Deconstructing the Prisoner Re-Entry Industry/Complex: Origins of the term and a critique of current literature/analysis

Jeffrey Ian Ross, Ph.D.

6. DECONSTRUCTING THE PRISONER RE-ENTRY INDUSTRY/COMPLEX: ORIGINS OF THE TERM AND A CRITIQUE OF CURRENT LITERATURE/ANALYSIS

Introduction

At the tail end of the Clinton administration, a handful of criminal justice experts noted that America would soon be awash with ex-convicts who had been recently released from our correctional facilities. They argued that our communities and criminal justice agencies are poorly equipped to deal with this challenge and that the federal government needs to step in with suitable funding for programs and research. A federal bill called the Second Chance Act was tabled and eventually passed as a result of this pressure. As these forces are upon us, it is wise to take a step back and reflect upon this state of affairs.

Beyond the generally accepted notion that both communities and criminal justice systems are unprepared to deal with prisoner reentry, one of the important questions that observers may ask about re-entry

1. An earlier version of this chapter was presented at the "Global Perspectives on Reentry" conference June 9–12, 2010, Tampere, Finland. Special thanks to Mike Johnson, Rick Jones, and Dawn L. Rothe for comments.
is: What implications does it have beyond simply a mechanism for increased federal funding of local and state government correctional and social service agencies both public and private?

Indeed, a number of trends in the United States criminal justice system, and corrections in particular have led to a handful of individuals claiming that we are now experiencing a Prisoner Re-entry Industry (PRI) or Prisoner Re-entry Industrial Complex (PRIC). This chapter attempts to understand the origins of this term and comment on the current scholarship using this concept. It then advances a series of recommendations on how we might improve research and scholarship on this term and concept.

**Literature Review**

**Introduction**

In order to understand these trends, the following section reviews the inter-related research on the Crime Control Industry, the notion of the Prison Industrial Complex, the issue of privatization of institutional corrections, the privatization of community corrections, the emergence of prisoner re-entry as a new policy concern, the **Second Chance Act**, and the introduction of the Prisoner Re-entry Complex concept.

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2. Many critical observers believe that re-entry is just a new name for parole. The reader should keep in mind that there has been a healthy literature that predates the usage of the term "re-entry" that has looked at factors which contribute to successful community correctional programs such as parole. Likewise, a scholarly literature has been critical of parole, particularly the role of parole officers and the agencies they work for (e.g., McCleary, 1978; 1992).

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**Crime Control Industry**

In 1956, American Sociologist C. Wright Mills, wrote *The Power Elite*, which argued that a vast network of individuals, organizations and American businesses work in concert to support an economy that is dominated by the military. He called this relationship the Military Industrial Complex (MIC). During the 1970s, criminologist Richard Quinney, in his book, *Class, State and Crime* (1977/1980), building upon Mills' concept, suggested that not only do we have a MIC, but we have a Social-Industrial Complex (SIC). The SIC, according to Quinney, was "an involvement of industry in the planning, production and operation of state programs. These state-financed programs like education, welfare, and criminal justice are social expenses necessary for maintaining social order and are furnished by monopolistic industries." Subsumed by the SIC is a Criminal Justice Industrial Complex. Quinney argued that large corporations benefit the most from this arrangement.

Christie (1993/1994), in his book *Crime Control as Industry*, outlined how recent trends indicate that we have an unfettered supply of individuals for the criminal justice system to monitor, and that a vast network of public and private enterprises financially benefits from these phenomena. Though his argument was directed at the entire criminal justice systems in advanced industrialized countries, he mainly focused on the United States, particularly its correctional system. He looked at the rationale that led to an increase in the number of jails and prisons being built and operated, the rising numbers of inmates in the United States, and the political, economic and cultural mechanisms that support it. In order to argue that the United States leads the world in incarcerated individuals, Christie reviewed how other countries have dealt with the problem of criminality and sanctioning offenders. He primarily blamed the American obsession with controlling lawbreakers at organizations such as the American Correctional Association and the process of privatization and its proponents.

3. Some trace the origins of this idea to Guerin (1936/1994).
Prison Industrial Complex

Others have built upon Christie’s notion and fleshed it out to include the idea of a Prison Industrial Complex (PIC). According to journalist Schlosser (1998, 54), who first popularized the concept, a PIC is “a set of bureaucratic, political, and economic interests that encourage increased spending on imprisonment, regardless of the actual need. The prison-industrial complex is not a conspiracy, guiding the nation’s criminal-justice policy behind closed doors. It is a confluence of special interests that has given prison construction in the United States a seemingly unstoppable momentum.” If Schlosser is correct, the whole panoply of nonprofit organizations and for-profit businesses is able to capitalize on this insatiable need to incarcerate individuals and build prisons, ultimately to make money from the pain and suffering of others behind bars.

Since Schlosser’s article, others have provided additional evidence of a number of businesses and corporations that have benefited from the PIC (e.g., Sheldon and Brown, 2000; Sheldon, 2005), including confronting the PIC (e.g., Platt, 2004; Mahmood, 2004).

History of Privatization

Over the history of corrections, the possibility that selected aspects of jails and prisons should be run by organizations other than the state has frequently been proposed and realized. This practice dates back at least to 1348 when prisoners would be used as galley slaves, and 1598 when ship captains and merchants agreed to take inmates out of state facilities and transport them to America and other British colonies, where they would be forced into indentured servitude (Feeley, 2002).

During the 1980s, renewed interests in having the private sector build and manage jail and prison facilities, and provide correctional services at the state and federal levels, occurred. This includes edu-

cational, food, medical, psychological, security, and transportation services (Austin and Irwin, 2001, 69–70). In 1984, the first private prison opened in Tennessee. Approximately 264 of these kinds of facilities exist in the United States (Schmalberger & Smykla, 2007). About 7 percent of convicts are housed in private prisons and jails. Of that total, about 5 percent are in prisons alone (Austin and Irwin: 65).

There is currently an expansive correctional industry in the United States. Some of these companies have their shares traded on the stock exchanges, including the Corrections Corporation of America (CCA), The Geo Group (formerly Wackenhut Corrections Corporation), Cornell Companies, and Community Educations Centers, which “account for over three fourths of the entire world wide market” and derive significant incomes from providing local, state, and federal prison services. Other companies such as Aramark and Canteen have done quite well supplying correctional services with food and meal services.

Since their inception, these corporations’ stock prices have fluctuated considerably, and “there have been a number of highly publicized management problems with several privately operated facilities in Texas, Ohio, and New Mexico” (Austin and Irwin, 65). In the beginning, privatization creates competition that can drive the prices down as companies compete with each other; however, as fewer companies enter the market, the corporations start increasing their costs to purchasers. Private prisons are amenable to Conservatives and correctional planners. In general, they alleviate the stress connected with construction costs, financing, and maintenance. “In 1986, there were just twenty-six hundred privately managed prison beds in the United States. By 1995, there were over sixty-three thousand. States like Tennessee considered privatizing their entire prison system” (Hallinan, 2003, 145).

4. Through their Adult Community-Based Services and The Abraxas Youth & Family Services they provide numerous programs for formerly released juveniles and adults out in the community.
5. Austin and Irwin reported the “The total amount of revenues now allocated to private prisons and jails is estimated at $1 billion” (Austin and Irwin, 2001, 65).
Privatization calls into question several ethical issues. Given that the government is responsible for arresting and adjudicating individuals, is it right for a corporation to profit from the misery of others? In private corrections, the staff often does not have the appropriate training to do their jobs. Privatization also makes it harder for the government to control what goes on in corporate-run prisons. Another problem concerns the fact that often after receiving a lucrative contract the provider will “sham” by providing fewer services or lower quality items to further enhance their profit margin. On the other hand though, why is it assumed that private is worse than public—and more importantly, that it is a states’ (country’s) innate characteristic for public penalization versus private?

Finally, numerous convicts have suffered under private-run medical care providers. Some (e.g., Prison Health Services [PHS]) have continuously run afoul of state inspectors, regulators, and DOCs. Nevertheless, DOCs have continuously renewed their contracts, and often take the position that something is better than nothing. Moreover, although copious anecdotes exist, no empirical evidence exists to suggest that convicts suffer more under private prison regimes. In short, the reality of correctional facilities these days is that one cannot really talk about a system that is either public or private. We in fact have a hybrid system where selective aspects of the prison are contracted out to the private sector.

The Shift to Privatization of Community Corrections

Despite the rather large amount of scholarship and public debate about the privatization of corrections, little has been written on private entities running community corrections services and programs, despite the fact that “nationwide there are more clients served by private, locally operating, community correctional agencies than there are prisoners in private jails and prisons” (Alarid and Schloss, 2009, 279). There are approximately “300,000 misdemeanor probationers being supervised in 10 states by private agencies” (Schloss and Alarid, 2007). On the federal level, for example, the Bureau of Prisons “contracts with 250 community centers operated by the Salvation Army, Volunteers of America, and other private agencies” (Alarid and Schloss, 2009, 279).

In order for private entities to operate community corrections programs and services, states have passed Community Corrections Acts (CCAs), “which transfer the authority for operating correctional programs from the state to local or private agencies. Local agencies and community boards are responsible for developing a range of community-based correctional options. As of 2008, 28 states have CCAs that have established community corrections partnerships between state, local, and private agencies” (Alarid et al., 2008). However, “state appropriations for full funding of these partnerships have been slow to develop compared to the overall probation growth rate. States that lack CCA legislation or funding mechanisms have contract options for the use of private agencies” (p. 280).

In general, the private agencies providing community corrections “tend to be smaller and to range widely from facilities that manage the payment of fines and track community-service hours to privately owned and operated residential facilities such as work-release and halfway houses (see Alarid, et al. 2008). They also include “[state]-licensed drug treatment programs that partner with drug courts and probation agencies [offering] group counseling to offenders as part of the public health system” (Alarid, 280).

Some of the writing in this area has been done by representatives of state departments of probation and parole (e.g., Bosco, 1998; Pullen, 1998), the head of the American Parole and Probation Association (Paparozzi, 1998); a conservative think tank (e.g., Reynolds, 2000), and a couple of pieces by scholars looking into the provision of probation services by private entities (e.g., Schloss & Alarid, 2007; Alarid & Schloss, 2009). The reports by state representatives are generally descriptive in nature, and despite the use of the word community corrections in the title, most of the discussion refers to probation and/or bail. Some of this research looks at the arguments for and against the
use of the private sector (profit and nonprofit) to provide community corrections services (Meyer & Grant, 1996). It would only seem natural that private entities wishing to expand profits would look to market segments where they could apply their expertise and turn a profit.

**The Emergence of Prisoner Re-entry as the New Policy Concern**

At the tail end of the Clinton Administration (1990s) a handful of criminal justice experts (e.g., Petersilia, 2003) and well placed USDOJ officials (e.g., Travis, 2005) argued that because of the numerous people who were incarcerated for long sentences under the War on Drugs (from approx. 1971-present), both the federal and state departments of corrections and communities would soon experience a number of prisoners returning to society. More importantly, the United States criminal justice system and communities where these excons will return are ill prepared for this effect. This phenomenon labeled prisoner re-entry is “the use of programs, practices, and strategies targeted at promoting the successful re-entry of prisoners back into the community” (Swanson, Rohrer, & Crow, 2010, 61).

Why is Prisoner Re-entry important? Approximately 7.65 million people are released from jails and prisons each year. And about 97% of all incarcerated will be returned to the streets, most whom are ill equipped to make it (Petersilia, 2003) and about two-thirds of all inmates who leave America’s correctional facilities are rearrested and sent back to prisons. In order to prevent this recycling, it has been argued that we need:

- appropriate and better programs that help prisoners to readjust,
- programs should be run by both the profit and nonprofit sector,
- the public must become more involved in the reintegration of prisoners,
- there also needs to be more coordination,
- more resources need to be allocated to successful programs.

- faith-based communities can have a role in this practice,
- and, these programs need to be evaluated to determine how successful they are.

This new found awareness led to an increase in research and advocacy on re-entry and calls for legislation that would provide resources to organizations, both profit and nonprofit, to help excons’ transition back into the community. Although administrative efforts occurred during the George W. Bush Administration to address these efforts, one of the major accomplishments between 2001 and 2009 was the drafting and passage of the **Second Chance Act**.

During the formative years of the Bush administration, the Department of Justice created the Prisoner Re-entry Initiative. “Designed as a cooperative effort among several federal agencies, it funds state re-entry programs. In addition, Bureau of Justice Assistance grants are awarded to state departments of corrections for developing prerelease services for prisoners transitioning back home” (Swanson, Rohrer, & Crow, 2010, 61).

**The Second Chance Act of 2007**

In January 2004, President Bush, in his first State of the Union address, signaled his intent to push for funding a prisoner re-entry initiative. The original bill, the *Second Chance Act of 2007,* was initially tabled in Congress in the spring of 2005 by Senator Danny Davis. Numerous hearings were held on the Act and several people and organizations testified on its behalf, including state governors who over the past two decades were feeling the pinch of the massive build up of their prison populations. The Act had a rather long and torturous history getting passed and receiving appropriate funding.

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6. This section draws on Yates (2009, 111–155).
7. The Second Chance Act of 2007 can be easily confused with the H.R. 1529, The Second Chance for Ex-Offenders Act of 2009, which concerns the expungement of criminal records for criminals.
In general, the Second Chance Act (HR 1593) received considerable bipartisan support, including endorsements from over 200 organizations. Both liberal (e.g., the American Bar Association, the Children’s Defense Fund, the National Association for the Advancement of Colored People-NAACP, and the National Council of La Raza) and conservative organizations (e.g., the American Conservative Union, the Christian Coalition, the Family Research Council, and the National Sheriff’s Association) endorsed the bill. Yates (2009, 133–136) said that proponents argued for the bill on economic, crime control and compassionate grounds.

Despite the support, there was some pushback by selected members of Congress. For example, on December 6, 2006, Senator Tom Coburn (R-OK) put a hold on the bill. He argued that “there is no federal role in prisoner re-entry,” and that his state was doing perfectly fine in minimizing recidivism and reintegrating ex-offenders back into society. According to Yates (2009), the criticisms could be boiled down into the following issues: fear of unequal competition between those who currently have both state and federal money with new entities entering into the market; fears that once the federal government starts funding the program that it will lead to increasing government subsidies in this policy sphere, a perception that prisoners were somehow given some privileged status (compared to other needy segments of society). They were distinctive by their ideological position.

In April 2008 President Bush signed the Second Chance Act of 2007 (H.R. 1593) into law. The bill in its final version is “designed to ensure the safe and successful return of prisoners to the community.” The Act, earmarked at $65 million, was intended to help state and county re-entry initiatives, fund community and faith-based groups to deliver services to ex-convicts, and encourage drug treatment programs. Finally, it is aimed at ensuring adequate housing, work, substance abuse counseling, mental health treatment and support for families and children.

In December 2009, “the Senate approved an appropriations bill for fiscal year 2010 that provides $114 million for prisoner re-entry programs administered by the Department of Justice, including $100 million for Second Chance Act grant programs and $14 million for re-entry initiatives in the Federal Bureau of Prisons. The House of Representatives passed the bill (H.R. 3288) on Thursday, December 10, 2009.”

Shortly after the passage of the legislation in 2008, a number of Requests for Proposals (RFPs) made their way to the Office of Justice Programs, more specifically the Bureau of Justice Assistance, which is responsible for administering these programs.

This initial RFP was issued in the spring of 2009. In that year, there were three funding mechanisms:

- FY 2009 Second Chance Act Mentoring Grants to Nonprofit Organizations (worth 10 million dollars);
- FY 2009 Second Chance Act Adult and Juvenile Offender Re-entry Resource Center (worth 2.2 million dollars);
- and FY 2009 Second Chance Act Prisoner Re-entry Initiative Program (demonstration grants) (worth 7.7 million dollars)

In 2009, the bill was up for reauthorization. It was relabeled The Second Chance for Ex-Offenders Act of 2009 [HR 1529].

In 2010, three new RFPs were released (with submission dates of June 10, 2010)

- “Second Chance Act technology careers – To provide technology career training to individuals in state prisons, local jails and juvenile residential facilities”
- “Grant: Second Chance Act evaluation and educational improvement - To evaluate and improve academic and vocational education for incarcerated adults and juveniles, and then recommend to the U.S. Department of Justice (DOJ) the best practices for such educational programs.

The grants were targeted towards “[states], units of local government, territories and federally recognized Indian tribes; and other public and private entities.” Up to $750,000 per applicant is allowed for the first
grant and $2.5 million is available for the second. As of this writing, the awarded grants have not yet been subject to scientific evaluations. This will happen in due course and the money for this will be task will in most likelihood be channeled through the National Institute of Justice.

In March 2009, President Barack Obama signed into law an appropriations bill that provides $25 million for Second Chance Act programs, with $15 million in grants for state and local reentry projects, and $10 million for nonprofit mentoring and transitional services for the remainder of the fiscal year. For 2010, the President has requested more than $200 million for re-entry programs, including $100 million for Second Chance Act programs administered by the U.S. Department of Justice and $112 million for those overseen by the U.S. Department of Labor” (CCA, 2010).

The Introduction of the concept of Prisoner Re-entry Industry

Predictably, both activists and concerned citizens are worried about not only the problem of prisoner re-entry, but its wider implications. The concept of the PRI was first made public and given scholarly attention in the summer of 2010 volume of *Dialectical Anthropology*. Called a forum, the issue contained a handful of articles that dealt in whole or in part with this issue. The authors of the piece introducing the special volume, in manifesto-like quality, state that “the next step in the expansion” of the PIC is the PRI. Thompkins, Curtis and Wendel claim that “Beyond the privatization of prisons and prison services, there has been a much broader and less noticeable expansion of the “Prisoner Re-entry Industry (PRI)” (2010). These writers add, “In scope, the PRI now parallels the prison system itself in its political-economic spread. And

... these institutions exercise a kind of super-authority, allowing for the continued recommitment of released prisoners to the custody of the prison industry and/or continued post-prison supervision. And

8. As of this writing, all articles in this special issue are only in electronic form, and not in print-bound format.

with the staggering rates of incarceration (and thus release), the PRI has come to control an increasing proportion of the domestic population” (Tompkins, Curtis, & Wendel, 2010). The authors note the economic importance of the PRI, commenting that it “feeds both the profits and the growing influence of the PRI” (Tompkins, Curtis, & Wendel, 2010).

Duckworth, a contributor to the special issue, commenting on the growth of the PRI states that “what began as a legitimate social need has now developed into a major federal, state, and county initiative that includes both the private and the public sector; with many of the not-for-profit agencies taking on the characteristics of the for-profit entities. And all seem to be making money!” (2010). He suggests that there are many problems with the PRI, but singles out two for discussion. The first is society’s inability to know when re-entry ends. In short, Duckworth is suggesting that we may be keeping ex-prisoners in re-entry programs too long, and extend punishment and control under the guide of “helping prisoners re-adjust to the outside world.” Essentially the fact is that for years after a person who has re-entered society and who is a fine upstanding member of society, the stigma of being an excon remains with that person for the rest of his/her life. The second area for criticism is “the professionalization of the industry.” He states that much like former drug users and abusers being good drug counselors, the persons who are best suited to help an ex-prisoner make the transition to being “an equipped, skilled, and committed former offender is usually far better able to assist another former offender through the transition phase than someone only intellectually exposed to the experience” (2010).

Vrettos (2010) “explores the moral, political, economic and philosophical reasons for the expansion of the prison re-entry industry in the United States over the last several years.” Unfortunately, this piece rambles from one idea to another. Despite its seven pages, it lacks subheadings making it difficult for the reader to understand the argument. All the research that is cited is from books, and there is little current research reviewed or cited. Although it starts by look-
ing at C.W. Mills’ argument, it ignores other important and relevant work including Christie.

Meanwhile, some of the research included in the special issue commented on how well these private entities are performing (Kleis, 2010). Kleis, for example, states that “Parolees, like other populations directly impacted by the PRI, have become targets of exploitation and coercion by those individuals and social institutions of control which has resulted in the development of the PRI, and a para-prison system” (p. 1). Other research (Speck, 2010) looks at how well excons do when they go to work in human services’ organizations. Speck, for instance, points to the historical legacy of the war on poverty when, through grants made available during the Johnson administration, people started to work in the human services’ sector.

Admittedly, criticizing the re-entry movement is not easy. Many well respected and well meaning individuals work hard not only as parole officers, but as administrators of programs trying to help excons. Also, many of these people and the organizations they work for expended considerable resources in order to pass the Second Chance Act. In short, their hearts are in the right place. Those taking up the challenge of criticizing this aspect of re-entry must be careful not to bite the hand that feeds them, and this in part may temper the criticism and analysis of these authors.

Problems with the Current Rendering of the Prisoner Re-entry Complex and the Comparisons with the PIC

Introduction

Although the PRI concept makes intuitive sense, as the current literature and critique stands, it has eight distinct drawbacks including:

- It does not recognize that privatization of re-entry is an old concept.
- It fails to take into consideration the net widening thesis.
- Writers make unsupported claims and there is some conceptual confusion connected to the PRI concept.
- No attempt is made to determine the amount of money that private re-entry-related organizations earn.
- The role of faith-based community organizations is ignored.
- Privately-run halfway houses are omitted.
- The Second Chance Act is missing from discussion.
- And, most importantly, they may be overstating the case.

Privatization of re-entry is not new

The authors fail to take into consideration the long history of the privatization of re-entry. There is an implicit assumption that prisoner re-entry is a new concept and somehow developed in the last seven years with the publication of two seminal books (e.g., Petersilia, 2003; Travis, 2005) and the introduction of new federal legislation (e.g., Second Chance Act). At the very least, the privatization of re-entry dates back to the period when ship captains were paid a fee to transport prisoners to the British colonies (e.g., United States, Australia, and New Zealand) to work as indentured servants. The history of research on the privatization of re-entry efforts includes scholars (e.g., Lucken, 1997), and the efforts by the National Institute of Corrections to understand the privatization of community-based corrections (e.g., Lenzoff, 1998).

Failure to take into consideration the widening of the net argument

Another difficulty with many of the more recent community corrections programs is a concern with net widening (e.g., Austin and
Krisberg, 1981; Cohen, 1985). Although the numerous diversion and community-based corrections programs may on the surface appear to be benign, they can also have the negative effect of placing more people under the watchful eye of the criminal justice system, leaving them with the lifelong stigma that a criminal sanction (e.g., charge and conviction) produces, which can dissuade employers from hiring them and some educational institutions from allowing them entrance.

**Specious claims/conceptual confusion connected to the PRI concept**

The two dominant essays make questionable claims. Thompkins et al. (2010) state, “In scope, the PRI now parallels the prison system itself in its political-economic spread.” But these authors do not provide evidence to support this. Duckworth (2010) suggests that many of the not-for-profit agencies are “taking on the characteristics of the for-profit entities. And all seem to be making money.” Unfortunately, he does not provide evidence of this state of affairs. Also missing from the current analysis is an attempt to distinguish between a Prisoner Re-entry Complex, from say a Prisoner Re-entry Industrial Complex, and what that would mean.

**No attempt is made to determine the amount of money these organizations make**

One of the biggest beneficiaries of the PRI may very well be the numerous private contractors that provide housing, vocational skills training, and psychological counseling to excons in the community, not to mention the numerous hardware and software providers that sell items that allow entities to track and monitor excons. One of the more promising studies is Kubiak, Arfen and Gibson (2009), who administered a survey to determine the purchasing behavior of states with community-based treatment programs. It was sent to state

Departments of Corrections to determine their buying behavior of community-based drug treatment. Unfortunately, beyond this study, data has not been accumulated on this trend. For example, we know that many private companies are benefitting from drug testing, and with a cost of $15–20 each time a sample is processed, that is a big industry, especially if it doesn’t produce any positive benefits (i.e., no deterrent effect).

If the most deleterious effect of the PRI is that these agencies, etc., are mainly established to increase the bottom line of the providers, or companies in search of new markets to exploit, and a secondary if not tertiary concern is helping prisoners, then it is incumbent on the authors to do an analysis of the total amount these organizations have earned. Neglected from this discussion are the numerous sub-industries that benefit from prisoner re-entry. A whole host of tertiary actors profit from re-entry such as instructors, those who write books, and a whole research industry that both professors and research outfits, also known as beltway bandits, participate in.

**The role of faith-based community is ignored**

Despite the US constitutions’ fostering of a separation between Church and State, the Second Chance Act had a prominent role for faith-based organizations. There are plenty of critics of this kind of partnership (e.g., Wineburg, 2007). The biggest argument was that the job of the state would now be shifting over to religious organizations, and some believed that the faith-based organizations were ever too happy to take on this extra burden as it meant more resources into their coffers and a chance to proselytize and increase their ranks. Indeed, many churches and other religions organizations have tried to get on the re-entry gravy train. Over the past four years in American prisons, there have been attempts to integrate more religious programming (primarily Christian) and to get faith-based communities involved in prisoner re-entry programs. This may include the promise of housing.
meals, and work once the prisoner is released. Although there is a long history of the religious community’s involvement with prisons, this current iteration can be traced back to the time when former president George W. Bush was governor of Texas. He allowed the Prison Fellowship Ministries (led by Charles W. Colson, a former convict, who had done time because of his role in the 1971 Watergate break-in scandal) entrance into the Texas Department of Corrections to run a program called InnerChange Freedom Initiative, which was “a Bible-centered prison-within-a-prison where inmates undergo vigorous evangelizing, prayer sessions, and intensive counseling” (Kleiman, 2003). To date, there have been few evaluations of the success of these programs. One of them, produced by the University of Pennsylvania’s Center for Research on Religion and Urban Civil Society, that touted the program as a success was severely criticized for selection bias (Kleiman, 2003). Meanwhile, several of the programs have been under the watchful eye of civil libertarians because of allegations of using state funds for religious purposes (Henriques & Lehren, 2006). As most excons know, not just corporations benefit from re-entry. States and federal correctional departments have allowed faith-based groups to profit (access federal money) for re-entry programs.

**Halfway Houses that are run by private entities are omitted**

A whole panoply of not-for-profit organizations runs halfway houses and residential treatment centers, such as the Salvation Army, Volunteers of America, the Pennsylvania Society, Good Will Mission, St. Leonards, and Dismas House. “Under this umbrella term come a number of programs and functions, including halfway houses, prerelease centers, community correctional centers, community treatment centers, and restitution centers” (McCarthy & McCarthy, 1997, 236). They “are designed to help ex-offenders [move] from confinement to the community. They may also be used to aid other offenders who are being supervised in the community and who are in need of more structure and

supervision in a community residential setting” (McCarthy & McCarthy, 234). The most up to date research is a survey conducted in 1982 (Latessa & Allen, 1982) which determined that there are 900 halfway houses in the United States and that 90 percent of them were privately owned. Predictably, “halfway houses vary considerably... The two opposing end points of the continuum are the supportive programs [that] tend to have few professional staff members, offer few, if any, counseling services, and [are] geared toward resource identification for offenders” (McCarthy & McCarthy, 240). Few if any program evaluations of halfway houses at a national level have been done.

**The Second Chance Act missing from consideration**

Nowhere do the authors of the special issue consider the impact of the Second Chance Act, which is the primary funding mechanism for re-entry programs. The Act is perceived to be value neutral. Moreover the possibility that the act (especially the monies dispersed) may be fueling a prisoner re-entry industrial complex is ignored.

**Perhaps they are making a mountain out of a mole hill?**

Currently the dollar value of grants and contracts spent by the federal government on re-entry is not that high, particularly in comparison to other more prominent sectors of the economy (e.g., military). Moreover, if one was to look at budget-related expenses at the Department of Justice, then you would be quick to conclude that prisoner re-entry programs make up a tiny percentage of all programs. The lion’s share of the budget goes to homeland security-related and law enforcement initiatives and not into anything that resembles prisoner rehabilitation. Additionally, although large well known multinational corporations such as Maximus and Lockheed Martin derive significant income from supporting the federal government and states in areas
such as welfare management, and although you have one or two who are doing electronic monitoring of inmates (e.g., General Security Service Organization), few large corporations appear to be searching out ways to make large sums of money providing re-entry related services and programs.

Moreover, “[an] “industry” is a major arena of economic activity, one on which societies and communities become significantly dependent. If re-entry, and community corrections in general, offers little more than “niche market” opportunities (i.e., smaller agencies operating on small budgets as opposed to large corporations), it becomes more difficult to argue for the existence of an industrial complex.”

Summary

In short, the opportunities to make money in the re-entry field are almost endless. However, the recent scholarly research to date, that examines the existence and growth of the PRI, suffers from a number of shortcomings in terms of documentation and breadth, and overgeneralization. This state of affairs, however, does not mean that the PRI is wrong, but that the scholarship should be interpreted as the start of a conversation, and not an end in itself.

Conclusion

As concerned citizens, we must be on guard for the nexus of both private and public sectors which feed off each other when their original mission becomes secondary to their modus operandi (i.e., staying afloat financially). Everybody seems to be happy with re-entry as long as their organization is getting money, and their bills are being paid. Another

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9. Personal Correspondence Mike Johnson (2010).

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revenue stream keeps social workers and lay workers employed. Our primary task, however, is to find excons appropriate jobs, education, housing and medical care immediately and not simply line the pockets of corporations and nonprofit organizations.

Introducing concepts that allude to the negative consequences of this arrangement (i.e., PRI) which are poorly or inadequately argued, however, is problematic and only fuels the fires of critics of re-entry. In general, the scholarly literature is quite clear on what the important component parts of successful re-entry are (e.g., appropriate job and housing, shift in orientation to developing a concern for others) (e.g., Maruna, 2001), but we lack the ability to accomplish this. To begin with, we must realize that the Prisoner Re-entry Industry is not simply an unintended consequence of Second Chance Act as there was considerable intentionality.

How then can we develop a sophisticated critique of prisoner re-entry? In order to move forward, a responsible critique needs to do the following:

- Recognize that privatization of re-entry is an old concept and process and must be adequately integrated into a critique.
- Understand just how the expansion of re-entry processes can contribute to net widening.
- Insure that claims about the downsides of re-entry are properly argued.
- Rigorously determine the amount of money private re-entry-related organizations earn.
- Examine the role that faith-based organizations and privately run halfway houses have in re-entry.
- Determine just how much the Second Chance Act has contributed to expanding re-entry.
- And, make sure that claims are based on empirical and not anecdotal evidence.
I close this chapter with the following provocative idea. It is not meant to solve a problem per se, but to force readers to think about a contextualization of the dilemma we are in. Mass imprisonment, and the economic opportunities it brings with it, appeals to punitive and “free market” oriented conservatives, while “liberals” may be more inclined to subscribe to the military, criminal justice system and correctional “industrial complex” critiques and be more supportive of a seemingly humanitarian push for re-entry and community corrections.

However, those of us who believe that ex-cons can lead successful lives with the right kind and amount of support may be succumbing to the criminal justice industrial complex that so many of us criticize.¹⁰ But in order to make this critique, one must present one’s information in a more coherent fashion, built upon sound scholarly research and empirical evidence and not on opinions and conjecture.

References


¹⁰ Personal Correspondence Mike Johnson (2010).


