

The background of the page features a stylized illustration of a family walking away from the viewer. The family consists of a woman on the left, a man on the right, and two children in the middle. They are walking on a light-colored path that leads towards a large, dark outline of a house with a gabled roof. The sky is a gradient of blue and purple. The title text is overlaid on this scene in a purple, cursive font.

The Role of Family and Pro-Social Relationships in Reducing Recidivism

By Lorig Charkoudian, Bonita L. Cosgrove, Dennis P. Ferrell and Shawn M. Flower

Family can be a critical component in assisting individuals transitioning from incarceration because family members provide both social control¹ and social support,² which inhibit criminal activity.³ Family members and other supportive individuals “facilitate *informal* social controls — those interpersonal bonds which link ex-inmates to churches, law-abiding neighbors, families and communities.”⁴ This, in turn, provides offenders opportunities for housing, employment, education and training that they may not be successful in obtaining otherwise. In contrast, those without positive supportive relationships are more likely to engage in criminal behavior.⁵

Despite the potential of family and pro-social support, few strategies actively or directly engage families as part of a comprehensive, integrated rehabilitative reentry approach. One of the few agencies to do so is Maryland’s Department of Public Safety and Correctional Services

(DPSCS), which has a long-standing commitment to the process and philosophy of inmate reentry and the impact of incarceration on the community. In developing its reentry strategy, Maryland DPSCS conducted a needs assessment in 2003 and 2009 of more than 2,000 prison inmates preparing for release. The assessment found that on average, 70 percent requested employment assistance and 46 percent needed housing upon release. Research indicates that those who leave correctional facilities and become homeless are more likely to reoffend than those with stable housing.⁶

An offender’s need and desire for family involvement is evident in surveys of both prison and jail populations. The Urban Institute found that offenders interviewed both before and after release from Maryland prisons have expectations that family will provide housing and support them financially, and that, in general, these expectations were

met. According to the study, “Eighty-two percent agreed or strongly agreed that their family had been as supportive as they had hoped after their release from prison.”⁷

Further, a survey of 200 jail detainees conducted in Maryland’s Baltimore City Detention Center revealed that 63 percent stated their families are a source of support for them, 88 percent wished they could do more for their families and 56 percent wished they knew how to repair the bridges they have burned with their families.⁸ Responding to the research and recognizing the importance of the indigenous resources available in families, the Maryland DPSCS Re-Entry Blueprint includes family involvement as one of six target domains for policy and programming.

Although many families help offenders upon their return to the community, this is not true for all families. Some families of reentering offenders “may themselves engage in criminal activity or be the cause of the initial offending, and in such cases are unlikely to promote a reduction in reoffending.”⁹ Thus while families provide crucial support to those who have been released, these “relationships are complicated and made more complicated by the prisoner’s return” due to past harms and “fear of recurrence”¹⁰ and can be “both the best and most difficult part of returning” home.¹¹ Community Mediation Maryland’s Prisoner Re-entry program is an innovative solution that seeks to assist offenders in overcoming the difficulties in returning home by providing an opportunity for offenders to have conversations with family and other supportive individuals, one-on-one and facilitated by a trained mediator, so they can address the past, heal relationships and make plans for the future.

Inmate Reentry Mediation

The community mediation process responds well to returning inmates’ need for pro-social relationships when released to the community. The mediation model practiced in community mediation centers in Maryland includes two nonjudgmental mediators who listen carefully to whatever participants choose to discuss and work on understanding what is important to everyone involved.

As the mediators build understanding, participants develop a better understanding of themselves and each other. The mediators support participants using a brainstorming process through which participants consider a range of options, and all ideas and solutions come from the participants. As participants move toward consensus on certain solutions, mediators ask questions to help them develop details to their plans.

The mediation process is confidential and voluntary, thus ensuring that participants can talk openly about anything and freely choose what to discuss and what they will agree to, without coercion from the mediators. In addition, mediators are volunteers who represent the diversity of the communities they serve, and go through extensive training and ongoing evaluation to ensure a high-quality service. Mediation is provided at no cost. Mediation sessions are held in the community in which the conflict takes place, and are conducted at a time and place convenient to the participants.

Community Mediation Maryland’s Prisoner Re-entry program follows this mediation process, except that mediation sessions are conducted behind the walls in state and local correctional facilities. Six to 12 months before release, community mediation center staff present inmates with information about reentry mediation. This usually involves a group presentation followed by one-on-one meetings with each inmate. Inmates (referred to as “inside” participants) can choose to mediate with any person on the outside (“outside” participants) who will be crucial to their release. They often select family members, but may select anyone they deem important to their transition.

Data from March 2009 to June 2012 found that 19 percent selected their spouse or partner (including boyfriend/girlfriend), 22 percent selected their parent, 8 percent selected their child or children, 12 percent selected their child’s parent, 21 percent selected another relative and 18 percent selected friends or others. Community mediation center staff then contact these individuals and invite them to mediate in the prison before the inmate is released. Four screenings are conducted to protect victims and ensure that protective orders are not violated. If outside participants agree to mediate, then up to three two-hour mediation sessions can be conducted before the inmate is released. These mediations allow participants to discuss whatever issues they think would be helpful in planning for release. The following are a few examples:

- An inmate and her mother discussed the upbringing of the inmate’s 9-year-old daughter and 20-year-old son, who were currently in the care of the grandmother. They discussed how to keep the 20-year-old from following a path of addiction and crime, and discussed the inmate’s transition back into the lives of her children.
- An inmate and his wife used mediation to make plans for the housing transition. Initially, the inmate and his wife would move in with his mother since his wife lived in public housing where he was prohibited from living while on home detention. Once his home detention ended, he would move in with his wife. The two discussed the challenges to the arrangement and expectations each had for the transition. They discussed what role each would play since he had been incarcerated for 15 years and the two had never lived together before.
- An inmate signed up for mediation and included his father as a hopeful participant. He and his father had not spoken for the entire length of his 14-year incarceration. At mediation, both men were able to discuss the hurt and pain they had experienced throughout their relationship, as the father was largely absent from his son’s childhood and subsequent incarceration. Working through the past, father and son were able to develop ways the father could support his son’s search for employment, and they were able to find solutions to build a stronger relationship for the future.

While participants in mediation are able to focus on whatever they choose to discuss, there are some patterns to the conversation. Some common topics include housing, employment, substance abuse, children and communication. After inmates are released, community mediation center staff contact them to see if they want additional mediation services on the outside. Participants can use mediation as much as they want in the community.

While the mediation services are provided by Community Mediation Maryland, the successful implementation of the program behind the walls would not have occurred without the full engagement and commitment by DPSCS correctional facility management, program coordinators and correctional officers.

The Partnership

In 2000, the Maryland DPSCS accepted a U.S. Department of Justice invitation to join Florida, Massachusetts, Missouri, South Carolina, Nevada, Vermont and Washington correctional systems in discussions of a pilot reentry project. From this initiative, DPSCS went on to implement a demonstration project, called Re-Entry Partnership Initiatives (PREP), which later served as a cornerstone for DPSCS's statewide programming efforts.¹² The PREP philosophy for inter-agency collaboration and resource sharing became a model for what criminal justice systems, social service agencies and community groups can achieve together.

The project's success in developing working relationships with nontraditional stakeholders provided two critical missing links needed to successfully build programming capacities: granting community-based agency staff entrance to facilities and access to inmates; and implementing policies and procedures that allowed private nonprofits, local businesses, state, federal and local government agencies, neighborhood groups, and colleges and universities opportunities to deliver their programming and services. Without such partnerships, Maryland would not be able to meet inmate program needs.

Maryland's DPSCS embraced Community Mediation Maryland's mediation services as one of many tools used to prepare offenders for return to their communities. Maryland's philosophy is that reentry preparation begins at intake, and a six-pronged strategy has been adopted — assessment, individualized case planning, programming based on assessed risks and needs, preparation for employment, increased family involvement, and community justice and partnership.

Reentry programming within DPSCS and its agencies is of a skill-building nature, much like a high school or college curriculum, so that there is a learning continuum. The part-

nership with Community Mediation Maryland and the resulting mediation sessions provide offenders a chance to put into practice newly learned social and relationship-building skills and create opportunities for offenders to improve relationships with family or others important to their reentry success.

For reentry mediation to be successful, DPSCS and Community Mediation Maryland found the middle ground that supports security and reentry planning. All volunteer mediators are screened and trained in DPSCS's policies and procedures. Cases are screened by Community Mediation Maryland to ensure that all participants can represent their own needs without fear of retaliation, and cases are screened by DPSCS personnel to ensure that the outside participant is not on a victim notification list and there are no protective orders in place. DPSCS screens the outside participant, and Community Mediation Maryland orients the outside participant to DPSCS rules. The outside participant must sign a form indicating an understanding of and willingness to comply with DOC rules before the mediation begins. Mediations take place face to face in a room with a window. This allows DPSCS staff to observe the mediation while also giving participants privacy in their conversation. Mediators maintain confidentiality except for cases involving child abuse, elder abuse or a credible threat of harm to oneself or another.

The Prisoner Re-entry program is currently offered in 17 of the 25 state correctional facilities and more than 5,000 inmates have been educated about conflict resolution and mediation services during the past three years.

As a result of this partnership, the Community Mediation Maryland's Prisoner Re-entry program has flourished within the Maryland correctional system. The scope of services provided and future plans follow.

Current Reach of the Program and Next Steps

The Prisoner Re-entry program is currently offered in 17 of the 25 state correctional facilities and more than 5,000 inmates have been educated about conflict resolution and mediation services during the past three years. Of those, 1,537 inmates accepted the invitation to participate, and identified 2,625 individuals with whom they wanted to mediate. Since February 2009, 254 inmates have mediated at least once.¹³

It is the desire that provision of mediation services be expanded to all facilities within DPSCS, and that more offenders and their families will engage in mediation both prior to and after release in the future. The preliminary outcomes from this activity have been positive and show promising results for using this tool as an evidenced-based practice. In addition to the DPSCS facilities, nine local detention centers in Maryland have begun offering the service.

Inmate reentry mediation is in early stages of development. A comprehensive research analysis is planned, including comparisons between those who go through reentry mediation and two comparison groups — a randomly selected group from a cohort of offenders released in similar time periods, and a group of inmates who signed up for the service but did not participate in mediation. Criminal history data will examine recidivism (e.g., reconviction and reincarceration) and also explore the timing of the outcomes (e.g., number of days until rearrest occurs).

In the short term, questions are compared from intake to immediately after mediation, and phone interviews are conducted three months after release. From intake to post-mediation, there is a statistically significant improvement in participants' sense of control in their relationships and in participants' beliefs that conflict can be dealt with productively.

While contacting participants three months after release is a challenge, of the 82 respondents who were contacted:

- Fifty-three percent advise that both communication with the other party and the ability to work together was better after mediation;
- Seventy-nine percent agree that they are more likely to think of many different ways to solve conflict before they make a decision, and 82 percent agree that when a conflict arises, they try to think things through before responding;
- Sixty percent of outside participants report that they believed that the inmate was more prepared to return home; and
- Sixty-eight percent of outside participants and 66 percent of inside participants have more hope for the future as a result of mediation.

Community Mediation Maryland is currently providing training and technical assistance for replication of the inmate reentry mediation model in North Carolina. It has presented and published information about reentry mediation nationally and has received inquiries from community mediation centers around the country that are interested in providing reentry mediation services.

This program provides a low-cost innovative strategy to address an often-overlooked key component to inmate reentry — the role of family and pro-social relationships. Mediation provides inmates and other supportive individuals the opportunity to have meaningful discussions, thus laying the groundwork for a more realistic return home.

ENDNOTES

¹ Sampson R.J. and J.H. Laub. 1993. *Crime in the making: Pathways and turning points through life*. Cambridge, Mass.: Harvard University Press.

² Cullen, F.T., J.P. Wright and M.B. Chamlin. 1999. Social support and social reform: A progressive crime control agenda. *Crime & Delinquency*, 45(2): 188-207.

³ Maruna, S., R. Immarigeon and T.P. LeBel. 2004. Ex-offender reintegration: Theory and practice. In *After crime and punishment: Pathways to offender reintegration*, eds. S. Maruna and R. Immarigeon, 3-26. Portland, Ore.: Willan Publishing.

⁴ Petersilia, J. 2003. *When prisoners come home: Parole and prisoner reentry*. New York: Oxford University Press.

⁵ Travis, J., A. Solomon and M. Waul. 2001. *From prison to home: The dimension and consequences of prisoner reentry*. Washington, D.C.: The Urban Institute.

⁶ Greenberg, G.A. and R.A. Rosenheck. 2008. Jail incarceration, homelessness, and mental health: A national study. *Psychiatric Services*, 59(2):170-177.

⁷ Visher, C., N. LaVigne and J. Travis. 2004. *Returning home: Understanding the challenges of prisoner reentry*. Washington, D.C.: The Urban Institute. Retrieved from www.urban.org/publications/410974.html.

⁸ Flower, S.M. 2010. Unpublished data. Window Replication Project. A public-private partnership between Catholic Charities of Baltimore, Baltimore City Mayor's Office on Criminal Justice, Power Inside, and Choice Research Associates.

⁹ Mills, A. and H. Codd. 2008. Prisoners' families and offender management: Mobilizing Social Capital. *Probation Journal*, 55(1):9-24.

¹⁰ Travis, J. 2005. *But they all come back: Facing the challenges of prisoner reentry*. Washington, D.C.: The Urban Institute.

¹¹ Harm, N.J. and S.D. Phillips. 2001. You can't go home again: Women and criminal recidivism. *Journal of Offender Rehabilitation*, 32(3):3-21.

¹² Taxman, F.S., J.M. Byrne and D. Young. 2002. *Targeting for reentry: Matching needs and services to maximize public safety*. Washington, D.C.: National Institute of Justice, Office of Justice Programs. Retrieved from www.ncjrs.gov/pdffiles1/nij/grants/196491.pdf.

¹³ There are a variety of reasons why mediations don't occur, including: family members who lack transportation to the facility, inmates being transferred or released sooner than expected, difficulty contacting outside participants and outside participants declining to participate, which all result in fewer people receiving the service while incarcerated.

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