

1-1-2015

## Capital And Punishment: Examining Prison's Revolving Door

Amanda Paige Cook

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Capital and punishment: examining prison's revolving door

By

Amanda Paige Cook

A Dissertation  
Submitted to the Faculty of  
Mississippi State University  
in Partial Fulfillment of the Requirements  
for the Degree of Doctor of Philosophy  
in Sociology  
in the Department of Sociology

Mississippi State, Mississippi

May 2015

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Capital and punishment: examining prison's revolving door

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Pages in Study: 176

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Using data collected at the Central Mississippi Correctional Facility, this research aimed to examine factors that affect the likelihood of re-offending by testing two models: a specific deterrence model and a proposed comparable capital model. Specifically, this research aimed to examine how economic, cultural, and social capital in the community, as well as in prison, affect self-reported likelihood of re-offending upon release, and to examine if these indicators are better suited for explaining offending as compared to those included in a deterrence model. By examining these effects, it was discovered that traditional deterrence and capital indicators alone do not provide a sufficient explanation of likelihood of re-offending. The proposed Capital and Punishment Model of Re-offending may provide a better way of conceptualizing offenders' likelihood of re-offending upon release because it considers the effects of community and prison capital, while paying special attention to the effects of prior punishment.

## DEDICATION

For Mama

We did it.

## ACKNOWLEDGEMENTS

The author expresses sincere appreciation to the many who have sacrificed their time and efforts through this enduring process. First of all, the sincerest thanks are due to my major professor and mentor, Dr. R. Gregory Dunaway, not only for guiding me through every step of the dissertation process, but also for believing in me. When life seemed overwhelming, his confidence kept me going. I cannot overstate the role that he has had in my accomplishments thus far, or the role that he will have in any future achievements.

The author would also like to thank other committee members, namely, Dr. Stacy H. Haynes, Dr. David C. May, and Dr. Nicole E. Rader, for their invaluable assistance with anything from data collection and analysis to the overall evaluation of this dissertation document. The author would also like to express appreciation to Dr. Peter B. Wood of Eastern Michigan University. His prison research inspired much of my own research, and as my thesis director, he helped me develop some of the ideas that were further explored in this dissertation.

Finally, the author would like to express gratitude to Tina Ladner, Associate Warden at Central Mississippi Correctional Facility, for her assistance with collecting the data used in this dissertation.

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## CHAPTER I

### INTRODUCTION

The vast majority of individuals who go to prison will eventually be returned to the community. Unfortunately for offenders, criminal justice officials, and members of the community, the exit door of prison is constantly revolving. Even though states are spending close to 52 billion dollars annually on corrections, about 4 in 10 offenders return to prison within the first three years of release (Langan and Levin 2002; Beck and Shipley 1989; Pew Center on the States 2011). If states could reduce their recidivism rates by just ten percent, they could save an average of 635 million dollars annually (Pew Center on the States 2011). This research aims to examine factors that may increase an offender's likelihood of re-offending upon release from prison. This, in turn, should inform policies that address recidivism rates, as well as lower correctional expenditures.

For released offenders, the percentage of re-arrest is 67.8 in the first three years and 76.6 percent in the first 5 years upon release (Durose et al. 2014). By re-offending, released offenders are risking the chance of being incarcerated again. Given this, it is important to discover if and how previous punishment experiences affect the likelihood of re-offending. Deterrence and rational choice theories assume that potential offenders will calculate the costs and benefits of offending before they decide whether or not to commit a crime (Cornish and Clarke 1986; Cornish and Clarke 1987; Clarke and Felson 1993; Wright 2010). If prison is viewed as a severe punishment, it makes sense that

juries request and judges hand down lengthier prison sentences in hopes of deterring convicts from re-engaging in crime (specific deterrence), as well as potential offenders from committing similar crimes (general deterrence). If potential offenders, as well as previous offenders, believe that punishment will be certain and severe, and if the costs of committing crime outweigh the perceived benefits, then the offender should refrain from criminal activity (Cornish and Clarke 1986; Cornish and Clarke 1987; Clarke and Felson 1993; Beyleveld 1979; Blumenstein et al. 1978; Grasmick et al. 1980; Levitt 1996; Paternoster 1987; Piliavin et al. 1986; Sampson and Cohen 1988; Wright 2010). If this were true, crime rates would be significantly lower and there would be no need for this discussion.

Even with severe sanctions, people still commit crimes. The certainty and severity of punishment may have some effect on offending, but the costs and benefits associated with offending may be best understood in terms of opportunities (conceptualized as forms of capital) in two distinct realms: prison and the community. Generally speaking, capital refers to assets that one can use to maximize his or her potential. Volume and composition of capital determine a person's opportunities and place in the social structure. Offenders who acquire a high volume of capital in prison, as compared to their volume and composition of capital in conventional society, may not view prison as a severe sanction. The nature of the capital one acquires may prove useful in explaining likelihood of re-offending as compared to the explanation offered by deterrence theory.

To examine factors that increase the likelihood of re-offending, this research will use a sample of incarcerated adult offender to test two models: a deterrence model and a

proposed capital model. More specifically, this research will examine how an inmate's capital, both in the community and in prison, affect self-reported likelihood of re-offending upon release, and if these indicators are better suited for explaining offending as compared to those included in the deterrence model.

Before testing the relative effects of community and prison capital, as well as certainty and severity of punishment, on an offender's likelihood of re-offending, this research must first be placed in context. Since the 1970s, incarceration rates have risen substantially (Alexander 2010; Pettit and Lyons 2009; Western 2007; Wright 2010). This period of mass imprisonment has not only increased the number of people serving time in prison, but it has also increased the number of offenders who are returning to their communities (Mears and Mestre 2012; West et al. 2010). The fact that two-thirds of these released offenders will be rearrested within three years reiterates the importance of this study, but it also suggests that the theoretical traditions that influenced the rise of imprisonment rates should be reexamined (Langan and Levin 2002).

In the following chapter, previous literature related to re-offending, including mass imprisonment, recidivism, deterrence, and social stratification, will be discussed. This information will provide a reference for which to understand the deterrence and proposed capital model frameworks as well as to interpret the statistical findings.



## CHAPTER II

### LITERATURE REVIEW

The purpose of this chapter is to review previous research related to mass imprisonment, recidivism, deterrence, and social stratification. Before delving into deterrence and social stratification research, literature on mass imprisonment and recidivism will be discussed.

The United States is currently experiencing a period of mass imprisonment that is unprecedented, not only in the United States, but also throughout the modern world (Western 2007; Pettit and Lyons 2009; Alexander 2010). Between 1925 and 1973, the incarceration rate of the United States was around 100 per 100,000, similar to rates of Western European nations today; however, the United States now has an incarceration rate of over 600 per 100,000 adults (Carson and Golinelli 2013). The policies associated with mass imprisonment were meant to incapacitate and deter offenders, as well as the general public, from future criminality; however, the review of associated literature calls into question prison's supposed deterrent effect (Wright 2010; Petersilia 2003).

#### **Mass Imprisonment**

According to Garland (2001), there are two defining features of mass imprisonment. First, there are markedly high rates of imprisonment. Second, there is systematic incarceration of whole groups of people. The prison and jail population rose

by more than 500 percent between 1970 and 2000, and this increase in incarceration disproportionately affected young black males from urban areas (Mauer 2003a; Roberts 2004; Mauer 2003b; King et al. 2005; Alexander 2010). In 2012, black males were 6 times more likely than white males, and Hispanic males were 2.5 times more likely than white males, to be incarcerated (Carson and Golinelli 2012). When 30 percent of all black males can expect to spend some of their lives in prison, as compared to 4 percent of whites and 14 percent of Hispanics, it is obvious that one particular group of people is disproportionately targeted or affected by mass imprisonment (Western 2007). It is also important to note that women have been negatively impacted by mass imprisonment. In 1977, the incarceration rate for women in the United States was 10 out of every 100,000 females, but in 2012, this rate had increased to 63 out of every 100,000 females (Frost et al. 2006; Carson and Golinelli 2012).

Between 2000 and 2008, the growth of the prison population slowed to just 1.8 percent per year on average, down from an average of 6.5 percent per year during the 1990s (Sabol et al. 2009). Since 2008, the U.S. prison population has been in decline. This is largely due to the number of inmates who are being released from prison. In 2012, the number of releases outnumbered the number of admissions for the fourth consecutive year (Carson and Golinelli 2012). The trends of recent years may signal a positive change in correctional policy; however, the massive number of people being released from prison will bring additional problems. Problems of reentry and recidivism must be addressed to ensure that those released offenders will not return to prison once again, reiterating the importance of this study.

## Causes of Mass Imprisonment

Mass imprisonment is not an instituted policy in and of itself. Instead, mass imprisonment is the result of several policies and decisions made over time (Petersilia 2003; Wright 2010; King et al. 2005; Mauer 2011). Initially, rising crime rates during the 1960s and 1970s may have led to an increase in incarceration, but an analysis of crime and incarceration rates during the 1980s and 1990s suggests that only 12 percent of the increase in incarceration rates can be attributed to changes in crime (Blumstein and Beck 1999; Mauer 2003a). Blumstein and Beck (1999) suggest that 88 percent of the rise in incarceration rates was actually due to changes in sentencing policies.

Prior to the 1970s, judges had discretion in determining the type and duration of an offender's punishment (Mauer 2001). But with the adoption of policies such as mandatory sentencing, truth in sentencing, and three strikes, judges were forced to impose sentences of a given type and duration according to the crime committed (Mauer 2003a; Frost 2006; Roberts 2004). Changes in sentencing policy, the "war on drugs," and a political "get tough on crime" atmosphere have not only drawn the attention of law enforcement officials to make more drug-related arrests, but these factors have also caused more judges to convict and impose lengthier sentences (Mauer 2005; Garland 2001; Stevenson 2011; Spohn and Holleran 2002). Because of this, there are greater numbers of people entering the system and staying in the system for longer periods of time.

The rationale behind this shift in policy is based on two distinct arguments. Some believe that the imposition of mandatory and severe sentences should affect potential offenders' decisions to commit crime by changing their cost-benefit calculation of the

benefits associated with criminal activity (Durlauf and Nagin 2011; Wright 2010; Petersilia 2003; Spohn and Holleran 2002). In this way, incarcerating more offenders for lengthier periods of time could have a deterrent effect. Another argument for the shift in policies contends that offenders will be unable to commit further crimes, at least while they are incarcerated (Durlauf and Nagin 2011; Petersilia 2003; Levitt 2004). This goal of incarceration is referred to as incapacitation. By incapacitating larger numbers of people for longer periods of time, there should be a reduction in crime rates; however, the relationship between mass imprisonment and crime rates is complex.

Spelman (2000) reports that about 25 percent of the drop in violent crime can be attributed to mass imprisonment, but the greatest decrease in crime rates can be attributed to other factors. One study suggests that the strong economy in the 1990s, which produced jobs and opportunities for low-wage workers, contributed to a 30 percent decline in crime rates (Freeman and Rogers 1999). Other studies suggest that decreases in crime can be attributed to changes in the crack cocaine drug market (Musto 1999; Levitt 2004). Also, community policing strategies have contributed to falling crime rates, decreasing crime rates in San Diego alone by more than 40 percent (Eck and Maguire 2000).

Research suggests that the reliance on mass incarceration as a means to decrease crime rates may not be as effective as other interventions (Heckman et al. 2010; Piquero et al. 2009; King et al. 2005). Investments in drug treatment and school completion programs prove to be more cost-effective than investments in incarceration and enforcement approaches (Aos et al. 2001; Aos 2005; Rydell and Everingham 1994; Caulkins et al. 1997). Investments in early childhood development programs have also

been shown to reduce criminality (Heckman et al. 2010; Piquero et al. 2009). Such findings call into question whether the crime reducing benefits of mass incarceration are worth the financial and social toll that is exacted on society, especially when alternatives have proven useful in reducing crime at a lower financial and social cost to individuals and their communities (Durlauf and Nagin; Aos et al. 2001).

### **Effects of Mass Imprisonment**

According to the Pew Research Center for the States (2011), current estimates suggest that about 1 in 100 adults are in custody in the United States; however, incarceration rates are not evenly distributed across racial, gender, class, and age lines (Mauer 2003b; Mauer 2011). Over 90 percent of all prison and jail inmates in the United States are male, and about two-thirds of prisoners are between the ages of 18 and 35 (Western 2007). According to the U.S. Census Bureau (2013), African Americans and Hispanics combined make up approximately 30 percent of the U.S. population, yet two-thirds of prisoners in the U.S. are African American or Hispanic. Also, African American men are six to eight times more likely to be incarcerated than are whites (Western 2007; Carson and Golinelli 2012). Approximately one-third of African American males will spend time in prison during their lifetimes (Bonczar 2003).

Racial disparities in incarceration rates become more striking when you consider levels of education (Pettit and Western 2004). In 2000, one in three young African American high school dropouts were incarcerated, compared to just 1 in 25 college-educated African Americans (Western 2007). In general, on any given day, ten percent of African American men are incarcerated, and of those without a high school diploma,

60 percent can expect to spend time in prison during their lifetimes (Pettit and Lyons 2009; Pew Center for the States 2011; Pettit and Western 2004).

Spending time in prison can have negative effects on individuals in regard to employment and wages (Freeman 1992; Grogger 1995; Pettit and Lyons 2007; Waldfogel 1994; Western and Beckett 1999; Western et al. 2001; Pager 2003, Western 2002, Western 2006), health (Binswanger et al. 2007, London and Myers 2006), and political participation (Manza and Uggen 2006, Alexander 2010). In addition to the negative effects incarceration has on individuals, the removal of large numbers of offenders from a particular area can have negative effects on their families and communities (Clear 2007).

When removing offenders from the community, one not only removes the negative aspects, such as the crime for which these individuals are responsible, but also the positive elements, such as the emotional and financial support to families, that the particular offenders may provide (Clear et al. 2003, Clear 2007). Rose and Clear (1998) refer to this process as “coercive mobility.” The idea behind coercive mobility, drawing from social disorganization theory, is that areas with high rates of outward mobility will lack a stable infrastructure to sustain levels of informal social control; therefore, crime will flourish in these communities (Clear et al. 2003; Frost and Gross 2012; Clear 2007; Rose and Clear 1998). Though mass incarceration has undoubtedly affected the entire nation, it seems that Southern states, as compared to states in other regions, are feeling the impact of this. Of the 14 states with higher than national average incarceration rates, ten of them are in the South (Harrison and Beck, 2006).

Policies over the last few decades that led to our current phenomenon of mass imprisonment have been particularly tough on African Americans and women (Christian

and Thomas 2009; Western 2007; Mauer 1999; Wacquant 2001; Pettit and Western 2004; Stevenson 2011; Joseph and Pearson 2002; Chesney-Lind 2002; Frost et al. 2006). The “war on drugs” is largely to blame for increased levels of incarceration for both African Americans and females (Roberts 2004; Mauer 2003a; Mauer 2003b; Duke 2009; Stevenson 2011; Mauer 1999). With this in mind, causes and consequences of imprisonment for these two groups will be examined, paying particular attention to the role that drugs play in their situations.

### **African Americans and Mass Imprisonment**

On any given day, one out of every three African American males in their twenties is either in prison or jail, on probation, or serving parole (Mauer 1999; Wacquant 2001). In all, incarceration rates for African Americans are about eight times higher than the rates for whites (Pettit and Western 2004). One explanation for the racial disparity in incarceration rates examines the disproportionate effects of the “war on drugs” (Stevenson 2011). Pettit and Western (2004) suggest that the decline in occupational opportunities in inner cities made low-skilled workers more vulnerable to the “get tough on crime” and “war on drugs” policies. Because they lack opportunities, it makes sense that disadvantaged African American men would turn to drugs and criminal lifestyles. Joseph and Pearson (2002) link drug use to the social environment. The authors suggest that living in deteriorated neighborhoods, facing racism from whites, and generally lacking economic opportunity could influence blacks to look to drugs to help them escape their circumstances (Joseph and Pearson 2002). African Americans may also turn to crime in general and drugs in particular because of the financial gains associated with them. Especially in urban areas, an inner-city youth can make more

selling drugs in a day than he or she can make working at a fast-food restaurant in a month (Joseph and Pearson 2002).

In addition to imprisonment, convicted felons face additional punishments imposed by law of which many people are unaware (Travis 2002; Petersilia 2003). These additional consequences have been termed “invisible punishments” (Travis 2002; Mauer 2003b). Many states deny convicted felons the right to vote, and some states terminate parental rights of convicted felons and consider a felony conviction as grounds for a divorce (Mauer 2003b; Buckler and Travis 2003; Petersilia 2003). In many states, convicted felons are denied the ability to run for public office or serve on a jury (Petersilia 2003). In addition to these punishments, some states require that anyone ever convicted of a felony register with local law enforcement (Buckler and Travis 2003; Petersilia 2003).

Some of the most severe punishments, not only for convicted felons, but also for their families, are those related to welfare and public housing. A welfare reform act in 1996 imposed a lifetime ban from assistance and food stamps for those with felony drug convictions (Mauer 2003b; Petersilia 2003). There were no exemptions from this ban, not even for pregnant women or those suffering from HIV/AIDS (Rubinstein and Mukamal 2002, Buckler and Travis 2003). In 1996, there were also changes in the admission and eviction standards for public housing. According to Rubinstein and Mukamel (2002), those applying for public housing had to go through extensive background checks, and if they were permitted housing, they could be evicted for any activity viewed to affect the health and safety of other residents. This also provided that an entire family could be evicted if one person in the household was using drugs or



involved in criminal activity (Rubinstein and Mukamal 2002; Petersilia 2003). Such punishments not only affect the convicted offender, but they also affect their family members.

Many offenders are denied the proper avenues to better themselves upon release. Drug offenders are denied loans for higher education (Mauer 2003b). In some states, convicted offenders can be denied licensure for certain occupations and may not be employed in certain areas such as child care, teaching, health care, and others (Petersilia 2003). If released offenders are not allowed to participate in society, they may lose respect for a legal system that stands to represent that society (Travis 2002).

Such punishments particularly affect African Americans from lower class communities (Mauer 2003b). Because the mass imprisonment phenomenon has specifically targeted African-American communities, 1 out of every 14 black children has a parent in prison. Since their parents' rights for betterment may be dissolved, it seems likely that these children will live in extreme poverty (Mauer 2003b; Travis 2002). When administering punishment, one must consider the recipient of the punishment. Most of the time, it is not only the offender who is receiving the punishment. It is often those close to the offender who are punished most severely for a crime that they did not commit (Braman 2007).

### **Women and Mass Imprisonment**

Mass imprisonment has also disproportionately affected females in the United States. Between 1980 and 2011, the incarceration rate for females increased 587 percent (Carson and Sabol 2012). Between 1995 and 2004, female imprisonment rates jumped 36 percent, while the imprisonment rate for men went up only 17 percent (Frost et al.

2006). Incarceration rates vary by state, and several states, including the state of Mississippi, have female inmate populations that are 20 times higher than they were in 1977 (Frost et al. 2006). Nationally, 65 out of every 100,000 women are in prison (Carson and Sabol 2012).

In general, women have a 1 in 56 chance of being sent to prison in their lifetime; however, the likelihood of being imprisoned varies according to race (Bonczar 2003). African American women have a 1 in 19 chance of being incarcerated in their lifetime as compared to a 1 in 118 chance for white women (Bonczar 2003). The incarceration rate for African American women is 2.5 times higher than that of white women (Carson and Sabol 2012). It is important to note that the gap in incarceration rates for African American and white women has been decreasing in recent years, with white women seeing increases in their rates of incarceration and African American women seeing declines (Goode 2013; Sabol and Couture 2008).

Even though the population of women inmates has increased, it is important to note that most women are serving time for property and drug offenses, as opposed to violent crimes prior to 1980 (Chesney-Lind 2002; Frost et al. 2006). One explanation for women's increasing incarceration rate is the "feminization of poverty" (Naffine 1987; Belknap 2001). In general, women in society are more likely to be poor than are men. Several phenomena have contributed to this disparity, including the dual labor market, in which women are disproportionately employed in low wage jobs, high rates of divorce and single women with children, and high costs of medical care, housing, and child care (Eitzen and Smith 2009). Property and drug crimes may represent opportunities to make ends meet, especially when legitimate economic opportunities for women are weak.

According to Diaz-Cotto (1996), women's drug selling is an indicator of the feminization of poverty.

Some of the factors that have contributed to the rapid increase in female incarceration rates may be unique to women, but much of the growth in the women's prison population is due to the same factors that have influenced the overall prison population growth in the United States. Mandatory sentencing and the "war on drugs" have widened the net of offenders and have increased the amount of time that these offenders will actually spend behind bars (Frost et al. 2006; Chesney-Lind 2002). Chesney-Lind (1997) claims that the "war on drugs" has become a "war on women," leading to an increase in female incarceration rates.

Researchers have found several other factors related to the incarceration of women (Christian and Thomas 2009; Frost et al. 2006; Greenfeld and Snell 1999). According to Greenfeld and Snell (1999), almost half of women offenders have never been married, the majority have never completed high school or obtained a GED, and 70 percent of these women have children under the age of 18. Also, women offenders tend to come from poverty stricken communities that lack social support systems (Holtfreder et al. 2006). Female offenders are disproportionately victims of physical and sexual abuse as children, and 44 percent of women offenders report being sexually or physically assaulted during their lifetimes (Greenfeld and Snell 1999; Harlow 1999). Also, physical and mental health problems, along with substance abuse, plague female offenders (Frost et al. 2006; James and Glaze 2006; Peters et al. 1998; Messina and Grella 2006). Forty percent of female offenders, compared to just 32 percent of male offenders, report being under the influence of drugs at the time of crime commission (Greenfeld and Snell 1999).

Also, approximately 30 percent of female offenders report receiving welfare assistance right before their arrest (Greenfeld and Snell 1999).

The effects of mass incarceration produce unique challenges for women in regard to their families. Women overwhelmingly tend to be the sole caregivers of children as compared to men in the system (Townhead 2006). Over 80 percent of mothers in prison want to reunite with their children upon release; however, this wish is extremely difficult given that less than half of incarcerated mothers actually receive visits from their children while behind bars (Frost et al. 2006). Incarceration of male and female family members has consequences for their families, yet the incarceration of mothers, especially single mothers, causes their children a heightened experience of trauma and anxiety (Roberts 2012; Murray and Farrington 2008; Petersilia 2003). Often, children of incarcerated women are moved around from one caregiver to the next, and they tend to be separated from their siblings (Richie 2002, Frost et al. 2006, Pogrebin and Dodge 2001; Roberts 2012).

Even if incarcerated women attempt to be reunited with their children upon release, they face additional restrictions in the arenas of public housing, welfare, financial aid for education, and employment (Peterisilia 2003). Allard (2002) explains how those convicted of felony drug offenses may receive a lifetime ban from federal welfare benefits. This ban is especially detrimental to women since this type of assistance may be all they have to support themselves and their families after release. If released female offenders have access to welfare and other forms of social support to address their short-term needs, such as housing and food, then their odds of re-offending decrease by 83 percent (Holtfreter et al. 2006). Given that these women will have no skills, no jobs, no

housing or welfare benefits, they will be ill-prepared to resume familial responsibilities and will quite often have their parental rights terminated (Pogrebin and Dodge 2001, Allard 2002, Frost et al. 2006; Dodge and Pogrebin 2001; Petersilia 2003).

Clearly, the punishment of incarcerated women, in many cases, is a form of punishment for their entire family. Because women are more often convicted of non-violent offenses and they have lower recidivism rates than men, they may be better candidates for community-based sanctions (Immarigeon and Chesney-Lind 1992; Frost et al. 2006). If women are able to maintain ties to their family and community, either through visitation in prison or by serving a community based sanction, they may be less likely to re-offend (Bales and Mears 2008).

The consequences of mass imprisonment would be more palatable if there was evidence that such high rates of incarceration deter criminality in previous and potential offenders. The reality is that mass imprisonment has not been shown to dramatically decrease crime rates in society, and when acknowledging the rather high levels of re-offending, it becomes apparent that incarceration does not decrease criminality in offenders either (Langan and Levin 2002; Spelman 2000).

The next section of this research seeks to examine why such high rates of incarceration do not seem to have a deterrent effect on future offending. The historical foundations of deterrence theory will first be discussed. Then, the basic principles of deterrence theory will be independently addressed in order to understand their utility in explaining offending.

## **Incarceration and Deterrence**

One of the major goals of tougher sentencing policies over the past few decades has been deterrence, but deterrence has not always been a major research agenda or sentencing goal (Wright 2010; Petersilia 2003). In the following section, the historical foundations of deterrence theory will be discussed.

### **History of Deterrence Research**

The conceptual foundations for deterrence and rational choice theories are drawn from the classic works of Cesare Beccaria (1764) and Jeremy Bentham (1789). In *On Crimes and Punishment*, Beccaria (1764) argued that punishment should be proportionate to the crime committed. In other words, crimes that cause the most harm to society should be punished more severely than crimes that cause less harm. In addition, punishments that are certain to occur, severe enough to offset any anticipated gains from crime, and occur soon after the crime, should prevent crime from occurring (Beccaria 1764). Beccaria (1764) asserted that it was more important to prevent crimes than to punish them, and the best way to prevent crimes was with clearly defined laws associated with certain, swift, and proportionate punishments. Beccaria's work served as a guide on how to make legal systems more efficient and rational, and he did discuss the characteristics of punishment that form the foundation of deterrence; however, he provided no fully developed theory of criminal behavior (Paternoster 2010). On the other hand, Bentham (1789) offered a more developed theory of human behavior that serves as the foundation for rational choice theory (Paternoster 2010).

In *An Introduction to the Principles of Morals and Legislation*, Bentham (1789) argued that all human behavior is guided by two goals: maximizing pleasure and

minimizing pain. When faced with alternative courses of action, man will choose the one in which the benefits outweigh the associated costs (Bentham 1789). In discussing pain and pleasure, or costs and benefits, associated with crime, Bentham (1789) argued that there are four sources: physical, political, moral, and religious. In regard to crime, a potential physical pleasure would be the financial gain from breaking into someone else's home. A potential physical pain may come from injuries sustained during crime commission. Political pain comes from the legal sanctions one may encounter after criminal activity. Moral pleasure and pain may come from the reputation one receives after crime commission, albeit good or bad. Religious sources of pain and pleasure refer to anticipated rewards or damnation in the afterlife. These sources of pain and pleasure are an important addition to our understanding of human behavior in general, and crime in particular, because they provide not only for legal sanctions, but also informal sanctions, that an offender may consider in his or her decision to commit crime (Paternoster 2010). Even though Beccaria and Bentham offered fairly well-developed explanations of the causes of crime at the end of the 18<sup>th</sup> century, their ideas were largely ignored in favor of more biological and psychological explanations of criminal behavior that attributed crime to defects of particular individuals, not to the shortcomings of society (Rafter 2008; Paternoster 2010).

Deterrence theory was largely ignored by generations of criminologists, but separate works by Gary Becker and Jack Gibbs brought deterrence back to the forefront. Becker (1968) argued that crime could be understood like any kind of economic activity, through a cost-benefit analysis. Becker (1968), like Bentham (1789), believed that

people would choose crime over alternative courses of action when the benefits, or pleasure, derived from crime exceed the costs, or pain, associated with crime.

Gibbs (1968) was less interested in the utilitarian ideas offered by both Bentham (1789) and Becker (1968) and more concerned with whether legal sanctions actually reduced crimes. To test the effects of certainty and severity of punishment, Gibbs (1968) examined crime rates in various states. He found that states with higher levels of certainty and severity of punishment had lower homicide rates. By finding empirical support for deterrence theory, Gibbs (1968) sparked interest in deterrence research among sociologists and criminologists. By the mid-1970s, deterrence research was prominent in the field of criminology (Paternoster 2010).

More than two centuries after Beccaria (1764) and Bentham (1789) introduced deterrence and rational choice concepts, Stafford and Warr (1993) observed that traditional notions of deterrence focused only on the effects of being punished and largely ignored the effects of avoiding punishment. The experience of avoiding punishment for a crime that was committed may do as much, or more, to encourage crime commission as the experience of receiving punishment does to deter criminal behavior (Stafford and Warr 1993). People are deterred from future criminality by a combination of personal experience with receiving or avoiding punishment (specific deterrence) and vicarious experience of others receiving or avoiding punishment (general deterrence) (Stafford and Warr 1993; Sitren and Applegate 2012). Receiving punishment, or knowing of others who have received punishment, should decrease likelihood of offending. Also, having avoided punishment, or knowing of others who have avoided punishment, should increase likelihood of offending.



In the following section, the basic principles of deterrence theory will be addressed in regard to their relevance and utility in explaining offending. More specifically, the following section will explain why the certainty and severity of punishment, along with prior punishment, may not adequately deter potential offenders from criminal activity.

### **Principles of Deterrence Theory**

For the policies associated with mass imprisonment to have a deterrent effect, they must be perceived as certain to occur and severe enough to outweigh any benefits that would come from the commission of crime. In addition, potential offenders must have knowledge of a particular sanction, and they must have certain beliefs about that sanction if it is to factor into their criminal decisions (Beyleveld 1979; Kirk et al. 1980; Von Hirsch et al. 1999). In the United States, prison sentences are designed to deter, but as the number of inmates has risen, there has been no substantial drop in crime that can be directly related to mass imprisonment (King et al. 2005).

The idea that prison conditions are deplorable and threatening may hold true for the majority of citizens, but one cannot assume that prison conditions will be received in the same manner for the majority of offenders (Petersilia 1990). In designing sanctions, law-makers have overlooked some very important facts. First of all, many offenders may reject the norms of conventional society outright (Travis 2002; Petersilia 1990). Second, most offenders come from communities with substandard living conditions (Pettit and Western 2004; Joseph and Pearson 2002; Holtfreder et al. 2006). If offenders' values, norms, and standards differ from those of the majority of citizens, then their views of particular sanctions may also differ.

The next section will examine how the certainty of punishment is perceived by different groups of people and if those perceptions of certainty affect likelihood of offending.

### *Certainty*

According to deterrence literature, people are deterred from committing crime if the punishment for that crime is certain or likely to occur (Beyleveld 1979; Beccaria 1764; Wright 2010). Even if potential offenders believe that punishment is certain to occur, that perceived certainty may affect different people in different ways. For example, African Americans and whites should differ in their perceptions of certainty of punishment because African Americans are more likely to be punished because of an assumed racial bias in the criminal justice system (Fagan and Meares 2008). Given this, it appears that African Americans would be less likely to self-report re-offending upon release than whites due to their perceived certainty of punishment; however, perceived certainty of punishment does not seem to deter all offenders equally.

It has been argued that prison sanctions would serve more as a deterrent if the offender's reputation or social standing was diminished in light of the punishment (Zimring and Hawkins 1973). It is true, particularly in some communities, that going to prison would injure a person's reputation and social standing in that community; however, we cannot assume that this happens in all communities. In fact, going to prison may actually enhance some offenders' statuses in their communities (Fleisher 1995). Tunnell (1992) points out that criminal behavior is not looked down on by associates of an offender because criminal behavior is not viewed as deviant, but as normal behavior. Because almost one in three African American males will come under the control of the

criminal justice system, going to prison is almost like a rite of passage, especially in the African American community (Pettit and Western 2004, Irwin and Austin 1997, Garland 2001, Mauer 1999). Keeping these things in mind, it is unlikely that the certainty of prison sanctions would serve as an equal deterrent for all offenders.

Along with perceptions of certainty of punishment, perceptions of sanction severity should also affect potential offenders' decisions on whether or not to participate in criminal activity. The utility of sanction severity as a deterrent will now be discussed.

### *Severity*

The notion of deterrence is mediated on the premise that more severe punishment should deter most effectively. With the exception of capital punishment, incarceration in general is assumed to be the most punitive sentence. However, research on the perceptions of sanctions suggests this may no longer be a safe assumption (May and Wood 2010; May et al. 2008; Wood and Grasmick 1999, Crouch 1993, Fleisher 1995, Petersilia 1990, Petersilia and Deschenes, 1994a, Petersilia and Deschenes 1994b, Spelman 1995, May et al. 2005; Wood and May 2003, Apospori and Alpert 1993).

There are many punishments, including probation, community service, day reporting, intermittent incarceration, halfway house, electronic monitoring, day fine, boot camp, county jail, and prison, that may be used to punish offenders. When considering a continuum of sanction severity, one might assume that regular probation would be the least severe, because it allows the offender to stay in the community and it does not necessarily require him to hold down a job or attend treatment programs. Of course, the offender is expected to meet certain requirements and is subject to searches and drug

tests, but, for the most part, he or she is allowed to remain in the community and live a normal life, at least compared to a life lived in prison.

Aside from regular probation, there are other sanctions that allow the offender to remain in the community. The different sanctions have their own particular stipulations and requirements, and the degree of supervision varies with each; however, alternative sanctions, with the exception of county jail and boot camp, allow the offender to remain in his or her community. By abiding by the conditions set forth in each alternative sanction, the offender is able to avoid the seemingly harsh conditions associated with prison life.

In light of such questions, research has been conducted to rank offenders' perceptions of sanction severity (May and Wood 2010; May et al. 2008; Wood and Grasmick 1999; Crouch 1993; Fleisher 1995; Petersilia 1990; Petersilia and Deschenes 1994a; Petersilia and Deschenes 1994b; Spelman 1995; May et al. 2005; Wood and May 2003, Apospori and Alpert 1993). Research has found that some offenders would rather serve a prison sentence and be released than waste time serving alternative sanctions with many tough stipulations, increasing the risk that they will not meet some condition and be revoked to prison anyway (Petersilia 1990). Wood and Grasmick (1999) found that nearly 30 percent of all male inmates would prefer to serve a brief prison sentence over any amount of intensive supervision probation (ISP). May and Wood (2010), Spelman (1995), and Wood and Grasmick (1999) found evidence that offenders do not rank prison as the most severe sanction. Spelman (1995) found that 75 percent of offenders rated at least one intermediate sanction as more severe than incarceration. Wood and Grasmick (1999) came up with a ranking of sanctions according to the degree of severity that

offenders associated with them. Offenders consistently ranked prison as less severe than boot camp, county jail, and day reporting. It seems that many offenders view alternative sanctions as a gamble (Wood and May 2003). If they fail to meet a condition, they are revoked back to prison. Many would prefer to serve their time without being harassed by probation officers and other officials (Applegate 2014). In reviewing the literature, it appears that probation and imprisonment do not fall on the low and high ends of the continuum of sanction severity (Morris and Tonry 1990; Wood and May 2003; May and Wood 2010).

In addition to the fact that offenders may rank alternative sanctions as more severe than prison, researchers have also found that preferences for certain sanctions vary by offender characteristics (May and Wood 2010; Spelman 1995; Apospori and Alpert 1993; Petersilia and Deschenes 1994b; Crouch 1993; Wood and Grasmick 1999; Applegate 2014). In regard to age, older offenders seem to prefer prison over probation (Crouch 1993; Spelman 1995). Petersilia and Deschenes (1994a, 1994b) found that married offenders, and those who had children, ranked prison as more severe than their single counterparts. This may help to explain why Wood and Grasmick (1999) and May and Wood (2010) found significant gender differences in rankings of sanction severity and willingness to serve alternative sanctions. Differences were also found in offenders' perceptions of sanction severity when considering previous incarceration experience. Spelman (1995) and May and Wood (2010) found that those who had served a previous prison term were more likely to choose another prison term over intensive supervision probation, and Wood and Grasmick (1999) found that offenders who had experienced alternative sanctions were more likely to rank those particular sanctions as more severe.

This is further evidence that society's perceptions of sanction severity should be called into question.

One of the most significant differences in the perceptions of sanction severity comes from race. Crouch (1993) and Spelman (1995) find that race is the strongest predictor of prison preferences. Crouch (1993) contends that African Americans adjust better to prison than whites because of their relationships to those already in prison. It is fairly common for African Americans to find friends and relatives in prison who could provide them with information, protection, as well as material goods (Crouch 1993). Also, African Americans coming from urban areas may already be used to the violence and deprivations that are associated with prison terms (Crouch 1993). Applegate (2014) contends that African Americans are less likely to perceive prison as a severe sanction, especially if they are from neighborhoods with high incarceration rates. Due to these reasons, African Americans may adjust better to prison life and may be more likely to choose prison, as compared to whites, if given alternatives.

May and Wood (2010), Wood and May (2003), May et al. (2005), and May et al. (2003) offer further evidence to Crouch's claim. Wood and May (2003) found that African Americans were more likely than whites to choose prison rather than an alternative. In fact, they found that whites were willing to serve two times the amount of an alternative than were African Americans to avoid specific amounts of time in prison (Wood and May 2003). Not only are whites less likely to choose prison over alternatives, but they are also more likely to do significantly more time of an alternative than are African Americans to avoid prison.

To better understand the reasons for sanction preference, Wood and May (2003) asked offenders how important certain reasons were for avoiding alternative sanctions. The most important reason to avoid alternative sanctions was that failure to complete the alternative would land one back in prison, and this seemed important to both African Americans and whites (Wood and May 2003). African Americans, more so than whites, reported that officers are too harsh while serving alternatives, they are abusive, and they try to revoke one back to prison. African Americans were also more likely to report that serving a prison sentence is less of a hassle than is serving an alternative sanction, and 37 percent of African Americans, compared to 24.5 percent of whites reported that “in general, living in prison is easier than living outside prison” (Wood and May 2003). Such statements offer proof that offenders differ in their perceived severity of prison sanctions, and these perceptions may affect their likelihood of re-offending upon release.

The purpose of discussing prison versus alternative sanctions is to show that offenders differ in their views of sanction severity. Many offenders do not view prison as a severe sanction, at least in comparison to other sanctions that would allow the offender to remain in the community. This leads one to wonder if there are structural conditions in society at large as compared to prison society that would cause an offender to view prison as less severe. Regardless of the reasons, one must be careful in assuming that the severity of prison sanctions would deter an inmate from re-offending.

#### *Prior Punishment*

Besides perceived certainty and severity of punishment, an offender’s experience with receiving or avoiding punishment should affect likelihood of re-offending (Stafford and Warr 1993). Receiving punishment, or knowing of others who have received

punishment, should decrease likelihood of offending. Also, having avoided punishment, or knowing of others who have avoided punishment, should increase likelihood of offending. Having received prior punishment should also serve as a deterrent by increasing perceptions of the certainty and severity of punishment. If one commits a crime and is punished for that crime, then the costs associated with that crime should outweigh the benefits of committing that crime. Research has shown that this is not necessarily the case. When considering previous incarceration, Spelman (1995) found that those who had served a previous prison term were more likely to choose another prison term over intensive supervision probation. This is further evidence that society's perceptions of sanction severity and the deterrent effect of prior punishment should be called into question.

Clearly, the certainty and severity of punishment, along with prior punishment do not deter all offenders equally. The next section will further examine the utility of the basic elements of deterrence theory by reviewing previous empirical research.

### **Deterrence Research**

If incarceration has a deterrent effect, there should be an inverse relationship between imprisonment and crime (Paternoster 2010; Bhati and Piquero 2008; Listwan et al. 2013). Numerous studies have examined the effect of imprisonment on crime rates (Kleiman 2009; Raphael and Stoll 2009; Hughes et al. 2001; Langan and Levin 2002; Nieuwbeerta et al. 2009; Spohn and Holleran 2002; Cullen et al. 2011; Nagin et al. 2009). Evidence of imprisonment having a deterrent effect comes from Levitt (1996), Levitt (2004), and Spelman (2000). Levitt (1996) suggests that for each additional year of imprisonment, fifteen index crimes are prevented. This may exemplify a general



deterrent effect; however, one cannot rule out that the decrease in index crimes is due to an incapacitation effect (Listwan et al. 2013). In other words, those who are locked in prison are unable to commit crimes while incarcerated. This does not necessarily mean that they are deterred from doing so. Spelman (2000) indicates that for every 10 percent increase in incarceration there was a 2-4 percent decline in crime. Levitt (2004) suggests that at least one third of the decline in crime rates between 1990 and 2000 was due to the use of imprisonment.

Reentry literature, showing high rates of recidivism, suggest that imprisonment does not deter offenders from future criminality (Langan and Levin 2002; Petersilia 2003; Hughes et al. 2001). Studies evaluating the effectiveness of prison versus community sanctions suggest that prison does not deter crime any more than do community sanctions, and prison was also shown to have a criminogenic effect (Wood 2007; May and Wood 2010; Cullen et al. 2011; Nagin et al. 2009).

Research also examines the relative effects of the severity and certainty of punishment on offending. In general, research shows that increasing the certainty of punishment has a more pronounced deterrent effect than increasing the severity of punishment (Wright 2010; Nagin and Pogarsky 2001). Nevertheless, a number of studies link perceived certainty of punishment and increased crime rates, especially in areas where the stigma associated with going to prison is low (Hirschfield 2008; Nagin 1998). In regard to sentence severity, research fails to support its deterrent effect (Doob and Webster 2003; Gendreau et al. 1996). In a review of 50 studies testing the effect of severity on re-offending, Gendreau et al. (1999) found that lengthier sentences actually increased likelihood of re-offending.

Studies have also tested the effects of punishment experiences on likelihood of offending. Three studies found nonsignificant relationships between prior punishment and self-reported likelihood of offending (Piquero and Pogarsky 2002; Sitren and Applegate 2007; Piquero and Paternoster 1998). Having been stopped by the police while driving under the influence was not shown to affect likelihood of doing so in the future (Piquero and Pogarsky 2002). Also, having been caught cheating on an exam had no significant effect on likelihood of cheating in the future (Sitren and Applegate 2007). Piquero and Paternoster (1998), using secondary data, failed to find a significant relationship between previous arrests and driving under the influence.

Several studies have found significant relationships between prior punishment and likelihood of future offending; however, these studies showed effects that were opposite of those predicted by deterrence theory (Wood 2007; May and Wood 2010; Piquero and Paternoster 1998; Paternoster and Piquero 1995; Sitren and Applegate 2006). Having been stopped while under the influence was shown to actually increase likelihood of that behavior in the future (Piquero and Paternoster 1998; Sitren and Applegate 2006). Also, Paternoster and Piquero (1995) demonstrated that high school students were more likely to use drugs and alcohol if they had prior contact with the criminal justice system.

Wood (2007) further examines this “positive punishment effect” using an inmate population, as opposed to using high school students or those involved in relatively minor offenses. Measures of past punishment experiences, having previously served time in a juvenile facility, having previously served time in an adult facility, total months served prior to current incarceration, and number of alternative sanctions ever served, had a significant and positive effect on likelihood of re-offending; however, measures of

current punishment had a significant negative relationship with likelihood of re-offending.

Research examining the effect of vicarious punishment experiences on likelihood of re-offending does not support predictions made by deterrence theory. Two studies found a nonsignificant effect of others being punished on an offender's likelihood of cheating (Sitren and Applegate 2007) and driving under the influence (Sitren and Applegate 2006). Piquero and Paternoster (1998) found that knowing of friends being arrested for driving under the influence actually increased the likelihood that respondents would do so in the future.

Several studies also examined the effect of punishment avoidance on likelihood of offending and found both specific and general deterrent effects. Juveniles who had avoided punishment for using drugs and alcohol were more likely to use drugs and alcohol in the future (Paternoster and Piquero 1995). Those who had avoided punishment for cheating on college exams were more likely to do so in the future (Sitren and Applegate 2007). Also, those who had driven under the influence and never been caught were more likely to continue to do so in the future (Piquero and Paternoster 1998; Piquero and Pogarsky 2002; Sitren and Applegate 2006). Knowing of others who had avoided punishment was also shown to increase likelihood of offending (Piquero and Pogarsky 2002; Sitren and Applegate 2006; Sitren and Applegate 2007).

One limitation of deterrence studies that have tested the effects of punishment experiences as conceptualized by Stafford and Warr (1993) is that they do not use offender samples to draw their conclusions. The study by Sitren and Applegate (2012) tests Stafford and Warr's (1993) deterrence propositions on an offender population. In

contrast to prior studies, Sitren and Applegate (2012) determined that personal or vicarious avoidance of punishment did not lead to an increase in offending.

The Sitren and Applegate (2012) study thus shows that the threat of punishment may have less of a deterrent effect on criminally prone individuals than on law-abiding citizens (Pratt et al. 2006; Wright et al. 2004; Piliavin 1986; Decker et al. 1993).

Another limitation of deterrence research in general is that it tends to focus on the formal costs and benefits associated with crime commission, paying less attention to the informal costs and benefits that may factor into one's decision to commit crime (Grasmick and Bursik 1990). If offenders only experience formal punishment for their crimes, such as prison time, and they do not experience informal consequences, such as shame, loss of job, or loss of important relationships, then they may not be deterred by the threat of punishment (Sitren and Applegate 2012). Future research should examine if and how formal and informal consequences affect likelihood of re-offending. Research should also focus on how these consequences affect offender populations, especially when using research to inform sentencing policy.

Considering that incarceration does not deter offenders equally from future offending and that previous empirical research on deterrence has not consistently shown support for the theory either, one must consider another possibility: imprisonment may actually increase likelihood of re-offending. This positive relationship between incarceration and likelihood of re-offending will be discussed in the following section.

### **Recidivism**

According to Pew Center on the States (2011: 7), "Recidivism is the act of reengaging in criminal offending despite having been punished." In other words, re-

offending, or recidivism, refers to the commission of at least one crime after being incarcerated (Nagin et al. 2009). Recidivism rates may reflect the proportion of released offenders who are re-arrested, reconvicted, resented to prison, and those who return to prison with or without a new sentence (Langan and Levin 2002). One must be mindful of this when comparing recidivism rates. Recidivism studies typically follow offenders for three years after release from prison (Pew Center on the States 2011).

### **Recidivism Studies**

The Bureau of Justice Statistics released results from one of the largest recidivism studies ever conducted, *Recidivism of Prisoners Released in 1994*. This report, written by Langan and Levin in 2002, had several important findings. The authors found that 67 percent of released inmates were rearrested within three years of their release date. Of those who were released, 47 percent were convicted of a new crime, and 25 percent returned to prison for a new crime that was committed. When including those who had technical violations with those who committed new crimes, about 52 percent of released offenders returned to prison within three years (Langan and Levin 2002).

Langan and Levin (2002) also found that recidivism rates vary by offense type. Offenders who had committed property crimes had the highest recidivism rate (73.8%), followed by drug offenders (66.7%). Violent offenders had the lowest recidivism rate (61.7%). When examining recidivism rates by offense type, it appears that those who were imprisoned for crimes motivated by money or property were more likely to re-offend than those who were not motivated by material gain (Langan and Levin 2002).

According to Langan and Levin (2002), 30 percent of released inmates were re-arrested within the first six months of release and 44 percent were re-arrested within the

first year of release. This “two-thirds rearrest rate” has been documented since 1969, when Daniel Glaser published *The Effectiveness of a Prison and Parole System* (Petersilia 2003: 141). Several other national studies on recidivism have been conducted since that time, and they all report similar recidivism rates (Gottfredson and Gottfredson 1994, Greenfeld 1985, Beck and Shipley 1987). Greenfeld (1985) reports that after three years, an offender’s risk of recidivism declines substantially and becomes extremely low if re-arrest does not occur within five years.

There were several other important findings in the Langan and Levin (2002) study. The authors found that prior arrest records were related to recidivism rates for released offenders. With each additional previous arrest, the chances of recidivism increased (Langan and Levin 2002). For example, those offenders who had one prior arrest had a 41 percent recidivism rate within three years. Those offenders who had 15 or more prior arrests had a recidivism rate of 82 percent within the first three years and 61 percent within the first year of release (Langan and Levin 2002).

Langan and Levin (2002) also found that offenders who were arrested at younger ages had higher recidivism rates than those who were arrested later in life. Those who were arrested under the age of 18 had a recidivism rate of more than 80 percent, while those who were 45 or older when they were arrested had a recidivism rate of 43 percent. Langan and Levin (2002) also found that race and gender were associated with recidivism rates. African Americans had a recidivism rate of 73 percent as compared to 63 percent for whites. Women had a recidivism rate of 57 percent, while men had a recidivism rate of 68 percent.

Peterisilia (2003) points out that it is important to compare the Langan and Levin's (2002) study with the study by Beck and Shipley (1989). Beck and Shipley's (1989) study, *Recidivism of Prisoners Released in 1983*, tracked prisoners who had served time when rehabilitation was still an important goal of prison. The expectation would be that recidivism rates should have declined for the offenders in Langan and Levin's (2002) study, because they were imprisoned during a time of more severe punishments, when the goals of deterrence and incapacitation superseded the goals of rehabilitation in America's prisons (Petersilia 2003). The findings for both studies are similar; however, there are several trends that should call for concern.

Both the Langan and Levin (2002) and Beck and Shipley (1989) studies show an overall two-thirds re-arrest rate, and that males, young people, minorities, property criminals and those with prior arrest records have higher recidivism rates as compared to their counterparts. Unfortunately, the recidivism rate for those offenders released in 1994 was five percent higher than the recidivism rate for those offenders released in 1983. The recidivism rate for drug offenders increased substantially from 50 percent in the Beck and Shipley (1989) study to 67 percent in the Langan and Levin (2002) study.

A more recent study on recidivism was published by Pew Center on the States (2011). The recidivism rates published in this study were mainly concerned with the prison recidivism rate. The prison recidivism rate is the "proportion of persons released from prison who are rearrested, reconvicted or returned to custody within a specific time period" (Pew Center on the States 2011: 7). Offenders can be returned to prison for either being convicted of a new crime or violating the conditions of their release, such as

failing a drug test or failing to report to their supervising officer (Pew Center on the States 2011).

The report by Pew Center on the States (2011) is important because it allows for a state-by-state comparison of recidivism rates. This study shows that 43.3 percent of those released in 2004 were returned to prison within three years for either a new crime or for violating their conditions of release. When comparing these findings with those of the Langin and Levin (2002) study, the Pew Center on the States (2011) study reports that when controlling for differences in survey methods and excluding the state of California, which skewed the national data, prison recidivism rates between 1994 and 2007 have remained around 40 percent. This number is particularly disappointing when considering the massive increases in corrections expenditures that have taken place during this time period.

Clearly, a large percentage of inmates re-offend upon release. Is it the individual characteristics of offenders, the experience of being incarcerated, or society's response to offenders once they are released that leads them to re-offend ?

### **Individual Predictors of Recidivism**

Gendreau et al. (1996) analyzed 131 studies to determine offender characteristics that were linked to recidivism. The authors separated these characteristics into two separate categories. The first category included "static factors," or characteristics that could not be changed. Statistically significant "static factors" included adult criminal history, race, juvenile antisocial behavior, family rearing practices, current age, intellectual functioning, family/parent criminality, gender, and socioeconomic status



(Gendreau et al. 1996). The largest correlations for the static factors were for adult criminal history (.17) and race (.17).

The second category of characteristics linked to recidivism was called “dynamic factors” (Gendreau et al. 1996). The dynamic factors included values and behaviors that could be changed. These were factors that could be used to design treatment programs aimed at reducing recidivism. Dynamic factors related to recidivism were companions, antisocial personality, social achievement, interpersonal conflict, substance abuse, and personal distress (Gendreau et al. 1996). The largest correlations for the dynamic factors were companions (.21) and antisocial personality (.18).

When examining all of the factors, the authors point out that the dynamic factors are more effective at predicting recidivism than are the static factors (Gendreau et al. 1996). This finding is encouraging because it suggests that the characteristics most associated with recidivism can be altered to possibly reduce a particular offender’s likelihood of reoffending.

### **The Prison Experience and Recidivism**

In a review of the research, it appears that having served time in prison may actually increase an offender’s likelihood of re-offending upon release; however, little is known about how the experience of being incarcerated would increase criminality. Nagin et al. (2009) examines the relationship between serving time in prison and recidivism. Once incarcerated, offenders often become socialized into a prison subculture. According to Sykes (1958), the prison culture develops as inmates try to deal with the deprivations, or “pains” of imprisonment. In other words, Sykes (1958) views prison culture as a response to prison life. Irwin and Cressey (1962) suggest that prison

culture is simply a reflection of the culture, values, and lifestyles that inmates bring with them when they enter into prison. As inmates interact on a daily basis with other inmates who value things such as violence and toughness, their commitments to a criminal lifestyle are further developed and reinforced (Goffman 1961; Kassebaum et al. 1971; Sykes 1958; Wheeler 1961; Akers 1998).

Another reason prison may increase likelihood of re-offending is because it does not provide appropriate treatment for all offenders (Nagin et al. 2009; Gendreau et al. 1999; Andrews and Bonta 2006; Smith et al. 2009). Smith et al. (2009) suggests that an offender's risk of re-offending should be considered before choosing an appropriate intervention. In fact, low-risk offenders will be more likely to re-offend if they are incarcerated (Smith et al. 2009).

By arresting someone and labeling them as a criminal, quite often the result is that person committing more crime (Hagan 1973). Criminal records linked to ex-prisoners may limit their abilities to be productive members of society (Pager 2007). Ex-prisoners are stigmatized by the negative reactions of police, potential employers, and significant others (Lemert 1951; Cullen and Cullen 1978; Becker 1963). Several studies show that employers are reluctant, and often unwilling, to hire released inmates (Pager et al. 2009; Holzer 1996; Holzer et al. 2006). Once being labeled as a criminal, that person begins to see himself or herself as a criminal. That person will then begin to act in a way that is consistent with the new identity (Hagan 1973). Braithwaite (1989) further explained that labeling through imprisonment leads to future criminality because of the resulting strain (from limited opportunities), forced associations with other criminals, and diminished ties

to one's family and community. These effects will be further examined in the following section.

### **Societal Causes of Recidivism**

Once offenders are released from prison, many find that they are not treated as free citizens. There are various federal and state laws that impose restrictions on convicted felons that can inhibit successful reintegration, therefore increasing their likelihood of re-offending (Travis 2002; Mauer 2003b). Travis (2002) describes such restrictions as invisible punishments. These restrictions have severe consequences for offenders, yet they operate largely out of the view of the public. According to Love and Kuzma (1997), convicted felons may lose their rights to hold public office, serve on a jury, or even to vote. Additional restrictions placed on convicted felons affect their opportunities related to employment, housing, parenting, and welfare (Petersilia 2003).

Invisible punishments faced by convicted felons would not be possible without the existence of criminal records. Criminal records, once available only to criminal justice agencies, are now available to the public (Petersilia 2003, Mukamal and Stevens 2002, Johnson 2001). Information available to the public not only includes criminal history, but it also includes personal information such as date of birth, picture, residence location, height, weight, race, hair and eye color, tattoos and scars, driver's license number, aliases, and other personal information (Petersilia 2003).

Disseminating this information may have some public safety benefits; however, it can also have detrimental effects on released offenders who are trying to successfully reintegrate into society. This information can follow offenders for the rest of their lives.

Petersilia (2003) suggests a better policy would be to only disseminate information on

offenders who commit serious crimes or on offenders who have committed crimes within the past five years. Another suggestion would be to only report arrests that were followed by a conviction (Petersilia 2003).

After analyzing nearly 400 studies, Lipsey (1995) reported that employment was the single most important factor in reducing recidivism; however, according to the U.S. Department of Labor, it is legal for employers to consider an applicant's convictions when making hiring decisions. Also, if an employer discovers that an employee failed to disclose conviction information at time of application, that employee can be legally fired from that job (Petersilia 2003).

When employers were surveyed about their likelihood to hire applicants with criminal records, the majority reported that they would be unwilling to do so (Holzer et al. 2002; Holzer 1996; Western et al. 2001). In fact, employers reported that they were less likely to hire ex-offenders than members of any other disadvantaged group because they viewed them to be unreliable and untrustworthy (Holzer et al. 2002).

There are also legal prohibitions to hiring ex-offenders in certain types of jobs. The most common types of jobs that ban ex-offenders are in the fields of child and elder care, education, security, law, real estate, medicine, nursing, physical therapy, engineering, pharmacy, criminal justice, and others (Petersilia 2003). Clear and Cole (2000) also point out that ex-offenders are often barred from receiving licenses in their states to perform jobs that they are fully capable of doing. Several states also permanently bar felons from being employed by county, state, or federal government agencies (Kuzma 1998). When offenders are able to find jobs, it is estimated that they earn 10 to 30 percent less than non-offenders working in similar jobs (Western et al.

2001). Clearly, ex-offenders face significant barriers related to employment. This is particularly disturbing when research shows that employment is a significant predictor of recidivism (Lipsey 1995, Bushway and Reuter 2002, Uggen 2000).

Finding suitable housing is one of the most important, and most difficult, tasks that ex-offenders will face upon release. According to Bradley et al. (2001:7), "Housing is the linchpin that holds the reintegration process together." The authors suggest that ex-offenders who are unable to obtain stable living arrangements are unlikely to continue their substance abuse or mental health treatments. Finding employment becomes even more difficult when these offenders have no home address (Petersilia 2003).

Anywhere from 30 to 50 percent of paroled offenders in big cities are homeless (Ripley 2002). According to Petersilia (2003), there are several reasons why such a large proportion of released offenders are homeless. First of all, most inmates do not have the opportunity to secure housing prior to their release. Also, those being released on parole face additional restrictions when it comes to housing. They may be restricted from living or even associating with those who have been involved in criminal activity (Petersilia 2003). This may include family and friends who are willing to give the offender a place to live. Released offenders may also have a difficult time coming up with the funds necessary to rent or purchase a home since most will not have stable employment immediately upon release. Even if the released offender is able to amass the funds necessary to rent a home, a background check may cause a landlord to forgo renting to this person (Rubinstein and Mukamal 2002). If released offenders are unable to secure housing on their own, or through family and friends, then they may attempt to find public housing. This may also prove useless since some laws prohibit public housing for those

convicted of felonies, especially those who are drug or sex offenders (Rubinstein and Mukamel 2002). If ex-offenders are unable to find a suitable place to live, it is likely that they will turn to crime to survive (Bradley et al. 2001).

Ex-offenders may also find that gaining access to financial assistance is just as difficult as finding stable employment and housing. A provision of the welfare reform legislation that was passed in the 1996 placed a lifetime ban on receiving financial assistance or food stamps for those convicted of drug-related felonies (Petersilia 2003, Allard 2002). Other provisions of the law deemed that those who violated conditions of their probation or parole would temporarily lose access to food stamps, Social Security Income (SSI) benefits, and public housing (Rubinstein 2001, Petersilia 2003).

The majority of offenders released from prison are not ready to immediately return to the job market. In fact, many will need job training, education, or drug and alcohol treatment before they are ready to hold down a steady job (Petersilia 2003). It is during this critical time that released offenders should be able to rely on public assistance until they are prepared to provide for themselves (Rubinstein 2001). It is also important to note that these restrictions on public assistance not only affect ex-offenders. These restrictions also have an adverse effect on the children and family members who depend on the ex-offender to provide for them. Considering that released prisoners can be denied public assistance and subsidies for housing, and that finding employment will be difficult with a criminal record, “these vulnerable families are left with virtually no safety net” (Petersilia 2003:126). With no way to support oneself, or one’s dependents, it is not surprising that so many released prisoners turn to crime once again.

The Adoption and Safe Families Act of 1997 had several provisions that affected prisoners as well as their families (Day 2005). It mandated states to terminate the parental rights of those convicted of acts of violence against their children as well as those convicted of murder and voluntary manslaughter. This legislation not only affects the parental rights of violent offenders. Non-violent offenders can also have their parental rights revoked if their children are in foster care for just 15 months (Petersilia 2003). In some instances, this may be in the best interest of the children of offenders; however, one can imagine that this is not always the case. One can also imagine that a released offender would be more likely to avoid further crime if he or she still had parental obligations and positive relationships with children (Bales and Mears 2008).

### **Section Summary**

After reviewing the literature on mass imprisonment, deterrence, and recidivism, several themes become apparent. First of all, the United States has experienced an unprecedented increase in its prison population that cannot be attributed solely to rising crime rates. Instead, much of the rise in the incarceration rate is due to policies, such as the “war on drugs” and mandatory and determinate sentencing, that have not only increased the number of people who are sent to prison but also increased the amount of time that these people will spend there. The move to such punitive policies reflected the goals of incapacitation and deterrence. If prison sentences were perceived as certain and severe, not only by offenders, but also by the general public, then the United States should have experienced a bigger drop in crime rates, which would have been followed by a decrease in the incarceration rate over time.

The second theme that becomes apparent in the literature is that incarceration may not equally deter criminal offenders. Generally speaking, massive increases in incarceration rates have not been followed by massive decreases in crime rates. And, after reviewing prison and alternative sanctions and offenders' perceptions of them, it becomes apparent that all offenders do not view prison as a severe punishment. These findings call into question prison's supposed deterrent effect.

A third theme that stands out in the literature is that many offenders return to prison within the first three years of release. This not only causes one to question prison's deterrent effect, but it also leads one to question how society deals with offenders once they are released back into the community. It seems that the "invisible punishments" associated with being an ex-offender may increase the likelihood of recidivism instead of deterring future criminality.

Another possible explanation for such high recidivism rates is that the experience of being incarcerated actually increases an offender's likelihood of re-offending upon release. According to Nagin et al. (2009:186), "Relatively few studies seek to peer into the 'black box' of imprisonment to understand why this experience might increase crime." It is argued here that the decision to re-offend depends on the perceived prison experience as compared to the offender's perceived experience in the community. If the offender does not re-offend, then he or she is free to remain in society; however, if the offender does decide to commit another crime upon release, then that offender will more than likely be returned to prison and cut off from the rest of the world for a period of time. Because of this, prison can be viewed as its own society, and when looking at conventional society and prison society, it becomes possible to apply stratification



concepts to understand how offenders would live both experiences. In talking about societies, the concepts of economic, cultural, and social capital could explain variation in the likelihood of re-offending by inmates.

### **Prison Societies**

There has been much work devoted to the study of prison systems and inmate populations (La Vigne and Samuels 2012; Steele and Jacobs 1975; Lab et al. 2004; Dilulio 1987; Johnson and Wolfe 2003; Ehrlich 1974; Becker 1968). Researchers have looked at prisons to discover if they successfully deter crime, rehabilitate offenders, or punish criminals for the crimes they have committed (Craig 2004; Haney 2008; Feeley and Simon 1992). Research has also examined if the experience of prison may have a criminogenic effect on offenders (May and Wood 2010; Nagin et al. 2009; Goffman 1961; Kassebaum et al. 1971; Sykes 1958; Wheeler 1961; Akers 1998; Smith et al. 2009). There have been numerous research objectives aimed at empirically measuring conditions associated with prisons, but through an extensive review of prison literature, it seems that an analysis of the formation of prison “classes” is not appropriately attended.

When an offender enters into prison, he is essentially leaving one society and entering a new one with its own territory, authority, and expectations. According to Sykes (1958), when an offender enters a prison, he is stripped of traditional status symbols, and a new hierarchy exists with different symbols coming into play.

A review of the literature consistently found authors describing prison societies. Sykes (1954) refers to prison as a “society of captives.” Prison has also been referred to as a “kingdom of inmates” (Hassine 2004:43), a “political society of its own” (Johnson and Toch 2000:160), a “lawless society” (Hassine 2004:45), and a “city within a city”

(Johnson and Toch 2000:165). If prison is its own unique society, we should be able to apply stratification concepts to determine who fares best in that particular society.

There are many ethnographic works describing life inside of prison (Irwin 1987; Santos 2007; Pisano 2012; Mitchell 2009; Ross 2002; Trammell 2011; Johnson and Toch 2000; Hassine 2004; Sykes 1954). It becomes apparent that the things seen as important in society at large may not be the same as the things seen as important in a prison society. While such notions can be drawn out of the literature, there has been no direct attempt at applying class theory to prison populations. Published works have given us a glimpse into prison walls, and they have let us into the minds of inmates and personnel, but what is lacking is an understanding of the social structure within prisons and an understanding of what characteristics are most important in that structure. If we can understand the prison social structure as compared to the outside world and what characteristics give an offender the best opportunities in both structures, we may better understand an offender's likelihood of re-offending upon release.

Social stratification refers to the institutionalized power arrangements that perpetuate inequality among groups of people (Pease et al. 1970). It is not the purpose of this research to rehash stratification concepts, nor is it the purpose to say that one stratification theory is superior to another. It does mean to argue that such concepts could prove useful in explaining offenders' likelihood of re-offending upon release as compared to explanations offered by deterrence theory. To illustrate the argument, concepts from Pierre Bourdieu will be used.

Pierre Bourdieu was chosen for this task for several reasons. First, Bourdieu (1986) goes beyond our traditional conceptions of capital, or material assets, and argues

that cultural, social, and symbolic capital play an important role in where one ranks in the social hierarchy (Navarro 2006). Second, Bourdieu's (1984) concept of habitus, or socialized ways of thinking, feeling, and acting, reproduces class structure (Wacquant 2005). Last, his concept of social fields, or the various social arenas where people compete for different forms of capital, allows us to compare an offender's social position in conventional society to his social position in prison (Bourdieu 1985; Gaventa 2003).

### **Pierre Bourdieu**

According to Bourdieu (1985), all human actions occur in social fields. He acknowledges that to really understand human action, one has to consider the context in which that action takes place (Bourdieu 1985). It is also important to note that a person's location within a certain field subjects that person to certain conditions of existence. As people internalize those conditions and begin to think, feel, and act in patterned ways, it is likely that others occupying that same position within a certain field will think, feel, and act in similar ways (Bourdieu 1985).

Bourdieu (1990) refers to these patterned ways of thinking, feeling, and acting as constituting habitus. Brubaker (1985) defines habitus as a system of internalized dispositions that mediates between structure and action. Habitus can be viewed as structure and agency at the same time (Brubaker 1985; Reay 2004). People are conscious of their actions, but they do not rationally lay out their choices. Through patterned behavior, class structure is reproduced. In other words, people who share similar ways of thinking, feeling, and acting, have similar lifestyles. Those with similar lifestyles begin to see themselves as distinct from other groups who think, feel, and act differently from them (Bourdieu 1984). In this way, class structure is produced.

Volume and composition of capital are important concepts for Bourdieu (1984, 1985, 1986). Bourdieu argues that there are three main forms of capital. Economic capital is that “which is immediately and directly convertible into money and may be institutionalized in the form of property rights” (Bourdieu 1986: 47).

Cultural capital is also important for Bourdieu; however, the definition of cultural capital has suffered from some ambiguity (Lamont and Lareau 1988). Bourdieu (1986:47) specifically defines cultural capital as that “which is convertible, on certain conditions, into economic capital and may be institutionalized in the form of educational qualifications.” Much of Bourdieu’s work focused on cultural capital, and in these works, he refers to cultural capital as such things as family background, educational credentials, and artistic abilities and appreciations (Bourdieu 1984; Bourdieu 1986; Bourdieu 1973). For Bourdieu, cultural capital was different from human capital in that cultural capital was a by-product of socialization, not necessarily something acquired through individual investment (Dimaggio 2001).

The third form of capital important for Bourdieu is social capital. Bourdieu defines social capital as “social connections which may be institutionalized as titles of nobility” (1986: 47). Social capital refers to one’s access to networks of influence and support, and also access to their volume and composition of capital (Bourdieu 1986). Symbolic capital is also mentioned. One has symbolic capital when his or her other forms of capital are seen as legitimate (Bourdieu 1986). According to Bourdieu (1985:196), “The kinds of capital, like aces in a game of cards, are powers which define the chances of profit in a given field.”

Different forms of capital have different values depending on the field of interaction (Bourdieu 1985; 1986). Individuals and institutions become distinguished from one another by acquiring capital that is useful in that field (Bourdieu 1985). In essence, social fields become arenas for the struggle of resources, and actors are positioned within those fields according to the volume and composition of capital available to them (Bourdieu 1985). In social fields of interaction, dominant and subordinate groups strategically struggle for power. They use their different forms of capital to maximize their potential within that field (Bourdieu 1985).

As mentioned earlier, it is the purpose of this research to show that stratification concepts could prove useful in explaining offenders' likelihood of re-offending upon release. It will be important to examine how inmates determine their place in the prison structure as well as in conventional society. To understand who fares best in each society, it is important to understand Bourdieu's conception of what constitutes a class. A class is the product of differing conditions of existence, differing systems of dispositions, and differential endowments of power and capital (Brubaker 1985, Bourdieu 1984). People who share similar conditions of existence and who share a common habitus will be members of the same class (Bourdieu 1985). It is important to mention that one's class membership can vary according to the field of interaction.

According to Brubaker (1985: 767), "Age, sex, and ethnicity are not principles of division that cross-cut class division: they constitute class divisions (more precisely they are indicators of class-constitutive differences in conditions of existence and dispositions)." This will be very important in analyzing an offenders potential within a prison social structure as well as within conventional society.

Bourdieu's ideas have been used in a wide range of disciplines and empirically tested on a wide range of topics (Sallaz and Zavisca 2007). More recently, Bourdieu's concepts have been used to examine topics such as the family (Lareau 2003), ethnicity (Brubaker 2004), education (Carter 2005), the media (Benson and Neveu 2005), and gender (Lizardo 2006; Fodor 2003; Martin 2005; Adkins and Skeggs 2004). In discussing methodological concerns for empirical studies of prison, Schlosser (2013:33) encourages researchers to consider the concepts of Pierre Bourdieu, along with Michel Foucault, as "guides to understanding those social processes of prison life that we cannot readily see." After reviewing empirical literature testing Bourdieu's concepts, it appears that an application of his concepts to the study of prisons and recidivism is lacking. This research will address this gap in the literature.

### **Bourdieu and Prison Societies**

It is possible to look within the walls of a prison and compare the social structure in a prison system with that on the outside. Bourdieu's concepts of field, capital, and habitus can be used to better understand the position of offenders within a prison as well as in conventional society.

#### *Social Field*

Because fields are structured spaces of positions in which all human actions occur, a prison, just as conventional society, could be designated as a social field. Within different fields, different forms of capital have different values (Bourdieu 1985).

Because prison can be viewed as a field of interaction, with its own set of rules, it is

possible to uncover the objective conditions of existence and the subjective dispositions stemming from those conditions that would place people within each particular society.

Because different forms of capital have different values depending on the field of interaction, a discussion of the different forms of capital and their power in maximizing an offender's potential in the community and within the prison walls could prove useful.

### *Economic Capital*

In conventional society, economic capital would refer to things such as money and property (Bourdieu 1985; Bourdieu 1986). In prison, goods and services make up the majority of economic capital (Gleason 1978; Hassine 2004). Gleason (1978) suggests that normal economic forces operate inside of prison and many of the “hustle” activities within prison are similar versions of the illegal and legal activities that take place on the outside. The prison black-market system makes sure that an inmate's basic needs are met (Hassine 2004; Gleason 1978). In prison, there seems to be “a stable class of merchants and consumers” (Hassine 2004:50). The prisoners, who provide the goods and services to other inmates, have a steady flow of income (Gleason 1978). Not only are their services needed, but they are also demanded (Hassine 2004). Because of their very important role in the underground prison economy, the economic capital of “swag” men, or prison “hustlers” has a good deal of value in a prison system (Gleason 1978; Hassine 2004).

It is important to note that those who have money and property on the outside usually fare better in conventional society. In prison, economic capital takes different forms and offers potential to those who may have ranked low in economic capital on the outside. Because the “hustle” activities in prison resemble those that take place in illegal

markets on the outside, those inmates who bring those skills with them into prison may perform well in the underground prison economy (Gleason 1978). An examination of poverty rates in the United States shows that in general, whites are more economically advantaged than are African Americans (McCartney et al. 2013). In general, whites have more economic capital outside of prison; however, African Americans may be able to acquire more economic capital within prison, as compared to whites. Crouch (1993) noted that the underclass environment from which many African American prisoners come makes them better suited for the deprivations associated with prison. Also, due to the large proportion of African American men who are incarcerated, it is more likely that these men will find friends or relatives who can provide access to material goods while in prison.

### *Cultural Capital*

In conventional society, cultural capital refers to such things as educational credentials, family background, particular tastes, language, and artistic abilities (Bourdieu 1984; Bourdieu 1985; Bourdieu 1986). On the outside, cultural capital is seen as stemming from family to children (Bourdieu 1986). In prison, cultural capital may stem from more experienced inmates to the newcomers; therefore, prison experience can be envisioned as a form of cultural capital. In talking about their prison experiences, many inmates refer to the advice that older inmates gave them (Johnson and Toch 2000). They admit that prison life is unlike anything an average citizen has ever experienced, and because of this, a new prisoner needs advice if he is to survive on the inside.

Prisons have their own sets of rules, and inmates who abide by these rules have the best chance of surviving on the inside. The convict code refers to the rules that



prisoners should abide by in order to survive on the inside (Clemmer 1940; Irwin 1985; Sykes and Messinger 1960; Toch 1992; Johnson and Toch 2000; Santos 2004; Einat and Einat 2000). The convict code makes up the majority of norms and values of inmate subculture, and it provides inmates with an informal means to gain power and status in prison (Einat and Einat 2000). Familiarity with prison language, “jargon,” or “argot,” is indicative of an inmate’s status and experience within prison (Hebdige 1985; Einat and Einat 2000). Those with experience in prison have high prison cultural capital, not only because they can give advice, but also because of their understanding of the convict code of conduct. Because of their need for advice and lack of understanding of this code, new inmates are low in prison cultural capital; however, those who have previously served a prison sentence may rank higher in prison cultural capital when coming into the institution.

In prison, one’s crime success stories hold as much weight as one’s job success stories hold on the outside. Once committed to prison, it is not your educational credentials or legitimate careers that matter. It matters how good you were at doing crime (Santos 2004). In the words of an inmate, “When a man commits to the subculture of prison, definitions of honor, respect, integrity, and character take on entirely new meanings that are completely at odds with the world of noncriminals” (Santos 2004:100). Those who have mastered the art of deception and who have eluded the attention of law enforcement may rank high in prison cultural capital. At the same time, those who did not have successful criminal careers and who lack the ability to successfully commit crime may rank low in prison cultural capital. It could be said that the inmates are either skilled or unskilled in committing crime. This affects an inmate’s cultural capital.

### *Social Capital*

In conventional society, social capital is seen as such things as access to social networks and support (Bourdieu 1986). Having a close family and “friends in high places” would constitute social capital on the outside; however, once in prison, close family members and friends cannot help the offender if they do not have contacts on the inside. In prison, social capital refers to the same types of things, but it may be an even more important form of capital to possess when in prison. Having access to social networks can provide security, favor, money, and goods and services (Crouch 1993; Wood and May 2003). This could explain why African Americans adjust better to prison. African Americans appear to adjust better to prison than do whites because they often find friends and relatives who are already in that prison (Crouch 1993; Wood and May 2003). These friends and relatives can provide the new inmate with information, goods and services, and protection (Crouch 1993; Wood and May 2003). With this in mind, it appears that African Americans would rank higher in social capital when they go to prison. This social capital can help to reduce anxiety in many ways (Johnson and Toch 2004). These inmates know what to expect when going in, they will already know someone once on the inside, they will not be as vulnerable to attacks because they will have someone to vouch for their reputation, and they will adjust better to the prison society overall as compared to those lacking prison social capital (Johnson and Toch 2004).

Santos (2004) says that the leaders of large criminal organizations and gangs, regardless of race, are at the top of the social hierarchy in prisons. Because of their access to social networks, they are able to stay to themselves and have everything taken

care of for them. These people also have access to networks that can help them smuggle in drugs and other goods that are in severe demand in the prison, further securing their stake at the top of the prison hierarchy (Fleisher and Decker 2001; Macko 1997).

Through their networks, they may be able to provide security for people not only on the inside, but also on the outside. In addition, people with high social capital may have access to networks, such as legal counsel or high ranking officials that can arrange for additional benefits for them inside of the prison.

Ultimately, those with the most social capital in prison rank high in economic and cultural capital, because having access to networks gives one access to goods and services, protection, knowledge, and skills, among other things (Camp and Camp 1985; Macko 1997). In conventional society, those ranking high in economic capital will ultimately rank high in cultural and social capital because according to Bourdieu (1986), economic capital is at the root of cultural and social capital.

Once a person becomes known for ranking high in the different forms of capital, that person is endowed with symbolic capital (Bourdieu 1985; Bourdieu 1986). Symbolic capital refers to things such as prestige and reputation (Bourdieu 1985). Since symbolic capital only exists when others recognize the legitimacy of the other forms of capital, those with symbolic capital are endowed with power (Bourdieu 1985; Bourdieu 1986). Those endowed with power, or those with the most symbolic capital, are at the top of the social hierarchy in prison.

### *Habitus*

Bourdieu (1985) sees similar objective conditions of existence and subjective dispositions, or habitus, as constituting a class. In other words, by understanding certain

conditions and dispositions of offenders, they can be placed in the social structure, not only on the outside, but also within a prison. An important element of this research is discovering things that are important in the social hierarchy within a prison. In other words, what conditions of existence will provide the offender with the best potential within a prison? According to Hassine (2004), race becomes the most obvious condition that provides potential; however, other conditions of existence that are relevant to potential within a prison field are such things as gang affiliation, geographic origin, prison occupation, sexual preference, and religious preference (Hassine 2004).

First, race will be discussed as an objective condition of existence capable of producing habitus. When an inmate is stripped of everything when he enters a prison, his race is his most distinguishable feature. Skin color is the most obvious factor in group identity. It is almost understood that an inmate should stick with his own race once he enters prison (Danitz 1998; Koehler 2000; Kauffman 1999; Hassine 2004). To discourage organizations from forming that can threaten a prison's security, it appears that the prisons profit from encouraging racial polarization (Hassine 2004). As long as the different racial groups are against each other, they are not banding together against security officers. When looking at power dynamics in prison, as well as in society at large, it is obvious that race plays a factor; however, it appears that African Americans may fare better in prison than whites as compared to being on the outside because they are more likely to find friends and relatives in prison who can provide them with access to the various forms of capital.

According to Bourdieu (1985), a person's class position is the same as another person's class position if they share similar objective conditions of existence, and these

shared conditions of existence, such as race, geographic location, and ethnicity, generate a habitus that is particular to those groups. Because different inmates will share different conditions of existence, and therefore different habitus, it is safe to assume that some will fare better in prison than others. By understanding the effects of economic, cultural, and social capital, as well as habitus, within conventional society, and within the prison field, one can better understand why some offenders self-report a likelihood of re-offending upon release, even when knowing that doing so could land them back in prison. Unfortunately, some offenders may see themselves as having better opportunities and experiences within a prison setting than in conventional society. If this is the case, then one cannot assume that all offenders will be equally deterred from re-offending upon release.

### **Summary**

Much insight stands to be gained about likelihood of re-offending by applying elements of stratification theory to offender populations. This could also prove useful in understanding the utility, or lack thereof, of deterrence theory in explaining or predicting likelihood of re-offending for criminal offenders.

It is the purpose of this research to examine factors that may underlie an offender's likelihood of re-offending upon release from prison. If one can understand how an inmate's volume and composition of capital in the community, as compared to his volume and composition of capital in prison, affect his or her experience within those respective societies, then one can better understand an inmate's likelihood of re-offending upon release.

This theory is unique to the study of recidivism because it compares offender experiences and opportunities within prison to their experiences and opportunities in the community. This framework may explain why prison does not deter all offenders equally and why prior punishment may actually increase an offender's likelihood of re-offending in the future. Serving time in prison may increase an offender's volume and composition of prison capital while simultaneously decreasing community capital; therefore, the deterrent potential of prison associated with recidivism may be reduced for offender populations.

It is the purpose of the following chapters to statistically illustrate how the various forms of capital may explain the inability of incarceration to deter offenders equally. In addition, this research will illustrate how the prison experience may actually increase likelihood of re-offending by increasing prison capital, while simultaneously decreasing community capital.

## CHAPTER III

### CONCEPTUAL MODELS AND HYPOTHESES

A review of the literature suggests that both deterrence and stratification concepts may prove useful in explaining offending; however, their relative impacts are unknown. It is possible that stratification concepts proposed in the capital model will explain more variance in inmates' self-reported likelihood of re-offending than will concepts offered by the deterrence model. To test this assumption, this research will examine the effects of prior punishment and perceived certainty and severity of prison sanctions on inmates' self-reported likelihood of re-offending. This research will also examine the relative effects of inmates' capital, in the community as well as in prison, on self-reported likelihood of re-offending upon release.

#### **Specific Deterrence Model**

Several important elements can be drawn out of the deterrence literature to explain offending. Those who perceive punishment to be certain and severe should be less likely to offend. Also, those who have experienced prior punishment for criminal activity should be less likely to re-offend because receiving punishment should increase one's perceptions of certainty and severity of punishment. Those who do not perceive punishment for criminal activity to be certain and severe and those who have not been

punished for criminal activity should be more likely to re-offend. Figure 3.1 illustrates the relationship between deterrence concepts and likelihood of re-offending.

### **Comparable Capital Model**

What constitutes the different forms of capital will differ depending on the field of interaction. When making the assumption that those having high compositions of community capital will have less opportunity to obtain high compositions of prison capital, and that those having low compositions of community capital will have better opportunities at obtaining capital in prison societies, one can envision a reversal of the social hierarchy when going from the outside community to a prison society. Offenders will be more likely to choose a society where they can maximize their volume and composition of existing capital. This proposed relationship is explained in Figure 3.2. The Comparable Capital Model of Re-offending helps explain why some inmates are more likely to re-offend than are others. The proposed relationship shows that those ranking high in community capital will be less likely to re-offend upon release, and those ranking high in prison capital will be more likely to re-offend upon release.

### **Hypotheses**

To assess the influence of specific deterrence indicators, as well as community and prison capital indicators, on inmates' likelihood of re-offending upon release, several hypotheses will be tested. The first four hypotheses are derived from the ideas of traditional deterrence, though not consistently supported by the literature. Hypothesis 5 and Hypothesis 6 are based on ideas drawn out of the recidivism literature and will be used to test the proposed Comparable Capital Model of Re-offending.



- Hypothesis 1: Inmates with higher levels of perceived certainty of punishment will be less likely to re-offend upon release.
- Hypothesis 2: Inmates with longer sentences will be less likely to re-offend upon release.
- Hypothesis 3: Inmates with higher levels of perceived severity of punishment will be less likely to re-offend upon release.
- Hypothesis 4: Inmates who have received prior punishment will be less likely to re-offend upon release.
- Hypothesis 5 : Inmates with higher levels of community capital will be less likely to re-offend upon release.
- Hypothesis 6: Inmates with higher levels of prison capital will be more likely to re-offend upon release.

The next chapter will discuss specifics of the research, including the population to be studied and the research method.

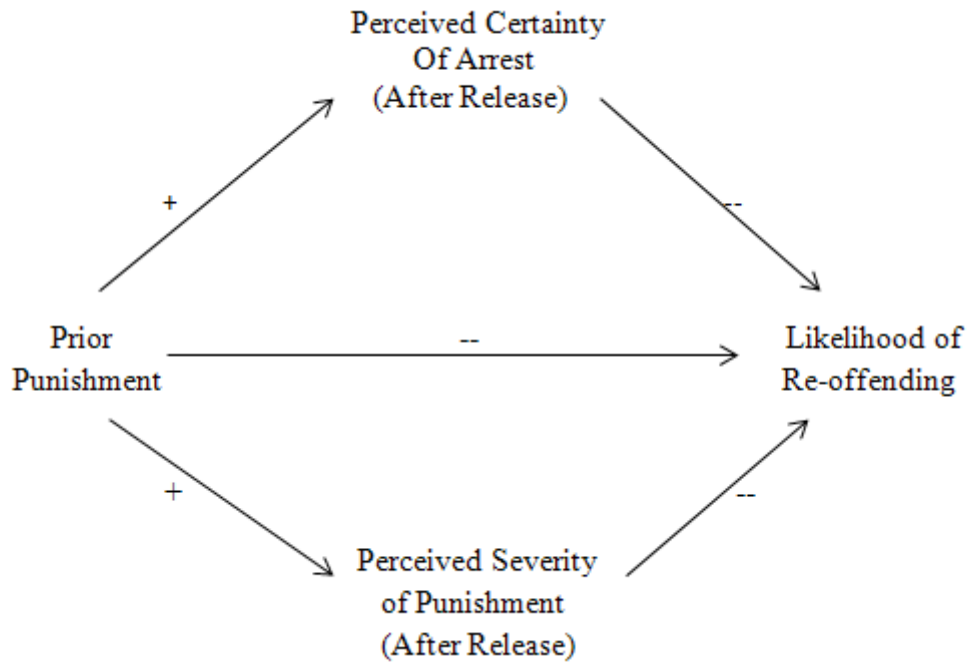


Figure 3.1 Illustration of the Specific Deterrence Model

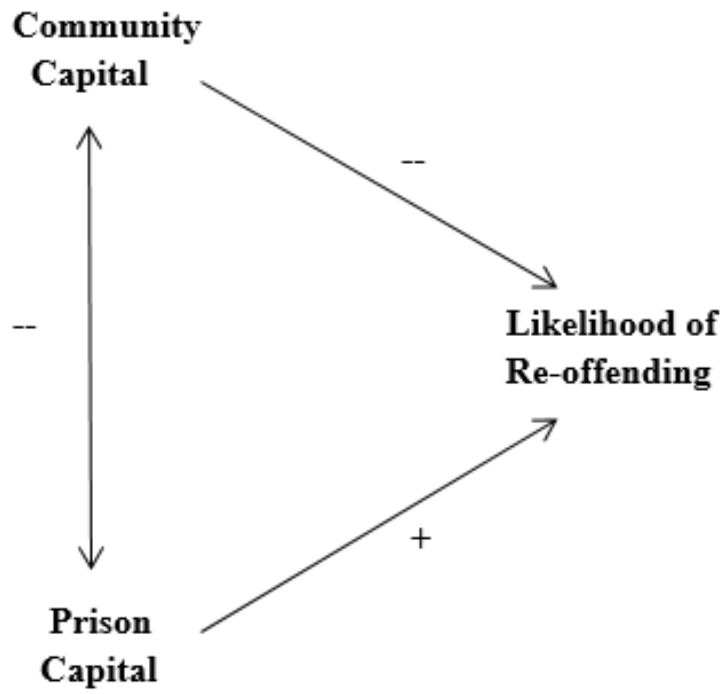


Figure 3.2 Illustration of Comparable Capital Model of Re-offending

## CHAPTER IV

### DATA AND METHODS

Research hypotheses will be tested using data collected at the Central Mississippi Correctional Facility, the central assessment and reception facility in the state of Mississippi. The prison population in Mississippi has quadrupled over the last 30 years, and the state of Mississippi has the second highest incarceration rate in the United States, second only to Louisiana (Pew Charitable Trusts 2014). With such a high proportion of its citizens affected by incarceration, Mississippi is an ideal location to conduct research examining the effects of prison life on likelihood of re-offending.

#### **Population of Study**

The state of Mississippi has three state prisons: Central Mississippi Correctional Facility, Mississippi State Penitentiary, and South Mississippi Correctional Institution. All offenders who are sentenced to the Mississippi Department of Corrections are first taken to the Central Mississippi Correctional Facility for processing and classification. Once they have been screened for medical conditions, given psychiatric evaluations, assessed regarding their education level, and monitored for institutional behavior, inmates are designated a custody status and assigned to a state institution (Mississippi Department of Corrections 2014).

Of the three state prisons, Central Mississippi Correctional Facility is the only one to house both male and female inmates of minimum, medium, and maximum security

classifications. It was the intention of this research to survey both male and female inmates, first time as well as repeat offenders, violent, drug, and property offenders, and different levels of security offenders. Of the three state prisons, Central Mississippi Correctional Facility offered the best opportunity to survey the widest variety of inmates.

### **Survey Instrument**

After reviewing the literature and considering findings from a previous survey conducted at Central Mississippi Correctional Facility in 2002, researchers designed a nine-page, self-report survey that would measure numerous aspects of inmates' lives, both in the community and in prison. In particular, the survey was designed to measure inmates' compositions of economic, cultural, and social capital both in the community and in prison.

To measure compositions of economic capital in the community, inmates were asked several questions regarding employment, income from both legal and illegal sources, home ownership, likelihood of being able to support oneself upon release, turning to crime to make ends meet, and ease of obtaining goods in the community as compared to prison. To measure economic capital in prison, inmates were asked about the prison economy and how they go about obtaining goods and services in prison and whether obtaining goods and services in prison is easier than obtaining goods and services in the community.

To measure cultural capital in the community, inmates were asked several questions regarding family's social class, education of both mother and father, inmate's level of education, what kind of grades inmate made when in school, special talents, reputation, and how well one will adjust to life in the community upon release. To

measure cultural capital in prison, inmates were asked questions regarding respect, power, and status in prison, family members who have been incarcerated, how much one has in common with other inmates, how well one has adjusted to prison life, and how well an inmate understands prison life.

To measure social capital in the community, inmates were asked questions regarding support from family and friends upon release, connections to powerful people in the community, marital status, relationship with children, and how often one communicates with family members or friends who are not incarcerated. To measure social capital in prison, inmates were asked questions regarding their connections to powerful people inside of prison, and their relationships with other inmates and correctional staff.

Inmates' were also asked about their perceptions of the certainty and severity of prison sanctions, and about their likelihoods of re-offending upon release from this facility. The survey instrument used to collect data for this study is included in the Appendix.

### **Data Collection**

After coordinating with Mississippi Department of Corrections administrators and receiving IRB approval, members of the research team went to the Central Mississippi Correctional Facility on two separate occasions in 2011 and 2012. Researchers were allowed access to several units in Area I. Area I houses the reception and classification unit, some men's and all women's housing units, medical facilities, as well as educational, vocational, drug and alcohol, and work program facilities.

Upon arrival in each particular unit, correctional officers would announce the presence of the research team and solicit the attention of the inmates. Research team members would then give a brief statement about the survey. Inmates were told that their participation was completely voluntary, and due to Mississippi Department of Corrections policy, no incentives could be given for participation. They were informed of the purpose of the study, their rights, and how their privacy would be protected. They were also informed that they could withdraw their consent and discontinue participation at any time. After this brief statement about the study, respondents were asked if they wanted to participate. The ones who expressed a desire to participate in the study were given an informed consent document that outlined the name and purpose of the research, the approximate duration of the study, potential benefits, risks, inconveniences, and discomforts associated with the study, information about participants' rights and privacy, and reassurance that their participation was completely voluntary. After reading and signing the informed consent document, participants were given a survey. Members of the research team remained in the room to answer any questions, as well as to ensure that no contact occurred between prison personnel and respondents during their participation in the survey. The survey took approximately 20-30 minutes to complete.

### **Sample Description**

According to the Mississippi Department of Corrections (2014), the Central Mississippi Correctional Facility held 3,031 total inmates when this research was conducted. Fifty-seven percent of the inmates were classified as African American, Forty-two percent of the inmates were classified as white, and one percent was classified

as “other.” Sixty-nine percent of the inmates were male and thirty-one percent were female.

Even though research team members did not have access to all inmates at the facility, and the sampling procedure was based on convenience, the final sample of respondents was fairly representative of the inmates housed at Central Mississippi Correctional Facility at the time the study was conducted. There were 456 completed surveys. Of the respondents, fifty-one percent were male, forty-nine percent were female, forty-eight percent were African American, forty-nine percent were white, and three percent were classified as “other.” Thirty percent of respondents were incarcerated for a violent offense. Twenty percent were incarcerated for a property offense, and thirty-three percent were incarcerated for a drug-related offense. Seventeen percent of the respondents were incarcerated for other reasons, including parole violations. Of the respondents, forty-three percent were minimum security inmates, fifty-four percent were medium security inmates, and three percent were maximum security inmates. Thirty-five percent of respondents were first-time offenders, and sixty-five percent were repeat offenders.

### **Dependent Variable**

The dependent variable for this research was self-reported likelihood of re-offending upon release. Inmates were asked the following question: “Imagine someone like yourself will be released next week. Using the number line below, please circle the likelihood that within three years that person will commit another crime.” Respondents could circle from 0 (not at all likely) to 10 (very likely). This question was adapted from a previous survey administered at Central Mississippi Correctional Facility by Dr. Peter



B. Wood and Dr. Terri Ernest. The wording of the question allows for inmates to report their own likelihood of re-offending while protecting them from any suspected reprisals from criminal justice authorities. This indirect method of measuring self-reported likelihood has been used and endorsed in previous research (Wood 2007; Grasmick and Bursik 1990; Klepper and Nagin 1989; Bouffard 2002).

This study considered those who reported “0” as having no likelihood of re-offending upon release and those who reported anything other than “0” as having at least some likelihood of re-offending upon release. Instead of using the dependent variable as a continuous variable appropriate for OLS regression, it was used as a dichotomized variable appropriate for logistic regression. This decision was made because, conceptually, any self-reported likelihood of re-offending upon release marks a failure of our correctional system to effectively deter future criminal behavior. Description for the dependent variable is found in Table 4.1.

### **Independent Variables for the Specific Deterrence Model**

To examine factors that affect the likelihood of re-offending, a specific deterrence model was tested, using variables measuring inmates’ perceived certainty and severity of punishment, length of current sentence, as well as inmates’ prior punishment (a measure of specific deterrence). Next, each of these indicators will be discussed.

#### **Certainty**

To measure an inmate’s perceived certainty of being rearrested upon re-offending, respondents were asked: “If you commit another crime after you are released, what is the

likelihood that you will be arrested for committing that crime?” Response categories ranged from 0 “Not at all Likely” to 10 “Very Likely.” This measure was also used as an indicator of certainty by Wood (2007). Those who reported higher levels of certainty of re-arrest should be less likely to re-offend upon release.

### **Severity**

To measure an inmate’s perceived severity of prison sanctions, respondents were asked to agree or disagree with the following statement: “Being incarcerated is a severe sentence.” Possible responses were 1 “Strongly Disagree,” 2 “Disagree,” 3 “Agree,” and 4 “Strongly Agree.” Those expressing higher levels of agreement that prison is a severe sentence should be less likely to re-offend upon release.

The length of an inmate’s current sentence was also used as a measure of severity of punishment. Inmates were asked, “How long is your current sentence?” This measure was previously used as an indicator of sanction severity by Wood (2007). Due to the severity of the punishment, inmates with longer sentences should be less likely to re-offend.

### **Prior Punishment**

Those who have received prior punishment should be less likely to re-offend. To measure an inmate’s prior punishment, respondents were asked: “Before now, had you ever spent time in an adult correctional facility, work center, or jail?” Possible responses were “yes” and “no.” Wood (2007) also used this measure as an indicator of prior punishment. This variable was dummy coded so that “1” represents those who have spent time in adult facilities and “0” represents those who have not. According to

deterrence theory, those who have received prior punishment should be less likely to re-offend upon release. Variable descriptions for the specific deterrence model are given in Table 4.2.

### **Independent Variables for the Comparable Capital Model**

To test the proposed Comparable Capital Model of Re-offending, the effects of both community capital and prison capital indicators on the likelihood of re-offending were examined. Next, the specific indicators representing inmates' community and prison capital will be discussed.

#### **Community Capital**

To measure an inmate's capital in the community, respondents were asked to self-report their social class. Inmates were asked, "How would you describe your social class before you were incarcerated?" Possible responses were 1 "lower class," 2 "lower middle class," 3 "middle class," 4 "upper middle class," and 5 "upper class." Those ranking higher in social class should be less likely to re-offend upon release.

Respondents' highest level of education was also used as an indicator of community cultural capital. Inmates were asked, "What is your highest level of education?" Responses ranged from 1 "8<sup>th</sup> grade or less," 2 "some high school," 3 "high school diploma or GED," 4 "some college," 5 "completed college," and 6 "graduate or professional degree." Inmates with higher levels of education should be less likely to re-offend upon release.

Whether inmates believed that going to prison was expected of them before incarceration was used as a measure of cultural capital in the community. Respondents

were asked to agree or disagree with the following statement: “Before incarceration, I felt that going to prison was expected of me.” Possible responses ranged from 1 “Strongly Agree,” 2 “Agree,” 3 “Disagree,” and 4 “Strongly Disagree.” Higher values represent more cultural capital in the community, and those with more cultural capital in the community should be less likely to re-offend upon release.

Respondents’ employment status prior to incarceration was also used as an indicator of economic capital in the community. Inmates were asked, “Which of the following best describes your employment status just before incarceration?” Responses were coded as 1 “working full time” and 0 “not working full time.” Inmates who report having full time employment prior to incarceration should be less likely to re-offend upon release.

Whether inmates believed that obtaining goods and services in the community is easier than obtaining goods and services in prison was used as an indicator of economic capital in the community. Respondents were asked to agree or disagree with the following statement: “It was easier to obtain goods and services in the community than it is in prison.” Possible responses ranged from 1 “Strongly Disagree,” 2 “Disagree,” 3 “Agree,” and 4 “Strongly Agree.” Higher values represent more economic capital in the community, and those with high economic capital in the community should be less likely to re-offend upon release.

Several other indicators were used to compute an index variable representing social capital in the community. Inmates were asked to agree or disagree with the following statements: “Right before incarceration, I could depend on my family for help,” “Right before incarceration, I could depend on my friends for help,” “When I am

released from prison, I will be able to depend on my family for help,” and “When I am released from prison, I will be able to depend on my friends for help.” Responses for community social capital indicators ranged from 1=“Strongly Disagree,” 2 “Disagree,” 3 “Agree,” and 4 “Strongly Agree.” The responses on these items were averaged to create an index variable representing community social capital. Those with higher index scores should be less likely to re-offend upon release. A description of the community social capital index variable, along with missing values and mean replacement information for the various indicators used to compute this index, are listed in Table 4.3.

### **Prison Capital**

To measure an inmate’s capital in prison, respondents were asked to agree or disagree to the following statements: “All things considered, life in prison can be easier than life on the outside,” “I have gained more respect in prison than I did in the community,” “I understand prison life better than I understand life on the outside,” “I have more power in prison than I do in the community,” “I have more in common with people in prison than I do with people in the community,” and “I have adjusted well to prison life.” Responses ranged from 1 “Strongly Disagree,” 2 “Disagree,” 3 “Agree,” and 4 “Strongly Agree.” Inmates’ responses to these statements were averaged to create an index representing prison experience capital. Inmates with higher index scores for prison experience capital should be less likely to re-offend upon release. A description of the prison experience capital indicator, along with missing values and mean replacement for the various indicators used to compute this variable, is given in Table 4.4.

An inmate’s relationship with prison staff could also serve as an indicator of prison capital. Inmates were asked to agree or disagree with the following statements: “I

basically get along with correctional staff,” “Most correctional staff look out for me,” “If I were threatened or hurt by another inmate, I would report it to correctional staff,” “If I knew someone well in prison who was threatened or hurt by another inmate, I would report it to correctional staff,” “If I didn’t know someone that well who was threatened or hurt by another inmate, I would report it to correctional staff,” and “If I were threatened or hurt by another inmate, my friends would report it to correctional staff.” Responses to these items ranged from 1 “Strongly Disagree,” 2 “Disagree,” 3 “Agree,” and 4 “Strongly Agree.” Inmates’ responses to these items were averaged to create an index variable representing their relationships with prison staff. Inmates who report better relationships with prison staff should have a better prison experience; therefore, they should be more likely to re-offend upon release. A description of the prison staff index variable, along with missing values and mean replacement information for the various indicators used to compute this variable, is given in Table 4.4.

Descriptions for all of the independent variables in the maximum capital model are given in Table 4.2.

### **Control Variables**

When performing logistic regression, several control variables were included in the analysis. Respondents’ gender was dummy coded as 1 “male” and 0 “female.” Race was also used as a statistical control. To measure race, respondents were asked: “How do you describe yourself?” Responses included 1 “Black/African American,” 2 “White,” 3 “American Indian,” 4 “Asian,” 5 “Hispanic,” and 6 “Other.” For purposes of this study, respondents’ race was dummy coded as 1 “Black/African American” and 0 “Other.”

Respondents' age was also used as a statistical control. Age was not specifically given, so a new age variable was computed as (year of study - year born).

Several other control variables, including marital status and type of crime committed, were included in the analysis. To measure marital status, inmates were asked, "What was your marital status just before incarceration?" Possible responses were 1 "single, never married," 2 "married," 3 "separated," 4 "divorced," 5 "widow/widower," and 6 "in a committed relationship but not married." Responses were dummy coded as 1 "married" and 0 "not married."

The type of crime for which an inmate is currently incarcerated was also used as a statistical control. Inmates were asked, "For what crime types are you currently incarcerated?" Possible responses were 1 "Violent Crime," 2 "Property Crime," 3 "Drug Crime," and 4 "Other." These responses were dummy coded for each of the crime types. Violent criminals were coded as 1 "yes," 0 "no." Property criminals were coded as 1 "yes" and 0 "no." Drug criminals were coded as 1 "yes" and 0 "no." Criminals incarcerated for parole violations and "other" crimes were coded as 1 "yes" and 0 "no." Descriptions for all control variables are given in Table 4.1

### **Missing Values**

For purposes of this study, cases with missing information for the dependent variable were not included in the analysis. Twenty cases were lost due to this decision. To preserve as many other cases as possible, missing values were replaced with the mean response for each independent variable. Mean replacement, or mean imputation, is useful for saving cases, and it does not change the overall mean for the particular variables; however, mean imputation can distort variable distributions (Little and Rubin 2002). To

check for inaccuracies, logistic regression models were run both with and without mean imputation. Results for both methods were similar, and significant findings remained constant irrespective of method. For purposes of this research, findings from the imputed models will be reported and discussed. Information on missing values and mean replacement is given in Table 4.5.

### **Descriptive Statistics**

Descriptive statistics were run for all control, independent, and dependent variables in the study. The descriptive statistics for all control variables will be discussed next. Means and standard deviations are given in Table 4.6.

### **Control Variables**

The final sample of respondents included 217 females and 219 males. African Americans comprised the majority of the population at the facility when research was conducted (57 percent), and the final sample contained 46.8 percent African American respondents. Whites made up approximately 42 percent of the inmate population at this facility when research was conducted, and they comprised 50 percent of the final sample. There were also six Hispanics, four American Indians, two Asians, and two listed as “Other” in the final sample. These categories made up 3.2 percent of the final sample and were collapsed into the “Other” category along with Whites. Thus, Blacks compared to non-Blacks. The age of respondents when research was conducted ranged from 19 to 68. The mean age of respondents was 37 years.

Marital status and crime type will also be used as statistical controls. Of the final sample, 20.2 percent were married prior to incarceration, and 79.8 percent were not



married. Also, approximately 30 percent of the final sample respondents were violent offenders, 20 percent were property offenders, 34 percent were drug offenders, and 16 percent were incarcerated for other crimes or parole violations.

Next, descriptive statistics for the variables in the deterrence model will be discussed.

### **Deterrence Variables**

To measure an inmate's prior punishment, respondents were asked if they had previously spent time in an adult correctional facility, work center, or jail. Responses were coded as 0 "No" and 1 "Yes." The mean score for this indicator was .65, and the standard deviation was .47, indicating that 65.4 percent report spending prior time in an adult correctional facility.

The length of an inmate's current sentence will be used as an indicator of sanction severity. Sentence length is measured in years and ranges from 1 to 100. The mean score for sentence length is 14.84 years, but the median sentence is 6 years. Standard deviation for sentence length is 24.50.

To measure an inmate's perceived severity of punishment, respondents were asked if they agreed or disagreed that prison was a severe sentence. Only 41.7 percent of inmates strongly agree that prison is a severe sentence, and 11 percent strongly disagree that prison is a severe sentence. Responses ranged from 1 to 4. The mean score is 3.06 with a standard deviation of .99.

To measure inmates' perceived certainty of punishment, respondents were asked their level of certainty for being re-arrested if committing another crime. Responses ranged from 0 to 10. Of respondents, 22.7 percent reported no certainty of being re-

arrested, and 35.6 percent reported that being re-arrested was “very likely.” The mean score was 5.75 with a standard deviation of 4.01.

Descriptive statistics for the specific deterrence model are listed in Table 4.6. Next, descriptive statistics for the variables included in the maximum capital model of re-offending will be discussed, beginning with community capital indicators.

### **Community Capital Variables**

To measure an inmate’s capital in the community, respondents were asked to describe their employment status prior to incarceration. Approximately 42 percent of inmates reported full-time employment prior to incarceration, and 58 percent reported that they were not working full time. Respondents were also asked to report their highest level of education prior to incarceration. In the final sample, 7.3 percent had less than an eighth grade education, 25.9 percent had only some high school and 38.8 percent reported having a high school diploma or GED. In other words, approximately three-fourths of the final sample has only a high school education or less. Another 18.8 percent of the sample reports having some college, and 6.9 percent and 2.3 percent report having completed college and attended graduate or professional school, respectively.

Inmates were also asked to describe their social class prior to incarceration. Of the final sample, 11.2 percent of respondents described themselves as being lower class, and 19.5 percent described themselves as being lower-middle class. Another 43.3 percent of respondents described themselves as middle class, and 18.3 percent reported being upper-middle class. Only 7.6 percent of the sample described themselves as upper class.

As a measure of community cultural capital, inmates were asked if prison was expected of them prior to incarceration. Of the final sample, 10.8 percent strongly agreed, 16.5 percent agreed, 28.2 percent disagreed, and 44.5 percent strongly disagreed that prison was expected of them prior to incarceration. To measure community economic capital, inmates were asked if obtaining goods and services in the community was easier than it is in prison. Of the final sample, 56.2 percent strongly agreed, 29.1 percent agreed, 7.3 percent disagreed, and another 7.3 percent strongly disagreed that obtaining goods and services in the community is easier than it is in prison.

An index variable was computed using various community social capital indicators. The average index score for community social capital was 2.8 with a standard deviation of .71. Average scores ranged from 1 to 4. To test for internal consistency in this index, Cronbach's alpha was computed. The alpha value for the four items included in this index was .70, suggesting an acceptable level of internal consistency among the items. Descriptive statistics for the prison capital indicators will now be discussed.

### **Prison Capital Variables**

To measure inmates' prison capital, index variables were created to represent various prison capital indicators. One of the prison capital indexes is indicative of the overall prison experience. The mean score of this particular prison capital indicator was 1.69 with a standard deviation of .64. Average scores ranged from 1 to 4. To check for internal consistency in this index, Cronbach's alpha was computed. The alpha coefficient for the six items included in this index was .85, suggesting relatively high internal consistency.

Another index was created to indicate inmates' relationships with prison staff. Average scores ranged from 1 to 4, with higher scores representing better relationships with prison staff members. The mean score of this index was 2.47 with a standard deviation of .70. To check for internal consistency in this index, Cronbach's alpha was computed. The alpha coefficient for the six items included in this index was .82, suggesting that these items have relatively high internal consistency.

Descriptive statistics for variables used in the maximum capital model of re-offending are listed in Table 4.6. Next, descriptive statistics for the dependent variable will be discussed.

### **Dependent Variable**

The dependent variable for this study is likelihood of re-offending. Responses were coded as 0 "no likelihood of re-offending" and 1 "some likelihood of re-offending." The mean score for the dependent variable was .58, and the standard deviation was .49. Of the sample, 58.3 percent report at least some likelihood of re-offending upon release, and 41.7 percent report no likelihood of re-offending upon release. Descriptive statistics for the dependent variable are listed in Table 4.6.

Considering that all respondents are currently serving time, it is surprising that 58.3 percent of inmates report at least some likelihood of re-offending upon release and only 41.7 percent report no likelihood of re-offending upon release. These statistics alone reiterate the importance of this study. Since the respondents are from an inmate population, with the effects of punishment fresh on their minds, they should report that they have no likelihood of re-offending if specific deterrence has any merit.

## Statistical Methods

The data analysis for this research proceeded in several stages. First, bivariate correlations were calculated. Next, the relationship between deterrence indicators and inmates' likelihood of re-offending was tested using logistic regression. Finally, logistic regression was used to analyze the proposed relationship between inmates' community capital, inmates' prison capital and their likelihood of re-offending upon release. In the first model, likelihood of re-offending was regressed on gender, race, age, marital status, and crime type. This model will be designated as Model 1.

In Model 2, deterrence indicators were added to Model 1. In this model, likelihood of re-offending was regressed on gender, race, age, marital status, crime type, prior punishment, length of current sentence, perception of prison severity, and perception of certainty of re-arrest. This model will be compared to Model 1 to determine goodness of fit.

After establishing the significance of the specific deterrence indicators on likelihood of re-offending, logistic regression was used to analyze the effect of community capital and prison capital indicators on likelihood re-offending. In Model 3, measures of community capital were added to the statistical control variables. In this model, likelihood of re-offending was regressed on gender, race, age, marital status, crime type, social class, education, employment, community economic capital, community cultural capital, and the community social capital index variable. This model will be compared to Model 1 to determine goodness of fit.

In Model 4, measures of prison capital were added to the statistical control variables. In this model, likelihood of re-offending was regressed on gender, race, age,

marital status, crime type, prison experience capital, and prison staff capital. This model will be compared to Model 1 for goodness of fit.

After analyzing the results from Model 2, Model 3, and Model 4, it will be possible to determine the effectiveness of specific deterrence indicators as compared to the various capital indicators in explaining likelihood of re-offending. Statistical results will be discussed in the following chapter

Table 4.1 Dependent and Control Variable Descriptions

<u>Dependent Variable</u>	<u>Variable Descriptions</u>
Likelihood of re-offending	Inmates' self-reported likelihood of re-offending 0 = no likelihood 1= some likelihood
<u>Control Variables</u>	<u>Variable Descriptions</u>
Gender	Inmates' gender 0 = female 1 = male
Race	Inmates' race 0 = Other 1=African American
Age	Inmates' age at time of survey (measured in years)
Marital Status	Marital status prior to incarceration 0= not married 1= married
Violent Crime	Incarcerated for a violent crime 0= no 1= yes
Property Crime	Incarcerated for a property crime 0= no 1= yes
Drug Crime	Incarcerated for a drug crime 0= no 1= yes
Other Crime	Incarcerated for other crime or parole violation 0= no 1= yes

Table 4.2 Independent Variable Descriptions

**Deterrence Model**

<u>Independent Variables</u>	<u>Variable Descriptions</u>
Prior Punishment	Inmate has served prior time in an adult facility 0 = no 1= yes
Sentence	Length of current sentence (measured in years)
Severity	Prison is a severe sentence 1=strongly disagree 2= disagree 3=agree 4=strongly agree
Certainty	Certainty of being arrested if committing crime Range from 0=not at all likely to 10=very likely

**Maximum Capital Model**

<u>Independent Variables</u>	<u>Variable Descriptions</u>
Social Class	Inmate's social class 1=lower class 2=lower middle class 3=middle class 4=upper middle class 5=upper class
Education	Inmate's highest level of education 1=8 <sup>th</sup> grade or less 2=some high school 3=H.S. diploma or GED 4=some college 5=completed college 6=graduate or professional school
Employment	Inmate's work description prior to incarceration 0=not working full-time 1=working full-time
Community Economic Capital	Obtaining goods and services in community was easier than it is in prison. 1=strongly disagree 2=disagree 3=agree 4=strongly agree
Community Cultural Capital	Going to prison was expected prior to incarceration 1=strongly agree 2=agree 3=disagree 4=strongly disagree
Community Social Capital	Index for community social capital Range from 1 (low capital) to 4 (high capital)
Prison Experience Capital	Index for prison experience capital Range from 1 (low capital) to 4 (high capital)
Prison Staff Capital	Index for relationship with prison staff Range from 1 (low capital) to 4 (high capital)



Table 4.3 Missing Values and Mean Replacement for Community Social Capital Index Variables

Do you agree with the following statements?

1=Strongly Disagree 2= Disagree 3=Agree 4=Strongly Agree

Community Social Capital Index (Cronbach's Alpha=.70)	Missing Values	Mean Replacement
Right before incarceration, I could depend on my family for help.	3	3=Agree
Right before incarceration, I could depend on my friends for help.	3	3=Agree
When I am released from prison, I will be able to depend on my family for help.	4	3=Agree
When I am released from prison, I will be able to depend on my friends for help.	3	2=Disagree

Table 4.4 Missing Values and Mean Replacement for Prison Capital Index Variables

Do you agree with the following statements?

1=Strongly Disagree 2=Disagree 3=Agree 4=Strongly Agree

<b>Prison Experience Index (Cronbach's Alpha=.858)</b>	<b>Missing Values</b>	<b>Mean Replacement</b>
All things considered, life in prison can be easier than life on the outside.	8	2=Disagree
I have gained more respect in prison than I did in the community.	8	2=Disagree
I understand prison life better than I understand life on the outside.	13	2=Disagree
I have more power in prison than I do in the community.	12	2=Disagree
I have more in common with people in prison than I do with people in the community.	10	2=Disagree
I have adjusted well to prison life.	7	2=Disagree
<b>Relationship with Prison Staff Index (Cronbach's Alpha=.825)</b>		
I basically get along with correctional staff.	5	3=Agree
Most correctional staff look out for me.	13	2=Disagree
If I were threatened or hurt by another inmate, I would report it to correctional staff.	9	3=Agree
If I knew someone well in prison who was threatened or hurt by another inmate, I would report it to correctional staff.	7	2=Disagree
If I didn't know someone that well who was threatened or hurt by another inmate, I would report it to correctional staff.	5	2=Disagree
If I were threatened or hurt by another inmate, my friends would report it to correctional staff.	10	2=Disagree

Table 4.5 Number of missing values for each variable and the mean replacement

<b>Missing</b>	<b>Mean</b>	<b>Values</b>	<b>Replacement</b>
<b>Dependent Variable</b>			
Likelihood of re-offending	0		N/A
<b>Control Variables</b>			
Gender	0		N/A
Race	0		N/A
Age	4		37
Marital Status	3		0 = not married
Violent Crime	27		0 = no
Property Crime	26		0 = no
Drug Crime	26		0 = no
Other Crime	30		0 = no
<b>Specific Deterrence Model</b>			
<b>Independent Variables</b>			
Prior Punishment	13		1 = yes
Length of sentence	36		6 years
Certainty	45		6
Severity	13		3=Agree
<b>Maximum Capital Model</b>			
<b>Independent Variables</b>			
Social Class	4		3 = middle class
Education	17		3 = high school diploma or GED
Employment	9		0 = not working full time
Community Economic Capital	7		3= Agree
Community Cultural Capital	12		3= Disagree
Community Social Capital	0		Values for indicators listed in Table 4.3
Prison Experience Capital	0		Values for indicators listed in Table 4.4
Prison Staff Capital	0		Values for indicators listed in Table 4.4

Table 4.6 Descriptive Statistics for Dependent, Control, and Independent Variables

<b>Standard</b>	<b>Minimum</b>	<b>Maximum</b>	<b>Mean</b>	<b>Deviation</b>
<b>Dependent Variable</b>				
Likelihood of re-offending	0	1	.5826	.49370
<b>Control Variables</b>				
Gender	0	1	.5023	.50057
Race	0	1	.4679	.49954
Age	19	68	37.2408	10.38320
Marital Status	0	1	.2018	.40183
Violent Crime	0	1	.3028	.45998
Property Crime	0	1	.1972	.39838
Drug Crime	0	1	.3372	.47328
Other Crime	0	1	.1560	.36324
<b>Specific Deterrence Model</b>				
<b>Independent Variables</b>				
Prior Punishment	0	1	.6537	.47635
Length of Sentence	1	100	14.8486	24.506
Severity	1	4	3.0619	.99577
Certainty	0	10	5.7523	4.0175
<b>Maximum Capital Model</b>				
<b>Independent Variables</b>				
Social Class	1	5	2.9151	1.06119
Education	1	6	2.9885	1.10687
Employment	0	1	.4220	.49445
Community Economic Capital	1	4	3.3417	.90221
Community Cultural Capital	1	4	3.0642	1.01958
Community Social Capital	1	4	2.8234	.71342
Prison Experience Index	1	4	1.6972	.64333
Prison Staff Index	1	4	2.4679	.70148

## CHAPTER V

### RESULTS

Several analytical methods have been employed in order to test the research hypotheses stated in chapter 3. To determine if there is in fact association between the independent and dependent variables, and to determine the direction of those proposed relationships, bivariate correlations were computed. Additionally, logistic regression was used to test the relationship between likelihood of re-offending and specific deterrence indicators. Logistic regression was also employed to test the relationship between likelihood of re-offending and community and prison capital indicators.

#### **Bivariate Correlations**

Bivariate correlations were estimated for all control, independent, and dependent variables in this study. The primary reason for including bivariate correlations is to test that the relationships between the independent and dependent variables are in the expected direction. The correlations for variables used in the control model are presented in Table 5.1.

#### **Control Variables and Likelihood of re-offending**

Gottfredson and Hirschi (1990) and Tittle (1995) point out that gender, race, and age are correlated with criminal activity; therefore, one would expect to find significant relationships between these control variables and the dependent variable, likelihood of re-

offending. The literature suggests that males, African Americans, and younger people are more prone to criminal activity (Gottfredson and Hirschi 1990; Tittle 1995); therefore, a positive relationship is expected between gender (coded as 1=Male) and likelihood of re-offending. The relationship is positive (.022), but it fails to reach statistical significance. Additionally, a positive relationship is expected between race (coded as 1=Black) and likelihood of re-offending. To the contrary, this relationship is negative (-.129) and statistically significant beyond the .01 level. Also, the relationship between age and likelihood of re-offending is expected to be negative, since older inmates should be less prone to commit additional crimes. In fact, the relationship is negative (-.095) and statistically significant beyond the .05 level.

According to the U.S. Sentencing Commission (2014), married offenders are less likely to re-offend than those who are single or divorced; therefore, one would expect to find a significant negative relationship between being married and likelihood of re-offending. This relationship is indeed negative (-.049), but it fails to reach statistical significance. Likelihood of re-offending is also related to the type of crime for which one was incarcerated. According to Durose et al. (2014), property offenders are the most likely to re-offend, followed consecutively by drug offenders and violent offenders. For this sample, there is a positive relationship between property crime and likelihood of re-offending (.022), but it fails to reach statistical significance. There is also a positive relationship between drug crime and likelihood of re-offending (.210), and this relationship is statistically significant beyond the .01 level. There is a negative relationship between violent crime and likelihood of re-offending (-.151) and “other” crime and likelihood of re-offending (-.110). Both of these negative relationships

reached statistical significance beyond the .01 and .05 levels, respectively. These correlations suggest that those incarcerated for drug crimes, compared to those incarcerated for property, violent, and other offenses, will be more likely to re-offend upon release.

Bivariate correlations for the specific deterrence indicators and the dependent variable will now be discussed. These correlations are listed in Table 5.2.

### **Specific Deterrence Indicators and Likelihood of Re-offending**

According to the specific deterrence model, perceived certainty and severity of punishment, as well as having received prior punishment, should be negatively related to likelihood of re-offending. The length of an inmate's current sentence was used as an indicator of sentence severity. According to the specific deterrence model, those who receive more severe sentences should be less likely to re-offend upon release. The relationship between sentence length and likelihood of re-offending is indeed negative (-.088); however, this relationship fails to reach statistical significance. Whether an inmate perceives his or her punishment to be severe was also used as an indicator of punishment severity. According to the specific deterrence model, those who perceive punishment to be severe should be less likely to re-offend upon release. This relationship is indeed negative (-.130) and statistically significant beyond the .01 level. These correlations suggest that it may not be the actual severity of a particular punishment, but an offender's perception of that punishment, that influences likelihood of re-offending. These correlations also suggest that African Americans (-.165) and males (-.155) are less likely to perceive of prison as a severe sentence. These relationships are significant at the .01

level. Regardless of the amount of time an inmate is given, this punishment will not have a deterrent effect unless it is perceived as a severe sentence by the inmate.

Higher certainty of re-arrest for committing another crime upon release should be negatively related to likelihood of re-offending, according to the specific deterrence model. On the contrary, this relationship was positive (.029) but failed to reach statistical significance.

According to the specific deterrence model, those inmates who have received prior punishment should be less likely to re-offend upon release; therefore, the expected relationship between prior punishment and likelihood of re-offending should be negative. On the contrary, the relationship between having previously served time in an adult facility and likelihood of re-offending was positive (.215) and highly statistically significant beyond the .01 level. Another interesting finding is the relationship between the perception of incarceration as a severe sentence and having previously served time in an adult facility. This relationship is negative (-.215) and highly statistically significant beyond the .01 level. One possible explanation is that prior punishment reduces an inmate's perception about the severity of prison by decreasing community capital and increasing prison capital.

If an inmate perceives living in the community to be difficult, at least in comparison to living in prison, then the possibility of returning to prison in the future appears more likely. This possibility will be further examined in the following section.



## **Community Capital Indicators and Likelihood of Re-offending**

The proposed relationship in the Comparable Capital Model of Re-offending suggests that community capital indicators will be negatively associated with likelihood of re-offending. These correlations can be found in Table 5.3.

Due to the economic capital that employment can provide, the relationship between working full-time prior to incarceration and the likelihood of re-offending upon release should be negative. This relationship is indeed negative (-.021) but fails to reach statistical significance. As another indicator of community economic capital, inmates were asked whether obtaining goods and services in the community was easier than it is in prison. The relationship between this community economic capital indicator and likelihood of re-offending is indeed negative (-.107) and statistically significant beyond the .05 level.

As indicators of community cultural capital, inmates were asked to self-report social class and highest level of education. According to the maximum capital model, the relationship between social class, education, and likelihood of re-offending should be negative. These relationships were indeed negative (-.090 and -.026 consecutively), but both failed to reach statistical significance. As another indicator of community cultural capital, inmates were asked whether or not it was expected of them to go to prison, prior to incarceration. The relationship between the indicator for community cultural capital and likelihood of re-offending should be negative. The relationship between this community cultural capital indicator and likelihood of re-offending is indeed negative (-.216) and statistically significant beyond the .01 level. It is also important to note the

significant relationship between being African American, male, and feeling that going to prison was expected of them.

The Comparable Capital Model of Re-offending also suggests a negative relationship between community social capital and likelihood of re-offending. To measure an inmate's community social capital, an index was created to represent the degree in which an inmate could rely on family and friends for help upon release. The relationship between community social capital and likelihood of re-offending was indeed negative (-.125) and statistically significant beyond the .01 level.

In addition to the effects of community capital on likelihood of re-offending, the Comparable Capital Model of Re-offending suggests that capital gained from the experience of prison should increase the likelihood of re-offending upon release. The correlations for the prison capital indicators and likelihood of re-offending will be discussed next.

### **Prison Capital Indicators and Likelihood of Re-offending**

The proposed relationship in the Comparable Capital Model of Re-offending suggests that prison capital indicators will be positively associated with likelihood of re-offending. These correlations can be found in Table 5.4.

The relationship between the index variable measuring various forms of capital gained from the prison experience and likelihood of re-offending should be positive. This relationship is indeed positive (.179) and highly statistically significant beyond the .01 level. There is also a significant positive relationship between gender and prison experience capital, suggesting that males have more prison experience capital than do females.

The relationship between the index variable measuring prison staff capital and likelihood of re-offending should be positive. To the contrary, this relationship is negative (-.128) and highly statistically significant beyond the .01 level. Positive relationships with staff members may actually indicate ties to conventional society and respect for rules and authority. In this sense, prison staff capital should be negatively related to likelihood of re-offending. Females, African Americans, and older inmates report more prison staff capital than their counterparts.

Next, significant indicators from the deterrence and capital models will be explored to determine further relationships between the variables.

### **Capital and Punishment Indicators and Likelihood of Re-offending**

After running bivariate correlations for the specific deterrence and maximum capital model, and noticing that prior punishment actually decreased perceptions of severity of prison sanctions and increased likelihood of re-offending, bivariate correlations were computed to test the relationship between prior punishment, perceptions of prison severity, the significant community and prison capital indicators, and likelihood of re-offending. These correlations can be found in Table 5.5.

When examining the relationship between prior punishment and the various capital indicators, certain patterns emerged. The relationship between those who had previously been incarcerated and the community capital indicators were all negative and statistically significant beyond the .01 level. In addition, having previously been incarcerated was negatively related to prison staff capital, and this relationship was statistically significant beyond .05 level. On the other hand, the relationship between prior punishment and the index for various prison capital indicators was positive, but it

fell just short of statistical significance ( $p=.087$ ). Bivariate correlations were also run for the individual prison experience capital index variables and likelihood of re-offending. All of these relationships were positive and statistically significant, and can be found in Table 5.6. These findings suggest that prior punishment may actually increase likelihood of re-offending by increasing the volume and composition of prison capital while simultaneously decreasing community capital. To further examine this claim, the specific deterrence and capital models were tested using logistic regression. Next, the findings of these analyses will be presented.

### **Logistic Regression Analysis**

Logistic regression was employed to examine the effects of the specific deterrence indicators (certainty, severity, and prior punishment) in determining likelihood of re-offending. Also, logistic regression was used to determine the effectiveness of community and prison capital indicators in determining likelihood of re-offending.

### **Control Variables and Likelihood of Re-offending**

The results of models testing the relationship between the control variables, deterrence indicators, and likelihood of re-offending are listed in Table 5.7. Model 1 examines the relationship between gender, race, age, marital status, crime type, and likelihood of re-offending. The race indicator was statistically significant beyond the .05 level; however, the direction of this relationship was surprising. Previous research suggests that blacks have higher recidivism rates than do whites (Langan and Levin 2002). Model 1 suggests otherwise. Holding other independent variables in the model constant, on average, the odds of re-offending for African American inmates are 38

percent less than the odds for other inmates in the sample. Also, the relationship between being incarcerated for a drug crime and likelihood of re-offending was positive and statistically significant. This is consistent with findings from previous recidivism studies (Langan and Levin 2002; Pew Center on the States 2011). When holding other variables in Model 1 constant, those who are incarcerated for drug crimes are 2.4 times more likely to re-offend than are inmates incarcerated for violent crimes. Model 1 Chi-Square is 31.402 and statistically significant beyond the .01 level. This model correctly classified 61 percent of cases.

### **Deterrence Indicators and Likelihood of Re-offending**

Coefficients and odds ratios for the deterrence indicators and likelihood of re-offending are also listed in Table 5.7. In Model 2, deterrence indicators were added to the statistical control group. This model was used to test several hypotheses, including hypothesis 1: *Inmates with higher levels of perceived certainty of punishment will be less likely to re-offend upon release.* The direction of the relationship between certainty of re-arrest and likelihood of re-offending was positive, contrary to the expected direction in hypothesis 1; however, the certainty indicator failed to reach statistical significance.

Model 2 was also used to test hypothesis 2: *Inmates with longer sentences will be less likely to re-offend upon release.* Contrary to this expected relationship, inmates with longer sentences reported an increased likelihood of re-offending upon release; however, this relationship failed to reach statistical significance.

Model 2 was also used to test hypothesis 3: *Inmates with higher levels of perceived severity of punishment will be less likely to re-offend upon releases.* As expected, inmates with greater perceptions of prison severity did report a decreased

likelihood of re-offending. This severity indicator was statistically significant beyond the .01 level. Holding all other independent variables in the model constant, on average, every one unit shift toward the “strongly agree” category decreased the odds of re-offending by 26 percent. Previous literature suggests that offender’s perceptions of prison severity vary according to offender characteristics (Wood and Grasmick 1999; Crouch 1993; Spelman 1995; Wood and May 2003; May et al. 2005; May and Wood 2010). Those offenders who view prison as a severe sentence are more likely to be deterred from future offending by the risk of returning to prison once again. On the other hand, those who do not view prison as a severe sentence are less likely to be deterred by the risk of an additional prison sanction.

Model 2 was also used to test hypothesis 4: *Inmates who have received prior punishment will be less likely to re-offend upon release.* The prior punishment indicator was highly statistically significant beyond the .01 level; however, this indicator does not support the direction of the relationship indicated in hypothesis 4. In fact, prior punishment increased an inmate’s likelihood of re-offending. Holding all other independent variables in the model constant, on average, the odds of re-offending for those who have previously been incarcerated are 2.3 times greater than the odds for those who have not been previously incarcerated. Wood (2007) also found that those who had previously been incarcerated had an increased likelihood of re-offending upon release. Statistical controls, race and drug crime, remained significant.

Model 2 chi-square was 56.173 and statistically significant beyond the .01 level. After performing a log likelihood ratio test, the deterrence indicators were statistically significant as a group, and Model 2 correctly classified 65.6 percent of cases.

Overall, the findings listed in Table 5.7 lend partial support to the claims of traditional deterrence; however, some of the findings directly refute those claims. Actual severity of a prison sentence (measured as years of current sentence) is shown to increase likelihood of re-offending; however, this relationship does not reach statistical significance. On the other hand, perception of prison as a severe sentence is significantly shown to reduce likelihood of re-offending. Certainty of re-arrest had no significant effect on likelihood of re-offending, contrary to claims of traditional deterrence theory. Also, at odds with traditional deterrence claims, prior punishment had a significant positive effect on likelihood of re-offending, adding to the line of positive punishment research (Wood 2007; Pogarsky and Piquero 2003; Sherman 1993; Piquero and Pogarsky 2002).

### **Community Capital Indicators and Likelihood of Re-offending**

Coefficients and odds ratios for the community capital indicators and likelihood of re-offending are listed in Table 5.8. In Model 3, community capital indicators were added to the statistical control group. This model was set up to address hypothesis 5: *Inmates with higher levels of community capital will be less likely to re-offend upon release.* Several indicators were used to measure community capital, but not all of them supported the relationship indicated in hypothesis 5. In fact, the relationships between full-time employment, level of education, and likelihood of re-offending were positive; however, these relationships failed to reach statistical significance. Social class was also used as an indicator of community capital. The relationship between social class and likelihood of re-offending was indeed negative; however, this relationship also failed to reach statistical significance.

Partial support for hypothesis 5 was found when examining the relationships between several other community capital indicators and likelihood of re-offending. Inmates were asked whether obtaining goods and services in the community was easier than it is in prison. Holding all other variables in the model constant, every one unit increase toward the “strongly agree” category, on average, decreased the odds of re-offending by 23 percent. This relationship was statistically significant beyond the .05 level. One needs money or property to obtain goods and services in the community; however, prison offers economic opportunities to those who may not have had them on the outside. Those who are able to provide for themselves in the community should be less likely to re-offend. Research shows that finding employment and suitable housing are key to staying out of prison (Bradley et al. 2001; Petersilia 2003; Rubinstein 2001; Lipsey 1995; Bushway and Reuter 2002; Uggen 2000). An offender’s most basic necessities for survival are provided in prison; however, the prison black market system allows for goods and services to be traded for other goods and services. Hustlers and “swag” men have a good deal of economic clout in prison (Gleason 1978; Hassine 2004). If one is accustomed to “hustle” activities on the outside, then that offender should adjust and do well in the prison underground economy (Gleason 1978).

As a measure of community cultural capital, inmates were asked whether going to prison was expected of them prior to incarceration. Holding other variables in the model constant, on average, every one unit shift toward the “strongly disagree” category corresponded with a 36 percent decrease in likelihood of re-offending. This relationship was statistically significant beyond the .01 level. Zimring and Hawkins (1973) argue that prison sanctions would serve more as a deterrent if an offender’s reputation or social



standing was diminished in the light of punishment. Those who feel going to prison was expected of them, and those who feel that going to prison was like a rite of passage, may not suffer from a diminished reputation upon returning to their communities; therefore, they may not be deterred by the risk of another prison sentence (Pettit and Western 2004).

To measure community social capital, inmates were asked whether they could depend on friends and family prior to incarceration, as well as after they are released from prison. Holding other variables in the model constant, on average, every one unit shift toward the “strongly agree” category in the community social capital index corresponded with a 28 percent decrease in likelihood of re-offending. Research shows that those who maintain ties to their families and communities and those who have access to social support may be less likely to re-offend (Bales and Mears 2008; Holtfreter et al. 2006)

In Model 3, several control variables were statistically significant. Holding other variables in the model constant, on average, every one year increase in age corresponded with a .02 percent decrease in likelihood of re-offending. Race and drug crime remained significant.

Model 3 chi-square was 62.927 and statistically significant beyond the .01 level. After performing a log likelihood ratio test, the community capital indicators were statistically significant as a group, and Model 3 correctly classified 67.2 percent of cases.

### **Prison Capital Indicators and Likelihood of Re-offending**

Coefficients and odds ratios for the prison capital indicators and likelihood of re-offending are also listed in Table 5.8. In Model 4, prison capital indicators were added to the statistical control group. This model was used to test hypothesis 6: *Inmates with*

*higher levels of prison capital will be more likely to re-offend upon release.* The relationship between the prison capital index and likelihood of re-offending was indeed positive and statistically significant beyond the .01 level, lending support for hypothesis 6. When holding all other independent variables in the model constant, on average, every one unit shift toward the “strongly agree” category in the prison experience capital index corresponds with an 84 percent increase in likelihood of re-offending. Those inmates who see their overall experience in prison as being better than their overall experience in the community may not be deterred by the risk of another prison sentence. These inmates may have a particularly difficult time adjusting to life outside of prison, and this could lead to an increased likelihood of re-offending. Inmates’ relationships with prison staff was also used as an indicator of prison capital. Contrary to the proposed relationship in hypothesis 6, the relationship between prison staff capital and likelihood of re-offending was negative, but it failed to reach statistical significance. The effect of drug crime on likelihood of re-offending remained significant in Model 4.

Model 4 chi-square was 47.252 and statistically significant beyond the .01 level. After performing a log likelihood ratio test, the prison capital indicators were statistically significant as a group, and Model 4 correctly classified 65.1 percent of cases.

Overall, the findings listed in Table 5.8 lend support to the Comparable Capital Model of Re-offending. Model 3 shows that those ranking high in community capital should be less likely to re-offend upon release, and Model 4 indicates that those ranking high in prison capital should be more likely to re-offend upon release.

### **Combined Deterrence and Capital Indicators and Likelihood of Re-offending**

In Model 5, significant deterrence, community capital, and prison capital indicators were added to the control group to test a capital and punishment model of re-offending. These findings are listed in Table 5.9.

With all variables included in the model, model chi-square was 78.152 and statistically significant beyond the .01 level. After performing a log ratio test, the indicators in Model 5 were statistically significant as a group, and Model 5 correctly classified 67.2 percent of cases.

Across the various models, several indicators, including race, drug crime, perceptions of prison severity, prior punishment, community cultural capital, and prison experience capital, remained significant and robust. To further analyze the effects of the deterrence and capital indicators on likelihood of re-offending, logistic regression was employed to determine if these effects varied by gender, race, and crime type.

### **Gender and Likelihood of Re-offending**

Male and female odds ratios for the control and deterrence indicators are listed in Table 5.10. When comparing male and female offenders in Model 1, female drug offenders are more likely to re-offend than are female violent offenders. In Model 2, the effects of race, drug crime, and perception of prison severity are significant for female offenders, and the effect of prior punishment is significant for both male and female offenders. Among female offenders, African Americans and those who perceive prison as a severe sentence are less likely to re-offend upon release, and female drug offenders are more likely to re-offend than are female violent offenders. Prior punishment increases likelihood of re-offending for both male and female offenders.

Male and female odds ratios for the community and prison capital indicators are listed in Table 5.11. In Model 3, the effects of age, drug crime, and community economic capital are significant for females only, and the effect of employment (an indicator of community economic capital) is significant for males only. The effect of community cultural capital is significant for both male and female offenders. For females, age and community economic capital reduce the likelihood of re-offending, and female drug offenders are more likely to re-offend than are female violent offenders. These findings are not surprising, considering the link between the feminization of poverty and female drug selling and use (Diaz-Cotto 1996; Belknap 2001). For males, those reporting full-time employment prior to incarceration are more likely to re-offend than those who were not employed full-time prior to incarceration. Losing one's full-time employment due to incarceration may have a particularly detrimental effect on a male offender's community economic capital, increasing his likelihood of re-offending upon release. For both males and females, community cultural capital decreases the likelihood of re-offending upon release. It appears that societal expectations for success and failure may lead to a "self-fulfilling prophecy" for both male and female offenders. Once being labeled as a criminal, one may begin to see himself or herself as a criminal and begin acting in a way that is consistent with the new identity (Hagan 1973). Also, when offenders return to the community with the label of "ex-felon," they will be denied the proper avenues to better themselves, increasing the chance that they will re-offend (Petersilia 2003). Sitren and Applegate (2012) contend that those who do not suffer from informal consequences, such as shame or loss of important relationships, may not be deterred by the threat of punishment. If going to prison is already expected of an

offender, then he or she will be less likely to suffer informal consequences in the community due to another prison sentence.

When comparing male and female offenders in Model 4, the effect of drug crime remains positive and significant for females only. The effect of prison experience is significant for both male and female offenders, increasing the likelihood of re-offending for both groups. This finding suggests that both men and women offenders who adjust well to prison life may not be deterred by the possibility of another prison sentence.

Male and female odds ratios for the combined deterrence and capital indicators are listed in Table 5.12. The effects of race, drug crime, perception of prison severity, and community economic capital are significant for females only in Model 5. The effect of community cultural capital is significant for male offenders only. Female offenders who are African American, have higher perceptions of prison severity, and who have more community economic capital will be less likely to re-offend upon release. Once again, female drug offenders are more likely to re-offend than are female violent offenders. Among male offenders, those with higher amounts of community cultural capital will be less likely to re-offend upon release. To further analyze the effects of the deterrence and capital indicators on likelihood of re-offending, logistic regression was employed to compare African American and non-black offenders.

### **Race and Likelihood of Re-offending**

African American and non-black odds ratios for the control and deterrence indicators are listed in Table 5.13. In Model 1, the effect of drug crime is significant for non-black offenders only. Non-black drug offenders are more likely to re-offend than are non-black violent offenders. In Model 2, the effects of drug crime and perceptions of

prison severity are significant for non-black offenders only. The effect of prior punishment is significant for both African American and non-black offenders. Non-black drug offenders are more likely to re-offend than are non-black violent offenders, and high perceptions of prison severity decrease the likelihood of re-offending for non-black offenders. Both African American and non-black offenders who have been previously incarcerated are more likely to re-offend upon release.

African American and non-black offender odds ratios for the community and prison capital indicators are listed in Table 5.14. In Model 3, the effects of age, drug crime, community economic capital, and community social capital are significant for non-black offenders only, and community cultural capital is significant for both African American and non-black offenders. Non-black drug offenders are more likely to re-offend than are non-black violent offenders. Also, among non-black offenders, those who are older and have more community economic and social capital will be less likely to re-offend upon release. In Model 4, the effect of staff capital is significant for African American offenders, and drug crime and prison experience capital are significant for non-black offenders. Among African American offenders, those who report better relationships with prison staff members have decreased odds of re-offending upon release. Non-black drug offenders are more likely to re-offend than are non-black violent offenders, and non-black offenders with high prison experience capital have increased odds of re-offending upon release.

African American and non-black odds ratios for the combined deterrence and capital indicators are listed in Table 5.15. In Model 5, the effects of age, drug crime, prior punishment, and community economic capital are significant for non-black

offenders only. Non-black drug offenders and those who have received prior punishment have increased odds of re-offending. Among non-black offenders, those who are older and who have community economic capital have decreased odds of re-offending upon release. Among African American offenders, those with community cultural capital have decreased odds of re-offending upon release. Since 1 in 3 African American males will come under the control of the criminal justice system, unfortunately, going to prison is expected of many living in African American communities (Pettit and Western 2004; Irwin and Austin 1997; Garland 2001; Mauer 1999). If African American offenders only experience formal punishment for their crimes, such as prison time, and they do not experience informal consequences, such as shame, then they may not be deterred by the threat of future prison sanctions (Sitren and Applegate 2012).

After comparing the various gender and race models, several interactions are important to note. Being incarcerated for a drug crime increases the odds of re-offending, as compared to those incarcerated for violent offenses; however, this effect is strongest for female and non-black offenders, suggesting a three-way interaction between gender, race, and crime type. African American offenders in this sample have decreased odds of re-offending, as compared to non-blacks; however, this effect is strongest for female offenders. Perceiving prison as a severe sentence decreases the odds of re-offending, and this effect is significant for female and non-black offenders. Prior punishment increases the odds of re-offending; however, this effect is stronger for female and non-black offenders. Having higher community economic capital decreases the odds of re-offending; however, this effect is strongest for female and non-black offenders. Having higher amounts of community cultural capital reduces the odds of re-offending, and this

effect is significant for both male and female offenders, along with both African American and non-black offenders. Having higher amounts of community social capital reduces an inmate's odds of re-offending; however, this effect is significant for non-black offenders only. Having higher amounts of prison experience capital increases an inmate's odds of re-offending, and this effect is significant for both male and female offenders and non-black offenders. Having higher amounts of prison staff capital can decrease the odds of re-offending, but this effect only holds true for African American offenders.

After comparing the various gender and race models, the three way interaction between race, gender, and drug crime was further investigated. To better understand these relationships, logistic regression was employed to compare drug offenders to non-drug offenders.

### **Drug Offenders and Likelihood of Re-offending**

Drug and non-drug offender odds ratios for the control and specific deterrence indicators are given in Table 5.16. In Model 1, the effect of gender is significant for both drug and non-drug offenders. Male drug offenders are less likely to re-offend than are female drug offenders; however, among non-drug offenders, males have increased odds of re-offending. In Model 2, the effects of gender and race are significant for drug offenders only, and the effect of prior punishment is significant for non-drug offenders only. The effect of perceptions of prison severity is significant for both drug and non-drug offenders. Among drug offenders, African Americans and males have decreased odds of re-offending as compared to non-black and female offenders. For non-drug offenders, those who have received prior punishment have increased odds of re-offending



as compared to those who have not received prior punishment. For both drug and non-drug offenders, perceptions of prison as a severe sentence reduce the odds of re-offending.

Drug and non-drug offender odds ratios for the community and prison capital indicators are listed in Table 5.17. The effects of race and education are significant for drug offenders only, and the effects of age, community economic capital, and community social capital are significant for non-drug offenders only. The effects of gender and community cultural capital are significant for both drug and non-drug offenders. Among drug offenders, males have decreased odds of re-offending; however, among non-drug offenders, males have increased odds of re-offending. Among drug offenders, African Americans and those with higher levels of education have decreased odds of re-offending. Among non-drug offenders, those who are older and those who have higher levels of economic and social capital in the community have decreased odds of re-offending. For both drug and non-drug offenders, higher levels of community cultural capital decrease odds of re-offending.

Model 4, in Table 5.17, compares the effects of prison capital on both drug and non-drug offenders. The effect of gender is significant for drug offenders only, and the effects of prison staff capital and prison experience capital are significant for non-drug offenders only. Among non-drug offenders, those reporting better relationships with prison staff have decreased odds of re-offending; however, non-drug offenders with higher prison experience capital have increased odds of re-offending.

Drug and non-drug offender odds ratios for the combined deterrence and capital indicators are listed in Table 5.18. In Model 5, the effects of gender, race, and

perceptions of prison severity are significant for drug offenders only, and the effects of prior punishment, community social capital, and prison experience capital are significant for non-drug offenders only. The effect of community cultural capital is significant for both drug and non-drug offenders. Among drug offenders, African Americans, males, those with high perceptions of prison severity, and those with high levels of community cultural capital have decreased odds of re-offending upon release. Among non-drug offenders, those with high levels of community social capital have decreased odds of re-offending; however, those who have previously been incarcerated and those with high levels of prison experience capital have increased odds of re-offending. For both drug and non-drug offenders, those with higher levels of community cultural capital have decreased odds of re-offending.

After comparing the effects of the various control, deterrence, and capital indicators on perceptions of likelihood of re-offending for both drug and non-drug offenders, several findings are worthy of discussion. First, among drug offenders, non-black and female offenders have increased odds of perceiving a likelihood of re-offending. This could be due to the fact that 63.3 percent of non-black offenders and 54.4 percent of female offenders in this study were incarcerated for a drug crime. In a New York Times article by Goode (2013), Marc Mauer, the executive director of the Sentencing Project, claims that the incarceration rates for African American men and women have been declining in recent years, but the incarceration rates for white men and women have been increasing during the same time period. In this article, Mauer was reported as attributing these trends to changes in drug laws, the rising number of whites and Hispanics serving time for methamphetamine related crimes, and socioeconomic

trends that have disproportionately affected white women (Goode, 2013). Contrary to drug offenders, being male increases the odds of re-offending for non-drug offenders.

Another interesting finding when comparing drug and non-drug offenders is that the effect of prior punishment on likelihood of re-offending is positive for both groups, but this effect is significant for non-drug offenders only. Langan and Levin (2002) report that recidivism rates vary by offense type, with property offenders having the highest rates, followed by drug and violent offenders. When comparing the two groups, 73.5 percent of drug offenders in this study had previously been incarcerated. Only 61.2 percent of non-drug offenders had previously been incarcerated, and these numbers varied further when comparing property, violent, and other offenses, all of which are included in the non-drug category.

The effects of community capital also vary when comparing drug and non-drug offenders. For non-drug offenders, the effects of community economic, cultural, and social capital decrease the odds of re-offending upon release; however, for drug offenders, only the effects of the two cultural capital indicators significantly reduce the odds of re-offending. The effect of education reduces the odds of re-offending for drug offenders. This is encouraging because it suggests that the odds of re-offending can be altered by providing education to drug offenders in particular.

The effects of prison capital are significant for non-drug offenders only. Among these offenders, positive relationships with prison staff members decrease the odds of re-offending. Also, for non-drug offenders, prison experience capital significantly increases the odds of re-offending. On average, non-drug offenders, particularly violent offenders, serve longer sentences. As inmates interact over a period of time with other inmates who

value things such as violence and toughness, their commitments to a criminal lifestyle are further developed and reinforced (Goffman 1961; Kassebaum et al. 1971; Sykes 1958; Wheeler 1961; Akers 1998). This could explain why non-drug offenders with prison experience capital have increased odds of re-offending upon release.

The findings from the various gender, race, and crime type models offer further insight into perceptions of likelihood of re-offending. In particular, deterrence and capital indicators have varying effects on likelihood of re-offending, depending on the category of offender. Next, the findings from the original deterrence and capital models, with all offenders included, will be compared and discussed.

### **Comparison of Capital and Deterrence Models**

The purpose of this research was to examine factors that influence the likelihood of re-offending by testing two separate models: a specific deterrence model of re-offending and a comparable capital model of re-offending. It is important to note that the Comparable Capital Model of Re-offending offers a new way of conceptualizing characteristics that may increase likelihood of re-offending. Even though much of this research was exploratory, and there are numerous ways to conceptualize the various forms of capital, the indicators used in the models did lend support to the claims of the capital model.

Contrary to the exploratory nature of the capital model indicators, the ideas behind deterrence have been around for some time. The lack of support for most of the deterrence claims tested in Model 2 may be surprising; however, when looking more closely at the findings from the deterrence model, it is possible that those significant deterrence indicators can be explained by the comparable capital model.

The Comparable Capital Model of Re-offending shown in Figure 3.2 suggests that there is an inverse relationship between community capital and prison capital, and that those with higher amounts of prison capital will be more likely to re-offend. Assumptions about prison capital can be made from the two significant deterrence indicators, severity and prior punishment. It may be helpful to look at these indicators from two different perspectives. From a deterrence perspective, perceptions of prison as a severe sentence should reduce one's likelihood of re-offending, and this claim was supported by this research. It is conceivable that those who perceive prison as a severe sentence are the ones who have less prison capital; therefore, the comparable capital model also explains why perceptions of prison severity are related to likelihood of re-offending. Those having high amounts of prison capital may feel that they fare better within prison walls. If an inmate feels that life in prison is better, or at least no worse, than life in the community, then likelihood of re-offending and returning to prison increases.

The relationship between prior punishment and likelihood of re-offending can be examined from both the deterrence and comparable capital perspectives. The specific deterrence model shown in Figure 3.1 suggests that prior punishment should decrease the likelihood of re-offending. If this were accurate, none of the inmates in this sample would have reported a likelihood of re-offending, since they were all serving time when this data was collected. One would also expect that those inmates who had been incarcerated prior to their current sentence would be the least likely to re-offend upon release due to increased perceptions of certainty and severity of sanctions. It is the finding in Model 2 that is most damning to the deterrence perspective. Instead of prior

punishment decreasing the likelihood of re-offending, this model suggests that prior punishment actually increases the likelihood that an inmate will re-offend upon release. Although this finding refutes the deterrence claims, it lends great support to the claims made by the comparable capital model. From the comparable capital perspective, prior punishment would increase an inmate's likelihood of re-offending upon release due to punishment's effect on community and prison capital.

Having previously served in an adult facility can lead to divergent levels of capital in prison and in the community. Those with criminal records may have a more difficult time obtaining economic security through legitimate means because people are reluctant to hire them (Holzer et al. 2002; Holzer 1996; Western et al. 2001). Ex-offenders are also barred from working in certain types of jobs (Petersilia 2003; Clear and Cole 2000; Kuzma 1998). When ex-offenders are able to gain employment, they earn less than non-offenders working in similar jobs (Western et al. 2001). Also, having a criminal record does not exactly increase one's standing in his or her community. According to Western and Pettit (2010: 16), mass imprisonment has created a "new class of social outsiders whose relationship to the state and society is wholly different from the rest of the population." Also, those who have previously been incarcerated may have fewer sources of social support from the government, friends, and family due to the incarceration (Rubinstein and Mukamel 2002; Petersilia 2003; Mauer 2003b; Pogrebin and Dodge 2001; Frost et al. 2006). When economic, cultural, and social potential is limited in the community, and one has familiarity with prison, it is not surprising that an inmate would prefer prison over the community if he or she feels that potential can be maximized within that prison society.

After running and analyzing the various capital and deterrence models, it appears that the comparable capital perspective offers the best conceptualization of why inmates will choose to re-offend upon release. The most important claim of specific deterrence is that prior punishment will keep people from re-offending. If this claim is refuted, as it has been in this research, then it is difficult to support the deterrence perspective, at least as it currently stands. Instead, the idea of prior punishment can be incorporated into the Comparable Capital Model of Re-offending. This new model that incorporates prior punishment, as well as community and prison capital, will be called the Capital and Punishment Model of Re-offending. Bivariate correlations in Table 5.5 show that prior punishment is indeed positively related to prison experience capital and inversely related to the community capital indicators. Bivariate correlations in Table 5.6 further show the significant positive relationships between the various prison experience capital indicators and likelihood of re-offending. The Capital and Punishment Model of Re-offending is shown in Figure 5.1.

Table 5.1 Bivariate correlations for control variables and likelihood of re-offending

Variables	Gender (1=Male)	Race (1=Black)	Age	Marital Status (1=Married)	Violent Crime	Property Crime	Drug Crime	Other Crime	Likelihood of Re-offending
Gender (1=Male)	1	.106*	.013	-.162**	-.173**	.217**	-.066	-.015	.022
Race (1=Black)	.106*	1	.017	-.162**	.122*	-.026	-.144**	-.048	-.129**
Age	.013	.017	1	.188**	.119*	-.126**	-.029	.059	-.095*
Marital Status	-.162**	-.162**	.188**	1	.141**	-.077	-.056	.052	-.049
Violent Crime	-.173**	.122*	.119*	.141**	1	-.239**	-.364**	-.283**	-.151**
Property Crime	.217**	-.026	-.126**	-.077	-.239**	1	-.268**	-.197**	.022
Drug Crime	-.066	-.144**	-.029	-.056	-.364**	-.268**	1	-.293**	.210**
Other Crime	-.015	-.048	.059	.052	-.283**	-.197**	-.293**	1	-.110*
Likelihood of Re-offending	.022	-.129**	-.095*	-.049	-.151**	.022	.210**	-.110*	1

\*p<.05, \*\*p<.01



Table 5.2 Bivariate correlations for deterrence indicators and likelihood of re-offending

Variables	Sentence Length	Severity	Certainty	Prior Punishment	Likelihood of Re-offending
Gender (1 =Male)	-.060	-.155**	-.088	.124**	.022
Race (1 =Black)	.095*	-.165**	-.180**	.035	-.129**
Age	.199**	-.009	.025	-.016	-.095*
Marital Status	.135**	.009	.077	-.078	-.049
Violent Crime	.363**	.044	-.023	-.255**	-.151**
Property Crime	-.103*	-.077	-.011	.094*	.022
Drug Crime	-.166**	.019	.017	.121*	.210**
Other Crime	-.063	.062	.001	.021	-.110*
Sentence Length	1	-.007	-.006	-.215**	-.088
Severity	-.007	1	.142**	-.144**	-.130**
Certainty	-.006	.142**	1	-.088	.029
Prior Punishment	-.215**	-.144**	-.088	1	.215**
Likelihood of Re-offending	-.088	-.130**	.029	.215**	1

\*p<.05, \*\*p<.01

Table 5.3 Bivariate correlations for community capital indicators and likelihood of re-offending

Variables	Employment (1 =Full-time)	Social Class	Education	Community Economic Capital	Community Cultural Capital	Community Social Capital	Likelihood of Re-offending
Gender (1 =Male)	.154**	-.062	-.089	-.035	-.126**	.001	.022
Race (1 =Black)	.036	.127**	-.136**	-.044	-.100*	.052	-.129**
Age	.010	-.090	.077	-.080	.009	-.080	-.095*
Marital Status	.033	.067	.202**	.038	.114*	.032	-.049
Violent Crime	.074	.067	.020	-.023	.032	.020	-.151**
Property Crime	-.003	-.113*	-.083	.100*	-.014	-.031	.022
Drug Crime	-.049	-.021	.078	-.001	-.050	.027	.210**
Other Crime	.044	.017	.027	-.037	.122*	-.042	-.110*
Employment	1	.204**	.152**	.006	.124**	.151**	-.021
Social Class	.204**	1	.103*	.076	.162**	.276**	-.090
Education	.152**	.103*	1	.103*	.186**	.075	-.026
Community Economic	.006	.076	.103*	1	.079	.123*	-.107*
Community Cultural	.124**	.162**	.186**	.079	1	.116*	-.216**
Community Social	.151**	.276**	.025	.123*	.116*	1	-.125**
Likelihood of Re-offending	-.021	-.090	-.026	-.107*	-.216**	-.125**	1

\*p<.05, \*\*p<.01

Table 5.4 Bivariate correlations for prison capital indicators and likelihood of re-offending

Variables	Prison Experience Capital	Prison Staff Capital	Likelihood of Re-offending
Gender (1=Male)	.168**	-.154**	.022
Race (1=Black)	-.055	.197**	-.129**
Age	-.193**	.183**	-.095*
Marital Status	-.058	-.083	-.049
Violent Crime	-.052	.054	-.151**
Property Crime	.141**	-.010	.022
Drug Crime	-.040	-.069	.210**
Other Crime	-.048	.042	-.110*
Prison Experience Capital	1	-.055	.179**
Prison Staff Capital	-.055	1	-.128**
Likelihood of Re-offending	.179**	-.128**	1

\*p<.05, \*\*p<.01

Table 5.5 Bivariate correlations for significant deterrence and capital indicators and likelihood of re-offending

Variables	Prior Punishment	Severity	Community Economic Capital	Community Cultural Capital	Community Social Capital	Prison Staff Capital	Prison Experience Capital	Likelihood of Re-offending
Prior Punishment	1	-.144**	-.141**	-.248**	-.155**	-.123*	.082 (p=.087)	.215**
Severity	-.144**	1	.132**	.150**	.043	.000	-.051	-.130**
Community Economic Capital	-.141**	.132**	1	.079	.123*	.003	-.135**	-.107*
Community Cultural Capital	-.248**	.150**	.079	1	.116*	.023	-.259**	-.216**
Community Social Capital	-.155**	.043	.123*	.116*	1	.140**	-.141**	-.125**
Prison Staff Capital	-.123*	.000	.003	.023	.140**	1	-.055	-.128**
Prison Experience Capital	.082 (p=.087)	-.051	-.135**	-.259**	-.141**	-.055	1	.179**
Likelihood of Re-offending	.215**	-.130**	-.107*	-.216**	-.125**	-.128**	.179**	1

\*p<.05, \*\*p<.01

Table 5.6 Bivariate correlations for prison experience indicators and likelihood of re-offending

<b>Prison Experience Capital Indicators</b>	<b>Likelihood of Re-offending</b>
I have more power in prison than I did in the community.	.139**
I have more in common with people in prison than I do with people in the community.	.200**
All things considered, life in prison is easier than life on the outside.	.105*
I have gained more respect in prison than I did in the community.	.129**
I understand prison life better than I understand life on the outside.	.126**
I have adjusted well to prison life.	.127**

\*p<.05, \*\*p<.01

Table 5.7 Logistic regression coefficients and odds ratios for the specific deterrence model

Variables	Model 1		Model 2	
	B	Exp(B)	B	Exp(B)
Constant	.828	2.289	1.370	3.934
Gender (1=Male)	.141	1.152	.009	1.009
Race (1=African American)	-.477	.621*	-.617	.540**
Age	-.016	.985	-.018	.983
Marital Status (1=Married)	-.170	.844	-.182	.834
Property Crime	.222	1.248	.027	1.027
Drug Crime	.883	2.417**	.744	2.104**
Other Crime	-.253	.776	-.359	.698
Length of Sentence			.001	1.001
Severity			-.302	.739**
Certainty			.025	1.025
Prior Punishment			.849	2.337**
Model $\chi^2$		31.402**		56.173**
Cox and Snell R <sup>2</sup>		.070		.121

\*p<.05, \*\*p<.01

Table 5.8 Logistic regression coefficients and odds ratios for the control and comparable capital models

Variables	Model 1		Model 3		Model 4	
	B	Exp(B)	B	Exp(B)	B	Exp(B)
Constant	.828	2.289	4.246	69.810	.191	1.210
Gender (1=Male)	.141	1.152	-.015	.985	-.063	.939
Race (1=African American)	-.477	.621*	-.543	.581**	-.390	.677
Age	-.016	.985	-.022	.978*	-.005	.995
Marital Status (1=Married)	-.170	.844	-.022	.978	-.239	.788
Property Crime	.222	1.248	.311	1.364	.188	1.207
Drug Crime	.883	2.417**	.942	2.564**	.926	2.526**
Other Crime	-.253	.776	-.145	.865	-.202	.817
Employment (1=Full-time)			.170	1.186		
Social Class			-.034	.967		
Education			.020	1.020		
Community Economic Capital			-.255	.775*		
Community Cultural Capital			-.457	.633**		
Community Social Capital			-.324	.724*		
Prison Staff Capital					-.284	.752 (p=.070)
Prison Experience Capital					.607	1.836**
Model $\chi^2$	31.402**		62.927**		47.252**	
Cox and Snell R <sup>2</sup>	.070		.134		.103	

\*p<.05, \*\*p<.01

Table 5.9 Logistic regression coefficients and odds ratios for the capital and punishment model

Variables	Model 1		Model 5	
	B	Exp(B)	B	Exp(B)
Constant	.828	2.289	3.044	20.982
Gender (1=Male)	.141	1.152	-.130	.878
Race (1=African American)	-.477	.621*	-.662	.516**
Age	-.016	.985	-.017	.983
Marital Status (1=Married)	-.170	.844	-.061	.941
Property Crime	.222	1.248	.088	1.092
Drug Crime	.883	2.417**	.833	2.300**
Other Crime	-.253	.776	-.234	.792
Severity			-.249	.780*
Prior Punishment			.589	1.803**
Community Economic Capital			-.160	.852
Community Cultural Capital			-.315	.730**
Community Social Capital			-.237	.789
Prison Experience Capital			.386	1.472*
Model $\chi^2$		31.402**		78.152**
Cox and Snell R <sup>2</sup>		.070		.164

\*p<.05, \*\*p<.01



Table 5.10 Male and female odds ratios for the control and specific deterrence models

Variables	Model 1 Exp(B)		Model 2 Exp(B)	
	Male	Female	Male	Female
Constant	3.331	2.018	2.931	8.360
Race (1=African American)	.641	.601	.602	.466*
Age	.983	.984	.982	.977
Marital Status (1=Married)	.954	.818	.900	.843
Property Crime	1.155	1.166	1.085	.856
Drug Crime	1.177	4.921**	1.192	3.742**
Other Crime	.884	.686	.905	.506
Length of Sentence			1.006	.994
Severity			.847	.615**
Certainty			1.024	1.040
Prior Punishment			2.040*	2.640**
Model $\chi^2$	5.259	37.254**	12.465	57.674**
Cox and Snell R <sup>2</sup>	.024	.158	.055	.233

\* $p < .05$ , \*\* $p < .01$

Table 5.11 Male and female odds ratios for the control and comparable capital models

Variables	Model 1 Exp(B)		Model 3 Exp(B)		Model 4 Exp(B)	
	Male	Female	Male	Female	Male	Female
Constant	3.331	2.018	41.483	233.445	1.842	.935
Race (1=African American)	.641	.601	.564	.528	.685	.689
Age	.983	.984	.985	.965*	.992	.995
Marital Status (1=Married)	.954	.818	.972	.995	.871	.794
Property Crime	1.155	1.166	1.368	1.420	1.069	1.288
Drug Crime	1.177	4.921**	1.244	5.881**	1.171	5.615**
Other Crime	.884	.686	1.090	.739	.873	.794
Employment (1=Full-time)			1.931*	.921		
Social Class			.864	1.109		
Education			.975	1.081		
Community Economic Capital			.986	.567**		
Community Cultural Capital			.594**	.607**		
Community Social Capital			.738	.679		
Prison Staff Capital					.779	.699
Prison Experience Capital					1.608*	2.096**
Model $\chi^2$	5.259	37.254**	22.470*	60.776**	10.333	48.577**
Cox and Snell R <sup>2</sup>	.024	.158	.098	.244	.046	.201

\*p<.05, \*\*p<.01

Table 5.12 Male and female odds ratios for the capital and punishment model

Variables	Model 1 Exp(B)		Model 5 Exp(B)	
	Male	Female	Male	Female
Constant	3.331	2.018	7.780	182.659
Race (1=African American)	.641	.601	.566	.414*
Age	.983	.984	.991	.966
Marital Status (1=Married)	.954	.818	.953	.968
Property Crime	1.155	1.166	1.105	1.122
Drug Crime	1.177	4.921**	1.218	5.230**
Other Crime	.884	.686	.962	.687
Severity			.887	.642**
Prior Punishment			1.565	1.831
Community Economic Capital			1.015	.625*
Community Cultural Capital			.699*	.722
Community Social Capital			.797	.780
Prison Experience Capital			1.387	1.591
Model $\chi^2$	5.259	37.254**	21.510*	73.607**
Cox and Snell R <sup>2</sup>	.024	.158	.094	.288

\*p<.05, \*\*p<.01

Table 5.13 African American and other odds ratios for the control and deterrence models

Variables	Model 1 Exp(B)		Model 2 Exp(B)	
	Black	Other	Black	Other
Constant	.906	2.930	1.048	8.929
Gender (1=Male)	1.284	1.114	1.223	.857
Age	1.001	.972	1.000	.971
Marital Status (1=Married)	.539	1.091	.451	1.286
Property Crime	.946	1.667	.761	1.301
Drug Crime	1.598	3.472**	1.348	3.319**
Other Crime	.775	.841	.719	.702
Length of Sentence			1.000	.999
Severity			.772	.651*
Certainty			1.063	.976
Prior Punishment			2.027*	3.022**
Model $\chi^2$	6.211	24.075**	16.346	45.208**
Cox and Snell R <sup>2</sup>	.400	.099	.077	.177

\*p<.05, \*\*p<.01

Table 5.14 African American and other odds ratios for the control and comparable capital models

Variables	Model 1 Exp(B)		Model 3 Exp(B)		Model 4 Exp(B)	
	Black	Other	Black	Other	Black	Other
Constant	.906	2.930	11.526	877.280	.956	.727
Gender (1=Male)	1.284	1.114	1.063	.876	1.065	.889
Age	1.001	.972	.998	.953**	1.014	.980
Marital Status (1=Married)	.539	1.091	.618	1.305	.488	1.008
Property Crime	.946	1.667	.950	2.359	.968	1.572
Drug Crime	1.598	3.472**	1.567	5.006**	1.585	3.870**
Other Crime	.775	.841	.821	1.128	.782	.914
Employment (1=Full-time)			1.137	1.243		
Social Class			.912	1.107		
Education			1.022	1.025		
Community Economic Capital			.947	.475**		
Community Cultural Capital			.655**	.618**		
Community Social Capital			.768	.587*		
Prison Staff Capital					.656*	.849
Prison Experience Capital			1.490	2.534**		
Model $\chi^2$	6.211	24.075**	18.565	52.657**	12.790	36.961**
Cox and Snell R <sup>2</sup>	.400	.099	.087	.203	.061	.147

\*p<.05, \*\*p<.01

Table 5.15 African American and other odds ratios for the capital and punishment model of re-offending

Variables	Model 1 Exp(B)		Model 5 Exp(B)	
	Black	Other	Black	Other
Constant	.906	2.930	5.722	87.750
Gender (1=Male)	1.284	1.114	1.047	.746
Age	1.001	.972	1.001	.962*
Marital Status (1=Married)	.539	1.091	.572	1.409
Property Crime	.946	1.667	.824	1.676
Drug Crime	1.598	3.472**	1.386	4.527**
Other Crime	.775	.841	.792	.969
Severity			.796	.784
Prior Punishment			1.431	2.576**
Community Economic Capital			.995	.568*
Community Cultural Capital			.715*	.805
Community Social Capital			.789	.688
Prison Experience Capital			1.271	1.745
Model $\chi^2$	6.211	24.075**	22.726*	64.746**
Cox and Snell R <sup>2</sup>	.400	.099	.105	.244

\*p<.05, \*\*p<.01

Table 5.16 Drug and non-drug offender odds ratios for the control and specific deterrence models

Variables	Model 1 Exp(B)		Model 2 Exp(B)	
	Drug Crime	Other	Drug Crime	Other
Constant	14.769**	1.603	79.181**	1.901
Gender (1=Male)	.416*	1.827*	.332**	1.506
Race (1=African American)	.477	.714	.388*	.656
Age	.975	.986	.981	.982
Marital Status (1=Married)	1.054	.818	.914	.858
Length of Sentence			.979	1.005
Severity			.574*	.771*
Certainty			1.038	1.025
Prior Punishment			1.076	3.047**
Model $\chi^2$	12.367*	10.232*	21.206**	33.340**
Cox and Snell R <sup>2</sup>	.081	.038	.134	.109

\*p<.05, \*\*p<.01

Table 5.17 Drug and non-drug offender odds ratios for the control and comparable capital models

Variables	Model 1 Exp(B)		Model 3 Exp(B)		Model 4 Exp(B)	
	Drug Crime	Other	Drug Crime	Other	Drug Crime	Other
Constant	14.769**	1.603	635.261**	77.561**	5.849	.953
Gender (1=Male)	.416**	1.827*	.317*	1.661*	.397*	1.404
Race (1=African American)	.477	.714	.340*	.721	.469	.828
Age	.975	.986	.974	.975*	.976	1.000
Marital Status (1=Married)	1.054	.818	1.333	.937	1.066	.747
Employment (1=Full-time)			1.185	1.290		
Social Class			1.059	.906		
Education			.661*	1.196		
Community Economic Capital			.789	.728*		
Community Cultural Capital			.559*	.634**		
Community Social Capital			1.082	.623*		
Prison Staff Capital					1.101	.628*
Prison Experience Capital					1.508	2.051**
Model $\chi^2$	12.367*	10.232*	25.399**	39.543**	13.968*	28.124**
Cox and Snell R <sup>2</sup>	.081	.038	.159	.128	.091	.093

\*p<.05, \*\*p<.01



Table 5.18 Drug and non-drug offender odds ratios for the capital and punishment model

Variables	Model 1 Exp(B)		Model 5 Exp(B)	
	Drug Crime	Other	Drug Crime	Other
Constant	14.769**	1.603	1586.317**	12.590*
Gender (1=Male)	.416**	1.827*	.291**	1.352
Race (1=African American)	.477	.714	.288**	.676
Age	.975	.986	.972	.985
Marital Status (1=Married)	1.054	.818	.977	1.012
Severity			.603*	.825
Prior Punishment			.757	2.203**
Community Economic Capital			.712	.827
Community Cultural Capital			.538*	.770*
Community Social Capital			1.126	.689*
Prison Experience Capital			1.224	1.533*
Model $\chi^2$	12.367*	10.232*	27.133**	50.198**
Cox and Snell R <sup>2</sup>	.081	.038	.169	.159

\*p<.05, \*\*p<.01

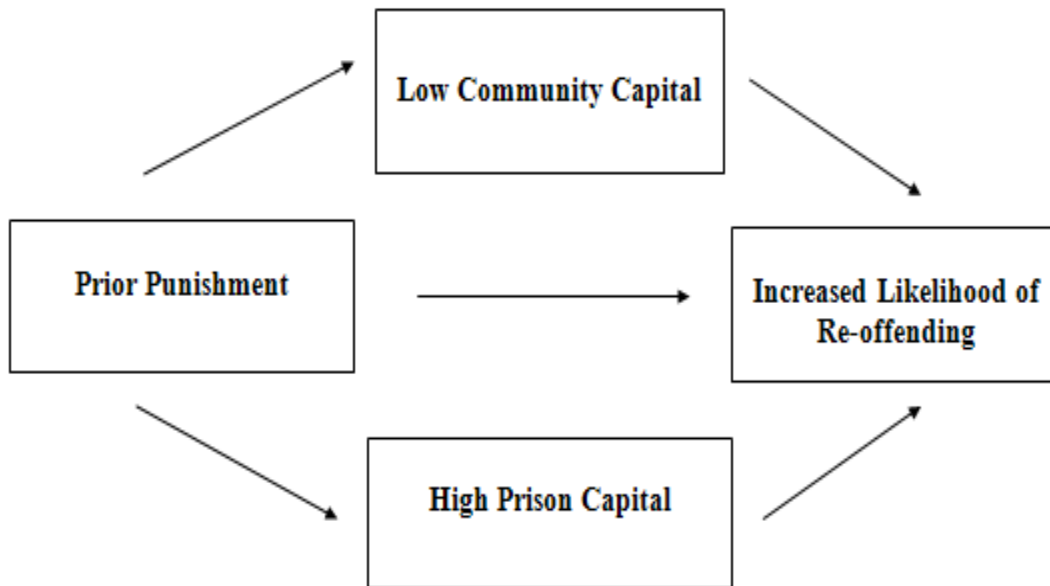


Figure 5.1 Capital and Punishment Model of Re-offending

## CHAPTER VI

### DISCUSSION

The purpose of this chapter is to provide a summary of the significant findings of the study. Limitations and implications will also be discussed.

#### **Summary of Findings**

The purpose of this research was to examine factors that increase the likelihood of re-offending. Specifically, the purpose was to examine how economic, cultural, and social capital in the community, as well as in prison, affect self-reported likelihood of re-offending upon release, and to examine if these indicators are better suited for explaining offending as compared to those included in the deterrence model.

The policies that have led to mass incarceration in the United States have been largely influenced by ideas of traditional deterrence, particularly the belief that severe punishments will deter both offenders and potential offenders from future criminality. Unfortunately, as the correctional system and its corresponding budgets have grown exponentially to accommodate the mass increase in the number of offenders and the lengths of their sentences, we have not seen corresponding large decreases in crime rates. Mass incarceration may have a limited effect on crime rates and severe sentences may deter some criminality; but the recidivism rates in this country call into question the effectiveness of the “get tough on crime” policies that have pervaded the U.S. criminal

justice system for more than thirty years. With nearly two-thirds of released offenders being arrested for a new crime within three years, it is important to discover if and how previous punishment experiences affect the likelihood of future offending. It is no longer fiscally feasible to incarcerate such large numbers of offenders without addressing the possibility that incarceration experiences may actually increase the likelihood that these offenders will return to crime, and subsequently to prison, soon after their release.

To better understand why such a large proportion of released offenders appear undeterred by the possibility of future prison sanctions, two models of re-offending were tested using a sample of adult incarcerated offenders. The specific deterrence model examined the effects of the certainty and severity of punishment, along with previous punishment experiences, on an inmate's perceived likelihood of re-offending upon release. Statistical analysis of these relationships revealed several important findings. First, perceived certainty of re-arrest and actual severity of punishment (measured as years of current sentence), had no significant effect on perceived likelihood of re-offending. Second, the perception of prison as a severe sentence decreased the perceived likelihood of re-offending, and this finding was statistically significant. This finding suggests that one's experience in prison may have more of an effect on likelihood of re-offending than the actual length of their sentence. Finally, those offenders who had been previously incarcerated in an adult correctional facility were 2.3 times more likely to report a likelihood of re-offending upon release than those who were incarcerated for the first time. This statistically significant finding is completely at odds with deterrence claims and suggests that prison punishment experiences may have an effect that is quite

opposite of that which is intended. This finding was statistically significant irrespective of gender and racial categories.

To shed further light on likelihood of re-offending, a proposed capital model was tested, paying particular attention to the effects of economic, cultural, and social capital, both in the community and in prison. Statistical analysis of these relationships revealed that those inmates with higher levels of economic, cultural, and social capital in the community were less likely to perceive a likelihood of re-offending upon release, lending support to the proposed capital model. Upon further investigation, several interactions were discovered. The effect of community economic capital was stronger for female offenders, as compared to male offenders, and for non-black offenders, as compared to African American offenders, suggesting that poverty plays an especially important role in the criminality of both females and non-blacks. The effect of community social capital was stronger for non-blacks, as compared to African Americans, suggesting that maintaining ties to family and friends in the community is especially important to reduce future offending for non-black offenders. The effect of community cultural capital on perceived likelihood of re-offending was significant irrespective of gender or racial category, suggesting that informal consequences, such as shame and diminished reputation in the community, are important for reducing future offending. If going to prison was expected of the offender prior to incarceration, it is unlikely that an actual prison sentence will do much to denigrate an already degenerate reputation.

To further test the proposed comparable capital model, the effect of prison capital on perceived likelihood of re-offending was examined. Higher levels of prison capital increase the likelihood that inmates will re-offend upon release, and this relationship was

statistically significant for both male and female offenders; however, this effect was stronger for non-blacks as compared to African Americans, suggesting that positive or negative prison experiences are especially important in predicting future offending by non-black offenders.

It is also important to note that the effects of crime type and race on likelihood of re-offending were statistically significant. One of the most surprising findings of this study was that African Americans are 38 percent less likely than other inmates to self-report a likelihood of re-offending upon release. Research on actual rates of re-offending show that African Americans are more likely to re-offend than are whites (Langan and Levin 2002; United States Sentencing Commission 2004). The discrepancy between the findings of this study and those of other studies could be due to measurement. For this study, in lieu of actual arrest records, self-reported likelihood of re-offending was used as an indicator of recidivism. African Americans may be less likely than other inmates to report that they will re-offend upon release; however, there is no guarantee that this will translate into actual lower numbers of re-offending once released back into the community. Nonetheless, this finding is interesting and in need of further investigation.

In line with previous research, the odds of re-offending for those arrested for drug crimes are higher than the odds of re-offending for those arrested for violent crimes; however, this effect is much stronger for female offenders, as compared to male offenders, and for non-black offenders, as compared to African American offenders, suggesting that being arrested for a drug crime is an especially strong predictor of future offending for females and non-blacks.

By examining the effects of the indicators used in both models, it was discovered that traditional deterrence and capital indicators alone do not provide a sufficient explanation of likelihood of re-offending. The proposed Capital and Punishment Model of Re-offending may provide a better way of conceptualizing offenders' likelihood of re-offending upon release because it considers the effects of community and prison capital, while paying special attention to the effects of prior punishment.

Because the proposed Comparable Capital Model of Re-offending had never been tested before, the indicators used in this study were simply exploratory in nature. There are numerous ways that the various forms of capital could be conceptualized, and a review of the literature in chapter two offers some suggestions.

Though the effects of community and prison capital on likelihood of re-offending are significant and important, the finding that prior punishment actually increases the likelihood of re-offending is also important. This fact alone discredits the claims of specific deterrence. It is surprising enough that offenders who are currently serving prison sentences would report any likelihood of re-offending upon release, since their perceptions of certainty and severity of punishment are relatively fresh on their minds. But it is even more surprising that those inmates who are serving at least their second sentence in an adult facility would still report a likelihood of re-offending upon their next release. If anyone should have strong perceptions of the certainty and severity of punishment, it should be these offenders; however, the odds of these offenders re-offending upon release are 2.3 times greater than the odds for those offenders who are serving their first sentence in an adult facility. This finding strongly suggests that punishment experiences affect likelihood of re-offending; however, it does not explain

how previous punishment experiences affect the likelihood of re-offending. Fortunately, the proposed Capital and Punishment Model of Re-offending does explain this relationship. Punishment experiences increase the likelihood of re-offending by increasing levels of prison capital while simultaneously decreasing levels of capital in the community. These divergent levels of capital will affect an inmate's opportunities and overall experiences both in prison and in the community. If an offender feels that he has a more positive experience in prison, as compared to his experience in the community, then the risk of a future prison sentence may do little to deter criminality. Divergent levels of capital, both in prison and in the community, could explain why offenders differ in their perceived likelihood of re-offending upon release.

### **Limitations of the Study**

There are several limitations of this study that should be mentioned. First of all, the sample is drawn from one facility in the state of Mississippi. It is possible that offenders serving time in regional facilities experience prison life differently than those housed at Central Mississippi Correctional Facility. Another limitation is sample size. Participation was strictly voluntary, and the length of the survey may have discouraged potential participants. Another potential limitation of the study has to do with the indicators that were chosen to represent the elements of deterrence and the varying amounts of community and prison capital. There are numerous ways to conceptualize the different forms of community and prison capital and different methods to test their effects. It may be possible that the variables chosen from this survey to indicate varying levels of capital are not sufficient indicators in the first place. Regardless of the specific indicators that were used in this particular study, future research should examine other



indicators that fit into the economic, cultural, and social capital categories, both in the community and in prison.

Another potential limitation of the study deals with one the most significant indicators, prior punishment. Inmates were asked, “Before now, have you ever been incarcerated in an adult correctional facility, work center, or jail.” Technically speaking, all of the respondents had served time in a jail before being transferred to prison to serve out their current sentences. Even though this survey item was meant to solicit information about incarceration experiences prior to the current sentence, it is possible that some offenders interpreted this question differently. Inmates were also asked to report the types of crimes for which they had been previously incarcerated.

Approximately 64 percent of inmates reported at least one crime for which they had been previously incarcerated. Because this percentage is similar to the finding that 65 percent of inmates reported previously spending time in an adult facility, it is likely that the prior punishment indicator actually represents those who were incarcerated for prior crimes.

Another limitation of the study is that it does not measure actual re-offending. It measures self-reported likelihood of re-offending. It is possible that those who report a likelihood of re-offending may not ever actually re-offend. In essence, we are measuring differences in hypothetical likelihoods of re-offending.

There are also problems with the data used in this study. The main problem is that there are several missing values for important indicators. Twenty cases alone were lost due to missing information for the dependent variable, likelihood of re-offending. When analyzing the cases that were removed due to missing information on the dependent variable, it was discovered that 75 percent of those cases were also African

American offenders. This could explain why African Americans in the final sample were shown to have a reduced likelihood of re-offending upon release. It is possible that African American offenders did not want to report any likelihood of re-offending, believing that their responses could be used against them in some way. To keep from losing additional cases, the mean value was substituted for the missing values on all other independent variables in the study.

Regardless of the limitations of this study, the findings presented here could have important implications, not only for future research, but also for correctional policy. Next, these implications will be discussed.

### **Implications of the Study**

There have been relatively few studies that examine the impact of punishment on future offending, and many of those studies use college or high school students to test this relationship. An important feature of the present study is its focus on a sample of incarcerated adults to assess the effects of punishment experiences on likelihood of re-offending. Similar to the findings in Wood (2007), this research shows that prior punishment can increase perceived likelihood of re-offending for adult incarcerated offenders.

This study not only shows that prior punishment increases the perceived likelihood of re-offending for adult incarcerated offenders, but it also offers an explanation as to why punishment experiences increase the likelihood of future criminality. Though few studies have examined the relationship between prior punishment and recidivism for adult offenders, even fewer have attempted to explain this relationship. Sherman (1993) offers a theory of “defiance” to explain why punishment

increases future deviance and criminality. Punishment that is perceived as being unjust or excessive can lead to defiant pride and shame, and these feelings can lead to future criminality. Pogarsky and Piquero (2003) suggest that offenders make decisions based on the “gambler’s fallacy.” After receiving punishment, offenders decide that they would have to be extremely unlucky to be apprehended again for criminal activity. Pogarsky and Piquero (2003) refer to this as the “resetting” effect. Offenders actually re-estimate their likelihood of being apprehended again.

The Capital and Punishment Model of Re-offending offers another explanation as to why previous punishment experiences would increase likelihood of re-offending. Receiving punishment, a prison sentence in particular, increases one’s prison capital while simultaneously decreasing one’s capital in the community. These divergent levels of capital affect one’s lived experiences both in prison and in the community. Of those offenders who reported that a prior prison experience made their life in prison easier this time, 63 percent of them cited “I already knew how the prison society works” as the reason. Also, twenty percent of offenders reported that life in prison is easier than life on the outside. If one feels that his experiences are better, or at least no worse, in prison as compared to his experiences in the community, then the risk of future prison sanctions will do little to deter future offending.

By documenting the link between prior punishment, inmates’ opportunities (conceptualized as forms of capital) both in prison and in the community, and likelihood of re-offending, this research should be used to inform policies that actually reduce the recidivism rate and can be appropriately called “correctional.”

When considering the significant relationships between economic, cultural, and social capital in the community, and likelihood of re-offending, it may prove useful for policy makers to design criminal punishments that help retain and restore relationships with significant others, employers, and community members instead of destroying them, as the current system tends to do. Prior punishment may serve to increase offending because such ties to the community are destroyed with lengthy prison sentences designed without rehabilitation, education, and restoration in mind. This research should encourage policy makers and administrators to rely more heavily on alternative sanctions that help offenders maintain or increase community capital without the devastating effects of increasing prison capital.

Because incarceration destroys employment and relationship opportunities, it is easy for offenders to slip back into their criminal ways (Sampson and Laub 1993; Warr 1998). When offenders' sentences are up, they are simply placed back into the community, often with no means to adapt to this new life. It is not surprising that so many will choose to re-offend and return to prison when they feel that they fare best in that situation. Many offend because they feel they have nothing to lose by formal sanctions, such as going to prison. When considering that a culture of criminality may exist for some offenders, it is unlikely that informal networks of social control will have any effect on re-offending for these offenders. Until offenders feel that they can best maximize their potential in the community as compared to a prison society, there is little hope that we will see a drop in recidivism rates.

## Conclusion

It has been the purpose of this research to examine factors that increase the likelihood of re-offending for adult incarcerated offenders. After testing two models of re-offending, a specific deterrence model and a proposed comparable capital model, this research shows not only that prior punishment experiences increase the likelihood of re-offending, but it also offers an explanation as to why this occurs. Prior punishment experiences increase prison capital while simultaneously decreasing community capital, and these divergent levels of capital affect the experiences that one would have in each of these respective societies. If one's experience in prison is better, or at least no worse, than one's experience in the community, then the risk of future prison sanctions will do little to deter criminality. Deterrence concepts may have some effect on noncriminal populations, but punishments designed to be severe in nature may be experienced differently by offender populations. Further, one cannot assume that the threat of future prison sanctions will deter all offenders equally.

While this research is not the first to find a positive relationship between previous punishment experiences and likelihood of re-offending, this novel conceptualization of re-offending offered by the Capital and Punishment Model accounts for why inmates vary in their perceived severity of prison sanctions, and, therefore, why inmates are not equally deterred by the threat of additional prison sentences. Spending time in prison will lead to divergent levels of capital in prison and in the community. Those with prison capital may have an improved experience behind prison walls; however, upon release, they will find that life in the community is difficult. And all too often, they have diminished economic, cultural, and social capital in the community to improve their

predicaments. As one's situation in the community becomes more dreadful, and an additional prison sentence looks less threatening, re-offending becomes more likely.

Future research should examine the types of offenders that are amenable for certain types of treatment and those who can be deterred by various forms of punishment, other than incarceration. Knowing the impact of incarceration experiences on future offending, prison sentences should be a last resort in our punishment arsenal. The "one size fits all" mass incarceration mentality has proven ineffective at reducing recidivism while simultaneously placing an excessive burden on individuals, families, communities, and correctional budgets.

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APPENDIX A

SURVEY FOR THE CENTRAL MISSISSIPPI CORRECTIONAL FACILITY

## SURVEY FOR THE CENTRAL MISSISSIPPI CORRECTIONAL FACILITY

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Please fill in the blank or circle the best response for each of the following questions. Please choose only one response for each question unless instructed to do otherwise.

1. What year were you born? 19 \_\_\_\_\_
2. How do you describe yourself?
  - a. Black/African American
  - b. White
  - c. Hispanic
  - d. American Indian
  - e. Asian
  - f. Other (specify: \_\_\_\_\_)
3. What is your current relationship status?
  - a. single, never married
  - b. married
  - c. separated
  - d. divorced
  - e. widow/widower
  - f. in a committed relationship but not married
  - g. other (specify \_\_\_\_\_)
4. What was your relationship status just before being incarcerated?
  - a. single, never married
  - b. married
  - c. separated
  - d. divorced
  - e. widow/widower
  - f. in a committed relationship but not married
  - g. other (specify \_\_\_\_\_)
5. Do you have any children?
  - a. No
  - b. Yes (If yes, how many? \_\_\_\_\_)
6. If you answered "no" to the previous question, please skip this question and proceed to question 7. How would you describe your relationship with your children?
  - a. I am very close to my children.
  - b. I have a decent relationship with my children.
  - c. I rarely communicate with my children.
  - d. I never communicate with my children.
  - e. My children do not know me at all.
7. How would you describe your family's social class when you were growing up?
  - a. upper class
  - b. upper middle class
  - c. middle class
  - d. lower middle class
  - e. lower class
8. How would you describe your social class before you were incarcerated?
  - a. upper class
  - b. upper middle class
  - c. middle class
  - d. lower middle class
  - e. lower class
9. How much education did your father have before you left home?
  - a. 8<sup>th</sup> grade or less
  - b. some high school
  - c. high school diploma (12<sup>th</sup> grade) or GED
  - d. some college
  - e. completed college
  - f. graduate or professional degree
  - g. other (specify \_\_\_\_\_)
  - h. don't know
10. How much education did your mother have before you left home?
  - a. 8<sup>th</sup> grade or less
  - b. some high school
  - c. high school diploma (12<sup>th</sup> grade) or GED
  - d. some college
  - e. completed college
  - f. graduate or professional degree
  - g. other (specify \_\_\_\_\_)
  - h. don't know

11. What is your highest level of education?
- |  |                                    |
|--|------------------------------------|
| a. 8 <sup>th</sup> grade or less                       | e. completed college               |
| b. some high school                                    | f. graduate or professional degree |
| c. high school diploma (12 <sup>th</sup> grade) or GED | g. other (specify _____)           |
| d. some college  | h. don't know                      |
12. Have you received any education while in prison, such as a high school diploma or GED?
- a. Yes      b. No
13. When you were in school, what kind of student would you describe yourself as?
- |   |                            |
|---|----------------------------|
| a. great student (mostly A's)                 | f. don't remember          |
| b. good student (mostly B's)                  | g. I did not attend school |
| c. average student (mostly C's)               |                            |
| d. below average student (mostly D's and F's) |                            |
14. Did you have any special talents growing up? Circle all that apply.
- |            |                             |
|------------|-----------------------------|
| a. singing | f. playing an instrument    |
| b. dancing | g. math                     |
| c. sports  | h. other (specify _____)    |
| d. writing | i. I had no special talents |
| e. drawing |                             |
15. Which of the following best describes your employment status just before incarceration?
- |   |                                       |
|---|---------------------------------------|
| a. working full-time                    | e. not working due to disability      |
| b. working part-time                    | f. stayed home and cared for children |
| c. not working but looking for work     | g. retired                            |
| d. not working and not looking for work |                                       |
16. About how much money did you make from all legal sources during the year before this incarceration?
- \$ \_\_\_\_\_ per year
17. Did you make money from any illegal sources during the year before this incarceration?
- a. No
- b. Yes (If yes, how much? \_\_\_\_\_)
18. Right before you were incarcerated, which statement best describes you?
- |  |
|--|
| a. I had more than enough money to support myself. |
| b. I had just enough money to support myself.      |
| c. I did not have enough money to support myself.  |
19. Right before you were incarcerated, which statement best describes you?
- |                                    |
|------------------------------------|
| a. I owned my own residence.       |
| b. I rented my own of residence.   |
| c. I lived with friends or family. |
| d. I lived on the streets.         |
20. When you are released from prison, where do you plan to live?
- |  |
|--|
| a. I will own my own residence.        |
| b. I will rent my own residence.       |
| c. I will live with friends or family. |
| d. I will live on the streets.         |
21. When you are released from prison, on a scale from 0 to 10, what is the likelihood that you will be able to make enough money to support yourself, from legal sources?
- 0      1      2      3      4      5      6      7      8      9      10
- (0=Very Unlikely)      (10=Very Likely)

22. Do you agree with the following statements? Use the scale below and circle the number for each statement.

1=Strongly Agree 2=Agree 3=Disagree 4=Strongly Disagree

	<u>Strongly Agree</u>	<u>Agree</u>	<u>Disagree</u>	<u>Strongly Disagree</u>
My parents/guardians stressed the importance of education when I was growing up.	1	2	3	4
Right before incarceration, I could depend on my family for help.	1	2	3	4
Right before incarceration, I could depend on my friends for help.	1	2	3	4
When I am released from prison, I will be able to depend on my family for help.	1	2	3	4
When I am released from prison, I will be able to depend on my friends for help.	1	2	3	4
Before incarceration, I had "connections" to powerful people who could help me.	1	2	3	4
Since I have been incarcerated, I feel I have "connections" to people inside of prison who can help me.	1	2	3	4
Before incarceration, I worried about my safety in the community.	1	2	3	4
Before incarceration, I felt that going to prison would hurt my reputation.	1	2	3	4
Before incarceration, I felt that going to prison was expected of me.	1	2	3	4
My family was disappointed to find out that I was going to prison.	1	2	3	4
I am often fearful about my safety in prison.	1	2	3	4
Before incarceration, I felt I had to turn to crime to make ends meet.	1	2	3	4
It was easier to obtain goods and services in the community than it is in prison.	1	2	3	4
I am respected more in prison more than I was on the outside.	1	2	3	4
I am more respected in prison than other inmates.	1	2	3	4
I have more status in prison than other inmates.	1	2	3	4
I basically keep to myself in prison.	1	2	3	4
Most of the inmates I know are basically ok guys.	1	2	3	4
I trust most of the inmates I know.	1	2	3	4
I know if I was threatened in prison, other inmates would have my back.	1	2	3	4
I am often hassled by other inmates.	1	2	3	4
I basically get along with other inmates.	1	2	3	4
I frequently argue with other inmates.	1	2	3	4
I am frequently angry at other inmates.	1	2	3	4
I am often hassled by correctional staff.	1	2	3	4

(Number 22 Continued)

22. Do you agree with the following statements? Use the scale below and circle the number for each statement.

1=Strongly Agree 2=Agree 3=Disagree 4=Strongly Disagree

	<u>Strongly</u> <u>Agree</u>	<u>Agree</u>	<u>Disagree</u>	<u>Strongly</u> <u>Disagree</u>
I basically get along with the correctional staff.	1	2	3	4
I frequently argue with correctional staff.	1	2	3	4
I am frequently angry at the correctional staff.	1	2	3	4
Most correctional staff look out for me.	1	2	3	4
If I were threatened or hurt by another inmate, I would report it to correctional staff.	1	2	3	4
If I knew someone well in prison who was threatened or hurt by another inmate, I would report it to correctional staff.	1	2	3	4
If I didn't know someone that well who was threatened or hurt by another inmate, I would report it to correctional staff.	1	2	3	4
If I were threatened or hurt by another inmate, my friends would report it to correctional staff.	1	2	3	4

23. Do you agree with the following statements? Use the scale below and circle the number for each statement.

1=Strongly Agree 2=Agree 3=Disagree 4=Strongly Disagree

	<u>Strongly</u> <u>Agree</u>	<u>Agree</u>	<u>Disagree</u>	<u>Strongly</u> <u>Disagree</u>
Most days I generally feel sad.	1	2	3	4
Most days I generally feel depressed.	1	2	3	4
Most days I generally feel anxious.	1	2	3	4
Most days I generally feel lonely.	1	2	3	4
Most days I generally feel frightened.	1	2	3	4
Most days I generally feel angry.	1	2	3	4
Most days I generally feel irritable.	1	2	3	4
Most days I generally feel happy.	1	2	3	4
Most days I generally feel pretty good.	1	2	3	4

24. When there is something that you want to obtain in prison, how do you go about getting it? [Circle all that apply]

- a. I pay cash.
- b. I pay with cigarettes.
- c. I pay with drugs.
- d. I pay with sexual favors.
- e. I pay with food.
- f. I just take what I want.
- g. Other (please specify \_\_\_\_\_)
- h. Not sure.



25. Which of the following family members have been incarcerated? [CIRCLE ALL THAT APPLY]
- |              |                |                  |
|--------------|----------------|------------------|
| a. none      | f. spouse      | k. uncle/s       |
| b. mother    | g. daughter/s  | l. aunt/s        |
| c. father    | h. son/s       | m. cousin/s      |
| d. sister/s  | i. grandfather | n. other (_____) |
| e. brother/s | j. grandmother | o. don't know    |
26. When you first arrived here, did you already know someone serving time in this facility?
- a. No [If No, proceed to question 28]  
b. Yes
27. Did knowing someone in this facility make it easier for you to transition into this facility?
- a. Knowing someone in this facility made the transition much easier.  
b. Knowing someone in this facility made the transition somewhat easier.  
c. Knowing someone in this facility did not make the transition any easier.  
d. I did not know anyone serving time in this facility when I was incarcerated.
28. Think of the five people who mean the most to you.  
Of those five people, how many have been incarcerated? 0 1 2 3 4 5
29. How many people who are currently serving time in this facility do you consider as close friends? \_\_\_\_\_
30. How often do you get to see your close friends who are currently serving time in this facility?
- a. daily  
b. a few times a week  
c. a few times a month  
d. a few times a year  
e. never  
f. I do not have close friends serving time in this facility.
31. Imagine someone like yourself will be released next week. Using the number line below, please circle the likelihood that within three years that person will commit another crime.
- 0 1 2 3 4 5 6 7 8 9 10  
(0=Not at all likely) (10=Very Likely)
32. What is your current custody status?
- a. minimum security  
b. medium security  
c. maximum security
33. Do you agree with the following statements? Use the scale below and circle the number for each statement.
- |  |          |            |                     |       |          |                      |   |
|--|----------|------------|---------------------|-------|----------|----------------------|---|
| 1=Strongly Agree   | 2= Agree | 3=Disagree | 4=Strongly Disagree |       |          |                      |   |
|  |          |            | Strongly<br>Agree   | Agree | Disagree | Strongly<br>Disagree |   |
| Spending time in prison makes offenders more likely to commit crimes after they have been released.          |          |            |                     | 1     | 2        | 3                    | 4 |
| Once someone has done time in prison, it is easier for that person to adjust to prison a second time.        |          |            |                     | 1     | 2        | 3                    | 4 |
| People will often commit crimes in order to gain respect from their friends and people they want to impress. |          |            |                     | 1     | 2        | 3                    | 4 |
| Spending time in prison makes offenders less likely to commit crimes after they have been released.          |          |            |                     | 1     | 2        | 3                    | 4 |

(Number 33 continued)

33. Do you agree with the following statements? Use the scale below and circle the number for each statement.

	1=Strongly Agree	2= Agree	3=Disagree	4=Strongly Disagree
	<u>Strongly</u> <u>Agree</u>	<u>Agree</u>	<u>Disagree</u>	<u>Strongly</u> <u>Disagree</u>
Offenders think carefully about the chances of being caught before committing crimes.	1	2	3	4
Offenders think carefully about the sentence they might receive before committing crimes.	1	2	3	4
Offenders think carefully about the rewards they might gain before committing crimes.	1	2	3	4
The benefits of crime are more important than the costs of committing crime.	1	2	3	4
People will often commit crimes in order to gain respect from parents, grandparents, and other family members.	1	2	3	4
All things considered, life in prison can be easier than life on the outside.	1	2	3	4
Doing time in prison teaches offenders to be better criminals.	1	2	3	4
I have gained more respect in prison than I did in the community.	1	2	3	4
I understand prison life better than I understand life on the outside.	1	2	3	4
I have more power in prison than I do in the community.	1	2	3	4
I have more in common with people in prison than I do with people in the community.	1	2	3	4
I have adjusted well to prison life.	1	2	3	4
Being incarcerated is a severe sentence.	1	2	3	4
Having money and property is less important in prison than it is in the community.	1	2	3	4
Spending time in prison makes offenders more likely to commit crimes after they have been released.	1	2	3	4
34. Have you ever spent time in a juvenile correctional facility or detention center?				
a. No				
b. Yes (If yes, how much total time? _____ years _____ months)				
35. Before now, had you ever spent time in an adult correctional facility, work center, or jail?				
a. No [If No, proceed to question 38]				
b. Yes (If yes, how much total time before this incarceration? _____ years _____ months)				
36. What effect did your prior prison experience have on your experience in prison this time?				
a. It had no effect at all. [Proceed to question 38]				
b. It made life more difficult in prison this time. [Proceed to question 38]				
c. It made life easier in prison this time. [Proceed to question 37]				

37. What reasons did previously spending time in an adult correctional facility make your life in prison easier this time? (Circle all that apply)
- I already knew people in this facility who could help me out when I needed it.
  - I already knew how the prison society works.
  - I was already used to being away from my family and friends.
  - I no longer felt ashamed because going to prison is expected of me.
  - I know that all my needs will be met in prison.
  - I knew that life in prison is easier than life in the community.
38. For what crime types were you previously incarcerated? If none, skip this question and proceed to question 39. (Circle all that apply)
- Violent Crime
  - Property Crime
  - Drug Crime
  - Other (please specify \_\_\_\_\_)
39. For what crime types are you currently incarcerated? (Circle all that apply)
- Violent Crime
  - Property Crime
  - Drug Crime
  - Other (please specify \_\_\_\_\_)
40. How long is your current sentence? \_\_\_\_\_ years \_\_\_\_\_ months
41. How long until your expected release from this correctional facility? \_\_\_\_\_ years \_\_\_\_\_ months
42. If you have participated in any of the following programs, do you think that they were helpful? Use the scale below and circle the number for each program.

1=YES      2=NO      3=Did not participate in this program

	YES	NO	Did Not Participate
Education program	1	2	3
Substance abuse program	1	2	3
Mental Health program	1	2	3
Domestic abuse program	1	2	3
Job training	1	2	3
In-prison industry	1	2	3
Parenting program	1	2	3
Transition program	1	2	3
Aftercare program	1	2	3
HIV/AIDS program	1	2	3
Life skills program	1	2	3
Other (specify _____)	1	2	3

43. How often do you communicate with family members or friends who are not incarcerated?
- daily
  - several times a week
  - several times a month
  - several times a year
  - never
44. On a scale from 0 to 10, how well do you think you will adjust to life in the community upon release from this facility?
- 0 1 2 3 4 5 6 7 8 9 10  
(0=Not Very Well) (10=Very Well)
45. If you commit another crime when you are released, what is the likelihood that you will be arrested for committing that crime?
- 0 1 2 3 4 5 6 7 8 9 10  
(0=Not Likely) (10=Very Likely)
46. What reasons do you believe that you, or someone like yourself, might commit another crime upon release?  
[Circle all that apply]
- Finding legal sources of income will be difficult.
  - Family and friends will not be willing to help out.
  - Finding a place to live will be difficult.
  - One will miss friends who are still in prison.
  - Obtaining goods and services in prison is easier than it is in the community.
  - Gaining respect in prison is easier than gaining respect in the community.
  - Committing crime is enjoyable.
  - Being caught is unlikely.
  - Being caught will take a long time.
  - Ending up back in prison will not seem as severe as it did the first time.
  - Other (please specify \_\_\_\_\_)

This next section focuses on your religious activities and beliefs. Religion affects people's lives and communities on a daily basis, so we want to learn more about the role it plays in your life.

47. How often do you attend religious services?
- Few times a week
  - Once a week
  - Few times a month
  - Few times a year
  - Never
48. Do you agree with the following statements? Use the scale below and circle the number for each statement.

	1=Strongly Agree	2= Agree	3=Disagree	4=Strongly Disagree
	Strongly Agree	Agree	Disagree	Strongly Disagree
The Bible is God's word and everything happened or will happen exactly as it says.	1	2	3	4
After I do something wrong, I fear God's punishment.	1	2	3	4
Following God's commandments is important to me.	1	2	3	4
God knows everything a person does wrong.	1	2	3	4
In the end, God punishes those who sin.	1	2	3	4
Religion/spirituality is a very important part of my life.	1	2	3	4

