

Reintegration of convicts

Class 1

Introduction



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KATEDRA PRAWA KARNEGO WYKONAWCZEGO

Introduction

I. Characteristics of the classes :

- ▶ class 30 hours - 15 meetings
- ▶ **Student consultation hours** on Thursdays between 12:30 am and 13:30 pm (room 513A)
- ▶ If you have any questions - please feel free to reach out to me and we can discuss that during classes, via e-mail or on MS Teams!
- ▶ **Grading system**- 50% of final Grade - asks individual/group (Each group prepare collaborative assignment and all members receive the same grade.) + 50% - Test (during our last class)

Introduction

II. Attendance/Participation and Absences :

- ▶ Student participation is required for a grade - possible 1 absence without explanation
- ▶ Students may be excused because of health problems
- ▶ Students should communicate planned absences to the course coordinator
 - excused absences are exceptions to compulsory attendance.

Introduction

III. This is a list of topics we'll cover in the course:

- ▶ Process of reintegration
- ▶ The Victims and Post-release Assistance Fund
- ▶ Therapeutic treatment (types of therapeutic treatment, grounds for correctional therapeutic treatment, the effectiveness of that)
- ▶ Reintegration into society through education
- ▶ Employment of Prisoners – the First Step to Rehabilitation
- ▶ The Individualization of Deprivation of Liberty
- ▶ The prevention of recidivism
- ▶ Sex Offenders in Prison
- ▶ Solitary confinement as a prison health issue
- ▶ Rehabilitation for women, juveniles,
- ▶ Mothers in prison
- ▶ Interesting facts: (Differences between Norway and the Polish system of reintegration, The Stanford Prison Experiment)

General aims of the penalty of deprivation of liberty

Positive social reintegration and law abiding

- ▶ According to **Art. 67 § 1 of the Polish Executive Penal Code**
- ▶ the primary aim of the execution of penalty of deprivation of liberty is to “evoke in a convict the will to cooperate in his shaping socially desirable attitudes, in particular, the sense of responsibility and the need to obey the law, leading to refraining from returning to crime.”
- ▶ Such formulation of the norms pertaining to the aims of isolation execution means that much more is required from this penalty than just refraining from returning to crime by a convict

Process of reintegration

- ▶ In Poland, the system of assisting prisoners includes not only the Prison Service and probation officers, but also the Public Employment Services, social welfare institutions, and non-governmental organizations.
- ▶ Helping former convicts and returning them to the paths of social functioning brings benefits that go beyond the individual dimension and pays off not only in the local space, but also in the long term – affecting subsequent generations and shaping their resources and patterns of functioning.
- ▶ Such institutions and non-profit organizations implement various programs of social and professional reintegration and re-adaptation of people at risk of social exclusion due to their criminal past.

Process of reintegration

► *Social rehabilitation* is a form of an educational process which results in a situation when the individuals who are not adapted to social life, are able to accept and use standards applicable in society. As a result of the rehabilitation impact, the individual accepts and executes the forms and values that are used in relationships between people. It is also treated as a process of activating reeducation characterized by the adoption of socialization, comprehensive development of personality and progress being the core values controlling this process. Learning processes play an important role here.

Process of reintegration

- ▶ *Social adaptation* is the result of learning, and the scope, content and nature of this adaptation depend on the scope and intensity of the learning processes.
- ▶ The social rehabilitation process takes place in a liberation or isolation system and consists of the following mechanism of reeducation: processes of forgetting, resistance and outcomes of negative consequences (no reward), extinction and statements describing the effects of penalties and rewards as factors of reeducation.

Why ex-prisoners struggle to successfully reintegrate into society?

The criminal justice system needs more resources to improve reintegration efforts and help ex-offenders find jobs and housing so they're less likely to re-offend



Why ex-prisoners struggle to successfully reintegrate into society?

▶ **IMPROVING HOUSING OPTIONS FOR EX-PRISONERS**

- ▶ Most ex-prisoners will return to the same communities they lived and socialized in before their arrest. In many cases, these are neighborhoods that have high rates of poverty and crime, leaving many residents feeling isolated from society with little access to social support programs.
- ▶ Finding safe and affordable housing is difficult for ex-prisoners who often face limitations on where they can live. Many times, low-income public housing is their only choice. These housing developments are often overrun with **drugs, gang violence, criminals and other criminogenic factors**. More expensive housing/ or renting a flat is often not an option because of the stigma of being an ex-convict or due to lack of money.

Why ex-prisoners struggle to successfully reintegrate into society?

▶ BARRIERS TO EMPLOYMENT FOR EX-PRISONERS

- ▶ Ex-prisoners face the society-wide stigma of being an ex-convict, which severely limits the number of job opportunities available to them.
- ▶ Many employers conduct criminal history checks on prospective employees and reject anyone with a criminal history.
- ▶ Many ex-prisoners are limited to working inconsistent, low-wage jobs – such as in construction or manufacturing – that make it incredibly difficult to support themselves and their families. In addition, ex-prisoners are often mandated to pay further penalties including parole supervision fees, court costs, restitution, child support, drug-testing fees, counseling fees, and more.

What is necessary to prepare prisoners to return to the society?

During the sentence

- ▶ Individual programs
- ▶ Employment and education available for convicted persons
- ▶ Regular contacts with outside world - ways of communication between convicted persons and other persons, in particular their family and other people nearest to them
- ▶ Possibilities of fulfilling duties of the prisoner

Before the end of the sentence / before release

- ▶ Before the end of the sentence, inmates must meet with a tutor that prepares the prisoner's release. All inmates must attend this pre-release meeting.

Therapeutic treatment

The reintegration aims of the execution of penalty of deprivation of liberty (moral improvement or judicial improvement) shall also be achieved with respect to persons with health disorders.

- ▶ Positive social reintegration in this group of convicts shall be achieved due to therapeutic treatment which facilitates, among others, suppression of personality disorders, regaining psychological balance, shaping prosocial attitudes, and achieving personal goals in accordance with abiding social norms.
- ▶ Therapeutic and rehabilitation activities are focused also on social readaptation.
- ▶ Other important aspects include preventing addictions, promotion of healthy lifestyle, ergotherapy, art therapy, sports activity, and cultural activity.
- ▶ In many addiction treatment centres and corrective centres there are also special programmes of social re-adaptation by means of charity work or support for social initiatives.

Employment

The institution of social employment is an important part of the so called active social policy in Poland.

By providing:

- ▶ development of skills necessary to fulfill social roles and achieve social positions available to those who are not subject to social exclusion,
- ▶ acquiring vocational skills and completing vocational trainings, retraining or enhancement of professional qualifications,
- ▶ learning to plan one's life and satisfy needs by oneself, particularly by a possibility to earn one's living through employment or business activity,
- ▶ learning skills of rational management of one's financial assets

The Victims and Post-release Assistance Fund

is a special purpose fund aimed at helping victims and witnesses, preventing crime and post-release assistance. The Minister of Justice is the administrator of that Fund.

- ▶ The Justice Fund was established pursuant to Art. 43 of the Executive Penal Code Act of 6 June 1997
- ▶ Detailed rules for granting aid and subsidies under the Fund were set out in the Regulation of the Minister of Justice of 13 September 2017 on the Victims and Post-release Assistance Fund - the Justice Fund.
- ▶ The regulation defines the rules and modes for granting subsidies to public sector bodies, as well non-governmental organisations.

The Victims and Post-release Assistance Fund

The Fund's resources are allocated for:

- ▶ assisting victims of crime and their relatives and partners, especially providing medical and psychological help, rehabilitation, legal and material aid;
- ▶ post-release assistance to those released from prisons and remand centres as well as their relatives and partners, provided by professional probation officers and the Prison Service
- ▶ activities undertaken or entrusted by the Fund's Administrator, aimed at supporting and developing a system of assistance for victims of crime and witnesses, as well as post-release assistance, as well as tackling the causes of crime, in particular:

The Victims and Post-release Assistance Fund

The Fund's resources are allocated for:

- ▶ promoting and supporting initiatives and projects that serve to improve the situation of crime victims, as well as effective re-integration of convicts,
- ▶ undertaking educational and informational activities, including those related to causes and determinants of crime and crime prevention,
- ▶ covering costs related to organising and conducting educational activities, post-graduate studies, supplementary training courses,
- ▶ conducting, organising and commissioning scientific research, development work, cooperation with other entities in this field, covering the situation and needs of crime victims, witnesses, convicts

The Victims and Post-release Assistance Fund

The Fund's resources are allocated for:

- ▶ promoting a system of assistance to crime victims and witnesses, as well as post-release assistance,
- ▶ disseminating knowledge about the rights of crime victims and alternative methods of conflict resolution, in particular mediation in family, juvenile and criminal cases,
- ▶ activities supporting families at risk of becoming dysfunctional, in particular in the field of addiction prevention and therapy, co-dependence and conflict resolution within the family.

Social Rehabilitation Programmes for Offenders

Anger management

- ▶ Such programmes are meant for persons that are unable to control their irritation and feelings in general. It teaches one to keep anger in check so that it might not take control of the person.

Social skills training

- ▶ Convicts learn to express themselves in everyday life, analyze their thoughts, and control their behavior. Skills required for interpersonal communication are supplemented and developed: through practical exercises, role play, discussions, and other exercises convicts learn to cope with different situations without harming themselves or others.

Aggression replacement training

- ▶ Convicts learn to use positive social skills in place of aggressive behavior. The goal is to change the participant in a manner that would make consideration for others an important factor in their thinking and behavior.

Social Rehabilitation Programmes for Offenders

Lifestyle training for offenders

- ▶ Such programmes target abusers/addicts of addictive substances and compulsive gamblers in whom their addiction causes unlawful behavior.
- ▶ The general goal is to change relevant consumption of addictive substances. The maximum goal is to altogether stop the consumption of above substances and/or gambling and the minimum goal is to obtain control over relevant consumption/gambling.

Rehabilitation program for sexual offenders

- ▶ Such programmes aim to help sex offenders understand their offence and analyze the facts and circumstances that lead to the offence. That is meant for mentally well prisoners, for whom a court judgment or the individual treatment program assigns as a condition participation in a relapse prevention program. Quite often participation is also open for volunteers.

Social Rehabilitation Programmes for Offenders

Reduction of family and intimate partner violence

- ▶ Such programmes targets persons convicted of violence in an intimate relationship. The objective of the program is to make the offender consider the damage caused and teach them to set goals in their actions so as to increase their own safety and the safety of people close to them.

Probation services and reintegration

- ▶ Probation systems fulfil a wide range of functions but most systems combine some form of controlling supervision with some form of rehabilitative support.



Probation services and reintegration

- ▶ Probation services (or those supervising prisoner release) have a legal duty to refer prisoners to advice services covering practical matters such as housing, access to financial services, and finding employment
- ▶ Probation services (or those supervising prisoner release) involve prisoners families in planning and decision-making relating to their release



Probation Officers and reintegration

- ▶ During the reintegration process, Probation Officer is there to help ex-offenders address any difficulties and needs they may encounter.
- ▶ Before an ex-offender is reintegrated to the community, a Probation Officer will carry out an assessment of the offender, the victim and the community which will assist in preparing a reintegration plan. The reintegration plan is important for addressing the risks and needs that the offender might face when released from a penal institution. In certain circumstances, a Probation Officer may recommend deserving cases for further assistance through educational support and vocational training.

Parole officers and reintegration

- ▶ Parole officers help recently released offenders reintegrate into society while keeping an eye on them. For example, officers can assist offenders with finding employment or help them reduce their risk of re-offending
- ▶ Probation officers supervise and help offenders who have been placed on probation.
- ▶ Parole/ probation officers often feel challenged as they try to achieve the dual goals of helping offenders to successfully reintegrate into the community and protecting society from at-risk individuals.

This is partly the result of the tension between the main functions of their role as supervisors, which includes assistance and policing aspects.

Offender supervision

Offender supervision

- ▶ Post-release supervision are important in contributing to the success of an offender's re-entry and social reintegration
- ▶ However, supervision is more than simply monitoring an offender's compliance with the conditions attached to his or her release. It involves managing the risk presented by the offender, acquiring and/or arranging resources to meet the needs of the offender and developing and maintaining a human relationship with the offender that engenders trust with appropriate boundaries. It includes acts of surveillance, teaching, support, reinforcing positive behaviour and enforcing consequences for negative behaviour.
- ▶ Carried out professionally, it includes at its core supporting the social reintegration of the offender but there is always a the risk that he or she may commit a crime again

Models of offender supervision

Offender supervision

- ▶ Models of offender supervision include risk- and need-based models.
- ▶ **Risk-based strategies** operate on the premise that some offenders are dangerous and need to be controlled and closely monitored.
- ▶ **Need-based supervision strategies** focus on offenders' criminogenic needs and support their involvement in appropriate treatment programmes

The role of the community

Community involvement

- ▶ Reintegration programmes must also focus on the key objective of building relationships of social support and control around the offender.
- ▶ Some programmes, in particular those offering offenders an opportunity to perform community services or to volunteer for the benefit of the community, can be very successful in rehabilitating certain types of offenders and in making the public more sensitive.
- ▶ However, such programmes can hardly operate without the support of the community, and their success mostly depends on the active participation of community members.

Use of volunteers

- ▶ The use of volunteers is an efficient way to involve the community and to provide much needed support to offenders.

The link between social reintegration and public safety

- ▶ Many offenders, even after serving repeated prison sentences, fail to desist from crime and to reintegrate into the community.

Imprisonment, in itself, is incapable of addressing the offenders' social integration issues.

- ▶ Even when effective prison programmes have helped offenders to achieve progress during detention, that progress is often lost because of lack of supervision, help and assistance after release.
- ▶ If prisoners re-offend after release, community safety is compromised through increased crime.

Post-release services and supervision

The period of transition from custody to the community can be particularly difficult for offenders.



They typically face anxiety and stress associated with the need to find employment and lodging, to repair damaged relationships, to face social stigma and potential isolation and to comply with conditions of official supervision.

Post-release services and supervision

- ▶ It has been found that the weeks immediately preceding and following the release of prisoners are crucial in determining the extent to which their social reintegration into the community will be successful.
- ▶ After their release, offenders must face a number of practical challenges, such as securing suitable accommodation with very limited means, managing financially with little or no savings until they begin to earn wages, accessing a range of everyday necessities and accessing services and support for their specific needs.

Post-release services and supervision

- ▶ Research on the variables that influence successful reintegration has revealed the interdependence of employment, housing, addiction treatment and social network support. In the absence of material, psychological and social support during this transitional period, many offenders are likely to be caught up in a vicious cycle of release and rearrest.
- ▶ In order to preserve community safety, governments therefore need to develop effective post-release or aftercare interventions geared at helping former prisoners to reintegrate into the community and to desist from crime.

Overcrowding

Prison overcrowding is a major challenge in many countries

- ▶ Although prison overcrowding is a complex problem, there is no doubt that it is attributable in part to the large number of repeat offenders who populate the prisons.

One key strategy in reducing the number of persons in prison is to provide effective rehabilitation programmes for prisoners and support their social reintegration upon release

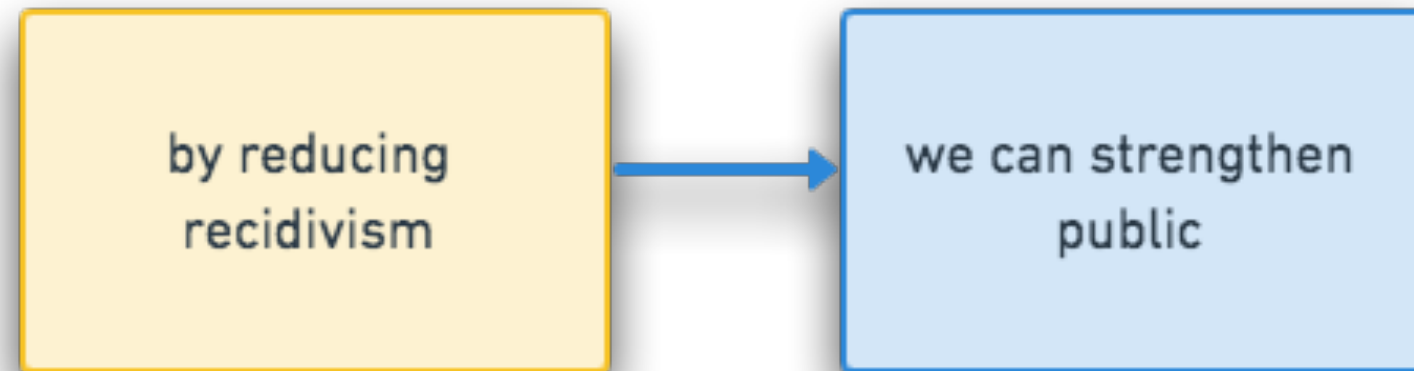
- ▶ Unfortunately, prison overcrowding itself affects the ability of prisons to offer meaningful rehabilitation programmes and tends to limit prisoners' access to existing programmes.

The prevention of recidivism

Recidivism is repeated criminal activity and is synonymous with terms such as 'repeat offending' and 'reoffending'.

- ▶ **“Recidivism” (“reoffending”)** refers to whether a person commits a crime again.
- ▶ Preventing recidivism requires effective interventions based on an understanding of the factors that place offenders at risk and make it difficult for them to successfully reintegrate into society.

The prevention of recidivism



- ▶ Research shows that recidivism risk can be effectively reduced through programmes that targets criminogenic needs, such as courses in cognitive behavioral therapy and other topics.

Summary

► In recent years, much of the discussion concerning the social reintegration of offenders has centred on the development of better means of managing their re-entry into the community by providing an effective and balanced mix of supervision and assistance and finding ways to do so through effective collaboration involving prison administrations, law enforcement agencies and community-based organizations.

Some programmes actively seek community participation and help communities to become more responsive to the offenders' situation.