail or prison.

LIFE AFTER PRISON: STEPS TO MAKING IT OUTSIDE

The latest national data indicate that about two-thirds of released prisoners are rearrested within three years, illustrating the significance of joint reentry efforts and well-designed mechanisms. In effect, successful reentry upon release not only requires the elimination of legal barriers and the establishment of a well-designed bridge between prison and the community, but also strategic steps by the released prisoners themselves, if they are to make it on the outside. Imagine life after prison after being physically, socially, and politically disconnected from the community for years, often spending years in state prisons far from their hometown or in federal prisons in a different state. After years behind bars dreaming of freedom, inmates are normally unprepared for life after prison. As noted herein, along with a criminal record, the typical inmate has minimal education and work experience, shackled by addictions, chronic depression, or mental illness, hunted by the criminal stigma, under pressure to quickly find legal employment, and other pressing factors, like managing housing issues, drug or alcohol treatment needs, and family relationships (Urbina, 2008).

In fact, while inmates spend years behind bars waiting for the day of their release, *prisoners have little knowledge about the practicalities of street survival after prison*. To begin, seldom do prisoners realize that they are likely to have their parole revoked within the first 48 hours, and thus it is essential that they know, *through education while in prison*, and have the necessary steps in place before they are released. For instance, inmates must know that life after prison is not simply getting a job quickly upon release, and, of course, staying out of trouble. Inmates should *learn* that life after prison is more than simply rebuilding a new life, but seeking to break the cycle of crime, arrest, imprisonment, and release, while setting the foundation so that future generations will not follow the same path, the road to prison. As such, through education while incarcerated, inmates should learn the following 11 rules for making it outside after being released from jail or prison.

1. Support: Who Can Help?

In terms of supporting themselves financially, both men and women leave prison with no money and often with hundreds of dollars in debt, and thus

they are unable to sustain themselves. As such, inmates should know that the single most important step is the one they start inside prison, a support group of people they can contact while in prison, people they can call, visit, or work with upon release. In fact, one of the biggest mistakes the majority of inmates make when leaving prison is not identifying or locating a safe support group. Prisoners need to know that they need to develop a network of people that do not have a criminal past. Sometimes the first thing inmates want to do is get laid, drunk, or high (Visser, Yahner, and La Vigne, 2010). However, inmates must learn that if they are serious about making it, they must give themselves time to resocialize, with a focus on a lifetime of freedom and not one to two days of excitement that will land them right back in prison.

In the context of building bridges between prison and conventional society, identifying friends and family who can help is essential to prevent recidivism. One recent study found that family members were a key housing resource for most men, sometimes providing cash, food, and emotional support (Visser, Yahner, and La Vigne, 2010). Further, lack of family ties can result not only in detachment from society, but create difficulties for inmates while they are incarcerated, and make it difficult to be reintegrated into the community upon release. In fact, inmates who come out of prison with a committed relationship, and those who form one soon after release are more likely to stay out of prison, revealing the significance of social support.

2. The First 48-Hours After Release

Since the majority of people who are released from prison have their parole revoked within 48-hours, inmates must learn about the significance of the first two days, the time when people are most vulnerable; when they are experiencing their weakest point. Inmates must realize that along with following the rules of their parole, they need to hang out with their support group. Prisoners should know that they need to have all of their faculties to do this, instead of being drunk, stoned, or preoccupied with other irrelevant matters. At this point, their *main* worry should be on the conditions of parole and any other requirements, staying away from “old” influences, and to avoid jeopardizing the reentry process.

3. Illegal Activities and Criminal Associations

Before leaving prison, inmates must be well aware that getting out of prison early may take months or years of work, counseling, treatment, and the cooperation of various programs, only to be thrown away by associating with people with a criminal past, associating with people who are engaged in illegal activities, or simply being in the wrong place. Prisoners must know

that when they are on parole they cannot just watch themselves, but they have to be careful of others too and realize that parole is like defensive driving; they should not only follow the rules of the road, they also need to watch what the other drivers are doing to avoid an accident.

4. Dealing with Drug and Alcohol Addictions

Since many prisoners suffer from addictions and depression, inmates must learn the significance of attending, and the consequences of not attending Alcoholic Anonymous (A.A.) or Narcotics Anonymous (N.A.) after their release from prison. Of course, this includes all inmates with addictions, not only those who are released on parole. In fact, alcohol and drug addictions are among the most common elements for which people get involved in crime and, eventually, arrested, indicted, prosecuted, convicted, and sentenced to prison. As such, without proper treatment after prison, people are likely to get involved in crime and sent back to prison.

5. Confronting Life Situations Upon Release

Before leaving prison, inmates should also be educated on ways of confronting difficult and unexpected situations that might arise during the first few months after their release, especially during the first month, which is the most difficult time after release, as they have to walk away from temptations. In fact, the whole first year is very difficult, but the first 48-hours and the first month set the groundwork for successful community reintegration, then the focus is on doing what is effectively working, while making adjustments for leaving a criminal past behind and the enhancement of employment, family, and community stability.

6. Provincial or Federal Halfway Houses

Prisoners should also be familiar with provincial and federal halfway houses before they are release to reduce chaos, uncertainty, and ruptures, establishing continuity. A halfway house, for instance, can offer them a place to stay, food, and a little money to survive during the first few weeks. In effect, tracking the experience of male ex-prisoners returning to Chicago, Cleveland, and Houston, researchers Christy Visser, Jennifer Yahner, and Nancy La Vigne (2010) found that housing was a major challenge and that housing stability diminished over time for many released male prisoners, resulting in recidivism, rearrests, and imprisonment.

7. Understanding the Nature of the Offense Committed

While the high majority of inmates probably understand that they in fact committed a crime, inmates do not necessarily understand the nature or significance of their behavior. Therefore, prisoners must fully understand the nature of their crime if they are to take responsibility, accountability, and wish to make it on the outside. In fact, inmates will never make it on the outside unless they understand the nature and consequences of their acts. Simply, if prisoners do not know *exactly why they did what they did*, there is a good chance it will happen again. Worse, not only are inmates doomed to fail, but they will be in and out of prison their entire life. The biggest problem, however, is that many prisoners are often too medicated to be educated on these issues. Yet, the mere fact of having inmates medicated, and, by extension, difficult for them to comprehend, indicates the *global importance* of treatment during incarceration.

8. The Prison Code: Honor Among Criminals

Prisoners must also learn that if they are living by the *criminal code* once they are released from prison they will not be out for very long, not only losing everything they gained but in a worse position than before. Inmates must realize that they cannot follow the code on the outside and be *normal* law-abiding citizens. Prisoners need to fully understand that the code they live by to survive inside prison is the *same* thing that will send them back to prison, normally within the first three years.

9. Employment Upon Release

Before being released into the community, prisoners must also be educated on the realities of employment upon release. Under pressure, quite often when inmates get out of prison, they try to find employment fairly quickly. In truth, one of the biggest mistakes is trying to be *too normal*, because in fact they are not, yet, as illustrated herein. In fact, most of us have problems with just basic functions of everyday life as well as difficult or unexpected life situations that arise. To begin, many inmates face challenges seeking legal employment not only for the existence of a criminal record, but for lack of photo identification, a driver's license, a social security number, a physical address, an impressive resume, or references. Further, depending on the individual, it normally takes 6 to 12 months before inmates are ready to handle the stress, duties, and responsibilities of a full-time job. In all, combined with various other issues, a job can result in more stress, depression, and

eventually lead to a breaking point if inmates try to move too quickly. Prisoners should learn that the focus must be on making themselves better, while participating in required programs and following the rules of parole and the halfway house, and cautiously progressing to a point where they can function in a day-to-day society. Eventually, the more people work, the more detached they will be from their criminal past and criminal associations, and the greater their chance for becoming socially and economically stable and thus taxpayers instead of a tax burden to society.

10. Education After Being Released

Over the years penal institutions have established educational programs for prisoners to enhance rehabilitation while incarcerated and better prepare inmates for reentry. Upon release, however, the educational component is abandoned by both inmates and the correctional system, impacting community reintegration and long-term economic, political, and social stability of inmates and the community at large. Therefore, both inmates and the penal system must realize and acknowledge that continued education after prison is, in a sense, the *secret* to making it on the outside, with the ultimate objective of breaking the cycle of crime, imprisonment, and release (see Urbina, Chapter 17, this volume).

11. Post-Release Monitoring, Counseling, and Mentoring

As a final step, both the penal system and prisoners must realize that *successful long-term reintegration involves post-release monitoring, counseling, and mentoring*. Specifically, because of changes in sentencing laws, more inmates are now serving full terms. As such, since prisoners are being released with no parole, they have no official contact with state or federal authorities. Therefore, since no officers are monitoring their behavior, it is difficult to evaluate the *reintegration process*, determine the magnitude of specific legal barriers they are confronting, or provide a *needs-assessment* of their basic necessities. Achieving successful reintegration, then, requires well-planned and unintrusive post-release monitoring, counseling, and mentoring to help men and women address not only the issues mentioned herein, like addictions, traumas, and negative family and neighborhood influence in their lives, but to establish a *solid foundation* for the betterment and well-being of inmates and society at large.

In sum, these steps should constitute an educational blue book for the penal system and prisoners, where inmates are well-versed in these areas of survival before being released from prison. As for successful reentry, instead

of neglecting prisoners, especially as they are about to be released, the penal system should expand the availability and quality of in-prison programming. Once released, the initial weeks after release from prison are a high-risk period for relapse and reoffending. Therefore, exiting prisoners need to have access to programs and service immediately upon release, continuing for several months to ensure that people can transform their desire for successful reentry and long-term reintegration into pro-social activities and behavior. As repeatedly reported by U.S. Attorney General Eric Holder, out-of-prison programming, including job training and substance abuse programs, for released prisoners can improve public safety and reduce spending not only on prisons but policing and the judicial system. In all, if we are in fact vested in stopping the cycle of crime, imprisonment, and release, reintegrating prisoners back into society should be a priority.

A TWENTY-FIRST CENTURY CHALLENGE

For the twenty-first century, critical questions remain to be answered, from a theoretical, research, and policy perspective. Likewise, the correctional system, the male and female offender population, and conventional society are likely to confront serious challenges. Globally speaking, though, the biggest challenge boils down to one question: How do we change the public opinion of Americans, particularly the “voting class,” so that they can be more tolerant to a population that historically has been perceived and treated with *indifference* (Urbina, 2008)?

A question of such magnitude, of course, will not be resolved overnight in that it will require restructuring of the American society. What follows are a few recommendations that can serve as a “road map” for a more inclusive America (Urbina, 2008). First, we must come to the realization that from whatever angle the situation is analyzed (cost-benefit, economically, politically, morally, ethically, or legally), we cannot continue to marginalize, discriminate, manipulate, subjugate, isolate, neglect, and silence male and female offenders. Second, we must acknowledge the “true” logic and utility of the prison system in the context of those who are being arrested, indicted, prosecuted, convicted, sentenced to prison, or placed on death row. In the words of one critic,

What to do with those whom society cannot accommodate? Criminalize them. Outlaw their actions and creations. Declare them the enemy, then wage war. Emphasize the difference—the shade of skin, the accent in the speech or manner of clothes. Like the scapegoat of the Bible, place society’s ills on them, then

“stone them” in absolution. Its convenient. Its logical. It doesn’t work. (Rodriguez, 1993:250)

Third, we need to be more sensitive to the experiences and realities of male and female offenders in the context of society as a whole. As reported by some investigators, “. . . the disturbing expansion of prisons and jails as a means of social control for the poor . . . Now, all of these crises—the crises of class, the crises of race, the crises of prisons and the crises of education—are all interconnected . . . the have-nots are disproportionately black and brown” (Marable, 1999:41). Taken together, U.S. prisons are vast warehouses for the impoverished, the unemployed, the poorly educated, and, most particularly, for minorities. Fourth, the American society must acknowledge and accept responsibility for the implications and ramifications of neglecting the “undeserving” members of society or simply warehousing them in prison. In the same way that an alcoholic must accept the “problem and responsibility” before an effective treatment takes its course, we must acknowledge that the prison system yields very few benefits at the cost of many negative consequences. Fifth, in a highly judgmental and prejudicial society, prison-based education must be made a high priority. The fact that states like California are spending more money on corrections than education, and states like New York are sending more minorities to prison than to universities has long-term consequences. Realistically, education is not only significant to compete in the job market, but it influences the level of ignorance in the general public, which in turn governs the level of stereotypes and fears about certain members of society. Sixth, male and female offenders must have better access to employment opportunities. As part of the restructuring process, policymakers must keep in mind not only the implications of low wages and highly advanced job requirements, but that jobs in the areas where the typical offender lives, (who most likely lacks transportation) are scarce. As noted earlier, rearrests are tied to failures in economic support, including employment. It is ironic that the prison system is adopting some of the latest “safety technologies,” yet advanced educational and vocational training for people in prison is minimal or nonexistent. As we enter the twenty-first century, how can it be possible that when it comes to quality and up-to-date technology, safety technologies stand on one end of the spectrum, and innovations that will prepare men and women for after release stand on the other end of the spectrum? Lastly, fueled by notions of colonialism, conquest, imperialism, slavery, stereotypes, hate, and threat perceptions, the history of race and ethnic relations in the United States continues to be vicious, vindictive, and bloody (Acuna, 2010; Almaguer, 2008; Bosworth and Flavin, 2007; Urbina, 2011, 2012). Yet, “no single historical element has been more influential in unjustifiable behavior, beliefs, apathy, and feelings than ‘indifference’”

(Urbina, 2008:206). In this context, as reported by Urbina (2008), the educational system, starting in preschool, must play a more active role in advocating and developing more tolerance for indifference, if we are to achieve tranquility, equality, and justice.

CONCLUSION

Invariably, both male and female offenders are not only confronted with great uncertainty and confusion, they are economically, politically, socially, and morally bankrupt when they are released from prison. Morally, what will become of male and female inmates once they are released from prison? Will they be able to find legal employment with the skills they learned while incarcerated? Considering the wide range of problems facing prisoners, especially female offenders, will they be able to pay for their needs, like health-care, and not return to illegal activities, like prostitution or narcotics trafficking? If inmates do not have the necessary skills, will they be able to acquire credentials and qualifications that will allow them to survive in a competitive job market? Will they be able to reunite with their children, partner, spouse, friends, or other loved ones? Will they be accepted by the community? Or, will they be met with looks of mistrust, disdain, rejection, or hostility? What is the probability that those released from prison will end up back in the correctional system?

Clearly, there is a big disconnect between prison and community reentry, hindering long-term community reintegration. If released prisoners cannot find legal employment, they are unable to obtain an education, they are not allowed to participate in community civic functions, they cannot find a mate for stability, and they cannot get help with basic necessities, what's left? What's left, especially for young Latino and African American men, is the pharmacy on the streets: Selling drugs or stealing.

In a sense, like offenders, the prison system as well as conventional society lack significant "rehabilitation." In effect, to promote and guarantee public safety, the federal government and all 50 states must adopt policies and practices that facilitate successful reintegration, judging people on their individual merits instead of racial, ethnic, or gender stereotypes, stigma, or prejudice. For the well-being of society as a whole, there seems to be increasing support in various states and Congress for the repeal of oppressive and counterproductive laws. In fact, a number of initiatives are currently underway that will help ex-convicts who have spent their time behind bars become independent and law-abiding citizens, thereby strengthening community safety and stability. Globally, instead of creating further isolation and detach-

ment, the prison population, the correctional system, and conventional society should work together to create a more inclusive, understanding, and safe America. Above all, society must take steps towards the creation of a more tolerant and forgiving society, while advocating public safety and justice.