

Marquette University

e-Publications@Marquette

Social and Cultural Sciences Faculty Research
and Publications

Social and Cultural Sciences, Department of

1-2004

Kentucky's Perpetual Prisoner Machine: It's about Money

Stephen C. Richards

Northern Kentucky University

James Austin

George Washington University

Richard S. Jones

Marquette University, richard.jones@marquette.edu

Follow this and additional works at: https://epublications.marquette.edu/socs_fac



Part of the [Social and Behavioral Sciences Commons](#)

Recommended Citation

Richards, Stephen C.; Austin, James; and Jones, Richard S., "Kentucky's Perpetual Prisoner Machine: It's about Money" (2004). *Social and Cultural Sciences Faculty Research and Publications*. 119.

https://epublications.marquette.edu/socs_fac/119

Marquette University

e-Publications@Marquette

Sociology Faculty Research and Publications/College of Arts and Sciences

This paper is NOT THE PUBLISHED VERSION; but the author's final, peer-reviewed manuscript. The published version may be accessed by following the link in the citation below.

Review of Policy Research, Vol. 21, No. 1 (January 2004) : 93-106. [DOI](#). This article is © Wiley and permission has been granted for this version to appear in [e-Publications@Marquette](#). Wiley does not grant permission for this article to be further copied/distributed or hosted elsewhere without the express permission from Wiley.

Kentucky's Perpetual Prisoner Machine: It's about Money

Stephen C. Richards

Northern Kentucky University

James Austin

George Washington University

Richard S. Jones

Marquette University

Abstract

Kentucky is currently facing a severe budget crisis and is seeking ways to lower its prison and community corrections costs. This article focuses on our study of the prison and parole experience of men and women in Kentucky. What we found is a virtual “perpetual incarceration machine” where prisoners are recycled from prison to parole and back to prison. The following discussion includes: Kentucky's prison population continues to grow, parole failure, methods, description of interview samples, interview data, the structure producing parole failure, and Kentucky's perpetual incarceration machine. Based on our findings, several promising reforms are recommended that if implemented would serve to reduce the prison population and the rate of parole failure.

Introduction

The US imprisons more people than any other industrialized country. Over the past two decades we have witnessed a dramatic increase in the number of people incarcerated (**Abramsky, 1999, 2002; Austin, Bruce, Carroll, McCall, & Richards, 2001; Austin & Irwin, 2001; Hallinan, 2001; Irwin, Schiraldi, & Ziedenberg, 2001; Parenti, 1999; Ross & Richards, 2002, 2003**). In 1980, there were fewer than 500,000 people locked-up in the nation's prisons and jails. Today we have nearly two million and the numbers continue to rise. Nationally, we are spending over \$35 billion per year on corrections. Meanwhile, states and local government are hard pressed to fund basic services. In comparison, most European countries deal with the majority of persons convicted of nonviolent criminal offenses outside of the prison walls through drug rehabilitation programs, various forms of community service, and supervised probation and parole. According to **Dyer (2000, p. 2)**, "These alternatives to incarceration are both more effective when it comes to reform and cost billions less per year to implement."

In 2003, many states find that the projected revenues will not cover future budget expenditures. The decline of equity markets, the terrorist attack on the World Trade Center, and the resulting recession has put tremendous stress on state finances across the country. Many states predict revenue deficits of hundreds of millions, even billions of dollars, with more to come in 2004 and beyond. Governors now struggle with how to balance the budget. Should states raise taxes or cut expenditures, or both? There are no "sacred cows," all programs and services are on the cutting block. The result is policy makers, legislators, and administrators are looking at ways to safely reduce spending on prisons and community corrections programs. Prisons are no bargain; building and operating correctional institutions and services is expensive (**Austin, 1996**).

Ideally, we reduce the number of people in prison by decreasing admissions and increasing releases. This can be accomplished in three ways: (1) Modify laws that send people to prison, (2) Decrease the time prisoners must do before they are released, and (3) Lower the rate of parole violations that return people to prison. The first option requires passing legislation or referendums. The second and third options may be pursued by either legislative or bureaucratic means. Passing new legislation requires more time than revising bureaucratic rules. We support exploring all three ways to reduce the prison population (**Austin, 1986, 1996, 2001; Richards, 1998; Richards & Jones, 1997, 2003**).

Fashion may change when prisons are crowded and state officials are looking to reduce budget expenditures. Suddenly, state administrators realize they can reduce prison admissions, increase prison releases, and decrease parole violations, saving tens of millions of dollars per year. Reducing prison population through speeding up parole is the fastest and most efficient way to effect immediate saving. This is no surprise to the men and women confined in jail and prisons. "Prisoners know that parole release is determined by the numbers of prisoners coming in, the daily count, court orders to reduce overcrowding, and current political fashion concerning time to serve on a given sentence" (**Richards, 1998, p. 142**).

Like many other states, Kentucky is currently facing a severe budget crisis and is seeking ways to lower its prison and community corrections costs. The Commonwealth of Kentucky asked us to investigate ways to reduce their prison population and the number of parolees returned to prison.

This article focuses on our study of the prison and parole experience of men and women in Kentucky. What we found is a virtual "perpetual incarceration machine" (**Richards & Jones, 2001, 2003**) where prisoners are recycled from prison to parole and back to prison. The following discussion includes: Kentucky's prison population continues to grow, parole failure, methods, description of interview samples, interview data, the structure producing parole failure, and Kentucky's perpetual incarceration machine. Based on our findings, several promising reforms are recommended that if implemented would serve to reduce the prison population and the rate of parole failure.

Kentucky's Prison Population Continues to Grow

US crime rates for most crimes have declined substantially over the past decade. Unlike most Southern states, Kentucky's crime and incarceration rates are below the national average. Kentucky's overall incarceration rate is below the national rate of 639 per 100,000. Still, Kentucky's prison population continues to grow and is projected to increase substantially over the next decade. The growth is predicated on longer sentences, mandated restrictions on how long a prisoner must wait for parole, and a dramatic increase in the number of parolees returned to prison for technical violations. In Kentucky, parolees are returned to prison for nonfelony and even noncriminal behavior.

Parole Failure

Prison and parole authorities are responsible for "the rising tide of parole failure" (Austin & Irwin, 2001, pp. 143–146; Richards, 1998). In the past, about one third of all parolees were returned to prison for new crimes or technical violations over a three-year period. Most of the arrests were for property and drug offenses. Today, most individuals do not get off parole without some further legal difficulties. About two-thirds of the failures are for technical violations, which is the result of parole officers imposing severe conditions of supervision on parolees. Travis, Solomon, and Waul (2001, p. 4) report, "The system of parole supervision has undergone significant changes, with increasing caseloads, new monitoring capacities, and increased focus on surveillance over rehabilitation." The current system is designed to catch and punish parolees for petty behaviors rather than to help prisoners readjust to the community.

Unfortunately, parole officers now function as police auxiliary, practicing intensive forms of supervision (Clear & Hardyman, 1990; Turner & Petersilia, 1992), providing little help to parolees with their difficulties attempting to find shelter and work. Instead, parole agents focus on "trail em, nail em, and jail em" (Austin & Irwin, 2001, pp. 149–151), which includes frequent drug testing of parolees for drug and alcohol use, enforcing home curfews, and closely monitoring parolee behavior in the community. The result is a dramatic rise in parolees being returned to prison for violating technical rules of parole supervision. This situation continues in virtually every jurisdiction in the country, despite the fact that, as Travis, Solomon, and Waul (2001, p. 21) report: "Research shows no support for the argument that violating parolees on technical conditions suppresses new criminal arrests."

Methods

To develop an understanding of the problems of reentry in Kentucky, we decided to locate three types of cases that we could draw from the state's data systems. The first group was persons who were currently on parole supervision in the Louisville area. Within this group we then sought out parolees who had been on supervision for an extended period of time and were viewed by the parole staff to have been "successful" in "making it" on parole (Richards & Ross, 2001). The third group was parolees who had "failed" supervision and had been recently returned to prison for their revocation hearing.

Interviews were conducted in one prison, one parole office, and two community halfway houses. Interviews at the parole office and halfway houses were tape-recorded. We were not permitted to use recording equipment in the prison. We then transcribed the tapes and analyzed the data. To balance the information gathered from parolees we also spoke with prison and parole staff.

The project began in May 2002 by interviewing parolees in Louisville. The first round of interviews was conducted in the west-side parole office. This office serves a predominately African American neighborhood just west of downtown Louisville. This is a community of modest homes, relatively low income, and high crime rates, especially drug offenses.

Upon arriving at the parole office, we set up our audio equipment in a private conference room and waited for our subjects. The parolees making their monthly report were to be directed to us by their parole officers. It was decided that we would initially focus on what we defined as successful parolees, those individuals who were “making it” on parole. The plan was to interview as many parolees as time would allow in one week.

The parole office requires parolees to either report once a week, twice a month, or once a month. Upon arriving at the office on their “report day” they sit in the waiting room for a long time. Their parole officer calls them in one at a time. They are subject to being searched, including their pockets and purses, they must walk through a metal detector, pay a \$10 “supervision fee,” and pay additional money for victim restitution, urine testing, and other related program costs.

Our strategy of interviewing all comers proved to be less than successful for a variety of reasons. First and foremost, successful parolees are those who are engaged in full-time employment, which means that they are most likely to report at the end of the day after a full days’ work. As a result, they have little time to spare for a one-hour interview in the parole office. Second, the parole officers were less than completely cooperative. Only a few of the parole officers were feeding us parolees to interview. As a result, we were able to complete only nine interviews in one week’s time. Still, we spent a good deal of the time talking with parole officers and other treatment professionals, who provided us with valuable information regarding parole issues and procedures in Kentucky. In addition, midway through the week, at the suggestion of one of the treatment officials, and with the assistance of the parole supervisor, we decided to visit one of the local halfway houses in Louisville.

We spent two days at the Dismas House hanging out with the residents from early afternoon till late in the evening. In this time we had a number of informal conversations with staff and residents. We were provided a private conference room to conduct focus group interviews that were also tape recorded and later transcribed. We conducted three group interviews of five, five, and six: sixteen interviews in all. The interviews were from two to three hours in length. These interviews were more productive. The interviewees had more time to talk with us, and seemed generally pleased that we were interested in trying to understand what they were experiencing as parolees. In addition, whereas at the parole office the parole officers were directing people to us to be interviewed, at the Dismas House we were recruiting the participants.

Dismas is a nonprofit Catholic agency located in a former church in a rundown neighborhood just south of downtown. This facility has sixty-three beds for men and women serving both Kentucky and federal prisoners. A number of prisoners, just out of prison and obviously stressed by the demands of reentry problems (**Austin, 2001; Irwin, 1970, 1985; Richards & Jones, 1997, 2003; Richards, 1998; Travis et al., 2001; Travis & Petersilia, 2001**), complained that the food was inadequate and that the staff was unprofessional and provided little help. In comparison, we observed that the halfway house appeared clean, well organized, and operated more like a shelter than a community prison. Nevertheless, there are many rules, regulations, and restrictions on the behavior and movement of residents. The primary problem facing most of the parolees was finding employment. This led to a great deal of frustration and concern for both residents and staff.

Description of Interview Samples

Combining the parole office and halfway house interviews, we interviewed twenty-five people during the first week in Louisville. The sample is described as: average age 39, ranging from 23 to 59 years old, gender 5 female and 20 male, race 19 black and 6 white. Crimes sentenced for included child support, drugs, burglary, theft, shoplifting, armed robbery, bank robbery, manslaughter, and murder. The most common crime was drug possession or dealing. The average sentence to be served (not counting sentences that run concurrent) was 13.6 years, with sentences ranging from 1.5 years to life.

After transcribing the interviews and getting a closer look at our data, it was decided that we would return to Kentucky and conduct further interviews. We felt that to better understand the process of reentry and the problems associated with completing parole successfully, we needed to interview a few more people who had “served out” their prison sentences and were released without parole supervision as well as those who had their parole revoked and were returned to prison.

In September 2002, we arrived at Roederer Correctional Complex, where forty-four men were waiting for their hearing before the parole board. Roederer serves as the entrance to the Kentucky prison system. This prison was opened in 1976, has a capacity of 782, and contains the Central Assessment and Classification Center for the Department of Corrections, and a 2,800-acre farm.

It was decided that we would interview every other parolee on the list for a hearing, until we reached twenty interviews. This plan worked well the first day. On the second day the entire group of forty-four individuals was moved to an adjacent building where they waited in an assembly room to be called for their hearing. So, we went to the building where the hearings were held and recruited parolees as they were waiting their turn for a hearing.

The prisoners were called one at a time to appear before one member of the parole board. The process appeared to be a formality, as the hearings were brief and predictable. On this day, all forty-four men were revoked at their hearing, and we were told by one of the parole officers that over two-thirds of the cases were for technical violations of parole. This was confirmed by the people that we interviewed, with most of them being brought back to prison on a technical violation. Technical violations were primarily for dirty urines, but also included two failures to report, two changes of address, two failure to complete classes, and one failure to follow halfway house rules.

Without exception, the decisions of parole officers to revoke parole were confirmed by the Parole Board. The prisoners’ “street time” was not credited, and they were remanded to prison to serve the time again. The prison sample of prisoners returned for parole violation was twenty and is described as: average age 36, ranging from 20 to 50 years old, gender 20 male, race 12 black and 8 white. Crimes sentenced for included drug trafficking, burglary, theft, kidnapping, and receiving stolen property. The most common crime was drug possession or dealing. The average sentence to be served (not counting sentences that run concurrent) was 14 years, with sentences ranging from 5 to 30 years. The two samples, the first of parolees interviewed in the parole office and halfway houses and the second of parolees revoked and returned to prison match well, except for the fact that the second sample is exclusively male.

Finally, in an effort to learn more about men that had successfully completed years on parole, we selected a few more individuals to interview. We returned to the west-end parole office to interview three men who were identified by the parole office as successful and to review official records. Finally, we interviewed five more former Kentucky prisoners at the Hope House in Louisville. In all, counting the first sample of twenty-five, the second of twenty, and the final eight, we conducted fifty-three interviews of Kentucky parolees.

Interview Data

The discussion of interviews is organized around the following themes: the lack of meaningful prison programs, that prisoners leave prison with little or no money, the problems with finding employment, that parolees distrust parole officers, the need for protection from petty parole violations, the loss of credit for good time served on parole, and the lack of economic resources.

The Lack of Meaningful Prison Programs

Prison expansion has produced cutbacks in many services and programs for prisoners. Those programs that remain have long waiting lists. Without exception, nearly every interviewee remarked on the lack of meaningful programs available in either prison or community. One parolee who had served a number of stretches in prison talked about the way things used to be in Kentucky: “All that we have now is drug meetings and alcohol meetings. They took all of the college courses off [away], they stopped the funding for them. So, they give you nothing. I mean, back when I was first doing time, whatever you wanted you could do. They had vocational, college, and the government really took all of that away.” For what programs that remain, there are long waiting lists. Another parolee reported: “They took all of the college courses out of the system. They still have masonry and some skills courses. Now, I wanted to get into them but the waiting list was 2–3 years long.” This view was shared by another parolee: “If you are less than ten years [in prison], you might as well forget it cause you are not going to get into a class or a program.” One parolee summed up the problem of an overcrowded and underfunded prison system: “But the prison wouldn’t be over-populated if the system gave you the assistance to get the jobs, to learn the skills to do the right job, and to live a successful life.”

Prisoners Leave Prison with Little or No Money

“Inmate pay” in the Kentucky prison system is 75 cents to \$1.25 a day or \$15–\$25 a month. They do have sufficient money to buy commissary, pay for long-distance phone calls home, or even pay for their nicotine habit. In addition, prisoners are subject to additional expenses such as fees to see a doctor (\$2 a visit) and medical copays. This prevents prisoners from saving money to be used to help with reentry.

In fact, the only interviewees who had money when they left the prison were those who had money sent into them. The prisons do not provide “gate money,” street clothes, or even a bus ticket home. Upon release, prisoners not picked up by family or friends at the front gate are forced to literally walk home. If they do not have street clothes mailed in they walk out of prison in convict uniform. One of the parolees said, “Imagine what that is like to walk around the streets with your name and number on your shirt.” It is a miracle they are not arrested by law enforcement as escapees. Another reported:

“People in my neighborhood they know what institutional uniforms look like. They know you just got out of prison. If I was less fortunate, I would have had nothing, just that state issued uniform. I saw a guy last week, he came back in [to prison in] that uniform, the one he left in just days before. Most of them walk out of prison with little or no money.”

The prisoners are being released with no ID, driver’s license, or social security card. They carry only their “Gold Seal,” which is what they call their parole papers. They are told to use this official document to prove their identity and apply for a state identification card and social security card. Obviously, this slows down their job search.

The Problems Finding Employment

Nearly all the prisoners and parolees reported difficulty securing a job. The only exceptions were those men and women who received help from family members, former employers, or their church. A parolee discusses his problem finding a job: “My first job was given to me by a family friend. It was the worst job that I ever had. I had one job agency tear up my application, ripped it up while I was watching, because I was a convicted felon.” When they did find work it was typically low-paid, unskilled manual labor or service employment. Another parolee reported: “First job I got paid \$7/hr. That was harsh labor. The job was so bad that the only people that worked there were immigrants—Mexicans and Cubans.”

Many of the interviewees complained they could not support themselves, let alone a family, on the meager wages, especially when they were required to pay program fees at the parole office. One man shared his experience:

“I got out of prison April 2002. I went to prison as a teenager. I came home and had a wife and three children. I tried to do what my family needed. I lived with my wife and children, went to church with my parents. I tried to be a man and do the role, but I could not support my family on \$7/hr.”

This parolee voices the general concern that parolees are unable to support themselves on minimum wage employment. Typically, many of these jobs are less than forty hours per week and include no benefits. A number of men and women we interviewed were forced to work two or more jobs at one time in an effort to pay their bills.

Parolees Distrust Parole Officers

In Kentucky we found parolee relationships with parole officers appear, with few exceptions, to be adversarial. Parolees needing support and guidance are often met with a parole officer who approaches the job from a law enforcement style. A number of parolees related to us the common mythology that parole officers were given bounties, bonuses, or pay raises for violating parolees. The fact that parolees must pay money to see a parole officer, and the use of drug and alcohol screening reinforce a negative relationship between parolee and parole officer.

The parolees intensely distrust their parole officers and describe them as cops. One woman told us: “Let me tell you something else about the parole system. It's like they are going to build up like there are some people out there to help you, like they are your counselor, to help you. And, they try to get you to believe that. But, they start setting you up as soon as you walk in the door.” Another parolee said: “They act like cops, not parole officers. They put on their badge, and their gun. They are just like police.” A male parolee sums up his experience: “It's like, okay, hurry up and get this job so we can get this money from you, and then hurry up and get out so we can get the next victim. So we are just getting processed, just like we were in prison.”

One of the parole officers said “we ride them until they drop.” This “blue grass” metaphor reflects the equestrian traditions of Kentucky. The parole officer was referring to the use of drug testing, surveillance, and investigation used to monitor the behavior of parolees. Unfortunately, this close supervision style does little to encourage parolee trust in parole staff.

The result is the parolees are unable to confide in or share their problems with the parole officers. Instead, they go through the monthly “report day” ceremony paying their fees (for supervision, drug tests, restitution, crime victims, programs) and pretending to “make it.” They play a game of hide and seek, cops and robbers, or cops and dopers, and when they lose they are returned to prison.

The Need for Protection from Petty Parole Violations

The prisoners/parolees asked for “credit for street time on parole” and protection from petty parole violations (i.e., alcohol violations, marijuana violations, curfew violations). In a group interview the prisoners said:

Man: I believe that if the system concentrated more on trying to help somebody, and educate them, rather than just send them back, then that would ease the crowding of the prison systems.”

Woman: Every time you go back [to prison on parole violation], whatever you done on the street, they add that time right on the back of your sentence.”

Absconding refers to failure to appear on “report day at the parole office.” A number of parolees related their stories of how they were afraid of failing a drug test so they disappeared or “took off” to avoid immediate arrest

for not showing up at the parole office on the scheduled day. Many of the persons we interviewed had been returned to prison more than once for parole violations, and related how they were serving more years than originally given at sentencing.

A number of parolees claimed they were doing good (**Maruna, 2002**), staying out of trouble, not getting arrested, and would have continued on parole if their parole officers had cared to consider the progress they had made. Many of the parolees, especially those we interviewed in prison after they were returned for parole violations, expressed their general distrust of the parole officers and their strict enforcement of parole rules.

The Loss of Credit for Good Time Served on Parole

One of the most common concerns of all the interviewees was that the time they served in parole custody was not subtracted from their sentence when they violated parole and were returned to prison. Three parolees discuss the problem:

“First Parolee: One thing is the doing dead time while you are on parole. You could have a five-year sentence, the minimum serve out is 2003. But, if you come out on paper, say you have 12 months left, and you get p.v.’d, you have to go back and do that 12 months, but you been out for the 12 months on the streets. That’s not right.”

“Second Parolee: I had 5 months to serve out and I was out on the streets for 23 months, and then you still don’t get your good time. I had a 6-year sentence, never had a write-up, made parole, and I have yet to receive my good time. And then when I go back on p.v., they tell me that I got to at least stay in the system 6 months before I can get the good time, but that 6 months of good time they owe me would automatically kick me out.”

“Third Parolee: The last time I went to prison I went for possession of alcohol and use of alcohol. That was my two years. The time before that it was curfew violation and absconding. The time before that it was a curfew violation and dirty urine. Look, when I was sitting there, before I came here, I seen the same people who just got out last month, come back this month just for petty stuff, a beer or a drink. It’s crowded with the same ones they had just let out.”

The general problem appears to be that when parolees have their parole revoked and are returned to prison the “good time” they served on the street is not credited. They are forced to serve the time over again in prison. This may result in prisoners doing more time than their original sentence. The parolees see this practice as an injustice, as they are required to serve the same time more than once. It also dramatically increases prison admissions and the cost to the taxpaying public.

The Lack of Economic Resources

We were struck by the fact that many of the interviewees lived in poverty before they were in prison and were returning to the same socioeconomic conditions when they returned home. They and their families have few economic resources, live in public housing projects, or modest rentals, with limited income, and exist on the margins of society.

The lack of legal economic opportunities led many of the parolees back to risky business, the only way they knew to climb out of poverty. Unfortunately, with their “choices” so limited, and their course of action so predictable, the police and parole authorities reached the same conclusions.

The Structure Producing Parole Failure

We did not explicitly look at personal behavior, for example poor choices or bad decisions, as a means to explain parole failure. Instead, our focus was on structural problems that contribute to parole failure. This requires an

understanding of how institutional forces in prison and on the street limit the opportunity structure provided parolees. Structural variables include time, space, rules, and resources (**Richards, 1995; Richards & Jones, 1997**). For example, time in prison, community space, parole rules, and social and economic resources. A convict after many years in prison, returning home to a ghetto (**Wacquant, 2000a, 200b**), subject to rigid parole rules, with few social and economic resources, may have slim chance of success with reentry.

From the prisoners' perspective the problem starts with the prison system. A number of interviewees discussed overcrowding inside the prison system, inadequate, rundown facilities, bad food, poorly trained staff, and token educational and vocational programs. The general impression we got was that the Kentucky prison system was operated as a warehouse with little attention to prisoner needs or rehabilitation.

Kentucky's Perpetual Incarceration Machine

The major finding of our study is that Kentucky is operating a "perpetual incarceration machine" (**Richards & Jones, 1997, 2003**). The prison system is perpetuating growth on its own institutional failure to properly prepare prisoners for release. The parole system compounds the problem with the law enforcement style of supervision. The result is a revolving door that shuffles prisoners from one level of custody to another, from prison to parole, and from parole back to prison. The Kentucky state prison population will continue to grow because it is "recycling" the same individuals through the system.

What is striking is that nearly every parolee and parole officer that we interviewed or spoke with informally suggested that economics was at the heart of the problem. As one parole officer eloquently stated, "It's about money. It's always about money." What he was referring to was the idea that Kentucky, like many other states, has used criminal justice as a jobs program for many poor counties. Responding to fears of crime, new prisons were built in economically depressed counties throughout the state, thus becoming one of the primary industries providing employment for those rural communities. Prison expansion has had the effect of siphoning money away from programming and into bricks and mortar projects. So, as more prison bed space was created, less money was available to provide rehabilitative programs within and outside the prison walls.

Parolees complained about the reduction in prison programming, as well as the long waiting lists to get into the few remaining programs available. In addition, "inmate pay" is at extremely low levels, considering that prisoners are expected to pay for many services and programs (such as doctor's visits). At least three of the parolees we interviewed felt that they were released on parole because of poor health and the state's desire to be released from responsibility for caring for their chronic medical conditions.

Many parolees refer to parole officers as "collection officers" in reference to their having to pay \$10 to meet with a parole officer, as well as paying them for their crime victims fund and any drug or alcohol urine tests conducted on them. Parolees are expected to pay for programs and classes that they are required to participate in as a condition of their parole. Parole officers are expected to drug test 20% of their clientele, which, of course, directly impacts on the parolee's chances of being revoked, as well as on their pocketbooks.

If a parolee tests positive, few options are available for parole officers. Most community-based treatment programs have long waiting lists, which increases the likelihood that parolees will be sent back to prison instead of being treated in the community. This is directly related to money; if you take money from social programs to build prisons, fewer dollars are available to treat people on the street, thereby increasing the likelihood that parole violators will be sent back to prison, rather than being treated for their problems in the communities.

Conclusion: Promising Reforms

As a means to address the problems identified above we provide the following promising reforms. We suggest our recommendations may help Kentucky reduce its prison population, reduce parole violations, and save public expenditures.

Restriction on Parole Admissions for Technical Parole Violations

First, we suggest the State of Kentucky can save millions of dollars by reducing the number of people returned to prison on parole violations and awarding credit for time spent on parole supervision. This can be accomplished either by law or by policy. We recommend terminating the practice of violating paroles for failing drug and alcohol tests, curfew violations, and misdemeanors. By highlighting the number and type of revocations that are now occurring, a powerful argument can be made to restrict parole violations to only those persons who have been convicted of a new felony.

Kentucky Needs to Reorganize Parole Services

Second, Kentucky needs to reorganize parole services to reduce parole revocations and provide help for parolees. This includes ending the adversarial relations between parole staff and parolees, providing treatment or hospitalization for parolees with serious drug problems, hiring individuals with social science rather than criminal justice degrees, hiring job developers for each office, de-emphasizing supervision and surveillance, and maintaining an appropriate professional distance from law enforcement.

We suggest the mission and goals of parole services need to be redefined. This includes changing the job title, rewriting the job description, and reforming the way the parole services function. For example, to effectively work with parolees, we suggest parole officers be redesignated "parole workers" (like social or child care workers), relieved of their badges, firearms, and arrest powers, and provided generous yearly bonuses based on the successful transitions of clients. Our informal discussions with several parole officers suggest that some of the parole staff would welcome this reform.

We need to support and train parole officers to help rather than "police" parolees. The emphasis needs to be on assisting parolees to readjust to the community, find shelter and employment, and better their education. We recommend parole officers be retrained to provide counseling and services rather than surveillance and investigation. In effect, they would broker community resources and refer parolees to programs for the assistance they request. They would help the men and women secure housing and employment, register for college, and volunteer to work on community projects or programs. In turn, because we expect state government will save millions of dollars by reducing the prison population, revenue should be reinvested in local communities to provide services for parolees reentering the community (Clear & Cadora, 2003).

Public Employment for Ex-Convicts

Third, we recognize that a major reason so many former prisoners return to criminal activities is their inability to find employment the first few weeks or months on the street. Reduced to abject poverty, standing on street corners, or living in shelters, they drift back into deviant lifestyles. In response, we need to develop additional employment opportunities that are reserved for people returning home from prison. We suggest the community might be better served if it devoted more resources toward providing employment. This could be accomplished if local government reserved entry-level positions for former prisoners, for example, jobs doing building maintenance, park services, and street repair. The idea is to put the men and women to work immediately upon release from prison. This would reintroduce them to paid employment, where they receive a paycheck and benefits, provide money to pay for immediate needs (food and shelter), help to stabilize these men and women so they can support themselves and their families, divert them away from the underground street economy, and provide work supervision as well as an employment reference for their next job. The city and county providing

employment would save the state the cost of returning these individuals to prison. In addition, a state-sponsored program is needed to provide incentives to employers that hire and retain parolees and ex-cons. This program could be administered by full-time job developers and employment counselors at each parole office.

Changing the Expectation of Failure

Fourth, the prison and parole system has low expectations for prisoners. We need to emphasize the potential these men and women have to be law abiding and taxpaying citizens. We suggest that this can be accomplished by identifying and documenting success stories. This includes media stories about prisoners that have “made it,” including those that have “gone straight,” maintained employment, rebuilt their lives, or graduated from universities. We suspect there are many more successful parolees and ex-convicts than we were able to find in this study.

Reform Sentencing

Finally, we need to address determinate sentencing, including “truth in sentencing,” which calls for prisoners to serve 85% of their sentences for class A and B felonies. Many of the men and women we interviewed had received long sentences for nonviolent drug sales. Most of these were street dealers, or at most low-level distributors. We do not see their arrest, conviction, and incarceration as having any meaningful impact on decreasing community drug trafficking. As soon as they are removed from the streets, their places are filled with new recruits. In the housing projects and poor neighborhoods there is an endless supply of men and women eager to assume these entrepreneurial duties. The state can save money by making more use of probation, “shock probation,” and alternative sentences. Money saved should be directed to improving educational and employment opportunities for the residents of these disadvantaged communities.

Note

- 1 This research was supported by a grant from the Open Society Institute and a contract with the Commonwealth of Kentucky for The Institute on Crime, Justice and Corrections at George Washington University. Discussion and findings are those of the authors and do not necessarily represent the views of the Open Society Institute or the Commonwealth of Kentucky. We want to thank State of Kentucky Justice Cabinet employees Executive Director Keith Hardison, Kentucky Parole Board, Warden James E. Grider, Roederer Correctional Complex, Administrative Branch Manager Debra McGill, Division of Probation and Parole, District Supervisor David Munden, Division of Probation and Parole, Parole Officer Cathy Wise, and Paulette Wachtel, Corrections Program Administrator, for their assistance and support. Additionally, we need to thank Faith Good, John Irwin, Alan Mobley, Wendy Naro, Greg Newbold, Jessica Parks, Jeffrey Ian Ross, Charles M. Terry, Richard Tewksbury, Phillip Thompson, and Angela West for their support and help with research materials. Finally, we want to thank Eric Cadora, Eddie Ellis, and Susan Tucker of the Open Society Institute. An earlier draft of this paper was presented at the annual meeting of the American Society of Criminology, Chicago, November, 2002.

References

- Abramsky, S. (1999). Crime: When they get out. *Atlantic Monthly*, **283**(6), 30–36.
- Abramsky, S. (2002). *Hard time blues: How politics built a prison nation*. New York: St. Martin's.
- Austin, J. (1986). Using early release to relieve prison crowding. *Crime and Delinquency*, **32**(4), 404–503.
- Austin, J. (1996). Are prisons really a bargain? *Spectrum*, **69**(2), 6–14.
- Austin, J. (2001). Prisoner reentry: Current trends, practices, and issues. *Crime and Delinquency*, **47**(3), 314–335.
- Austin, J., Bruce, M. A., Carroll, L., McCall, P. L., & Richards, S. C. (2001). The use of incarceration in the United States. American Society of Criminology National Policy Committee. *Critical Criminology*, **10**(1), 17–41.
- Austin, J., & Irwin, J. (2001). *It's about time*. Belmont, CA: Wadsworth.

- Clear, T. R., & Cadora, E. (2003). *Community justice*. Belmont, CA: Wadsworth.
- Clear, T. R., & Hardyman, P. L. (1990). The new intensive supervision movement. *Crime and Delinquency*, **36**(1), 42– 60.
- Dyer, J. (2000). *The perpetual prisoner machine: How America profits from crime*. Boulder, CO: Westview.
- Hallinan, J. T. (2001). *Going up the River: Travels in a Prison Nation*. New York: Random House.
- Irwin, J. (1970). *The felon*. Englewood Cliffs, NJ: Prentice Hall.
- Irwin, J. (1985). The return of the bogeyman. Keynote address at the annual meeting of the American Society of Criminology, November, San Diego, Calif.
- Irwin, J. Schiraldi V. & Ziedenberg, J. (2000). America's one million nonviolent prisoners. *Social Justice*, **27**(2), 135– 147.
- Maruna, S. (2002). *Making good: How ex-convicts reform and rebuild their lives*. Washington, DC: American Psychological Association.
- Parenti, C. (1999). *Lockdown America: Police and prisons in the age of crisis*. New York: Verso.
- Richards, S. C. (1995). *The structure of prison release*. New York: McGraw-Hill.
- Richards, S. C. (1998). Critical and radical perspectives on community punishment: Lesson from the darkness. In J.I. Ross (Ed.), *Cutting the edge: Current perspectives in radical/critical criminology and criminal justice* (pp. 122– 144). Westport, CT: Praeger.
- Richards, S. C., & Jones, R. S. (1997). Perpetual incarceration machine: Structural impediments to post-prison success. *Journal of Contemporary Criminal Justice*, **13**(1), 4– 22.
- Richards, S. C., & Jones, R. S. (2003). Beating the perpetual incarceration machine. In S. Maruna & R. Immarigeon (Eds.). *Ex-convict reentry and desistance from crime* (in press). London: Willian.
- Richards, S. C., & Ross, J. I. (2001). The new school of convict criminology. *Social Justice*, **28**(1), 177– 190.
- Ross, J. I., & Richards, S. C. (2002). *Behind bars: Surviving prison*. Indianapolis, IN: Alpha.
- Ross, J. I., & Richards, S. C. (2003). *Convict criminology*. Belmont, CA: Wadsworth.
- Travis, J., & Petersilia, J. (2001). Reentry reconsidered: A new look at an old question. *Crime and Delinquency*, **47**(3), 291– 314.
- Travis, J., Solomon, A. L., & Waul, M. (2001). *From prison to home: The dimensions and consequences of prisoner reentry*. Washington, DC: Urban Institute.
- Turner, S., & Petersilia, J. (1992). Focusing on high-risk parolees: An experiment to reduce commitments to the Texas department of corrections. *Crime and Delinquency*, **29**(1), 34– 62.
- Wacquant, L. (2000a). The new “peculiar institution”: On the prison as a surrogate ghetto. *Theoretical criminology*, **4**(3), 377– 389.
- Wacquant, L. (2001b). Deadly symbiosis: When ghetto and prison meet and mesh. *Punishment and Society*, **3**(1), 95– 134.