

Alternatives to Incarceration

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Abstract

While previous research has sought to evaluate prisoners' perceptions of various alternatives to imprisonment, most have centered on the prisoners perspective as to the perceived severity of the alternative punishment. This research is quite different, as the proposed alternative does not seek to punish but rather to rehabilitate. The proposed alternative argues that military enlistment be utilized as an alternative to incarceration we intend to determine if prisoners would welcome such an alternative. Researchers have identified a correlation between military service and desistance from crime among youths, many of whom have had delinquent pasts. This current project is intended to expand upon the life course perspective as the military can act as a "rehabilitative agent" which will act as a hook for change, thereby facilitating desistance from criminal behavior. In the current study, we argue that military service can facilitate social bonds, promote prosocial network contacts, and teach skills necessary for successful integration into the dominant society. Because of the benefits military service offers, it is hypothesized that prisoners will be receptive to such an alternative to incarceration. Through our interviews with prisoners at a minimum security facility in Kentucky, we discovered that indeed prisoners overwhelmingly would welcome such an alternative.

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Alternatives to Incarceration

Crime continues to be a major concern within American society. Increasingly, society has been relying nearly exclusively on imprisonment as its principal response to crime, although this has not always been the case. Each year, under the assumption of making citizens safe, our nation imprisons thousands of people, often for petty non-violent offenses (Irwin and Austin 1997). Of the more than 2 million people incarcerated in state and federal prisons in 2002, some 49%, or close to 1 million, were serving time for non-violent offenses, often crimes against property, drug crimes, or public order offenses (Bureau of Justice Statistics 2005).

The United States has 5% of the world's population but currently incarcerates 25% of the world's prisoners (Gottschalk 2002). Furthermore, over half of the intakes to prison every year are recidivists from past criminal justice interactions; consequently the effectiveness of corrections is frequently questioned. This obvious ineffectiveness has led some to identify the criminal justice system as a "perpetual incarceration machine," where offenders are repeatedly recycled from prison to parole only to be returned back to prison (Richards, Austin and Jones 2004; Dyer 2002). For many Americans today, the shadow of the prison walls loom largely on the horizon as a trip to prison, or jail, has become an "expected or accepted part of life" (Irwin and Austin 1997 p. 156).

The "tough on crime" movement promised relief from high crime rates, unsafe streets and communities, along with relief from the ever growing drug epidemic. As a result, society has chosen to punish criminals rather than to try to convert them into better citizens, thereby investing resources in the construction of prisons rather than in programs that could be designed to reduce the need for prisons. This guiding correctional philosophy has produced 25 years of explosive growth in the nation's prison population. Therefore, our country's prison system has

experienced unprecedented growth. In 1980, there were less than a half a million people in the nations prisons; today, there are over 2 million people incarcerated in prison nationwide (Richards, Austin and Jones 2004). In the 10 year period beginning in 1985, federal and state governments opened one new prison per week to cope with the flood of new prisoners (Mauer 1999).

This massive growth, according to Tewksbury and Demichele (2003), can be seen as proof that the criminal justice system is more concerned with controlling and incarcerating individuals while not giving much deliberation as to the rehabilitation of offenders. This “incarceration binge” has been, perhaps, the most thoroughly implemented social program of modern times (Currie 1998). Therefore, it becomes a paramount concern to propose, evaluate and put into operation programs and/or intermediate sanctions that will assist with the rehabilitation of offenders (Tewksbury and Demichele 2003).

The current project is intended to expand upon the life-course theory which emphasizes the idea of “turning points.” We propose an alternative correctional policy that holds great potential to facilitate and sustain criminal desistance. It is proposed that enlistment in the military should be considered by policymakers as an alternative to incarceration.

Change, the life course theory & the military

Behavioral change is the foundation of the life course theory in criminology. The life course theory advanced by Sampson and Laub (1993; 1996; Laub and Sampson 2003) hypothesizes that criminal desistance is facilitated and sustained by increasing an individual’s bonds to conventional society. More specifically, the focus on change is principally concerned with the ways in which “turning points” can change an individual’s life course offending trajectory. This theory explains that as individuals advance through life, they often experience

age-graded turning points. These turning points often redirect individuals out of previously established criminal offending patterns (also see Wright, Carter and Cullen 2005). These events can be in the form of marriage, a job, and entry into the military or even incarceration (Sampson and Laub 1993). Overall, Sampson and Laub (1993) argue that, “changes that strengthen social bonds to society in adulthood will lead to less crime and deviance. Conversely, changes in adulthood that weaken social bonds will lead to more crime and deviance” (p.20). Based on this theory, incarcerating people for the sake of punishment will only result in the weakening of the offenders’ social bonds; consequently, the individual is more likely to continue to violate the rules and laws of society. As a result, it has been suggested that society needs to incorporate a series of programs that would assist in welcoming prisoners back into the structure of society (Laub and Sampson 2003). Several researchers have identified a correlation between military service and desistance from crime among youths, many of whom have had delinquent pasts (Sampson and Laub 1993; Bouffard 2003; Mattick 1960). Unfortunately, there is little research which has attempted to examine the influence of military service on later criminal behavior.

According to Mattick (1960), military service provides a setting which is favorable for the rehabilitation of prisoners. While military service as an alternative to incarceration may seem like a controversial and novel approach, it has been utilized to some degree in the past. Mattick (1960), for example, discovered that from 1940 through 1947, the state of Illinois paroled 2,942 men from prison into the U.S. Army. Of the 2,942 prisoners who took part in this program, only 3.4 percent violated the terms of their parole while in the military. An 8-year follow-up study of the parolees revealed a recidivism rate of only 10.5 percent; those who received traditional parole during this same time period had a recidivism rate more than 4 times higher than those who were paroled to the military. Mattick (1960) concluded, “what has been said about the

program of paroling men to the army is not only another documentation of the failure of the traditional methods of dealing with prisoners, but it is also an indication of the direction toward which modern correctional systems must direct their efforts if some of the disabling effects of those traditional methods are to be overcome” (p. 53-54). Furthermore, “the fact that this experiment in the field of corrections was more of an outgrowth of necessity than rational design does not alter the fact that it was a *successful experiment* with a new concept of parole” (emphasis added) (p. 54).

It needs to be noted that the military often rejects recruits with criminal backgrounds. Salerno (1994) suggests that this may be the result of character disorders and the problems of authority often found in criminals. Recently, as the military has been struggling to meet its enlistment goals, they have been permitting select persons to enlist via “moral waivers.” These waivers are a type of review process where the military evaluates individual recruits who ordinarily would be disqualified from serving due to possible history of drug or alcohol abuse, criminal records, emotional problems, and weak educational backgrounds. This process may take from one to six years. The Army, according to Kitfield (2007) will require approximately 84,000 new recruits in 2008 alone. Of the new recruits in 2006, approximately 15% (or 8,202 recruits) had obtained moral waivers. Of the moral waiver recruits, over 1,000 of them were for felony convictions and another 1,063 recruits obtained drug and/or alcohol waivers. “[S]o the nature of demographics dictated that we were going to have a tough time if we didn’t adjust our standards....we had to expand the pool of potential recruits” (Col. Don Bartholomew, US Army, cited in Kitfield 2007). In addition to being a potential facilitator of sustained criminal desistance, a program such as the one proposed in the current paper also offers the armed services a ready supply of willing recruits.

The high frequency of criminal record waivers, along with increased public concern over the lowering of standards for military enlistment, prompted the House Oversight and Government Reform Committee in coordination with the United States Army to conduct an internal study to evaluate the records of those who had acquired moral waivers. The results released in 2008 show that in comparison with traditional enlistees, those who obtained criminal waivers had a slightly higher desertion rate (4.26 percent vs. 3.59 percent) and had a higher misconduct rate (5.95 percent vs. 3.55 percent). But these enlistees also were more likely to re-enlist (28.48 percent vs. 26.76 percent) and were promoted to sergeant faster (after 34.7 months vs. 39 months). Overall, the study concludes that those recruits who had prior legal problems appear more committed to their service once inducted and are acceptable soldiers despite their past histories of offending (Baldor 2008).

Claims that the judiciary has given the individuals the option of military enlistment as a diversion to imprisonment have been circulating for decades; unfortunately, other than antidotal accounts, there does not seem to be any documentation of this type of program ever happening, with the exception of one program during WWII (Mattick 1960). In fact, recruiting regulations for all branches of the armed forces, with the exemption of the Navy, clearly state that in one form or another that “applicants may not enlist as an alternative to criminal prosecution, indictment, incarceration, parole, probation or other punitive sentence. They are ineligible to enlist until the assigned sentence would have been completed” (U.S. Marine Corps Recruiting Regulation MCO P1100.72B ch.3 sec2 part H, paragraph 12). Implementing military enlistment as an alternative to incarceration would then also require significant changes to established military policy.

Several other issues related to the military are relevant to this proposal that future research must address. These issues include, but are not limited to, the fact that veterans who are currently returning from battle are at a high risk for the development of Post-Traumatic Stress Disorder and unemployment (Bowling and Sherman 2008), along with the well documented insufficiencies in medical care available to the heroic military personnel (Naybeck 2008). These are undoubtedly sensitive issues in need of specific academic focus, but these factors are outside the scope of this essay promoting an alternative criminal justice policy consistent with the life course theory of criminology. Furthermore, in discussions with military officials several pointed out that during the years which the military draft was part of law, many of the drafted recruits often lacked the character traits of value and commitment (authors notes) and this was often a problem. Many felt that basic training along with advanced individual training would be the catalyst to change most any offender. Therefore, the DOC, in conjunction with the Department of Defense, should design research that assesses the characteristics of prospective offenders who could be chosen for a pilot program of this degree. The current research is intended to expand the debate as to alternatives to incarceration and to determine if prisoners would consider such an alternative as a valuable element of their behavioral change efforts.

There is little research which has attempted to examine the influence of military service on criminal behavior and/or desistance from such behavior, but even less attention has been paid by policymakers as to the rehabilitating possibilities of military service. “Despite evidence that such large-scale interventions can and do work, today’s climate on social policy... has regressed to the point at which, for some segments of society, imprisonment is the major governmental intervention in the transition to young adulthood” (National Research Council 1993; cited in Sampson and Laub 1996). Elder (1986) points out that it is a difficult task to recognize

mechanisms and or programs that make it possible for men and women to turn their lives around. For prisoners who come from disadvantaged backgrounds, “disadvantage tends to invite more disadvantage” (p. 234). Historically, enlistment in the Armed Forces has been an attractive option for young men who have lost a sense of direction, as recruits have a tendency to comprise a lopsided percentage of men from underprivileged backgrounds. Elder (1986) points out that this is often due to the fact that within the military, recruits are provided with a positive self image, positive role models, assertiveness training and group support.

Additionally, Caspi and Moffitt (1993) point out that research on the learning-theory model of punishment implies that punishment is unproductive for reducing motivated behavior unless some other behavior is presented. For that reason, they theorize that change within the life course as a result of military enlistment for people with delinquent backgrounds, often results when earlier responses or behaviors are enthusiastically discouraged while at the same time clear direction is provided about how to behave accordingly. In this regard, the military is often seen as a total institution as it requires a new way of thinking and behaving for new recruits.

These facets of the military life hold substantial potential to be a hook for change that promotes cognitive change in many offenders (Giordano et. al. 2002; Elder and Caspi 1990). This cognitive change often begins with the “knifing off” of past experiences. Within the military, previous personalities are discouraged, including social stigmas such as bad grades and criminal records (Janowitz 1978). Therefore, the military has the ability to provide a new set of social opportunities and is one of the few social institutions with the capability to initiate long-term change. This change begins immediately when the recruit enters basic training. At this time, the recruits are separated from their past environments and placed in a highly structured environment where they are given clear direction as to how they are expected to behave. This

comes in the form of standardized uniforms, equality, reduced individualization, along with rewards being based on group achievement. In short, the military makes any acknowledgement of prior identities of self, irrelevant as individuals are denied the possibility to resist this change they *must* conform to the group (Elder and Caspi 1990)

Learning to change in the military is but one example of what Caspi and Moffitt (1993) refer to as *secondary socialization*. This is the course of action taken when an individual is inducted into a new segment of society. “In the course of such induction, we acquire new role-specific behavior, but we must also abandon previous subjective realities. Individuals must shed past points of reference in order to realize possible selves. For many, the military can provide a time-out, it releases the recruit from their past and transports the individual in new social role in which they can form a new identity” (p.265-266). These changes are recalled in the memories of several veterans who stated; “I got a lot of satisfaction of being able to go through boot camp. Gone was all my old disciplinary rebellion that I had in high school” while another points out that “the Army was a place to be for awhile, a place for sorting out self” (Elder 1986 p. 236).

Alternatives to Incarceration

As a result of the aforementioned imprisonment binge, most prisons began experiencing widespread overcrowding. Several states in the south were ordered by Federal mandate to either relieve the over-crowding of the prison system or adapt other form of corrections (Petersillia 1998). This gave birth to the concept of “intermediate sanctions.” Intermediate sanctions are the end result of the idea that imprisonment and probation are both used excessively, with a near nothingness of options in between the two (Morris and Tonry 1990). It was argued that these intermediate sanctions could relieve over-crowding, enhance public safety and rehabilitate offenders, all this while producing cost saving to the jurisdictions which imposed them

(Petersillia 1998). If at all possible, jurisdictions sought to devise intermediate sanctions that include an ample amount of retribution while protecting the public (Petersillia and Deschenes 1994).

During the 1980s', as a consequence of the abovementioned over-crowding within numerous state prisons, many jurisdictions began exploring intermediate sanctions as a response to crime. Morris and Tonry (1990) argued that imprisonment and probation are both used exceptionally, with a near emptiness of useful alternatives in between. They argued that judges should be allowed a more graduated sentencing system that offers an array of intermediate sanctions including fines, community service, electronic monitoring, house arrest, intensive probation and boot camps. This, they felt, was crucial as different punishments will be perceived differently by various criminals.

These intermediate sanctions came to be known collectively as intensive supervision probation (ISP). These programs came about, as Morris and Tonry (1990) argue, when judicial responses to crime are restricted to confinement and traditional probation. For this reason, the least severe offender committed to prison encounters a considerably more severe penalty than the most serious offender sentenced to standard probation (Morris and Tonry 1990). Petersilia and Deschenes (1994) point out that policymakers and practitioners have failed to make available a sufficient mixture of criminal sanctions as the discourse is often cast as imprisonment or not, with other sanctions being seen as a slap on the wrist. It is very doubtful that military enlistment as an alternative to incarceration would be seen as a mere slap on the wrist.

Several studies have been conducted which have attempted to evaluate prisoners perception as to the severity of punishment within many of these ISP's. Empirical research has found that many prisoners would prefer to serve out their prison term and be released with no

strings attached (i.e. probation or parole) rather than invest significant time in an alternative such as ISPs, where convicted criminals often perceived a strong likelihood of being revoked from the program and thus being sent to prison in the end (May, Wood, Mooney and Minor 2005; Spelman 1995; Petersilia & Deschenes 1994; Crouch 1993; Wood and May 2003). Many prisoners perceive probation has having too many technical conditions that increase the likelihood of technical violations which would result in prison time in the end (Spelman 1995).

May, Wood, Mooney and Minor (2005) found that for some offenders in Kentucky, who were serving a term of either probation or parole, concede that imprisonment is the most punitive form of correctional punishment. However, this does not hold true for the majority of offenders. Their findings suggest that the amount of a substitute punishment a respondent will undergo to avoid prison will vary by race, gender, and whether the offender had been incarcerated previously. Past incarceration does reduce the likelihood that an offender would be willing to serve a form of intermediate sanctions as opposed to serving time in prison. This may be due to prisoners who have experience living in prison may be less fearful of prison than those without such familiarity. Furthermore, they found that older prisoners and blacks were more prone to reject alternatives and choose prison instead. Additionally, Petersilia and Deschenes (1994) have also found that convicts who were married and/or had children were more inclined to perceive prison and jail detention as more of a hardship than those who were single, while those who were single perceived financial sanctions (e.g. restitution, fines) as harsher than those who were married. Their research discovered that many prisoners' viewed five years of ISP more punitive than one year in prison, although, not as severe as three years incarcerated.

Spelman (1995) has also identified that age, number of prior incarcerations, and the nature of offenses contribute to a convicts' willingness to choose incarceration over ISPs. The

most significant variable of an offenders' penchant for incarceration, Spelman observed, is the offenders' race (also see Crouch 1993; Wood and May 2003). It was discovered that in many cases whites were prepared to serve twice as much of an alternative sanction as were blacks in an attempt to steer clear of imprisonment (Wood and May 2003). Petersilia (1990) also observed this phenomenon and found that for some, this relationship may be due to the reality that for many offenders, the environment within prison is not all that different than the environment of the free world that offenders of lower economic status often endure.

The research cited here has sought to weigh criminals' perception on the severity of punishment as a means to bridge the gulf between prison and traditional probation. The obvious flaw in the literature on ISPs is the singular focus on "severity" of the punishment, seeking to identify and dispense "just deserts" upon a specific category of people to effectively deter future criminal activity. These programs continually come up short on the subject of rehabilitation. As Lutze (2006) has argued, "we have learned from boot camp prisons and from traditional prisons that punishment alone, however good we are at it, fails to reduce recidivism.....rehabilitation within punitive environments will fail just as punishment without rehabilitation will fail" (p 391).

Taken as a whole, the ISP programs enacted during the 1980's and 1990's were more symbolic in its achievements than substantive (Petersilia 1998), mainly because very few convicts actually took part in these programs. Furthermore, the programs that were utilized concentrated more on surveillance and offered little in the way of rehabilitation (Petersilia 1998). As Petersilia and Turner (1993) found, criminals placed under ISP did not have lower recidivism rates than those who were under traditional supervision. Additionally, the programs which they looked at were unable to yield a cost savings or reduce prison over-crowding. The failed results are often attributed to the added surveillance within these programs which has resulted in

additional opportunity for the discovery of minor or technical violations. Of the ISP programs that have been studied, boot camp prisons and county jails were often viewed, by prisoners, as the most punitive alternative sanctions, even more severe than prison (Wood and May 2003).

Similar to other ISP's, boot camp prisons were designed to relieve the overcrowded prison system, thereby reducing the financial costs to the state with the secondary goal of rehabilitating offenders (Mackenzie and Shaw 1990). Prisoners were often introduced to a regimentation of hard work and military drills, with an emphasis on teamwork (Parent 1989). Advocates thought this program would act as a turning point for offenders; the offender would return to general society with the conventional values of hard work, discipline, and teamwork, thereby facilitating bonds to conventional society, increasing their stake in conformity, and increasing the likelihood of criminal desistance. In hindsight, however, most criminologists agree that boot camps were not the cure all that many hoped they would be. The short-term results seemed positive, though in the long-term, the evidence indicated "there is actually nothing long-term about boot camps except unrealistic expectations for their ultimate results" (Stinchcomb 1999).

This is not to suggest that boot camp prisons were a total failure; boot camp prisons have shown some promise. Mackenzie and Shaw (1990), for instance, found the majority of boot camp participants exhibited stronger positive feelings about their prison experience and were more optimistic about the possibility of personal change than their counterparts who served their sentence in traditional prisons (also see Mackenzie and Souryal 1995). But these encouraging feelings did not endure mainly due to the lack of follow up or aftercare (Salerno 1994). This idea has been supported in a study by Kurlychek and Kempinen (2006), which claims that offenders who successfully completed a residential aftercare program following boot camp fared better in

terms of recidivism compared to a control group of boot camp clients who received no form of after-care. Additionally, Cowles and Castellano (1995) emphasized that “all possible efforts should be made to conceptualize and operationalize the shock incarceration (boot camp) experience as one that includes both an institutional and an aftercare phase” (p. 122). Upon completion of the boot camp program, many participants began to rethink their current way of life, though without more practical alternatives on the outside, the “shock” wore off. It is through after care that the offender has been able to continue to grow from these positive changes experienced while incarcerated (Stinchcomb 1999). It can, therefore, be concluded that the obvious void in these boot camp programs was to maintain the program gains once the offender returns home. While the prisoners may have gotten a taste of positive self image along with ethics of hard work, teamwork, and discipline while incarcerated, upon release this positive attitude is soon lost when the prisoner is returned to a society which often offers little or no hope.

It is for this purpose that military service as an alternative to imprisonment needs to be considered by policymakers. Although other ISPs have failed is through their concentration on surveillance with little or no emphasis on rehabilitative agents, the armed services has been shown to have positive long term effects upon behavioral changes for many delinquents. By utilizing the military as an agent for change, many will receive the needed rehabilitative tools (job training, education, counseling etc.) that were missing from the majority of ISPs.

The current study

Prisoners have rarely been asked to voice their opinion on policy decisions in which they are the subject of any proposed policy change (Richards and Ross 2003). It is the purpose of this research to systematically analyze prisoners’ views on the proposed alternative to incarceration and therefore determine if those convicted of criminal offenses would welcome or refuse this

type of diversion program. A determination of this sort could be used as a foundation for future research and/or by policymakers wishing to explore various alternatives to incarceration. It is the goal of this research to determine 1) if prisoners would welcome a diversion program of military service as an alternative to incarceration, and 2) if prisoners would consider military enlistment an effective condition of post custody release (i.e. probation or parole). We hypothesize that given the repressive and non-rehabilitative nature of our contemporary system of incarceration, prisoners will widely support both initiatives and perceive that each will be an effective instrument of criminal desistance which could lead to a new direction in life.

Methods

For the purpose of analyzing prisoners' opinions as to a policy indicative of this magnitude, we arranged access to a minimum security prison in Kentucky. Because the Frankfort Career Development Center (FCDC) is a minimum security facility that houses prisoners of minimal risk and is not a controlled movement facility, this facility was ideal for our project as the presence of researchers would cause little if any disruption of the routine for correctional officers or staff. Additionally, the mission statement of the facility states that a goal of this facility is to "provide an atmosphere and opportunities for a successful reintegration back into society," which is consistent with the ideological goal of the research. Furthermore, FCDC is a work camp, where prisoners are transported to various locations within the community to perform an assortment of often menial, unskilled duties. The preponderance of those jobs are performed at a number of state government buildings where they often have little or no supervision, making these prisoners ideal candidates for alternative sentencing programs.

The minimum security prison has a capacity of 205 prisoners and was at capacity during our data collection period. Fliers were posted throughout the facility that advertised and solicited

participants of our research project two weeks prior to the first night of interviews, and the interviews were conducted two consecutive Monday evenings. A survey was administered to 30 prisoners, and 11 prisoners who completed the survey participated in an in-depth qualitative interview to further elucidate their views on the topic during the two visits to the facility. It is unlikely that the sample is biased or tainted as a result of low participation. Several offenders and staff alike articulated that many did not participate as many may have been tired after working all day while others acknowledged that as researchers could not assist in their early release they therefore wanted no part of our project. This is unfortunate but accepted part of attempting to conduct empirical research with prisoners.

Description of Survey Sample

Of the prisoners who participated in our study, 33% were serving time for their first felony conviction, while another 20% had only one prior felony conviction. Taken as a whole, the prisoners in our sample had a total of 65 prior convictions with 2.1 being the average for the participation group as a whole. Current sentences ranged from 3 to 30 years and charges varied from failure to pay child support to second degree manslaughter. Sixty three percent are serving sentences of 10 years or less while 13% are serving sentences of 5 years or less. Not surprisingly though, while our sample group has a variety of charges the vast majority, 76% are serving sentences for drugs and or property crimes (i.e. fraud, theft, forgery etc.). These low risk prisoners, those convicted of property and/or drug offenders who are serving sentences of 10 years or less, are precisely the types of prisoners a program such as the one that is being proposed is intended to target. Of the prisoners in our sample, 80% had violated probation or parole in the past. Of those who have not violated in the past, none have ever experienced intensive supervision probation (for in-depth discussions on the continuing parole failures in the

state of Kentucky see Richards, Austin and Jones (2004)). Five have been incarcerated in a boot camp prison in the past while 33% were adjudicated as juveniles.

Of our sample, 40% had not graduated high school, another 40% had completed high school or acquired a GED, and the remaining 20% had schooling beyond the high school level. Over 60% of our sample was working full time prior to commitment to prison, an additional 13% were employed at least part time, and 1 participant was enrolled full time in college. Furthermore, 40% of the sample had a relative either in their immediate or extended family who were veterans but only 6% were veterans themselves. Just over one third of our sample was younger than 33 years old, another 26% were aged 34-41, and the remainder of our sample was over 41 years of age.

Data cited above was compiled from the survey which was administered seeking to gain insight as to demographics, criminal history along with current offense of our sample. All of this is secondary to the question at hand: would prisoners welcome military enlistment as an alternative to incarceration? Due to the current state of war in which the country is engaged (at the writing of this paper the nation has been engaged in armed conflict for over 6 years) this may seem to be an extremely harsh decision for many to make, particularly for prisoners who have been convicted of minor offenses, to experience imprisonment or encounter the ravages of war, where one may have to kill or be killed. This turned out to be a false alarm as one prisoner stated that “you take that same chance in here.”

In order to gauge the opinions of the prisoners as to this type of option, several scenarios were proposed and prisoners were asked if they would accept this type of alternative. The first question asked if prisoners would exchange day for day of their prison sentence to be served in the military. The following example was posed to the participants: on an 8 year sentence, you

would enlist for 8 years of service, day for day with no time off for good behavior. Sixty percent of the respondents answered that they would accept 8 years of military enlistment as a substitute for an 8 year prison term.

The second choice presented in this section offered to employ military service as a tool of parole. In this scenario prisoners would serve a portion of their sentence in prison until becoming eligible for parole (in Kentucky for non-violent offenses that is usually 20% of a sentence) at which time they may opt for parole release into the armed services. This was the least popular amongst offenders, as only 43% of those participants would agree to this type of plan.

The third inquiry offered in place of imprisonment asked if their sentence was to be cut in half with the time remaining to be served in the military. An example was given which explained that if sentenced to 8 years the offender would have to serve 4 years in the military. This, not surprisingly, seemed to have mass appeal within the sample of prisoners as 70% said that they would take a deal similar to this.

Lastly, it was explained that as recidivism is a major problem within the criminal justice system any new offense would constitute revocation of any previously mention deal and the prisoners would be returned to prison in order to serve out the original sentence. This condition did not seem to change the minds of any of the sample group as many confirmed that this would be a likely condition of any deal of this type. Or as prisoner # 66 told us, "That's just like in here or anywhere else." As the questions stated above were closed ended questions, offenders were given the opportunity to expand upon their responses or to add any thoughts for which they may wish to share. It is in this section where several explained that had the country not been at war they might consider such a proposal. Others also felt that if they were assured of not having to see battle they too would consider such an alternative.

Table 1: Independent Sample T-Tests

	Day for Day			Parole			Half Sentence	
	Yes	No		Yes	No		Yes	No
Age	2.944	2.750		3.000	2.765		2.857	2.889
Black	0.167	0.333		0.154	0.294		0.143	0.444
Education	1.778	2.000		1.923	1.824		1.762	2.111
Age at First Arrest	16.278	19.917	*	15.692	19.294	*	16.667	20.222
Number of Arrests	18.000	9.250	+	17.308	12.353		17.095	8.444
Number of Convictions	2.722	1.333	+	3.231	1.353	*	2.619	1.111
Current Sentence	9.556	20.500	+	9.000	17.706		14.143	13.444
Religiosity	3.259	3.500		3.282	3.412		3.222	3.667
Human Agency	2.233	2.250		2.308	2.188		2.229	2.267
Veteran Status	0.444	0.333		0.615	0.235	*	0.429	0.333
N =	18	12		13	17		21	9

+ p < .10, * p < .05, ** p < .01, *** p < .001

Table 2: Bivariate Correlations

	Age	Black	Education	Age at First Arrest	Number of Arrests	Number of Convictions	Current Sentence	Religiosity
Age	---	---	---	---	---	---	---	---
Black	0.979	---	---	---	---	---	---	---
Education	0.222	0.080	---	---	---	---	---	---
Age at First Arrest	0.184	-0.020	0.439	---	---	---	---	---
Number of Arrests	0.173	-0.102	-0.137	-0.536	---	---	---	---
Number of Convictions	0.356	0.059	0.305	-0.216	0.398	---	---	---
Current Sentence	0.222	0.030	0.093	0.383	0.000	0.019	---	---
Religiosity	-0.011	0.551	0.370	0.312	-0.233	-0.061	0.090	---
Human Agency	-0.060	0.041	-0.006	-0.189	-0.012	0.047	-0.392	0.049

Note: Bold numbers represent significant correlations (p < .05)

The Convicts Point of View

Overall data obtained through the survey does support the hypothesis that many offenders would consider a policy modification of this extent, even while facing the possible consequences of war. The results do differ slightly with those observed by Parent (1989) who found that in New York nearly half of those offered boot camp as opposed to prison opted for a longer prison term instead of experiencing the rigors of the boot camp prison. This could be due to the age and experiences of our sample as boot camp prisons often restricted participation to young first-time offenders (Parent 1998). One Kentucky prisoner (#61), who is serving a 6 year sentence, voiced this concern: "I'm serving out in early 2009, no probation or parole. I would like to enlist for the structure and added supervision to aid in my transition back into society. It is hard to begin again after so many years." Therefore, the military could help to ease the re-entry problems faced by the masses that are released from prison each year unsure of what lies ahead for them. Irwin and Cressey (1962) argued that extended periods of incarceration often lead to a prisoner experiencing a type of institutionalization process where the convict learns the skills needed for survival within the prison, which are often far removed from what is expected in life on the outside. Therefore, many prisoners are leaving prison socially crippled and overwhelmingly alienated with no social capital. Moreover, they understand that they will be reentering a society that views them as contemptible parasites of society (Irwin and Austin 1997).

Many of our sample participants articulated various re-entry concerns. When asked what he thought of the proposed alternative convict # 59 expressed concerns related to re-entry like this; "you got so many kids down now (incarcerated)...they need something like that. When you get out the first time, make sure you are not set up for failure. You need a program like that where you get a place to stay and get on your feet. ...they got halfway houses, but hell, they are

full. So you get stuck in jail cause you got no place to go so you don't have a home placement, so you get flopped (denied parole)." This was echoed by convict # 54 who agreed that the military was a good idea as "there are more options in the military to better myself...When you are released from prison you get nothing. They give you gate money, I got my GED but no job opportunities, no counseling. They give you nothing that will help you stand on your own two feet...offer them more, offer them more in job status." Gainful employment is often the key to an offender's successful re-entry to free society. As such, many of the 600,000 returning from prison to society "are also aware that they will have more difficulty finding employment" (Irwin and Austin 1997 p 82) as it has been found that employers are hesitant to hire people with a criminal background (Pager 2003)

Another problem that many prisoners face upon release is dealing with a parole system which, for many convicts, is seen in a negative light. While the animosity towards parole officials felt by many convicts has been well documented (see Richards et. al. 2004; also Austin and Irwin 2001), many in our sample also had similar responses. When asked if he would consider military enlistment as an alternative to imprisonment, convict # 102 stated that he is "open to the idea as long as there is no parole involved...I don't want to answer to no parole officers, they are dirty." This same convict went on to tell us that in his opinion the military "helps people grow up. It will make a kid into a man, it will help them take responsibility.....the responsibility, the grow up part is what we are lacking. That is what I was lacking."

Distain towards parole officers and re-entry concerns were abounding on both sides of the issue. The leading concern of those who did not endorse this initiative was the ongoing war, followed by alcohol use within the armed services. Convict # 113 put it this way: "guys should not be revoked from parole because they did not check in with their parole officer at a certain

time....not for technical issues....and when you think about it though if you are going into the military there are such high rates of alcohol and drug abuse that it is setting yourself up for failure....that is how a lot of guys get back into the system anyway, pissing dirty.” In addition, convict # 106 was also in opposition to this idea due to the ongoing war he pointed out that: “I answered no to your survey, because basically we are at war and I think the reality or the possibility of being killed or permanently handicapped and leaving a wife and kids behind, I think there is more of a possibility there than it is in prison. *But* I think that if 6 ½ years ago, before I started this thing, if you would have put that in front of me I probably would have said yes to anything other than prison.”

A small percentage of the sample had previously sought to enlist into the armed services. One was denied due to medical issues. Another convict (#105) is a young man under 25 years of age serving a 9 years sentence for burglary and whose father served in the Army, stated that he wanted to enlist “but I messed up before I ever got a chance.” When asked why he would consider a proposal such as this he acknowledged that “it is an alternative. Instead of getting out, messing up and coming back, [the military] gives you something to feed your family with other wise you are going to revert back to what you know.”

In general, the prisoners who took part this project seemed to understand that the military could be utilized as an agent to better themselves. If history shows us anything, it is that the majority of this sample will be released and in time over 60% will be returned right back to prison again if there is nothing to assist them after their sentence has expired. In his 2004 State of the Union Address before Congress, President George W. Bush stated that “America is the land of second chances and when the gates of the prison open, the path ahead should lead to a better life.” For many prisoners military enlistment could be an avenue to be utilized for change.

A Correctional Policy Based on Rehabilitation

Over 600,000 individuals will be released from prison this year (Petersilia 2004). An alternative policy of this type could also conceivably act as a re-entry program for many, similar to what was experienced in Illinois during the Second World War (see Mattick 1960). It is unclear how the policy in Illinois was originally enacted, though Waters (1951) observed that “in cooperation with the state Parole Board, Selective Service secured waivers from military authorities to permit men from state prisons and certain others formerly disqualified on moral grounds to be inducted. In February, 1943, the national headquarters initiated a plan to give worthy inmates of prisons as well as parolees a chance to enter military service. After six months’ service men thus inducted were released from parole. In Illinois, 867 were inducted directly from prisons, 2,169 from parole; and 1,259 others formerly classed as morally unfit because of previous records were qualified for induction” (p. 102).

It remains unclear from this and the writings of Mattick (1960) whether those inducted directly from prisons were first technically paroled. Waters (1951) does refer to “men thus inducted” being “released from parole,” which may imply that the prisoners were paroled before being inducted. From this we can conclude that there is precedent for the armed services to waive the recruiting regulations, cited above, of prohibiting military enlistment as an alternative to incarceration and/or parole.

Conclusion and Discussion

The alternative sentencing program proposed in the current project would benefit the offenders involved in their desistance efforts, but would also benefit taxpayers and the military.. First, states would theoretically benefit from less recidivism, which in turn will result in a savings to the DOC budget. Morris and Tonry (1990) point out that jurisdictions do not save

significant amounts of money unless whole facilities can be closed. In Kentucky, if 200 prisoners were to be diverted to a program such as military service, the DOC could conceivably close FCDC, thereby saving the yearly operating cost of 2.8 million dollars from this facility alone. Furthermore, Austin and Fabelo (2004) cite a study conducted by the U.S. Department of Justice that reports America spends \$60.3 billion per year for corrections expenditures and estimates that the national average cost of incarcerating an offender is approximately \$30,000 annually. If 100,000 non-violent prisoners nationwide could be diverted from prison into the military, this could produce a savings of nearly \$3 billion just in correctional costs yearly. These savings would be supplemented by the fact that in the military these men and women would be earning a paycheck and therefore paying taxes into the community as opposed to costing society through crime. Therefore, this proposal contains both financial benefits for society while effectively rehabilitating offenders.

More importantly, however, the men and women diverted to a program such as this would benefit the most. Within the armed services, individuals would receive job training along with the opportunity to further their education, thus increasing both their bonds to conventional society through the development of social capital. In other words, military service has the potential to be a “hook for change” for prisoners who are ready to leave a life of crime. Therefore, a military diversion program can also be seen as providing much needed social services, many of which have been cut due to the overbearing cost of incarceration (Richards et. al. 2004). Among the social services eliminated as a result of the “War on Drugs”, eligibility of Federal Financial Aid to students who have been convicted of drug charges is perhaps one of the most damaging. Nationally, over 189,000 applicants were denied federally funded financial aid

due to drug convictions since 2000 (Pitsch 2006), decreasing the chances of building social capital or for the future adherence to societies norms for offenders.

Upon completion of enlistment term within the armed services, most veterans are eligible for continued benefits within the GI Bill, which includes funding for secondary education. Sampson and Laub (1996) claim these benefits were an “unprecedented opportunity” and changed the lives of many during and after the Second World War. Bouffard (2003) points out that although the benefits offered by the government to veterans of the Vietnam War seemed to have decreased over the years, they were still a factor and economic benefit in the lives of veterans of that era. Moreover, Mattick (1960) argues that as opposed to traditional parole where the offender has no transition period, the military is the ideal environment for offenders exiting prison as during this transitional phase the military continues to provide structure along with a predictable environment, discipline, and the modeling of conventional values. Traditional parole can often be “abrupt and disorganizing” and places the parolee in an unpredictable environment that may cause many to fail, but military service is centered on discipline and structure and is likely to be a more effective facilitator of behavioral change.

As a society, America has deserted the ideology of rehabilitation within corrections and has forgotten that incarceration should be the last resort and not the only answer to crime. Doing time in prison disrupts every portion of a prisoner’s life, and at the end of the prisoners’ sentence, society offers virtually no assistance for successful re-entry back into the community as law-abiding citizen. The vast majority of prisoners come to prison from disadvantaged backgrounds as a result of low educational attainment and/or little or no work experience. As a result, offenders not only leave prison with the same level of disadvantage, but are actually more disadvantaged by the fact that now have a felony record. It appears that society has lost sight of

the significance of differentiating between violent offenders who must be incarcerated for the protection of the public and non-violent offenders who might be required to pay their debts to society in other ways.

A policy initiative of this sort would conceivably both rehabilitate thousands while strengthening the military. If criminologists and policy makers wish to explore more humane ways to correct the behavior of those who run afoul of the law, military service is a step in the right direction. Steps need to be taken to embrace those who go astray of the law. By strengthening prisoners' stake in society by way of self respect, education, and employment, social bonds will develop and desistance from criminal activity will follow. The suggested alternative to the current guiding principle of mass incarceration should go a long way to appease and benefit all persons within society.

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