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Exploring the Role of the Police in Prisoner Reentry

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Executive Session on Policing and Public Safety

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The past generation has witnessed a number of significant changes in the American approach to the twin challenges of reducing crime and administering justice. Arguably the two most important changes in the American criminal justice landscape have been the evolving role of the police and the use of incarceration as a response to crime, which brought with it the subsequent release of millions of people from prison. Much has been written about modern American policing and prisoner reentry individually, yet the intersection of the two has received relatively little attention. This paper explores this intersection and makes the case that there is a role for the police in the prisoner reentry movement.

An obvious place to begin is with the question: Why should the police care about prisoner reentry? We know that recidivism rates of people returning from prison to their communities remain frustratingly high, we know that people who cycle in and out of prison commit a disproportionate amount of crime, and we know that in a world of declining resources, police departments continue to be challenged to do more with less. For these reasons, among others, the police

should be fully engaged in local prisoner reentry efforts.

Beginning in the 1980s, the nation embraced a new vision of the police as a problem-solving institution with an organizational goal of reducing crime. These crime reduction efforts have been marked by an explicit effort to engage community stakeholders, particularly in high-crime neighborhoods. Captured by the phrases "community policing" and "problem-oriented policing," this new vision was embraced by police leaders, politicians and academics, promoted by a multibillion-dollar federal funding initiative in the 1990s, and heralded as an effective means for simultaneously bringing crime rates down and improving relationships between police and communities, particularly communities of color.

At about the same time, the nation began to increase its use of incarceration as a response to crime, ultimately increasing the incarceration rate fourfold. As a consequence, the number of people released from prison has increased significantly. These individuals return mostly to the same high-crime neighborhoods where the policing philosophy calls for community engagement. The new reality that large numbers of Americans have spent time in prison has given birth to a new focus on prisoner "reentry," a policy conversation marked, just as with policing, by a pragmatic, problem-solving ethos, a federal funding initiative and a commitment to engaging community stakeholders in improving public safety outcomes.

It should be noted at the outset that, for many, this is an uneasy conversation across a deep institutional and cultural divide. Some police practitioners view their role as exclusively enforcers of the law. In this view, the relationship of the police to those in prison is limited: the police investigate crimes, arrest suspects and support the prosecution of criminal cases. Any governmental responsibility for returning prisoners to the community rests with parole and probation, not the police. Consistent with this view, expanding the role of the police to encompass even a shared responsibility for improving reentry outcomes would constitute inadvisable mission creep. On a deeper level, because the police are charged with protecting society against harm, some police find it difficult, perhaps inappropriate, to join those who champion the redemption of individuals who were convicted of crimes. In this view, the commission of crime that is sufficiently serious to warrant a prison term justifies continued vigilance against new criminal behavior, not the supportive "welcome home" offered by many organizations that work with former prisoners.

The challenges of distrust and limited role definitions hamper interest in collaboration on the part of reentry practitioners as well. Some believe that the police are part of a larger, oppressive, racist criminal justice apparatus that is single-mindedly interested in harassing young men and, whenever possible, arresting them to send them

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to jail or prison, thereby stifling their chances for successful lives. In this view, collaboration with the police is tantamount to working with the enemy (Asbury 2011). In a less extreme stance, some reentry practitioners fear that involving the police in their work will only expose their clients to unnecessary surveillance, and that the "zero tolerance" stance of some police officials and departments is inconsistent with the view of the reentry process as one that often involves missteps, relapse and minor but perhaps excusable rule violations (U.S. Department of Justice, Office of Justice Programs 2000).

Virtually every major national police organization — the International Association of Chiefs of Police (IACP), the Police Executive Research Forum (PERF), the Police Foundation and the Office of Community Oriented Policing Services (COPS) — has begun to participate in the reentry conversation (see "Publications on Police and Reentry"). A survey of best practices by the U.S. Conference of Mayors revealed that prisoner reentry collaborations with local law enforcement agencies are becoming more common (U.S. Conference of Mayors 2009). Despite the foundation for partnership, these collaborative efforts are underdeveloped and the role of the police is evolving.

This paper is organized around two key elements. The first sets forth the basic parameters of the present-day reentry phenomenon in America, with a particular focus on two dimensions that intersect with the work of urban police departments: high recidivism rates and the concentration of returning prisoners in a few neighborhoods. The second explores two rationales for police involvement in prisoner reentry efforts: the promotion of public safety and the promotion of the legitimacy of the police.

The Realities of Prisoner Reentry in America

Over the last several decades the number of individuals incarcerated in prisons and jails has experienced remarkable growth. Consequently, there has been a parallel growth in the number of individuals who are released from a correctional facility and return home to their communities, as more than 95 percent of all state prisoners will eventually be released from prison (Hughes, Wilson and Beck 2002; Travis 2005). The number of individuals released from state prison in 2010 was 708,677, which is more than four and a half times higher than in 1980 (figure 1) (Hughes and Wilson 2001; Guerino, Harrison and Sabol 2011). Because most — four out of five — individuals released from prison are placed on parole supervision, there has been a commensurate increase in the number of people under community supervision, from 196,786 in 1980 to 735,124 in 2010 (figure 1). The nature of community supervision has also changed, shifting the balance away from support toward surveillance, resulting in a significant increase in parole revocations, from 27,177 in 1980 to 227,311 in 2010 (figure 1). These seismic shifts in American criminal justice practice have created an unprecedented state of the world: every year large numbers of individuals — mostly men — are arrested, incarcerated, released, placed on criminal justice supervision and returned to prison on parole violations. (For an examination of the somewhat different issues surrounding reentry from county jails, see "Reentry From County Jails.")

Publications on Police and Reentry

Carter, Madeline M., Susan Gibel, Rachelle Giguere and Richard Stroker. *Increasing Public Safety Through Successful Offender Reentry: Evidence-Based and Emerging Practices in Corrections.* Silver Spring, Md.: Center for Effective Public Policy, 2007.

International Association of Chiefs of Police. *Building an Offender Reentry Program: A Guide for Law Enforcement.* Alexandria, Va.: International Association of Chiefs of Police, and Washington, D.C.: U.S. Department of Justice, Bureau of Justice Assistance, 2007.

International Association of Chiefs of Police and Office of Community Oriented Policing Services. *Offender Re-Entry: Exploring the Leadership Opportunity for Law Enforcement Executives and Their Agencies.* Alexandria, Va.: International Association of Chiefs of Police, and Washington, D.C.: U.S. Department of Justice, Office of Community Oriented Policing Services, January 2007.

Jannetta, Jesse, and Pamela Lachman. *Promoting Partnerships between Police and Community Supervision Agencies: How Coordination Can Reduce Crime and Improve Public Safety.* Washington, D.C.: U.S. Department of Justice, Office of Community Oriented Policing Services, May 2011.

La Vigne, Nancy G. *Mapping for Community-Based Prisoner Reentry Efforts: A Guidebook for Law Enforcement Agencies and Their Partners.* Washington, D.C.: Police Foundation and U. S. Department of Justice, Office of Community Oriented Policing Services, May 2007.

La Vigne, Nancy G., Amy L. Solomon, Karen A. Beckman and Kelly Dedel. *Prisoner Reentry and Community Policing: Strategies for Enhancing Public Safety.* Washington, D.C.: Urban Institute Justice Policy Center and U.S. Department of Justice, Office of Community Oriented Policing Services, 2006.

Schwarzfeld, Matt, Deirdre Mead Weiss, Martha Plotkin and Laura Draper. *Planning and Assessing a Law Enforcement Reentry Strategy.* Report prepared by the Council of State Governments Justice Center and the Police Executive Research Forum for the Office of Community Oriented Policing Services, U.S. Department of Justice. New York: Council of State Governments Justice Center, 2008.

U.S. Conference of Mayors. *Status of Ex-Offender Reentry Efforts in Cities: A 79-City Survey.* Washington, D.C.: U.S. Conference of Mayors, 2009.

Community Concentrations

Individuals returning home from America's prisons are not equally distributed across all communities. Rather, they are disproportionately concentrated in urban communities and often the poorest neighborhoods of color within those communities (Clear 2007). Research by the Urban Institute has documented these spatial concentrations. In Chicago, for example, six of the city's 77 communities account for a third of all returning prisoners. In Baltimore, 36 percent of prisoners return to six of the city's 55 community areas. In Houston, a quarter of all returning prisoners are concentrated in five of the city's 185 ZIP codes (Watson et al. 2004).

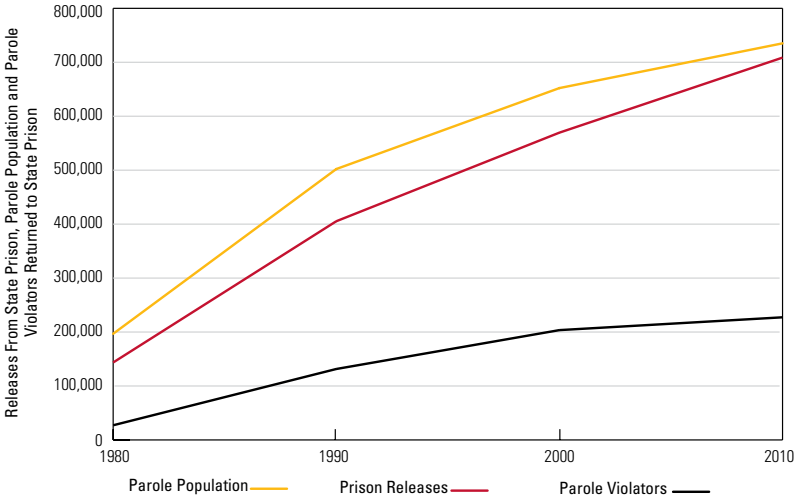
Reentry From County Jails

The substantial flow of individuals in and out of local jails is another notable consequence of the modern incarceration phenomenon. Efforts around prisoner reentry have largely focused on releases from state and federal prisons; however, releases from county jails also have significant consequences for many communities and local law enforcement. Each day across the country approximately 34,000 people are released from a county jail, which equates to 12 million jail releases per year.

Reentry from jail and reentry from prison, although similar in some aspects, are different in others, resulting in an additional set of issues relevant to police departments. The average length of stay in jail is relatively short — 81 percent of jail inmates stay less than one month — which limits jail inmates' ability to participate in programs and pre-release planning while incarcerated. At the same time, however, less time away from families, friends and employers can help facilitate the reentry process, as ties to personal networks and support systems are not weakened to the extent they typically are during a prison sentence. Unlike prison systems, jails are often close to home for the individuals in custody, making it easier to maintain ties to the community. In addition, unlike release from prison in which a period of parole is common, community supervision is often not part of being released from jail. Lastly, with more than 3,300 independently operated jails across the country — compared to 51 prison systems — wide-scale change in jail-based policies and practices is difficult.

For a comprehensive examination of jail reentry, see Solomon, Amy, Jenny Osborne, Stefan LoBuglio, Jeff Mellow and Debbie Mukamal, *Life After Lockup: Improving Reentry from Jail to the Community,* Washington, D.C.: Urban Institute, May 2008. Available online: www.urban.org/UploadedPDF/411660_life_after_lockup.pdf.

Figure 1. Releases From State Prison, Parole Population and Parole Violators Returned to State Prison



Sources: Glaze and Bonczar 2011; Guerino, Harrison and Sabol 2011; Hughes and Wilson 2001; West, Sabol and Greenman 2010.

On one level, the concentration of returning prisoners in a small number of neighborhoods is not surprising. These neighborhoods are typically also the neighborhoods with the highest crime rates, so why expect otherwise? This observation could be expanded to postulate a benefit for these communities: is it not better for community members that the people now returning from prison were arrested and incarcerated in the first instance? Were they not causing harm? A further extension of this reasoning: haven't these communities experienced some of the greatest improvements in public safety as crime rates, and violent crime rates in particular, have plummeted over the past 20 years?

Without delving into the debate over prisons' contribution to the crime decline in America, and recognizing that communities can benefit from

the removal of individuals engaged in criminal behavior, the fact remains that the unprecedented concentration of prisoner reentry poses a range of serious and negative consequences for these neighborhoods, the families of individuals sent to prison and the individuals who served time in prison. For example, children of incarcerated parents are often left in the care of the remaining parent, grandparents, extended families or foster care. The families of incarcerated individuals often lose their primary source of income. People returning from prison have difficulty finding work and are barred from entire sectors of the workforce. Because public housing regulations allow the exclusion of people with felony records, and because access to private rental markets is difficult for people with criminal records, returning prisoners experience difficulty finding stable, affordable housing.

Some negative consequences are less concrete. In many states there are communities that lose votes and the civic engagement of their residents when a significant number of residents are sent to prison. Because modern-day community supervision is more far-reaching and intrusive, released offenders often experience limits on individual autonomy such as drug testing, curfews and stay-away orders. The fact that incarceration and reentry affect mostly men has created a "gender imbalance" in communities with large numbers of incarcerated males: for example, neighborhoods in Washington, D.C., with the highest rates of incarceration had only 62 men for every 100 women, potentially resulting in long-term consequences for family formation and parenting (Braman 2002). According to some scholars, high incarceration rates have so weakened social institutions — such as family, attachment to work and civic engagement, which historically have contributed to crime reduction — that these policies now have the unfortunate effect of increasing crime rates (see, e.g., Clear, Rose and Ryder 2001).

Public Safety and Recidivism

Recidivism rates of released prisoners have been stubbornly high for decades. The largest recidivism study was conducted by the Bureau of Justice Statistics (BJS), which monitored prisoners from 15 states who were released in 1994 for involvement with the criminal justice system three years after their release.[1] The study includes three dimensions of recidivism: rearrest, reconviction and return to prison. As shown in table 1, 67.5 percent of released offenders were rearrested for at least one offense within three years of their release. Many were charged with more than one crime during this period; in fact, they averaged four new crimes per person. Nearly half (46.9 percent) were convicted of a new crime, and a quarter (25.4 percent) were returned to prison with a new sentence (Langan and Levin 2002).[2]

The returning prisoners in the BJS study were charged with a variety of crimes, including

[1] The sample of released prisoners included nearly 275,000 individuals and represented two-thirds of all prison releases nationwide that year.

[2] The previous study of this magnitude tracked a cohort of released prisoners in 1983 (Beck and Shipley 1989). Recidivism rates of rearrest and reconviction were remarkably similar: after three years, 62.5 percent had been rearrested and 46.8 percent had been reincarcerated. Recidivism rates for those returned to prison cannot be compared between the two cohorts, as the 1983 study included individuals who returned to county jails in addition to state and federal prisons, and the 1994 study only included individuals returned to state and federal prisons.

Table 1. Recidivism Rates of Prisoners Released in 1994 From Prisons in 15 States

	Rearrested	Reconvicted	Returned to prison
Within six months	29.9%	10.6%	5.0%
Within one year	44.1	21.5	10.4
Within three years	67.5	46.9	25.4

Source: Langan and Levin 2002.

violent offenses (21.6 percent), property offenses (31.9 percent), drug offenses (30.3 percent) and offenses against the public order (28.3 percent). Some of these offenses were very serious: the released prisoners were charged with an estimated 2,900 homicides, 2,400 kidnappings, 2,400 rapes, 3,200 other sexual assaults, 21,200 robberies, 79,400 drug possession violations and 46,200 drug trafficking offenses, among other crimes (Langan and Levin 2002).

Two dimensions of recidivism warrant special attention in this discussion of the role of the police in prisoner reentry. The first is the temporal dynamic of the overall "failure" rate. The rate of rearrest is not evenly distributed over the three-year period of the BJS study. Nearly 30 percent of released prisoners were rearrested within the first six months, and slightly less than half (44.1 percent) within the first year. The months immediately following release from prison clearly present the highest risk to public safety. If the police are interested in maximizing the crime prevention benefits of engaging in prisoner reentry initiatives, then this time frame presents the greatest opportunity.

Second, data from the BJS recidivism study should be understood in the context of historically low crime rates in America. According to an analysis by Rosenfeld, Wallman and Fornango (2005) that used the BJS data for 13 states, the prisoners released in the three-year period prior to 1994 accounted for 13 percent of all arrests in 1994 in those states. But looking at arrests in 2001, these scholars calculated that the prisoners released in the preceding three years accounted for more than 20 percent of all arrests (Rosenfeld, Wallman and Fornango 2005). This significant shift from 13 to 20 percent over a short period of time can be attributed to the two simultaneous trends of more prisoners returning home and fewer overall arrests because crime rates decreased during this period. Starkly put, if the police are examining what drives their local crime rates, they have more reason now to focus on returning prisoners. This is not because the individuals returning home now are more prone to being arrested — on the contrary, the recidivism rate has not changed appreciably since the last BJS survey of a 1983 release cohort (Beck and Shipley 1989). Rather, more of them are returning to communities that are now much safer than in the mid to late 1980s.

National Focus on Prisoner Reentry

Given that people have been leaving prisons ever since prisons were first built in the 1820s and that successful reintegration has been a formal goal of the justice system since indeterminate sentencing legislation was first embraced in the late 19th century, this "new" phenomenon is actually not new. Yet, after years of increasing prison populations, policymakers, elected officials and criminal justice practitioners are now, belatedly, focusing on the consequences of that buildup. At the national level, both parties have demonstrated leadership. In 1999 Attorney General Janet Reno delivered a major national address calling for new approaches to prisoner reentry, emphasizing the importance of partnerships between corrections, police and community organizations. The last budget of the Clinton administration included seed funding for a reentry initiative. The Bush administration built upon this foundation with the Serious Violent Offender Reentry Initiative. Then, in the 2004 State of the Union Address, President Bush called upon Congress to create a reentry initiative, which subsequently became the Second Chance Act of 2007.[3] This national leadership has been matched by initiatives in all 50 states, a blossoming of reentry programs at the local level, and programmatic initiatives in a wide range of service sectors, ranging from public health agencies to faith institutions to child welfare organizations (Travis 2007).

These initiatives share some striking characteristics. They are notably nonpartisan, nonideological and pragmatic. They take as a starting point the realities of reentry (prisoners are returning home in large numbers), recognize the possible harms (failure rates, including most notably re-engagement in criminal behavior, are high), and then ask the simple but profound question, "What can be done to improve these outcomes?" Second, because the questions are framed broadly, a wide variety of agencies have become engaged in devising strategies to reduce the rates of failure. Organizations not typically considered "reentry practitioners" have become involved, such as transitional housing providers, mental health clinics, supported work organizations, foster care agencies, workforce development corporations, community colleges and faith institutions. These organizations find themselves in new partnerships with parole, police and corrections departments. The development of these multisector collaborations has been supported by a remarkable array of federal agencies, including the National Institute of Corrections, the Office of Justice Programs and the Department of Labor. The academic community has responded to the call for research on "what works" in prisoner reentry, and an emerging body of empirical evidence is starting to guide programmatic initiatives (Petersilia 2004). Finally, in a notable indicator of programmatic maturity, the reentry movement now has its own infrastructure for best practices, the National Reentry Resource Center, operated by the nonpartisan Council of State Governments, with funding from the Second Chance Act.[4]

[3] *Second Chance Act of 2007,* Public Law 110-199, *U.S. Statutes at Large* 122 (2008): 657.

[4] For more information on the National Reentry Resource Center, see www.nationalreentryresourcecenter.org.

Prisoner Reentry Viewed Through a Policing Lens

On an institutional level, police departments typically play a limited role in the formal process of releasing prisoners from custody. They are sometimes consulted on parole decisions but discretionary parole is on the wane in America, so the voice of the police in release decisions is not likely to be expanded (Travis and Lawrence 2002). In some jurisdictions, local police departments are notified by their counterparts in corrections departments of individuals returning from prison, although this practice begs the questions: What are the police expected to do with this information, and what information might be useful (Petersilia and Rosenberg 2007)? For some subcategories of offenders, such as sex offenders, the police have a defined role, such as managing registration and reporting requirements or notifying communities when and where a sex offender has taken up residence. However, these subcategories account for a relatively small share of all released prisoners. These formal institutional and legal roles for the police in the reentry process are narrow and do not begin to attain the positive benefits of more robust engagement.

Some of the leading policing organizations have begun to catalog police participation in reentry efforts. For example, an International Association of Chiefs of Police (IACP) review of the relationship between the police and reentry programs found that, typically, police departments have played and are playing a limited role in the reentry process. When police are included in reentry programs or initiatives, it is often as an afterthought and their decision-making abilities are limited (IACP 2007). Many reentry initiatives have been organized at a state level, often through gubernatorial task forces, and the police, as local entities, are frequently not included in these consortia. Faced with the practical realities of limited budgets and resources, police executives understandably hesitate to take on new responsibilities that arguably detract from core business. Finally, as mentioned above, the cultural divide between the police and groups working with people returning from prison, as well as the history of suspicion across that divide, has certainly contributed to the limited engagement of the police.

What rationale linked to the mission of the police provides justification for their engagement in the process of released offenders returning to their communities? The affirmative case for a police role in the reentry process flows from an understanding that this role could contribute to the police mission in two significant ways: first, it could promote public safety and enhance police effectiveness by engaging in problem-oriented policing activities, and second, it could promote police legitimacy by strengthening relationships with communities, particularly communities of color, through engagement in community policing activities.

Promoting Public Safety

The police have a powerful voice on matters of public safety, and the respect many police departments have earned in connection with declining crime rates puts them in a position to assist with

building community coalitions and be partially accountable for increasing reentry successes. The current, historically low crime rates have been well-documented by researchers, practitioners and the media. Despite public safety gains, many hard-pressed communities remain dangerous places to work and live, and these communities are often those to which large numbers of people are returning from prison. These individuals account for a disproportionate amount of crime, and their contribution to a jurisdiction's overall arrest rate is higher than in the past. Faced with these truths, a police department could understandably claim that these failures are the failures of other criminal justice agencies, or should be attributed to larger social forces, or should be understood as reflecting the tendencies of hardcore criminals. But such a posture would seem inconsistent with the modern self-image of American policing as a problem-solving institution that uses analytical approaches to focus on underlying causes of crime (Braga 2008).

Police involvement in prisoner reentry initiatives is very much in line with the philosophy and strategies related to problem-oriented policing (Goldstein 1990). Crime typically clusters in identifiable locations and is disproportionately committed by repeat offenders (Spelman and Eck 1989). The police should embrace the reality of people returning to their communities as a public safety challenge and promote a problem-solving strategy for reducing the rearrest rates of people coming home from prison. Police engagement could yield valuable information about returning offenders and the places where they live, work and engage in criminal activity. Said another way, prisoner reentry efforts could be considered an important strategic opportunity for problem-oriented policing efforts. For example, what if a COMPSTAT-like initiative were to use reducing the rearrest rates for a cohort leaving prison as one metric of success?

The historic levels of growth in prisoners returning home over the last several decades mean that prisoner reentry is a relatively new phenomenon in the context of social science research. Given that, the research literature on the crime reduction impacts of reentry programs that are of high quality and are clearly defined is not well-developed. It is an emerging field of research filled with lots of experimentation, and the body of rigorous research will continue to develop. That said, the research literature on several programs and services that are often key components of reentry initiatives is more robust and continues to grow.

As one example, researchers from the Washington Institute for Public Policy reviewed the findings of 545 evaluations of adult corrections, juvenile corrections and prevention programs in which an impact on crime was one of the measured outcomes (Drake, Aos and Miller 2009). The review identified several types of programs that resulted in statistically significant reductions in crime, including community-based employment and job training programs, community-based drug treatment programs, and prison-based general education and vocational education programs, among others. In addition, researchers identified programs that did not prove to be effective

at reducing crime, including boot camps and Scared Straight programs. Notably, intensive community supervision models with no programming component and supervision models that were surveillance-oriented did not reduce crime; however, when intensive supervision was coupled with treatment-oriented programs, crime reduction benefits were achieved.

Across the country a growing number of police departments are taking up the public safety challenge of released prisoners returning to their communities, yet they still account for a small share of all police departments (Byrne and Hummer 2004). Below are three examples of such partnerships that do not reflect a comprehensive review of police involvement in prisoner reentry but rather are cases in which the programs are well-developed and beginning to produce results:

- The Chicago Project Safe Neighborhoods initiative provides a good example of a collaborative effort, bringing together law enforcement agencies, community members and service providers around the goal of reducing crime rates among the reentry population. The Chicago team used a variant of the "call in" methodology pioneered in the Boston Ceasefire initiative, restricting participation in a call-in session to recently released prisoners coming back to two specific Chicago neighborhoods (Braga et al. 2001; Kennedy, Piehl and Braga 1996). This Chicago effort yielded impressive results. According to an independent evaluation, the homicide rate in these neighborhoods was cut by 37 percent compared to a control group (Papachristos, Meares and Fagan 2007).

- The Boston Reentry Initiative (BRI) relies on partnerships among police and community-based organizations to help facilitate the successful reintegration of former jail inmates to their Boston neighborhoods. BRI is unique in that it targets the most violent offenders for services. The Boston Police Department works in concert with BRI staff to identify offenders with violent offense profiles and makes recommendations for program participation. BRI uses a version of the "call in" methodology as well, offering case management and treatment to offenders. Findings from an evaluation of BRI show that the program participants experienced a 30-percent reduction in recidivism as compared to a control group of violent offenders (Braga, Piehl and Hureau 2009).

- Baltimore's Reentry Partnership, a coalition of community groups, organized a "welcome home" panel that met with all prisoners returning to their community about a month prior to their release dates. Members of the welcome home panel included social service providers, housing agencies, ex-offender organizations and the state parole agency, among others. Also present was a local beat officer from the Baltimore Police Department, and when his opportunity came to speak, he echoed the words of other members of the coalition by saying: "Welcome home. Like the others, I hope that you succeed and stay out of trouble. Like the others, I commit my

> agency to working as part of this coalition for the next two years to help you succeed. But unlike the others, I have the power to arrest you if you engage in criminal behavior. I hope I do not have to use that power, but will do so if required." This complex message sent an important signal that the police are committed to successful reentry, and that this commitment does not allow for the neglect of their law enforcement responsibilities.

Police frequently do not know who is returning to the community, when they are returning and where they are going. One important benefit the police will derive from these reentry relationships will be opportunities for timely intelligence. For example, a closer working relationship with corrections and community supervision agencies may provide the police with the verified address of a returning prisoner, the names of individuals who visited him in prison and met him at the time of release, or the identities of criminal associates and gang members. This information may be useful in preventing crimes of retaliation, recurrence of domestic violence, relapses to drug use or reconnections with criminal peer networks. Although these issues may seem novel because they arise in the reentry context, in many ways they are familiar topics for the police, particularly for those organizations that have engaged in problem-solving, collaborative efforts with community partners.

As police agencies increasingly become involved in reentry initiatives, and parole and probation agencies shift their focus to more surveillance and stricter enforcement of supervision conditions, the missions of these agencies appear more closely aligned. For decades the police have collaborated with community corrections agencies, particularly as probation and parole have used their extensive legal powers to conduct searches not permissible for the police. A premier example of cross-agency collaboration was Boston's Operation Nightlight, where police officers assigned to the gang task force rode with probation officers assigned to that agency's gang unit in a successful effort to reduce gang violence (Corbett 2002). Notwithstanding the potential benefits, the risks require specification. Certainly the police should not become an extension of the supervision mission of parole and probation nor should those agencies simply adopt a law enforcement stance.

Finally, this discussion of respective roles between police and community corrections highlights another lacuna in the justice system — unsupervised individuals returning from prison and jail. At a national level, only four in five individuals leaving state prison are released to parole supervision. The remainder are simply released. In some cases, these are highly dangerous individuals. As Piehl documents in her study of reentry in Massachusetts, some prisoners with a history of mental illness who were denied parole release or chose not to apply for discretionary release went directly from solitary confinement to the streets without any government agency taking responsibility for their transition (Piehl 2002). In the case of local jails, the issue of transition without government accountability is even more acute. Few people leaving jail are placed on

community supervision and, for the vast majority, their transition home has no governmental support. Given these legal realities, the role of the police — or, for that matter, any traditional reentry organization — in promoting public safety for this population remains an open debate of public policy.

Practical considerations, ethical considerations and questions of identity are likely to present challenges to police participation in reentry efforts. The police could encounter barriers to marshaling the support of local service providers and employers who may be wary of police leadership and participation. The police could encounter questions related to sharing intelligence about reentry program participants. The police could encounter issues of capacity in the face of new collaborative efforts. The police could encounter questions of legal authority and oversight in the context of "unsupervised" individuals returning to the community and presenting a public safety challenge. Needless to say, the role of the police in reentry efforts is a work in progress. The opportunities to prevent new crime among — and against — the population of returning prisoners are enormous. For police organizations that engage in problem-oriented policing and are committed to crime reduction, the prospect of taking on this challenge is consistent with their view of public accountability for results. Although collaboration, not direction, is the name of the game, it comes with issues of unclear organizational boundaries and ethical propriety.

Promoting Police Legitimacy

Communities with the highest rates of incarceration and the highest rates of returning prisoners are concentrated in a small number of neighborhoods in urban America, most typically African American and Latino neighborhoods. These are often the same neighborhoods that suffer high crime rates and consequently experience high levels of police presence and intervention. These neighborhoods often have a history of strained, sometimes violent, relationships between the police and the residents. For a variety of reasons, these strains are frequently perceived on both sides in racial terms. The police — and, by extension, other criminal justice agencies — are often viewed as agents of an unjust system deeply rooted in the history of racial oppression. The community, broadly defined, is often viewed by the police as tolerant of criminal behavior and resistant to police intervention.

The community policing philosophy explicitly recognizes this racial divide and emphasizes collaboration between the police and community stakeholders. The promotion of mutual respect and trust between the police and the members of the community they serve is an important outcome of the community policing strategy. In other words, community policing efforts generally promote the "legitimacy" of the police. Legitimacy in this context is the notion that most people obey the law and defer to legal authorities because they view it as legitimate. Increasingly, research is supporting the notion that legitimacy is an important factor in the effectiveness of law (Tyler 2006), and the establishment and maintenance of legitimacy

are particularly important in the context of policing (Skogan and Meares 2004). Community policing efforts and prisoner reentry efforts are in sync in that they both center on collaboration and meaningful partnerships with community stakeholders and engage in proactive activities that address identified public safety issues. Thus, police involvement in prisoner reentry efforts can provide an opportunity for the police to strengthen their legitimacy in the eyes of the communities they serve.

The consequences of prisoner reentry can be felt at a community level. Indeed, in some neighborhoods, more than half of the men have felony convictions, and the high rates of incarceration and reentry affect essentially every family in high-crime neighborhoods. According to an analysis of prison and jail admissions in Brooklyn, on "high-incarceration blocks," one in eight parenting-age males (ages 18 to 45) is arrested and incarcerated each year (Cadora, Swartz and Gordon 2003). When Clear, Rose and Ryder (2001) interviewed 100 residents of two communities in Tallahassee, nearly all experienced — or expected to experience — the return of a family member from prison. In Cleveland, Lynch and Sabol calculated that, in high-incarceration neighborhoods, 8 to 15 percent of African American men between the ages of 18 and 29 were incarcerated on a given day (Lynch and Sabol 2001).

The pervasiveness of incarceration brings a profound question into focus: Has the high rate of incarceration undermined respect for the police and for the rule of law? This question can be posed in more direct, operational terms: Has the involvement of the police, by arresting large numbers of community members who are then sent away to prison at record levels, weakened the community's willingness to cooperate with police investigations? Although the body of research on this specific question is limited and there is still much to be learned, it seems plausible. We do know from research that prison can be a "delegitimizing" experience and, subsequently, high incarceration rates work against legal authority that is grounded in a legitimacy-based model (Tyler 2010).

When community members view the police as a legitimate legal entity, they are more likely to cooperate with the police (Tyler and Fagan 2008). Given this, police should take advantage of opportunities to increase legitimacy through the eyes of the communities they serve. Positive interaction with the police has been shown to increase legitimacy in the eyes of the communities that they serve (Tyler and Fagan 2008). Police participation in collaborative reentry efforts, therefore, represents one such opportunity for more frequent positive interactions between the police and community stakeholders. Notably, police legitimacy can also increase even when the police deliver "negative outcomes," as long as those outcomes are in concert with fair procedures (Tyler and Fagan 2008). This is particularly relevant in the context of prisoner reentry efforts, as inevitably police will be in situations in which reentry program participants are rearrested. Not all interactions with the police during the reentry process need to be positive for those interactions to have a positive impact

on legitimacy. For example, if reentry partners and community members observe their police partners making sincere efforts to improve the chances of successful reintegration, then any sanctions against reentry participants, such as rearrest, will be more palatable to their community partners. It may be that, in their eyes, the police tried to provide support and opportunity, but a reentry program participant's behavior left the police no other choice but to make an arrest. Police will have opportunities to demonstrate to the community that they are not solely interested in removing young men from their neighborhood but rather prefer to see them transition to being positive members of their community.

The challenge for the police and their involvement in reentry efforts is particularly acute in their relationships with formerly incarcerated individuals. As part of its Returning Home study, the Urban Institute interviewed returning prisoners to gauge their attitudes toward the police. Half (49 percent) viewed the police in their neighborhoods as racist. Half (53 percent) said the police did not respond properly to crime victims. More than half (60 percent) thought the police did a poor job of preventing crime. A similar percentage (62 percent) thought the police brutalized people in their neighborhoods (Visher, La Vigne and Travis 2004).

Most research on legitimacy to date has focused on law-abiding citizens' perceptions. However, recent research has begun to examine views of legitimacy through the eyes of offenders. Papachristos, Meares and Fagan (2009) found that although offenders and nonoffenders have similar views about the law overall, their views are significantly different when it comes to the police specifically, as offenders have a much more negative view of the police. Importantly, in the context of police participation in prisoner reentry efforts, perhaps police can have a positive impact on offenders' perceptions of police legitimacy by allowing for increased interactions that are not necessarily confrontational or negative.

Given the growing body of evidence on the importance of legitimacy of the police and legitimacy of the rule of law, police departments' exploration of new and creative strategies to increase legitimacy would seem to be a worthwhile endeavor. The opportunity to increase police legitimacy in the eyes of community members, reentry partners and reentry program participants in particular is significant and should be given serious attention by police departments (see "East Palo Alto Police Department: A Case Study in Police Involvement in Prisoner Reentry").

Conclusion

As is often the case in public policy, dramatic changes in the "state of the world" that take place in relatively short time periods can be leveraged as occasions for experimentation. New policies and practices intended to improve the effectiveness of public agencies can be tested and adopted during periods of change. Prisoner reentry should be considered one such occasion for the field of policing. Two of the most fundamental objectives of policing can be addressed by the police engaging in formal, strategic roles in prisoner reentry

East Palo Alto Police Department: A Case Study in Police Involvement in Prisoner Reentry

In 2006 in East Palo Alto, Calif., a city of approximately 30,000 people, following the murder of a police officer by a recently released parolee, the Police Department and the family of the slain officer worked together for the enactment of a bill that required the California Department of Corrections and Rehabilitation (CDCR) to establish a prisoner reentry pilot program with the East Palo Alto Police Department.* This was the first instance of the CDCR contracting with a local police agency to provide reentry services. As part of the program, an East Palo Alto police officer was designated as a parole reentry officer (PRO) whose first task was to conduct parolee home visits and invite them to participate in the reentry program. The Police Department subcontracted with community and faith-based organizations to operate a Day Reporting Center that provided a variety of services, including cognitive life-skills training, anger management training, substance abuse education, parenting and family integration, personal budgeting, and job training and placement. For more than three years, the PRO, counselors and program staff worked collaboratively to provide effective reentry services.

This pilot program is a good example of police acting in a nontraditional role by emphasizing rehabilitation and redemption compared to the traditional role of enforcement by focusing on returning parolees to prison. At the outset, community members, representatives of local government, and even some members of the Police Department questioned whether the police should engage in reentry services. For some, prisoner reentry was not a local issue but rather the responsibility of the state; for others, the notion of bringing parolees back into the community — even though they were East Palo Alto residents — generated a "fear of prisoner reentry," also characterized as a Not In My Back Yard (NIMBY) mentality. Within the Police Department, the idea of the police engaging in reentry services beyond enforcement was viewed initially as a distraction to the core business of the police. Yet, there was a common thread on which all stakeholders could agree: efforts to successfully reintegrate released prisoners back into the community, regardless of whoever was responsible, were simply not working.

The Police Department's leadership is viewed as one of the key reasons the reentry program operated with community support. The Police Chief and the Department embracing the concept of redemption and portraying prisoner reentry as a public safety strategy increased residents' comfort level with and, ultimately, their support for the reentry program. The Chief's advocacy was reinforced by local community and faith-based organizations that had been providing services for years and were highly respected in the community. This unified support for the program helped the city's residents overcome the NIMBY mentality.

Improved relationships between the Police Department and the community turned out to be an important outcome of the program. In fact, when budget cuts threatened the program, the City Council, in an effort to save the program, voted to expand the program to include parolees from outside the city of East Palo Alto. In addition, East Palo Alto police officers came to view the PRO as a critical component of Department operations. For example, information about parolees was accessible through the PRO, a welcome source of intelligence in an environment where information was often stifled by a "don't snitch" mentality. The Department now views collaborative efforts related to prisoner reentry as critical to police operations and as an effective crime prevention and intervention strategy.

*California Assembly Bill 2436 (2006).

efforts: namely, promoting public safety and promoting police legitimacy.

In addition, engagement in reentry efforts is well-aligned with the tenets of two current-day policing strategies: problem-oriented policing and community policing. The release of large numbers of prisoners, who are often repeat offenders, returning to a select, concentrated set of neighborhoods, which are often already facing unacceptable levels of crime, is an opportunity for police to engage in problem-oriented policing activities. At the same time, given the collaborative nature of reentry efforts across the country, police playing a role in prisoner reentry initiatives is an opportunity to engage in community policing activities.

Across the country more and more police departments are engaging in reentry efforts in a variety of ways including, but not limited to, serving as a source of information for parole officers regarding parolees' adherence to conditions of community supervision; operating as a source of information for returning prisoners about local services, programs and employment opportunities; assisting in locating parole absconders; participating in "call in" panels targeted at returning offenders; and meeting with individuals around the time of release to inform them of police knowledge of their return and offer assistance to increase their chances of a successful reintegration, while making clear their ability to rearrest should an individual engage in criminal activity.

Despite these few examples, police playing a formal role in prisoner reentry is largely uncharted territory and, therefore, the appropriate and most effective roles for police are still being debated. As with most policing strategies, the specifics largely depend on the community in which they are deployed. The types of offenders, local labor market, available programs and services, strength of community relations, and other community risks and assets are all factors that should shape local prisoner reentry activities.

Prominent roles on the parts of police chiefs and command staff in reentry efforts are vital to the success of those efforts. Police leaders need to promote the idea that everyone benefits when reentry is successful. This stance will likely seem counterintuitive to many who have years of experience interacting with a police department, but it is precisely this feature that makes police involvement so powerful. Police leaders have many key roles to play, including communicating how participation in these efforts supports a department's mission; establishing that these new activities are priorities for the department; making the public and local community groups aware of their interest and commitment to these partnerships; and helping to shape the nature of police involvement so as to maximize public safety benefits and make the best use of existing resources. In short, the arguments presented in this paper are unlikely to stand without the leadership of police chiefs and their command staff.

Police participation in prisoner reentry initiatives necessitates that the police articulate a rationale for involvement beyond crime prevention. As acknowledged early on, this discussion is an uneasy one for many, as it touches on some of

the most complex and highly debated challenges related to cultural divides, histories of mistrust, particularly in communities of color, scope of the mission and interagency relationships. However, the reality is that while the growth in the prison population seems to be stabilizing, for years to come hundreds of thousands of prisoners will continue to return to neighborhoods that are facing considerable challenges. For police not to acknowledge this certainty and address it head on is, quite simply, a missed opportunity to repair the distrust, improve the effectiveness of a department, and increase the safety of the community members it serves.

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