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All You Need is Love (and Support):
Restorative Practices for Families of Those Incarcerated

A Thesis submitted in partial satisfaction of the requirements for the degree
Bachelor of Arts in Sociology

by

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All You Need is Love (and Support): Restorative Practices for Families of Those Incarcerated

This thesis offers restorative justice as an alternative to the contemporary criminal justice system better equipped to support families affected by incarceration. Interrogating the historical construction of crime and mass incarceration, I argue society's prevailing response of criminalization instills widespread harm which disproportionately implicates certain marginalized groups, particularly people of color and those of low socioeconomic status. I incorporate the perspectives and experiences of a Poughkeepsie, NY support group for families of those incarcerated to demonstrate the far-reaching impact of incarceration on the individual, their families, and communities. Drawing together these interviews (December 2018) and existing sociological theory reveals incarceration's dangerous immediate and long-term consequences which contribute to intergenerational cycles of criminalization. I propose restorative justice circles as a tool to disrupt such cycles and address harms families face throughout the continuum of incarceration – from pre-arrest to post-reentry. Relying on existing restorative justice programs and my own interviews with practitioners (December 2018), I focus on two critical points of intervention: families of those incarcerated and children with incarcerated family members. Importantly, no such restorative programs exist for children of those incarcerated although there is a demonstrated need. Ultimately, my research can be used to initiate a family focused restorative justice program in Poughkeepsie, as intended. Further, incorporating a harm-centered framework into my proposal is a crucial step towards current prison reform and eventual prison abolition, as well as more transformative structural change.

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ACKNOWLEDGEMENTS

PREFACE

The first time I participated in a restorative justice circle, I was skeptical. Why would a bunch of teenagers want to talk about their feelings and problems, or for that matter, admit to having feelings and problems? Even I, who had heard about the benefits of restorative justice in my sociology classes at Vassar College for years, doubted the circle's effectiveness. And, undeniably, many of the participants began with similar sentiment, slouching in, avoiding eye contact, and mumbling introductions. Yet over that first hour something amazing happened. The initial ice breaker questions broke the tension, prompting laughter and conversation. As we moved to more serious topics, the participants readily responded. The circle seemed to take on a power of its own; we all suggested topics that mattered to us and engaged in open and honest dialogue about hard hitting issues, from ongoing intergroup conflicts among the participants to larger problems we witnessed in the community. We discussed topics such as race, class, and gender differences considered off-limits in other spaces, even in the supposedly safe environment of my college classes. By the end of that first circle, everyone had participated, most far greater than they expected. Many expressed excitement for our next meeting.

This thesis builds upon my work this summer (2018) as a Community Fellow with the Restorative Justice Initiative (RJI) at the Mediation Center of Dutchess County. There, I planned, evaluated, and helped to facilitate restorative justice circles with local youth-serving organizations. These circles addressed a variety of issues that youth face including anger management, creating and strengthening support networks, and learning to work with diverse groups. Overall, I witnessed the power of circles to promote dialogue and create bonds of trust among all its participants.

From the first few days, I also realised the broader impact restorative justice circles could have in Poughkeepsie, New York, where both the Mediation Center and Vassar College are located. As a Poughkeepsie native (born and raised), I have encountered a multitude of amazing people who genuinely care about the Poughkeepsie community and its members. I have also met a number of individuals who are struggling. For instance, the summer (2016) after my freshman year at Vassar, I interned with the Dutchess County Public Defenders. There, I witnessed the human costs of an ineffective, overwhelmed criminal justice system. I interviewed clients and compiled cases for the Public Defenders who, due to understaffing, often could not meet clients until court. These clients were at a disadvantage before they even stepped into the courtroom as many Public Defenders did not look at their files before trial, believing it more efficient to take a plea deal. Many defendants never had the chance to share their perspective in court. Instead, they were tried, judged and convicted in a formulaic manner. This experience was in sharp contrast to my fieldwork (spring 2017) at Exodus Transitional Community, a local prison reentry program, where communication and support networks were intentionally used for those formerly incarcerated. Helping individuals attain housing and employment, I found myself making meaningful personal connections with our clients. Over shared meals and stories, I interacted with them on a personal level, looking beyond their criminal charges to see our clients as who they are – my neighbors. These experiences cemented my passion for criminal justice and a renewed appreciation for the empathy and communication needed for happier, more successful futures.

My work with RJI provided the opportunity to combine these lessons to help individual perspectives to be told and, more importantly, heard and acted upon to address the defects of the criminal justice system. To my delight (and relief), Director Claudia Abbott-Barish's passions

mirrored my own. She sought to extend her restorative justice circles beyond youth-serving organizations and was intrigued by their criminal justice applications. Throughout the summer we explored opportunities to expand her work in the Poughkeepsie community. Together, we not only envisioned, but began to plan, how restorative justice could be used to aid those affected by incarceration.

We are now working to provide restorative justice circles for families of those incarcerated. We see the potential of restorative practices to tackle many of the problems these families face: coming to terms with the loss of a family member, coping strategies while a loved one is incarcerated, emotional healing, and reintegration of incarcerated individuals into the family and community post-incarceration, among other potential services that these circles can offer. I hope this thesis research is useful for the Mediation Center's plan to create circles for families of those incarcerated. Accordingly, I propose a circle model that focuses on the issues Poughkeepsie families face so it can be included in upcoming grant applications.

Throughout my thesis research, I have been awed by the support I have received in Poughkeepsie and farther, reinforcing my belief in the importance of these circles. Various community members, such as Tom Angel at the Public Defender's Office, Lisa Alvarez at Mount Saint Mary's College and Laurie Scott with ReEntry Colombia, have shared resources and statistics. In addition, talking to (and interviewing) restorative justice practitioners doing similar work throughout the country has provided assurance that these circles are not merely abstract ideals but rather working models of success. They demonstrate that restorative circles really do work. Without their help, my research would be lacking.

Finally, the participants in Flo Martinez's Poughkeepsie support group for families of those incarcerated provide the grounding and motivation for this thesis. Their narratives expose

the far-reaching harms that incarceration inflicts. In this thesis, we see their struggles and

triumphs and find in their stories potential restorative solutions to the many social harms not

addressed through the contemporary criminal justice system. My hope is to center their voices.

INTRODUCTION

One of Many Unheard Voices

"It's just sad because everybody, whether incarcerated, is still a person, you know, but they don't look at it that way….this is like [his] last time, this is three strikes now so I don't know what's going to happen. And he's, he could go away for a long time, for good now" - *E*[1] regarding her incarcerated son.

E's son, twenty-eight years old, has been in and out of the criminal justice system since

he was fourteen. Now charged with possession and supposed distribution of illegal drugs, which

he claims were to control his anxiety, *E*'s son faces his third felony conviction and, according to

the "three strikes" law,[2] potentially a much lengthier sentence. His previous charges include

possession of marijuana and a parole violation for allowing a homeless friend to stay in his

apartment.

At sixty-four years old, *E* is "just hoping that [she] can see [her son] out and free." She

struggles to remember a time before her son was involved with the criminal justice system. His

father was also incarcerated; her son grew up in Poughkeepsie listening to people who "knew his

dad all too well tell all these shit stories" about him. *E* speaks of her son's struggles as a mixed

race child with white step-siblings and an incarcerated father to connect with his family and

community. Diagnosed with Attention Deficit Hyperactivity Disorder (ADHD) in elementary

school and placed in a pre-PINS program[3] in middle school, *E*'s son's first criminal charges

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[1]In order to maintain confidentiality, I refer to each of the interview participants in Flo Martinez's Poughkeepsie support group for family members of those incarcerated by a single letter *A* through *H*. The arbitrary letters are not intended to devalue their experiences, but rather to protect their identities. Although I realize that providing each participant a pseudonym would provide a more humanistic identity, I am wary of constructing names that detract from their narratives. In addition, I appreciate how the arbitrary letters differentiate my participants from the authors of the other sources in this thesis, and, further, better emphasize the universal nature of the participants' experiences. For more information on these interviews, see the methods section of this introduction and the appendix.

[2] "Under New York law, third-time felons face a minimum of 15 years to life, a term often far beyond the normal maximum sentence" (Ginsberg 2010). While the constitutionality of this law – the "Persistent Felony Offender Statute" or, colloquially, the "Three Strikes Law" – has been challenged multiple times in the New York court system, the Court of Appeals again upheld its constitutionality in the 2017 decision *People v. Prindle* (Bilkis 2018).

[3] The *Persons in Need of Supervision* (PINS) program is intended to avoid early entrance into the criminal justice system, but its critics argue that PINS removes agency from the family and places too much power in the hands of

came at fourteen for being caught smoking marijuana. Since then, he has been in over fifty

placements between prisons, jails, group homes, supervision programs, rehabilitation centers,

and hospitals.

E worries that her son's extensive periods incarcerated have caused lasting emotional

harm. "Each time I can see it chips away at the real person that he really is." She believes prison

has changed his thought process, making each subsequent reentry more difficult. "They just are

not supposed to express anything in there. So when you come out you don't know how to express

yourself in a positive way. It's like you just hold everything in and it gets to be an issue, it's

hard." *E* recognizes these struggles are exacerbated by circumstances outside the criminal justice

system. Her son's father passed away while her son was incarcerated, but he was not allowed to

visit him in the hospital or donate a potentially life-saving kidney. Further, due to his

incarceration, *E*'s son has lost contact with previous romantic partners and extended family

members.

E believes her son wants to rekindle these relationships, but "he feels he's not good

enough to do that." In the past, he has made an effort to bond with his nieces and nephews and

reunite with his siblings, for example, attending his nephew's band performances, but physical

and emotional distance makes such connections difficult to maintain (his one brother lives in

Mexico). *E* recognizes these obstacles, lamenting "We're never can get to be together, because

we're all spread out. You know what I mean? I would like that, I really would." However, under

current circumstances, she has a hard time envisioning this happening.

> He needs to go get help, but he just doesn't, thinks he can do everything on his own.
> Because that's what you're taught: you better be strong, you better not do this, you're not

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judges who may not understand a child's unique situation (Consalvo 2015). RJI Director Claudia Abbott-Barish (personal communication 2018) supports these criticisms: "People who work at Probation, at least in Dutchess, though in general I think, also want to keep youth as far away from the justice system as possible, knowing all too well that PINS can be part of the school-to-prison pipeline."

sharing anything. And so he gets in that mode. And it's really hard to watch, because I can watch him and I can know what's going on because I'm his mom and I could see the pattern. *But what can I do* [emphasis added]?

Guiding Questions

In this thesis, I seek to answer *E*'s question "*But what can I do?*" by employing a "sociological perspective" (Leonard 2015:17) not only to locate immediate points of intervention, but also to point out larger structural changes that may aid those entangled in the criminal justice system. As *E*'s narrative reveals, her son has been harmed by his own incarceration and so has his family, friends, and community. Moreover, *E*'s family is not alone; it's one of many in the United States impacted by intergenerational cycles of incarceration and a criminal justice system that ignores many structural harms which exacerbate these cycles. In fact, the current system perpetuates some of these harms by disproportionately implicating certain (already marginalized) populations, particularly people of color and those of low socioeconomic status.

Thus, I propose a model of intervention based on restorative justice that addresses the obstacles those involved in the criminal justice system confront throughout their life courses[4] – from pre-arrest to post-release. I look beyond standard applications of restorative justice as solely post-crime alternatives to incarceration and instead consider the potential of such practices as a pre-conflict tool, helping to divert the prison pipeline. My work centers around questions like:

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[4] While not the focus of this thesis, life course analysis, which "views the passage to adulthood as a sequence of well-ordered stages that affect life trajectories long after the early transitions are completed" (Pettit and Western 2004:154), provides insight into incarceration's life-long implications. Pettit and Western (2004) argue that the "novel pervasiveness of imprisonment indicates the emergence of incarceration as a new stage in the life course of young low skill black men" (151). Their statistical analysis of census data indicates that incarceration is rapidly becoming normalized among certain marginalized populations with effects that extend before and after incarceration. For more information on life course theory, see John Clausen's *The Life Course: A Sociological Perspective* (1986).

What do restorative justice practices bring that is otherwise missing from our lives and relationships? Further, how might restorative justice practices help those affected by incarceration heal, discover healthy coping strategies, build community, and deter future criminal activity? And how can such practices address broader social issues (i.e. racism, classism, sexism) that contribute to and extend beyond incarceration? Answers to these questions are crucial to create effective restorative support groups for those incarcerated and their families. Ultimately, such answers can also be understood as steps toward community oriented alternatives to incarceration.

Importance of a Harm-Centered Approach

Before proceeding, I clarify what I intend by the term "harm" in the context of this thesis. For such a pervasive term, harm is difficult to define, perhaps due to its many manifestations. For instance, restorative justice practitioner David Karp (2001:729) classifies harm with two variables: material versus personal/relational harm and private versus public harm. Harm can refer to anything from damage to property, physical spaces, people, social bonds, organizations and even entire communities (Karp 2001:729). Abbott-Barish further associates harm with "impact" – that of "an offender's actions on themselves in addition to those in their own community, the victim and the victim's community."[5] Thus, according to both practitioners, harm extends beyond individual interactions to collective relationships. This distinction of private and public reveals that harm may have not only personal impact but structural implications as well. For prison abolitionist, Dean Spade, these broader implications can be understood through the "unequal distribution of life chances" (Spade 2015:20), which disproportionately affect certain groups. "Life chances are distributed through racialized-

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[5] Abbott-Barish, Claudia. 2019. Email message to author. March 19.

gendered systems of meaning and control" (Spade 2015:25) that determine who benefits from established systems of power. Spade attributes the life chances framework to a variety of sociological disciplines, such as critical race theory, women of color feminism, queer theory, and critical disability studies (Spade 2015:14). As with these other critical disciplines, a life chances framework acknowledges that the harms relating to incarceration are both personal and structural. Further, this framework situates my thesis within other pertinent intersectional frameworks to draw insight from and build upon their work. Thus, a harm-centered approach which focuses on the distribution of life chances provides a more relevant sociological explanation of the harms individuals face as a consequence of incarceration. As I shall demonstrate in the next section, restorative justice takes a harm-centered approach with the goal of addressing and preventing such issues.

Why Restorative Justice?

I offer a brief overview of restorative justice, demonstrating how it diverges from the dominant model of criminal justice (i.e. retributive justice) in the United States due to restorative justice's focus on harm. I argue that this difference enables restorative justice to work in tandem and, eventually, replace retributive justice to better address social problems. Later I will examine the potential of restorative justice practices in the context of this thesis in much more detail; for now, I justify the need for such an approach.

The United States' contemporary criminal justice system is structured around the concept of retributive justice. Founded upon centuries of discipline as a means of social and political control,[6] retributive justice may be defined as the view "that punishment is justified and motivated by considerations of justice, rights and desert, rather than by personal and societal

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[6] See chapter one for more insight into the historical construction of the criminal justice system.

consequences" (White 2011:xi). That is, the purpose of retributive justice is to correct an immediate wrong rather than the broader circumstances instigating that wrong. Hermann (2017) considers retribution as "simply the state imposing the established consequences of the choice made by the offender when he or she broke the rule" (85), where crimes are "now viewed as a violation of a rule" (85). Under this view, criminal activity is the breach of established rules to which retribution is the accepted response. Since rules are supposedly constructed to apply equally to all, retribution warrants equal punishment for the same crime, conveyed in the popular expression: *an eye for an eye.*[7] However, this attention to equal rather than equitable punishment ignores the many identity-based sources of harm tied to what is considered crime and fair punishment such as racism, classism, and sexism (Critical Resistance 2002:21). These harms extend far beyond retributive justice's scope as I shall demonstrate in later chapters.

In contrast, restorative justice seeks to address many of these concerns by examining the overarching causes of harm rather than just the immediate factors inciting criminal activity. Restorative justice "views crime first of all as harm done to people and communities" (Zehr 2002:21). Karp (2001) asserts that harm is the "core idea of restorative justice" (729). Thus, harm is the key distinction between retributive and restorative justice. Howard Zehr, a sociologist considered "the grandfather of the modern restorative justice movement" (Boyes-Watson 2008:11), finds that restorative justice shares the same goal with retributive justice: to "vindicate through reciprocity" by acknowledging that "the victim deserves something and the offender owes something" (Zehr 2002:59). However, restorative justice differs from retributive justice in that for restorative justice "what truly vindicates is acknowledgement of victims' harms and needs, combined with an active effort to encourage offenders to take responsibility, make

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[7] The phrase an "eye for an eye" originates with the Code of Hammurabi, an early example of retributive justice dating to 1750 BC (Slanski 2013:103).

right the wrongs, and address the causes of their behavior" (Zehr 2002:59). Zehr (2002) articulates the definition of restorative justice as follows: "a process to involve, to the extent possible, those who have a stake in a specific offense to collectively identify and address harms, needs and obligations in order to heal and put things as right as possible" (40). I will use Zehr's definition in this thesis as it is commonly accepted by practitioners and theorists.[8] The main principles of restorative justice are: harms and needs (of victims, first of all, but also of communities and offenders), obligations (offenders and communities), and engagement (of all stakeholders) (Zehr 2002:11). Umbreit, Vos, Coates, and Lightfoot (2005:258) offer an analogous explanation, referring to restorative justice as practices which seek to answer these questions: Who has been hurt? What are their needs? Who is obliged to respond to these needs? Thus, restorative justice's goal is to identify underlying harms of an act and to provide a holistic approach to address the causes and effects of those harms.

In recent years, beyond the more evident application of restorative justice practices as reactive post-harm measures, restorative justice principles have been used to provide proactive strategies to build community, strengthen cohesion, and thereby avoid harm. Ted Wachtel and Paul McCold coined the term restorative practices (as an addition to restorative justice) to "describe processes that embody restorative justice principles and philosophy, which may not involve crime or even wrongdoing" (Walker and Greening 2012:9). Throughout this thesis, the term restorative practices will be used to refer to the broader applications of restorative justice.

Thus, restorative practices serve as a point of intervention in the criminal justice system, not only for those incarcerated, but for others indirectly impacted by the harms of incarceration.

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[8] The following scholars mentioned in this thesis cite Zehr: Bazemore and Umbreit (2001); Walker and Greening (2012); Holloway (2016); Umbreit, Vos, Coates and Lightfoot (2005); and McCold (2000).

The Task at Hand (Methods)

I will demonstrate the potential of restorative justice as a means to aid those incarcerated and their families, as well as the necessity of restorative practices as critical tools in the fight to dismantle the contemporary retributive criminal justice system which denies individuals equitable voice and choice. The strength of the restorative process is that it encourages and enables dialogue, healing, empowerment, and group decision making — all factors that can prevent crime and correct criminal harms. Because these benefits may be uniquely experienced by individual communities and families, the holistic, adaptable restorative approach is highly applicable. Based on existing restorative justice programs and extensive research in the Poughkeepsie community, I propose a model for a restorative justice program in Poughkeepsie that focuses on the harms experienced by local families affected by incarceration. In proposing and implementing this model, I facilitate much needed dialogue and healing, steps towards building collective community alternatives to incarceration.

To ground my argument, I examine existing restorative justice programs that have done similar work with populations affected by incarceration. Due to the proliferation of restorative justice programs in recent years,[9] I center my research on two specific applications of restorative justice for which I have found multiple reliable sources: family reentry programs post-incarceration and youth programs. I have identified these as potential sites of intervention in the local community based on the Mediation Center's current work and other existing services in Poughkeepsie. I analyze two specific restorative justice programs (Huikahi Restorative and Reentry Circles and the Ontario Transition Circles) that work with families of those incarcerated during the reentry process. I contacted the directors of these programs in the fall of 2018 and

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[9] As of 2016, 35 states had passed legislation to implement statewide restorative justice practices (Beitsch 2016).

interviewed them by phone and over email that winter.[10] I also asked their professional opinions

regarding restorative justice circles exclusively for children with incarcerated family members

since no such programs currently exist. Following their suggestions, I researched several

programs that work with high risk youth.[11] I focus on Procter and Dunlevy's peacekeeping

circles in New York City and ROCA peacekeeping circles in Boston for insight into the

particular issues high risk youth face on a daily basis and credible restorative approaches that

address these issues. I also consulted the Director of the Restorative Justice Initiative, Claudia

Abbott-Barish, to gain her professional input on what she believes would work best with the

RJI's existing circle programs. Together, this research, particularly the interviews with

restorative justice practitioners, forms the practical backbone for the proposed circles.

I further interviewed a local Poughkeepsie support group for families of those

incarcerated led by Flo Martinez, herself the mother of an incarcerated son, to gain a sense of

what issues the participants face due to their relatives' incarceration. I met with this group on

two occasions in December (2018) to conduct individual interviews and organized one additional

interview over the phone with a participant unable to attend the meetings due to her mother's

illness. In total, I interviewed four mothers and two wives of incarcerated men, as well as one

formerly incarcerated man.[12] (I did not expect to interview anyone previously incarcerated given

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[10] Refer to the appendix for more information regarding these interviews.

[11] There is much debate around the correct terminology to characterize marginalized youth with a statistically higher chance of being involved in the criminal justice system. For the purpose of this thesis, I will use "high risk" since Abbott-Barish and the *Roca* website both employ this term for their programs. Common alternatives to "high risk" include "at-risk", "historically underserved," "disenfranchised" and "placed at-risk" (Toldson 2019). However, Toldson (2019) argues that all these terms increase the "risk of social stigma to students and lack of a uniform definition." Due to the lack of consensus, I use "high risk"– recognizing its deficiencies and limitations to fully encapsulate the experiences of marginalized youth.

[12] Given the gendered demographics of this support group as well as that of the criminal justice system as a whole, I frame my analysis mostly around female relatives (i.e. mothers, wives and romantic partners) of incarcerated men. However, it is critical to remember that many of these struggles are gender-neutral and would impact anyone in this position. That said, there are also disparate impacts of incarceration on those of various genders and other demographics. I recognize the limits of my approach, but do not have the space to take a more intersectional lens

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the description of the support group, but welcomed his perspective.) These interviews were

open-ended with the intent of promoting discussion of difficulties the participants face in their

daily lives, particularly those harms not addressed with existing services in the local

Poughkeepsie community.[13]

Notably, all four mothers were white and the other three participants were people of

color. This sample was too small to make concrete generalizations, but it is important to note the

group's demographics were not representative of Poughkeepsie's overall population, and

certainly not the population of Poughkeepsie's criminal justice system, which is majority people

of color.[14] While not the focus of this thesis, it may be helpful to examine the implications of the

group's demographics. Existing studies[15] suggest that families of color are more likely to seek

support within their families rather than in external support groups. If this is indeed the case, my

proposed circles which could incorporate entire families may appeal to people of color and thus

better aid the Poughkeepsie population given its racial demographics. However, further research

is clearly needed to test this conjecture.

Throughout my research, I have been cognizant of my position as a researcher. I am

aware that while I have worked with individuals affected by incarceration in my time at Exodus

Transitional Community and the Dutchess County Public Defender's Office, I have never been

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within the confines of this thesis. For more information on the gendered nature of incarceration, see Dana Britton's *The Gender of Crime* (2018) and Eileen Leonard's *Women, Crime & Society* (1982).

[13] Refer to the appendix for more information regarding these interviews.

[14] See chapter one for more statistics on Poughkeepsie demographics.

[15] Sociologist Bruce Western (2018:168) finds in his sample of Bostonian residents rentering society post-incarceration that 58 percent of latinx individuals and 54 percent of black individuals were in regular contact with their family, through visits or phone calls. Only 38 percent of whites were in regular contact with the family. In addition, six months after release, one-third of whites lived with family as compared to half of blacks. Similarly, a 2013 study (Taylor et al. 2014) finds that African Americans on average have higher levels of involvement and give more assistance to family members than non-Hispanic whites. In addition, African Americans and Black Caribbeans were more likely to have a "support advantage relative to non-Hispanic whites" (Taylor et al. 2014) and, further, a larger family network than non-Hispanic white Americans. Non-Hispanic white Americans, in contrast, were more likely to receive support from friendship networks (Taylor et al. 2014).

incarcerated or had a close family member incarcerated. I have taken the position of the researchers in the study, "Participatory Action Research: From Within and Beyond Prison Bars," to heart, recognizing the need for "participation with, not only for, the community" (Fine et al. 2003:98) when conducting these interviews. I acknowledge that "insiders understand the profound connections between discrete features of a community that outsiders might erroneously see as separate and divisible" (Fine et al. 2003:111), and thus I center the voices of the families of those incarcerated.

<p style="text-align:center">**************************</p>

This thesis is composed of this introduction, three chapters, and a conclusion. Chapter One, "Defining the Problem," covers in detail the harmful implications of incarceration both in Poughkeepsie and on a national scale. I begin by demonstrating the scope of incarceration in the United States, highlighting the disproportionate rates of incarceration among people of color and those of low socioeconomic status. I then interrogate society's current understanding of crime as a source of inequality and discrimination. I employ Foucault's method of "genealogy as problematization" (Koopman 2013:18) to situate the social construction of crime in United States' history of discrimination and unequal power structures. I also examine how these structures have been built upon and perpetuated in Poughkeepsie, contributing to lopsided rates of poverty, criminalization, and incarceration.

In Chapter Two, "Impact of Incarceration," I highlight the effect these discriminatory structures have on individuals as a direct result of incarceration, further perpetuating unequal life chances. I focus on the struggles those incarcerated, their families, and communities face as a result of incarceration, incorporating interviews with Poughkeepsie families to provide additional

perspective. The difficulties of communication and the importance of community support

networks to tackle the harms of incarceration, both important themes, emerge from this chapter.

Chapter Three, "Restorative Practices," looks at how restorative justice practices can

address these themes. I summarize restorative justice theory, emphasizing its goals in relation to

providing support networks. Specifically, I examine several existing programs that work either

with those incarcerated or at risk of incarceration: the Restorative Justice Initiative's circles,

Huikahi Restorative and Reentry Circles, the Ontario Transition Circles, Procter and Dunlevy's

peacekeeping circles, and ROCA peacekeeping circles. I interview several of these practitioners

and incorporate their advice in order to create a feasible model given available resources that

would aid the families of those incarcerated in Poughkeepsie. In doing so, I focus on two points

of intervention: the families of those incarcerated during the reentry process and, perhaps more

importantly, an unexplored restorative justice application, children with incarcerated family

members. For these two potential applications, I reflect on how restorative circles could help the

families I interviewed and others in similar circumstances. Further, considering the family

participants' experiences, I extend my definition of family to include "close communities of

care" (Barton 2000:41), such as friends and other intimate forms of support. I also reflect on how

the current limitations of these proposed circles could be seen as paths for upcoming growth.

The Conclusion, "Towards an Abolitionist Future," frames restorative justice as a

necessary step towards dismantling the current harmful retributive criminal justice system, and,

moreover, challenges the need for punishment and the causes of crime more broadly. To do so, I

employ the concept of prison abolition, which Critical Resistance (2002) defines as "a political

vision with the goal of eliminating prisons, policing, and surveillance and creating lasting

alternatives to punishment and imprisonment" (60). An abolitionist lens requires us to look

beyond the prison to the pervasive harms that found and perpetuate the criminal justice system as a whole. Issues such as discrimination and structural inequality extend far beyond the prison walls. Analyzing the limitations and potential of restorative justice to address these underlying harms, I look to the future, offering restorative justice as but one step towards larger, more transformative social change.

CHAPTER ONE: DEFINING THE PROBLEM

The Scope of Mass Incarceration

Consider the following statistics. The United States' prison population has increased by more than 700 percent in the last fifty years, from 300,000 in 1970 to over 2.2 million in 2016 (Alexander 2012:6; Kaeble and Cowhig 2018:1). Moreover, this number does not include approximately four million people under community supervision (i.e. parole and probation) (Kaeble and Cowhig 2018:1). In fact, the United States incarcerates a greater percentage of its citizens than any other country in the world (Gramlich 2018). Black individuals, in particular, have a 34 percent chance of being incarcerated in their lives (NAACP 2018). Further, a 2006 study estimates 7,476,500 children in the United States have a parent in prison, jail or under community supervision (Herman-Stahl, Kan and McKay 2008). Clearly, the United States' penal system is massive and impacts not only those incarcerated, but their families and communities as well.

Chapter Overview

I examine the scope of incarceration in the United States, situating the surprisingly recent explosion in the incarcerated population in a much longer history of discipline and punishment. Through this historical lens, incarceration is not a natural phenomena or simply a response to rising crime rates, but rather a systematic process of discrimination which upholds power structures that "benefit one group and one place at the expense of another" (Christianson 1998:295). I present the prevailing definition of crime and, through various examples, demonstrate its inequitable ramifications. I then argue that crime is a social construct that reflects and reinforces structures of discrimination that ultimately do more harm than good. Further, the

criminal justice system's current retributive structure is socially engineered to maintain prevailing systems of power. According to the political philosopher, Michel Foucault (2011:212), sources of discipline have long been used globally as a means to maintain power and reaffirm difference – be it race, gender, sex, class or another distinguishing characteristic. I employ Foucault's method of "genealogy as problematization" (Koopman 2013:18) to situate the social construction of crime in a historical process which perpetuates intergenerational cycles of poverty, criminalization, and incarceration and, more generally, the unequal distribution of life chances. In the later part of this chapter, I will turn to how these issues are intertwined in Poughkeepsie's past and present with dire implications for its incarcerated population and the families of those incarcerated. Overall, this chapter provides the theoretical and contextual framework for ensuing chapters.

Crime as a Social Construct

In this section, I interrogate the prevailing definition of crime – highlighting its limitations to fairly and adequately address the most pervasive harms of our society. At its most basic, crime is legally defined as "a violation of law, more specifically, criminal law" (Britton 2018:7). That is, one commits a crime if, by either action or omission, they impede established governmentally enforced rules. Under this understanding, crime is clearly demarcated with a system of authority that specifies certain behaviors in the context of law. This definition implies that criminal law is constant and universal. Yet, a few examples demonstrate this is not the case. Leonard (2015:19) emphasizes the volatile nature of criminal law subject to changes in custom, time and place. For instance, consider the variety of laws regarding marijuana use in the United States. Even in the last two years, New York has changed its criminal statutes to decriminalize

personal possession of a small quantity of marijuana (Paul 2018). Moreover, recreational marijuana use is legal in some states but criminalized in others (Hauser 2018). Why should something be considered a crime in one place but perfectly legal a few miles away? Other laws that vary by state include those regarding abortion, LGBTQ employment discrimination, and gun control (Astor and Russell 2018; Khullar 2018; *New York Times* 2018). Such geographical and temporal differences challenge the seemingly rigid definition of crime.

With these discrepancies in mind, a "sociological perspective" (Leonard 2015:17) is necessary to define and analyze crime. Such a lens emphasizes that "political, economic and social characteristics influence the administration of justice [...where] law is assumed to be variable, changing with the social relations of the parties" (Barak, Leighton, Cotton 2018:77). According to criminologist Richard Quinney, "'criminal behavior' differs from 'noncriminal behavior' only according to the definition that has been created by others" (Potter 2015:32). These explanations emphasize the importance of context in determining whether an act is criminalized. For a further example, consider laws regarding interracial marriage. Until the Supreme Court case *Loving v. Virginia* in 1967, miscegenation laws banned interracial marriage in many states (Rosenfeld 2008). Sociologist Michael Rosenfeld (2008) argues that only in the mid-twentieth century, as "the atrocities of Nazi Germany discredited ideas of White biological superiority" (738) did public discourse and subsequent laws shift in favor of interracial marriage. Today, miscegenation laws may seem absurd, yet they were once widely accepted. Thus, our definitions of crime may change within a given context and, according to criminologist Dana Britton (2018), are "informed by other social constructs such as race, class, gender, ethnicity, age, and sexuality" (7). Criminal behavior is thus socially constructed in ways that incorporate larger societal factors.

Further complicating a comprehensive definition of crime are those acts that clearly cause harm, yet are seldom declared criminal. For instance, take the marketing of unsafe products to consumers. A potentially fatal product causes far more serious harm than stealing a car. Yet as Leonard (2015:3) points out, the FBI considers auto theft a major crime while the marketing of unsafe products is not. Criminal blame is often placed on the individual. Of the seven major crimes the FBI indexes and monitors, no corporate crimes are included (e.g. the marketing of unsafe products, insider trading, and price-fixing) (Leonard 2015:3). However, Britton (2018) asserts that more people die each year from "unsafe working conditions, dangerous products, toxic waste, and other corporate actions than die from murder" (8). Dismissing these actions as non-criminal fails to address major harms in our society.

Moreover, certain people are disproportionately implicated in the prevailing definition of crime. As Britton (2018) argues, the "legalistic definition of crime is biased toward acts committed by those at the bottom of the socioeconomic ladder….rather than those at the top" (9). Returning to the previous discussion, the seven major crimes the FBI tracks are murder, assault, rape, robbery, burglary, larceny-theft, and auto theft (Leonard 2015:3). These acts are usually viewed as crimes of opportunity and desperation and are often associated with low socioeconomic status (Leonard 2015:3). In addition, the media (news, movies, and television shows) is more likely to emphasize and highlight such crimes over corporate crimes since "[these seven major crimes are] readily available through law enforcement sources, and given that they fit into our stock story of crime" (Leonard 2015:2). With the greater exposure on these crimes, society generally accepts these crimes as most prevalent. Is this association mere coincidence? Barak, Leighton and Cotton (2018) think not. Rather, they argue that in general "most laws reflect the special or partisan interests of elected people who have conscious and

subconscious desires in maintaining the privileged orders or status quo of which they are obvious benefactors" (Barak, Leighton and Cotton 2018:75). Simply, those in power make and maintain laws that reinforce their power. And these laws shape our definition of crime.

Not only are criminal laws created and manipulated by those in power, these very same officials have control over how criminal law is enforced. In my philosophy class, our professor asked if we students had ever committed a crime without being caught; everyone raised their hands. He then asked if anyone had committed a felony without being caught; about half the class raised their hands. This exercise speaks to the discrepancies of law enforcement. Did our class apprehension rate reflect that of society as a whole? Clearly not or our prison populations would be dramatically smaller. To assess the result of this thought experiment, Leonard (2015) would suggest that we accept that "everyone engages in some form of illicit behavior and then ask why some people are labelled criminals and not others" (28). For a more pertinent example, consider illegal drug possession. Although studies show that race is not a major signifier of drug use, and, in fact, white youth are more likely to use and sell drugs than black youth, drug use is increasingly conflated with predominantly black urban neighborhoods (Alexander 2012:7,98). In fact, black people, who comprise 13 percent of the population, represent almost 40 percent of those incarcerated for drug-related crimes (Adams, Samuels, Taxi 2015). We are left to question these evident discrepancies; what is it about our definition and enforcement of crime that allows for such blatant discrimination?

With this example in mind, a sociological interrogation of crime must recognize that different aspects of one's identity (e.g. race, gender, class, and sexuality) influence one's relation to and experiences with crime. And, as I shall demonstrate, these identities can interact in different ways. Legal scholar Kimberlé Crenshaw is credited with coining the term

intersectionality to challenge a single-axised approach (i.e. race, class, gender, or sexuality) towards analyzing one's position in society. Focusing specifically on black women, Crenshaw (1989) argues that a "discrete set of experiences often does not accurately reflect the interaction of race and gender" (140). Instead, all aspects of one's identity must be considered. For instance, we must ask not why a particular man is considered a criminal. Rather, why is a particular poor, black, gay man also a criminal? Sociologist Hillary Potter (2015) explains how an intersectional approach may be applied to criminality: "any identity/ies an individual holds and believes to be significant in their lived experience should be considered for analysis in criminological research" (9). Thus, in informing our definition of crime, I must consider not only all relevant factors, but also how these factors interact.

Ultimately, an intersectional analysis of the social construction of crime prompts us to question what is considered criminal. How can we accept someone as worthy of criminal punishment when another committing a similar act is let free? And how are some harmful acts considered crimes but not others? In the next section, I examine more closely how these concepts of crime have been produced in the United States in ways which disproportionately harm certain populations. For now, however, I recognize the deficiencies in our current understanding of crime adequately to address all harms and needs of society.

The "Problematization" of Crime and Mass Incarceration

The social construction of crime is not a recent occurrence; it is embedded in United States' history. Thus, to examine the contemporary implications of crime on life chances and whom is impacted, I outline the historical production of the prevailing definition of crime, demonstrating how the process of defining crime has reinforced and perpetuated the power

hierarchy upon which this country is founded, all at the expense of already marginalized populations.

The entanglement of power and crime necessitates a Foucaultian grounding that links hegemony, discipline and social control. I adopt a particular Foucaultian methodological tool of inquiry, "genealogy as problematization" (Koopman 2013:18), which Colin Koopman (2013) defines as "a critical history of the present" (24). This method situates current issues in a "multiplicity of otherwise disentangled (historical) elements" (Koopman 2013:24). Foucault defines problematization as the process which allows "the transformation of the difficulties and obstacles of a practice into a general problem for which one proposes diverse practical solutions" (Rabinow and Foucault 1984). Sociologist Christian Borch (2015) posits that a problematization analysis "examines how, in a particular historical context, a phenomenon is rendered problematic [i.e. an issue] and what responses are suggested to deal with it" (5). Employing a problematization analysis over a long time period provides a better sense of how recent trends may be a continuation and/or a response to previous historical events (Borch 2015:3). So, genealogy as problematization can be forward thinking and solution based as opposed to being confined to problems of the past. Indeed, Koopman (2013) asserts "the force of Foucault is not to assert a normative judgment so much as to provoke a critical questioning" (91). With this approach, I can question the social construction of crime by examining the factors that shape it. How is the current criminal justice system influenced by society's definition of crime, and, further, how has this definition contributed to disproportionate rates of incarceration among already marginalized populations? Ultimately, such critical questioning provides insight into potential solutions.

Koopman (2013) imparts that "genealogies start with the present in order to trace the conditions of the emergence of the present in which we are present" (24). What does the problematization of crime look like in the twenty-first century? Criminologist Christopher Wildeman (2012) refers to mass incarceration as the "the current American experiment in incarceration, which is defined by comparatively and historically extreme rates of imprisonment." Mass incarceration in the United States epitomizes contemporary society's expectations and construction of crime. With the aforementioned statistics at the beginning of this chapter, it is obvious our nation's massive and disproportionate prison population reflects factors other than actual crime rates. In his book, *Locked In: The True Causes of Mass Incarceration And How to Achieve Real Reform*, John Pfaff (2017) writes that mass incarceration "is one of the biggest social problems the United States faces today; our sprawling prison system imposes staggering economic, social, political and racial costs" (2).

How did our country, supposedly founded upon equality and freedom, allow such an atrocity to happen? Delving into our nation's complicated history of criminality and incarceration provides some explanation. Britton (2018:10) argues the United States has a long history of legally encoding discrimination and subjugation. Legal scholar Michelle Alexander (2012) traces this discrimination to our country's origins, where "the idea of race emerged as a means of reconciling chattel slavery….with the ideals of freedom preached by whites in the new colonies" (23). In this light, racial identities were a "direct consequence of state formation" (Mamdani 2001:22) to be analyzed through relations of power. In fact, Mahmood Mamdani (2003) argues that "it is the link between identity and power that allows us to understand how cultural [as well as racial] identities are translated into political identities" (138). In this context, race can be understood not as a natural or inherent trait but rather as a means of exploitation

created to justify the enslavement of black people. Prison activist Angela Davis (2010:29) posits

that in the wake of the Civil War and the end of chattel slavery, the government strengthened and

developed the criminal justice system to legally restrict the possibilities of freedom for newly

released slaves and marginalized people in general. Black Codes passed in the 1860s segregated

many public spaces and vagrancy laws made it a criminal offense for blacks to be unemployed

(Alexander 2012:28). A new era of exploitation emerged in the form of Jim Crow, criminalizing

black people for no more than occupying space (Christianson 1998:293). Thus "the notion of

racial difference – specifically the notion of white superiority – proved far more durable than the

institution that gave birth to it" (Alexander 2012:26) throughout the nineteenth and into the

twentieth century.

      While these systems of oppression may have laid the ideological foundation for the

modern system of incarceration, their contribution to the prison population paled in comparison

to what came next. While 184,901 Americans were incarcerated between the end of the Civil

War and 1965, 251,107 Americans were incarcerated between 1965 and 1984 (Hinton 2017:5).

Further, the number of black individuals admitted to state and federal prisons increased from 32

percent in 1960 to 43 percent in 1985 (Langan 1991:5). What accounts for this staggering

(disproportionate) increase in the prison population which Elizabeth Hinton (2017:2) marks as

the onset of mass incarceration in the United States? On March 8, 1965, President Lyndon

Johnson presented to Congress the Law Enforcement Assistance Act, officially declaring the

"War on Crime" (Hinton 2017:1). With this move, Loic Wacquant (2012) asserts:

> America has launched into a social and political experiment without precedent or
> equivalent in the societies of the postwar West...a police and penal state for which the
> criminalization of marginality and the punitive containment of dispossessed categories
> serve as social policy at the lower end of the class and ethnic order (41).

Examining the impetus for the War on Crime and its subsequent consequences yields insight into the powers that allowed for our current system of mass incarceration.

The War on Crime can be considered a direct (racial) political response to the Civil Rights movement. In the 1950s and 1960s, conservative political leaders pointed to Martin Luther King Jr's philosophy of civil disobedience and other black radical movements as leading causes of crime (Alexander 2012:41). (Although crime rates did rise in the 1960s, Alexander (2012:41) references the coming of age of the baby boom population as the major contributing factor.) "Racial imagery" (Alexander 2012:42) promoted in the media fueled arguments that civil rights for blacks would have dangerous consequences. Such concerns led to an increasing racial polarization. In this context, President Johnson officially declared the War on Crime, implementing tougher criminal sanctions and deterrents (Hinton 2017:1). However, in light of what we have seen, this symbolic declaration of war was but a continuation of decades of racial criminalization.

A direct consequence of this War on Crime was increased drug-related criminalization, which benefited those in power while disproportionately targeting people of color. Alexander (2012) argues that President Ronald Reagan's calls for a War on Drugs in the 1980s "had little to do with public concern about drugs and much to do with public concern about race" (49). Ronald Reagan promoted the War on Drugs as a way to gain political support among white constituents, who sought to maintain economic, political and social power in the context of a rising black influence. Building upon strategies from President Johnson's War on Crime, the War on Drugs targeted urban populations (Hinton 2017:308). For instance, during a period when drug use was actually declining, the Reagan administration paid media personal to publicize the emergence of crack cocaine as part of a strategic effort to build social and legislative support for

the war (Alexander 2012:60). Fatema Gunja (2003) notes how the criminal penalties for and media perception of powder cocaine (the more expensive version of the drug) remained favorable compared to that of crack cocaine (cheaper and often associated with urban poor black neighborhoods). The War on Drugs quickly gained momentum; the Reagan administration instituted mandatory minimum sentencing laws and provided free military equipment, training, cash grants, and permission for law enforcement to keep the monetary assets seized from drug raids (Gunja 2003; Alexander 2012:78). By 1994, 58 percent of those incarcerated in federal prisons were for drug offenses (Christianson 1998:283). Today, drug offenses continue to be a major cause of incarceration and subsequent criminal labelling. 500,000 people were incarcerated for drug offenses in 2012, compared to an estimated 41,000 in 1980 – an increase of 1,100 percent (Alexander 2012:60).

Furthermore, this systematic campaign against drug use has labeled many non-violent individuals as criminals. In 2015, more than 80 percent of those arrested on drug charges were for possession only (Rothwell 2016). In fact, between 1993 and 2009, more people were arrested and convicted for drug offenses than violent crimes (Rothwell 2016).[16] And, as per the legacy of the War on Drugs, much of this criminality has racial implications. As already noted, studies show people of color use and sell drugs at roughly the same rates as whites. Yet black people, who comprise 13 percent of the overall United States population, represent almost 40 percent of those incarcerated for drug related crimes (Adams, Samuels, and Taxy 2015). Similarly, Anderson and Carson (2016) find that although Latinx individuals make up 18 percent of the

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[16] While there is a higher percentage of people arrested for drug offenses at any point of time, more people are currently incarcerated for violent crimes. According to the Bureau of Prisons (as cited in Roeder 2015), the state prison population (1,358,875) far surpasses that of the federal prison population (207,847), and only 16 percent of those in state prisons have a drug offense as their most serious crime as opposed to 48.6 percent in federal prisons. That said, a significant number of people are still incarcerated for drug-related offenses and I take this into consideration when examining the implications of criminal sentencing.

United States population, they comprise 38 percent of people incarcerated in federal prison for drug offenses. Clearly, the War on Drugs is perpetuating the racial hierarchy, criminalizing its offenders at a rate that surpasses that of violent crimes and what should be considered appropriate punishment.

The War on Crime and War on Drugs also have implications on the criminalization of poverty, and, more specifically, the use of welfare. Often cited are Reagan's campaigns against the stereotypical "welfare queen" – a poor black single unemployed, drug-abusing mother who lives off the government's paycheck (Alexander 2012: 47-48). Reagan charged that "welfare encourages dependency, laziness, and single motherhood" (Hinton 2017:308) and thus passed laws that increasingly limited the freedoms and resources for those on welfare. For example, the Family Support Act of 1988 "restricted access to public aid and made it conditional upon upholding certain behavioral norms [economic, sexual, family, education, etc][...] the most common of these requirements stipulated that the recipient must accept any job" (Wacquant 2012:59). Under such laws, those of low socioeconomic status were denied freedom and choice and often criminalized for their actions. Beckett, Sasson and Simpson (2000) provide an appropriate summary of these cumulative effects: "in the context of the wars on crime and drugs, the poor are symbolically transformed into an 'underclass' of criminals and addicts —into people who 'make trouble'" (68).

Since incarceration can be viewed as socially engineered to maintain systems of power, the legitimacy and purpose of incarceration in the United States today requires scrutiny. Critical Resistance, a national organization founded in 1999 to fight the prison-industrial complex, has compiled key components and theories to explain the scope of the incarceration epidemic. The prison industrial complex, defined as "the overlapping interests of state and industry that use

surveillance, policing, and imprisonment as solutions to economic, social and political problems"
(Critical Resistance 2002:59), is a national issue. Using the prison to maintain systems of
oppression while "making it look natural and necessary " (4), Schenwar (2014) emphasizes how
financial and political powers preserve their positions of control. These systemic powers
legitimized under the prison-industrial complex control definitions of who is criminal. Indeed,
"rates of incarceration are not necessarily related to, or the product of, official crime rates"
(Christianson 1998:278) but are instead tied to one's access to resources. For example, Schenwar
(2014:126) cites a study of New York State residents arrested on non-felony charges with bail at
$1,000 or less; 87 percent were still in jail because they could not pay the bail amount. People of
color, who on average have a lower income, are routinely assigned higher bail amounts (Harris
and Miller 2006:6). Such practices perpetuate the (racial and classist) hierarchy entrenched in
society.

By situating mass incarceration and crime within these political, social, and economic
projects throughout our nation's history, we see that much of what we view as criminal is that
which those in power want us to see as criminal. Recognizing such problematization allows us to
question what actually constitutes harm and then how these harms can be addressed.

The Construction of Crime in Poughkeepsie

This section narrows our focus to incarceration in Poughkeepsie, the setting of this thesis.
The city's socioeconomic disparities reflect many of the discriminatory trends just presented.
Situating these statistics in centuries of economic and social exploitation, I argue that in many
(overt and obscure) ways, Poughkeepsie's past and present epitomizes the problematization of

our current understanding of crime. With this lens, I examine how local marginalized

populations are disproportionately harmed in the criminal justice system.

I first look at Poughkeepsie's current demographics to contextualize the area in terms of

national trends. The city of Poughkeepsie, located about two hours north of New York City, has

a population of 32,736 according to the 2010 census (Census Bureau QuickFacts 2017). The

demographics of Poughkeepsie and its surrounding area are rapidly changing. Between 2000 and

2015, racial minority populations in Dutchess County[17] increased at a greater rate than in the rest

of the state and nation (Rosenberg 2016). The Latinx population grew 86 percent and the black

population grew 26 percent while the white population decreased slightly; currently, Latinx

residents comprise 12 percent of Dutchess County's population and black residents comprise 11

percent ("Change in Total Population by Race/Ethnicity, 2000 to 2011-2015"; Rosenberg 2016).

In the city of Poughkeepsie, these numbers are significantly higher. According to twenty-first

century population estimates, the unofficial Latinx population is between 20 and 25 percent[18] of

the total population and blacks residents comprise 37.6 percent (Census Bureau QuickFacts.

2017; Godfrey 2007:334). Indeed, "Changing Hudson Valley– Population Trends" (2015) finds

that those most likely to move into the area are racial and ethnic minorities, particularly blacks

and Latinx individuals. These population increases seem surprising considering that the total

Poughkeepsie population peaked at 41,000 in 1950 and has since declined (Flad and Griffin

2009:370). I examine the motivations for these population shifts in the next paragraph, but for

now I emphasize the changing racial demographics. These trends also correspond to a changing

economic landscape. While 9.2 percent of Dutchess County residents were below the poverty

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[17] Dutchess County is where Poughkeepsie is located.

[18] While the official 2000 Census has the Latinx population in Poughkeepsie as 9.8 percent, Vassar Professor Brian Godfrey (2007:334) believes the number to be much higher given the significant number of undocumented residents. He cites informed estimates that "20 to 25 percent of the city's population is now Latino" (Godfrey 2007:334).

line in 1990, 22 percent of the black population was below the poverty line (Flad and Griffin 2009: 328). And in 2016, the average white Dutchess County household income ($75,913) was far more than that of African-American families ($46,830) and Hispanic[19] families ($52,451) ("Median Household Income, by Race/Ethnicity 2012-16" 2016). Why is this so?

Poughkeepsie's demographic changes are not a recent phenomena but rather an extension of a much longer historical trajectory which parallels the country's as a whole. As in much of the United States, Poughkeepsie has had, and continues to have, a complicated relationship with race and class. I provide a brief overview of this history, relying on Flad and Griffin's book, *Main Street to Mainframes: Landscape and Social Change in Poughkeepsie*, as well as other local sources, for my analysis. Poughkeepsie, like the majority of the United States, was part of the major racial and classist projects of past centuries – from slavery to segregation to the current de facto modes of discrimination including mass incarceration.

Founded in the late eighteenth century as a farming and shipping community, Poughkeepsie relied heavily on slave labor. "By 1790, the Hudson Valley accounted for 60 percent of the slaves in New York State" (Flad and Griffin 2009:20), even though the region represented only a fraction of the state's population considering the size of New York City Dutchess County alone had 1,856 slaves (Moody 2010:1). As a state, New York had the most slaves of any northern state (Kobrin 1975:8). Slavery and the resulting racial divides were thus an integral part of Poughkeepsie's inception and early development.

As in the rest of the nation, racial divides continued after slave emancipation. Although slavery ended in New York in 1827, Mamiya and Roberts (1988) assert that in Poughkeepsie, "residential and social segregation of Negroes remained as an accepted social fact throughout the nineteenth and into the twentieth centuries" (77). Black students attended separate schools in the

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[19] This survey uses "Hispanic" instead of Latinx.

Poughkeepsie School District until the 1870s and black families became concentrated in four sections of the city over the nineteenth century (Flad and Griffin 2009:55; Mamiya and Roberts 1988:78). While native whites and some immigrant groups such as the Irish and Germans increasingly expanded beyond Poughkeepsie's borders to wealthier suburban neighborhoods, blacks remained in Poughkeepsie (Flad and Griffin 2009:55). Indeed, "the vast majority of black people in Poughkeepsie in the late nineteenth century did not experience the intergenerational upward mobility" (Mamiya and Roberts 1988:85) often needed to move to the suburbs, further perpetuating racial and class divides.

Flad and Griffin (2009:5) attribute this socioeconomic segregation to instances of affluent white flight, which became more and more prominent over the nineteenth and twentieth centuries and exacerbated existing divisions. The establishment of IBM, a major computing company, in the outskirts of Poughkeepsie in the mid-nineteenth century was a major contributing factor to Poughkeepsie's suburbanization. As the area's largest employer, the company "brought prosperity to the new suburbs, but not to the city" (Flad and Griffin 2009:3). Further, Flad and Griffin (2009) reveal that "IBM seems not to have hired local African Americans" (197), which suggests racial employment discrimination. The resulting prosperity that came with IBM's success left local minorities behind. When IBM did hire blacks, they looked to "a global force that recruited from professionals overseas and black colleges and universities" (Levine 2017) instead of local community members. These new middle-class black professionals often settled in the more affluent suburbs, which reinforced class divides within the black population. Poughkeepsie's demographics shifted: whereas Poughkeepsie was 96 percent white and 4 percent non-white in 1950, by 1980 the city was 74 percent white and 26 percent non-white (Flad and Griffin 2009:208). Adding to segregation issues, whites remained concentrated even

within the city. As the city director of urban renewal remarked in 1971, "the lower part of Main Street has become a Negro ghetto" (Flad and Griffin 2009:224).

Further, while poor minority residents did not benefit from IBM's success, they certainly felt its failures. When IBM downsized at the end of the twentieth century, for every three IBM jobs lost, one local non-IBM manufacturing jobs disappeared in Dutchess County (Flad and Griffin 2009:284). Retail declined throughout the area as well (Flad and Griffin 2009:284). Ghee and Spence (2000:100) argue that the ripple effect extended to the housing market, nonprofits, and local small businesses. Poughkeepsie's unemployment rate was close to two times that of Dutchess County as a whole in the 1990s (Berger 1998). A 2006 study (Mano and Greenow 2006) found that urban renewal projects failed to help the Poughkeepsie economy recover. Retail and service industries in Poughkeepsie were still on the decline. As of 2015, the city had a poverty rate of 24 percent, which was almost 1.5 times the average in New York (Scholman 2018).

In addition, the rise and fall of Poughkeepsie's economy occurred almost simultaneously with the growth of Poughkeepsie's black and Latinx immigrant population, entwining the two processes, and linking race and class struggles even further. After World War II, a substantial Afro-Caribbean population moved to the area in search of work. While some of these immigrants were the IBM employees mentioned previously, many took blue-collar positions in Poughkeepsie (Flad and Griffin 2009:329). There has also been a rapid increase in Latinix immigration to Poughkeepsie from the 1980s to the present which has had a snowballing effect (Ghee and Spence 2000:29). The first Latinx immigrants migrated from other regions of the United States as farm labor. Since then, the social network of established families and friends has motivated Latinx individuals to immigrate directly to Poughkeepsie from their home countries

(Godfrey 2007:334; Villarrubia-Mendoza 2010:97). This migration has greatly increased the immigrant population in the last few decades and subsequently impacted demographics. According to the 2000 Census, Poughkeepsie's Mexican population increased five-fold since the last census, representing 20-25 percent of Poughkeepsie's total population (Mano and Greenow 2006:77; Godfrey 2007:334).

Although careful not to make any direct connections given lack of data, I also note the commencement of the War on Drugs nationally and in Poughkeepsie during this time period. Flad and Griffin (2009) assert that in the 1980s, "due to their easy access to New York City, drug rings in New York City extended their market into [Poughkeepsie]" (317). The onset of the "crack epidemic" in the region is attributed to these drug rings (Flad and Griffin 2009: 317). In response, Dutchess County set up the Drug Task Force in 1989, a subsection of the local police force to handle drug related cases (Schaerlaeckens 2015). The Task Force "borrows whatever officers can be spared by departments across the county [...] handling some 140 cases per year" (Schaerlaeckens 2015). Still active as of 2015, the Task Force now handles mostly opioid cases, which, according to Assistant Coordinator Frank Tasciotti, "is even more disruptive than crack was in the late 1980s and early '90s" (Schaerlaeckens 2015). Opioids are cheap and accessible, and often conflated with poor communities. Recent media campaigns have sensationalized the "opioid crisis" in much the same way that the Reagan administration targeted the "crack epidemic" (Peterson and Armor 2018). However, legal and social responses to the two drugs have been drastically different. While laws criminalizing opioid use increased in recent years to combat their rising prevalence, so, too, have laws promoting opioid addiction treatment prison diversion programs. For example, New Yorks's Joint Senate Task Force on Heroin and Opioid Addiction was charged in 2014 with "increasing the availability and efficacy of addiction

treatment [for heroin and opioids]" (Boyle 2014). The Senate's Task Force successfully expanded the number of care clinics, detoxification centers, and prison transition programs throughout New York. While such measures have the potential to decrease the prison population and better help those addicted, Peterson and Armour (2018) highlight the racial implications of these laws. In 2016, white victims made up almost 80 percent of the deaths from opioid overdoses. In contrast, in 2000, 84 percent of crack offenders were black. Yet the prevailing (legal and social) responses to the two drugs differ considerably and contribute to the current incarceration demographics. While we have seen many individuals use drugs, not all (drugs and people) are criminalized equally.

In the context of Poughkeepsie's War on Drugs, socioeconomic struggles, and changing demographics, I turn to the increasing jail and prison population in Dutchess County, arguing Poughkeepsie has witnessed its own War on Crime. The average daily population at the Dutchess County Jail has increased from 285 in 1997 to 423 in 2017 (Drapkin 2017). How can a county whose population is declining have a rising prison population? What accounts for these changes? Has Dutchess County become more violent? Not according to the Mid-Hudson Community Profiles; between 2000 and 2016, violent crimes decreased in Dutchess County (Rosenberg 2016). Moreover, Drapkin (2017) finds that Poughkeepsie's overall crime rate decreased by an outstanding 43 percent in the first decade of the twenty-first century. Crime does not seem to have increased.

A closer look at the Dutchess County Jail provides insight. Two-thirds of all arrests in New York are for misdemeanor charges (Vera Institute for Justice 2017). In Dutchess County, more misdemeanors (69 percent) result in a conviction than the average for the rest of the state (54 percent) (Vera Institute for Justice 2017). Furthermore, available statistics reflect racial

biases. According to Borne (2013), while black individuals make up 11 percent of the Dutchess County population, over 50 percent of those incarcerated in Poughkeepsie are black.[20] Astonishingly, Wolf (2014) finds that the relative risk of arrest for black residents in Poughkeepsie was higher than that in Ferguson, Missouri, where Trayvon Martin was shot. Clearly, it seems that the current criminal justice system is failing many of Poughkeepsie's residents.

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[20] I could not find any statistics for Poughkeepsie's Latinx incarceration rates. However, given the national statistics discussed in the previous section, it is reasonable to suggest that Latinx individuals are disproportionately affected by incarceration in Poughkeepsie as well.

CHAPTER TWO: IMPACTS OF INCARCERATION

Chapter Overview

Recognizing these systematic processes of criminalization and mass incarceration have a deep impact on the community and individual level, it is necessary to analyze incarceration's effects on individuals entangled in the criminal justice system – specifically, those currently and formerly incarcerated and their families. Such analysis reveals a much broader scope of incarceration that far exceeds the statistics analyzed in the previous chapter. I cite studies that demonstrate the pervasive impact of incarceration. Those incarcerated experience financial, emotional, physical, and psychological harm during and after incarceration. Their families also face similar difficulties due to their loved one's incarceration with life-long implications. Further, the concentration of these factors within already marginalized communities has far-reaching effects.

I use Donald Braman's terminology (2007) to distinguish between those *inside* and *outside* the penal system. That is, those incarcerated inside a correctional facility and those left behind (i.e. family and friends) outside. This distinction was used by many of the interview participants. *A*, a formerly incarcerated man, consistently refers to his twenty-four years inside in contrast to his time outside before and after incarceration. *E,* too, demarcates the time her son has spent inside (three and a half years) versus outside (a year and a half) in the last five years. Family participants also use these distinctions when referring to their own position in relation to their incarcerated loved ones. For instance, *G* tells of one of her incarcerated son's friend who calls her his "light to the outside world".

This chapter begins with an analysis of the harms those incarcerated experience inside and outside as a direct result of incarceration. *A* provides the inside perspective, recounting his

own (ongoing) difficulties resulting from his twenty-four years incarcerated. Adding to his voice are those of the family interview participants. They account the harms their incarcerated loved ones currently experience and their worries about their family members' future reentry. Also included are accounts of their incarcerated family members' previous reentry attempts to provide insight into the difficulties of the reentry process. Their accounts are all supported by studies and sociological theory, indicating their struggles are not isolated incidents but rather part of a larger structural problem. Shifting to the family participants' personal struggles, I then review the hardships those outside experience, using existing studies to support their narratives. These hardships impact entire communities affected by incarceration and demonstrate how aggregated individual experiences may adversely impact neighbors, friends, and broader communities. Throughout, common themes surface, such as the difficulties of communication and importance of support networks. This level of analysis provides insight into the interconnected problems those involved with the criminal justice system face as well as potential solutions to these issues. I end the chapter by presenting criminologist Robert Sampson's concept of "collective efficacy" (1997) as a way to tackle such harms on not only a case-by-case basis but also to enact larger restorative change to alleviate long term problems.

Impact on those Incarcerated

The debilitating effects of incarceration on those inside are many and leave legacies which extend far beyond the duration of one's sentence. The United States' prison conditions have been deemed "in crisis" (Travis and Waul 2004:34) with punishments that far surpass their intended consequences of retribution. Even for short periods of incarceration, the interruption of one's daily routine can come at great cost. Christianson (1998:301) lists some of the short-term

consequences of incarceration as material deprivation, loss of autonomy, compromised security and feelings of well-being, and denial of heterosexual relationships. *A* experienced many of these ill effects during his sentence. He accounts the loss of simples pleasures such as adequate food, choice in reading materials, and his own clothing. For extended periods of time, he was only given something called "the loaf" (stale bread with canned vegetables) to eat. *G*'s son requests fresh fruits and vegetables in every care package she sends, his only source for these basic nutrients.

The long-term consequences of incarceration are far more severe. Christianson (1998: 301) highlights several, including antisocial behavior and detrimental health effects. For example, *F* fears her son has lost his "vitality" while incarcerated. *G* worries about the long term consequences of insufficient medical care should her son become ill. Supporting her worries, *C* reveals the troubles her incarcerated husband has obtaining appropriate mental health care. Further mental and physical problems emerge as a direct result of incarceration. Arditti promotes the theory of "prisonization" where, "as individuals stay in prison, they become emotionally separated from free-world individuals, and increasingly acquire the values, standards, and behavior patterns of other prisoners" (Arditti 2014:10). Indeed, Haney (2001:60) argues that while incarcerated one's entire thought process shifts. The "normal adaptations to the atypical and abnormal nature of prison life create many problematic ways of thinking, feelings and acting" (Haney 2001:60) which can last a lifetime. *A*'s experience provides insight into this process: "after a while, guys who are trying to get out, they become angry inside, and they start to get in trouble again." Extended time in solitary confinement, or "the box," compounds these feelings. *A* recalls that individuals are sentenced to solitary as routinely as "they're sending you to the candy store." After his time in solitary, *G*'s son confessed to her "it's horrible, and I only

did four days….what happens when guys do, or people do 30, 60, 90 or more. I don't know how you can survive mentally." Extreme isolation from the outside world promotes a further sense of isolation and detachment, exacerbating the effects of prisonization. Generally, Price (2015) refers to incarceration as a "social death" (5) that extends beyond the prison walls.

The scope of punishment does not cease at the end of one's sentence either. For the "ninety-five percent of prisoners who are eventually released" (Schenwar 2014:5), Christianson (1998) emphasizes that "captivity leaves deep, sometimes lifelong, impressions" (300). Incarceration labels individuals "felons for life" (Davis 2016:31), part of America's undercaste confined to a lower-class status. Individuals re-entering society post incarceration are often denied the right to vote, excluded from juries, and legally discriminated against in employment (Davis 2016:31). In New York, those convicted of a felony are not allowed to vote while on parole, cannot serve in the military or on a jury, can be denied housing, and are ineligible for many state and government licenses (Baer 2011). For instance, one year after release, *A* has been unable to find employment. Often, newly released prisoners are required to make payments to probation departments, courts and child-support offices, hindering an already difficult financial transition (Alexander 2012:154).

In addition, those reentering society return to a world very different from the one they left pre-incarceration. *D*'s husband was incarcerated at twenty-three and released at fifty-nine. Of his transition, *D* admits: "That was hard. They say that when you go to prison and you're young, when you come out, you still have that same mentality. You wanna party. But you're not young anymore... So that's what makes it hard." Similarly, *E's* son has been involved with the criminal justice system since he was fourteen, now more than half his life. He wants to experience the simple pleasures of the outside world (such as going to the movies), but cannot because of his

parole's eight o'clock curfew. Formerly incarcerated individuals' freedoms are limited as a prolonged result of their sentences.

Further, those recently incarcerated are often treated with distrust and suspicion in all parts of their daily lives. Even walking into a restaurant, *A* perceives the distrustful gaze from other customers. While this distrust harms emotionally, its legal consequences may be far more devastating. Alexander (2012) notes how formerly incarcerated individuals "can be stopped and searched by the police for any reason –or no reason at all– and returned to prison for the most minor of infractions, such as failing to attend a meeting with a parole officer" (104). As mentioned in the introduction, *E*'s son's parole was violated merely for allowing a homeless friend to stay in his apartment. All these opportunity-denying factors can contribute to high recidivism rates. According to a 2002 U.S. Bureau of Justice Statistics report (Walker and Greening 2012:21), over 50 percent of formerly incarcerated people are back in prison within three years of release.

In this context, those outside can be an integral source of emotional and physical support both during and after incarceration. Maintained family contact during incarceration decreases one's chances of recidivism when released (Vishner and Travis 2003:99-100). Even more, continued contact has immediate benefits while incarcerated, from conjugal visits to daily phone calls with the outside world. Returning to Arditti's concept of prisonization, she argues:

> one's relationship with [one's] family is a key index of the extent a person is prisonized. If [one] maintains a strong, positive relationship, this suggests that free-world objectives and concerns are valued. If [one's] sole or primary reference group becomes other prisoners, [one's] life objectives, frames of reference and values system are likely to move nearer to the prison culture (Arditti 2014:10-11).

Thus, continued relationships with the outside world help incarcerated individuals maintain an emotional and physical grounding. Hairston (2001:94) finds that one's mental health during

incarceration has a direct correlation with one's contact with the outside world. The benefits of external contact does not decrease with length of time incarcerated either (Hairston 2001:94). Throughout one's sentence, family support is valuable to those inside. The family participants' experiences reaffirm these findings. Of her son's time incarcerated, *G* accounts, "I guess I'm really his biggest support...I know he appreciates me for what I do." *B* reveals that for her relationship with her son, "the best thing that came out of him going to jail, he's my best friend. We never really had a relationship beforehand, and now he's my best friend." Their continued support provides hope and strength for their incarcerated sons.

Post-incarceration, Travis and Waul (2004) emphasize family connections as "the difference between success and recidivism" (10), citing formerly incarcerated individuals who identified emotional support and an immediate place to stay as the two most critical aspects of family support (Travis and Waul 2004:11). Western (2018:6) finds that social isolation in the first week after release is associated with higher rates of unemployment and housing insecurity, both factors demonstrated to have links to recidivism, than those with a strong support network. *A* credits his friends who provided him with housing not only for a place to stay, but also for hope and comfort. Those outside provide grounding throughout the continuum of incarceration– from pre-arrest to post-reentry.

Perhaps most telling are the struggles of those incarcerated who do not have the support of family and friends. The participants mention many reasons an incarcerated individual may not have an adequate outside support network, such as distance, death, fear, and estrangement. For many, the nature of the crime itself is too much for a family member to easily forgive (*G* of her son's incarcerated friend). Connections may be broken by the prison wall and some relationships cannot be reestablished. For *A*, his father, mother, grandmother, two sisters, multiple aunts,

uncles, and his childhood best friend all passed away while he was inside. His remaining sister "does not wanna have anything to do with [him] because she thinks [he's] probably crazy after twenty-four years." However, *A* counts himself lucky for having close friends who provided him with a home post-incarceration. He compares himself to others:

> And really, a lot of guys who get out of prison, even after the short time, they have nowhere to go. They have nowhere to lay their head, they wind up in shelters, and they wind up destitute, and they wind up back in prison right away, being angry and frustrated. I've been blessed not to have that happen to me.

A truly believes in the importance of support networks to one's success during and post incarceration. *G* reiterates these thoughts, "family is very important and support of family, so when they are incarcerated I just feel like my son says, you don't know how many people that never get letters, they don't make calls, they don't get no visits or anything." Many incarcerated individuals are at a loss without outside connections.

While prisonization may promote harmful thought processes and relationships, family and outside hope can mitigate these effects. *A* cites the importance of finding religion while incarcerated; the friend he is living with now was a volunteer in the prison's church. For him, "let[ing] go and let[ing] God" provided not only spiritual hope and comfort, helping him realize his values and stemming his anger, but also an outside support network. Thus, whatever sources of hope one finds while incarcerated can temper the harms of incarceration, and even more so with outside support.

Impact on the Families of those Incarcerated

Although family and friends provide substantial benefits for their incarcerated loved ones, incarceration may cause personal harm for those outside as well. Arditti (2014) employs sociologist Megan Comfort's concept of secondary prisonization to describe the "the

transformation of the noninacerated family members' lives...as a result of interacting with the inmate and the correctional system" (16). While not the emphasis of the interviews, all the family participants tellingly reveal their own individual struggles as a result of their family member's incarceration.

First, an extended prison sentence can be financially harmful for the family. Christianson (1998:301) details how the whole family must adjust to a loved one's incarceration. Often, the incarcerated individual was a primary source of income; 71 percent of parents in state prisons reported either full-time or part time employment in the month preceding their current arrest (Travis and Waul 2004:19; Mumola 2000). This financial loss has long-term implications. For instance, *F* used her retirement fund to pay for her son's lawyer. Even after incarceration, Travis and Waul (2004) reveal that "inmates typically receive money from their families, not the other way around" (19). In many states, including New York, individuals with certain felony offenses are barred from receiving federally funded public assistance, putting even more financial strain on the family (Alexander 2012:157). Of the four mothers I interviewed, all had their grown sons living with them before and/or after incarceration. Added dependents are a financial burden regardless of circumstances.

Moreover, the practical difficulties of having a family member involved in the criminal justice system are many, increasing emotional stress and de-incentivizing continued human connections. Often, individuals are incarcerated far from their homes which makes physical contact difficult. The primary considerations of prison placement are security level and availability of open beds, not proximity to one's home (Schenwar 2014:15). Schenwar (2014) compares incarceration to a modern slave block in which, "upon the strike of a gavel, people who've been convicted may be bussed to far-off prisons, hundreds or even thousands of miles

from their families" (14). *D* travels once a month to see her husband in Gouverneur Correctional Facility located four hours northwest of Poughkeepsie. To do so, she must take the train two hours south to New York City to get a bus six hours north to the prison. This trip takes the entire weekend for a single evening with her husband. Compounding these troubles, those incarcerated are often transferred throughout the state, forcing a family to make new travel arrangements each time. During his twenty-four year incarceration, *A* was in "Downstate, Green Haven, Auburn, Attica, Clinton, Coxsackie, Southport ... every max joint, every far-upstate max joint." Others are unable to make the trip at all. When *E*'s husband was terminally ill, he was incapable of traveling to see their incarcerated son; furthermore, their son was denied permission to donate a kidney for his father's surgery or visit the hospital. *B*'s son has not been allowed to visit his grandmother on hospice. One's last visit could come at any time, leaving both those inside and outside in an extended state of uncertainty.

Additional rules and regulations of prison visits may also deter contact. *F*'s son asks his extended family and friends not to visit due to the humiliation of strip searches. Prison rules for visitors are arbitrary, inconsistently enforced, and often differ between prisons (Hairston 2001:274). For instance, a Vassar student was denied entrance to Taconic Correctional Facility on a scheduled class trip because they were wearing tight pants.[21] *G* thinks the "rules are so stupid and [correctional officers] do try to get on your nerves." She has seen many visitors turned away for arguing with the correctional officers about the rules. However, given the power dynamics in the prison environment, such challenges to prison authority are futile.

Long distance contact is also difficult. The cost and infrequency of permitted phone calls and illiteracy of many prisoners and their families are some of the many factors that make communication and maintaining close contact challenging (Travis and Waul 2004:11; Shenwar

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[21] Leonard, Eileen. 2019, personal communication. February 6.

2014:32). Family members must pay for the phone calls, which while not expensive in New York,[22] removes agency from those incarcerated. *B* only speaks to her son twice a month on the phone when he can obtain permission. Further, since any internet access besides email is banned, intergenerational contact is especially limited.[23] Schenwar (2014) accounts one incarcerated father who relates, "Having a teenage daughter...how do I compete with texting, Facebook and Twitter?" (37) And without freedom to visit and communicate electronically, how can he? For all these reasons, frequency of digital contact often decreases as the length of time incarcerated increases (Lynch and Sabol 2001). And considering parents in state prisons are serving sentences with an average maximum sentence length of twelve years, maintaining strong relationships for that long is very difficult (Travis and Waul 2004:5).

Notably compounding these strains are the identities of many caregivers. Often, those caring for an incarcerated family member are older women. Bruce Western (2018) finds in his study of over a hundred recently incarcerated individuals in Boston that "the main supporters were older women – mothers, grandmothers, aunts and sisters" (8). In fact, 80 percent of respondents who stayed with family in the first sixth months out of prison lived with a female relative, half being their mothers. Only 10 percent stayed with a romantic partner and 2 percent lived with their father (Western 2018:37). Of my participants, all four mothers interviewed were retired or close to retirement age which may challenge both mother and son. *E,* age sixty-four, just hopes that she can see her son free. In the past, she has struggled having him in her house since "he wants to live the lifestyle that I really, at my age, I can't really deal with all the time."

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[22] Rules for Dutchess County Jail: "Inmates in the Dutchess County Jail have access to collect call only telephones while in the day room from 9 a.m. to 11 p.m. Social calls to inmates are not accepted and messages are not related to inmates"(Dutchess County Government NY: 2019). Costs of collect phone calls can be found here: https://www.prisonphonejustice.org/state/NY/.

[23] In New York state prisons, it costs 35 cents to send an email, which is equivalent to 3.5 hours of work for those incarcerated (Kruzman 2017).

While wanting to be there for him, it is a very demanding position for an older woman, and takes an emotional and physical toll. Western (2018) summarizes the further profound sociological consequences: "this gendered character of family support explains how the burdens of incarceration are distributed across family members" (118). For older women, this burden is compounded by the existing strains of age and gender. Women over 65 are 80 percent more likely to be below the poverty line than men in the same age bracket (Hannon 2017). Further, studies show that poverty is particularly concentrated among older women of color (Lincoln 2018). Mothers are thus entangled in their sons' incarceration through their own support.

Having discussed the effects of incarceration on mothers, the particular effects of incarceration on one's spouse or partner also warrant consideration. Clayton's 2018 study of 2,281 women with incarcerated partners details the many challenges these women face. They report their partner's incarceration has caused personal stress, anxiety, anger, depression, loneliness, migraines, insomnia, and fatigue (Clayton et al 2018:12). The stigma of having an incarcerated loved one also affects one's livelihood as one is unjustly criminally implicated (Arditti 2014:113). From my interviews, *G* knows many with an incarcerated family member whose neighbors will not talk to them anymore. She counts herself lucky that her employers allowed her to keep her house-keeping job after disclosing her son's incarceration. This stigma creates a sense of "political isolation" (Clayton et al 2018:12) to the degree that many family members try to hide the status of their incarcerated relatives in an effort to mitigate stereotypes and protect their families (Alexander 2012:167). *D* confesses she did not talk to anyone about her husband's incarceration until she started going to the support group meetings.

This intentional distancing from support networks may create a further disconnect from loved ones and even destroys marriages. Travis and Waul (2004) assert that "it is not uncommon

for marital relationships to end in divorce during a prison term" (21). A 2014 study of a subset of married young adults found that approximately 40 percent of couples married before incarceration eventually divorced, often not for lack of love (Siennick, Stewart, Staff 2014:371). For instance, F confides that her son's girlfriend claims that F's son is "the love of her life. [But] she can't live with him-but she can't be with him" due to the pain of separation. Even those couples that stay together face considerable strain to their relationship for the reasons cited above.

Children of those incarcerated also face considerable challenges. Often a child is too young to understand what has happened or is told an alternate false story intended to be less hurtful. For example, *C'*s grandson was told that his father was working instead of in prison. Such fabrications are not uncommon; Jose-Kampfner (as cited in Parke and Clarke-Stewart 2003) terms them "the conspiracy of silence" (201). Parke and Clarke-Stewart (2003:201) find that approximately one third of families engaged in some form of deception when explaining a family member's incarceration to a child. While intended to alleviate trauma and worry, this often leaves children "in a state of extended uncertainty, waiting for their parents' unpredictable return" (Braman 2007:182). For *C's* grandson, he would constantly ask "'When's papa going to stop working' and then 'When papa come home?'" until told at age six the truth. Parke and Clarke-Stewart (2003:201) note that children who are uninformed about their parent's incarceration are more anxious and fearful with long-lasting health consequences. Even those children informed of their parent's incarceration may experience hardships. For one, it may be difficult to comprehend the implications of incarceration. *B* believes her other sons (then seven and eight) did not really understand what happened when their brother was arrested, although she

tried to explain. Only as time progressed and their brother did not return home did they come to understand.

Beyond the dangers of misunderstanding, having an incarcerated family member can cause further harm to a child. Just as a partner of an incarcerated individual may experience stigma so, too, may a child (Hairston 2001:271). *B*'s sons' friends stopped playing with them after their brother was incarcerated. *D* remembers her own son being teased about his incarcerated father. Herman-Stahl, Kan and McKay (2008) have studied the effects of incarceration on the family unit, finding that children with incarcerated fathers "experience numerous life stressors, including caregiver changes, increased poverty, and involvement with the child welfare system, in addition to the pain of parental separation" (12). These stressors inflict trauma that is correlated with increased rates of anxiety, depression, learning problems, and aggression (Herman-Stahl, Kan and McKay 2008:12). Such trauma, Boyes-Watson (2008) argues, "can disrupt our sense of meaning, faith in humanity and belief in oneself" (143) and lead children to try to protect themselves even to the extent of possibly further distancing themselves from family and support networks (Boyes-Watson 2008:143-144). Indeed, Herman-Stahl, Kan and McKay (2008:9) notice that a parent's absence at critical points in a child's upbringing can weaken their commitment to their child and, as a result, that child's trust in their parent. *G* accounts her son's incarcerated friend who, having lost contact with his son for fifteen years, could not convince his son to speak to him when he tried to reestablish contact.

Further, loss of these bonds can affect a child's likelihood of success. Parke and Clarke-Stewart (2003:225) find a strong correlation between parental incarceration and conduct problems such as disobedience, aggression, temper tantrums, stealing and violence. These factors may contribute to an increased likelihood of the children themselves getting in trouble. Already

predisposed to labels of criminality due to the associated stigma of having an incarcerated parent, a 2006 study asserts that "kids of prisoners are more likely to go to prison than graduate from high school" (Schewnar 2014:45). Cox (2009) indicates that children of those incarcerated are on average six times more likely than children without incarcerated parents to be incarcerated themselves.[24] Clearly, children of those incarcerated face many burdens, (hopefully) not intended by the criminal justice system.

Thus, we see the particular, often overlooked, impact of incarceration on those outside the prison walls.

Impact on Communities

My focus has been on families directly impacted by incarceration; I now emphasize the effects of incarceration on broader collective relations which may involve community members seemingly unaffected by the criminal justice system. Highlighting the role of community and social networks employs a sociological lens that demonstrates the far-reaching harms of incarceration and provides insight into collective solutions.

Previous studies demonstrate how incarceration is disproportionately concentrated in certain communities – often those of people of color and low socioeconomic status (Visher and Travis 2003:102). Rose and Clear (2004) find these concentrations create a "cumulative impact of incarceration" (314) often overlooked in incarceration statistics. For instance, *E* accounts the influence of friends and neighbors on her son's decision to try illegal drugs. If not for their

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[24] Important to note are how these effects are compounded for children of color. One in forty children in the United States has an incarcerated parent; for black children it is one in fifteen (Tierney 2012). 2007 data reveals that Latinx children are 2.3 times more likely than white children to have an incarcerated parent (Martin 2012:2). And since all the other factors that often impact one's likelihood of incarceration are also exacerbated for children of color (i.e. poverty, environmental conditions, family unity), these children are at even more of a disadvantage for incarceration themselves (Herman-Stahl, Kan and McKay 2008:9).

pressure, he may not have become involved with the criminal justice system in the first place. Individuals "experience the effects of incarceration not only in their own homes but also in the community at large" (Rose and Clear 2004:314). Thus, the harms previously discussed for individual family members may be felt when a community member is incarcerated as well, extending the effects of the unequal distribution of life chances to whole communities and subsequent generations.

Key Themes and Sources of Hope

Several themes have emerged in this analysis that provide insight into the overall impact of incarceration. In the next chapter, I offer these themes as a potential path towards a restorative solution to the many harms that incarceration inflicts.

While I have demonstrated the substantial barriers to communication during and after incarceration (e.g. physical distance, arbitrary and inconsistent rules regarding prison visits, limited phone calls and social media, social stigma, the debilitating effects of a relative's age), many families find ways to maintain contact, from traveling long hours to visit incarcerated relatives to regularly scheduled phone calls. For some, family bonds are even strengthened during incarceration (*G* and *B* claim to have become closer to their incarcerated sons). When these bonds persist, both those inside and outside benefit. *G* asserts "It's very important to keep connected and that's really half the battle, family and stuff like that….and once you lose that connection it's just so much harder to get it back." She sees this continued contact as critical to both her and her son's survival during his extended incarceration.

Even families who lose contact while a family member is incarcerated often seek and, in some cases, re-establish these connections. For instance, *G* cites her son's recently released

friend who reached out to his family after fifteen years incarcerated: "it worked out well 'cause now he's really close with his mom again and two sisters." Likewise, C's husband hopes to reconnect upon reentry with his siblings whom he has not spoken to in twenty-five years. E's son has also expressed interest in contacting particular families members.

However, many are at a loss of how to initiate this contact. This difficulty may be further hindered by their length of time incarcerated. As we have seen, significant developments occur on the inside and outside during an extended incarceration. The family structure may change due to death, divorce, or marriage. Those remaining may also be changed emotionally, psychologically, and physically. Although both those inside and outside experience prisonization as a result of incarceration, they may not experience it in the same way. Some of these transformations are positive (*A* finding God and *G*'s new friendships) while others are far more detrimental (*F*'s son losing his vitality and *E*'s constant questioning of her son's return). Regardless of whether these changes are positive or negative, prisonization has life-altering effects. Simply, individuals impacted by incarceration are not the same as they were prior to the experience.

Yet in these collective relations are sources of hope for re-establishing connections. As discussed in the last section, community support and understanding can be a crucial point of intervention. Robert Sampson coined the term collective efficacy — "a sense of mutual trust and shared willingness to intervene for the common good" (Visher and Travis 2003:104)— to describe the role of support networks. He emphasizes the importance of the community "resident's active engagement ... [to] elevate the 'agentic' aspect of social life" (Sampson, Morenoff, and Earls 1999:635) and thereby voluntarily facilitate more cohesive productive relationships. Building collective efficacy can benefit those affected by incarceration in a

multitude of ways, from limiting the social stigma regarding incarceration to facilitating communication among relevant parties. Further, collective efficacy has been demonstrated to reduce overall violence in communities (Sampson 1997:918). Perhaps most importantly, these broader collective efforts could be used not only for those incarcerated who have existing support networks, but also for those who have cannot establish and/or maintain existing bonds for whatever reason. Thus, the importance of support networks can and must be emphasized for all those harmed by the criminal justice system.

CHAPTER THREE: RESTORATIVE PRACTICES

Distance. Loss. Lack of Communication – problems that were mentioned repeatedly in my interviews. For many of the interview participants and their incarcerated family members, these struggles did not subside after years of incarceration or even when their loved ones were released. Further, these extraneous consequences are often ignored in the traditional retributive narrative where an individual serves their time and is released after receiving their punishment, supposedly ready to contribute to a better society. However, the participants demonstrate how this narrative is far more complicated for both those incarcerated and their families with lifelong implications.

Yet a common theme and a source of potential intervention also emerged from these interviews: the importance of support networks. All the participants emphasized the role of family and close friends as a means to cope throughout the incarceration process. Many cited building and maintaining support networks as integral to not only reducing recidivism post-incarceration, but also improving overall well-being for those on the inside and outside throughout the continuum of incarceration. Recognizing the critical role of support networks to mitigate the harms of incarceration for all those involved, what steps can be taken to create and/or strengthen such networks?

Chapter Overview

In this chapter, I propose restorative practices as a potential method to provide much needed support for those affected by incarceration. I begin the chapter by expanding my discussion of restorative justice from the introduction, providing an overview of existing theory and potential applications. In doing so, I examine restorative justice's role not only as an

alternative to retributive justice as often considered, but also as a means of addressing other harms the criminal justice system both causes and ignores. I review current restorative justice programs that tackle many of these gaps. Fortunately/Unfortunately, there are too many possible points of restorative intervention to examine them all in this thesis. Thus, I focus on those that address the central theme that emerged from my interviews: the importance of support networks for those impacted by a family member's incarceration. I examine existing programs (specifically Huikahi Restorative and Reentry Circles in Hawaii and Transitional Circles at Ontario County Jail in New York) that work with families of those incarcerated, highlighting how these practices could be implemented in the Poughkeepsie community as both an emotional and strategic tool. Both these programs emphasize transition and re-entry, and provide holistic support for families. I intersperse interviews with restorative justice practitioners from these programs about their work to gain further perspective on how such circles have been successfully enacted. Their circles have dealt with a wide variety of issues, including family reconciliation, identifying past and potential future points of conflict, and developing post-incarceration transition plans. Given their insights, I argue that family circles are not only a means to promote successful reentry and deter recidivism, but are exceptional in that they may also allow families to move towards better collective futures and community oriented alternatives to incarceration. Taking full advantage of the holistic restorative approach, I extend the definition of families to include close friends and important figures in the incarcerated individual's life; that is, all those who could contribute much needed support.

Further, using these perspectives, I identify a new application of restorative circles to help families of those incarcerated: circles exclusively for children with incarcerated family members. As I demonstrated in chapter two, children uniquely experience many of the harms of

having a family member incarcerated, including the social stigma and long-lasting health detriments. Many children lose contact with family members and existing support networks due to a family member's incarceration. These stresses increase one's chance of future involvement in the criminal justice system. Thus, providing a supportive space for children to collectively come to terms and learn to cope with a family member's incarceration has the potential not only to limit the immediate harms for that child and build community among youth whose mutual experiences of loss are underrepresented, but also to disrupt intergenerational cycles of incarceration.

This chapter concludes with a summary of these potential methods to aid families impacted by incarceration. I then offer a model for how RJI could implement these two approaches (with families and children) in Poughkeepsie, highlighting possible challenges and rewards. I use these insights in the next chapter to propose restorative circles as a step towards abolishing the criminal justice system and its harm implications once and for all.

Restorative Justice and Restorative Practices Revisited

As discussed in the introduction, unlike retributive justice, the restorative justice movement examines the overarching causes of harm rather than focusing on merely the immediate factors instigating criminal activity. According to Umbreit, Voss, Coates and Lightfoot (2005:259), the rise of the modern restorative justice movement in the 1970s was a direct response to the disproportionate surge in incarceration rates outlined in chapter one. Providing a more in-depth analysis of restorative justice will show why restorative justice was (and continues to be) an appropriate response to the increasing criminalization and incarceration of already marginalized populations.

Recall Zehr's definition (2002) of restorative justice as "a process to involve, to the extent possible, those who have a stake in a specific offense to collectively identify and address harms, needs and obligations in order to heal and put things as right as possible" (40). Under such a model, the sufferers of harm can include the victim, families and friends of both the victim and offender, the community, and even the offender (Holloway 2016:13). Restorative justice practitioner Charles Barton (2000) argues that only the offender and "their close communities of care [i.e. families and friends]" (41) have the insight into a situation to construct appropriate responses. Thus, restorative justice's purpose can be summarized as a process to allow those implicated in a decision to collectively decide on the best possible outcome and enact steps towards achieving this result. Boyes-Watson (2008) considers the benefits of restorative justice as "helping us learn to live justly far beyond the narrow scope of [retributive] criminal law" (8), providing solutions that create a healthier, more cohesive community.

In this respect, restorative justice can be expanded far beyond reactive post-harm measures to include all restorative practices that provide proactive strategies to build community, strengthen cohesion, and thereby avoid harm. Teachers Christina Proctor and Erin Dunlevy (2015) have embraced restorative practices in their restorative justice circles in New York City schools, creating a "structured meeting of groups to build community and cohesiveness, address relevant group issues, and respond to conflict" (67). These circles takes both a proactive and reactive approach to conflict resolution, which has been demonstrated to be very successful; they measured an 82 percent reduction in suspension rate in the first year and a half of implementation (Proctor and Dunlevy 2015:81). Such successes reveal the potential of restorative practices to move beyond our typical understanding of crime prevention to tackle

other issues which foster an environment susceptible to criminality and in the process build stronger, more resilient communities and individuals.

Common restorative justice models include, but are not limited to, circles, community reparations boards, conferences, and victim offender mediation (Zeher 2002:52). For the purposes of this thesis, I focus primarily on restorative circles. My choice emanates from many reasons, not the least being RJI currently uses a circle structure to work with youth-serving programs. In addition, many other restorative justice practitioners cite the benefits of restorative circles. Sociologists Gordon Bazemore and Mark Umbreit (2001) refer to circles as the "most holistic of the models" (13). Indeed, circles have become increasingly varied, and address issues from criminal cases and workplace conflict to community dialogue (Zehr 2002:49). Typically, circles involve more participants than other restorative models, allowing for the inclusion of anyone involved in the issue at hand. Given the possibility of more participants, circles require the most extensive preparation of the common restorative methods listed above, but McCold (2000:12) sees this extra preparation as ensuring a safe space where all have voice. Most circles include a "circle keeper" who initiates dialogue and facilitates a productive discussion (McCold 2000:7). Many circles employ a talking piece so only one person speaks at a time, thus allowing all voices a chance to be heard (Zehr 2002:52). Otherwise, restorative circles can be adapted to best meet the needs of its participants. As Hyslop (2018) asserts, "any circle that contains a group of well-meaning, committed people who share their experience, strength, and hope can make a circle work anywhere, anytime." Schenwar (2014) cites the key component of circles as the ability to "get out of your head and into your heart" (150). Circles facilitate dialogue and understanding, contributing to a collective group consciousness.

The increased group cohesion promotes a sense of community and collective efficacy,

additional benefits of the restorative justice circles. A broad definition of communities as

"groupings in which people are accountable to each other" (Critical Resistance 2002:68) reminds

us that communities consist not only of one's physical neighbors but all who are committed to a

particular issue. Offering "a singular opportunity for people to communicate as equals" (Boyes-

Watson 2008:95) – something surprisingly uncommon in daily life – circles provide space for

much needed dialogue on more equal ground. This opportunity allows individuals to "rally

around each other and give the support and encouragement essential to human development"

(Boyes-Watson 2008:63). In order to build this sense of collective understanding and comfort,

restorative circles typically begin with trust-building exercises. (Zehr 2016). A toolbook created

for the San Francisco Unified School District recommends that practitioners

> steadily increase the depth of intimacy and authenticity invited by prompting questions, choosing prompts that invite more intimate exposure of personal thoughts and feelings. This carefully managed and sequenced journey into greater intimacy and authenticity is a cornerstone of building community with circle dialogue (Clifford n.d.).

The ritualized nature of the circle process (e.g. the inclusion of a talking piece, establishing

routine, highlighting voices) contributes even more to group cohesion (Walker and Greening

2012). Finding commonalities through group engagement allows a sense of "we" to emerge in

the circle process, essential to safer and happier collective futures.

Applications: Restorative Justice Circles

These principles have been implemented in restorative circles to address a variety of

concerns. In this section, I turn to how the restorative circle model may be used for the

application of this thesis. I first review more deeply the work RJI is doing locally with restorative

circles. Then, based on their model and vision, I argue for two key points of intervention into the

broader Poughkeepsie community: entire families of those incarcerated and children with

incarcerated family members. As I argued in chapter two, both these groups face a multitude of

challenges related to incarceration, many of which can be addressed through systems of support,

for the benefit of those inside and outside. Thus, I look at existing restorative circle programs

both here in Poughkeepsie and nationally to propose a new model that better meets the needs of

this community.

Restorative Justice Initiative – Mediation Center of Dutchess County

To frame my discussion, I examine RJI's current work. RJI is directed by Claudia

Abbott-Barish with the help of volunteers (they are seeking another paid restorative justice

practitioner). Their funding comes from the county, school districts, and Unified Court System

grants.[25] Founded in March of 2017, RJI conducts restorative circles with various Dutchess

County youth-serving organizations.[26] Organizations choose to participate in either a single

circle or multiple consecutive circles given their particular needs. Previous circles have focused

on themes such as conflict resolution, identity and difference, mapping support networks, coping

with change and transition, race and gender differences, and consent. Participants may also

suggest topics and questions. Abbott-Barish believes these unplanned circles are highly effective.

She highlights a key benefit as "the questions that students ask are often so much better than

questions that I ask." The RJI circle process is equipped to tackle a variety of applicable issues

and topics.

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[25] Abbott-Barish, Claudia. 2019. Personal interview. December 4.

[26] Past partnerships include Beulah Baptist Church, Green Teen, the Northeast Community Center, Track Center at the Family Partnership, River Haven Youth Shelter, Hudson River Housing, Orchard View Alternative High School, Salt Point High School, Arlington High School, Beacon High School, the Poughkeepsie Farm Project, and Nubian Directions.

In addition, Abbott-Barish recognizes that promoting a space where youth can be themselves is an integral element of any restorative circle. She begins each circle by asking the participants to generate a list of core values that inform the way they are and want to be in the world. They then collectively brainstorm guidelines that embody these proclaimed values. Abbott-Barish uses a talking piece to ensure each participant gets a turn to speak. This is particularly important since RJI's circles often involve a diverse range of participants. For instance, working with the youth group at Beulah Baptist Church, participants ranged from age six to nineteen. Rather than hindering the process, Abbott-Barish believes this age range provided a variety of benefits:

> So I think because restorative practices are about reflecting on impact that you have, it was a good way to demonstrate impact is relative and to have the young voice who had been the main perpetrators of the incident to reflect on the impact on the youngest ones as well as on the older ones and on their own little cohort. So it really reinforced that idea of you're responsible for a community, not just yourself and your immediate peers.

A diversity of perspectives allows for a better holistic understanding of the issues at hand. She identifies this collective understanding as a purpose of circles: "Circles are a tool for building relationship and connection and reflection and making change, and just generating compassion and understanding, not just for each other, but for ourselves as well." Thus, circles are beneficial on many levels.

Looking to the future, Abbott-Barish hopes to expand RJI's capacity to work with populations affected by incarceration. Eventually, she would like to see restorative circles in local prisons and even as an alternative to incarceration for both youth and adults. However, Abbott-Barish recognizes the challenges of gaining access and approval to work in such spaces. In the meantime, she believes it is critical to tackle the "social-emotional piece" of incarceration, for instance, how to maintain and rebuild relationships during incarceration. To do so, it is

important to involve networks of support for "so many of our painful experiences, we struggle to process with each other." She identifies important questions that any circle needs to address. "What are the needs that now exist because of this experience and how are we going to attend to them? Who's going to be responsible?" These questions are critical when examining potential circle models, particularly for vulnerable populations such as those impacted by incarceration.

Future Directions: Families of those incarcerated

"I think there is a missing piece, sort of like the social-emotional piece for adjusting to the [prison] transition and for helping families make that transition together" –Abbott-Barish regarding the challenges of prison re-entry.

Restorative justice has the potential to contribute this "social-emotional" element to the criminal justice system. In general, restorative circles are gaining popularity throughout the United States among those working with incarcerated populations to address both the emotional and practical aspects of incarceration often ignored with existing prison programs (Dougherty 2014). Central to any restorative circle are key components (e.g. voluntary commitment, opportunities for all to speak, ritualized processes which supports healing and cohesion, and the choice to include any and all loved ones, even those outside the prison) that better address the sensitive circumstances uniquely experienced by incarcerated individuals (Walker and Greening 2012). Circles addressing transition and reentry have be shown to be highly successful. Umbreit, Vos, Coates and Lightfoot (2005) cite multiple studies and legislation that demonstrate the success of restorative circles during and after incarceration for reducing recidivism rates. Since recidivism is one of the most commonly used measures of incarceration outcomes, I employ it here to measure the success of restorative justice circles. However, the benefits of these circles

for all those involved extend far beyond reducing recidivism, or, for that matter, any data-driven measure.

The Huikahi Restorative and Reentry Circles in Hawaii exemplify the various benefits restorative circles can provide throughout incarceration. Started by Lorenn Walker, a restorative justice lawyer and public health educator, in 2005, these circles are now formal components of Hawaii prison system's reentry process. Providing a space for an incarcerated person and their loved ones (e.g. family, friends, and involved community members) to meet, these circles address the needs of the offender and their support network, stressing reconciliation, healing and future-planning (Walker and Greening 2012:12). "Solution focused language" (Walker and Greening 2012:12) allows these circles to be more effective and forward thinking than typical intervention strategies. As of 2012, almost 500 individuals had participated in the Huikahi circles (Walker and Greening 2012:14). Recidivism measures from three years after release showed incarcerated people who had a circle were far less likely to recidivate (43 percent) than those who requested but did not receive a circle (58 percent) (Walker 2016). Walker (2010:80) believes that a core part of reducing recidivism is rebuilding and maintaining family ties. I spoke to Walker on the phone as she was headed to the Women's Community Correctional Center in Kailua, Hawaii this fall (2018). She highlighted the importance of facilitating collective understanding among family members:

> [The family participants] always had just wonderful behavior, really a lot of humanity and compassion all the way around. Where a mother-in-law will tell a daughter-in-law who she really didn't care for, in front of the grandchildren, saying you're doing a fabulous job, and I just want to compliment you on your good work, you're raising my son's children, thank you. People have said it has been really powerful.[27]

For these reasons, it is important to include as many of those involved as possible for potential reconciliation and healing. Distance hinders strong family connections and understanding.

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[27] Walker, Lorenn. 2019. Personal interview. December 6.

Indeed, restorative circles are often the first time the incarcerated individual has seen a family member for months or years (Zehr 2016). To mitigate the effects of distance, even those unable to physically attend the circle are asked to send in messages to be read to their incarcerated family member during the circle. An open seat is kept for absent members to symbolize their presence and support. Importantly, the circle's safe environment promotes the inclusion of children, whom are often discouraged from prison visits and other forms of contact while their family member is incarcerated (Walker 2010:91).[28] Walker believes that children of any age should be included in the circle process; she even has infant and toddler participants. There are many benefits to including children in this conversation. For instance, "imagining a positive future can assist the children in letting go of painful past memories" (Walker, Tarutani and McKibben 2015:336). Walker (2016: 336) also maintains the hopefulness fostered in the circle process can promote resiliency for children. Such resiliency can mitigate the intergenerational effects of incarceration. Further, this resiliency can extend to the whole family before and during the reentry process. Ultimately, "reentry is time, if managed correctly, when networks can be enhanced, collective capacities augmented and reentering residents helped to improve the locations where they live" (Walker and Greening 2012:21). Thus, reentry circles provide an important site of intervention for families and beyond.

The Huikahi model has been widely adopted with, for example, Collaborative Solutions for Communities in Washington DC, the Monroe Program in New York, and the Transitional Circles at Ontario County Jail in New York. Each offshoot has modified its circles to fit the needs of the community (Collaborative Solutions for Communities 2018; Dougherty 2014). I contacted Director Kim Reisch of the Ontario/Yates Counties Center for Dispute Settlement

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[28] I recognize that not all spaces can be completely safe and thus not all can participate in circles. For example, Walker does not conduct circles with sex offenders. She uses a pre-screening process to deny circles to those deemed a risk to the others participating (e.g. domestic violence cases, some violent crimes, and sex crimes).

which runs the Transitional Circles at Ontario County Jail for insight into this New York-based program.[29] Launched in 2012 as a pilot program, they now average about six cases a year and are looking to implement more (Center for Dispute Resolution 2017). Like Walker's circles, their purpose is to provide emotional support and planning to families during the reentry process. Reisch identifies the "in-depth intake and preparation done by staff with each core member [i.e. incarcerated individual]" as key to "a thoughtful supportive process." The use of a talking piece in the early phase of the circle "supports the emotional safety necessary to move to the planning/logistical phase of the circle." Questions are intended to build collective emotional and practical understanding among the participants. For instance, each participant is asked "How were you affected and what do you think needs to happen to repair any harm that might have been caused?" In the past, participants included immediate family members, extended family, counselors, and professional support people. Generalizing, Reisch finds that "participants are overwhelmingly grateful for the circles and find them healing as well as practical."

Together, these existing restorative circles demonstrate the range of participants that constitute Barton's afore-mentioned "communities of care" for restorative practices. Walker's "family" circles include not only family members, but also friends and involved community members. Likewise, Reisch's "family" circles incorporate counselors and professional support people. Broad definitions of family circles are extremely useful when considering my family participants' experiences and existing support networks. For instance, *A* lives post-incarceration with close friends, but has little contact with actual family members. However, he realizes that "how important who you know and who cares about you, is in the reentry process." *G* has formed many connections with her son's incarcerated friends whom she regularly sends care packages and exchanges letters/phone calls. In her own words, "I've stayed in contact with all of

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[29] Reisch, Kim. 2019. Personal interview. January 4.

these guys, all these years I write them, send them birthday cards and all of that stuff. All that stuff that makes a little difference in their lives." While not officially family, *G* is an integral part of their support networks, perhaps more so than actual family members. With these examples in mind, I extend the definition of family in the context of my proposed circles to include all such individuals. While I am not suggesting non-familial communities of care should replace family members as the sole support network, I recognize the importance of including such individuals in restorative circles, particularly in instances when family members are not available.

It is important to note that while the RJI does not currently provide circles for families of those incarcerated, many of the topics the Huikahi reentry circles and the Transitional Circles at Ontario County Jail address do overlap with RJI's current work. For example, key themes of all three programs were emotional healing, conflict resolution, identifying differences, building collective understanding, and future planning. Further, each program brings together diverse groups through the circle process. Thus, RJI has more than just the vision to do such work; they have many of the tools in place to move towards a family centered approach to restorative reentry circles.

Future Directions: Children with Incarcerated Family Members

Another recurring point that surfaced in my research was the particular harm children of those incarcerated face throughout their life course. Both the restorative justice practitioners and family participants emphasized childrens' struggles, noting particular themes such as the social stigma of having a parent incarcerated, the lack of understanding of what has occurred and subsequent mental health problems, and the material consequences of the physical loss of a parent. Their narratives are supported with the existing data and studies covered in chapter two.

Based on these findings, I was shocked that I could not find a single restorative justice program that focuses on children with incarcerated family members. Indeed, other restorative circles, such as the re-entry circles discussed in the previous section, address related issues, but do not center children. I thus present a new model for restorative circles, one that works exclusively with children of those incarcerated to collectively process issues related to incarceration.

Before I dive into this revolutionary approach, I first review existing restorative circles that work with high risk youth to draw parallels for my intended model. Many restorative practitioners have implemented circles with children and youth throughout the world. The United Nations released a report, "Promoting Restorative Justice for Children," in 2016 that overviews restorative justice programs for youth in schools, extracurricular activities, and juvenile detention centers, among other settings. Included are success stories from Brazil, Canada, Peru, the Philippines, South Africa and the United States (Office of the Special Representative 2016:28). Among the many benefits the report cites is "the opportunity (for children) to express themselves in a safe environment, surrounded by a supportive network" (Office of the Special Representative 2016:28). I look at a few specific programs to gain insight into how restorative circles may provide such a space.

Already discussed was the success of Procter and Dunlevy's peacekeeping circles in New York City. Now I analyze these circles in more detail as an example of an established restorative program that addresses issues uniquely experienced by children. Started in 2011 at the High School for Arts, Imagination and Inquiry (HSAII), a public school in New York City, these circles have expanded to other schools in the city. HSAII incorporates circles as an integral part of the daily classroom experience to build community and cohesiveness, address relevant group issues, and respond to conflict (Proctor and Dunlevy 2015:67). These circles occur both on a

scheduled basis and as needed. As such, the school employs circles proactively (for community building) and reactively (for peacemaking, problem solving, or in response to conflict), embracing the holistic nature of restorative practices (Procter and Dunlevy 2015:67). Importantly, circle facilitators recognized that "school relationships alone cannot transform a school" (Proctor and Dunlevy 2015:67) and so these circles also discuss group relationships such as family and community that extend beyond school borders. Procter and Dunlevy (2015) find a variety of benefits to these circles, including:

> instillation of hope, universality, imparting information, altruism, the corrective recapitulation of the primary family group, development of socializing techniques, imitative behavior, interpersonal learning, group cohesiveness, catharsis, and existential factors (75-76).

The emphasis on these factors points to the importance of socialization and relationships for the circle process. In another study, Dunlevy (2014) finds the storytelling nature of circles allows for a "reclamation of violence" (60) where youth can personalize and thus come to understand their own relationship with violence in a safe, supported environment – a potential insight as to how circles can be used for children of those incarcerated. All in all, the structured environment of circles in the classroom setting promotes open dialogue about issues children face on a daily basis; it also provides a safe place to discuss deeper, perhaps more stigmatized, issues.

Likewise, Roca, a youth-serving organization in the greater Boston community, employs restorative practices to address the particular concerns of its youth participants. According to their website, Roca's mission is "to disrupt the cycle of incarceration and poverty by helping young people transform their lives" (*Roca).* Founded in 1988, Roca has expanded from a single program in Chelsea, Massachusetts with a focus on preventing teenage pregnancy to an extensive organization with six locations addressing a range of risk factors for urban youth ages sixteen to twenty-four (*Roca*). Today, Roca uses a four year intervention model that offers services for

education, lifeskills, and employment. Central to Roca's approach are peacekeeping circles. Sociologist Carolyn Boyes-Watson's ethnographic study (2008) of Roca details the success of these peacemaking circles to promote accountability, empowerment, emotional awareness, healing, values, and talents, among other factors. Roca conducts a variety of circles to address the specific needs of its participants, including conflict, healing, family, brainstorming and management, art, court-related, visioning, and support (Boyes-Watson 2008:58-59). According to Boyes-Watson (2008), these circles provide a "singular opportunity for people to communicate as equals" (95), something often missing from the lives of young people, especially those youth impacted by poverty and violence, who are often neglected in traditional educational settings (Boyes-Watson 2008:66). Participants have been overwhelmingly receptive to Roca's programming. In 2017 alone, Roca worked with 854 high risk young men, of which 79 percent stayed with the program ("Fiscal Year 2017 High Risk Young Men Performance" 2017). In addition, in the same year, Roca worked with 200 mothers, 80 percent of whom returned ("Fiscal Year 2017 High Risk Young Men Performance": 2017). Roca's success provides hope to those seeking to do similar work.

Although these programs do not conduct circles exclusively for children with incarcerated family members, each employs an approach that could aid such children; for instance, emphasizing healing, support, visioning, and community building. Walker conveyed in our interview that she already uses such solution-based methods in her family re-entry circles and identifies them as particularly effective for children. When children are present, Walker begins with them, addressing their strengths and focusing on their comfort in order to ensure comfort and understanding for the other participants as well. She reminds the circle participants that "the children here are your strengths, our children are our future, they're our future" to

motivate a productive dialogue. Further, according to Walker, of all those involved, children struggle most with understanding the implications of the loss that has occurred. "The parent's gone, out of their life. They're not there. It's horrible. Horrible. Very traumatic." The loss of a child's support network has potentially devastating consequences. Children may feel shame and lie to friends about their parent's incarceration. In her circles, Reisch finds that children struggle to understand and communicate their thoughts regarding incarceration. In general, they are "anxious and frustrated" about their parent's incarceration. Walker believes these issues can and should be addressed in the circle process. "So I think the circle is great because it gives the kid the opportunity to talk about that, to express that emotion." Thus, circles are a prime space for children to process a family member's incarceration, have a chance to voice their opinions, and, perhaps more importantly, have their perspectives taken into consideration for future family-oriented planning.

However, I have already demonstrated how difficult it may be for children to (re)connect with their families, particularly those incarcerated family members. The rules and distance of prison visits deter physical contact. Long distance communication is censored and limited. Lost connections are difficult to rebuild. Many children simply do not have contact with incarcerated family members.

Given existing restorative family programs which mainly rely on the physical presence of children and their parents, these children may not have space to process a family member's incarceration. I therefore propose an alternative circle model to the existing family circle programs in order to provide a support network for children to address critical issues regarding incarceration. These circles would consist exclusively of children who have incarcerated or previously incarcerated family members. Guided by a trained facilitator, the children would

realize they are not alone and together would tackle the social stigma of having an incarcerated family member, developing collective coping strategies to heal and grow, ultimately ending the "conspiracy of silence." Such circles, Abbott-Barish believes, could have benefits beyond compensating for an absent family member.

> I definitely, obviously, think it would be useful to have family circles, but I don't think as a substitute for circles where you can talk about family and just have at it. It is important both to have support connecting with family and to process with others the struggles and challenges of being part of a family and all its complexities.

Thus, these circles have the potential to be both an alternative and an addition to family re-entry circles.

For all of the potential good that circles can provide, there are some concerns as well. Bringing together already vulnerable populations can be dangerous. Speaking specifically about children in our interview, Walker warns: "I think you have to be careful grouping. I just always think, I'm always, have a concern when any children who are labeled [high risk…] bringing them together." However, for better or worse, high risk children are often grouped together through educational tracks and opportunities. RJI already works with groups of high risk students at the requests of their schools and organizations. Recognizing these dangers, RJI can provide the best resources possible for such children to promote resiliency and transcend stereotypes. Previous RJI circles have focused on issues of race, class, and gender differences, which are often associated with increased risk of involvement in the criminal justice system. Addressing these concerns and their social implications within circles can serve as entry points into larger much needed conversations about various forms of structural discrimination that perpetuate the current harmful system.

For instance, children's circles could serve as valuable spaces to discuss the (legal and physical) dangers of and their past experiences with illegal drugs. As discussed in chapter one,

drug criminalization disproportionately impacts poor individuals of color and those of low socioeconomic status. High risk youth are thus more likely to have a family member incarcerated for drug offenses and/or to be incarcerated themselves for a drug offense, regardless of whether they are actually more likely to use drugs than other youth. Facilitating awareness of these dangers and developing collective coping strategies to avoid harmful influences at an early age could decrease not only the chances of the physical harms from illegal drug use, but also the chances children are criminally implicated. Recall that *E*'s son first became involved in the juvenile justice system at fourteen because of peer pressure to do drugs. Was he fully aware of the risks and the future implications of his decision at such a young age? Circles have the power to build this awareness and understanding through guided questions, active listening, and solution-based language. In a speech entitled, "The Next Step, Developing Restorative Communities," Doctor Ivan Van Damme (2006) asserts that "the more youngsters are connected to society, the less they will be engaged in risky behaviour, such as drug use and drug-related crime." Building community with circles has practical value. Specifically, Dr.Damme employs circles to "[teach children] to say NO to drugs, ameliorate their communication skills, be more assertive, [and] make better choices." She also employs restorative practices as a juvenile justice system diversion tool for children caught using drugs.[30] These circles are intended to promote resiliency, prevent recidivism, and thus combat intergenerational cycles of criminalization.

Summary, Limitations, and Implementation

      So far I have identified two potential approaches for restorative aid for those affected by incarceration: families of those incarcerated and children with incarcerated family members.

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[30] For a sample script of a restorative circle regarding a juvenile drug conviction, see the following link: http://www.iirp.edu/pdf/beth06_vandamme.pdf.

With the help of a trained restorative practitioner, each group could together process issues to build collective understanding, healing, and growth. How could these models be enacted in Poughkeepsie for the benefit of those individuals I interviewed, their families and more?

Short-term, RJI is ready to implement circles with children affected by incarceration. Previous partnerships have established the necessary tools and networks. For instance, RJI has worked organizations with whom a number of the participants had a family member incarcerated.[31] Local organizations[32] have expressed interest in circles to process issues of incarceration and are prepared to provide a regular space for these children to meet. Once RJI acquires funding for these circles, Abbott-Barish is eager to begin.

Perhaps surprisingly, the other intended circle program (working with entire families during the reentry process) may be more difficult to implement even though such circles already exist in New York. Gaining access to local correctional facilities is challenging. As Reisch reveals, a program's success often depends upon the support of the correctional officers and administration inside. Many (arbitrary) prison rules hinder access. Reisch identifies additional challenges as "consistent access to confidential space inside the jail, scheduling snafus as different officers didn't always communicate conflicts with the room, core members being placed in isolation and not available for circles." Together, these factors make it difficult to initiate and maintain any sort of program inside prisons. Further, RJI does not currently have funding to work with groups affected by incarceration, either inside or outside. However, given time, support, and a raised awareness of the success of similar programs, hopefully those

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[31] Poughkeepsie High School history teacher Paul Donnely (2016) recalls, "When I asked my largest class of 27 students how many of them had a family member that is currently incarcerated or has been incarcerated, all but one raised their hands." Since many of the youth-serving organizations which RJI works with (e.g. the Track Center at the Family Partnership, Poughkeepsie Farm Project, River Haven, Nubian Directions, and the Dutchess County Probation Department) draw from primarily from the Poughkeepsie school district, I extrapolate this vignette to these organizations.

[32] Currently, the Poughkeepsie Middle Schools have expressed interest.

involved will recognize the importance of incorporating family circles in the reentry process and ultimately allocate resources to start this much needed program.

RJI is actively applying for applicable grants both locally and nationally with the hopes of securing funding and starting circles this fall (2019). In the meantime, RJI can enlarge its networks of support and recruit appropriate participants. One possible benefit of the delay is the chance to train formerly incarcerated individuals as restorative practitioners. Abbott-Barish has applied for a grant "the emphasis of which is on training...folks who have been incarcerated or who are from the community, represent the community, to be circle facilitators." These facilitators could provide a level of understanding and comfort currently lacking in many restorative circles working with incarcerated populations[33] and pave the way to be a model for other communities.

My vision is a partnership between RJI and the local community (both its organizations and people)[34] to provide holistic support for those affected by incarceration in Poughkeepsie, from decreasing social stigma and challenging stereotypes to facilitating collective growth. Implementing circles in established capacities with children of those incarcerated would build support, trust, and awareness, which could also then be used to recruit families for future re-entry circles. Ultimately, a comprehensive program would incorporate both approaches to benefit all those harmed by incarceration in Poughkeepsie.

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[33] One existing example of a restorative justice circle led by formerly incarcerated individuals is the Insight Prison Project in California (Beckett and Kartman 2016:15). However, even the director of this program, Billie Miezel, notes the inclusion of a formerly incarcerated facilitator as "an unique component of IPP's work" (Beckett and Kartman 2016:15).

[34] One possible suggestion raised by Vassar Professor Eileen Leonard is the inclusion of college students through internships as possible free and enthusiastic labor to coordinate future restorative circle programs.

CONCLUSION: TOWARDS AN ABOLITIONIST FUTURE

"I don't think I've ever been to [a circle], I don't think I've ever done one of these without myself getting tears in my eyes, like being touched by the humanity and seeing compassion and love, just being touched by the love that people have, and even though it's in a prison setting and someone who's hurt people, these people still have that touch, they still have good, so it's very moving"–Walker regarding the Huikahi circles.

Each of the restorative justice practitioners I interviewed underscored the power of restorative circles. From Walker's emotional testimony above to Reisch describing participants as "overwhelmingly grateful," the circle process has been demonstrated not only to be effective but also personally transformational, providing support and promoting collective understanding among a wide range of participants. During my time with the Restorative Justice Initiative and in my interviews, I never encountered an uninspiring circle.

Thus, given the restorative circle's demonstrated potential, its current use with families harmed by incarceration is surprisingly limited. The family participants themselves emphasize the need for support networks as a means to manage throughout the incarceration process. They reveal the dangers of not having such networks; many have witnessed isolated individuals both inside and outside lose hope with long-lasting harmful consequences for that individual and others around them.

Further, their narratives expose the (un)intentional ways in which the current retributive criminal justice system fails to provide, and in some cases, even denies support networks for both those inside and outside the prison. Strict regulations, arbitrary rules, and distance deter outside contact during incarceration. Legal restrictions to one's basic freedoms remain post-incarceration. These factors are compounded by the social stigma associated with incarceration which implicates entire families and communities. Rather than a recent development, I have

demonstrated how the faulty criminal justice system must be understood through a

problematization lens as a product of centuries of discrimination and unequal power structures

which has harmed and continues to harm already marginalized populations, particularly people

of color and those of low socioeconomic status. These powers have shaped our prevailing

understanding of crime and incarceration in ways that ignore and even perpetuate many

prevalent harms such individuals face daily. Thus, restorative justice's emphasis on engaging

with these underlying harms on both an individual and collective level has the potential to re-

envision the criminal justice system and enact needed change.

Throughout this thesis, I have stressed the issue of generalizability. While I interviewed a

relatively small sample of family members and restorative justice practitioners, their narratives

reveal larger structural problems with how not only how the criminal justice system but society

as a whole views and deals with these harms.

Limitations of Restorative Justice and Future Directions

In attempting to articulate the limitations of restorative justice, I am reminded of a

biblical parallel, *The Parable of the Good Samaritan*. While traveling along a crime-ridden road

from Jerusalem to Jericho, a man is mugged and left to die. Other travelers ignore him lying on

the side of the road. Only a Samaritan, the dying man's supposed enemy, stops to help him. Jesus

tells this parable to emphasize the importance of individual acts of kindness regardless of

personal differences. However, Dr. Martin Luther King Jr. (1967) calls attention to the

limitations of the Samaritan's efforts:

> On the one hand, we are called to play the Good Samaritan on life's roadside, but that will
> be only an initial act. One day we must come to see that the whole Jericho Road must be
> transformed so that men and women will not be constantly beaten and robbed as they
> make their journey on life's highway.

While acknowledging the importance of good deeds, regardless of how small, Dr. King urges his audience to maintain a long-term vision and actively work toward broader, more transformative change. His response encapsulates the restrictions of any well-intentioned restorative justice effort. Restorative circles have been demonstrated to transform individuals in both thought and action, challenging stereotypes and reducing social stigma towards criminality but also race, class, gender, sexuality, and other potentially conflict inducing factors. Further, circles have the potential to tackle many of the harms the criminal justice system neglects, and help facilitate both individual and collective strategies to mitigate such harms. Yet, at the end of the day, a limited number of individuals participate in each circle. How can we extend the transformational power of restorative circles to allow for broader structural change?

In this context, our proposed restorative circles must be understood not as the final goal, but rather as a step towards engaging with and (eventually) eliminating the pervasive harms of our society through tackling its manifestations in the prison system. As early as 1976, the Prison Research Education Action Project proposed three objectives needed to dismantle the prison system: decarceration, excarceration, and moratorium. Looking at each objective in turn, we see that the restorative circle process can actively help to fulfill these objectives and, in the process, contribute to even more impactful structural transformation.

First, restorative circles can be employed as tools towards *decarceration*. According to the Prison Research Education Action Project (1976), decarceration involves "modes of getting people out of prison" (10). As chapter one demonstrated, many individuals are unfairly and biasly incarcerated under the prevailing conception of crime. Even those who do commit harm are often incarcerated for needlessly long periods and/or in isolating conditions that deny individual growth and a chance to correct the harmful act. Addressing these concerns and

providing paths for reconciliation and repair would alleviate some of the reasons for over-incarceration. The proposed family reentry circles could provide a space for such conversations, allowing incarcerated individuals to (re)build support networks with those most impacted by their incarceration (often their families and close friends) and together move towards better futures. Transforming individuals on this level could serves as either an alternative to incarceration or a way to reduce one's prison sentence, depending on the circumstances, thus decreasing the prison population.

Moreover, restorative circles with children of those incarcerated can address the *excarceration* objective. The Prison Research Education Action Project (1976) defines excarceration as "programs or procedures that move away from the notion of imprisonment as a response to lawbreaking" (10). Journalist John Washington (2018) envisions excarceration as a proactive tool to "find ways to divert people away from the prison-industrial complex in the first place." As demonstrated in chapter two, children with incarcerated parents are more likely to be incarcerated themselves for a variety of reasons, from increased social stigma to the socioeconomic effects of an absent parent which may affect their life courses. Restorative practitioners could anticipate these concerns and employ preemptive restorative circles that address these issues and thus divert a large potential portion of the future prison population. Providing a space for children to collectively come to terms with the incarceration of a family member, interrogate assumed stereotypes, promote healthy coping strategies, and thus end the conspiracy of silence, circles have the power to alter these children's life courses. Circles can instill a sense of resiliency and encourage growth and development with the potential to disrupt intergenerational cycles of criminalization.

The link between restorative circles and the final objective, *moratorium* (i.e. the end of new prison construction), is more obscure, but there are still multiple short and long term ways restorative circles can decrease prison construction (Prison Research Education Action Project 1976:62). For one, implementing restorative circles would have a direct effect on decreasing the prison population for the reasons just discussed and thus alleviate the need for new prisons. However, the potential long-term implications of restorative circles for moratorium are even more profound. Restorative circles have the capacity to change not only individual mindsets but, through one's interactions, transform broader community relationships. Using circles as a tool to address criminal stereotypes and other social stigma could challenge dominant social perceptions and hopefully reform how society views crime and punishment. Further, training community members as circle facilitators would allow more circles to be implemented and thus have a ripple effect that repeatedly extends the circle's potential. This cumulative impact would decrease the need for prisons and, correspondingly, the need for new prisons.

A harm-centered restorative mindset requires reconsidering not only how we view crime and punishment, but the other structural inequalities that underlie our construction of crime. Dismantling these larger forces such as racism, classism, and sexism is a much more challenging and long term project, but that does not mean it should not be attempted. We have seen the power of restorative circles to engage with these difficult topics through open and honest dialogue. And is that not the first step to a more cohesive, collective, transformative future?

Moving Towards an Abolitionist Future

Ultimately, as prison abolitionist Ruth Morris (2001) argues, "all prisons are cages for people" (7). These cages ensnare many: those who have hurt, those who have been hurt, and

those seemingly unaffected. Indeed, whole communities are entangled in the criminal justice system with intergenerational implications.

Given that the current retributive system both causes and perpetuates these harms, we must envision an alternative. As proposed in the introduction, prison abolition can and should be that alternative – a political, social and practical strategy "for undoing the society we live in because [the criminal justice system] both feeds on and maintains oppression and inequalities through punishment, violence, and control" (Critical Resistance 2002:68). Recognizing that prison abolition is "both a process and a long term goal" (Morris 2001:11), immediate action is necessary. According to Critical Resistance (2002), "an Abolitionist vision means that we must build models today that can represent how we want to live in the future" (48). Such strategies would "eliminate the need for police, policing, and surveillance by creating sustainable alternatives to punishment and imprisonment" (Critical Resistance 2002:158).

With their demonstrated potential to transform relationships and communities, circles may be framed as an abolitionist reality, a step towards abolishing the current harmful retributive justice system. Indeed, Boyes-Watson (2008) argues that "because the Circle is about creating a just community, the Circle must also be a means for creating systemic change" (217), change which can address these long-standing harms. Providing space for empowerment and accountability is critical to individual success but can also transform larger structures. This is my vision for restorative circles – a place for all voices to be encouraged, heard, and thereby acted upon with the help of those they love to enact local and broader change.

APPENDIX: INTERVIEWS

Interview Questions for Restorative Justice Practitioners[35]

- How do you make sure to maintain a balance of emotional and logistical support besides having a clear plan and structure? Have there been instances when this balance was not possible to maintain?

- What challenges have you faced regarding Re-Circles? Where do you typically hold circles for released individuals?

- Has changing family structures (pre and post-release) presented any challenges, and if so, how have you responded?

- How young do you think is appropriate to involve children in circle processes without a guardian present?

- What issues regarding incarceration do children struggle with the most/have the most difficulty understanding?

- What are the biggest challenges you have faced working with children?

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[35] These questions were intended to guide discussion and as such I did not keep to a strict script.

For participants with a family member incarcerated:
- Tell me a little bit about yourself (background, where you grew up/went to school, employment, your current family structure, etc.)
- What is your relation to your incarcerated family member (son, daughter, husband, wife, partner, father, mother, etc.)?
- Where are they incarcerated and what is their sentence?
- What challenges do you have when communicating with your incarcerated family member?
- Tell me about the last time you saw them.
  - Where? When? For how long? Any challenges?
- How does having that relative incarcerated impact you on a daily basis?
  - Has your relationship with your community (friends, neighbors, coworkers, etc) changed as a result of their incarceration?
- How has your relationship with this relative changed as a result of their incarceration?
- How does having this relative incarcerated impact the rest of your family (specifically, children)? Has your family structure changed as a result of their incarceration?
- Has that family member been incarcerated before? If so, what challenges did your family face upon their reentry?
  - If not, what challenges do you foresee if/when that family member is released?
- Has living in the Poughkeepsie area presented any specific challenges?

For participants with a formerly incarcerated family member:
- Tell me a little bit about yourself (background, where you grew up/went to school, employment, your current family structure, etc)
- What is your relation to your formerly incarcerated family member (son, husband, partner, father, etc.)?
- Where were they incarcerated and for how long?
- Did your relationship with that family member change upon reentry? And if so, how?
- How did their reentry impact the rest of your family (specifically, children)?
- Did your relationship with your community (friends, neighbors, coworkers, etc) change as a result of their incarceration?
- Has living in the Poughkeepsie area presented any specific challenges to their reentry?
- What might have helped you, your family and the incarcerated family member during their incarceration/reentry? How could you have imagined the process made easier?

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[36] Again, these questions were just a general outline to guide an open and honest discussion.

Demographic Survey

Please fill out this brief survey. If there is a question you feel uncomfortable answering or the question is not applicable, feel free to leave it blank.

What is your age?

What is your gender?

Of what relation is your incarcerated family member?

What is your race and/or ethnicity?

What is your incarcerated family member's race and/or ethnicity?

What is your current employment status?

Approximately what was your household income last year (2018)?

What is your marital status?

Results from Demographic Survey (n=6)[37]

What is your age?

61=1, 64=2, 79=1, 50=1, 72=1

What is your gender?

female=6

Of what relation is your incarcerated family member?

son=4, husband=2

What is your race and/or ethnicity?

white=4, black=2

What is your incarcerated family member's race and/or ethnicity?

white=3, black=2, mixed/multiracial=1

What is your current employment status?

unemployed=1, employed=2, part-time employed=1, retired=2

Approximately what was your household income last year (2018)?

$1,514, $15,000, $20,000, $30,000, $36,000, $78,000

What is your marital status?

widow=3, married=2, single=1

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[37] The formerly incarcerated man, *A*, was not present to fill out a demographics survey.

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