

PRISONER REENTRY THE STATE OF PUBLIC OPINION

Introduction

While national public opinion has been measured on many aspects of the criminal justice system, attitudes on prisoner reentry issues have been absent from the data. Existing data tell us that the public want a criminal justice system that fosters rehabilitation, but they feel that the prison system generally fails on this count. At the same time, this issue is not of primary concern to most Americans. The very real fact that hundreds of prisoners return to the community each day is not particularly salient to most of the public. Initial research indicates that there are competing values in the public mind surrounding personal safety and security, adequate punishment, and the resources needed to reduce recidivism.

Opinions on the criminal justice system have been evolving in recent years. There are some key items to note in public opinion trends. Foremost among these is that overall attitudes on criminal justice issues in the U.S. have been moving away from support for mandatory sentencing and punishment towards alternatives to prison for non-violent offenders.

Current Public Opinion on Criminal Justice

The issue of criminal justice, and specifically how to “punish” those convicted of crimes, is clearly an emotional issue as well as an intellectual one. Concerns about personal safety and security are at the forefront of the emotional side of the equation.

The tenor of this debate can be heated. Many times it is the extreme view that gets the most attention. However, current public opinion research on the subject indicates that support for punitive measures or retribution involving mandatory prison sentences is a minority view among Americans. The majority feel that the criminal justice system needs to be *fair* (to the victim, to the community, and to the criminal), *balanced*, and *effective* with a focus on *rehabilitation*. This view does not seem to be rooted in purely humanitarian concerns, but stems from a belief that rehabilitation is a more effective way to create safe communities. This emerging opinion also appears to be a reaction to perceived failures of recent “get tough” policies.

The following indicators illustrate the public’s mood. A national study by Peter Hart Research for the Open Society Institute found that support for mandatory sentencing dropped from 55% in 1995 to 38% in 2001. A 1994 Gallup study indicated that the public’s preference on dealing with crime was split between treating the underlying causes of crime via job training and counseling (48%) and implementing “get tough” measures (42%). By 2001, opinion had swung decidedly in the camp of dealing with the root causes of crime (65%) over instituting harsh penalties (32%) (Peter Hart 2001).

A study by Belden, Russonello & Stewart for the ACLU in 2001 found that 3-in-4 Americans support treatment options over prison for non-violent substance use offenses. The Peter Hart study indicates that support for alternative sentencing may extend to other non-violent offenses as well.

Support for alternative sentencing seems to be related to a desire to create safer communities rather than arising out of some sort of munificence toward the criminal. When asked to consider the impact of sentencing on reducing crime, Americans choose rehabilitation (66%) over longer prison sentences (28%) as the more effective way to reduce crime. In fact, people who have been victims of crime themselves are even more likely – at 73% – to favor rehabilitation over harsh sentencing as a better way to reduce crime.

At the same time, tolerance for repeat offenses is low. Two-thirds of the public feel that parolees who fail drug tests should be sent back to prison (Belden, et al. 2001). The irony here is that many citizens may actually fault the prison system for its ineffective rehabilitation programs. There seems to be a real tension between penalizing individual transgressions while at the same time ascribing those failures to systemic or institutional ineffectiveness.

A plurality of Americans – 40% – feel that the primary purpose of the prison system should be rehabilitation. Furthermore, an overwhelming 88% say that prisons should be required to teach job skills in order to reduce recidivism. However, only one-third of the public believes that the prison system is doing a decent job at rehabilitation (Belden, et al. 2001 and Peter Hart 2001).

Research on Prisoner Reentry

As mentioned earlier, the body of research on issues related specifically to prisoner reentry is thin. Overall, there are indications that the public supports rehabilitation, but not at the expense of other societal programs (such as health care and education for the entire community). Furthermore, it is not clear that the public understands or is even aware of the myriad issues ex-offenders face when they return to the community and try to become productive citizens.

Public Opinion Surveys:

The 2001 Peter Hart survey included some questions specifically about reentry issues. They found that the vast majority of Americans support requiring prisoners to work and receive job training while in prison (94% favor, including 74% who strongly favor) and requiring prisoners to take classes and get an education while in prison (91%, including 70% who strongly favor). Support is also high for providing job training and placement to released prisoners (88%, including 58% strongly favor), and early release for prisoners who participate in rehabilitation programs (78%, including 42% who strongly favor). Finally, 68% favor restoring voting rights and driver's licenses to people with felony convictions upon release from prison (including 34% who strongly favor).

Focus Group Research:

Public Agenda conducted a series of focus groups in 2002 for the Urban Institute's national Reentry Roundtable. This exploratory research was held in March 2002 with community members in the Philadelphia area (two urban groups and one suburban group). It should be noted that focus group research is a good opportunity to obtain feedback on "hot-button" issues and the language that people use to discuss these issues in their every day life. However, the opinion expressed in a focus group setting are not quantifiable and may not be representative of the attitudes of the larger public.

This study found that the impact of prisoner reentry on a community does not appear to be salient, even in poorer urban communities. Most don't consciously connect crime in their communities to barriers that may lead ex-offenders to commit crimes. However, they do express a basic understanding of the problem of rehabilitation and recidivism. One opinion expressed in these groups is that ex-offenders who turn their lives around do so in spite of – rather than because of – their experiences with the criminal justice system.

Most of these group participants realize that released prisoners probably lack marketable job skills, have minimal education, have no place to live, and have little support or monitoring upon release. However, they are unaware (and in some cases surprised to learn) of other barriers faced by returning prisoners. These include the loss of voting rights, loss of driving privileges, and being barred from certain registered professions (such as hairdressing). This lack of awareness may possibly explain why restoration of rights and privileges received somewhat lower levels of support in the Peter Hart survey cited earlier.

Contrary to what seems to be coming out of the public opinion data, participants in these focus groups do not seem to be leveling an indictment against the criminal justice system or "get tough" measures. However, they do express support for alternative sentencing guidelines for non-violent drug crimes.

They also are not supportive of rehabilitation programs that appear to give special treatment to ex-offenders, such as preferential access to education and job training. And, they do not want funding for these programs to diminish existing health and education programs for the general (i.e. "non-offending") public.

Research with Returning Prisoners:

In February 2002, Eagleton conducted a focus group with recently released prisoners in Middlesex County. It should be noted that the issues in Middlesex may not be wholly comparable to those faced in other areas of the state with large returning prisoner populations. The top concerns of this group are job training, housing, transportation, health care, and child/youth services. They noted that female prisoners (particular those with young children) seem to be a neglected segment of the ex-offender population. Furthermore, they emphasize the significance of certain punitive measures, such as loss of driving privilege and exclusion from professions that they had previously practiced, as particular barriers to obtaining stable jobs.

Conclusions, Conflicts and Complexities

Overall, while the majority of the general public is intolerant of crime, its preference for punishment is usually not punitive, particularly when the opinions are carefully considered. In New Jersey, a recent Eagleton survey on the death penalty illustrates this. Initial reactions from the public show a 60% support level for imposing the death penalty for murder. However, further questioning indicates that this may simply be a “top of mind” attitude growing from a desire to impose a punishment that fits the crime. Presenting credible alternatives (such as life in prison without the chance parole) can have a significant impact on the more “gut-level” reaction to crime and punishment of many citizens.

Certainly, the public believes that punishment needs to be effective and fair (i.e. fit the crime). When asked, they support rehabilitation efforts in prison and afterwards. However, it does not appear that this is a particularly salient issue with most Americans.

The main concern that arises from any study of opinion on criminal justice is reducing the risk to the community. The majority feels that attacking the root causes of crime offers the best opportunity for creating safer communities. And, the public believes that individual offenders can reform given an adequate opportunity to do so. They feel that the criminal justice system should focus on rehabilitation, but that it generally fails in doing so. At the same time, it is not clear to what extent the public would support rehabilitation if it draws resources from other services.

Overall, the public is supportive of measures that would support the rehabilitation of prisoners and provide continued support for returning ex-offenders. However, this does not appear to be a particularly salient issue for most people and most are not aware of the many barriers faced by prisoners who reenter the community. In the end, the body of public opinion data on this particular issue is extremely limited and it is clear that further research is needed to specifically examine these assumptions.

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APPENDIX

SELECT POLLING RESULTS

“Optimism, Pessimism, and Jailhouse Redemption:
American Attitudes on Crime, Punishment, and Over-incarceration”
Belden Russonello & Stewart

Selected Topline Results

Interviewing conducted January 5, 2001 through January 22, 2001

N = 2,000 adults 18 and older in the United States

Data have been weighted by race.

Percents may add to 99% or 101% due to rounding

* indicates less than 1% , -- indicates zero

Margin of sampling error is ± 2.2 percentage points for the national sample.
Margin of error is larger for smaller sub groups.

In general, would you say criminals who commit *non-violent* crimes in the US are not punished enough, are adequately punished, or are punished too harshly?

NOT PUNISHED ENOUGH	52%
ADEQUATELY PUNISHED.....	28
PUNISHED TOO HARSHLY	12
DON'T KNOW.....	7
REFUSE.....	*

Now, I would like to ask you some questions about prisons.

From what you know, do you think life in prison is too harsh, not harsh enough, or about right?

TOO HARSH.....	10%
NOT HARSH ENOUGH	42
ABOUT RIGHT	35
DON'T KNOW.....	13
REFUSE.....	1

In your opinion, what should be the MAIN purpose of sending a person to prison: to punish the individual, to rehabilitate the individual so he might become a productive citizen, to keep him locked up in order to protect society from future crimes he might commit, or to deter others who might commit crimes?

TO PUNISH.....	21%
TO REHABILITATE	40
TO PROTECT SOCIETY	21
TO DETER OTHERS	12
DK/REFUSE.....	5

From what you know, do prisons do an excellent, good, fair, poor, or very poor job of rehabilitating prisoners?

EXCELLENT.....	*
GOOD	7
FAIR	25
POOR	40
VERY POOR	18
DK/REFUSE.....	9

Would you favor or oppose replacing prison sentences with mandatory drug treatment and probation for people convicted of nonviolent illegal drug use? [Is that strongly favor/oppose or somewhat favor/oppose?]

STRONGLY FAVOR.....	42%
SOMEWHAT FAVOR.....	32
SOMEWHAT OPPOSE.....	10
STRONGLY OPPOSE.....	12
DK/REFUSE.....	4

Do you think there are more people in prison in the US for committing violent crimes, or more in prison for committing non-violent crimes?

MORE VIOLENT.....	32%
MORE NON-VIOLENT.....	53
ABOUT THE SAME (VOL)	3
DON'T KNOW/REF.....	13

Please tell me if you agree with the following statements.

In most cases of adult, non-violent prisoners, efforts to rehabilitate are a waste of time and money.
..... 36%

In most cases of adult, violent prisoners, efforts to rehabilitate are a waste of time and money.....
47%

Prisons are too comfortable and criminals don't mind being sent to prison..... 59%

People who are out of prison, on parole and who fail a drug test, should be sent back to prison.....
65%

African Americans are treated unfairly by the criminal justice system..... 55%

Large numbers of people in prison do not deserve to be there because their crimes did not cause physical injury or harm to another person..... 44%

Prisons should be required to teach inmates skills so they are less likely to commit crimes once they are released..... 88%

We need to change the laws so that fewer non-violent crimes are punishable by prison terms.....
62%

In recent years, some states have required that certain crimes, including non-violent crimes, carry a mandatory or automatic prison sentence, regardless of the circumstances of the crime. Do you support or oppose the idea of mandatory prison sentences for certain types of non-violent crimes? (Is that strongly support/oppose or somewhat support/oppose?)

STRONGLY SUPPORT..... 16%
 SOMEWHAT SUPPORT..... 19
 SOMEWHAT OPPOSE..... 26
 STRONGLY OPPOSE..... 35
 DON'T KNOW/REF..... 5

Some people argue that mandatory sentencing makes the justice system FAIR because the same punishment is always given for the same crime. Other people argue that mandatory sentencing is NOT FAIR because the circumstances of each crime are different and we need to take into account these circumstances in order for the punishment to be fair and appropriate. With whom do you agree with more?

MANDATORY MINIMUMS ARE NOT FAIR..... 61%
 MANDATORY MINIMUMS ARE FAIR..... 36
 DON'T KNOW/REF..... 3

Here are some statements about punishing people who commit non-violent crimes. First, some statements that people have made to change the law so that FEWER nonviolent crimes are punishable by prison terms. For each statement, please tell me if you think it is a convincing reason to change the law so that FEWER non-violent crimes are punishable by prison terms.

Prison teaches inmates to become criminals, so a system that locks up non-violent offenders will only lead to more crime, not less.....62%

Many people in prison today are non-violent drug addicts who need drug treatment not a prison sentence.....77%

Here are some alternative punishments to putting people who commit non-violent crimes in prison. Please tell me if you think each of the following is a good idea to...

Require community service, instead of going to prison..... 80%

Require mandatory education and job training, instead of going to prison..... 81%

“Changing Public Attitudes toward the Criminal Justice System”
Peter D. Hart Research Associates, Inc.

	1994	2001
We need a tougher approach to crime with an emphasis on stricter sentencing, capital punishment for more crimes, and fewer paroles for convicted felons	42%	32%
We need a tougher approach to dealing with the causes of crime with an emphasis on improving job and vocational training, providing family counseling, and increasing the number of neighborhood activity centers for young people	48%	65%

	1995	2001
Mandatory sentences are a good idea	55%	38%
Judges should be able to decide	38%	45%

	Strongly Favor	Somewhat Favor	Somewhat Oppose	Strongly Oppose
Requiring prisoners to work and receive job training so that they have job skills when they are released from prison	74	20	2	3
Requiring prisoners to take classes and get an education so that they can find a job when they are released from prison	70	21	3	5
Provide job training and placement to released prisoners	58	30	5	5
Early release for prisoners who participate in rehabilitation programs/low risk for new offenses	42	36	9	8
Restoring the right to vote and a driver's license to people with felony convictions after they have served their time and are released from prison	34	34	11	15

Death Penalty

The Gallup Poll. Latest: Oct. 14-17, 2002. N=1,002 adults nationwide. MoE \pm 3.

"Are you in favor of the death penalty for a person convicted of murder?"

	For	Against	No Opinion
	%	%	%
10/02	70	25	5
5/02	72	25	3
10/01	68	26	6
5/01	65	27	8
2/01	67	25	8
9/00	67	28	5
6/00	66	26	8
2/00	66	28	6
2/99	71	22	7
5/95	77	13	10
9/94	80	16	4
6/91	76	18	6

The Gallup Poll. Latest: May 6-9, 2002. N=1,012 adults nationwide. MoE \pm 3 (total sample).

"If you could choose between the following two approaches, which do you think is the better penalty for murder: [rotate] the death penalty or life imprisonment with absolutely no possibility of parole?" Form B (N=537, MoE \pm 5)

	Death Penalty	Life In Prison	No Opinion
	%	%	%
5/02	52	43	5
5/01	52	43	5

ABC News.com Poll. Latest: May 1-5, 2002. N=1,021 adults nationwide. MoE \pm 4.5. Field work by TNS Intersearch.

"Do you favor or oppose the death penalty for persons convicted of murder?" Half sample (Form A)

	Favor	Oppose	No Opinion
	%	%	%
5/02	65	26	9
4/01	63	28	9
6/00	63	27	10
1/00	64	27	9
8/98	69	27	4
8/96	77	19	4

"Which punishment do you prefer for people convicted of murder: the death penalty or life in prison with no chance of parole?" Half sample (Form B)

	Death Penalty	Life In Prison	No Opinion
	%	%	%
5/02	46	43	11
4/01	46	45	9
1/00	48	43	10

Crime Reduction

Pew Research Center for the People & the Press survey conducted by Princeton Survey Research Assoc. April 12-16, 2000. N=1,000 adults nationwide.

"Now, I am going to read you some things that might be done to reduce violent crime in this country. As I read each one, please tell me if you think it would reduce the amount of violent crime a lot, a little, or not at all. Do you think [see below] would reduce the amount of violent crime a lot, a little, or not at all?" Each item asked of half the sample.

	A Lot	A Little	Not At All	Don't Know
	%	%	%	%
"More job and community programs for young people"	63	29	7	1
"Longer jail terms for those convicted of violent crimes"	49	33	15	3
"Restrictions on the amount of violence shown on TV"	48	37	14	1
"More police on the streets"	46	45	7	2
"Stricter gun control laws"	41	33	24	2