A FRAME ANALYSIS OF PROBATION AND PAROLE OFFICER ATTITUDES AND

PERCEPTIONS OF REENTRANTS

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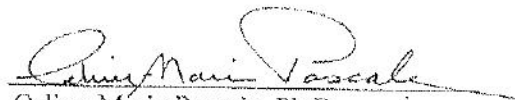in Partial Fulfillment of

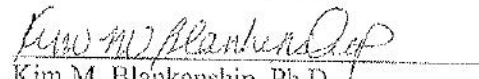the Requirements for the Degree of

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ABSTRACT

The excessive rates of incarceration and recidivism in the United States reflect a corrections system largely failing to successfully supervise and transition a growing number of ex-offenders released into the community on probation or parole. Research has identified probation and parole officers as significant factors for reentry success, and has examined the role that they play in the reentry process. This thesis uses frame analysis to explore the question of how community correctional officers form attitudes and opinions of their reentering clients and how those perceptions constrain their supervisory decisions. My research presents an analysis of the primary frames that probation and parole officers use when discussing their clients and when explaining their role in the corrections system.

ACKNOWLEDGMENTS

TABLE OF CONTENTS

CHAPTER 1

INTRODUCTION

The phenomenon of mass incarceration in the US has reached epic proportions and garnered extensive examination from social science researchers. Many scholars researching incarceration posit that the 1970's saw a shift in penal system policies and practices from that of a rehabilitative aim to one of punitive intentions (Feeley and Simon 1992; Garland 2001; Simon 2007; Zimring 2001), engendering harsh sentencing policies that have resulted in unprecedented rates of incarceration. Much research has also identified drug policy as precipitating the sudden and massive increase in incarceration. Beginning with the Nixon administration in the 1970's and bolstered by the Reagan administration in the 1980's, the "war on drugs" ushered in harsher penalties for what had previously been considered minor drug offenses and reduced judicial discretion through mandatory sentencing laws (Mauer and King 2007; Moore and Elkavich 2008; Painter 2003; Pallone and Hennessy 2003). This is evidenced in the rates of arrest and incarceration for drug related offenses; 2005 saw over 1.8 million drug arrests, compared to the 581,000 arrests made in 1980, while the proportion of individuals incarcerated for drug-related offenses increased from 79% in 1998 to 93% in 2005 (Mauer and King 2007). There is consensus amongst scholars examining incarceration in the US that the numbers reflect a grim reality for millions of Americans.

The rate of federal and state incarceration in the US skyrocketed from 139 individuals for every 100,000 people in 1980, peaking in 2007 with 506 incarcerated for every 100,000, and ebbing slightly with 502 incarcerated out of 100,000 in 2009 (West

5

Sabol and Greenman 2010). Translated into absolute numbers, just over 500,000 individuals were incarcerated in 1980, compared with over 2.2 million as of 2009. Factoring in people on probation and parole, the total figure of individuals under surveillance in the corrections system comes to a staggering 7.25 million (Glaze and Bonczar 2008). With rates of incarceration grossly out of proportion with crime rates (Raphael and Stoll 2009) and actual numbers of incarcerated individuals surpassing the total population of incarcerated peoples in all of Western Europe (Walmsley 2008), it comes as no surprise that myriad social science scholars have committed themselves to researching the mechanisms of this aggressive penal system that have given the US the ignominious distinction as the nation with the highest rates of incarceration in the world (Hartney 2006).

Rates of recidivism reflect the difficulty of community reintegration for ex-offenders. Incarceration often interrupts or dissolves relationships and social connections, and many reentrants struggle with finding adequate employment and living arrangements when they return to their communities (Moore and Elkavich 2008). All but 5% of those incarcerated are released back into their communities, and yet many of them return to repeat the cycle (Petersilia 2005). A study done for the Bureau of Justice Statistics found that in 1994 two-thirds of individuals released to parole were re-arrested within 3 years, and over half were reincarcerated (Langan and Levin 2002).

The apparent failures of the penal system can be seen in a different light when we examine the broader context of imprisonment practices in the US, and recognize them as a part of the prison-industrial complex. The ideological underpinnings of the new penology, coupled with the alarming privatization of imprisonment and reentry, has

generated a boom in the development of correctional facilities and complementary entities needed to maintain such massive populations. Understanding imprisonment from the point of view of the bureaucratic, political and economic interests that collaborate and benefit from high rates of incarceration, the 'failure' of the system can be seen as a profitable success (Chang and Thompkins 2002; Clear 2010; Davis and Shaylor 2001; Kleiss 2010). The seemingly inexorable momentum of the prison-industrial complex and the concomitant prison reentry industry constitute alarming threats to livelihood for thousands of incarcerated and released individuals directly, and indirectly for thousands more who are connected to offenders and reentrants through personal relationships and through shared communities. Incarceration often sets into motion a self-reproducing cycle, deepening its own destructive ruts in individuals and communities, with every repetition.

The complex and challenging process of reentry has therefore become a pressing topic of research for scholars interested in developing understandings that could inform policy and practices to support successful community reintegration. Overwhelmingly, research suggests that rehabilitative and supportive treatment techniques contribute positively to successful outcomes (Gunnison and Helfgott 2007; Schlager 2010; Seiter 2002; Taxman 2002). Community correctional officers (CCO) are charged with supervising ex-offenders through the reentry process. Research on reentry indicates that the supervisory styles of CCOs factors in significantly to the likelihood of successful reentry, and are mediated by CCO attitudes and perceptions (Gunnison and Helfgott 2007; Kleiss 2010; Lutz *et al*. 2004, as cited in Gunnison and Helfgott 2007; Taxman 2002). Scholars have contributed typographies of CCOs, organized by supervisory style

in terms of rehabilitative versus punitive orientation, and have concluded that rehabilitative practices support positive reentry outcomes (Farkas 1999, 2000; Seiter 2002). There is less understanding of how CCOs recreate and assign meaning to their work-related reentry experiences, and how these meanings inform their supervisory styles and practices. Further research is needed for a deeper understanding about CCOs as important factors in the complex reentry process.

My research interest for this thesis regards the attitudes and perceptions of CCOs that inform their supervisory styles. My analysis focuses on the ways in which CCOs construct meanings surrounding their experiences working in the reentry process over the course of face-to-face interviews. I use analytic induction as a methodological framework, and draw from Goffman's Frame Analysis as an analytic framework, to analyze language used by CCOs to describe their attitudes and perceptions concerning reentry.

CHAPTER 2

LITERATURE REVIEW

<u>Introduction</u>

The explosion in the incarceration rate and population in the US in the last few decades has garnered significant and widespread attention from scholars seeking to understand the underlying mechanisms and ramifications – social, economic, and political – of the rampant imprisonment of so many individuals. The research produced has been varied, and can speak to the questions and needs of myriad disciplines. I locate myself in the discussion of current US incarceration sociologically and critically, by orienting myself towards the topic of mass imprisonment in the US by recognizing the system as a Prison-Industrial Complex (PIC).

The same ideologies and practices that define the PIC extend to reentry. The process of reentry refers to the correctional practices and structures that are meant to help ex-offenders reintegrate successfully into their communities following release from incarceration. With rates of recidivism equally as alarming as rates of incarceration, the reentry process has been a vibrant topic of critical analysis by many scholars. Given that a lack of textual analysis exists regarding correctional officer attitudes towards reentrants, this review covers the literature from the research that has been done on incarceration and corrections. A central focus in this literature is what works in regard to successful reentry, and what does not work. I proceed with a review of the literature of the prison-industrial complex, the prisoner reentry industry, and the significant role of corrections officers for successful reentry outcomes.

<u>The Prison-Industrial Complex</u>

The economic and political shift in the penal system that has created and perpetuated unprecedented masses of criminals has generated the demand for the rapid development of facilities and services needed to control and maintain this expanding population. Scholars have challenged the rationale that this boom in prison facility building has been a response to increased crime and an effort to curtail crime, and have sought out the broader interests and mechanisms of the burgeoning prison development (Davis and Shaylor 2001).

'The Prison-Industrial Complex' has thus been developed as a conceptual framework for understanding the complex penal structures that intertwine political and capitalistic interests in mass incarceration. The increasing proportion of control of the incarceration process that continues to shift from the US government to private prison corporations mirrors the processes of political and profit-driven privatization of weaponry that Dwight D. Eisenhauer coined as 'the military-industrial complex'(M. Davis 1995; A. Davis 1998; Sudbury 2004). The economic and capitalistic interests in the PIC manifest as profits enjoyed by private prison corporations, the US government, and the providers of myriad products and services needed to house and maintain the massive population of prisoners. The development of for-profit prison labor has led to a trend of exploitation of prisoners as cheap and unprotected laborers, and further encourages the investment of for-profit entities in the maintenance and reproduction of the PIC (Chang and Thompkins 2002; Clear 2010).

Through the PIC framework we can also understand how institutionalized racism is promoted and used to 'disappear' and disable people of color (Davis 1998; Davis and

10

Shaylor 2001). The predatory nature of incarceration practices in the US targets multiple

vulnerable populations disparately. Overwhelmingly, prisoners in the US are poor, people

of color, and increasingly, women of color and people with disabilities (Davis and

Shaylor 2001; Mallory 2007; Russel and Stewart 2001; Sudbury 2004). The alarming

trends in incarceration practices that incorporate private, political, and economic interests

are rooted in global systems of capitalism, and subsequently are not limited to the US.

Around the globe, dominant political and capitalistic entities are profiting from the

business of incarceration, and furthering racist and gendered systems of oppression

(Sudbury 2004, 2002).

<center>The Evolution of Corrections Ideology</center>

Inherent in the functioning of the PIC is a system of evaluation that ensures the

punishing of criminals. Seiter and Kadela (2003) sketch the evolution of the punitive

orientation in the prison system in the 20th century, identifying the use of a medical model

through the 1950's and '60's that viewed offenders as being sick and in need of

rehabilitation. The 1980's saw the political and ideological shift that viewed offenders not

as individuals in need of treatment but as an aggregate group of criminals in need of

punishment. The belief that offenders needed to be punished and not rehabilitated was

bolstered by sensationalist media that exaggerated and skewed stories about crime rates

and trends, and encouraged by 'tough on crime' and 'zero-tolerance' attitudes and policies

that became popular political platforms (Seiter 2002; Seiter and Kadela 2003). The new

attitude on crime and punishment was further compounded by diminishing resources

allocated to rehabilitation (Freudenberg 2001; Seiter 2002). Feeley and Simon (1992)

<center>11</center>

refer to the change in corrections practices away from rehabilitative towards punitive measures as "the new penology". The implications of this has meant changes in incarceration policies and sentencing legislation that have reflected the belief that incarceration is a legitimate and mitigating solution to crime, and has resulted in an explosion in the rates of imprisonment.

<u>The Prison Reentry Industry</u>

The changes in incarceration practices have spurred the concomitant rise of the Prison Reentry Industry (PRI), a logical complement to the PIC. The PRI mirrors the PIC in that it is also bolstered by the investment of profit-driven entities that are gaining increasing control of the reentry process, and which secures its reproduction through punitive policies and practices in parole and probation that augment the coercive movement in and out of the penal system (Chang and Thompkins 2002; Kleis 2010; Seiter and Kadela 2003; Thompkins 2010). Punitive orientations towards offenders have given rise to surveillance techniques at the expense of rehabilitative procedures which, coupled with zero-tolerance policies for violations of parole, has led to staggering rates of recidivism.

Scholars have contributed much research illuminating the nature of reentry for ex-offenders, identifying challenges and opportunities for success (Bahr *et al.* 2009; Petersilia 2005; Travis and Visher 2005; Visher and Travis 2003). Adoption of 'zero tolerance' policies has meant that even technical violations of parole are sufficient grounds for reincarceration. Not surprisingly, increased surveillance coupled with zero tolerance for violations is tantamount to increased opportunity to reincarcerate a parolee

12

for a technical violation (Seiter 2002; Taxman 2011). The success of this strategy is evident in that 1/4 of all incarcerations in 1998 were for parole violations (Beck and Mumola 1999, as cited in Seiter and Kadela 2003), and of these over 3/4 were technical violations (Camp and Camp 1998, as cited in Seiter and Kadela 2003). These rates of recidivism can make the reentry practices and services appear counterproductive. However, seeing the process of reentry through the PRI framework, it is understandable why this profit-driven system that fails to effectively support and prepare offenders for successful reintegration into communities, thereby securing its own demand, has tellingly been referred to as 'facilitated failure' (Kleiss 2010).

Much of the literature on reentry focuses on measurements and predictors of success (Makarios, Steiner and Travis 2010; Severson *et al.* 2011; Visher 2006). Access to substance abuse programs, appropriate housing, adequate (full-time) employment and educational skills have all been associated with successful reentry. Successful reentry entails completion of community supervision, not being reincarcerated during the supervisory period, and the attainment of stable living conditions (i.e. housing and employment). The literature also suggests that supportive social bonds and networks are positively associated with successful reentry, and advises that supportive aftercare be incorporated into reentry programs (Bahr *et al.* 2010; Kurlychek and Kempine 2006; Philips and Lindsay 2010; Rocque Biery and MacKenzie 2010). Finally, correctional officers, both in correctional institutions (prison guards) and in the community (probation and parole officers), play a significant role in the reentry process for ex-offenders. I proceed with a review of the literature on the roles that corrections officers (prison

13

guards) and community corrections officers (probation and parole officers) play in the process of reentry.

<p align="center">Corrections in Institutions: Prison Guards</p>

The shift from rehabilitative to punitive practices is reflected in corrections officers (CO) attitudes and is illustrated in the style of correctional supervision adopted and practiced. Corrections officers working within jails and prisons are otherwise known as institutional corrections officers or prison guards. The prevailing paradigm contrasts the rehabilitative with the punitive, and much research has been done to categorize COs along a continuum that reflects this dichotomy.

Research supports a general consensus that institutional corrections officers (CO) and their supervision styles are a significant factor in positive outcomes (Farkas 2000; Kauffman, 1988; Klofas and Toch, 1982; Seiter 2002). It has been found that attitudes and perceptions of COs regarding offenders play a significant role in orienting CO work styles and practices, and much research has been devoted to understanding these orientations.

The rehabilitative orientation has been conceptualized as 'helping' or 'case-worker' (Seiter 2002), 'human-service' (Farkas 1999, 2000; Johnson 1996) and 'management style' (Taxman 2008). The punitive intention has been conceptualized as 'policing' or 'surveillance' (Seiter 2002), 'custodial' (Farkas 1999, 2000) and 'monitoring' (Taxman 2008). Typologies have been developed based on work styles and orientations to locate COs along the rehabilitative-punitive continuum, recognizing types of officers such as the *Hard Liner* (Farkas 2000), the *Loner* (Farkas 2000), *Subcultural Custodians* (Klofas and

Toch 1982), *Black and Whiters* (Carter 1994), *Pollyannas* (Kauffman 1988) *Human Service Officers* (Johnson 1996), and *Synthetic Officers* (Farkas 2000).

Characteristics of COs and work or organizational factors have also been explored with respect to their effect on CO attitudes and practices. Race, gender, experience on the job and education have all been found to have significant effect on CO attitudes, as well as the type of shift worked (first shift, night shift, etc.) and job duties (Farkas 1999; Gunnison and Helfgott 2007; Robinson *et al*. 1997; Zupan 1986).

The prevailing consensus among researchers is that COs that employ a more rehabilitative orientation effect positive outcomes for reentering offenders (Gunnison and Helfgott 2007; Schlager 2010; Seiter 2002; Taxman 2002).

Corrections in the Community:
Probation and Parole

Scholars have contributed much research illuminating the nature of reentry for ex-offenders, identifying challenges and opportunities for success (Petersilia 2005; Visher and Travis 2003; Travis and Visher 2005; Bahr *et al*. 2009). Much of the literature on reentry focuses on measurements and predictors of success (Makarios, Steiner and Travis 2010; Severson *et al.* 2011; Visher 2006). Access to substance abuse programs, appropriate housing, adequate (full-time) employment and educational skills have all been associated with positive reentry outcomes. The literature also suggests that supportive social bonds and networks promote successful reentry, and advises that supportive aftercare be incorporated into reentry programs (Philips and Lindsay 2010; Rocque Biery and MacKenzie 2010; Kurlychek and Kempinen 2006; Bahr *et al*. 2010). Scholars that have focused on reentry have called for greater attention to be paid to the

process of such, in the hopes that increased understanding will increase the success of reentry (Bahr *et al.* 2001; Travis and Visher 2005; Visher 2006).

The failures of the reentry system have earned critical assessment of parole, with some wondering if parole is effective at all in assisting offenders in reentry or whether it simply constitutes a mechanism for recidivism (Taxman 2011). Scholars researching the failure of community correctional practices and institutions have explored the mechanisms that produce barriers to successful reentry (Bahr *et al*. 2010; Gunnison and Helfgott 2011; Seiter and Kadela 2003; Taxman 2011; Visher 2006).While there has been more research done on corrections officers working in institutional settings, scholars examining the role of community correctional officers (CCO) (Helfgott and Gunnison 2008) have contributed to the literature on reentry. The parole/probation officer-parolee/probationer relationship has been found to be central to the successful completion of parole/probation, and subsequently the attitudes and ensuing practices of parole and probation officers (PO) has become a focus of research that looks at 'what works' in reentry (Fulton *et al*. 1997; Schlager 2010; Seiter 2002; Seiter and Kadela 2003; Taxman 2002).

The same dichotomy of rehabilitative versus punitive orientations is the predominantly applied framework for understanding PO supervision styles, with the punitive orientation manifesting as 'surveillance' techniques (i.e. routine drug/alcohol testing, electronic monitoring) and the rehabilitative aim recognized in the efforts to connect offenders with programs and services aimed at assistance and rehabilitation (i.e. substance abuse programs, counseling, employment and housing assistance). Within this framework, the literature reveals varied findings on the nature of PO supervision styles,

indicating that the dichotomy in fact approaches a continuum. Clear and Latessa (1993) contest the idea that PO s choose or exhibit one or the other supervision style only, and have found that despite predispositions towards one end of the supervision spectrum over another, that POs can still choose which style is appropriate given the circumstances of the reentrant and the particular context of reentry. This fusion approach to supervision styles tailored to the perceived needs of the reentrant has been substantiated through other studies (Hardyman 1988, as cited in Fulton *et al*. 1997; McCleary, as cited in Fulton *et al*. 1997).

Despite divergent conclusions on the nature of PO supervision styles, the research indicates that POs that balance surveillance techniques with adequate rehabilitative program and service provision promote successful reentry and reintegration for offenders (Seiter and Kadela 2003; Sherman *et al*. 1997). Similarly, evaluations of the efficacy of parole programs have found that those that focus on surveillance without rehabilitative treatment are ineffective (Petersilia 1999; Schlager 2010).

PO attitudes and perceptions regarding offenders inevitably shape parole practices and supervision styles, which in turn shape the relationship between parole officer and offender, with positive or 'working alliance' relationships effecting positive outcomes for reentrants (Gunnison and Helfgott 2007; Kleiss 2010; Lutz *et al*. 2004, as cited in Gunnison and Helfgott 2007; Taxman 2002). Further, research on offender perceptions of parole officer attitudes has found that a perceived lack of compassion from POs towards offender needs can be a barrier to successful reentry (Gunnison and Helfgott 2011). The centrality of this relationship to the success of reintegration has significant implications for parole policies and practices, and warrants further examination (Schlager 2008).

17

The existing research has relied heavily and productively on quantitative methods, which have been able to provide large samples for analysis and generalizable findings. However, scholars have called for further research (Gunnison and Helfgott 2007; Schlager 2008) using qualitative methods (Farkas 2001; Gunnison and Helfgott 2007), so that deeper understanding of community corrections officers' attitudes and perceptions towards offenders can be uncovered and existing understandings can be expanded upon.

<u>Conclusion</u>

The literature on CCO attitudes and perceptions regarding ex-offenders and the reentry process exhibits a focus on broad categorical analysis of attitudes, practices, and work styles, and has contributed significantly to our understandings of the role of institutional and CCOs in relation to reentry outcomes. The research on CCO supervision styles has identified perceptions that inform practices, and has illuminated the centrality of their roles in successful reentry outcomes. However, there is a gap in the literature that leaves unanswered the question of how CCOs have constructed the meanings of their work experience. The literature reveals the need for further research into the meaning-making practices that inform PO attitudes and orientations regarding ex-offenders and the reentry process. An analysis of these meaning-making practices can focus attention on how probation and parole officers talk about their experiences working within the corrections system, and reveal the ways in which they are constrained by the system and how they cope with those constraints.

 While the development of typographies of corrections officers has organized the understandings of the role of supervision style in reentry outcomes, the deeper question

of how CCOs understand their experiences in relation to reentry needs to be explored and developed. A review of the literature has found a dearth of insight into how probation and parole officers make sense of their supervisory roles in the corrections system. My research contributes to the literature by examining the logical schemas (in Goffman's terms frames) that CCOs use when talking about their roles in the reentry process. Using Analytic Induction as my methodological framework and Frame Analysis as my analytic framework, I have examined the meaning-making practices used by CCOs to describe their experiences working with reentrants. Frame Analysis enables the analysis of discourses, looking beyond what is being said to reveal the organizing structures that give meaning to experience. In this thesis I examine how probation and parole officers understand their positions within the corrections system, by examining the frames POs use to organize and make sense of their experiences working in reentry.

CHAPTER 3

METHODOLOGY

The role of community corrections officers in the process of reentry is complex and nuanced. The extant literature on community correctional officers' supervision styles draws heavily on quantitative research studies, and contributes valuable understanding of CCO roles in reentry via the categorical organization of their attitudes and perceptions as they relate to reentrants. Scholars in this field have called for further research using qualitative methods, so that deeper understandings of distinctive and varied experience relating to CCO orientations to reentry may be better accounted for (Farkas 2001; Gunnison and Helfgott 2007), and so that context may be taken into account (Schwaner 1998). Qualitative analysis can probe deeply into these phenomena, and provide rich description of the nuanced details of CCO supervision styles and contexts.

Qualitative analysis is fundamentally about exploring and representing detailed accounts in-depth. It takes a holistic approach to the examination of a reality and can contribute a 'complete picture' understanding of complex phenomena. Qualitative methods offer a way for researchers to collect data about a situation that reflects the lived reality of the participants in the social setting, and to analyze the data in a way that organizes and extracts central themes while maintaining the integrity and the complexity detail. This yields the thick description that is important for understanding complex and nuanced situations. The integrity of qualitative research rests in the use of reflexivity throughout the research process, the selection of participants, research design and compliance with IRB protocols. Adhering to these standards of research provides warrants for the claims we make.

Analytic Induction identifies themes and explains all variation within the themes, both typical and atypical, in the development of theory. Qualitative analysis is a means to developing or reworking understandings of phenomena so that inconsistent findings may be properly accounted for, and so that the 'complete picture' of a situation can be fully explained. As such, qualitative analysis is a valuable approach when the research topic involves phenomena that are not only complex but also changing, and about which little is known.

Reflexivity in qualitative analysis reflects the researcher's acknowledgment that reality is a social construction that reflects subjective experience, and that the researcher's interpretation of the data is inevitably shaped by her own subjective experience. Researcher and subject alike are a part of the same social world and participate in mutual constructions of that world. Reflexivity in research means recognizing yourself as an interpreter of a reality, who has been shaped by a reality and imbued with certain value systems that affect the design of research and interpretation of data. Reflexivity makes clear the value systems brought to the research by an acknowledged subjective individual. This outlines for the reader the context in which the researcher has made her claims and framed her interpretations.

Qualitative research participants are selected based on their appropriateness for research. Identifying the phenomena in question and who best to speak to the phenomena based on social location and experience determine appropriateness. IRB protocols are in place to protect the rights of the participants, and ensure that their participation is justified by the benefits of the study.

By explaining fully the variation and complexity of phenomena recorded through data collection, and by acknowledging the parameters of the research based on researcher reflexivity and transparency in analysis, qualitative researchers provide warrants for their claims and provide scientifically rigorous research.

Using Analytic Induction as a methodological framework and Frame Analysis as an analytic framework, I have explored the language POs use to describe their attitudes and perceptions of reentrants, and provide rich description of the ways in which CCOs use meaning-making practices to understand their experiences with the reentry process.

Analytic induction is an appropriate method of analysis for exploring phenomena that are complex and fluctuating. Inductive reasoning allows for the concomitant analysis of data with theory development, which is appropriate for exploring phenomena about which little is known or agreed upon. The attitudes and perceptions of CCOs have not been explored in a way that explains the processes of their formation and the meanings attributed to them by CCOs, and not enough to account fully for their distinct and varied experiences. I used an analytic induction framework to analyze the data and looked for emergent themes in the ways CCOs construct meaning and understand their experiences in the reentry process.

Originally coined 'Analytic Induction' by Florian Znaniecki (1934), the principles undergirding this technique were already in practice in the sciences. The analytic induction process begins with a tentative hypothesis, which acts more as a guide to inquiry rather than a hard and fast assumption. As data is analyzed, the guiding hypothesis is adapted and developed to explain the research phenomena completely, and emergent themes are coded and organized into a final theory. The flexibility of this

framework makes it appropriate for new areas of research, and in my case, for new questions in an area of research.

Frame Analysis

Frame analysis is used to examine the dominant ideologies that organize an individual's meaning-making practices surrounding experience. Drawing from Goffman (1974), I have used frame analysis as my analytic framework, to examine the language used by CCOs to describe their experiences working with ex-offenders in the process of reentry, thereby revealing the dominant ideologies that undergird their construction of meanings related to their role in the reentry process.

Goffman's (1974) development of frame analysis within the sociological realm was concerned with outlining the ways in which individuals organize the meaning of experiences. A frame is therefore a construct that orients the individual to a given reality such that the elements of that reality are positioned meaningfully to the individual. It follows that some elements will be excluded, some will be given prominence and others will be supportive. Just as the frame of a painting outlines that which will be looked at, as well as that which will not be seen, a discursive frame delineates elements of communication. The frame provides a means to organizing the understanding of the communication messages, and a structure for representing this meaning to the individual. An analysis of which frames are in use highlights the conditions present that delineate the acceptance and rejection of frames. These conditions reveal the dominant ideologies that shape the social experience being analyzed, thereby revealing how power structures social experience.

Goffman's (1974) identification of primary frameworks is the foundation for this analytical tool. The broad scope of primary frameworks are distinguished into two categories: 'natural' primary frameworks and 'social' primary frameworks, where the former contains phenomena of the purely physical world, and the latter concerns the events of the world as they connect to human beings. Social frameworks organize social experience (Goffman 1974). Further, frames are social constructions that need to be reproduced and maintained. An analysis of the frames used by CCOs to organize their understandings of their work experiences will be a means to revealing the ideologies that shape their attitudes and perceptions surrounding their role in the reentry experience.

Applications of Frame Analysis
in Social Science Research

As a methodological tool for exploring how social phenomena are understood and experienced, frame analysis has been applied in many fields. The interconnection between frames and ideologies has been a central organizing tenet of social movement scholars who employ the concept of frames to understand the factors leading to success and failure of movements. Benford (1994) suggests that frames are used as tools whereby "ordinary people make sense of public issues" (p. 1103). 'Domain-specific interpretive' frames organize behavior and lifestyle, and 'global interpretive' or 'master' frames are broader and organize groups of domain-specific frames (Snow *et al*. 1986: 474-75). For Snow and Benford (1988), frames are 'conceptual scaffolding' constructed by social movements to introduce new or challenge existing ideologies (p. 213). Thus, maintenance of frames is 'ideological work' (Snow *et al*. 1986: 478).

24

The role of the media is significant in social movement framing, as well as in political debates and agendas. Notably, Gamson (1992, 1995) contributed to the literature on social movement framing and public policy by analyzing media discourse. The media is identified as a primary apparatus for meaning-making processes and also a site where social movement activists actively negotiate and challenge ideologies that inform public policy and opinion. Gamson (1992) explored public opinion and the representation of social issues by analyzing transcribed conversations of 'ordinary' people. Frame analysis has since been widely applied to the deconstruction of media messages, many of which focus on content related to issues of inequality (Kendall 2005; Gazso 2004; Ryan, Carraggee and Meinhofer 2001). Further, frame analysis has been used by scholars to deconstruct the social and political agendas behind the positioning of policy, and has been applied to a wide range of issues including environmental (Fletcher 2009), health and the body (Kwan 2009) or welfare (Stryker and Wald 2009). Though he is a linguist and has made significant contributions focusing on the use of metaphors in communicative events, George Lakoff (1996) has also contributed important analysis of frames to the political literature. His metaphors have been conceptualized as frames, and famously include the identification of a family frame to understand the role of governance, with government being framed as either a 'strict father' or as 'nurturing parents' (Lakoff 1996).

Scholars have effectively used frame analysis to examine the meaning-making discursive practices that reproduce ideologies that shape the contours of meaning surrounding social experiences. By looking beyond what is being said to unearth the underlying assumptions that organize understandings, frame analysis serves as a powerful tool for identifying and understanding the mechanisms that structure social experience

and reproduce systems of power. Nonetheless, frame analysis is not without its criticism. Johnston (1995) questioned the reliability of frame analysis as a methodological tool. The basis of Johnston's critique is that frames are too subjective in their construction by individuals, and the task of interpreting the meaning of another person's frames leaves too much to inference by the researcher, rendering 'loose interpretation' of data (p. 241).

Scholars often debate the nature of Goffman's frame analysis (Davis 1975; Denzin and Keller 1981; Gamson 1975; Gonos 1977). Davis (1975) and Gamson (1975) reviewed Frame Analysis and identified Goffman and his method as symbolic interactionist, and primarily concerned with providing schemata for understanding human interaction. Such an understanding of frame analysis views frames as tools used to interpret the meanings behind social interaction. By contrast, the discussion of where or how to position Goffman on the sociological spectrum of research methodologies has been taken up by scholars (Gonos 1977; Denzin and Keller 1981) who locate him within the positivist paradigm as a structuralist who sees frames as structures of social interaction that are fixed. Goffman himself often resisted categorization, and professed the interpretive capabilities of his theoretical application (Goffman 1981). That this analytical approach is to some extent malleable presents the vital need for the researcher to state clearly her position vis-a-vis theoretical assumptions, so that the tool can be understood as applicable and valid for her research.

To mitigate these potential barriers to valid and practical application, I offer a clear and delimited position as researcher. I locate myself as a researcher working within an interpretivist paradigm, and therefore have chosen to use frame analysis as an interpretive lens through which to examine social constructions of reality. This approach

26

is able to effectively indulge my interest in understanding how CCOs (re)create meaning

in everyday lived experience of reentry, and is able to get at the framing practices that

create social contexts of power imbalance.

CHAPTER 4

METHODS

The data for my thesis comes from a mixed methods pilot study called Structures, Health and Risk among Parolees and Probationers (SHARPP), conducted by Kim M. Blankenship between 2005 and 2007. The study was funded by the National Institute on Drug Abuse (NIDA), and was based in a New England city. The purposes of the study were: 1) to understand how incarceration and probation/parole (P/P) impact on the HIV-related risks of people with a history of drug use, and how these vary by race and gender; 2) to develop and test a structured survey for measuring the impact of incarceration and P/P on HIV-related risks of drug users; 3) to understand the policies, procedure and norms structuring the P/P systems; and 4) to suggest points in the criminal justice system (CJS) to intervene to reduce HIV-related risks of drug users. The success of the pilot study secured support for the launch of an ongoing longitudinal study that has added in the dimension of sexual partners of participants. The pilot project was launched at the Center on Interdisciplinary Research on AIDS (CIRA) at Yale University.

Criteria for eligibility in the study was an incarceration lasting at least 3 months, prior to release and current enrollment in parole or probation, for a non-violent drug related crime. Eligibility was confirmed after an initial phone screening of the participant and after cross-checking with the probation or parole authorities, as relevant. Participants had to have been released within the previous year, were at least 18 years old, spoke English and gave written informed consent to participating in the study. Participants received $30 as compensation. Convenience sampling was used to select all participants, and recruitment was done via flyers posted in New Haven, CT (in probation and parole

offices, grocery stores, community centers, and recreation areas, amongst others), and through word-of-mouth.

Both quantitative and qualitative instruments were used. The data collection included a survey that participants self-administered on a computer in the SHARRPP office. The survey included audio, and took participants approximately 60-90 minutes to complete. The survey recruited 130 participants, and 48 completed the baseline semi-structured open-ended face to face interviews. In addition to reentrant respondents, 3 probation officers and 3 parole officers completed semi-structured face-to-face interviews. A full list of interview topics is included in the appendix. All interviews were conducted by the SHARRPP project manager, and the research study was performed in accordance with IRB protocols. The interviews were audio recorded and transcribed verbatim, and according to guidelines for transcription (these guidelines are appended). Interviews took approximately 1 hour, and transcripts run between 16 and 40 pages. The transcriptions of the PO interviews constitute the body of texts that I will use for my analysis.

Access to this data was secured by my completion of a concept sheet outlining my intended use of the data, and its approval by a committee formed by the Primary Investigator Kim M. Blankenship and members of the SHARRPP research team. As a Research Assistant at the Center on Health, Risk and Society at American University working on the SHARRPP project, I have clearance to access this data.

My unit of analysis for this thesis was the transcribed interview of each P/P respondent. Using a social framework analysis drawn from Goffman, I examined language used by POs to frame their experiences working in the reentry process. Without

literature from prior research to explain CCO's meaning-making processes that inform their attitudes and perceptions of reentry, I began by reading and re-reading the texts, and looked for emergent patterns and themes in the ways that CCOs talk about their work experience. I looked for the ways in which CCOs talk about themselves in their supervision styles in terms of the rehabilitative-punitive debate, incorporating any disconfirming themes in the data, continually developing and honing a final theory that synthesized all variations of experience. It is possible that other varying realities exist for CCOs beyond the rehabilitative-punitive spectrum, which can provide a more inclusive explanation of their experiences. Thus, it was necessary to work from an inductive analytic framework that allowed for the inclusion and synthesis of emergent themes for a comprehensive explanation of the phenomena.

As I read through the transcripts I became most interested in the probation and parole officer's talk about how they handled their ex-offender clients' probation or parole violations. Each PO was asked how they handled behavior that violated the terms of an ex-offender's probation or parole, and I focused on these parts of the interviews as they were rich with frames used to organize and explain POs' understanding of reentering ex-offenders. I began by identifying PO talk that reflected opinions and perceptions of ex-offenders, and talk that explained how violations were handled. As I analyzed the data I coded for different frames that the POs used to talk about their experiences with and perceptions of ex-offenders. By re-reading and re-coding the frames, I identified a primary frame and its variations.

Using frame analysis I explored the ways in which POs created and assigned meanings to their reentry-related work experiences. Research supports the premise that

the relationship between PO and reentrants is an important factor in reentry outcomes, and specifically that the supervision styles used by PO shape the relationship. Research that provides deeper understanding of how PO attitudes and perceptions are constructed will contribute valuable knowledge about the complex process of reentry, and may identify suggestions for policy and practices that encourage and support successful reentry.

This research contributes deeper understanding of the meaning-making process used by POs to understand and explain their roles in the reentry process. However, this study is not without its limitations. The sample is of 6 probation and parole officers from a city in New England and was not collected to saturation. Nonetheless, this study may contribute valuable preliminary insights into the meaning-making practices that shape PO attitudes and perceptions, and serves as a valuable starting point to inform further research.

CHAPTER 5

ANALYSIS

Community Corrections Officers are tasked with assisting and monitoring ex-offenders as they undergo reentry, and so must be able to navigate a path through the terms of sentence, the resources available, and the needs and abilities of their clients for successful reentry. The terms of the sentence can be used as guidelines by probation and parole officers as they supervise their clients, and the PO's use their discretion when deciding what constitutes a violation of a sentence. The consequences vary depending on the type or nature of the violation and the PO's judgment about what would be best for the reentrant, and can range from intermediate sanctions to arrest and re-incarceration. I examined the interview transcripts of the six probation and parole officers from a New England city, who spoke about their experiences supervising specifically non-violent drug offenders.

I was most interested in their talk about how they decided to handle a probation or parole violation by their clients – in particular how they talked about their reasoning process when deciding when to write up a client for a probation or parole violation that would lead to re-incarceration and when to give their client another chance and issue an alternative to a parole or probation violation. Across all six interviews, I found that the primary frame used by the officers when talking about their decision-making processes regarding violations was that of merit. Probation and parole officers used this frame to organize and explain their experiences when a violation occurred as well as when talking about the corrections system and its failures.

Probation and parole officers used the merit frame in two primary contexts: when discussing a client's dishonesty or disrespect for the PO and the corrections system, and when describing the limits of their resources and the resources of the corrections system to help clients reenter. In these circumstances, the only exception to this pattern occurred when PO's discussed drug addicted clients who did not pose any threat to public safety. In these contexts, POs framed their reasoning in terms of realistic expectations – rather than merit. For example, this frame was used when POs discussed specific cases of drug addicted clients who had violated their sentence by failing a drug test but who did not pose any threat to public safety. This frame was also used when POs were expressing frustration with the parameters for compliance, such as housing restrictions or zero-tolerance drug use policies that they did not feel were realistically doable for their probationers and parolees.

In the following sections, I first elaborate on how POs used the merit frame and the consequences of that frame both for the probation/parole officer and their probationer/parolee. I then examine POs use of a realistic expectations frame as exceptions to the merit frame. Finally the consequences and accomplishments of using these two frames are discussed.

Merit Frame

When talking about when to violate someone's parole and how that decision is made, PO's using a merit frame would explain that the decision was often mediated by the reentrant's behavior, and whether or not they were deserving of getting another chance or not. POs talked about clients as deserving a second chance when they violated

their probation or parole with a drug related offense if they appeared to be trying hard to comply with their sentence, were perceived to be honest with their PO's, and actively sought suitable employment. In these instances, POs talked about their clients' efforts and demonstrated compliance as offsetting the consequences of a violation. Consequently, POs would be more likely to issue a graduated sanction, such as a more frequent reporting schedule or more intensive treatment program. By contrast, POs talked about clients whom they wrote up for violation and re-arrest as being dishonest with their PO, as being lazy and not trying to comply with conditions of parole or probation and therefore as not deserving of a break.

By using a merit frame to organize and make sense of the actions of the reentrant, the probation/parole officer places all responsibility for their decisions on the ex-offenders, and thus justifies their own decisions regarding the re-incarceration. By using this frame, the PO is able to highlight the ex-offender's behavior as the reason why they were written up for a violation of their sentence. While this frame might seem to be obvious, perhaps a matter of commonsense, the implications are not. Consider that all but one PO identified the biggest barriers to successful reentry in terms of structural factors, such as housing, employment, or availability of treatment[1]. In fact, the lack of availability

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[1]

POs were asked to identify what they thought was the biggest barrier to reentry, and their responses were lack of insurance (specifically with regard to being able to get into treatment programs), lack of education, lack of (compliant) housing, lack of effective treatment programs and supportive resources (job training and money management were

of drug treatment programs is a theme that comes up consistently throughout the interviews, as POs discuss how their decisions can be mediated by factors such as available beds or slots in a treatment program – and the general limits of the penal system. In this broader context, the POs use of a merit frame focuses attention away from structural issues, by highlighting criminal behavior and individual decisions as the causes for reentry failure. Further, by using a merit frame, the POs consistently refer to and challenge perceptions that they are quick to take punitive measures. They repeatedly outlined the practice of graduated sanctions before re-arrest and described the extent to which they worked with their clients. This further focuses the responsibility on the ex-offenders for their role in the failure of the corrections system. The merit frame therefore serves as a way for POs to understand and justify their participation in a system that is so exceedingly defective. Recall that statistics on reentry and recidivism consistently find that roughly two-thirds of reentrants will be rearrested within 3 years, and that in 1998 ¼ of all incarcerations were for parole violations (Beck and Mumola 1999, as cited in Seiter and Kadela 2003; Langan and Levin 2002). In short, if the intention of the corrections

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described), lack of employment and lack of services for juveniles. The officer who did not offer a structural barrier identified a lack of motivation. However, this PO goes on to attribute the lack of motivation to environment and insufficient access to the PO: *"The biggest barrier (laughs) is themselves. (…) To motivate someone to make the right decisions, the good choices in ten minutes a week, is virtually impossible when they walk out of the office and identify with, or are comfortable in a setting that promotes or, for lack of a better word, allows them to make the poor choices and the bad decisions."*

system is incapacitation, retribution, deterrence and rehabilitation (Taylor and Braswell

1979; Welch 1999 as cited in Pallone and Hennessy 2003), then it fails to fulfill its

function approximately 60% of the time, evidencing a malfunctioning system.

In this section, I will analyze several exemplars of probation and parole officers'

use of the merit frame and demonstrate the work that it accomplishes. Consider the first

excerpt below from an interview with a parole officer[2]. The interviewer has been asking

the PO about different grounds for violations, and at this point specifically about how

motor vehicle violations are handled in terms of parole violations.

I: If they have an accident you mean?

P: No, like they say they were pulled over for speeding um or they are involved
in um driving a car with no plates. You know, have to make sure they have a
valid license. You know has to all go. Everything has to; some people are
stipulated to no driving. So if you get a phone call that they're pulled over and
you know they can't drive. That would result in return to incarceration because
that's a direct violation of the parole stipulation or TS stipulation. So, that's
probably why there's a lot of anxiety because the people you talked to may have
had those stipulations and knew they were-

I: Knew they weren't really supposed to be, right. And really driving without a
license or whatever is a, is a, you know crime.

P: Right.

I: So it's a new-

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'I' and 'P' denote the interviewer and the participant, respectively (either a parole
or probation officer). The POs in this study were not asked to identify their gender, sexual
orientation or race, so analyses do not consider the impact of these findings. Nor is the
analysis able to consider the importance of gender in this process. However it should be
noted that research has been done looking specifically at the effect of personal
characteristics such as age, gender and race on supervision styles of correctional officers.

P: But motor vehicle crimes usually get a little, well usually result in like a bracelet before they're returned to incarceration. If they're, if they're working and doing everything else right, we try not to screw up everyone's life because of a motor vehicle situation, unless they're cuffed and brought down to the, you know. And you get a call from the police station; you know so and so is in here.

I: So it's all looked at sort of in relationship to the larger picture of the-

P: Relationship to the larger picture. Relationship to the nature of the offender. Relationship to what he or she is doing while he, you know if they're just doing nothing, not working, not going to programs, not doing anything. Well then, and they're violating, that's a different story.

I: So in terms of these umm the different graduated sanctions and things that you have that you can use to monitor people and to sanction them, so we have the, the appointments, coming in, you can make someone come in more frequently or less frequently. Right?

P: Yes.

In the above excerpt, the PO admits that there is some leeway in terms of deciding when to write up a client for a violation or not, and that the deciding factor is the client's behavior. If they have not been arrested and are "working and doing everything else right" then a violation can be overlooked. However, if they are "just doing nothing", it's implied that their violation will mean something different and may not be overlooked. The PO mentions only the behavior of the client in this excerpt, and uses it as the justification of the decision to violate the client's parole. The PO uses a merit frame to explain her/his discretion in determining the consequences of a client's behavior. Referencing the client's laziness or lack of motivation to comply justifies the parole officer's decision and frames the consequences as being brought on by the ex-offender.

This pattern is apparent throughout the interviews and further reveals a certain margin for error that exists for POs when it comes to behavior or actions that they feel constitute a violation. The merit frame helps POs navigate that margin and places responsibility for negative consequences on the ex-offender. This is illustrated in the following excerpt from a separate interview with another parole officer, in which the interviewer is asking the PO to explain how a violation is determined.

> I: […] The participants have, I feel, have a very strong real belief that if they do one thing wrong, they're gonna go back to jail. And, in spite of the fact that they seem to be getting second chances and when you talk to them about it, they say, oh yeah, you're right, I did get, you know…But really their belief is that umm, that it's almost inevitable that they're gonna go back to jail, no matter what they do. […] So it may, umm, but do you feel, do you feel it's like, is it accurate or not that people make, I mean can you go back to jail for just one dirty urine if you have the parole who's sort of? Or is there the supervisor role who decides whether that person is gonna get another chance?
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> P: Keep in mind; the conditions are what they are. And even in my orientation, I tell them, you know, I can take you back for one dirty urine. Now whether I do that or not, is gonna determine how well or what kind of relationship you can have. You know if I let you out and I've got problems with your reporting, you're not going to drug treatment, you had a misdemeanor that just wasn't a big deal and now you give me a positive urine of cocaine. I'm probably gonna go over there and ask the supervisor to take you back because obviously you just ain't getting it. You got all these issues. So yeah, you can send people back on one dirty urine, but you know, you got a guy who's reporting, who's working, going to drug treatment and then he has a dirty urine. It's very unlikely that he's gonna go back.

Again as in the previous example, the parole officer acknowledges that he or she has a fair amount of autonomy in deciding how to react to something like a failed drug test. The "conditions" being "what they are" refers to zero tolerance of substance use while under community supervision. The PO makes it clear that a failed drug test (a

'dirty urine') is enough reason to write a parolee up for a violation, and whether or not he or she chooses to do so depends on the parolees' behavior. Whether or not the parolee has shown that they are making an effort to comply by going to treatment and reporting properly for appointments are the only determining factors mentioned, while no structural factors that could constrain the parolees' ability or likelihood of compliance are mentioned. The PO uses a merit frame to talk about her/his choice to either issue a violation or an intermediate sanction, and in doing so is able to demonstrate that the parolee deserved the violation and is singly responsible for the failure to reenter.

Once again the parole officer uses a merit frame when she/he interprets parolee behavior as lazy or unwilling to work, to show that the punitive consequences for that negligence are deserved. This use of the merit frame focuses attention on the client's behavior without any consideration of the structural barriers to compliance that exist for ex-offenders, and which have even been identified by this PO and others in the study. The PO is able to use the merit frame to show that if there is a failure to comply, then the consequences of that are deserved and earned by the ex-offender.

The merit frame was used consistently when discussing ex-offenders who were described as lazy, dishonest, or unwilling to work. All instances where such a client was discussed saw a merit frame used to denounce the ex-offender as unworthy of any leeway when it came to violations. The following examples show the swiftness with which these characteristics are punitively dealt. The first is from an interview with a parole officer.

> P: He got high last week. He was really upset with himself and hasn't told the wife-that's why I had asked him, you know, cause he was afraid the wife was- they've been going through this for years, you know-

39

I: So is he more scared of his wife than you? I mean he told you about it and you're the one who could-

P: Yeah, well he knows- a lot of them know: just come in and be straight and we'll figure it out. If it's catch me if you can, then I know what your mindset is. But that just tells me where your mindset is. You're not lookin' to change, you're not lookin' for any help, and you're just gonna do the motions until you get caught again. [....] And that's the way I try to supervise. If you're not gonna break the sweat to help yourself, I mean I'm here, I'll walk with ya, but I'm not gonna break the sweat if you're not doin' it. I'm movin' on to the next file who wants to get out of jail. You'll either stay out of trouble or you won't get caught or eventually you end up dead but those are the facts. If you spell out the facts, and you continue to spell out the facts-you know, the ten minutes, it's all facts, it's in-your-face supervision, next week they come in- A lot of them don't wanna come see me because it's almost like I put the mirror in front of their face. If you like what you see then you're brilliant. And sometimes I look at myself in the mirror and I don't like what I see, whether it be a bad decision, bad choice, you know, I went off on the kid probably when I shouldn't have, you know what I mean? You gotta help them work on them. Cause you can make another hundred in one program.

The parole officer in the above example implies that a client who is perceived to be honest and being "straight" will be given a break with a violation versus one who is not. Further, a client who is not perceived as willing to work hard to succeed at their reentry is also undeserving of leniency with regards to violations. Ex-offenders who are thought to be lazy and sneaky, or as trying to work both the system and their POs are not tolerated and their violations carry different consequences than those who are honest and hardworking.

The following excerpt is from an interview with a probation officer, at a point where the interviewer is asking the PO to describe how reporting works with large caseloads.

I: Right. So the communication doesn't necessarily have to be lengthy, it just has to be sort of rich in terms of what you, right-

P: Right.

I: You can do it even when you have a hundred-and-twenty.

P: Yeah. I mean I would literally stand there-I wouldn't even bring my computer. I would stand up, I would have a pad like this and somebody'd come in and I'd go, you know, I'd know 'em all, just write their name down and just, you know, put check boxes on certain questions. And what I see a lot of people doing is-just take a second, look at 'em and go, "Is there anything we need to talk about?" You know, tell me now. Cause if I find out tomorrow it may, you know, it may be a warrant or it may result in a violation, you know. Let's work together now. Cause you could tell just, you know, body movements.

I: Yeah. And I've seen that with people, actually, that I've talked to also that they-that sort of relief. A lot of them say well, you know, I told my probation officer. And then a lot of times yeah, they are very positively enforced with that like honesty or whatever, you know, so then they-but they're-yeah in the beginning-

P: There's nothing I dislike more than when I say, "Are you clean?" "Yeah" And then we talk about a few other things and then I take the paper out and I start writing it up and "Well, I gotta tell you something" "Well, you know what? It's too late now." Because now it's, you know, you've made this an adversarial meeting. You're disingenuous. Your credibility just dropped. So, you know, the conversations over, it really is. But that's what I think tax-payers expect. You know, and that's-

The merit frame here comes into play when the PO begins discussing a dishonest client. In this example, it appears that the merit frame is used to justify which clients are entitled to the time of an already stretched-thin PO. With a large caseload and only enough time for short interactions, POs can't afford to waste any time with clients who are not honest upfront and who may seem to be trying to scam the system. The probation officer's claim that her/his client has become an adversary and is "disingenuous" reveals a concern that some scheming ex-offenders will try to cheat the system and in the process

antagonize the supervising PO. The PO identifies anything less than immediate and upfront honesty as "adversarial", and makes clear that such behavior warrants quick dismissal. The merit frame therefore justifies the implied removal of the client from the caseload via a re-incarceration.

POs used a merit frame to discuss the limits of their resources and of the corrections system when describing situations in which they chose to write up a client for a violation after having exhausted the available resources and options. The acknowledgement of structural elements that play a role in reentry success is distinctive; in the process of recounting all of the resources and efforts made to help a client comply with their sentence, structural factors are acknowledged in addition to behavioral characteristics. In these instances the merit frame is used when the POs talk about being left with little other option after everything (or practically everything) that can be done to help a client reenter has been done and the client still will not comply. The use of the merit frame here underlines the responsibility of the client for that failure, and reinforces the significance of behavior over structural barriers and over the limits of the corrections system in determining when a client deserves incarceration versus rehabilitation. This is illustrated in the following excerpt from an interview with a probation officer.

I: Can you give me an example of like someone who-where you had a tough decision and you decided to violate somebody?

P: Yeah. I have one right on my desk right now actually that my intern has started and I have to review. Forty years-old, very smart individual. Guy is a smart guy. Well without saying too much is he took a civil service exam and placed probably fiftieth on the list to be hired. Crack cocaine, great family background, well good

family background. Well placed-not in (New England city)[3]-(New England city) area. Very articulate, very smart, and like I had mentioned, he went right up the latter [sic]. He was given everything, *everything* that I had-

I: He was getting dirty drug tests? Dirty urines?

P: Yes. Dirty urines, found out. Day to day or weekly treatment engagement in intensive outpatient. Worked with his mom (?, walky-talky interrupts, 52:53) his girlfriend released some information, talked to them, tried to get him individual counseling, you know, he had his heart set on the job so he was workin' towards that goal, which was good. Started using again, picked up a new arrest, which was a felony arrest cause he interfered with an emergency call at his mother's house. Okay? So right there, what are you gonna do? Mother calls, everybody calls, you know, he's a great person, great person, don't violate him. Alright well, as an alternative to a violation of probation based on his continued use of public safety I'm gonna put you residential for six months. Three months into it, uses in the program. They do a plan with him, within the program, and he sticks to it for about two weeks. Gains employment at a outside place, not yet meeting his goal cause that's still on the waiting list. Steals from the store. Now let me just rewind a little bit. Also has a mental health. My unit paid for his first medications. Nine-hundred and seventy-five dollars. After that, I made a deal with the family where they would pay for the second dose and then hopefully by the third one the state would pick it up, which's exactly what happened. So now he's given everything he needs**.** Medications, residential, everything's goin' good. He's working, steals a jacket from the store for apparently no reason cause he's getting paid to work there. Program says, "Look, he's been here four months, he's got two months left, we're discharging him negatively." Done. So now he picks up a new arrest for larceny sixth for the jacket. He gets discharged unsuccessfully from a program and used while he's in there. Calls me on the phone, tells me I'm clean, I'm clean, I'm clean. Blah blah blah blah blah. I truly believe he's been given every benefit and every-I'm done. I mean honestly and I said it to him and I said it to everybody I'm like, "I think you need a period of incarceration to get this, because you have all these tools and you're still saying the same bullshit to me that you said three months ago." And I don't mean to use those words but-

I: Right. Has he been to jail before? Has he ever been in jail?

P: Nope. Never did a day in jail. Never.

I: Well also as a probation officer you don't really have anything else left, right? Cause, I mean, what else could you do?

P: Well, I have-eighteen month residential. But-

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[3]   The name of the city has been omitted for confidentiality.

I: Oh, a longer residential. But since he wasn't successful, why should-

P: Exactly. Why am I gonna take that bed space away from somebody who I have right now on this case load, who's motivated and wants that space?

I: Right. If he did the six months and said I need more time that'd be different.

P: That'd be different or-and you don't steal a jacket and you don't use while you're in there.

What is particularly interesting about this example is that the PO discusses structural factors that play into an ex-offender's ability or likelihood to comply and not exclusively behavior. However, this example shows that a merit frame can be used to prioritize behavior over structures. The PO discusses all of the structural support that the probationer has received, and yet when taken in conjunction with the exhausted limits of the system and of the PO, the probationer's behavior becomes the deciding factor in the decision to abandon rehabilitative measures in favor of take punitive action. It is therefore possible to conclude that when the PO feels that the resources available have been exhausted, that the reason for failure to comply comes down to the behavioral decisions made by the reentrant. That is, if the PO feels that she or he has done 'everything', then by default the client must be the deficient factor in the equation. As was the case with POs who perceived their reentrants as lazy, dishonest, or trying to scam the system, this probation officer could feel that she/he has been let down by the ex-offender. While the PO did everything within her/his power, the reentrant did not, leaving the PO with little other option other than to write up a violation. A successful working relationship between reentrant and PO requires effective and adequate effort from both

sides, and if the PO feels that she/he has done everything and that effort has not been reciprocated, she/he could feel betrayed and resort to issuing a violation.

It is important to note that in this exemplar the interviewer prompts the PO to use a merit frame by saying "But since he wasn't successful, why should-". This leaves us to wonder if the PO would have ended up framing this experience differently had the merit frame not been offered. This can be interpreted as evidence that the merit frame is so popular amongst POs because it offers a way for them to understand and explain their experiences with reentrants that repeatedly fail to comply with their probation or parole sentence without having to acknowledge any blame or shortcoming on the part of the PO or the corrections system. The merit frame is a convenient and productive way for the PO to understand the non-compliant client's actions in such a way that did not implicate blame for the PO or for the limited corrections system. In this way, the PO's use of a merit frame resolves why and how the corrections system was not able to successfully correct behavior by placing responsibility for that failure on the reentrant.

In the context of exhausted resources, the merit frame accomplishes a validation of the probation officer's work. In the process of talking about all of the resources that were accessed for a reentrant, the PO has the opportunity to show that she/he has more than held up her/his end of the bargain, and it is the client whose efforts have been insufficient. This is illustrated when the PO says "*He was given everything, everything that I had*". With the amount of criticism directed at the failure of the corrections system and more specifically the criticism that community supervision is merely a mechanism to re-incarcerate (see Taxman 2011), it is important for POs to challenge this perception by showing how much they work with a client's missteps before violating them. POs use a

merit frame when they talk about their efforts in terms of being extensive and exhausted. In these instances, they can claim that if the system failed it was not because of any shortcomings on their part. This is emphasized when the PO says "I truly believe he's been given every benefit and every-I'm done."

Again, the merit frame in this instance is used when the probation officer talks about which clients deserve to be on her/his caseload taking up precious space: "Exactly. Why am I gonna take that bed space away from somebody who I have right now on this case load, who's motivated and wants that space?"

The Merit Frame in Summary

The merit frame focuses attention on individual behavior, either eclipsing entirely or as in the previous example prioritizing it ahead of the structures that shape and constrain a person's behavior and decisions. The vast majority of times that a PO used a merit frame when talking about their decisions to issue a violation to a client did not make any mention of structural factors that could contribute to their clients' failure to comply. However, as seen in the last example, there are times when a PO will identify and acknowledge structural factors they will consider when deciding if a client deserves another chance to comply. When POs talk about their efforts and resources as exhausted, they can identify and consider environmental and structural factors that explain why a reentrant is not in compliance and help the PO determine if a violation should be issued. Nonetheless, despite being able to identify a broad range of factors that can help or hinder an ex-offender's reentry success, when talking about their decision to write up a client for a violation of their sentence POs still resort to using a merit frame that highlights the ex-

offender's behavior. Behavior is an individual-level factor that plays an important role in predicting a reentrant's likelihood for success; however, any assessment of reentry success versus recidivism that does not give adequate due to the role of structural and contextual factors, such as neighborhood disorganization[1], does not sufficiently capture the range of variables that shape an individual's ability or likelihood to comply with the sanctions of their supervision. Therefore, a significant consequence of the merit frame is that when used by POs even when they are identifying structural barriers to their clients' compliance, the primacy of behavior is reinforced. In the case of the last example the PO recognizes structural factors that contribute to reentry success, but nonetheless ultimately resorts to using a behavioral benchmark to justify a violation.

Scholars looking at recidivism have begun to move beyond research that looks at individual-level factors and are examining the role of environment and social context in reentry, and have found that when controlling for individual-level factors, reentrants that return to communities with fewer resources and less social integration are more likely to recidivate (Kubrin and Stewart 2006). However, when POs use a merit frame to determine consequences for reentrants who have committed a violation of their sentence, they create the perception that the predictors of recidivism that are largely related to the

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[1]

Clear and Rose (1998) and Clear *et al* (2003) have made significant contributions to the literature on incarceration and reentry by focusing on coercive mobility and social disorganization. Coercive mobility refers to the cycle of incarceration and reentry, which they have found damaging to the social organization and cohesion of neighborhoods and communities. Social disorganization is the lack of social controls within a community due to environmental factors that act as protective measures against disorders such as crime, poverty and unemployment by monitoring and controlling community members' behavior.

individual, rather than the contextual factors that play an important role in reentry outcomes. In short, the merit frame embodies a renewed penology in which criminals deserve their punitive fate because they have certain personal characteristics that manifest in criminal behavior. This discourse justifies 'tough on crime' policies and practices that target individuals, and directs blame towards the incorrigible offender by distracting attention away from the very real shortcomings of the corrections system.

The merit frame therefore is a very productive tool for POs to use to understand what went wrong when the corrections system fails to correct, and to see themselves as upstanding and blameless in their roles in the cycle of recidivism.

<u>Realistic Expectations</u>

The realistic expectations frame is an exception to the merit frame. Probation and parole officers used this frame when talking about requirements for compliance that they did not think were realistically attainable by their clients. This was most often when discussing drug-related compliance. POs used this frame to explain the margin for error afforded to drug addicted clients who fail to abstain from drug use but who otherwise comply with treatment and do not pose a threat to public safety. When talking about such probationers and parolees, POs would explain that perfect compliance would not be realistic and some leniency would be more productive for achieving reentry success. Conversely, when POs identified a client as a risk to public safety or as not legitimately a drug addict, they would revert to using a merit frame and would justify their decision to issue a violation based on the reentrant's unacceptable behavior. This frame works to organize POs' understandings of how drug addicts can be expected to successfully

48

navigate a sentence predicated on abstinence from illegal substances. Accordingly, POs use a realistic expectations frame when talking about how they exercise their autonomy and justify overlooking behavior that is clearly in violation of the sentence.

This frame is also used when POs identified non-drug related parameters of the sentence as unrealistic, provided the reentrant still did not pose any threat to public safety. Still, POs used a realistic expectations frame when they talked about the leeway they gave to clients who are only technically out of compliance given unrealistic or unfair parameters for compliance. In this way, the frame can be seen as a way for POs to organize their understandings of their role in a system that cannot realistically accomplish its ends (correcting and deterring criminal behavior) with its means – compliance guidelines that are so unrealistic as to unfairly set up reentrants for failure. It's important to note that the question of how individual POs determine what is realistic and unrealistic arises. This frame was most commonly used when POs talked about the zero-tolerance (towards drug use) policy, as they considered complete and immediate abstinence of drugs by drug addicted clients to be an unrealistic expectation. As I discuss later in this section, one of the POs uses this frame when talking about housing restrictions placed on ex-offenders. While this thesis does not address how realistic expectations are determined by different POs, I raise this question to acknowledge that POs' identification of unrealistic expectations varies and could depend on individual characteristics such as race or gender, and presents an opportunity for future research.

The next excerpt that I offer is a particularly convenient one as it introduces the frame of realistic expectations and further illustrates the use of the merit frame. The realistic expectations frame is an exception to the merit frame, but is often used in

conjunction. Both frames accomplish similar ends as they are used by PO's when talking about their discretion concerning behavior that could constitute a violation.

Consider the following excerpt from an interview in which a probation officer uses a realistic expectations frame to describe how a non-threatening drug addicted violation is handled, but then changes to a merit frame when the client is perceived as not working to comply and potentially a threat to public safety.

> P: Especially with probation because the perception, the false perception, is (pause) that you're, that you want to lock them up. Like every time you call somebody it's "I don't know whether or not I should tell on this guy here because they want to lock him up." It's really a false perception I mean you really do everything you can not to lock these people up. You know, versus looking them up. It's a lot easier to write a violation of probation. It'll take you fifteen minutes to that versus the amount and you try to tell this to clients all the time. It's like when you're sitting there you know working with them and you're working with them and you're working with them and they're still looking at you like "Is he really trying to help me or is he just going through the motions?" And I always got to tell them, I say "you know doing what we're doing with you, making all these referrals, speaking to you like this, all of these intervention techniques. That takes me a whole lot more time than I would if I really wanted to get you like you think I do. Than to sit behind my desk and write a warrant that's going to take me fifteen minutes and then submit it."
>
> I: Right.
>
> P: You know so-
>
> I: But, the other thing is like if you had written a warrant like you're caught. You probably wouldn't be calling an agency like oh is there a (smhoo? 38:18) there? You'd- the police or whoever would be pursuing the warrant if anyone pursues the warrant.
>
> P: Right. The thing then I would say this too so I don't want to forget this that I would say about other false perceptions is and I don't know if you've been asked this, but there's always been this thing out there like especially with the Zero Tolerance program, but even before Zero Tolerance, there's always been orders for courts might say and just might say zero tolerance probation. Meaning any one violation of any condition here we're going to lock you up. That, that never happens. (Laughs) I mean that doesn't even happen if the judge ordered it.

You know, you might see some conditions that say, the judge will say one positive urine equals a violation of probation. If they test positive one time send them back over here.

I: The judge will write that sometimes?

P: Those are some words, you know. And that, it doesn't happen. I mean because you've got to be realistic. These clients are not just going to test positive one time. It's going to be once, twice, three, four times and it really comes down to what they're willing to do when they're coming up positive. Now if they're going to comply with treatment you're going to continue to work with them and you're going to take the advice of the treatment clinician because that's the professional person who's, who's, who's trained to know what they should be doing in that area with regards to helping them get back on the right road. But, you're going to make sure that they're in compliance with that. The problem comes in with the clients who when it does reach a violation is when they're not noncompliant with treatment. When the treatment provider is calling you up and saying "We've done all we can do. We're doing treatment contracts. The client won't sign the contracts saying that they're going to make every meeting or if they miss a meeting they're going to call us right away and we're going to reschedule and they're not adhering to any of this stuff. They're just not coming. And then they're still coming, they're coming in to see you and they're still coming up positive and you've addressed it with again and you've said "Hey look, you know. You're coming up dirty and I could've violated this probation already and the reason I wasn't is because you're in treatment so you're actively trying to help yourself. But the minute that you stop going to treatment I have to address this now as a punitive measure because I can't let you just go- You're, you're out there involved in criminal activity that could lead to something else. So I have to violate the probation if you're not going to be in treatment."

In this example, the probation officer uses a realistic expectations frame when explaining why there is a margin of error for clients despite being sentenced with so-called 'zero-tolerance' conditions. The PO is able to use this frame to explain why and how despite a straightforward and seemingly unyielding guideline for violations, clients are given several chances to comply and their missteps are in fact tolerated. Similarly to the merit frame, a consequence of using a realistic expectations frame is that POs can position themselves as tolerant and lenient despite perceptions that they are quick to take

punitive measures. This is particularly salient because much of the criticism of the

corrections system centers around drug policy and sentencing as the catalysts and culprits

for the explosion in the corrections populations. In showing how much tolerance the so-

called 'zero tolerance' program has for drug addicts and how POs translate those

guidelines into realistic measures, the PO is able to offer a challenge to the perception

that community corrections officers who enforce harsh parameters are the reason why

drug-offenders recidivate so often and instead demonstrate the culpability of the ex-

offender who chooses to not change his behavior.

It is significant to note POs do not use the merit frame until she or he identifies the

client as not working to be in compliance. This shift can be evidenced in the previous

excerpt when the PO states:

“But the minute that you stop going to treatment I have to address this

now as a punitive measure because I can’t let you just go- You’re, you’re

out there involved in criminal activity that could lead to something else. So

I have to violate the probation if you’re not going to be in treatment.”

With that, the PO reveals the limits to the use of the realistic expectations frame,

that is not being compliant with treatment and behavior that could 'lead to something

else', implying threat to public safety. This works to reinforce the power of the merit

frame. Despite recognizing unrealistic conditions that if followed would promote

unnecessary reentry failure, POs switch to using a merit frame when behavior that is

identified as criminal is introduced. That is, when talking about who deserves to get an

intermediate sanction and who deserves to get a violation, POs again use a frame that reinforces the primacy of behavior.

The following excerpt illustrates the delicate balance between the two frames. The interviewer is asking a parole officer to explain the different forms of intermediate sanctions available to monitor clients and encourage compliance, and the PO discusses the use of GPS (global positioning systems). When the interviewer challenges the parole officer to explain the discrepancy in how the decision is made to write a client up for a violation, the PO uses a merit frame when talking about disrespectful behavior, and then switches to a realistic expectations frame when talking about a drug addict who doesn't pose a threat to public safety.

> I: The drug testing umm, the bracelet, umm treatment programs that you know, if you mess up you got to go to different treatment programs. [….] First of all, generally, are there others that I'm sort of missing, are there other things that you have that you use-
>
> [….]
>
> P: Yeah, you know, at 4 in the afternoon, what's he doing there? So I think GPS is very beneficial for limitations, geographical limitations, things of that nature that could prevent someone from returning to maybe dealing drugs or being involved with a co-defendant. What if you have no contact with the co-defendant and you know where the co-defendant's living. And you see the guy's on that street, mm what's going on? You know, then you start to put two and two together and just have it in the back of your head, talk to him about it because sometimes these people will just admit. Oh yeah, I saw you know Johnny yesterday. Aren't you not supposed to have contact with Johnny? You're going to jail. Things like that where it's specifically spelled out, no contact with co-defendants. You may not enter any bar or premise where the primary service is alcohol, packaged or clubbed. If you're caught there, there is no negotiation.
>
> I: Oh really? But at the same time, it's like you're not allowed to use drugs either, but it seems like there's negotiation on that, right?

P: Umm it's not that it's negotiation. I think it is, and you know I don't know, an addict vs. a blatant disregard for…you know what stipulations you have. And I don't, I'm a little bit more social worker I guess than law enforcement, so I don't think that locking every addict up is going to help anybody. Ok, if you are a true addict and you're hurting yourself only, not committing any new crimes and you need an in-patient drug treatment program. If I can advocate for you to go there, I'm gonna do that. And I will be in my boss's office. Listen this person, this is his third positive, I would rather put him in a program if I can get him a bed. Now if I can't get him a bed in a week, I'm gonna have to return this guy to jail, absolutely. But, I will do that extra. And most people that work in this agency do.

In this example, the PO distinguishes a real addict from someone who implicitly is capable of exercising more control but chooses not to. The reference to someone who has a 'blatant disregard' implies someone who is being disrespectful of the system, such as a reentrant that can avoid seeing a co-defendant but does so anyway. Once a PO interprets a client's behavior as disrespectful, she or he employs a merit frame to assess a course of action. However, when the interviewer challenges the consistency of the PO's decisions by asking about the tolerance of drug-related violations, the PO switches from a merit frame to a frame of realistic expectations to address the leniency shown to addicts who do not pose any risk to public safety.

The other condition under which a PO used a realistic expectations frame was when she or he explicitly identified a term of sentence (which was not drug-related) that was unrealistic. This is consistent with the previous examples of the use of this frame and indicates that while not explicitly said by the other POs, the frame of realistic expectations can be expected when POs interpret the terms of sentence as unreasonable.

In the following exemplar the interviewer asks a parole officer if there is any flexibility with housing and they discuss issues related to housing restrictions for ex-offenders.

I: There was a guy in our group who actually was a twin and both he and his twin brother went to jail, I mean on separate incidents, went to jail. He got out first, then his twin brother got out and it created a crisis of homelessness because he didn't have-

P: Right.

I: He actually ended up moving out to allow his brother to come back because he felt like his brother had greater needs and then he was living in-

P: And see that doesn't make sense to me. And you know, you start talking about section 8 and leases and all that kind of stuff, you know, you're my wife, I get arrested, you're living in (word?) south, and then when I come out, I can't go live with you. So I don't-

I: So do you see flexibility on that issue, or is that more-

P: Well you know, me, you know, I tell people what the rules and regulations are, and you know, if it costs you, if there's a (word?) then it costs you. But you know, so, you know, I probably cross the line sometimes. Umm-

I: Can you approve housing if it's section eight? Or-

P: I mean, I mean probably- your husband goes to prison. You're in the house. You've been married for 5 years. He's not on your lease and now I got to tell him to get another residence. Well he can get another residency but I know, you know where he's going to go to sleep every night.

I: Where he's going to sleep, right.

P: So why even go through all that?

As with the previous examples of the realistic expectations frame, the PO in this instance uses the frame when talking about client behavior that is in clear violation of the

parameters of a sentence, but which he personally does not feel warrants a violation. The PO is willing to be flexible about this specific violation because he recognizes that restricting family members from living together is unreasonable and also so unlikely to be observed as to not deserve the time and energy of enforcing it. The use of this frame therefore allows the PO to negotiate more reasonable conditions for success than are available given the constraints of the corrections system. That makes this frame a particularly useful one for POs to use given how constrained they themselves are through working with a system that has fundamentally flawed expectations.

<u>The Realistic Expectations Frame in Summary</u>

In order to succeed in supervising clients through reentry in such a system, POs use frames that help them understand and manage the structural constraints that all but set reentrants up for failure. By using the realistic expectations frame, POs can allow for reasonable behavior to escape punitive sanctions, and can better navigate the grey area provided by their autonomy in supervision. Consequently, it seems possible that the combined use of these two frames merit and realistic expectations enable POs to work more compassionately within an inherently flawed system.

Both the merit and realistic expectations frames are valuable and productive tools. They accomplish two important tasks for POs: they provide an understanding of how they can- as good people- fit into the defective corrections system; in addition offer a way to cope with the failures that are so prolific as to be close to inevitable. The merit frame allows the PO to outline all of the ways that she has worked with the parameters of the sentence to accommodate and help her clients, absolving the PO of any blame that

could be incurred for participating in the malfunctioning systems of incarceration and reentry. Therefore, when reentrants exhaust their chances for alternative consequences and are written up for violations, their POs can point to the shortcomings of the client as justification for the incarceration – even while they are aware of the structural factors at play. The realistic expectations frame accomplishes a renegotiation of unreasonable sentencing parameters, and works to increase the margins for reentry success by widening the margins for error. At the same time, this frame can afford POs a means to justifying their supervisory autonomy in decisions to violate or not.

CHAPTER 6

DISCUSSION

When discussing the decision process to write up a violation for a reentering client or to respond with intermediate sanctions, POs primarily used a merit frame to organize their understandings of their role in the reentry process. The exception to this was when discussing unrealistic and unfair parameters for compliance for reentrants who did not pose any threat to the public. In these instances POs used a realistic expectations frame. The consequences of using a merit frame are that POs are able to make sense of a failed reentry attempt by finding the reentrant's criminal behavior and lack of motivation at fault. The merit frame allows POs to describe what went wrong by outlining their extended efforts to supervise their reentrants and the extent to which the corrections system resources were deployed. This works to affirm the PO and the corrections system as hardworking, fair and effective, were it not for the shortcomings and deviant behavior of those reentrants who failed to correct their behavior accordingly. When used to detail

the extent to which the resources of the system have been used, the merit frame directs responsibility towards the incorrigible ex-offender rather than the limits and constraint of the corrections system.

When using the merit frame, POs can understand wayward clients as undeserving of their limited and precious time that needs to be appropriately allocated to those who do deserve the help. Given the size of case loads, there isn't enough time and energy available to support and work with the number of reentrants who need it, and so there has to be a way to cope with that, with the ones that fall through the cracks. Assigning blame to those that end up falling through the cracks is a productive way to manage work load and not feel guilty or responsible for the failures in their work.

To acknowledge that they work in a system that is overwhelmed and overwhelmingly unsuccessful, is to acknowledge participating in something that goes beyond being ineffective, to being disastrous and damaging to millions of people and communities. If the measure of successful reentry is avoidance of incarceration, then the violation that sends an ex-offender back to jail or prison is the signifier of failure, and logically implicates the PO as being at least partly responsible. The merit frame therefore is very useful, allowing POs to redeem the roles that they play in the system by demonstrating their efforts to avoid punitive measures until the reentrant leaves them without a better alternative. In the case of exhausted options, the POs can redeem the corrections system itself by outlining the extent to which it worked to help correct the reentrant. This shifts the blame for the failing system to ex-offenders and their criminal behavior and poor choices, and away from the defective system and the structural factors that significantly shape and constrain ex-offenders' choices and options. This frame also

provides the justification and protocol needed for deciding how and why time and energy is split up amongst clients when there are too many with needs to go around, while at the same time providing a way for POs to avoid feeling any guilt for not being able to handle the needs of all of their clients.

Blaming the ex-offender is convenient, and consistent with the 'new penology' orientation towards offenders. The merit frame helps to reproduce assumptions and perceptions of ex-offenders that find them at fault for their poor choices and deserving of the consequences of those decisions, even though those decisions are significantly shaped and constrained by their environment. Ultimately, this is an oversimplified understanding of a fluid and complex phenomenon. To polarize the understanding of the contributors to criminal behavior as either structural or behavioral would be to ignore two interrelated and dynamic forces that exist in a constant and inexorable interplay.

The merit frame provides a way for POs to make sense of the place that they hold in a system with such egregious rates of failure that wreaks havoc on individuals and communities. By using a merit frame, POs can reason that they are helping ex-offenders as best they can, and when a client fails to transition successfully that failure is their fault, and not for lack of effort on the part of the PO. Further, blaming the ex-offender's lack of motivation or poor choices means not having to address the faults of the corrections system and the barriers in the environment that contribute to recidivism. This allows the destructive policies and practices that prey disproportionately on certain groups and communities to continue, while reinforcing the sentiment that the broken state of the corrections system is a logical and warranted consequence of ex-offenders' behavior.

The realistic expectation frame accomplishes similar ends. POs used this frame when explaining their decisions to grant leeway for clients from unrealistic or unfair parameters for compliance, as long as the client was not a threat to public safety and was otherwise acceptably behaved. The consequences of this frame are that POs are able to manage their culpability in the failing system by negotiating unrealistic conditions for reentrants in order to increase chances for successful reentry and mitigate the perception that they are overly punitive. This frame is useful for POs tasked with helping reentrants meet the unrealistic expectations built into sentencing parameters, as they can negotiate conditions that they feel are manageable, and at the same time justify their deviation from protocol. POs can therefore work more successfully within a system that mandates unrealistic and unattainable conditions that if followed would all but ensure even higher rates of failure.

The use of this frame lays bare one of the biggest problems with the corrections system, which is that incarceration is not an effective way to deter illegal drug use, and in fact perpetuates and exacerbates many of the structural factors that contribute to illegal activity. As corrections officers tasked with supervising ex-offenders as they reenter, POs are in a public spotlight when it comes to rates and causes of reentry failure. Given that two-thirds of ex-offenders recidivate within three years of release, it is not surprising that their supervisors would need some mechanisms to manage their self-image given such high rates of failure. When clients violate the terms of their sentence, the PO can justify allowing second, third and perhaps fourth chances to succeed. This helps them reduce the amount of failed clients for whom they can be seen as responsible, and allows them more

leeway to help those reentrants that are otherwise disastrously equipped with the means to succeed.

The pattern of realistic expectations was mostly applied to specifically drug addicted reentrants that posed no threat to public safety, but tellingly was used also used to understand reentrants more generally trying to deal with structural barriers to housing. The common link between these two variations of the frame is that in both, the POs recognize that the conditions that demarcate compliant behavior are unreasonable and unattainable, and as such cannot be strictly adhered to without promoting failure. The use of this frame highlights the fruitless and damaging logic behind sentencing policy as felt by the officers charged with supervising and carrying out those sentences. The outcome of using this frame is that POs can manage and deflect some of the scrutiny directed at them as responsible parties in the failure of reentry by creating more practical thresholds for violations, thereby decreasing the likelihood of failure.

The common link between the merit frame and the realistic expectations frame is that both help POs better accept and deal with their culpability in a defective and devastating corrections system by providing a way to understand the towering rates of failure they experience as corrections officers. These two frames indicate the need that POs have to understand how their efforts to help reentrants can fail so often, without having to take too much responsibility. By assigning blame for the failures to the reentrant in spite of acknowledging structural factors as the biggest barriers to reentry, it appears that POs themselves are so constrained by a system that they can to some extent explicitly or implicitly identify as unreasonable, and are forced into finding ways to

redeem their work and their efforts to supervise reentrants through a structure that sets up both sides for failure.

Probation and parole officers have a significant amount of autonomy in their supervising of ex-offenders, and need to be able to adequately defend their decisions to issue another chance in the form of an intermediate sanction or to issue a violation and essentially 'fail' a reentrant. Being overburdened with excessive case loads and having to enforce unrealistic conditions upon reentrants while being themselves constrained by the limits of sentencing policy and resources means that POs have to find ways to redeem their work and justify not only not being able to effectively help all of the clients they are charged with, but also with further hindering those who do not succeed and get re-incarcerated.

Recall that all but one of the POs identified the biggest barriers to reentry as structural factors further compels my argument. POs are working with ex-offenders and can see that on a day to day basis structural barriers are the biggest hindrance to their reentry success. Yet POs have no control over the system and rely instead on merit and realistic expectations frames when weighing ex-offenders' behavior. When structural factors are mentioned, a merit frame orients their analysis of failure in ways that ultimately focus on bad behavior rather than structural constraints. Consequently it appears that POs understand well what the crux of the reentry problem is for their clients, and yet when talking about why an ex-offender fails to reenter they do not give those structural barriers their due. That is POs understand why their clients are not able to succeed given the unreasonable expectations of their sentencing conditions and given the structural barriers that they face, and yet given the scope of their jobs they have little

option other than to carry out supervisory sanctions. The merit frame and realistic expectations frame help POs understand why the system is failing in such a way as to mitigate personal fault and justify perpetuating the recidivism of a client. These understandings of working as supervisory officers reveal the depth to which the corrections system is defective and destructive, and further illustrates the dismal state of reentry as experienced by both sides of the problem.

CHAPTER 7

CONCLUSION

This thesis has presented research on probation and parole officer attitudes

towards reentrants and how PO perceptions mediate supervisory judgments. The use of

frame analysis is a compelling way to analyze statements made by POs to reveal

underlying assumptions and beliefs about the ex-offenders as they relate to the criminal

justice system generally and the corrections system specifically. The analysis of the

frames of merit and realistic expectations has illustrated the constraints experienced by

POs as they try to tackle and accomplish unrealistic and largely unattainable goals, and

the fruitless courses of action that they are left with. It is significant for people interested

in changing and improving the current state of corrections in the US to understand that

the system itself is so broken that those working within it are limited in their efforts to

help ex-offenders reenter society successfully. This research presents unique insight into

the problem of punitive measures that do not effectively address crime and criminal

behavior through an analysis of the frames used by POs to understand their roles in the

corrections system.

This research is limited in scope having interviews from six probation and parole

officers from a New England city and should serve as a jumping off point from which

broader research should take off. A more comprehensive project encompassing greater

numbers of community corrections officers from other parts of the country would

advance this research and provide more substantial knowledge of how POs experience

and understand their roles in the corrections system and how those understandings

mediate their supervisory decisions. Further research that focuses on the frames that POs

use to understand their roles in the corrections system should be done to offer deeper insight into and understanding of the ways in which probation and parole officers are constrained by the system, and how the mechanisms they use to cope with those constraints effect reentrants.

PROBATION AND PAROLE OFFICER INTERVIEW GUIDE

INTERVIEW GUIDE

Criminal Justice Professionals

Part I: Job Responsibilities
- Please provide a general description of the responsibilities and authority associated with your job.
- What do you view as your primary responsibilities?
- What do you actually spend the most and least time doing?
- What constraints do you face in fulfilling their job responsibilities? Differentiate between different levels of constraints as follows:
    - related to the CJ system
    - related to their clients needs and experiences
    - related to other systems (e.g., DCF, SSA)
- Why did you enter this profession? (history of their work experience with the CJ system)
    - How long in this job
    - What did before this job
    - What sort of training for job
    - Future plans
- What do you like most about your job?
- What do you like least about your job?

The following questions relate to your work with clients who are "non-violent" drug offenders who are under minimal P/P supervision. (not violent offenders, sex criminals, etc)

Part II: Monitoring Powers (for P/P Officers only)
- What are your monitoring powers with regard to probationers or parolees?
    - how do you keep track of them
    - what things do you keep track of them
    - what other means do you have to keep track of them
- How have you used these monitoring powers?
How do you decide to exercise these powers (e.g. conduct a drug test, search one of

their clients or their home) and what factors influence these decisions (policies, peers,

professional standards, etc.)?

- When and how do you decide to violate someone's probation/parole (P/P), or to ignore P/P violations and give clients "second chances?" Can you give some specific examples of each (not specific names, just some of the kinds of circumstances that have come up).
- Have you ever been reprimanded or experienced other negative consequences for violating or not violating someone's P/P? Explain
- Have you ever been rewarded or experienced other positive consequences for violating or not violating someone's P/P? Explain

Part III: Barriers to Re-Entry
- What are your perceptions of the biggest problems facing your clients? What barriers do clients encounter in trying to resolve these issues?
- What responsibility, if any, do you feel you have to assist clients in these areas? What do you see as your role in facilitating access to these services?
    - Can you give me some examples of issues that have come up and how you handled them?
    - Have there been times where you felt that you couldn't do as much as you wanted?
    - Have there been times where you felt that you had to do more than you should have?
- GENDER Do you think these problems affect men and women the same or do women have different problems from men?
- RACE Do you think these problems affect blacks and whites the same or do blacks have different problems from whites?
- Issues to cover:
    - Housing
    - Employment
    - Health, esp HIV
        - Do you see drug users at special risk for HIV?
        - What factors do you think put them at risk for HIV?
        - Are there things that you have done in your job to help reduce this risk? Explain
        - Do you think there are things in your job that you could do to reduce this risk?
    - Mental Health
    - Family
    - Substance use
        - Should drug users get treatment while in prison?
        - What referrals do drug users receive upon release?
        - Is treatment set up for them as part of an exit plan?
    - Friends/social networks
    - Violence
    - Crime

Part IV: General
- What would you change about P/P or other aspects of the CJ system? What problems in the system would these reforms address?

- How can we stop the "revolving door"?
- What aspects of P/P or CJS are worth keeping? What works well

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