

Prison, Re-entry, Reintegration and the ‘Star Gate’: The Experience of Prison Release

Jeffrey Bliss

Many people are asking ‘why do ex-offenders continue to re-offend or violate the conditions of their release supervisions usually within a 90 day period after release?’ But more importantly, many more are saying that this is because individuals ‘choose to continue to live the lifestyle of lawlessness, and opt to act and behave in ways that violate the conditions of their release supervision’. However, is it not possible that this type of thinking could not be further from the truth, and that in fact, for many of the criminalized like myself, there could be different reasons altogether?

Our nation’s recidivism rate has dropped a lot in recent years but it is still holding at approximately 34 percent (Glaze and Bonzcar, 2010). In New York, where I am serving my sentence, of the 24,605 ex-prisoners released between 2011 to 2013, a total of 10,217 (42 percent) of parolees were taken back into custody (Department of Corrections and Community Supervision, 2014). Interestingly, only 9 percent of these men and women were convicted of a new felony, while 32 percent were returned to prison for violating terms of their parole (ibid, 2014). Recidivism rates vary by State, so to give the reader a sense of the magnitude of the problem, consider the following rates of recidivism from jurisdictions who, according to the Council of State Governments Justice Center (2014) have actually lowered their return rates: Colorado (49 percent); Connecticut (40 percent); Georgia (26 percent); North Carolina (28.9 percent); Pennsylvania (40.8 percent); Rhode Island (48.9 percent); South Carolina (27.5 percent); and Wisconsin (51.1 percent). Some States have more disturbing statistics. In Washington State, the recidivism rate in 2007 was 63.3 percent (Sentencing Guidelines Commission, 2008).

There are many factors that contribute to the current rate of re-incarceration. Academics and researchers have identified social economic poverty, alcohol and drug addiction, lack of educational/vocational training, mental health disorders, family dysfunction, childhood trauma and/or abuse, and lack of adequate transitional service housing programs and resources, as some of the contributing factors to recidivism. These factors contribute not only to the small number of parolees who commit new crimes, but also to the thousands who return for technical violations of their parole. For example, of the 24,520 men and women paroled in New York in 2008, 29 percent had their parole revoked and were returned to prison. Twenty-three percent of the time these

parolees were in violation of a condition of their parole (Herrschaft, 2008). That is, over 7,000 individuals were returned to prison within three years, but did not commit a new crime. This means that parolees were instead returned for violating technical conditions of their release supervision, usually in a nonviolent way such as failing a urinalysis test (dirty urine), breaking curfew, failing to report a change of address, violation of non-association requirements and residential approval difficulties.

There are many components to consider when putting the reasons for one's repeated return to corrections into its proper context. The purpose of this paper is to illuminate the inadequacies in the release procedures as I have experienced them and make known what factors most significantly inhibited my ability to successfully reintegrate back into the community.

I began this paper by giving a broad overview of the current problem of recidivism in the United States. In the following pages, I provide a bit of personal biography in order to establish my grounded expertise on the subject before explaining how daily life in prison contributes to the inability to successfully remain out of prison once paroled. However, it is important to make it very clear to the reader that I am in no way attempting to justify or excuse my repeated returns to Department of Corrections and Community Supervision (DOCCS). On the contrary, it is my intention and hope that I will instead be able to get the reader to understand how I – who has had multiple felonies with five sustained parole violations – and those with the same or similar circumstances, have slipped through the cracks in the past and release re-entry procedures only to find themselves once again behind bars, usually within the 90-day period and often for a non-violent offense.

After completing all six years of a '6 flat 5 post-release supervision' sentence for the crime of robbery in the second degree, I was released from a maximum security prison for the first time in August 2007 – ironically, this is the same prison in which I am confined today. With no pre-release programming or community preparation, and no family support, I was ill-equipped to appropriately handle the things I was about to face and experience. To further complicate a successful reentry attempt, there were virtually no community-based agencies or organizations in place specifically designed to assist ex-prisoners returning to their communities with the reintegration process. While there is some pre-and post-release assistance available today, many of us had already slipped through the cracks and were

re-incarcerated. I have had other releases prior to 2007, but neither had been from a maximum security prison and neither were successful.

The most recent release I experienced was in 2012 when I was released directly from the special housing unit (SHU) after 13 months of solitary confinement at the Residential Mental Health Unit (RMHU) or the 'box'. Unfortunately, I was not set up with outside assistance because I had 'maxed out' and was thus not entitled to re-entry services (unlike those released on parole). Once released, I fell back into the only lifestyle I had known and was subsequently arrested for another bank robbery just 35 days later. I was sentenced to three and a half to seven years and am scheduled for my first parole board appearance in December 2015 and may be released in April 2016.

I have spent the majority of my adult life behind bars and involved with the criminal justice system. I have experienced over 17 years of state prison confinement including extended periods in solitary confinement. In fact, I have been released from such confinement directly back into the community where I have found it extremely difficult to make a successful transition and reintegrate into society.

It is important for the reader to have a sense of how I experienced incarceration in order to understand how that influenced my subsequent and limited time in the community. I am a prisoner who has been confined and released from some of the most violent maximum-security prisons in the New York State penal system (i.e. Attica, Clinton Dannemor, Elmira, Great Meadow and Auburn), and solitary confinement at many of these. The maximum-security prison environment is a hostile, violent and frightening place. Even for those considered to be 'hardened criminals' who have passed extended periods of time behind bars, a maximum-security prison is a difficult place to do time in. Typical social communal and acceptable societal standards become lost or forgotten as the years pass. In this total institution a new set of beliefs replace what are considered in the community to be normative appropriate and acceptable codes of conduct (Goffman, 1961). Moral and ethical codes, if one ever had them, become twisted into a perverse set of beliefs where hate and oppression are the subcultural norm.

The decor of all state correctional facilities is that of solid plain pastel earth colors and this includes the dress code for all prisoners. The ideology behind this (outside of security purposes) is used, I am sure, as a mechanism to ease the effects of a pressure filled environment with the general temperament of discontentment. Civilian staff are strongly

discouraged from wearing anything fancy or what might be construed as 'suggestive', for what I hope are obvious reasons. The diet is bland and consists of meals that are precooked and processed in large volume at one facility. There, all meals are prepared, refrigerated and stored for shipping to all state correctional facilities and to some city/county jails on private contracts. The entire process from cooking, packaging, storage and shipping to consumption takes an average of three to four weeks, but on occasion, we are served food that was processed six to seven weeks prior to consumption.

Electronic devices are prohibited with the exception of 13-inch TVs and cassette Walkman or speaker radios. The phone system is landline only with no access to live operators or Internet services, and phones are made available to the general prisoner population during their 'rec' periods. All calls are electronically monitored and are subject to immediate termination under the discretion of staff members who monitor calls. Recreation is offered daily for a minimum of one hour, but in most facilities it is based on a schedule of one to one and a half hours on Monday, Wednesday and Friday, and on Tuesday and Thursday for three hours at night.

Rehabilitative programs are available for those who want to follow their 'individual recommended program requirement' as described in the NYSDOCCS program services COMPAS case plan pamphlet by their Offender Rehabilitation Coordinator or Counselor (ORC). According to the Department of Corrections and Community Supervision (2014, p. 2):

Incarceration programs and an evidence-based instrument tool known as COMPAS guides DOCCS' staff to help predict future behavior based on a parolee's needs, thus preventing future crime. COMPAS is one of many tools staff uses to make supervision decisions helping DOCCS personnel create individual discharge case plans by working with state and local governments and community organizations to develop the transition from prison to community. Components of reentry programs include education, job readiness, community resources, housing, substance abuse, rules of post-release supervision, family reunification, health care, cognitive behavior, mental health, and personal identification.

However, what is written and what really happens are not always the same. Indeed, a 2013 court decision from a New York prisoner who was denied release on parole noted the following:

...while a COMPAS was performed here, there is no indication in the parole hearing minutes, the Board's decision, or anywhere else in the record that the commissioners charged with weighing petitioners release even viewed, much less considered, the COMPAS risk assessment in making their determination... The mere existence of a COMPAS risk assessment in an inmate's file, as here, is not enough... The Board must, at the very least, review and consider the COMPAS results in order to fulfill the statutory requirements of "measuring the rehabilitation of persons appearing before the Board, the likelihood of success of such persons upon release, and assisting members of the state Board of parole in determining which inmates may be released to parole supervision" (*Diaz v New York State Board of Parole*, [2013] NYS 2d 838).

Sights, smells, and tastes become heightened in some respects and are dulled in another with the passage of time and the lack of exposure to anything other than what has been described. The constant sounds of screaming and yelling, the slamming and banging of closing cell doors, and the general commotion associated with confinement in a maximum-security prison cell block becomes, over time, the unheard white noise of daily prison life. Any lull in the noise can be unnerving because the quiet becomes louder than the noise itself and it usually means trouble – the 'sounds of silence' if you will.

Most maximum-security prisons or tension-filled environments where the takers rule, kindness is seen as weakness and there is little or no room for mistakes. Though the general public may be under the impression that Corrections Officers are here to ease the burden, this is simply not the case. Although they have most likely been trained to do so, I have rarely witnessed a Correctional Officer do anything other than what is minimally required to diffuse the situation or lighten the atmosphere when problems occur. Staff exacerbate situations with unprofessional derogatory comments and/or behaviours that illustrate a cold, callous demeanour suggesting that they are not there for assistance, but only to observe, break-up fights, and open and close cell doors. If and when trouble comes (and it likely will), one does not ask for help nor seek it because of what has been explained above, and the consequences associated with being identified or labeled as a 'rat' or 'snitch'. At the end of the day one must handle their situations alone.

Gangs are rampant throughout State correctional facilities and if you are a gang member you will only seek assistance from other gang members.

Unfortunately, no matter how hard one may try to avoid problems, it is likely that at some point in their 'bit' that trouble will come. When this happens, one will have to stand up and fight for what is theirs, give it up willingly or have it taken by force. That is just the way it is for most prisoners confined in a maximum-security prison in the New York State prison system.

It has not been my intent to paint only a one-sided picture of prison life, but to provide the perspective of an individual on the confined side of the bars. It is very difficult to be impartial. As previously stated, there are therapeutic programs available to assist prisoners like myself who wish to make a change and start the process of rehabilitation. Those who choose to begin this process can take advantage of programs like ASAT [alcohol substance abuse treatment] and ART [aggression replacement training], and by participating in self-help groups and by staying disciplinary free among other things.

However, in regard to the NYS DOCCS program services as depicted online and in the literature, there seems to be some question as to availability and timeline in reference to accessibility of the stated programs. Where it is written that they are available, there is no mention of the lengthy waiting periods between one's entry into DOCCS and the onset of active rehabilitation/therapeutic programming as directed by DOCCS staff. For many prisoners, this lapse in time and continued exposure to the prison mentality and treatment previously stated can create the potential for a person to become 'hardened' and no longer interested in, or receptive to, constructive rehabilitative concepts. For many, the lapse is in years not months.

I understand that this has been a lengthy preamble to the main subject of my reentry and reintegration struggles. As previously stated, I believe that is necessary so as to give the reader the means to more effectively comprehend how the years of being confined in this environment I have just described can inhibit one's ability to make a successful transition from the lifestyle and mindset of a prisoner to that of a civilian. Personally, I have lost just about everything that was ever important to me. This not only includes my freedom and the opportunity to raise my children, but also my dignity, and to some degree, my self-worth. In one of many status degradation ceremonies (Garfinkel, 1956), every time that there is a shakedown or cell search, I am made to strip naked and expose myself to a corrections officer that is younger than my last born child and I am reminded of what I have lost. I am also reminded of what I so selfishly and willingly sacrificed by

the choices I made, and that it was those choices that put me into situations where I am subject to degrading and humiliating treatment, and that it is only I, with the help of others, that can change this. Thus, my endeavour to address the struggle I have with the re-entry and reintegration process now, approximately one year prior to my earliest release date and enhance my chances for successful re-entry and break the cycle of recidivism that has kept me in chains for decades.

From my prison cell, I wonder how I can effectively convey the difficulty of release from a maximum security prison to a reader who has never before experienced incarceration. I wonder how someone can fully comprehend the tremendous amount of fear, anxiety, and stress that is created by the cultural shock and sensory overload that accompanies the actual 'event' of release, which I commonly refer to as 'the Star Gate'. In order to better understand the significance of the 'Star Gate' phenomenon, I request that the reader take all of the things I describe about daily prison life into account to consider how this shapes life after release and the impact years of imprisonment may have on an individual psychological state upon release, and how this may in turn hinder a successful reintegration.

As Munn (2011) noted in her essay on the impact of lengthy incarceration on prisoner resettlement, there is a big difference between the initial release/reentry from that of the reintegration process. I hope to make differences clear in the remainder of this essay. There are a couple of important factors that need to be considered when taking into consideration these differences. For myself, the most significant factor is to recognize that the release/reentry itself is an 'event', and it happens instantaneously, where the reintegration back in the community is a process that takes time.

Here, I want to highlight a few of the areas, which I think dramatically influenced my lack of success in reintegration after release from prison. I want to first discuss the difficulty of release, then I want to briefly discuss mental health and lack of state support.

When the release event occurs and one steps through the 'Star Gate', senses that had been dulled or unused for years are bombarded within minutes by outside stimuli and flooded with emotions. For many like myself, this creates the potential for sensory overload, and without assistance of some kind of safety net in place, it could lead to some unhealthy coping mechanisms that may also be violations of one's release conditions (alcohol or drug use, isolating, outbursts and/or other types of unacceptable coping behaviours).

When I was released on a Friday morning in August 2007, I stepped through the maximum-security prison gates and found out quite quickly that everything I had known and left behind six years prior had vanished.

Sights, sounds and smells exploded all around me in what Grassin (1983, p. 1451) referred to as “hyper responsivity to external stimuli”. Even the next day my senses were continually bombarded with outside stimuli. The world that I had just stepped into was a world that I no longer knew or understood. Walking into a convenience store for the first time was like walking into some kind of dreamscape – the smallest most insignificant things had advanced so much that I had a lot of trouble trying to figure out how to operate the coffee urn or the microwave. The things that were familiar to me were gone. Being confined in prison is almost like being in a state of suspended animation in regard to civilian societal communication. People, places and things change with time, so the cars appeared different in the street and seemed to have somehow morphed into a landscape that had become alien to me. Everyone had cell phones, but prior to my arrest they were considered a luxury for the rich. The places where payphones were used seemed to be vacant. The things that I had become accustomed to receiving from the state (e.g. food, clothing, transportation, and personal hygiene products), I now had to find a way to pay for. There so much to adjust and adapt to immediately upon release that things began to pile up on me right away.

The computer age had arrived and websites on the internet were common social meeting places. I needed to figure this out in order to do job searches or apply for work. Like many other acts, computer illiteracy is a major obstacle for those re-entering society because the DOCCS does not give computer access to prisoners – even those who are about to be released so that they may be properly instructed in how to use them. I felt this disadvantage as I tried to learn how to use a computer or activate a cell phone. Constantly I was reminded of how much I had lost, forgotten or needed to learn. The simple and most menial tasks became complex endeavours and began to take their toll. I was brought to the brink of an emotional and psychological breakdown within the first 24 hours after release.

My mental health was compromised during this release process and this was exacerbated because of my previous mental health issues. If any ex-prisoner has a serious mental health disorder, a pre-diagnosed alcohol/chemical dependency and/or all of the above, these added psychological

disadvantages create an even greater struggle for those experiencing the ‘Star Gate’ phenomena, especially if it is the first time.

In my particular case, the difficulties experienced increased and so did my feelings of becoming overwhelmed. I chose to self-medicate with alcohol. I realized I was in trouble psychologically and that I was violating the terms of my release by consuming alcohol. I needed help so I picked-up the phone and called the parole office. However, because I was released on a Friday and it was a Sunday, no one was available at the Area 1 parole office in Rochester. I was desperate and so I called 911 and I was connected with lifeline. After some discussion, it was decided that I needed to be taken to the hospital under the *Mental Hygiene Law* (2005). Article 9 of this legislation states that:

The director of any hospital may receive as a voluntary patient any suitable person in need of care and treatment, who voluntarily makes written application therefor... the director may retain the patient for a period not to exceed seventy-two hours from receipt of such notice. Before the expiration of such seventy-two hour period, the director shall either release the patient or apply to the supreme court or the county court in the county where the hospital is located for an order authorizing the involuntary retention of such patient. (New York State Assembly, *N.Y. Mental Hygiene Law*, 2005).

Once my psychiatric evaluation was completed, it was determined that I was best suited for the ‘strong ties’ outpatient service program and I was put in touch with them immediately. I then spoke to my Parole Officer at length and discussed my circumstances and situation. I was informed that because I had asked for help they would not enter a technical violation into my file. However, upon my release from the hospital, this decision was reversed and a more senior parole officer had me returned to prison for another year. This was a pattern that continued in my subsequent releases. Indeed, this re-incarceration focus receives praise as is evidenced by the following quote from Tom Herzog, DOCCS’ Deputy Commissioner for Community Supervision:

By determining the appropriate intensity of supervision, strictly enforcing parole conditions, and reinforcing reentry goals, the steady number

of parole violator returns points out that New York's parole staff are vigilant in their efforts to supervise parolees and maintain public safety by returning parolees to custody on parole violations before there's an escalation of committing new crimes (Department of Corrections and Community Supervision, 2014, p. 2).

I could go on and on about the specifics of each release and subsequent violation and return to prison but I am confident that the reader is able to get the gist of my story. Essentially, I had been released with no programs, no alternative to incarceration initiatives and no other remedy except to return to corrections. I take full responsibility for the choices I made but my point is that there should be alternative measures for non-violent technical violations because for me the response of the state has always been returning me to prison. I do not consider myself to be a bad man trying to be good, but instead to be a sick man trying to get well. I have been clean and sober for 28 months and am working with mental health services while incarcerated in order to find a means to manage my symptoms. I fully intend to break my cycle of recidivism upon release, but state support would be helpful.

One of the greatest misconceptions that I had when I was first released was the idea and belief that my parole officer and the state division of parole as a whole were to be part of the solution to my recidivism problem, and that they would be a positive influence on my reentry and reintegration attempt. I had assumed that my parole officer would work in concert with my outpatient Mentally Ill Chemically Addicted (MICA) team, but that was simply not the case. It seems to me that the division of parole are there to supervise and to violate and to think they do anything else is an unrealistic expectation for a prisoner to hold. Though assistance with the reintegration process may be part of their job description, in my experience, it is not a regularly practice procedure. It seems to me that a great deal of the parole division's time money and resources are directed towards the supervision aspect of their duty (i.e. residential approval, release investigation, curfew enforcement, office reporting, urinalysis and home visits).

Though it is possible to address and then overcome this dilemma with good pre-release preparation and a solid release/reentry plan, it is important to recognize and understand that each new release (where applicable) presents a brand-new experience. Just because one has stepped through the release 'Star Gate' before does not negate the creation of a new set of emotions associated with one becoming overwhelmed. Even with a good

comprehensive preparation plan it is virtually impossible to be completely prepared for the actual ‘Star Gate’ event. Think of it this way, is there really any way to be totally prepared to jump into ice cold water?

The phenomenon I have just described has been a great struggle for me to overcome. When I have been able to adjust to the initial shock of release in a positive context, I learned soon thereafter that that was only the beginning of many obstacles I would need to overcome in order to successfully reintegrate back into the community, of which to date I have repeatedly failed to accomplish. It seems that some States, along with the federal level of government have recognized that more support and resources are needed if our society truly wants to reduce recidivism rates and increase the chances of reintegration. In 2008, the *Second Chance Act* was passed which has allowed federal grants to be used to support services that help the transition back to the community. These grants have been used for a variety of initiatives to improve employment training, to increase the availability of substance use treatment, to provide educational opportunities and improved housing for ex-prisoners. Some grants have been used to support the families of current and former prisoners, and to offer mentorship in the hopes of improving the transition to the community after incarceration. According to the Council of State Governments Justice Center (2014, p. 16): “as of September 2013, Second Chance Act programs had served nearly 90,000 individuals across 49 states and the District of Columbia”. However, given the sheer number of people being released from prison in the United States today, this opportunity is a drop-in-the-bucket compared with the number of people who, like me, need this post-release support and are not receiving it.

REFERENCES

- Council of State Governments Justice Center (2014) *Reducing Recidivism: States Deliver Results*, New York.
- Department of Corrections and Community Supervision (2014) *Return Rate for Parolees Committing New Felony Crimes Hits Historic Low*. Retrieved from http://www.doccs.ny.gov/PressRel/2014/Recidivism_Rates_2010.pdf.
- Diaz v New York State Board of Parole, [2013] NYS 2d 838.
- Garfinkel, Harold (1956) “Conditions of Successful Degradation Ceremonies”, *American Journal of Sociology*, 61: 420-24.
- Glaze, Lauren E. and Thomas P. Bonzcar (2010) *Probation and Parole in the United States, 2009*, Bureau of Justice Statistics Bulletin, Washington (D.C.): Office of Justice Programs.

- Goffman, Erving (1961) *Asylums: Essays on the Social Situation of Mental Patients and Other Inmates*, Garden City (NY): Doubleday.
- Grassin, Stuart (1983) "Psychopathological Effects of Solitary Confinement", *American Journal of Psychiatry*, 140: 1450-54.
- Herrschaft, Bryn A. (2008) *Recidivism Among Parolees in New York City, 2001-2008*, New York: Centre for Court Innovation.
- Munn, Melissa (2011) "Living in the Aftermath: The Impact of Lengthy Incarceration on Post-Carceral Success", *The Howard Journal of Criminal Justice*, 50(3): 233-246.
- New York State Assembly (2005) Mental Hygiene S.C.R. 9.13
- Sentencing Guidelines Commission (2008) *Recidivism of Adult Felons, 2007*. Retrieved from http://www.cfc.wa.gov/PublicationSentencing/Recidivism/Adult_Recidivism_FY2007.pdf.
- US House of Representatives (2008) Second Chance Act (P.L. 110-199).

ABOUT THE AUTHOR

Jeffrey Bliss is a 50-year-old male who has been involved with the criminal justice system for over 35 years. He is a high school graduate who has pursued higher education through college programs offered to the New York State prison population until they were disbanded in the 1990s. During his lengthy incarceration he has completed various training programs (including the Counseling Aid II program) that allow him to do peer counseling and help facilitate groups inside the prison.