Prison Reform

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WGVU's Jennifer Moss:
Your'e listening to Tilting the Earth's Praxis, a weekly discussion of important issues that impact civil society. With host Salvatore Alaimo.

Salvatore Alaimo
Welcome to Tilting the Earth's Praxis. Our topic this week is prison reform. And our special guests are David Pitts, Interim Associate Vice President for Justice Policy at the Urban Institute. Welcome, David. Rob Howard is a supervisor at Kent Parole within the Michigan Department of Corrections. Welcome, Rob.

Rob Howard
Thank you.

Salvatore Alaimo
I thought we'd start with you, David. I know you're doing some research, um, at the Urban Institute. Can you give us the lay of the land or that macro level context of what you're seeing out there and what's going on in the prison system? Prison reform. So you can give the listeners an idea of where we are with with, with some changes that have been made.

David Pitts
Sure. And thank you for having me today. The present environment is generally, I think, in research we're finding, to be pretty damaging to both those who are incarcerated within it and those that work within it. And when it comes to the incarcerated population, we are seeing in many states really high recidivism rates, meaning that people are re-offending after they're released from prison. And so to the extent that we like to believe prisons can rehabilitate folks who've committed crimes and to send them back out into the world, able to contribute to society and to desist from additional crime, that's not happening. For in some states, the majority of people who are released. And so we're trying to find ways and research to improve the environment for those populations of people so that when they return to their communities, they're in better shape to contribute. And that's work that's ongoing, both to understand what works within prisons and also to identify new programs and policies that maybe aren't tested yet but have promise to be more effective. On the on the staff side, though, correctional officers within the system suffer tremendously from their work environment. They have higher rates of stress, higher rates of a number of life-threatening illnesses, higher rates of suicide in the general population, and a life expectancy that, depending on the source, ranges from 59 to 62 years old, which is dramatically lower than the life expectancy for

the average person in the United States. And so we have this system in place that damages both those that work there and those that live there and are incarcerated there. And I think research is trying to find ways to improve those experiences. And I would say change is slow, very incremental and there are a lot of folks working on it who are still at a loss for finding what, what is going to to solve those problems.

Salvatore Alaimo
So, Rob, I think that's a good opportunity for you to jump in here because you are sort of like the bridge or the linchpin for them coming out. And that part that David talked about of them coming back into society. What of what David said resonates with you in terms of your work? And give us an idea of what some of what your work is all about.

Rob Howard
But I'm going to say just right off the bat, everything that he has said. I see that firsthand. I've worked everywhere from inside the prison. As a corrections officer, I've walked probation. So, dealing with the population before they even go to prison. And now I'm in parole. So, we see the aftermath of, of what that incarceration did to them. And like you pointed out amongst the staff, I've seen how that impacts them as well. So, you know, when someone goes to prison, they're not going away forever. They're going to come out. I know when I was on probation, one of the nice things is you feel a lot of success there because for the most part, you don't see the same customers coming back every single time. You see a lot of people that, you know what, they had a bad day. They made a poor decision. Yes, they got in trouble. But they're going to put it behind them. Now the small percentage of that, that actually goes to prison. And when you're working with them in a prison, you see how that environment impacts them. I don't know what your experiences of being inside of a prison, but it is. It's very different than the world that you and I walk in when we're out going downtown, Grand Rapids or something like that. Or to any city. It's. Much more on edge. There's an us versus them mentality. No matter how much you try to combat that, it's there because you have one side thinking, We just want to go home and you have the other side thinking that. I mean, many different things. People that are incarcerated inside the prison and then experiencing that, you have everybody from they are being victimized and they're just trying to survive to the predatory behavior of some individuals that impacts everybody that's there. So you see how all of that impacts on how the prisons are ran. What programing is available or is not available? What treatment is or is not available. And then they come out to parole and. And mind you. From my experience, I don't know if this is true nationwide, but I would imagine it's not too different. Basically, you go from, okay, you're in prison today and tomorrow, here's your jumpsuit, here's some possessions. Go back into the world and be productive. Right. There's no smooth transition. You're coming from a very alien environment and then you're expected to go back into the real world, if you will, and plug in and be successful and not come back while. That's not a realistic thought. And we see that. And you mentioned the recidivism rates, what, nationwide, it's around 44%, which go that's three years. Once you go up to the higher end, that percentage goes up, unfortunately. What do you look at, Michigan? Well, prior to last year, we were at 26% and then last year we had 23.6%. I have to point out that COVID happened, and when COVID happened, everything shut down,

including courts and everything. So people weren't going to prison. So that may impact those numbers a little bit. But regardless, we have lower than the national average and we'd like to. Attribute that to how we work with our clientele, the programing that we use. Once they're on parole or probation, even the programing that's available in the prison. But you know. David, you said things are slow to change and that is 100% correct. It's really hard to figure out which programing works and how long to sit on a program before you deem it not getting the results that you want and get rid of it or improve it. So, it's a very slow process. It's a very challenging process. But I'm happy that I'm part of an organization that's looking at making the changes when and where they can.

Salvatore Alaimo
I want to build off of those points and ask both of you gentlemen what your thoughts are on societal stigma for prisoners. Rob, you mentioned, you know, the person made a bad mistake on that day. But it seems to me that we often define the person based on that one mistake. And then and then the person gets redefined once they're in prison, and then it has to get redefined again coming out. And the nonprofits that I talked to, whose mission is to help ex-prisoners find employment or apartments, a place to live, and they struggle with this because I think maybe society's not ready for them. So, are either of you encountering any of that, any of that? And what can you say about that?

David Pitts
I think that collateral consequences are immensely important when it comes to individuals returning to communities after incarceration. So depending on the state, there are dozens and dozens of of consequences that you have from, from your status as someone who has a conviction history. So in many states, your voting rights are limited, your occupational choices are very limited if it's an occupation that licenses you. So, for example, in some states that's cosmetology. Even being a barber, you're unable to do that because of your conviction history as well. And so if we think about all of the the damage that people encounter in many of our prisons, and then you put them out into the community, as Rob said, sort of just plopping them out there and expecting them to mediately be successful and you're expecting them to navigate all of these job limitations they have because they're not. It's not only that people don't want to hire them, it's that they aren't even allowed by law to hire them. And then you put that with the housing limitations that they also see. Public housing in many places does not allow someone with a conviction history to live on premises. And for many people who come out of prison, public housing is a logical landing place. They have family members who live there and others they can stay with, and those are out of balance for them, or their family members are going to risk being evicted from their homes. So, the housing issues, the employment issues, both of those things are real in terms of strong barriers to success, and that's assuming the other pieces are in place, too. Transportation is often an issue. Family relationships, depending on the incarceration and the individual, can be really tough to to mend and to navigate when you return from prison. Many people have spouses, children, parents that had been affected deeply by their having been gone for some time. And so trying to solve all of those issues at once is a really tall order for folks and one that I think we don't have enough work in progress to think about. We don't have we don't always think about people returning to their communities

holistically. We think about specific policies and programs that can help parts of it. But people really need a whole suite of services in order to be successful, and most states even have the political will to offer that don't have the budget to do it. And so I think that becomes a policy challenge as well.

Rob Howard
Again. I completely agree. With all of those points. I think here in Michigan, we have some unique things going on that have eliminated some of those barriers. But like licensing, like you said. If someone wants to be a barber here, you can't have that. Or it's going to be an added obstacle that you have to overcome before you can get that licensing. Or there's a there's a college initiative that's going on. And one of those things that you can get is a degree in social work. Well, then you have to get the license to be a social worker, and you can. But there are a lot of obstacles. I think I had mentioned prior to the show a part of our department called OS, which directly helps people with this and, and they use returned citizens that successfully completed everything and are on the right track as mentors and also as we get their input of how to improve things. And one of them in particular that we worked with went through his app where he completed all the programing to be a social worker. And now he's dealing with, okay, now how do I make this work? And it's hard. It's very hard. Michigan did enact clean slate legislation. But that just happened. And it's so fresh that we're trying to figure out, okay, what is this going to look like? We work with Michigan State Police because they're a big component in that they run all of our criminal history background stuff. So they have to figure out how it's going to get removed and what that looks like and what is still going to be available to someone who is doing a background check for housing. Because that's one aspect in particular that no matter how many resources we have put into that, we can get by. And people do not want to rent to the returning population or people that even if they didn't go to prison, even if they just were on probation and they were successful there and they didn't have any issues, renters don't care, especially like West Michigan. We have more people than houses, so they don't see the benefit. They're looking at dollars and cents and it doesn't make sense to them to, to rent to this population where there might be a risk. When we look at statistics like there isn't any more risk around renting to somebody with a felony than renting to a college kid down the street. There isn't. There might be less, actually, because there's potentially less partying, depending on how old they are, but whatever. So, that's that's another huge thing. And, and you're expecting people to come in and reintegrate back into society when they had to worry about basic needs that you and I don't even have to they have to worry about where am I sleeping? Because like in our area, we have a shelter, but it's very limited. So, like, if you don't have housing, if you don't have family, that's going to step up and help you. If you don't have any other options and you have to stay in Mel Trotter, you have to worry about getting a bed there because, you know, you have to check in by a certain time and there's only so many beds. And it's not just it's the entire population of people without housing that are trying to get in there. So you got to fight for that. You've got to fight for your bed at night. Then you got to figure out where am I going to eat? Well, fortunately, there are lots of different organizations that will offer a meal, but again, there's a huge population competing for that same meal. So when you're worried about where you're sleeping, if you're going to eat, are you going to get a

job? But that's low on the priorities then, because you're just trying to survive. And if you do get to that point, then you do get a job and you, you want to get to the point where you can buy a house. There's just there's more red tape and it just continues and continues every single step. I'm really hoping with, with things like clean slate that some of this red tape can be taken away and those that want to be successful have a much easier time at finding their success.

Salvatore Alaimo
And David, you did mention the key word policy a moment ago, and you kind of gave us a jumpstart with state budgets not being what they used to be and the lack of political will. Can you take us to the federal and maybe the state level to and through your research, give us an idea of what, what are the policy dynamics look like? Are there advocacy groups pushing for reform? Is this a political issue between red and blue states? What, what, what can you say about all of that in terms of how policy impacts this issue?

David Pitts
I appreciate your you're splitting out the federal and the state because they are two different beasts in this particular space. And the federal system gets a lot of media attention. Obviously, being the national system, the Federal Bureau of Prisons is actually not an enormous incarceration mechanism compared to some of the larger states. And so that that media attention is a little bit out of proportion. And so it's in the federal space. The Bureau of Prisons policy tends to turn with the administration in place. So, Obama made some changes to how the be operated. Biden is making some changes to how the GOP operated. Trump did as well. And those things are moving the system again incrementally forward, but again affecting only a small percentage of the total population of people in the United States who are who are incarcerated. I think when we look to the states, though, we see vast differences across states that don't always line up with the blue and red legislatures in the ways that you might expect. We're seeing that across the board, whether you are in what we would consider to be a very progressive state or we would consider to be a very conservative state, we don't see a lot of interest in funding prison work, funding corrections, funding programing, funding anything in the prison space. We see conservative arguments against that because we have this American pull yourself up by the bootstraps sort of mentality that people should be able to dig themselves back out of the hole. That, as conservatives would say, and many of others would as well, that they dug themselves. You know, I think there's this whole idea of self-reliance that that plays into that and makes that a difficult environment in which to fund correctional interventions in correctional programs. But then on the more progressive side, you see arguments against funding in this space because progressives don't want people in prison to start with. They want to abolish prisons, they want to reduce their footprint. They want to move what is in any state a limited amount of budget. They want to move what they can from prison is to education and to community supports and to other places that would help people outside of incarceration sort of approach. And so in none of the states do you see a ton of political will for us to create programs and policies that help folks to, to be successful when they return from their incarceration. Where we see the, the improvements made, I think it

depends much more on the leader of this system. So, I work with I worked with prisons in a number of states, and the most successful reforms I've seen have been in states where you have an enterprising commissioner or executive director brought in who understands change, who understands systems, and who understands how to navigate the state political environment to get things done. And in that sense, in some cases, we see commissioners who have great ideas for how they can make prisons more rehabilitated places. They put those plans into action. They don't want the media coverage because they know that politically it's not always popular for them to do those things and they want to make sure they can be the most effective leader they can be within their system. And so they actually don't want the credit for the change because they know that it can actually create blowback. And so it's a complicated political system for corrections. And it's not always it doesn't always land in a way that you'd think it will.

Salvatore Alaimo
David, could you share with us what impact the privatization of prisons has had on the health and welfare of the prisoners?

David Pitts
Sure. I think privatization plays a role in a couple of ways. A lot of prisons are privatizing part of their housing and their physical infrastructure. And by privatizing it, meaning that they are sending people that they would previously have incarcerated in a state facility to a facility that's operated by a for profit firm. And sometimes those facilities are located within the state and sometimes they're located outside the state. So we're seeing a system where people are no longer being housed as closely to home as they used to be, which is, of course, an issue also within those private prisons. They really are a black box. So, prisons in general are a black box, right? Because DOCs for a variety of reasons, don't like to let folks in to see what's happening. They are constant subjects of litigation. And so there's very much a an organizational culture of keeping things tight and not allowing folks in to see what's happening largely for that reason and some others that we could talk about. But private prisons are particularly black box because they're not public institutions. And so there's very little access to them at all. We know that they have a profit motive that essentially governs their existence and their work. And we don't know precisely how that. Plays out in terms of the opportunities available to people who are housed within them. We have an idea that some of the programs and treatments might be limited as a result of that, but it's not really clear because we've been unable really to answer that empirical question in research. But the other way that privatization works in the way that privatization is much more, I think, impactful is in the different vendors that provide services to those who are incarcerated. So, a lot of what happens within a prison is delivered by a for profit firm. From your, your conversations on the telephone to your use of email, to your use of a tablet, to incarcerated people's access to different goods via a commissary. All of those things are generally governed by private providers, in addition to, in many states, health care, but physical health care and mental health care. And we see that there aren't enough vendors to make that really a competition that works. And so, the, the quality of services that a lot of the vendors will provide is not what it needs to be. And we see that a lot of folks aren't getting the medical care that they need because the provider is short staffed or is not

able to offer some of the treatment that a person might actually need who might be able to get in the community but can't get in the prison because there's a vendor in place that can't do it. And by the way, that vendor came through a very complicated state procurement policy and process that prevents them from revisiting the contract any time in the near future. And so basically you see DOCs getting stuck with services that had been privatized and that now they're under contract or for a long period of time. And so that privatization, I think, aspect to all of this really can't be overstated. It really is impactful in a variety of ways.

Salvatore Alaimo
Rob, I want to ask you um, does research, the work that's similar to the work that David is doing or maybe other researchers as well. Does that work ever come down to earth and, and impact recommended practice in your discipline or field or impact changes in strategies or tactics?

Rob Howard
It's always going to depend on your administration. Unfortunately, we have an administration right now that every single time that we're talking to them, they want things that are evidence based for our new practices. They don't look at anything unless it's evidence based. And most censuses, unless it's something like where there is no research at all and we're trying to forge ahead. I guess the best example of that I can think of as we're switching kind of the model of how we interact not only with our clients that are coming through the system, but with fellow employees, as it's called, the coaching method versus being like a referee. So you're trying to coach people through success. No matter what interaction you're have, you're always trying to coach people towards success versus just throwing all you're messed up. Here's a sanction you messed up, here's a sanction. And in that instance, you know what? There isn't a ton of evidence for that because no one has put in the time to do the study. So that's where we're trying to do that. But in everything else, we've implemented things such as motivational interviewing because that is evidence base and that shows that if a person is at a point where they want to make a change. That interaction can help them move forward in that change how we communicate with them. Do we actually listen? Do we challenge some of the things in a in a proactive way in order to move them further down that line? A lot of the programing itself that we use for substance use disorders or domestic violence programing, those are evidence based programs that we try to utilize. So we do see that a lot. But again, I attribute that to the administration that we have, and they're very much for using that.

Salvatore Alaimo
David looking out on the horizon into the future. Based on what you're seeing with your work in your research, what do you see in terms of challenges or what may be promising looking ahead in this in this world of prison reform?

David Pitts
I think there is a lot of opportunity right now for the use of data and analytics to increase within doses. I was recently at a meeting of the Correctional Leaders Association, which

is all of the, the State DMC commissioners and directors. And at that conference there was a ton of conversation about how you can better make evidence based decisions and to use data to make policy changes and to understand programs. I think that's going to require a lot of work on the part of researchers and on the part of other organizations that might be in a position to help the docs move forward. Organizations like the Urban Institute, Vera Institute of Justice, some of the nonprofits in this space because docs often don't have a well built out data and analytics shot, they don't have the budget to hire folks that are good at that. Again, it depends on the state, but in many of them they might have one person and that person is really responding to FOIA requests more than anything else. They're not really doing the kind of data work at least we need to have in place in order to really make evidence-based decisions. And I think the other thing I would say on the future and on data and on evidence is that a lot of departments now, they know that it's important to talk about the need for evidence-based programing. But I don't think a lot of directors and commissioners know what that means, and I don't think that they really understand how to evaluate the quality of the evidence. And as we all know, evidence ranges in quality from pretty terrible to pretty fantastic and everything in between. And sometimes it's difficult, I think, for even those of us treated as researchers to be able to make sense of a study and really evaluate it without getting under the hood. And so for people who are practitioners with very tight schedules, busy days that don't have training in it, it's even more difficult. And I think that's an area where we need to think about ways that, again, organizations like The One Where I work, Urban Institute, academic organizations, universities can help bosses to develop the expertise they need on that dimension.

Salvatore Alaimo
Rob, what you want our listeners to take away from this discussion? What do you want them to think or feel about prisons, prisoners, prison reform, prisoners acclimating back into society? What would you like to say to them?

Rob Howard
I would say. Don't like that. Like, don't maintain that mindset that once someone goes to prison or gets involved in the system, that they just disappear. And that doesn't impact me. If they do go to prison, they are going to come back out. We want to be able to set them up for as much success, to reintegrate and be productive members of society just like everyone else, and have fun. Find those life successes. And some of the best ways to do that is. Getting out there and voting when things are out there that can impact that. Whether it's like David brought up budget. If they're voting to decrease the budget, we should not decrease the budget. We should change how the budget's being spent so that it's being used to, to prosper individuals more or so than just for lack of a better term. We're not here to judge to jail people. Right. We want them to. They're going to get involved in the system. It's unfortunate. Must provide this opportunity for actual reformation. What does that look like? That's going to depend as we continue through and continue incorporating new programs and policies to better those under our supervision. But again, I just don't forget about them. They're coming back or they're not even leaving. And they need everybody's help, everybody's input to be successful.

Salvatore Alaimo
And just like the theme of this show, they are an important part of civil society and we should not lose sight of that. I want to thank our guests again for a wonderful discussion on prison reform. David Pitts, interim associate vice president for justice policy at the Urban Institute, and Rob Howard, supervisor at Kent Parole. Thank you, gentlemen, for a wonderful discussion. And please join us next week on tilting the Earth's axis.

Closing music

WGVU's Jennifer Moss
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