



Reentry and the Social Compact

“Becoming free is a process of social integration.”¹

Mass incarceration, as the journalist Nicholas Dawidoff has recently written, means mass reentry.² But the term “reentry” is itself flawed, the trouble starting with the prefix: *re*. What are most people coming out of jail or prison reentering to?

« *Talk of “second chances” is endemic, but many people never got a first one.*

Governments and philanthropy have made important investments in reentry programming in recent years, and there have been pockets of innovative programming. The federal government has worked to address the obstacles that stand in the way of integration, yet the investment falls far short of what is needed to support the millions released from jails and prison each year.³ Moreover, the commitment is dwarfed by the towering amounts local, state, and federal governments pay each year to lock people up—\$80 billion is the official measure from the Bureau of Justice Statistics,⁴ but in 2017, Prison Policy Initiative estimated the *true* cost to be more than double that: \$182 billion.⁵

Talk of “second chances” is endemic in reentry programming, but rarely do we recognize that many people sentenced to jail or prison never got a first one. Perhaps we should think of the goal for people returning as *entry*, an overdue acknowledgement of the necessity of social integration. Daunting, yes, but less so when weighed against what we currently spend to incarcerate—and reincarcerate—people in a self-perpetuating cycle.

Building a different cycle was the focus of a recent convening of leaders of organizations from across the country working to support and integrate people returning from incarceration. A wide range of initiatives was highlighted—from an income support program administered by CEO,⁶ to efforts, since successful, to have Medicaid authorized to cover some of the health needs people have before being released from incarceration.⁷ The goal at all times was asking: what approaches are working, and what can be brought to scale?

« *The term itself is flawed: What are most people coming out of jail or prison reentering to?*

Authors

Matt Watkins, Senior Media and Policy Advisor: watkinsm@innovatingjustice.org

Jessica Yager, Project Director, Red Hook Community Justice Center: jyager@innovatingjustice.org

Across the day-long discussion something of a consensus emerged that building a different cycle—of integration, not reincarceration—must start with two overarching priorities: ensuring access to **safe, stable, and humanizing housing**, and to **treatment and therapy** to address the trauma that often predates incarceration, and always accompanies it.

As Megan Quattlebaum, director of The Council of State Governments Justice Center, summed up a theme of the day: reformers must think both bigger—about the structures and systems that shape a person’s experience when they come home—and smaller: about the human cost of incarceration and the individual experiences that lead up to it. Without a focus on the cornerstones of housing and treatment, most efforts at integration for returning citizens, no matter how well intentioned, will fail.

Think Bigger: Housing Justice is Criminal Justice

For people leaving prison or jail, housing is the factor that will dictate everything else: proximity to family, positive support systems, health care, economic opportunities, and on and on. Research has repeatedly shown that all measures of wellbeing suffer when people are unhoused or unstably housed.

Yet we fail to offer people returning from incarceration a genuine opportunity to acquire this critical first building block. To cite evidence from just one state, in New York, according to the Department of Corrections and Community Supervision, among everyone released to community supervision in 2021, almost one in four went directly to shelters; another 8 percent were categorized as “undomiciled.”⁸

« *Housing is the critical first building block.*

People coming out of prison and jail are returning to a world where the demand for affordable housing far outstrips the supply. Added to that challenge, they confront a host of formal and informal barriers to accessing housing, from restrictions against living in public housing to discrimination from landlords.

A number of organizations are facing these challenges head on—working to reduce barriers and to expand housing opportunities for people coming

home, recognizing the centrality of stable housing to wellbeing post-release:

- In New York City, the **Osborne Association’s Kinship Reentry Program** takes a novel approach to reentry housing by subsidizing families who welcome a returning family member into their homes. Family support and reintegration can be critically important for success upon reentry, but often families struggle with the financial burden of sheltering a returning relative. By providing financial assistance, as well as peer and social service supports, to people exiting prison to live with family members, the Kinship Reentry Program solves multiple problems at once: it helps someone secure stable housing in a difficult housing market; it strengthens familial bonds and networks, central to stability and success; and it provides a financial benefit to participating families.
- In California, **Impact Justice’s Homecoming Project** leverages the sharing economy to provide a stable launching pad for people leaving prison following long sentences. The Project provides stipends for up to six months to homeowners who house people coming home from prison and provides a robust screening and matching process as well as ongoing supports for participants. During this period, participants work with the Homecoming Project team to secure permanent housing and employment. Not only do participants have a home to return to but they also often create healing bonds with their new roommates. As Impact Justice President Alex Busansky explained: “We thought we were building a housing project—we built a relationship project.”
- Landlords increasingly delegate decisions over tenant-selection to third-party tenant-screening companies. The **National Housing Law Project** is working to ensure the federal Fair Housing Act applies to those companies. While the Act makes clear that landlords and other real estate professionals cannot discriminate in the provision of housing, it has not been established that that same standard applies to screening

companies. A critical fight to address barriers that people with criminal records face as they attempt to reestablish their lives, the National Housing Law Project and the Connecticut Fair Housing Center are currently litigating this issue in federal court.

« *“We thought we were building a housing project—we built a relationship project.”*

Housing can play a decisive role in whether someone is re-incarcerated. That means advocating for more and better reentry housing options is squarely an issue of criminal justice reform. Organizations working in the criminal justice space should make common cause with more traditional housing-focused groups to advocate for a supply of affordable housing that meets the demand and for policy changes to remove barriers to accessing housing for people with criminal records.

Building a reentry model that genuinely sets people up to succeed will require overcoming the silos that too often prevent holistic, transformative approaches. Everyone from government actors, banks, and funders to advocates and, most importantly, people with lived experience of reentry must collaborate to tackle the range of issues reentry and housing challenges create. No single housing, corrections, or nonprofit agency can do this work alone.

Think Smaller: Trauma, Treatment, Healing

Reentry efforts can fail because they don't recognize the systemic factors—such as barriers to stable housing—that make people vulnerable to renewed involvement with the criminal legal system. They can also fail because they ignore the impact of trauma—often decades of unaddressed experiences of deprivation, violence, and racism—on human wellbeing and decision-making.

As highlighted in a presentation from Carrie Pettus of [Justice System Partners](#), trauma as a precursor to jail or prison and then as a corollary of incarceration itself is a near-universal experience. Untreated trauma can change the very structure of the brain, a process that risks being accelerated by the destabilization of reentry—being unhoused, or unstably housed, for one. This makes it more likely that the manifestation of trauma symptoms will

be criminalized, leading to trauma-compounding arrests and reincarceration.

Yet the plasticity of the brain goes both ways. As a growing body of evidence confirms, with treatment, individual healing and growth are possible, as is a significantly reduced possibility of reengagement with the criminal legal system.

Here are two examples of organizations working to disrupt the cycle of trauma and incarceration:

- With seven sites on the east coast, [Roca](#) focuses on the young people at the center of urban violence: primarily young men between the ages of 16 and 24 with prior legal system involvement judged at the highest risk for shooting or being shot at. Given the risks, it is a population many organizations are reluctant to take on. Roca's goal is to build “transformational relationships,” painstaking work unfolding on a different timeline from that of the criminal legal system. It can take eight to 10 door knocks before outreach workers get someone to even open the door, and once engaged, relapse is understood to be part of the process. “The layers of trauma on top of each other can be catastrophic,” explains Andrea Harrison, the assistant director of programming at Roca's Baltimore location.”⁹ Roca's model stretches over four years emphasizing responding to trauma and cognitive behavioral therapy. In Massachusetts, 70 percent of young men in the program did not recidivate within the next three years, an almost 50 percent reduction in the state's three-year recidivism rate.
- In California, the [Anti-Recidivism Coalition](#), or ARC, works with both currently and formerly incarcerated people with a particular focus on reentry. Four of five of its more than 100 staff members are formerly incarcerated, including its director, Sam Lewis. Reentry planning and case management begins for ARC while people are still on the inside. Hope and Redemption Teams, consisting of people paroled from life sentences, work inside state prisons and juvenile detention facilities. Using a credible messenger approach, these teams create space for people to confront some of the causes of their behavior and learn coping skills. Along with pathways to employment, after release ARC offers mental

health support via individual and group therapy covering areas from anger management and support with substance use, to cognitive behavioral therapy and managing interpersonal relationships.

« *“The layers of trauma on top of each other can be catastrophic.”*

A truism of this work, though a rarely honored one, is that planning for reentry should commence at the same moment as someone’s sentence. That preparatory work should also incorporate efforts to make prisons and jails themselves less traumatic institutions. As Roca has recognized through its work with correctional guards, this also means taking seriously the trauma experienced by those working behind bars, for their trauma contributes to the toxic environment of so many of these institutions.

As people leave prisons and jails, swift connection to mental and behavioral health services, as well as to other social service needs, can not only provide stability, it can be literally lifesaving. Governments can help in this effort by investing in community-based reentry initiatives, funding nonprofits offering high-quality services addressing a range of needs. WAGEES, a Colorado-based grant program for community-based reentry services highlighted at the convening, is administered by the state Department of Corrections. A robust approach to parole support, this reentry-dedicated funding supports local nonprofits who work closely with people returning to the community to ensure successful integration.¹⁰

Conclusion

Incarceration—especially for the long periods which this country is uniquely wedded to imposing¹¹—is a form of civil death, an exclusion from the rights, privileges, and security enjoyed by citizens not similarly marked by the stain of justice-involvement. But for the millions who experience incarceration each year, their effective exclusion often began long before their encounters with the criminal legal system and, given incarceration’s countless collateral consequences, will long outlast their release from confinement.

Reentry—or, as we have suggested, *entry*—is a process, one fraught with challenges both structural and individual. It is our contention that process must start by meeting immediate physical and psychic needs: access to housing and to trauma-responsive care. With that foundation secured, the other deep work of reentry can begin.

Endnotes

1. Bruce Western, *Homeward: Life in the Year After Prison* (Russell Sage Foundation, 2018), 27.
2. Nicholas Dawidoff, *The Other Side of Prospect: A Story of Violence, Injustice, and the American City* (W.W. Norton & Company, 2022), 283. Prison Policy Initiative estimates 610,000 people are released from prison each year, with a staggering 10.2 million releases annually from jails. Prison Policy Initiative, 2022. “Since you asked: How many people are released from each state’s prisons and jails every year?” <https://www.prisonpolicy.org/blog/2022/08/25/releasesbystate/>
3. The White House, April 28, 2023. “Fact Sheet: Biden-Harris Administration Takes Action During Second Chance Month to Strengthen Public Safety, Improve Rehabilitation in Jails and Prisons, and Support Successful Reentry,” <https://www.whitehouse.gov/briefing-room/statements-releases/2023/04/28/fact-sheet-biden-harris-administration-takes-action-during-second-chance-month-to-strengthen-public-safety-improve-rehabilitation-in-jails-and-prisons-and-support-successful-reentry/>; see also: The National Reentry Resource Center, <https://nationalreentryresourcecenter.org/reentry-council>.
4. PBS News Hour, April 7, 2021. “The U.S. spends billions to lock people up, but very little to help them once they’re released,” <https://www.pbs.org/newshour/economy/the-u-s-spends-billions-to-lock-people-up-but-very-little-to-help-them-once-theyre-released>.
5. Prison Policy Initiative, 2017. “Following the Money of Mass Incarceration,” January 25, 2017, <https://www.prisonpolicy.org/reports/money.html>.
6. Center for Employment Opportunities, 2023. “Returning Citizens Stimulus,” <https://www.ceoworks.org/rcs>.
7. Centers for Medicare & Medicaid Services, April 17, 2023. “HHS Releases New Guidance to Encourage States to Apply for New Medicaid Reentry Section 1115 Demonstration Opportunity to Increase Health Care for People Leaving Carceral Facilities,” <https://www.cms.gov/newsroom/press-releases/hhs-releases-new-guidance-encourage-states>

- [apply-new-medicaid-reentry-section-1115-demonstration.](#)
8. John J. Lennon, 'How Do People Released from Prison Find Housing?' *The New York Times*, March 31, 2023, <https://www.nytimes.com/2023/03/20/realestate/prison-parole-housing-shelters.html>.
 9. Quoted in: New Thinking from the Center for Justice Innovation, "When Young People Go to Prison for Life," February 14, 2023, <https://www.innovatingjustice.org/publications/juvenile-prison>.
 10. For more on WAGEES Colorado, <https://wageesco.org/>. The Latino Coalition, one of the organizations represented at the reentry convening, is the intermediary for the WAGEES project.
 11. Lila Kazemian, Council on Criminal Justice, 2022. 'Long Sentences: An International Perspective,' <https://counciloncj.foleon.com/tfls/long-sentences-by-the-numbers/an-international-perspective>.

Acknowledgements

Many thanks to Julian Adler for helping to shape the ideas behind this project and to Samiha A. Meah for designing the document. Thanks as well to Judge Karen Friedman and Carson Whitelemons for feedback on earlier drafts.

Photo credit: Duke University School of Law