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GRAND CHALLENGES FOR SOCIAL WORK INITIATIVE

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Grand Challenge: *Promote Smart Decarceration*

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The Grand Challenges for Social Work are designed to focus a world of thought and action on the most compelling and critical social issues of our day. Each grand challenge is a broad but discrete concept where social work expertise and leadership can be brought to bear on bold new ideas, scientific exploration and surprising innovations.

We invite you to review the following challenges with the goal of providing greater clarity, utility and meaning to this roadmap for lifting up the lives of individuals, families and communities struggling with the most fundamental requirements for social justice and human existence.

The Grand Challenges for Social Work include the following:

- Ensure healthy development of all youth
- Close the health gap
- Stop family violence
- Eradicate social isolation
- End homelessness
- Promote smart decarceration
- Reduce extreme economic inequality
- Build financial capability for all
- Harness technology for social good
- Create social responses to a changing environment
- Achieve equal opportunity and justice
- Advance long and productive lives

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From Mass Incarceration to Smart Decarceration

Carrie Pettus-Davis and Matthew W. Epperson

The United States is the world leader in incarceration—one in four of the world’s prisoners is in an American prison or jail. The United States incarcerates nearly 500,000 more people than the top 36 incarcerating European countries combined. The staggering expansion of the American criminal justice system, known as mass incarceration, began in the 1980s and has resulted in a social justice crisis that substantially overincarcerates of some of the most vulnerable and marginalized groups. At the beginning of the 21st century, the United States faces the immense challenge of rethinking and transforming its criminal justice system in ways that will alleviate racial and economic disparities, dramatically reduce the overreliance on incarceration as the means to public safety, and promote public safety. We propose a proactive, transdisciplinary, cross-sector, and empirically driven smart decarceration approach to transform the criminal justice system. Social work is uniquely qualified to lead the U.S. decarceration effort given its history of reform efforts, ethical commitment to social justice, and emerging leadership in structural and behavioral interventions to complex social problems. Social work can bring together siloed sectors and academic disciplines to create a rational response to human needs as prisons and jails devolve. Social work can pioneer the identification and implementation processes of evidence-driven smart decarceration to both ensure approaches that develop a socially just state of public safety and also prevent repeating history’s mistakes of mass incarceration.

Key words: Mass incarceration, criminal justice reform, prisons, jails, decarceration, overincarceration, downsizing prisons, justice, rights

A prolonged era of mass incarceration has led to staggering rates of imprisonment in the United States, particularly among some of the most vulnerable and marginalized groups. Given the rising social and economic costs of imprisonment and tight public budgets, this trend is beginning to reverse (Petersilia & Cullen, 2014). At the beginning of the 21st century, the United States finds itself facing the enormous challenge of decarcerating America, which is at the same time an enormous opportunity. Through decarceration, the lives of millions of people can be vastly improved, and the nation as a whole can leave behind this short-sighted and shameful period of mass incarceration. But how will this be accomplished, and by whom? Seldom before in the nation’s history has the need for applied social innovation been more urgent.

More so than most, the profession of social work is positioned to lead in this far-reaching social justice challenge. Social work is uniquely qualified because of its history of reform efforts, an ethical commitment to social justice, and emerging leadership in structural and behavioral

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interventions addressing complex social problems (Abramovitz, 1998; Brekke, Ell, & Palinkas, 2007; Fraser, 2004). Social work can bring siloed social sectors and diverse academic disciplines together to create a rational and effective response as prisons and jails devolve.

Smart Decarceration will be proactive, transdisciplinary, and empirically driven. Effective decarceration will be occurring when (1) the incarcerated population in U.S. jails and prisons is substantially decreased; (2) existing racial and economic disparities in the criminal justice system are redressed; and (3) public safety and public health are maximized.

SMART DECARCERATION IS A FAR-REACHING AND URGENT CHALLENGE FOR SOCIAL WORK

The United States is the world leader in incarceration in both the number of prisoners and the proportion of the population incarcerated. Though the United States holds only 5% of the world's population, it houses a remarkable 25% of the world's prisoners (Alexander, 2012). Since the 1970s, incarceration rates have increased sevenfold. At the peak in 2008, 2.3 million American adults, one in 100, were incarcerated in prison or jail at a cost of over \$52 billion annually (Pew Center on the States, 2012). The exponential growth of incarceration in the United States is a compelling problem not only because of sheer numbers, but also because of who is most affected. The majority of the imprisoned population is made up of people of color and people suffering from poverty or behavioral health disorders. For these reasons, social workers and the American public increasingly understand mass incarceration as unaffordable, fundamentally immoral, misguided, and the cause of a substantial social justice crisis.

If the United States did not disproportionately incarcerate people of color, the impoverished, and people with behavioral health disorders, it would not be the world leader in incarceration. Social disparities abound in incarceration settings, which many attribute to socially biased and unfair policing and sentencing practices (Levine, Spalter-Roth, & White, 2007). The following are such disparities.

Racial disproportionality

Prevalence estimates indicate that the likelihood of incarceration is one in 17 for white men, one in six for Hispanic men, and one in three for African American men, with an overall likelihood of one in nine men experiencing incarceration at some point in their lifetimes (Bonczar, 2003). Although African Americans make up only 13% of the general population, they comprise 40% of all prisoners (The Pew Charitable Trusts, 2008).

Overrepresentation of the impoverished

Over half of all prisoners were living in poverty the year before their arrest and have little chance of rising out of poverty after incarceration (Wheelock & Uggen, 2006). A history of incarceration reduces the annual income of men by 40% (Western & Petit, 2010). Homelessness among former prisoners is four to six times the rate of the general population (Greenberg & Rosenheck, 2008).

Mental health disparities

Estimated rates of serious mental illness in prisons and jails range from 14% to 25%, more than double the percentage of the general adult population (Fazel & Danesh, 2002; Steadman, Osher, Robbins, Case, & Samuels, 2009). This means that as many as 375,000 people with serious mental illnesses are incarcerated on any given day, rather than living in community or therapeutic settings. In addition to serious mental illnesses, factors that contribute to severe psychological distress are prevalent among the imprisoned. For example, as many as 90% of male and female prisoners have significant trauma histories (i.e., having experienced or witnessed extreme violence; Pettus-Davis, 2014).

High rates of substance use disorders

Nearly 1.5 million prison and jail inmates (65%) meet the criteria for substance use disorders, and an estimated 75% of prisoners are in need of substance abuse intervention. Meanwhile, only about 11% receive any type of treatment while behind bars (National Center on Addiction and Substance Abuse, 2010).

Given these disparities, mass incarceration has ushered in the criminalization of minority racial status, behavioral health disorders, and poverty. More disappointing, the process of incarceration exacerbates disadvantage and vulnerabilities among these already marginalized groups (Clear, 2007; Roberts, 2004; Sampson & Loeffler, 2010). Once incarcerated, a person's access to the conventional means of citizenry that promote desistance from crime is permanently disrupted (Pettus-Davis, 2012). Currently, there are more than 40,000 state and local statutes that ban people with histories of incarceration from access to education, employment, housing, and other social and health services available to the general public (Legal Action Center, 2009). Children with incarcerated parents are more likely to have behavioral and emotional problems and are six times more likely to be incarcerated later in life. Because African American men are more likely to be incarcerated than other men, African American children experience an unprecedented and incomparable disadvantage (Wakefield & Wildeman, 2011). As a result, mass incarceration creates a system of oppression for some of society's most vulnerable people.

Effectively reversing mass incarceration and its pervasive effects is perhaps the most pressing social justice issue in the United States today. Given social work's commitment to vulnerable and oppressed populations, the profession has an exceptional opportunity to define and lead in addressing the grand challenge moving from mass incarceration to smart decarceration.

EVIDENCE INDICATES THAT SMART DECARCERATION IS POSSIBLE

Mass incarceration is an ostensibly intractable issue, but it is in fact a relatively recent phenomenon. Current trends indicate that the incarceration bubble could burst. For the first time since the 1980s, the incarcerated population declined slightly in 2009 after several years of plateau, continuing to decline for four consecutive years (Carson & Golinelli, 2012). Yearend 2012 marked the lowest incarceration rate since 1997, with the number of incarcerated adults dropping to 2.2 million, lower than the number incarcerated in 2006 (Carson & Golinelli, 2012). Many rationalized the first year or two of incarceration declines by citing the effects of the Great

Recession and subsequent budget crises, which prompted many states to reduce all levels of expenditure, including corrections (Gottschalk, 2009; Kyckelhahn, 2014; Spelman, 2009).

But recent declines occurred in the midst of a growing skepticism about the effectiveness and use of incarceration in the United States (Bosworth, 2011). Incarceration does not achieve rehabilitation for most. Nearly 77% of released prisoners are rearrested for a new crime within five years (Durose, Cooper, & Snyder, 2014). Failure rates this high are not tolerated in any other social intervention. The War on Drugs and other forms of severe sentencing are increasingly being questioned on both societal and policy levels. A recent string of exposés in the media have illuminated the ripple effects of mass incarceration. On both sides of the political aisle, there is growing consensus that reducing the incarcerated population makes sense for both financial and policy reasons. After nearly two decades of declining crime rates nationwide, political will driving the “tough on crime” approach, which fueled mass incarceration, is today largely dissipated (Petersilia & Cullen, 2014).

Incarceration declines, accumulating evidence of ineffectiveness, and mounting weariness about the morality of mass incarceration may signal a “perfect storm” in which decarceration becomes a distinct reality. Based on lessons from other experiences of deinstitutionalization (e.g., poor houses, orphanages, psychiatric institutions), we know that the major problem is not in getting institutions to devolve, but rather in how society responds to decarceration, and the systems we create to reintegrate those who are set free to live as ordinary citizens (Draine & Munoz-Laboy, 2014). If decarceration isn’t carried out thoughtfully, humanely, and justly, the United States could easily revert back to mass incarceration policies and practices.

Accumulating evidence indicates that structural and behavioral interventions can help to reduce incarcerated populations. Contemporary efforts to decarcerate fall into three broad categories: (1) divert criminal offenders from prison by first implementing alternatives to incarceration; (2) reduce recidivism and thereby reduce prison populations; and (3) reinvest criminal justice resources into treatment and prevention.

Preliminary evidence from alternatives to incarceration

Drug courts and mental health courts are specialized court dockets that focus on problem solving and treatment approaches rather than criminal sanctions. A national evaluation of 29 drug courts found that many of these courts significantly reduce drug relapse and criminal behavior, both factors that increase likelihood of incarceration (Rossman, 2011). Research shows that drug court participants were significantly less likely than the comparison groups to report using illicit drugs (56% versus 76%) and had significantly fewer positive biomarker tests for drug use (29% versus 46%) at 18-month follow up ($p < .05$). Drug court participants were also significantly less likely to report committing crimes (40% versus 53%). A metaanalysis of 18 primarily quasiexperimental studies of mental health courts showed that mental health court participants also had better criminal justice outcomes than similar comparison groups (Sarteschi, Vaughn, & Kim, 2011). However, mental health courts have generally not been effective at improving mental health outcomes—and poor mental health outcomes may exacerbate risks leading to eventual incarceration (Epperson et al., 2014; Skeem, Manchak, & Peterson, 2011). Few

evaluations of mental health courts have used rigorous study designs, so more research is needed to fully untangle the effects of mental health courts (Rossman, Willison, Mallik-Kane, Kim, & Sherrill, 2012). Although specialized courts are not the magic bullet for reducing prison populations, these courts represent one option in a range of viable alternatives to the incarceration-first approach.

Recidivism reduction programs

A range of behavioral rehabilitative interventions has been used to reduce recidivism among released prisoners. These interventions include multimodal programs that span incarceration settings and communities generally referred to as reentry programs as well as singular focused programs on things such as employment training, education, substance abuse programs, sex offender treatment, cognitive behavioral training, and mentoring (Aos, Miller, & Drake, 2006; Lee, et al., 2012; Lipsey & Cullen, 2007). Metaanalyses suggest that although effect sizes of interventions may sometimes appear modest, reductions in reincarceration can be highly meaningful. Studies of cognitive behavioral programs report between 8% and 32% reductions in recidivism, drug treatment of up to 30% reductions, education and employment programs up to 20% reductions, and therapeutic and other behavioral interventions hover between 14% and 24% reductions in recidivism when comparing program recipients to nonrecipients (Lipsey & Cullen, 2007).

Since the turn of the century, comprehensive prisoner reentry programs emerged that were designed to provide a package of services (e.g., education, employment, treatment, life skills, case management) beginning prior to prison release and continuing into the community. Individual studies of such programs have found varied effects wherein results consistently demonstrate participants' increased access to services, but more limited effects on recidivism (Duwe, 2012; Lattimore et al., 2012; Severson, Bruns, Veeh, & Lee, 2011; Wilson & Davis, 2006;). Likely contributing to the mixed results of prisoner reentry programs, a consistent prisoner reentry model or intervention manual has not yet been developed, and little attention has been given to the "quality" of reentry program design or implementation. Improvements in each of these areas will allow for better assessment of the true impact of multimodal behavioral services.

Justice reinvestment initiatives

Justice reinvestment initiatives were originally conceptualized as the collaboration of policymakers, experts, and stakeholders working together to develop initiatives based on state specific data and public safety needs (Justice Center, 2011). The resulting policies and practices are expected to generate cost savings that can be reinvested in rehabilitative community-based programs and prevention programs aimed at reducing crime and recidivism (Justice Center, 2011). For example, Colorado experienced a 6% reduction in recidivism within two years after changing statutes related to drug offenses and requirements for length of parole supervision for low- and medium-risk level offenders (Justice Center, 2011). These changes led to a total savings of \$5.9 million. Colorado reinvested the savings into mental health and substance abuse

treatment programs, training the parole board in motivational interviewing techniques, and providing released prisoners with incentives to participate in rehabilitative programs.

Connecticut reduced the use of incarceration for probation violators by 50% within two years by enacting legislation that required consideration of intensive supervision and services as the first alternative to incarceration for probation violations (Justice Center, 2011). The nearly \$50 million savings was reinvested into behavioral health treatment services, community-based pilot projects, and other behavioral programs.

Other reports comparing justice reinvestment states to nonreinvestment states similarly show some reductions in incarceration rates (Austin et al., 2013). However, some states discovered that when justice reinvestment efforts primarily focused on closing prisons, it generally results in less prison space, not necessarily less recidivism. Thus, some reinvestment states find that, when not paired with other substantial reforms, their prison populations creep back up to preinvestment levels or higher. The concept of justice reinvestment underscores the notion that smart decarceration involves more than simply reducing the incarceration rate; it also strengthens community supports and resources as a crime prevention strategy.

WHAT STEPS ARE NEEDED TO MOVE FROM MASS INCARCERATION TO SMART DECARCERATION?

Smart decarceration requires recognizing that altering the overreliance on incarceration is a multifaceted endeavor. Smart decarceration will be a comprehensive approach that requires a combination of the following steps:

- (1) *Reconsidering the utility and function of incarceration.* In the United States' current system, incarceration is typically the default response to crime. What would the use of incarceration look like if it were used to incapacitate only the most dangerous? What if incarceration were *not* an option for certain types of offenses?
- (2) *Supporting innovations across all sectors of the criminal justice system.* Each sector of the criminal justice system (e.g., law enforcement, courts, jails, prisons, community supervision) has contributed to the phenomenon of mass incarceration and must be engaged to achieve smart decarceration. A critical first step will be to determine the parts of the criminal justice system that could benefit from less baton passing and more integration.
- (3) *Multidisciplinary approaches to policy and practice interventions.* During the era of mass incarceration, few coherent and effective policy or practice interventions have been developed to address the needs of the expanding incarcerated population or to prevent incarceration. Because smart decarceration involves more than simply reducing the prison population, a multidisciplinary person-in-environment perspective is necessary.
- (4) *Rigorously evaluating and applying emerging evidence.* Significant work is needed to uncover key mechanisms of change in behavioral intervention approaches. Modern intervention approaches often have small effect sizes because of current gaps in

knowledge about key mechanisms. Moreover, empirically supported behavioral interventions to reduce recidivism have not been widely disseminated and adopted, which is a typical research-to-practice translational problem seen in many other contexts. Thus, application of new knowledge will have to be purposefully addressed.

THE NEXT DECADE WILL BE A CRITICAL PERIOD FOR ADVANCING SMART DECARCERATION

Mass incarceration has proliferated for four decades, and it may take years to be reversed. Decarceration may occur as a natural institutional wave or as a result of intentional and focused advocacy. Regardless, the large numbers of people who will be released from prison are likely to fare poorly in the absence of a cogent, deliberate, and smart decarceration approach. Former inmates will be reincarcerated if they commit more crimes upon release, thus reopening the revolving door and marking the failure of decarceration. Therefore, what happens in the next decade is critically important to whether the United States achieves sustained change and a more socially just criminal justice system.

A fitting comparison is the deinstitutionalization movement that occurred in the latter half of the 20th century, which sought to transfer people with serious mental illnesses out of state-run psychiatric hospitals. While the intentions behind deinstitutionalization were noble, the movement lacked the community resources and capacity to provide proper support, leading to high levels of homelessness and incarceration among people with mental illnesses. Similarly, if decarceration is not paired with comprehensive, community-driven and evidence-based interventions to reduce recidivism and increase rehabilitation, the process could mirror the turbulent history of deinstitutionalization.

Measuring progress in smart decarceration over the next ten years will require identifying the following key outcomes and indicators.

Shifts in legislation

Since the early 2000s, states as varied as New York, Kansas, and Texas have made serious legislative changes to repeal the mandatory minimum sentences associated with the War on Drugs, the primary contributor to mass incarceration (Subramanian & Moreno, 2014). These states become natural experiment opportunities to research the effects of law changes on decarceration and recidivism. Smart decarceration will entail additional states redressing unjust sentencing guidelines and their rippling impact.

Continued reduction in the incarcerated population

Building on the small but meaningful declines since 2010, smart decarceration approaches could reduce the prison and jail population by 25% in the next ten years. Connecticut's success at reducing incarceration by 50% for people who violate probation provides evidence that even relatively minor structural interventions can lead to dramatic reductions in the incarcerated population.

Reduced disparities

Smart decarceration will only be achieved if paired with a reduced incarcerated population and an amelioration of racial and social disparities.

Increased use of evaluative methods and science to drive incarceration policy and practice decisions

Contrary to many past policies and practices within the criminal justice system, smart decarceration approaches must be implemented with rigorous research designs, clearly articulated outcomes, and a commitment to ongoing evaluation and quality improvement. In short, science must drive the process of smart decarceration.

Increased public safety and well-being

Reductions in the overall number of incarcerated people, as well as reduced racial and behavioral health disparities in incarceration, will especially benefit communities hardest hit by the past four decades of mass incarceration. Reversing the ripple effects of mass incarceration on individuals and communities will ultimately improve public well-being by reinstating access to prosocial life for a large segment of society.

SMART DECARCERATION WILL REQUIRE TRANSDISCIPLINARY AND CROSS-SECTOR COLLABORATION

The grand challenge of decarcerating America in just and sustainable ways will require a combination of scholarly theory and empirical evidence; policymaker and practitioner discourse; and public debate to promote social innovation, resource allocation, and philosophical shifts. The tasks involved in smart decarceration are multisystemic and complex, and require transdisciplinary engagement. Because social workers occupy places of influence across sectors, they are uniquely equipped to facilitate interdisciplinary collaboration.

Local, state, and national efforts

Mass incarceration is a national phenomenon that occurs in a variety of local contexts. Smart decarceration will require activity on local, state, and national levels. National initiatives such as the Obama administration's recent expansion of mandatory minimum reforms in federal drug cases as well as federal funding efforts designed to foster smart decarceration approaches will fuel innovation at the state and local level (Allen, Pettus, & Haider-Markel, 2004). State-level legislation is a primary target for advocacy and reform, which will reduce the flow of individuals into prisons and jails. States will also be tasked with allocating resources typically spent on costly incarceration systems, and instead creating community-based systems of structural reforms, support, and rehabilitation to more effectively promote behavior change and public safety. Localities, particularly communities to which many incarcerated individuals return, will need to be active participants in smart decarceration initiatives, so that multipronged interventions address and engage the local environment.

University–Community partnerships

The subject of decarceration has been primarily an academic conversation. However, scholarship in this area must move beyond the walls of academia for smart decarceration to be affective. The very best of various academic disciplines, policymakers, and local practitioners and partners must join together to meet the grand challenge of smart decarceration. Given social work's history of active engagement in applied research; its person-in-environment approach; and its expertise in developing structural, community, and behavioral interventions, social work scholars stand to serve a prominent role in these collaborative efforts of smart decarceration.

Involvement across the criminal justice system

Effective and sustainable smart decarceration will also require cross-sector efforts *within* the criminal justice system. The criminal justice system typically operates in a siloed fashion, wherein certain components do not coordinate with others to create efficient and effective processes. Despite the lack of systematic coordination, each component of the system is linked to and exerts influence upon the other. Public sentiment influences law enforcement, but law enforcement ultimately determines who undergoes surveillance and who enters the criminal justice system. Courts (including prosecution and sentencing) determine who goes to prison, and large disparities in sentencing outcomes between African Americans and Whites can be attributed to the initial choice of charges (Rehavi & Starr, 2012). Prisons and parole offices (as currently designed) heavily influence who has access to rehabilitative and behavioral treatments. Each branch of the system has unique problems to address, and each branch holds a unique portion of the solution for smart decarceration to be achieved. While it may be unrealistic to expect that the entire system will run synergistically, a holistic approach that engages all levels of the criminal justice system is needed for meaningful decarceration to be sustained.

Policy, practice, and research synergies

To achieve successful decarceration, scholars, communities, and criminal justice stakeholders must identify and adopt a planned, cogent policy and practice research agenda and disseminate the findings to policymakers and the general public. Transdisciplinary stakeholder groups will be engaged with framing decarceration related priority areas in ways that are important to a given group. Social work can facilitate “meetings of the minds” across sectors by organizing formal concept mapping and policy forums among experts from research, advocacy, and community settings, and those who have experienced incarceration. Social workers can synthesize and apply those findings by delivering clear actionable policy and behavioral intervention items that facilitate decarceration.

SOCIAL INNOVATION IS THE DRIVING COMPONENT OF SMART DECARCERATION

The potential and readiness for proactive, innovative solutions for decarceration exist today more than at any other time in history. A crack is forming in the criminal justice system as a result of a four-decades long failed experiment in mass incarceration. The crumbling support for current incarceration approaches creates a space for innovation to occur.

Innovations already contributing to the likelihood of decarceration

Some locales have approached decarceration in their communities by developing innovations and applying social interventions to reduce incarceration. Many sectors are closely watching the sites that have recently implemented social impact bonds. This represents a merging of private industry and criminal justice to reduce the reincarceration of released prisoners. With social impact bonds, private corporations (e.g., Goldman-Sachs) provide financial bonds to public criminal justice entities (e.g., New York City Department of Corrections) to provide behavioral interventions likely to reduce recidivism. The rate and amount of the bond that the Department of Corrections will pay back depends on the success rates of those programs—lower rates of return on the investment (i.e., high recidivism rates) result in the Department of Corrections paying back more of the bond to Goldman-Sachs. This approach provides a considerable incentive for the Department of Corrections to seek out and adopt empirically supported behavioral and structural interventions. Although on a much smaller scale, technology innovations are increasingly considered as options to create scalable interventions. For example, probation departments are beginning to explore computer-assisted and smartphone-based goal-setting applications for probationers.

CONCLUSION

Now is the time to begin the end of mass incarceration. A range of scalable and transformative intervention innovations are still necessary for decarceration's success. Developing and testing large-scale and transformative social innovations is part of the very transdisciplinary approach for which smart decarceration calls. Though many of these social innovations have yet to be identified, the characteristics are clear. We are at a unique historic moment in which decarceration is desired on multiple levels: fiscally, politically, and societally. Perhaps more importantly, the social work profession stands at the crossroads of decarceration because of the profound negative effects that mass incarceration has had on disadvantaged, marginalized, and vulnerable groups—it is our ethical obligation to alter such injustice. Although smart decarceration will likely entail uncertain and even risky terrain to navigate, it is imperative for social work to make every effort to catalyze an era of smart decarceration and, thus, historic reform of the criminal justice system as we know it.

At this critical junction in American history, there is a compelling opportunity for social work to engage other professions and disciplines in welcoming an era of decarceration, with a value compass and solid evidence to successfully effect the reduction of incarceration in the United States. Social work is also committed to improving community conditions and opportunities to support those who would have formerly been incarcerated to live productive and safe lives. Smart decarceration has the potential to improve social welfare and social justice for a large segment of our society—not only those directly involved in the criminal justice system, but also the families and communities from which they come.

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