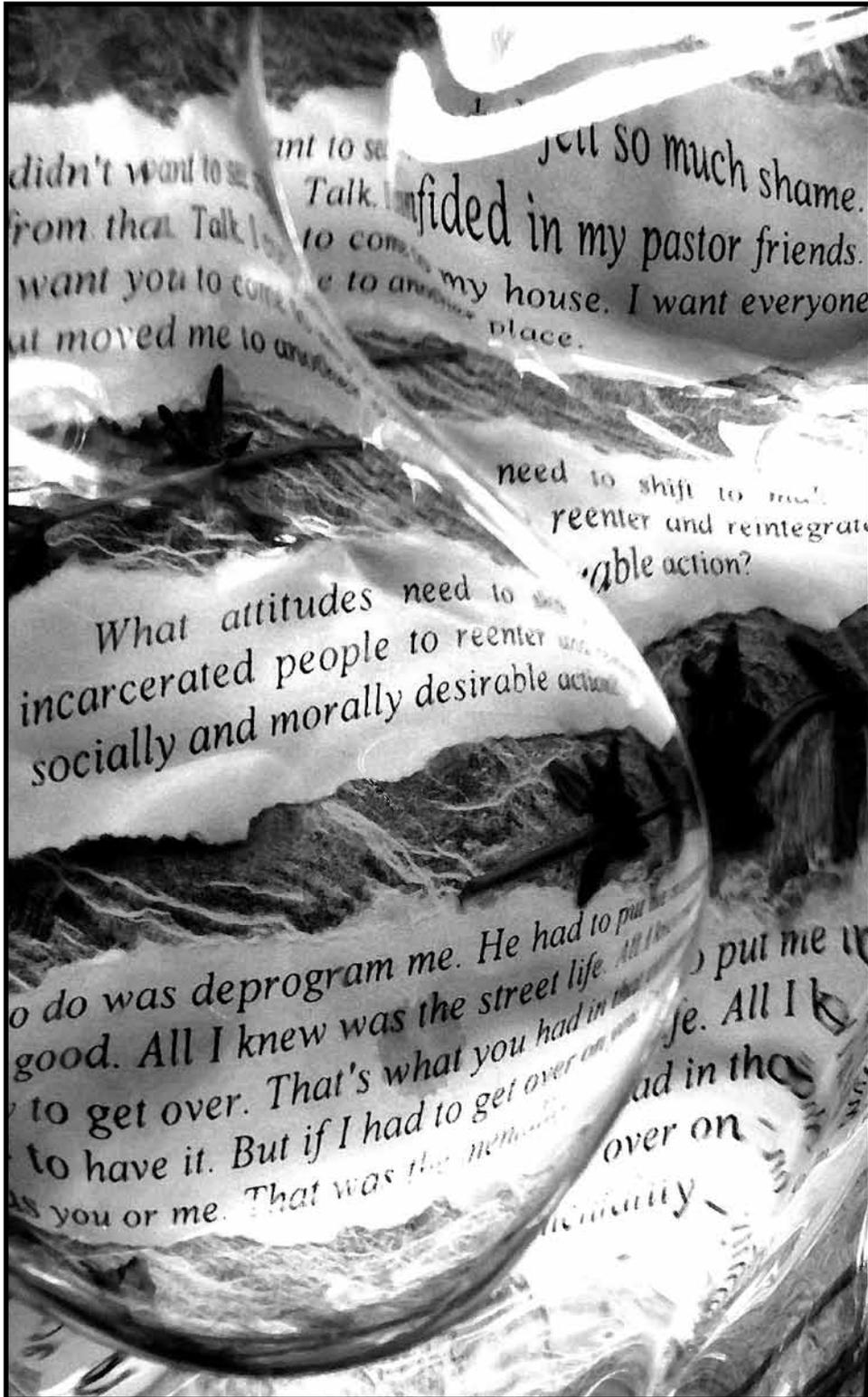




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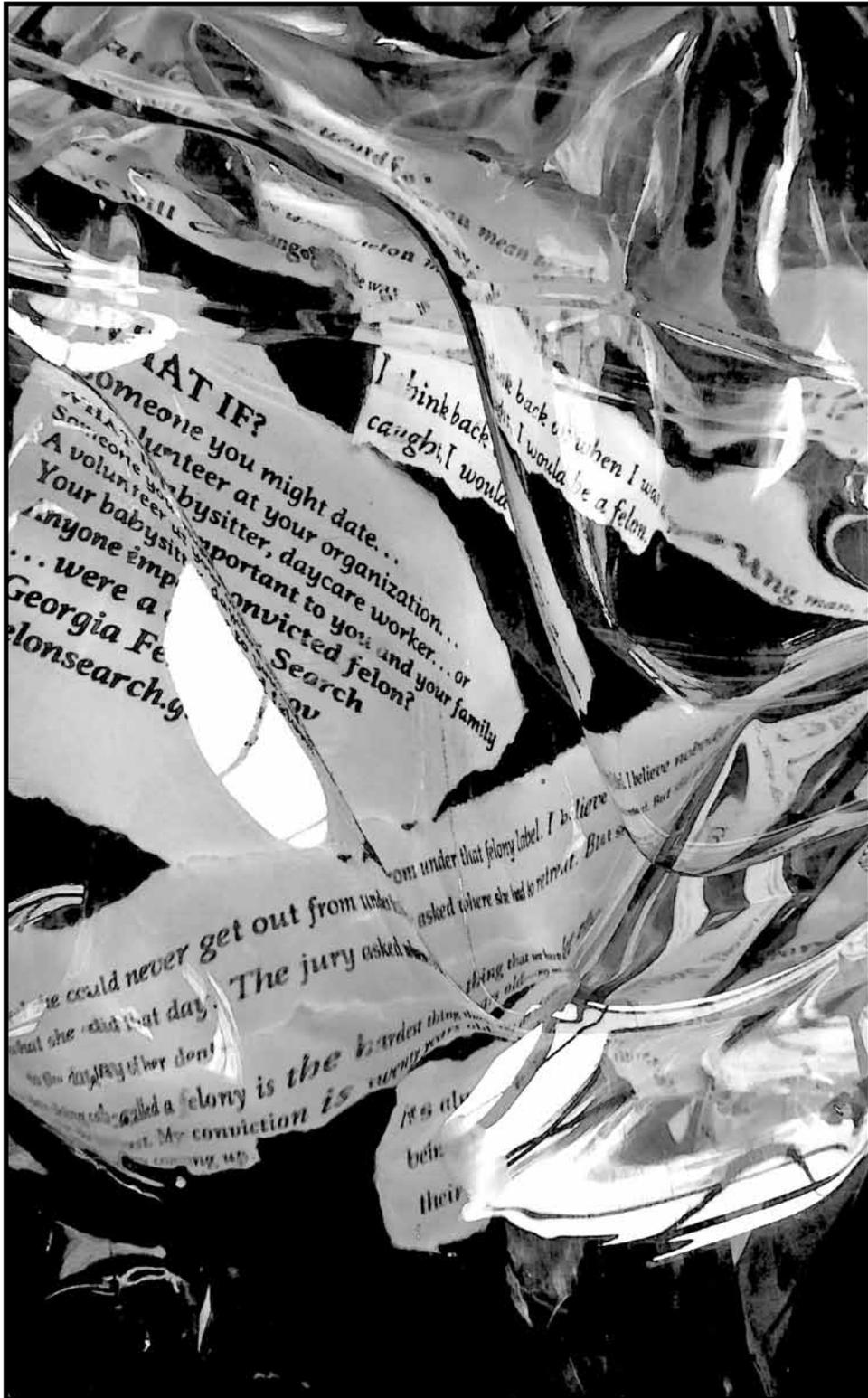
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## FOREWORD

Reentry is here. We simply can't afford financially to imprison at the rate and length we have for the last three decades. But for reentry to be here to stay, we as an entire society need to share the burden. What attitudes need to shift to make assisting formerly incarcerated people to reenter and reintegrate in society a safe, socially and morally desirable action? Why is a commitment to reentry as a stance so important for a highly polarized society? What kind of a system do we create when we think of those who break laws as essentially different from us? What does this attitude justify, what does it protect us against? What does thinking this way do to our character as individuals and as a nation?

This book is the result of a six-year Wising Up Listening Project on reentry in Georgia. Its aim is to share what we learned, to expand, individual story by individual story, our understanding of the importance and the challenges of successful reentry for all of us after an age of mass incarceration. This project has taught us that we need to look more carefully at the stories we use to understand crime—and justice. We need to collaborate on new ones, more complex, nuanced, compassionate ones that make room for both the suffering of the victims of crime and the possibility of change and constructive social contribution on the part of those who have been convicted of crimes and punished for them—stories that understand the reality of both irreparable harm and our capacity for remorse and change. We need to bring these stories under a single roof, hold them all in our hearts if we are to work toward a truly just system—one where we feel assured that our children, our brothers and sisters, our mothers and fathers, or we ourselves will be justly treated if we commit a crime or are the victim of one. This book is one attempt, by common citizens, to do so.



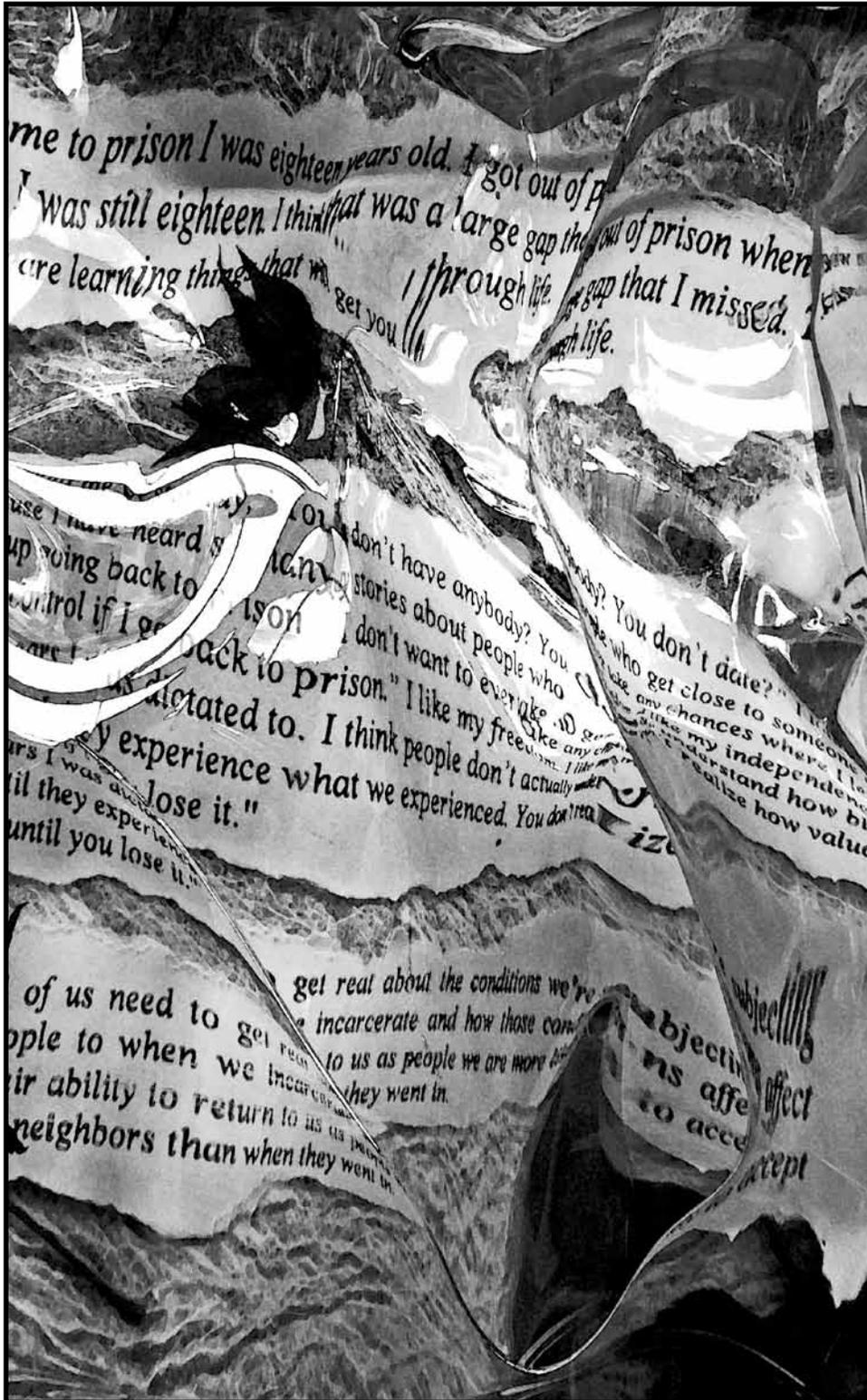
## INTRODUCTION

### WHAT ARE WE CLAPPING FOR?

In the 2019 State of the Union address, the president announced the passage of a long-awaited bipartisan criminal justice reform bill, the First Step Act. He identified two of his guests as people directly impacted by the bill. When they stood, they received standing ovations. But if one stops to think about it, the applause is as ambiguous as our attitudes toward criminal justice. Another family, earlier, was applauded for having a family member murdered in their home by an illegal immigrant, their presence at the speech providing support for the president's claims that the issue of illegal immigration is inseparable from crime. The two people who stood as exemplars of criminal justice reform were not illegal immigrants. They were black. They both had served extremely long sentences for nonviolent drug crimes. Matthew Charles, the first person to be released as a result of the First Step Act, was serving a thirty-five-year sentence. Alice Johnson, who was granted presidential clemency in June, 2018, after her story came to the president's attention through the advocacy of a reality television star, was serving a mandatory life sentence. Although strong advocates of criminal justice reform, we found the applause unsettling.

Were the members of Congress applauding the now very rare bipartisan support behind the bill? Applauding their own ability to begin to right some clear injustices in federal criminal justice laws, especially concerning racial inequality in sentencing, by placing greater emphasis on judicial discretion in sentencing, community supervision, and rehabilitation? Were they applauding stories of personal rehabilitation *in spite of* unjust sentences? In other words, applauding these individuals' heroic resistance? Or their heroic persistence?

Is it in our best interest as a society to have rehabilitation be an heroic story where the criminal justice system *as a system* is the malignant adversary? Does it help us to ignore or forget that the laws we are righting have had—and continue to have—lasting consequences that individuals may *not* be able to overcome? Or that those in prison, in general, are not innocent—that



## OVERVIEW: DESISTANCE

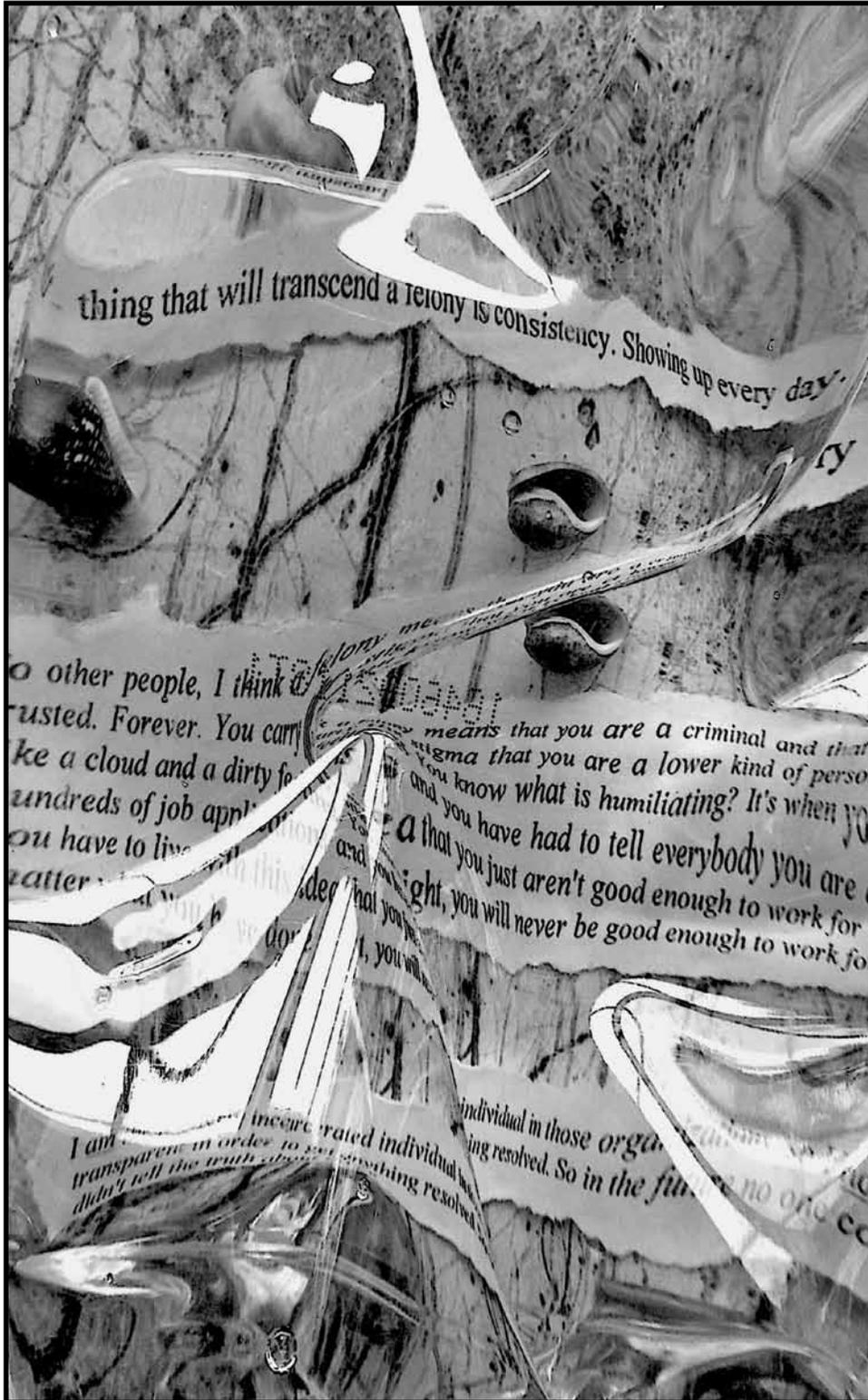
We talked to numerous men and women who have been convicted of felonies. We planned originally to focus exclusively on people convicted of nonviolent crime; however, most of the people we talked to, especially those we talked to at length and followed for several years, had been convicted of violent crimes. Everyone at some point had been incarcerated, some of them for decades. The time since incarceration also ranged from weeks to almost forty years. The inclusion of violent crime was important because these are the offenses that are most challenging for how we as a society handle reentry.

We start with these stories because any discussion of reentry that doesn't include offenders' own understanding of the causal arc of their life—what they hold themselves accountable for, what they have pride in achieving, what they see as their gifts to society, what they see as society's gifts to them—is not grounded in the most essential elements of *trustworthy* social relation: choice and integrity. We need to understand what being a productive and valued citizen means to them—and to bring that understanding into complex dialogue with *our* understanding of what it means to us. Hopefully, both understandings will change with the encounter.

### THE DESISTANCE STORY

*Essential Good:* The social psychologist Shadd Maruna in his book *Making Good: How Ex-Convicts Reform and Rebuild Their Lives* emphasizes the importance that the story offenders tell about themselves and their actions and motivations is to their ability to reenter society and to desist successfully from crime in the future.<sup>1</sup> This desistance story needs to have at its heart an understanding of the essential good of the person telling the story even as it acknowledges the harm he or she has done. Without this positive core—a sense of personal initiative and affirmation—lasting change is near impossible for any of us.

*Turning Point:* That turning point, where something shifts and we are able to assume responsibility for both the harm we have done *and* our



1

## THE SISYPHEAN STONE

IVAN

*What are you going to do with a guy that will not give up doing right?*

We begin with Ivan's story because it speaks so directly to the *lasting* weight of a felony conviction. Even after a relatively minor drug conviction and short prison sentence completed in his late teens, Ivan still faces severely limiting collateral consequences decades later, despite a long history of hard work and advanced education. What is striking about Ivan's story is the disproportion of collateral versus direct consequences of his criminal conviction. This is *not* a reflection of highly punitive sentencing, rather of the laws and regulations, and, even more importantly, social attitudes that work actively to reduce the ability of even the most committed of individuals to engage fully and constructively in our society after a felony conviction. It is hard to imagine many of us marshaling such determination again and again and again to overcome poor choices we made, and paid for, before we were twenty. Even harder to imagine what it feels like to helplessly watch our wives and children assume this burden too.

We first met Ivan when we heard him speak eloquently about the damaging impact of collateral consequences at a breakout session on employment at a Fulton County community engagement rollout for the Georgia Prison Reentry Initiative. Our interview took place at Georgia Works, a non-profit that helps homeless men become gainfully employed. Men live at Georgia Works for up to a year, where they receive housing, support, and are employed at minimum wage for thirty hours a week. Participants are required to renounce government benefits and to stay alcohol free. Ivan was a senior case manager there at the time of the interview.

Ivan's office had a large window looking out on a leafy courtyard and a door looking in on a large common room. On the other side of the common room large plate glass windows revealed clean, austere rooms with neatly made cots. Most of the men were out working, but towards the end of the



## RAISING OURSELVES

ANTHONY

*When does it become acceptable to become your environment?*

Every time we read the transcript of our interview with Anthony, we pause, amazed at the level of growth and maturation he was able to achieve for himself during the twenty-five years he served in some of Georgia's worst prisons. There is a seeking intelligence here that allowed him to survive a traumatic childhood and equally traumatic adulthood and come out whole. Angry—and whole. Entering prison at seventeen, he made a vow to himself, "You a man when you walk across this. When you walk across this in twenty-five years, you still going to be a man." He did more than that. He came out a moral, humane adult. *How* he built that inner structure is the heart of his story. A tall, handsome man in his early fifties, we first met him when he spoke at a meeting of A.B.L.E., a social change group advocating criminal justice reform.

### EARLY INFLUENCES

Anthony's early life was brutal and traumatic. One of fourteen children, he was orphaned at seven when his mother was beaten to death by her boyfriend. Three months earlier one of Anthony's brothers, who had been arrested with two of his other brothers, died when his jail cell was set on fire and he was severely burned. Forbidden to see his brother because he was a child, Anthony remembers his mother and brothers emerging from the hospital room crying. His family believed that the police had set his brother's cell on fire. "And that's when I really started looking at life in this aggressive, fuck-it type mode," he said.

The question of where his anger originated is probably less important than all the many ways it was stoked by his subsequent experiences. After his mother's death, Anthony and his siblings were separated and sent to various foster settings. The one Anthony talked about most was the group home

where he stayed the longest. It was his third or fourth placement. He admired the women who started the home: *But when you have that many troubled kids in one place and you don't have counseling, you can imagine what it turn into. I didn't want to be someone who got beat up every week. So I became aggressive.*

He described how they were punished: *They had a long hallway, and if you got in trouble, they would put kids at each side of the hallway with belts and you would have to undress and you would have to run from this end to that end and they would whip you, and that's where my ability to fight came from. I went through that one time. I went and the first boy who hit me, I stopped and beat his ass. And then I ended up having to fight all the kids in the dormitory because the dormitory parents said, "Git him" and so I had to fight all of them. I was about nine.*

Speaking with us, Anthony could clearly see that his aggressiveness had strong environmental origins, but back then he didn't. *At that point in my life, I'm rebellious, angry, mad—but I've lost the reason why I'm mad. I don't remember how my brother died, not on a conscious level. I don't remember how my mother died. On a conscious level it's not there, but on an unconscious level it is. The various abuses, the molestations in the foster homes, they're in the back of my mind. But when I try and analyze my anger, they're not there. It wasn't until I actually was in prison that I understood.*

He was clear that anger is preferable to fear: *Kids should not grow up enraged or in fear. They should definitely not grow up in fear. I would prefer they grow up enraged.* He saw how his aggression evolved and his sympathies narrowed: *I can actually see the transition from being a defender of people. I used to be the type of kid who if I saw you bullying this guy, I'd say, "Nah, fight me." Because I was good at fighting. And I can see the transition from that to "Man, forget it. If he don't fight for himself let him get beat up." I can remember how it progressed.*

The impact of labeling was not abstract to him. At ten or eleven, Anthony punched the father in his foster home and ran away after the man had grabbed him by his penis. When found by the police two days later, he was put in juvenile detention: *The judge labeled me as incorrigible. I'm like ten or eleven years old. So incorrigible meant to me that I had been violated. I didn't know that it meant that I was bad. Because again no one explained anything to me.*

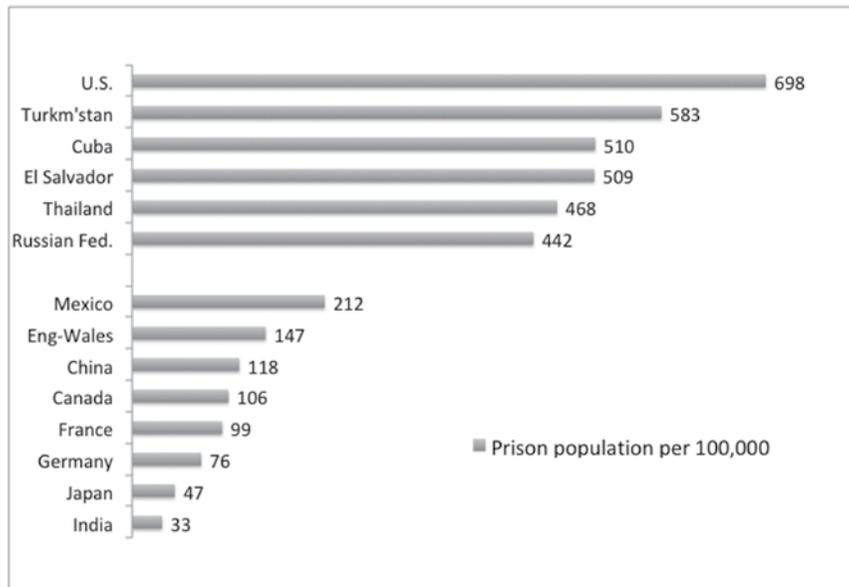
Anthony liked the juvenile detention center. It felt cleaner and more orderly than the foster homes he had been sent to, but by this time,



### MASS INCARCERATION IN NUMBERS

The skyrocketing incarceration rates of past decades in the United States have placed it at the top for *all* of the countries of the world. Figure II.1 shows the six countries that had the highest rates for the most recent year available from the relevant United Nations agency, along with a number of other countries valuable for comparison.

Figure II.1. Imprisonment Rates: Highest Countries & Selected Others



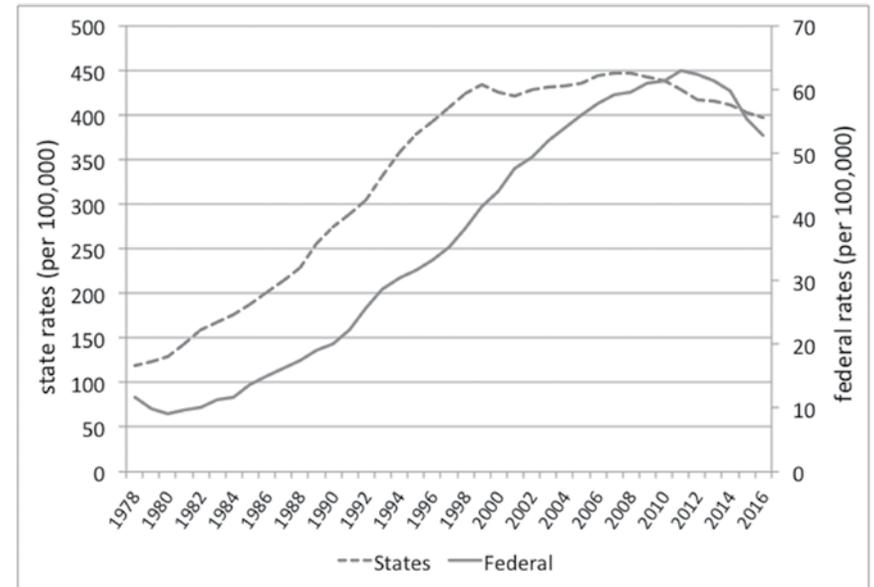
Source: United Nations Office on Drugs and Crime, "Homicide Counts and Rates," *Global Study on Homicide*. 2013. Web. Excludes tiny countries.

#### MASS INCARCERATION IN THE UNITED STATES

The number of people incarcerated in the United States exploded in the 1980s, continuing to sharply increase for about another two decades, as shown by Figure II.2. Federal prisons, which are for people convicted of

violating federal law, hold only a minor portion of all inmates. Instead, most offenders are convicted of violating state laws and are held in prisons run by each state. Jails are usually administered by counties, typically incarcerating people waiting trial who are denied bail or, more likely, can not afford their bail; inmates serving shorter sentences (such as under a year); and offenders waiting transfer to state prison. States also run separate juvenile justice systems, including youth residential facilities. Because the federal prison population is so much smaller than that of the states, Figure II.2 plots the two against separate population scales, states on the left vertical axis, the federal on the right (jails not included).

Figure II.2. Imprisonment Rates: Federal and States, 1978-2016



Source: U.S. Bureau of Justice Statistics. "Imprisonment rate of sentenced prisoners under the jurisdiction of state or federal correctional authorities per 100,000 U.S. residents, December 31, 1978-2016." Generated using the Corrections Statistical Analysis Tool at [www.bjs.gov](http://www.bjs.gov).



## **INSTITUTIONAL & PHILOSOPHICAL REFORM**

*I think we've just given people permission to practice in the way they have wanted to all along.*

Michael Nail, Commissioner, Department of Community Supervision

### *THE CREATION OF DCS*

In 2015, as part of its criminal justice reform Georgia created a new agency, the Department of Community Supervision, which combined field services from Probation, Parole, and Juvenile Justice felony probation. The agency also has oversight over misdemeanor probation, which is conducted by private for-profit agencies. The intention was to centralize and standardize supervision practices. This was a major undertaking, prepared for in part by various earlier reforms in both Probation and Parole. Given the enormous size of the Georgia supervision population, especially probation, and the differences in the institutional cultures of Parole and Probation as well as of their practices, the consolidation process has been remarkably efficient, highly motivating for staff, and has allowed the development of a distinctive philosophy for community supervision that is at odds with that of much of the criminal justice system, particularly corrections.

This extensive reorganization and reform has provided a structure in which a more positive, relational and socially-contextualized form of community supervision can be practiced. The new agency's unambivalent statement that they want to see people succeed on supervision—radical in the context of the generally punitive stance of the criminal justice system—weights the see-saw of accountability and support firmly on the side of support. Their motto, "One Officer, One Family, One Community," acknowledges the intersection of interests involved in community supervision.

This approach counteracts the usual individualistic bias of corrections and of the criminal justice system in general, an approach summed up in the booklet on reentry distributed in prisons with the motivational statement: *Reentry Begins with You*. This is a troubling but accurate assertion in prisons stripped for years of almost all programming, in highly punitive states, like

Georgia, with great racial, economic, and educational inequalities. Now, Michael Nail, the commissioner of DCS says, "When I was a young officer, I thought the relationship was just between me and my probationer. How dumb was that!"

The major changes that are the results of this restructuring and reform are:

- ◊ *Basing officers primarily in the field rather than in offices.*
- ◊ *Making extensive use of communication and GPS technology to cut costs.*
- ◊ *Standardizing supervision conditions and procedures whether people are on probation or parole.*
- ◊ *Using evidence-based practices that improve efficiency and effectiveness, including concentrating supervision on people who are most likely to recidivate, and actively trying to reduce the length and amount of supervision for those who are not likely to reoffend.*
- ◊ *Taking a strengths-based approach to supervision, emphasizing the use of incentives to improve compliance, from the regular use of positive feedback to reducing fees, shortening supervision, or removing people from active supervision entirely when appropriate or possible.*
- ◊ *Cross-training all officers on both parole and probation procedures so they can supervise people in both systems, increasing continuity of supervision and flexibility of staff.*
- ◊ *Training officers on the soft skills needed for a more responsive, community-focused form of supervision.*
- ◊ *Improving resources for reentry, such as community coordinators, housing and prison in-reach specialists, and more addiction services through the system of Day Reporting Centers.*

Effectively combining, standardizing, streamlining, and refocusing the field supervision activities of three agencies within two years, along with the activities of the short-lived Governor's Office on Transition and Reentry, required meeting the challenge of what David Morrison, director of field operations first at Parole and then at DCS, has described as a "30,000 foot perspective, seeing the whole picture, everything coming at you from different directions—budgetary, legislative, political, and media—and still get out and lead from the front, get out in the field."

The temperament, experience, knowledge, and commitments of the people directly involved in this restructuring, in particular that of its first and current commissioner, Nail, were crucial in their ability to lead from

## 3

## URBAN SUPERVISION

## URBAN RIDE-ALONGS

The urban ride-along with young DCS Officer Eric Crider through southeast Atlanta in the spring of 2019 brought back memories of one we went on several years earlier out of the South Fulton parole office with Officer Tom Andris. The officers were both fairly new, both idealistic, but there was a striking difference in how much institutional support they felt, which strongly affected their own sense of competence and agency—and their sense of the ultimate value of what they were doing.

## TOM ANDRIS

Tom Andris had been working as a parole officer for a little more than two years when we met in 2014. He had only worked in South Fulton, the most challenging area in the state. Previously, he had served in the National Guard for nine years as an infantry squad leader, serving tours in Iraq and Afghanistan, while completing his college degree in political science at Georgia College and State University. Over the active years of our listening project, we would have other conversations with Andris, whose interest in victim-offender dialogues led him to move into the Victim Services division of Parole as a program manager for several years, facilitating victim offender dialogues and developing other activities that improved the sense of restoration for victims, including those victimized in prison. He has now moved from Atlanta and works as a special investigator for a national firm providing security investigative services to government.

Andris said he usually made his visits in the evening in order to find people at home—daytime visits were not very productive. The ride-along itself mainly involved knocking briefly at small brick homes where people would only talk through a half-closed door, circling large apartment complexes where more than half the inhabitants had felony convictions, knocking futilely on doors in other apartment complexes and sliding a card in along the floor,

and one longer visit at a halfway house, where we talked with a tired man in his fifties, newly released from prison, who just wanted to get back home to Macon, so wanted his parole transferred there if possible. He didn't look like he would ever have the energy to reoffend.

However, we had a long, earnest conversation preceding our drive that explored the gap between what Andris had imagined his work would be like and what it actually proved to be. It began with what he thought would be the basis of his identification with the men he supervised: *As a veteran I've experienced a lot of the same reentry challenges that a lot of felons have. The whole idea of being picked out of one world and thrown into another world, isolated from the world that you know, from your family and friends, missing holidays, missing birthdays, missing funerals. They go on living their life while you're stuck in this little bubble that isn't even the real world. They're institutionalized, and in the military you can get institutionalized too. There's jargon, there's lingo. They tell you what to eat, when to eat, when to shave, how to shave. You wear uniforms every day, there's a regimen. You're surrounded by barbed wire—and it's a deadly atmosphere too.*

*And then, when I got out of the army, even though I was still working on my degree, I still basically had no education, no car, I was still living with my parents. I had no job. I was an infantryman, so I really had no tangible skill. My skill in the army was to go on patrols and hunt down the enemy. Employers aren't really looking for someone like that. The only difference between me and them I felt was that I had some money in the bank after my deployment, which I used to get a car, to get an apartment, to finish my degree, to take myself further. As a sergeant, I had counseled soldiers. I would have to reprimand and figure out how to correct it. I really felt that matched what parole was doing here too because you develop a strategy to survive in that isolation that may not translate to the real world. While you are in the military or in prison, you set up a goal: I am going to get this job, I know someone who knows someone who can get me this. Then you get out and you realize that job has been gone a long time—and you don't even have a car to get to that job. The thing that you held on to to help you believe you could get through that moment is now not there. And then everything really starts to crumble. They stumble at that point.*

However, Andris found that as a parole officer, he had to adjust his expectations of both the behavior and the thought processes of those he supervised. His own experience with criminal behavior was restricted. He was aware that he had been sheltered in his upbringing in a fairly wealthy,

## 4

**DAY REPORTING CENTERS**

We were interested in learning more about people who were having trouble with community supervision, so asked to speak to some of them. This allowed us to learn more about Day Reporting Centers (DRC), one of the graduated series of community-based sentencing alternatives that DCS uses before supervision is permanently revoked. The advantage of the DRCs is that people remain located inside their communities. Participants are able to work if they are employed. Most of the people who are assigned have problems with substance abuse and are non-compliant with the terms of their supervision. The program lasts between a year and a year and a half and has three steps: Six months of detox/behavior stabilization, six months sobriety/employment, then six months of aftercare. We spent time talking with participants in Atlanta, then, some years later, visited a rural DRC in LaFayette for comparison, where we talked with a counselor about the course sequence and attended one of the cognitive change classes.

**OFFICERS' PERSPECTIVES***KATRINKA GLASS—DRC ORIGINS*

Katrinka Glass, a longtime officer at Parole, was the director of the first pilot DRC, established in the 1990s in Atlanta and then went on to help establish centers around the state. After that, until her retirement in 2013, Glass directed Risk Reduction Services within the Department of Corrections, which provided similar substance abuse and cognitive change programming to incarcerated men in the years immediately preceding their reentry.

The idea for the centers came from then executive director of Parole, Beth Oxford, and George Braucht, the parole officer and licensed professional counselor who has been active both within the supervision community and beyond it in the area of substance abuse counseling and credentialed therapeutic housing for those leaving prison with addiction problems. Glass said she felt she was chosen to be the director for the Atlanta center because she was known as an officer who could work effectively with both Parole and

Corrections, whose administrations were often antagonistic.

What Glass found so positive about the DRCs was that they were able to really integrate treatment and supervision: *As part of our research we looked at other day reporting centers across the country. The difference in what we did here was that supervision, the law and order part, and the programming were under the same roof and we held hands. It was very very integrated. I can remember when I was in parole as an officer and we would send people to drug treatment, but the communication was terrible. Officers had to go once or twice a week themselves to be able to monitor attendance and drug use. But when we brought officers and counselors in the same house, it was magic. It was wonderful. Counselors were doing drug tests. Officers were teaching classes. Everybody was cross-trained.*

*We would sit down and eat lunch and there was nothing I didn't know about you, that the officer didn't know, that the counselor didn't know. So there was no game playing. When you had an intervention or hearing, the counselor and the officer were both there. You could do good in one area and terrible in the other area and that's OK as long as those areas are talking to each other. You could say, "Well, he's been good in class, passing his drug tests." "Well, I went by his house last night and there was this six-pack by his chair." Or the counselor doesn't know his wife left him, or he's not living at that house, or he has a girl.*

Glass emphasized the expanding levels of social trust that evolved at both the institutional and community levels. They received help from the state Department of Labor and Atlanta public schools. Community organizations also stepped up: *We needed help with MARTA passes so people could get to class. I went to someone from the NAACP in DeKalb for the tokens. She wasn't even in our county. She said, "We'll help, but we want to see what the real deal is. We're going to talk with these guys. I'm going to get the real story while I'm over here." She would come and sit in classes. And they loved it, and we had the best relationship with them. She helped with graduations in her personal church. So community is responsive if you go about it the right way. I never asked for help that I didn't get it eventually.*

An even more important level of social trust was the one they were able to build up with families of the men and women assigned to the DRC: *You have to have transparency. You could not believe the difference once we brought the family in. They could see the entire operation; they could ask anything they wanted to. They stopped looking at us like, "Oh, you locked my son up" to "Oh, you better listen to her." It was almost like we were an ally, not an adversary. Once you got*



## 3

**FAITH COMMUNITIES & REENTRY**

SUSAN BISHOP, FURQUAN MUHAMMAD, THURMOND N. TILLMAN

The question we have held in mind as we returned to our interviews with members of what we would call holding communities is *What do people who can absorb wrong-doing have to teach us?* The community-engagement dimension of Georgia's reentry efforts has focused on faith communities, most specifically Baptist ones, and primarily African-American ones, to resource and reinforce the reentry effort. One assumption inherent in this approach is that communities most damaged by mass incarceration have the greatest interest and commitment to reentry and that black churches will form a natural source of support because of their religious convictions.

However, having attended several annual Faith Leaders Day gatherings held by our county DA's office with predominantly African-American pastors, we question the assumption that communities most affected by mass incarceration are always the most open to reentry—or even should be. Crime control and self-defense were these pastors major concerns for their communities and congregations. Indeed, participating in a video practice designed to train officers to distinguish when to respond aggressively and when to de-escalate, it was notable how quickly many of the pastors (as well as the DA) opened fire.

On the other hand, many of the longest lasting, indigenous reentry efforts we have encountered have been developed and sustained by chaplains, pastors, and imams who have a strong identification with those to whom they minister and whose commitment comes from their religious faith. Hazel Horne and A.J. Sabree in the prior chapter are prime examples. We describe here three people who have had a strong influence on many people reentering from Georgia's prisons as well as on those systems themselves: Chaplain Susan Bishop inside the Department of Corrections; Imam Furquan Muhammad from Masjid Al-Mu'minun, who in the past thirty years has served as a volunteer chaplain at over thirty-five Georgia prisons and jails; and Rev. Thurmond N. Tillman, pastor of First African Baptist Church in Savannah,

whose engagement in criminal justice and reentry concerns have shaped his ministry for decades.

## CHAPLAIN SUSAN BISHOP

*When the women sing, it is a transcendent moment for them—and for everyone else too.*

Susan Bishop has chosen to spend more than thirty years of her life primarily behind bars, but the first time we met, she was dressed in a colorful, flowing wrap and we sat out in the sun in front of a small restaurant in Decatur musing on her life choices and the transcendence of music. It was one of her teaching days at Emory's Candler School of Theology, and her expressive side was in full view. She was aware of the difference.

When asked what people didn't understand about her job, she answered: *I had to go to a fancy lawyer's office recently for a deposition on a completely different matter. I waited in this splendidly furnished office in downtown Atlanta, big views. I thought, "People really do work in places like this." I go behind razor wire every day to work. My work world is so different from the average person. The wire, the keys, the doors clanging all the time. This is what it must feel like for people in reentry, like me in that lawyer's office. It was such a poignant moment.*

Chaplain Bishop liked to talk about the choirs she has developed in the Georgia prisons over the many years she has worked there. These have been a source of support for inmates and for her: "You can create a sanctuary for creativity, even in a prison—but it's not easy." The choirs she has created have provided this kind of sanctuary: *I find it very rewarding to help women rediscover gifts, pieces of themselves, abilities and skills—things that got pushed aside in their need or drive to survive. With me as a musician, I notice if a woman may have a magnificent voice or plays an instrument. I like when I can help them rediscover through this a past and better time, when they were on track. When you are singing or creating, there is no place for worry, obsessing. It is a transcendent moment. When the women sing, it is a transcendent moment for them—and for everyone else too.*

Bishop came into prison ministry after earning a masters in music education and a masters of divinity through Candler in 1975, a time when her denomination, Southern Baptist, didn't yet ordain women. After working in a work-release program for women, then a psychiatric hospital, she began working in a small prison camp in Milledgeville, where she began her first prison choir: *The chief of security there was already taking the women out to sing*

## 6

**TRANSITION CENTERS & EARLY EMPLOYMENT**

We know that we get better results with reentry if an individual progresses through a supervised transitional process, especially one that promotes employment. Such transitional programs clearly work—in Georgia successful participation increases the chances of avoiding a return to prison by up to a third, according to the Department of Corrections (DOC).

As we heard over and over, one of the biggest challenges facing people leaving prison is employment. Georgia has thirteen Transitional Centers (TC) operating throughout the state, two of which are for incarcerated females. This provides space for a total of around 2,700 people at a given time, a small percentage of those who are incarcerated as well as of those who would like to be placed in a TC. A primary purpose of the TCs is to allow the offender to work in the community while living under the discipline of the center. We interviewed the warden of the Atlanta TC, the employment coordinator at another TC, employers who regularly hire people transitioning from prison, and some of those employees to understand better the challenges and benefits of spending time with one foot in and one foot out of prison.

**MAKING THE TRANSITION**

During the participants' first four to six weeks, they remain at the center, both as part of the transition process itself as well as to provide time for the staff to become acquainted with them and assess their readiness to work in the community. As Warden Steven Perkins of the Atlanta Transitional Center explained: *All of the staff from counselors to security is monitoring whether the individual is ready. You can be sure that they will not go out of the center if they are not ready—whether they have the discipline to go out that door, arrive at their job on time, fulfill their work assignment, and return to the center at the appointed time without being seduced by the temptations that would surround them.*

This early period also provides time to ensure that the participant has completed the practical requirements needed prior to their release. These

generally are steps that are initiated while in prison but not necessarily completed prior to the person's transfer to the TC. For example, everyone needs a Social Security card in order to work and some form of identification to function in society. It might appear a minimal expectation for DOC to ensure that all inmates obtain these prior to their release or transfer to a TC but that has not always been the case. However, improving performance in this has been a major preoccupation of Georgia's recent reform process. It should also be noted that the failings have not always been DOC's but sometimes those of other agencies with which it must coordinate, from local Society Security offices to agencies in other states, for example, for inmates born outside of Georgia.

Another function of the first weeks at the TC is to provide life skill classes to participants, especially to fill gaps in what they did not receive while in prison. As Warden Perkins pointed out, residents receive some preparation every day for the reality that soon: *you are going to be in the public. But, if you come here with the mentality of what you had to do to survive in prison, you are not going to make it here. This is a community-based facility and for you to be here you have to act like you are living in the community.*

Since some participants had limited or even no employment prior to their incarceration, they often lack the most basic knowledge about gaining work and expected on-the-job behavior. David Croft, the employment coordinator at Phillips TC, offered the example of Ron, who had no work experience prior to his fifteen years of prison. Ron was placed at a chicken plant but on his first day failed to check in with the human resources manager as he had been told to do. Consequently, he was reported to Croft as a no-show escapee. Given what Croft knew of Ron, this didn't seem right. He went to the plant and found Ron, still hard at work after sixteen hours on the line—without a break. Ron said he had just followed the other workers in and started working and kept working because he did not want to lose his job. Croft is now extra careful to emphasize these first-day work procedures with all of his participants.

TC residents are paid a full wage but have limited control over what they receive. Their check is sent to the TC, which deducts room and board expenses. If the offender still owes fines, fees, or restitution, more is deducted for those payments. After receiving a small allowance, the remainder is put away in savings that the participant receives upon leaving the TC. The saved amount can be considerable given that the typical work release period lasts six



## JUVENILE JUSTICE

### LESS IS BEST

In 2012, as part of its criminal justice reform, the Georgia legislature passed HB 242, designed to reduce the number of juveniles sentenced to juvenile jails or prisons. Its main reforms were to stop the detention of juveniles for status offenses, such as truancy and runaways; to create two classes of felonies depending on the severity of the crime; to provide more funding for community-based services; and to create a legal designation, Children in Need of Services (CHINS), for at-risk children who had not been adjudicated as delinquent (for example, the truants and runaways no longer being detained), making them eligible for prevention programs. In line with these legislative reforms and often instigating them, juvenile court judges are creating innovative diversion courts that are increasing community-based supervision. These changes have reduced the number of juveniles incarcerated in the troubled Georgia juvenile prison system, prisons ranked as some of the worst in the country, reduced their level of recidivism, and provided more educational options. However, in the youth jails and prisons the level of inmate on inmate and inmate and staff violence remain high and racial disparity remains significant.

### JUVENILE COURTS

The juvenile court structure in Georgia includes locally funded courts, known as independent courts, in thirteen urban counties; these courts provide their own intake and community supervision services. The Department of Juvenile Justice (DJJ) provides these services to the other state juvenile courts. (Some independent courts rely on DJJ for some community supervision services.) DJJ provides secure detention for all the juvenile courts through their youth jails, the Regional Youth Detention Centers (RYDCs), and their prisons, the Youth Detention Centers (YDCs). DJJ is responsible for aftercare and reentry services for children when they leave their secure facilities.

### CLAYTON JUVENILE COURT

Clayton County Juvenile Court, an independent court, has had a strong spokesman and determined change agent in its chief judge, Steven Teske, who played a key role in the modifications of the juvenile criminal code that were part of HB 242. These reforms were preceded by over a decade of reform activity within the Clayton Juvenile Court itself. Working closely with the Annie E. Casey Foundation's Juvenile Detention Alternatives Initiative (JDAI) since 2001, the Clayton Court has emphasized the importance of accountability courts and mediation in resolving delinquency issues in ways that do not condemn children to prison unnecessarily. In 2015, the long-term success of Clayton's program led to JDAI duplication efforts in the other state juvenile courts. The statistics for Clayton Juvenile Court are very encouraging, for example, a 75% drop in the daily population in detention, a 41% decline in length of stay, a 70% decline in commitments to the Department of Juvenile Justice detention centers, from 122 in 2002 to 12 in 2018.

Colin Slay, now the director of juvenile court operations, provided us with a very lucid historical review of the changes in the Clayton Juvenile Court. Slay, who has been involved with the court since 1998, was trained in the Casey Foundation's Applied Leadership program and has been involved in taking JDAI to state scale. He was a probation officer before the changes took place in the early 2000s, and described what it was like at that point: *There was a lot of burnout and turnover. They were locking kids up for technical violations, for not finishing an essay. In the back of our minds, we were all wondering if what we were doing was right. Some kids were coming in over and over. They had these boot camps. Zell Miller, the governor, was a marine but he'd been a wayward child, and the camps had worked for him. The kids did well at them because they were structured and consistent, but when they came home, they were right back at it. There was no attention paid to the home environment, where there wasn't that level of supervision.*

*Probation was really frustrating. The school resource officers, when they came in, had no additional training on adolescent development or mental health. Laws about not disrupting public schools that were meant for adults were applied to kids. There were seven or eight probation officers, and they spent four hours every Wednesday on dispositions, kind of de facto probation. It was cookie cutter. Kids had to write an essay, do community service, pay restitution, receive drug and*

## 3

***ADDICTION, MENTAL HEALTH, ACCOUNTABILITY***

It was graduation day in the DeKalb County Drug Court in metropolitan Atlanta. Isaiah, a tall, thin middle-aged man, was called up before Judge Tangelia M. Barrie. Pronouncing him "a great example of perseverance and change," the judge laid out his record: an addict with over fifty arrests, he now had been clean and sober for six hundred days. The judge turned on her phone and "I Believe" sang forth. Isaiah wept as his fellow participants and the audience honored his achievement with prolonged applause. The judge beamed. Collecting himself, Isaiah spoke with calm dignity, acknowledging the long years when whatever he had to do to support his addiction, "I was going to do it." Finally accepting that he needed help, he entered the stringent two-year program. He ended by thanking individually many of those who had supported him, including the sheriff and the court recorder. The two men seated in the jury box in orange jumpsuits and headed back to jail, who earlier had projected attitudes alternating between indifference and defiance, followed Isaiah's graduation triumph with the same joy as the rest of us.

The session's second graduate, Cynthia, stood proudly before the judge and audience to the refrain of "her feet on the ground, head in the clouds." Her turnaround had been substantial as well. Arrested more than twenty times, Cynthia was now clean and sober for 640 days, maintaining employment for the first time in her life, and on her way to obtaining a GED. Noting that for this graduation she was wearing a cap and gown for the first time in her life, she added, "I wish my mother could see me now." But she did have many other friends and family in the audience celebrating her accomplishment. Judge Barrie ended the graduation ceremony addressing them directly, appreciating their support for Cynthia and pointing out how important continuing that support would be to her future. The judge then handed the two graduates her judicial order withdrawing their convictions and probation, along with their program completion certificates.

This was the only one of the four drug courts sessions we attended where the judge played music, but we did attend a session in Hall County in

northeastern Georgia that was highlighted by a beautiful duet performance. Participants had been told to devise a small piece about recovery. This pair decided on a song. Part of the impact was visual—the alto lead was younger, short and wiry. The man providing a doo-wap backup and falsetto refrain was towering and bulky. The blend in every sense was gorgeous.

Drug courts are a recent innovation—the first was started in Miami in 1989. The model proved attractive. An "astounding" exponential growth soon followed with more than eight hundred in operation (or gearing up) by 2000 and around 3400 in 2015.<sup>1</sup> Practices vary widely between and within states, with individual judges enjoying wide latitude. This makes generalization difficult as well as questionable practices possible.

As drug courts succeeded, this model expanded into other areas, notably for mentally ill people involved with the criminal justice system. With the expansion of these different forms of accountability courts, professional organizations developed at state and national levels and along with them sets of best practices promoted by training sessions and incentivized by grants. A particularly important step occurred in 1997 when the relevant office of the U.S. Department of Justice published the ten key components of good drug court programs.<sup>2</sup> At the state level, Georgia has been at the forefront in recent years in the development and oversight of accountability court standards.

There are severe limits, however, to the capacity of accountability courts to handle the immense volume of potential clients enmeshed in the U.S. criminal justice system. As a consequence of decades of the "war on drugs," by 2005 about a half a million people were incarcerated in the United States on any given day for a drug offense.<sup>3</sup> The discussion of the accountability court model that follows concludes with the necessity of far broader changes in how we as a society respond to the law-breaking related to substance abuse.

*DRUG COURTS*

Positive reinforcement is at the heart of the drug court model. Participants are called before the judge to answer questions about their progress, receiving praise for whatever steps forward they have taken. Some might be given a candy bar, others a certificate. Even when they fall back, sanctions are often applied with an upbeat message. Hall County Judge Jason Deal in the session we observed told a participant who had been maintaining a good record (fourteen months sober, a job, and back in school) but was now being sanctioned for a violation with a night in jail that it was just a "glitch"



## SHARING THE BURDEN: CLOSING THE CIRCLE

### WHERE WE, COMMON CITIZENS, FIT IN

We've written this book primarily for people like us, concerned about the reality of mass incarceration and its corollary, mass reentry—but relatively untouched by them personally. We don't pretend to provide one, or many, tidy solutions. This has been a *listening* project. Its purpose has been to bring under one roof—or between the covers of a book—the good faith stories that people within our complex and adversarial criminal justice system rarely share directly with one another. We hope by doing so new stories can come into being, ones that you, as readers, can help create.

Mass incarceration, which has been demonstrably unequal in its racial and class impact, requires a deep rethinking of the purpose and consequences of our criminal justice system, a system we all, consciously or not, help create—and therefore one that we can change. What actions can we, ordinary, law-abiding people, take ourselves to begin to repair *our* social fabric?

What if we placed at the center of our assessment of the criminal justice system the acknowledgement that 95% of people who are incarcerated will return to live among us again as our co-workers, neighbors, family, and intimate partners? As a society, we want those who return to society to act in ways that respect our safety. We want them to be law-abiding and to use their abilities to contribute to their own development and to the well-being of their families and of the larger society. What if we used that expectation to shape our criminal justice system from beginning to end? What if we were quite clear that using constructive reintegration as our major metric, we are working in our *own* best interest?

Throughout this project, this core question informed our listening: *What would a criminal justice system that includes constructive reintegration as its responsibility, its primary goal, look like?*

We do believe that until constructive reintegration is introduced into our criminal justice system as a core measure of success, the system does not

meet its essential fiduciary role—which is to make our society safer for *all* its members. After decades of mass incarceration, this completion of the *cycle* of justice is more important than ever. We also feel that we, as common concerned citizens, have an important, active role in assuring that this happens *in ways that meet our needs too*. How do we define *our* terms for trustworthiness—and help create the *conditions* in which those terms realistically can be met?

### CENTRAL CONTRADICTIONS: A TRIANGULATED CONVERSATION

The real question here is how social *trustworthiness* is re-established after mass incarceration in a triangulated conversation. When individuals reenter after incarceration, they feel they have paid their debt to society—when, from society's view, they have not necessarily established their *social* trustworthiness. The state feels that having completed imprisonment, or community supervision, it has completed its responsibility and it is time for communities to weigh in with their resources. But communities often feel their own needs for safety have not been consulted.

This is the point where the very human consequences of crime and of our criminal justice system become apparent. *Almost no one believes that prison makes you better*. In fact, if you have spent decades in a violent, unprogrammed prison, associating only with other anti-social peers, people will, quite rightfully, feel you are *more* dangerous than when you went in. This is the *state's* injury to society—and it underlies many of the deeply stigmatizing responses the broader society has toward the formerly incarcerated and its distrust of the criminal justice system itself. The state has to take responsibility for the additional harm and danger it has created for the broader society by the conditions in which it has imprisoned—and the *inevitability* with which it has imprisoned. How is it going to undo, individual by individual, its dehumanizing choices—the excessive sentences, absence of programming, use of traumatizing practices of isolation? How is it going to make it safe for *us* to step up?

A company that agrees, at the request of the state, to hire ex-offenders cannot ensure their work-readiness—that is the responsibility of the state that has provided or withheld education and training while people were in prison. Employers and communities, as citizens, need to call the state to account.

Communities also want to see intentional behavioral and attitudinal change on the part of the ex-offender. What will persuade them to hire, to allow someone to live in proximity, is *not* the number of years they were