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Combating Recidivism

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Combating Recidivism

by

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Requirements for the Degree of

MASTER OF ARTS CRIMINAL JUSTICE LEADERSHIP

Dedications

This is dedicated to my mother who has always inspired me to be the change that I wish to find in the world, who always reminded me to do the right thing even if it is not considered the popular thing at the time.

Abstract

There is no single solution to the problem of recidivism amongst citizens with sex offense convictions, but it is safe to assume if more focus and awareness was put on the issue, then multiple solutions would start to align with bringing attention to the issue. Ideas such as incorporating new specialty units within police departments that address the rehabilitation of citizens with prior sex offenses or having officers and those within the criminal justice system take a long look in the mirror and evaluate themselves to see what they can personally do better to combat the issue, is a great start. Re-evaluating their own effort in which they give citizens who have prior convictions and their perception of who they believe needs their assistance when coming to work will help achieve this goal.

Table of Contents

Abstract	3
Chapter 1: Introduction	5
Combating recidivism	5
Statement of the Problem	6
Conclusion	7
Chapter 2: Review of the Literature	8
Origins of recidivism	8
Specialty units	14
Ethical principles	18
Applications of ethical practices.....	25
Conclusion	31
Chapter 3: Implications, Recommendations, and Conclusions	32
Recap of strategies.....	33
Conclusion	35
References.....	36
Tables and Figures.....	39

Chapter 1: Introduction

Finding a solution to combat recidivism amongst citizens with prior sex convictions can seem like an unrealistic quest. As research is done into solutions for the problem of recidivism amongst citizens, most would say it may be unrealistic to believe there is a “best” solution. Instead, seeking a combination of practices/methods to ensure the successful rehabilitation of citizens with prior sex offense convictions may be more plausible. Implementing specialty units within a police department can aid the success of citizens rehabilitation with prior sex offenses. This would specifically focus on the successful rehabilitation of citizens with prior sex offense convictions by attempting to help bridge the gap between those recently released from jail and citizens within the community who can assist with resources, such as jobs and/or places of residency. Also, having officers and those within the criminal justice system re-evaluate themselves in relation to their effort that they have given thus far can contribute to the success of combating the growing problem of recidivism.

Background

Speaking of citizens with prior sex offense convictions can come with a lot of scrutiny. Rightfully so as sex offenses are serious and should not be taken lightly. If it appears that there is consideration to the terms of a citizen’s release, that can be interpreted as making an offender’s guidelines “easier” which would clearly send the wrong message. This would result in everyone not being on board. It is important, regardless of the offense committed, to ensure citizens are afforded the same rights as others if they are released from jail. We need to do everything possible to ensure the offender does not return to jail while still holding them accountable.

Statement of the Problem

It is not productive to point blame at one individual and/or agency regarding the problem of recidivism; specifically, those on the front lines interacting with these citizens and the programs the citizens are placed in upon being released back into society after incarceration. This includes the justice system, citizens with prior sex convictions, officers, and criminal justice workers. It is more productive to hold these parties accountable to look for answers on how they can improve to become part of the solution. Those who offer resources to these citizens may return to the drawing board and re-evaluate how to better refine these resources to focus on the individual citizen to ensure he/she has the best chance of success.

The first step to being successful is accountability from all sides, starting with the citizens who committed these offenses. It must start with them to ensure they are being proactive with available resources and making certain they have a clear understanding of the guidelines of their release so they do not commit some type of infraction that could jeopardize their probation and/or terms of their release. These citizens are adults so there will be no handholding when it comes to this process. These citizens are on a path to success with solid expectations and they will not be successful unless they want themselves to be successful. This means they must put in the work to give themselves a fair shot.

The next step is those in leadership positions need to examine if the current practices and programs in place are giving the best chance of success to citizens with prior convictions. A thorough look at probation guidelines to examine if the average citizen could maintain being compliant with those guidelines is crucial. For example, geographic restriction where that citizen can live or certain time limits to obtain a full-time job with the barrier of having limited options

due to their background. If there is evidence, such as recidivism at an all-time high from the statistical standpoint, then taking a deeper look at what can be done to change those programs and/or add resources to help combat those numbers.

Lastly, a focus on what police officers and those who work within criminal justice can do to combat those negative statistics from their range of duties. This can be accomplished by examining how they can maximize their interpersonal skills and knowledge to help with and extend resources to citizens. This would result in giving these citizens the best chance of being successful. Also, attempting to change the perspective of those in criminal justice on citizens with prior convictions in general would help. While it is not being stated that those within criminal justice give less effort to help to citizens with prior sex convictions, it is true that sometimes as humans general bias can occur. This can translate to how much effort we put into things. This may include how much effort is put into aligning citizens with resources to keep them out of jail and/or successful in their rehabilitation time period. We must remind all criminal justice workers that citizens with past sex convictions are people who may need the most. Success will make criminal justice workers job that much easier and more rewarding if they are dealing with the same individuals who are consistently committing the same crimes or violating their probation on weird technicalities.

Conclusion

Overall, it is important to ensure citizens have the appropriate resources and support to be successful and all parties involved positively contribute to this success. All parties must re-evaluate current practices and cater to the individual needs of the citizens to make certain they have the greatest chance of combating recidivism rates.

Chapter 2: Review of the Literature

Recidivism is defined as a person's relapse into criminal behavior, often after the person receives sanctions or undergoes intervention for a previous crime. Recidivism rates are arguably at the highest rates they have ever been in the United States. In 2019, 64% of federal prisoners convicted of violent crimes were arrested within 8 years of their initial conviction date(n.d.). So, it is safe to say that the current action plans implemented for offenders to be successful must be revisited, because if the numbers keep increasing at a negative rate, then taxpayers are completely throwing money away. The jail system is extremely expensive and in looking at the recidivism numbers, it is frustrating to think money is not being used appropriately or could be used in a more efficient way. One would assume that offenders are not properly being rehabilitated as they continue to commit the same crime time and time again.

Recidivism is a major problem for society because it suggests to the public that the criminal justice system is failing. The objective of going to jail and/or sanctions that are given by a judge or someone else from a decision-making position, is to correct the anti-law abiding behavior. If statistics show that citizens are returning to jail for same or similar crimes committed, then there must be change all around when it comes to offenders within the justice system. We do not prosper as a society if we have arguably the biggest jail population in the world. All those involved must be open and adaptive to change to find ways to make citizens successful upon release from jail. The emphasis must be put back on the citizen and not consider them a lost cause because they committed offenses.

There are a lot of things that contribute to why offenders are not successful and return to jail on similar crimes committed. The criminal behavior that leads up to offenders getting in trouble varies. For example, in the instance of an ex-gang member being released from jail and

trying to stick to specific guidelines of probation may be tough if he or she has been operating or behaving a certain way since birth. For instance, if he was invited to a party that his old gang associates may attend. These old gang associates may have been known to cause trouble and may still be involved in illegal activity. He could face the dilemma of feeling that he is an adult and does not want to have these specific limitations set, feeling as though he should not have restrictions on his life when others are able to attend social gatherings. If the offender attends the party and parties with his old associates and is seen in pictures with them on social media, that will be a violation of probation because he cannot be associated with other felons. That social media post then results in fights at the party. Then, the police come and identify the offender who is on probation. This can be another violation of their probation from not being able to have negative police contacts. All of these behaviors resulted in the offender violating probation and ultimately returning to jail for the duration of their initial jail sentence. Considerate is unfortunate that all of it started from the offender just wanting to attend a social gathering to unwind a little bit.

Self-accountability must come first in combating recidivism. Prioritizing self-accountability in this situation and a pro-social behavior approach for the offender may result in a different outcome. He would have brainstormed other activities to unwind instead of going to that party. One example would be having a small, controlled gathering at his house. A small, controlled gathering could ensure that none of his old gang associates would attend and he would not risk falling back into old habits, minimizing the risk of violating probation and returning to jail. Another option is using that extra time to productively research jobs or other programs that would make them become stronger as an individual. There would be some feelings of regret that they missed out on a party, but it would ultimately result in them not risking

returning to jail from a probation violation. Self-accountability holds the citizen accountable in making better decisions and not reverting to a path of criminal behavior.

An action plan could be introduced for a citizen that enters the criminal justice system process as an offender to be paired with a triage criminal justice worker. This action plan would consist of an extensive backgrounded process that looks at the particular crime the offender is accused of as far as if it's a violent or non-violent crime. This process would put the non-violent crime offenders in a completely different category and allow for an option to ask the judge and/or prosecutors for other methods of punishment that could be considered before the very last option, which is jail time. Some of these methods include paying back the victim in restitution, community work, workhouse time that they must complete over an extended period of time, educational classes that align with the crime committed, or the charge dropped all together from the offender having no criminal history, especially if it was something that the common, young, immature adult could have committed.

For those who have committed sexual related offenses, it would be ordered that they are committed to a mandatory psychological evaluation. This would help determine the risk they are to the public and the likelihood of them committing sexual related offenses again. After assessing that, it would be determined by the offender psychologist what is the best course of action going forward. Treatment and/or jail time could give that offender the best chance of success, which is them not committing the same or similar crime again.

The second plan of the action would be upon release from jail and/or prison. To ensure an offender has access to job opportunities, they would make a 30-day to 60-day plan that includes goals for him or her to accomplish. At the end of that 60 days, the offender would meet with a corrections specialist to find out where they stand in relation to those goals. If the goals have not

yet been met, the corrections specialist would align them with more resources and come up with other strategies to assist in meeting their goals. The corrections specialist would follow up by setting up another time to meet 60 days from then to appropriately assess them again. Remaining in constant contact even after release helps offenders stay on the right path.

Lastly, assigning them to a mentor that is successful could prevent them from starting off on a similar path that they were on. When an offender is starting to go down the wrong path that may lead him or her back to jail, they can communicate with the mentor to help find a light at the end of the tunnel and keep them on track. This approach would be very similar to having a sponsor in an alcoholic program. This helps hold an offender accountable and gives them time to gather advice from someone they may feel closer to or comfortable with because they have been in their shoes. This also reduces the feeling of being judged.

A big thing to remember is that people are simply human, and we are all flawed. We may go down the wrong path just based on behavior that many may not feel is anything wrong. Knowing that and having a strong understanding of the thought behavior link is huge. Especially if working in the profession of a police officer as understanding people's behavior traits and what goes into them making certain choices is huge when leaders are trying to come up with crime prevention methods. Connecting with the youth and offering them different resources and opportunities they are not accustomed to is important. This would keep the youth from a path that would possibly lead to them committing a serious crime, starting a vicious never-ending cycle.

It is important to promote the idea of learning behavior traits of people to peers because it's another tool that could be used to prevent rising crime trends or the growing number of individuals in the correctional system. There is no quick fix to the growing number of citizens

going to jail and being stuck in an unfortunate cycle that continuously has them return to jail on similar crimes committed. With an emphasis to look at what behavior traits lead to them, then maybe we can correct those traits or guide that citizen in a different direction before the cycle starts all together.

Promoting these ideas of behavior traits not only to all police departments but to the community could have positive results. This promotion would go a long way with an average family to recognize those pre-indicators and attempt to guide their family members down a different path before that happens. It would also show community members how easy it is to start the path that could lead to them going to jail, causing some people to look in the mirror and think if the choices that they are currently making are worth it. If they think the consequences of their current choices are not worth it, then they can possibly avoid being stuck in a system that isn't currently giving lifelong success to many citizens.

Chances are there wouldn't be too much struggle from the administrative side to conduct these action plans because they would be reminded of how the current action plans just aren't working, and improvements need to be made. The suggested action plan would be implemented as a 5-year test run. Those installing the plan would go back to the old ways of doing things if my plan isn't successful with the numbers still growing. A common problem with anything that's newly implemented is simply that it's new and some people fear change. People are skeptical of new things, but I would continuously urge people to get out of their comfort zone a tad because it is for the greater good as citizens who need help do not deserve to be stuck in a vicious cycle of a justice system.

Those in leadership would be accountable to those in the administrative system by making sure they are being more than well versed in what current statistics are with offenders not

being successful and returning to prison. Leaders will also need know the problems that corrections are facing of not having adequate resources for offenders. All administrative employees would be encouraged to not be complacent or accepting of the idea that this is a problem that can't be fixed. If those employees are not coming up with new ideas to fix those problems, then they would bring in new people with fresh ideas because it's a problem that can't be overlooked or just accepted.

Leaders would hold offenders accountable by showing them that the last option is jail time and explain that they are doing everything possible with this action plan to make sure they aren't subjected to jail. At the same time, they would point out if they don't take self-accountability and make a strong effort to change their ways then there are no other options, especially if they violate the terms of the action plan and are be subjected to jail time.

Specialty Units

The problem that would be addressed through this specialty units in police departments would be the high numbers of citizens who are returning to jail for committing similar crimes. More specifically, those citizens who are returning to jail for probation violations that originated from sex offenses. A lot of those “violations” have been called in to question as if they are even realistic conditions to start with. I am not stating that specialty units need to be implemented in all police departments to hold citizens’ hands and baby them, but it would be extremely important for a unit to continuously check-in with citizens who have been recently released on probation. These units could assist with resources and let them know when they are subject to violating their terms of probation and how to combat that. These objectives align with a probation officer, but this would be different by providing them with information in state statute in what may be changing in terms of their probation, multiple resources within the community and having conversations with them and aligning them with people in the community who can contribute to their success of being a law-abiding citizen. This would help them with a second chance at life.

A lot of times when a community gets a flyer about a citizen who is being released with prior sex offense convictions, it automatically causes panic. Awareness is certainly warranted but at the same time this panic shouldn’t put the citizen at a disadvantage for a second chance. Specialty units should attempt to help bridge the gap between the people in the community and the citizen who was released from jail and try to come to an understanding with both parties. This understanding can set hard standards for the citizen to abide by, but at the same time show the community that this individual is making a change. This understanding should give them a

chance and/or encourage others to lend a hand, if possible, especially when it comes to job employment or providing a place of residency.

Many times, police departments hold community member meetings to discuss problems within the community and concerns they have. I believe that forum would be a perfect place for the specialty unit of the department to attend and let community members know in depth about certain offenders that are living within the community. The specialty unit would be transparent in what the offender's initial crimes committed were, but they would also be transparent in how that offender is in dire need of a second chance. Community members could be of great service in aiding that second chance by assisting those past offenders with resources that they have access to. This would be beneficial to further bridge the gap between past offenders and the community.

Officers within these specialty units can also be a direct bridge between offenders and probation officers. This would be advantageous from the perspective of probation officers having someone else to consult before they consider violating a citizen's probation for an infraction that he or she may have committed. For example, if a citizen has a certain time limit to find employment and he or she does not make the deadline, but the citizen is working extensively with the specialty unit within the police department to be paired with resources that can lead them to job opportunities. The probation officer may be inclined to not violate that individual because they have knowledge that a trusted police officer can attest to that citizen's effort in finding employment. They just may be hard out of luck now but are still working hard in finding employment. This would be another way of keeping citizens from returning to jail for things that could be considered small but have huge consequences, such as jail time.

The specialty unit would not take on all offenders. For example, those that are deemed likely to commit the same or similar crime again by a psychologist, or those who have a history

of not being law abiding. The objective of the unit is to spend time and resources on individuals that are taking the initiative to get a second chance at life. So, it does the unit no good to spend time on individuals who demonstrate behavior that relates to them being likely to return to jail. It is also a trust factor for the community. If the specialty unit vouches for an individual, that community should be open to sharing resources with these individuals as they have the highest chance of being successful with the second chance that they were given.

Motivation for examining this topic can come by trying to ensure that we are all staying fresh with ideas on how to make rehabilitation work. Citizens not returning to jail on probation violations is seen as successful rehabilitation. It is vital that those who work in the criminal justice field do everything possible to improve the rehabilitation. If citizens are continuously returning to jail for committing similar crimes, then it's a clear waste of taxpayer money. Taxpayers are paying for a system that is supposed to work but failing people within our society, so we need to make every effort we can in guiding citizens with past convictions to success.

There is no exact statistic as to when recidivisms became a problem for citizens with prior sex offense convictions, but one would argue that anytime recidivism starts to trend upward, it is a problem. It is the time to find new solutions that combat the problem.

The pros to this would be strengthening relationships within the community. If there were specialty units within departments to bridge the gap between individuals with past convictions and community members, this would not only benefit community members, but also those with past convictions. Those with past convictions can show that they can be successful, specifically that they are serious about starting their life over. This restart would have them in line for more opportunities and resources, for example jobs and/or placement in affordable housing.

The cons to this would be officers buying into the program. Officers may feel as though they are doing the work of a social worker or a probation officer. We would need to stress the importance of this unit and how it would benefit the overall success of citizens in making sure they don't return to jail. If citizens have violations to their probation or parole, and or commit similar crimes, then that will just be more work for them in the long run. Being proactive will help citizens find success before it comes to that.

Ethical Principles

Coming up with the best ways to rehabilitate citizens with prior sex offense convictions is difficult because statistics shows that the current method does not appear to be working. This is a very complex problem. It is complex because it is still an issue and one that as of yet does not have a solution. Since this problem is so big, it's important to attack this problem from a different perspective. More specifically, combating this problem at an administrator level within law enforcement and making sure officers and/or workers within agencies aren't contributing to that problem.

First and foremost, all administrators would need to make sure that all their employees are well versed in the problem of citizens with prior sex offense convictions being more likely to return to prison for similar crimes. Implementing mandatory yearly training on the topic and pushing people within corrections and the court systems to give their honest opinion on reasons why rehabilitation hasn't been successful. Having all involved get to the drawing board and brainstorm options to correct those issues. This constant training brings the problem the forefront of minds of officers within agencies. Some may not be aware this recidivism is a real problem and can affect their job in numerous ways. The goal would be to get them thinking on how they can personally be a part of the solution.

Also bringing to their attention the many "questionable" ways in which offenders can have their probation violated and be sent back to prison. For example, an offender having to live within a certain part of the state, but that part of the state may be away from their loved ones, this could already be setting them up for failure. Offenders are human, so if they are going through a problem, then it is important to be around family and have a good support system that reminds them why they have to be successful.

Bringing light to how offenders being classified as “high risk” is different when it comes to different states which sheds awareness of how much of a subjective and biased process it can be in the guidelines that could lead to a citizen returning back to jail. A process that can seem biased just from what state you live in is the definition of an unfair process. Another thing to keep in mind when considering the discretion for small things that could be a violation in relation to a citizen returning back to prison (Janus, E. S., & Pranky, R. A 2003)

Bringing attention to the lack of jobs that are afforded for felons is important too. Offenders are under strict requirements to find a full time job or else they can be at risk of violating their probation requirements and could be sent back to prison. We need to make an emphasis to not make excuses for offenders with prior sex offense whatsoever, and we need to make it important to get officers to see things from a different perspective. All people deserve a second chance, especially people who have paid their debt to society by serving time in jail. Attempting to change some officers’ views and asking them to abandon having just a black and white attitude, will allow them to consider other factors that are involved in why some citizens aren’t successful when they return to jail.

Another issue that would be brought to police officers’ attention would be the lack of privacy that offenders are subjected to for extended amounts of time. Granted they are on probation for serious crimes but on the contrary. Imagine having to notify someone basically of your every single move, as if you are a child, sometimes for more than a decade with the constant feeling of having someone over your shoulder. It can lead to offenders resorting to things that can violate their probation such as using drugs and/or alcohol as unhealthy ways to cope with the stress of it all (Kabat, A. R. 1998).

Another issue to have them consider is the long sentencing a lot of these offenders are subject to. When these same offenders get released from prison, they are changed people in many ways, both positive and negative. Again, not saying there should be sympathy but there should be some type of understanding and patience when encountering these particular citizens because they are trying to get acclimated back into society which is no easy process after being confined in jail for an extended amount of time (Frezzo, C. A. 2015).

Adding to that, some offenders are on parole for an unreasonable amount of time, which causes another level of stress to basically feel as though you have to be perfect as if you are not human for an unforeseeable amount of time. Not adding to their stress and treating those people with anything less than top-level respect, when having interactions with those individuals, and making sure we are all doing our job by helping them be successful would be more than beneficial for all parties involved.

I would encourage opening the floor to have open discussions a few times a year with the question to all officers being “Why do you become a police officer?” It would be important to see how those answers changed from when the officers joined the department to what their current mindset is now. The answer to that is subjective, but one would like to believe the general idea would be to help others. Then, look more closely into the word “others” and what employees within the department feel their help should be extended to.

Hopefully “others” pertains to all people within their mindset and with that reminding them that could mean people who have been on possibly the wrong side of their encounters with the public. Meaning they could have had to arrest them at some point, but stress to them the importance of still not hesitating when those same people need their help. Also, getting out of the old school concept of good guys and bad guys and making sure they remember why they started

this highly important job of making the world a better place and always helping others. Just asking all officers if they believe they have done everything to make all citizens successful, even those that can be viewed as criminals, and if they believe they haven't, then making sure they are a part of the change to do so.

Helping to change that mindset would be education into the strict regulations that certain offenders have to maintain in order to not be sent back to prison. Strict regulations such as living requirements, or no alcohol (even in social settings, such as a wedding). Other guidelines include saying who they can be around, which is hard if those people may be their family. That restricted family member may be a felon, and felons may be those who they are not allowed to be around. But who's to say that person hasn't changed and learned from their mistakes. Thinking about these things just helps officers put themselves in others' shoes and makes them think about if they would have a problem staying in between the lines of those standards, especially after a long period of time, like a decade.

Changing the mindset of how citizens with past sex offense convictions are seen is critical within law enforcement. Some would believe people tend to treat others a certain way subconsciously when they view them in a particular way. If there is an attempt to change employee mindset within all agencies, to view all people as family members that made mistakes, it would be beneficial. In doing so they would be more inclined to not be biased in the amount of effort they are willing to give to help citizens with prior convictions, especially those with "taboo" convictions, such as sexual related offenses.

Treating all people equal sounds like common practice, but there's a lot of small ways that people aren't treated fairly that aren't always broadcasted as wrong. For example, bias treatment based on the citizen's past, or a lack of significant effort on the criminal justice

professional behalf because the worker may feel that the citizen may not deserve their assistance. This type of logic just adds to the problem of citizens with sex offenses returning to jail on similar charges significantly when they are classified in that way. We must never give up on anyone, especially those with past convictions, because they need our help the most to be successful. This help can possibly return the favor when someone else needs help and they can give advice from being there and going through similar circumstances.

Some ethical considerations that would have to be addressed would be presenting this to the department in an appropriate way that doesn't offend people. Stressing the importance of treating others the right way no matter if they are labeled a "criminal" or not, but at the same time being respectful about it. Not accusing others of being unfair knowingly but bringing light to the fact that we always treat others unfairly in these situations without truly knowing we are doing it. Leadership must at all times be cautious of how they present that to the department and tread lightly because you can get people to shut down quickly if they believe you are accusing them of something. Leadership would present it in a way that is digestible for their team. We all take a look in the mirror and evaluate ourselves as far as what we can individually do to be better.

Ways leadership would promote ethical accountability would be to highlight when officers go above and beyond in providing resources and making sure they are doing everything in their power to make sure a past offender is successful. Making sure to do things such as sending department wide emails detailing the specific things that officers did and praising these individuals accordingly in front of the whole department for doing things that may not get as much recognition on, but nonetheless, let them know that are still of the most extreme importance.

Another way leadership would promote ethical accountability is to have officers and/or employees shadow someone in corrections once a year to see first-hand the problems of the overcrowding of prisons and the lack of resources to go around from those high numbers. This would help more officers be mindful of things they can do from their side of ways to help offenders not add to the problems that employees in corrections see.

Also, promote speaking with juveniles in relation to sex offenses and educating them on the dangers of committing those crimes, especially as a juvenile. It would be important to preach patience and strong professionalism regarding officers working with juveniles because they must set an example and model how a citizen should conduct themselves. This is done to lessen the chances of a juvenile being caught in the revolving system of the correction process. Especially since as of now, if a juvenile commits a sexual offense, many times he or she will suffer the same consequences of an adult in a similar circumstance (Martin, E. F., & Pruett, M. K. 1998).

Ways to ensure ethical expectations and behaviors in others would be to have yearly evaluations with employees to get a gauge of what they feel they did well and need to improve on as far as helping citizens with past sex offenses be successful, contributing members of society. Leadership would have direct supervisors of the employees give great feedback as to what they feel is going great with that employee in those regards and what areas they would like to see improve.

Having leadership incorporate some sort of progressive discipline for those who are not showing progress is important. Acceptance to being proactive in helping with this problem sends out a clear message to the rest of the department that being part of the solution (in offering resources and help to offenders) is something that they believe all officers should have a hand in. If some officers are not taking that problem seriously, then that will not be tolerated.

All of these methods would not be implemented to discredit officers for the work that they have previously committed. The message would be to simply say we must all hold ourselves to higher standards and self-evaluation is important if we want to make change in anything. When looking at the problem of recidivism, all must be willing to adapt to creative changes. To get help, ease those within criminal justice for what some would consider radical changes. Departments would keep statistics on offenders that officers have contacts with and see if there is a difference in past offenders returning back to jail on same or similar crimes. If the numbers do not seem to change over a period in a positive way, then leadership would show effort to return to the drawing board to implement new things for all to try.

Ethical framework contained in the Stewardship Principles applies to this regarding the mindset I'm attempting to change when it comes to past sex offenders. As stated earlier, when we view someone as a "criminal" we can subconsciously tend to not give them our best effort as far as help or proactive energy when it comes to making them successful. Without giving our best effort, ethically a lot of our values fail in professionalism and honesty. More specifically, honesty within all who work in the criminal justice field and why officers initially wanted to be officers, which is usually to help others. Having all officers look at themselves in the mirror and admit that they aren't living up to that promise to treat people fairly based on if they have been convicted of a crime or not.

Applications of Positive Ethical Practices Within Criminal Justice

On May 25, 2020, an incident happened in the city of Minneapolis, Minnesota, that not only changed law enforcement, but the world in general, forever. This incident was the death of George Floyd. A small summary of this event was four Minneapolis police officers responded to a call for service for a citizen named George Floyd attempting to use a counterfeit \$20 bill.

While investigating that initial report, officers attempted to detain George Floyd and escort him to the rear of a squad car. At some point George Floyd became uncompliant and refused to go in the rear of the squad car. Officers then attempted to further restrain George Floyd and ultimately took him to the ground for better control. While on the ground, two officers took control of George Floyd's legs and another officer chose to control Floyd by placing his knee on the upper back and neck of George Floyd. That officer held that position for eight minutes and forty six seconds. Multiple citizens filmed this encounter while screaming that it appeared George Floyd was choking to death from the knee being on his neck. The officer did not remove his knee from George Floyd's neck until medics arrived on scene, even though another officer had questioned if they should turn George Floyd on his side because he appeared unconscious. Shortly after medics arrived and transported George Floyd to the hospital, he was pronounced dead. (Hill, E., Tiefenthaler, A., Triebert, C., Jordan, D., Willis, H., & Stein, R. (2020, June 01, PP.1.2)

George Floyd's death sparked outrage not only across the nation but throughout the world with thousands of protests, looting, and millions of dollars of damage to property. All four officers involved had been terminated from their jobs and have been criminally charged from that encounter. With four officers on scene, the biggest question that most ask is why didn't any of the other officers intervene when an officer was kneeling on the neck of George Floyd, especially when it lasted for such an extended amount of time?

A few things contributed to officers not intervening. First and foremost, “seniority” played a role in this incident. The two officers that were attempting to control George Floyd’s legs were brand new with the department, and the officer that had his knee on George Floyd’s neck had been with the department for more than 15 years. It is common for younger officers to feel that they are out of place telling an officer with more time on the job how to do the job. In this situation, an officer knew that something else should have been done for George Floyd by suggesting that they should try to put him on his side, but the senior officer stated that they would keep him just as he was until medics arrived. The younger officer didn’t further object even though he felt that situation wasn’t going right.

Another reason why this incident happened, is officers many times don’t like correcting other officers especially in front of the public because then it gives the perception that they are doing something wrong. They feel as if they intervene it’s going to be an almost automatic indication an officer is going to be in trouble, and they could have a hand in that and be seen as an outsider amongst their peers.

There are multiple problems with those few notions previously listed. From the point of officers being hesitant to intervene with officers who have had longer careers than them during critical situations, that alone is a dangerous mindset to have in not only law enforcement but any job. At the end of the day, we are all adults and although officers are people who have worked the job for an extended amount of time and have great wisdom and insight to offer on the job, that doesn’t exempt them from making mistakes or make them perfect. We are all humans that are bound to make mistakes and can take advice or get help from anyone. The amount of experience we have in life means nothing in certain situations. For the extreme example of the George Floyd incident, if officers were more assertive with changing some of the tactics used on

that call, then George Floyd could possibly still be alive and four officers would be still currently employed with their department and not be facing serious jail time, and the world wouldn't be rioting.

Another notion that must be debunked is that officers at times feel as though they are condemning other officers involved to disciplinary consequences from intervening. I would argue that officers will face more severe disciplinary consequences from not intervening. An officer intervening when they see misconduct, or just stepping in when they feel a situation is going south, could not only potentially save that officers career but all officers that are associated with the incident. As seen with the George Floyd incident, the public sees all officers involved just as guilty as the one who applied his knee to George Floyd's neck. Rightfully so, all officers take an oath to basically do the right thing in all situations and that nothing changes within that oath when dealing with coworkers.

Also, from the last notion of officers being afraid of being outcasted by their coworkers or feeling as though they maybe retaliated against for intervening in a situation that they felt was not ethically correct, officers must do the right thing no matter what. If that unfortunately results in other officers out casting them for doing the right thing, then those officers should be considered for disciplinary action especially if they are demonstrating harassment toward an officer for doing what he or she felt was right.

Although this an extreme case of bad ethics within criminal justice, this is relevant in relation to the topic of combating recidivism: relevant by comparing how a moment of bad choices and or bad ethics can change the whole outlook of criminal justice forever. Displaying bad ethics within criminal justice when it comes to fair treatment and effort for citizens with prior sex convictions may not have an immediate negative result similar to the incident that

occurred from the ethics that were displayed with George Floyd, but one can argue having bad ethics in relation to citizens that criminal justice professionals encounter, can have a lasting impact that not only effects the citizen's life negatively, but puts a bad/unprofessional lens on criminal justice as a whole.

The nation and the world learned a lot from the unfortunate incident of George Floyd: how positively and negatively those within criminal justice can forever change the live of a citizen. The officers involved in that situation changed George Floyd's life immediately with horrible ethics. Participating in practices and methods that mirror bad ethics with effort in citizens can change citizens' lives for the long haul. Especially, when you consider the massive amounts of contacts that police, and criminal justice workers have with citizens daily.

I'm proposing that all police departments across the nation adapt a new program called "courage." This program would include in officer taking a primary on a call when he or she sees another officer may be going down the wrong path ethic-wise. This would include redirecting another officer to another task no matter the rank of the officer, taking primary custody of a suspect for another officer to ensure care of the suspect continues at a high standard, addressing personal or professional issues with other officers, and/or stepping in when an officer knows there is more that could be done to help an individual.

This program aims to stop bad tactics and/or unsafe behavior from officers. This program promotes accountability amongst officers to not only hold themselves to a higher standard, but those around them. This program would look for signs of stress, declining officer wellness and signs of fatigue amongst officers, which aims to prevent officers from cutting corners. The program also aims to prevent bad encounters and actions that could discredit the department. Finally, it aims to prevent law violations and policy violations.

Anyone participating in this program and using the tactics mentioned above should not be subjected to any form of retaliation or harassment. Anyone proven to be participating in harassment and/or retaliation from methods used from this program will face severe consequences with possible consideration for termination.

Tactics from this program can be used on any officer towards another officer no matter the rank amongst officer or employee in a leadership position. This program would be limited to “in the field” scenarios. A criminal justice professional may implement intervention with another coworker when they are aware of a decrease in productivity. For example, not following up with assigned citizens who need assistance with resources to stay current with probation guidelines. Failure to intervene when in a situation where ethics are questionable could result in severe disciplinary consequences and, in some instances, termination.

Adopting this program, or a similar program like this, in all departments across the nation, will only result in great things overall for law enforcement. It will have all departments looking in the mirror and making sure they hold themselves accountable for situations. It will have criminal justice professionals examining themselves in relation to how they can reach their maximum potential in helping others and helping coworkers around them achieve that same goal. Also, showing the public that there is a department policy in place to always do the right thing when dealing with other coworkers and citizens who deserve fair treatment. Failure to do so will result in consequences. This also lets the public know that there is no code of silence or “blue wall” that prevents officers from doing the right thing when it involves one of their own.

Having programs as such as this one is making a step in the right direction to make sure a situation, such as the George Floyd situation, never happens again. Also, that will not result in millions of dollars of damage from riots and civil lawsuits because officers will have the

“courage” to intervene when they know a situation is wrong. When they do so, they know they not only have the support of their department but know it’s what is always expected of them.

In anything you do you must re-evaluate and figure out better ways to do it. This logic applies to law enforcement. Some people go by the quote “if it isn’t broke, then why fix it?” That quote certainly isn’t applicable to law enforcement because many could argue the system is broke if situations, such as George Floyd, happen.

Law enforcement needs significant repair. Which in itself isn’t a bad thing. It is necessary to constantly re-evaluate ways on how to improve such an important profession as law enforcement. Police officers aren’t perfect, but the profession should always be working to strive to be, especially when police officers must make many life-or-death decisions on a day-to-day basis.

Rolling this program out and having it installed in situations when new officers are coming through the “Field Training Officer” program would show new officers that it’s their duty to intervene in any situation, even if its applicable they would intervene with their field training officer if the situation required it (9 steps to keeping your cop ethics in check. (2017, October 30, PP.8). This sets the standard from day one of what is expected of them at all times, no matter the situation or whose involved in it.

The quote “the moment we look at the problem instead of the person is the moment we have lost the main reason why we joined the profession” from the Chief of St. Paul Police is exactly why we cannot lose sight of our ethics. Many times, officers and/or criminal justice workers get consumed in the daily struggles of the job by continuously dealing with the worst of the worst situations. These situations can cause officers and criminal justice professionals to unfortunately lose sight of why they started the career in the first place.

Conclusion

In closing, this program must be installed in every department as soon as possible. It again shows that agencies across the nation are doing everything they can to hold themselves accountable and play by the same rules that they enforce daily. Also, to show they are continuously performing their daily job duties at the highest of levels when it comes to issues, such as high rates of recidivism. Law enforcement professionals can honestly say they are doing everything they can from their end to combat issues, such as recidivism. Also, from the perspective of just doing what is necessary to protect officers and potentially save their careers when they are too overly invested in a call for service. It is important to remember criminal justice professionals are human and prone to make mistakes. This is just another layer to assist all with holding each other accountable if those mistakes appear to become a pattern or a mistake that could lead to a citizen returning to jail from an error that was made from the law enforcement side. Implementing this program would ensure everyone is doing their job to prevent those mistakes from happening. When people think of criminal justice, the first thing they usually think of is law enforcement and their local police agency. If they have a negative view of their agency, that could transpire to what they think of criminal justice. It is imperative that we continue to set high standards by putting programs like this in place that attempts to answer problems of the past.

Chapter 3: Conclusion

There is no single answer that corrects a problem that's been growing rapidly at a negative rate for an extensive amount of time. Especially when the "problem" isn't seen as a problem by all. Some people may live by the quote "don't do the crime if you can't do the time," but that is a dangerous mindset to have for multiple reasons.

Practical Applications

First and foremost, no matter the situation, all humans are not perfect. It is important to not put all people on the same level as citizens who have committed serious offenses, and still hold those accountable who made poor decisions that the average law-abiding citizen would not make. It's still extremely important to do everything within our power to ensure that those people get a fair shot at a "second chance". Second chances are deserved if the individual meets all the necessary guidelines that the justice system has placed on them. There should be no hand holding, because crimes (especially sex offense crimes) are serious incidents. If the offender had paid their debt to society, then they should be afforded their natural rights and return to society with an equal and fair shot as a law-abiding citizen. Making sure those citizens with prior convictions for sex offenses are successful not only helps them, but it helps everyone within criminal justice as a whole. It should be a system that works, and actually is fair to all, instead of having a hand in contributing to recidivism.

Citizens with past conviction, criminal justice professionals, and citizens within the community must re-evaluate themselves and work together so the best possible outcomes can happen. This would start with citizens who put themselves in the situation to begin with. Those citizens not only need to make sure they learn from their mistakes, but make sure they are doing

their due diligence to live within the new guidelines that are set for them. They must accept that they have made a huge mistake, but not dwell on it and move on with their life. They must be proactive in seeking resources that can benefit them in positive ways. Those offenders must disassociate themselves with things that could lead them on a path back to jail. For example, past associates that are still involved in a criminal lifestyle. Ultimately, using every resource sent their way that helps them stay on track with the goal of maintaining the lifestyle of a law-abiding citizen.

More specifically, accountability on all sides. Even though all sides may be inadvertently contributing to practices and methods that are in some way aiding the rise in recidivism, as leaders in the criminal justice profession, it's important to realize when certain things are outdated, and change needs to be made. The goal is for past offenders to not return to jail and if change is needed for that amongst common practices and self-evaluation, then so be it.

Criminal justice professional leaders taking initiative in combating recidivism by implementing new programs, such as specialty units that focus directly on citizens with prior convictions. Criminal justice professionals that help hold offenders accountable by informing them of specific guidelines in their probation that they could overlook and lead them to violating terms of probation. A game changer being police officers making effort to bridge the gap between past offenders and citizens within the community. If positive relationships are built and a citizen feels a little more comfortable around a past offender who is in the community, it can lead to more positive opportunities for that offender. The people within the community are the ones that truly hold the keys to certain types of potential employment or residency. A bigger lens which is focused on combating recidivism rates from police department, would have the problem from a different angle.

Another angle that would aid criminal justice workers perspectives in general, would be changing the outlook of the generic perception of the “bad guy” and move to more of a classification of a “fallen citizen” that needs to be uplifted. As I’ve stated before, we do not need to hold anyone’s hand, but we do need to make sure that everyone is making a legit effort to make sure they help all citizens as much as they would help the “casual” or law-abiding citizen.

What may be a significant gamechanger to combating recidivism would be the implementation of the program “courage” into all police departments nationwide. It is essentially a program that is put in place to encourage officers to continue to work to the best of their ability and hold those accountable who choose to operate below the professional standards expected of them. There is no such thing as seniority when it comes to an officer holding another officer accountable to work at high standards. Holding all criminal justice professionals to high standards of effort translates to citizens getting the quality help that they may need.

Lastly, finding success stories amongst past offenders who have turned their life around. Which is clearly not an overnight process. Having those within criminal justice follow up with citizens success stories from the changes implemented and hopefully even getting them to speak with current offenders who are on the beginning of their journey they were at not too long ago. The purpose would be for current offenders to see that there is light at the end of the tunnel and know that it’s possible because people who look just like them are living normal lives without restrictions and achieving the goals that they set out for themselves as well as criminal justice professions. Which is for them to be law abiding citizens and be positive contributing members to society.

Doing all things doesn’t translate to immediate success upon recidivism. With a problem as big and complex of recidivism. It will be important to remember that patience is needed

because the result do not happen overnight. Especially when you look at lengthy probation lengths that some offenders may have it will be constant follow up with those individuals to ensure that they stay on track with what they need to do to be successful. Again, there will be no hand holding. If an offender isn't meeting the guidelines that are set forth to them on a constant basis then all parties involved will not bend over backwards to get them out of the consequences, they face as a result of doing so. But all parties involved will understand in certain situations a violation of guideline should not automatically warrant the ultimate consequence which is jail time. Especially, if the individual is proactive in trying to be law-abiding.

Recommendations for Further Research

To make sure the methods mentioned above are showing some success within recidivism. I recommend further research into rates of offenders returning back to jail at two year marks. This would help gauge if the methods are actually working to see if the numbers within recidivism have changed in a positive way.

Conclusion

This is not a guaranteed fix for the problem of citizens with prior sex convictions and recidivism but admitting there is a problem and self-evaluation across multiple levels of criminal justice is a step in the right direction. There are multiple different parts of the system, but if all those parts come together and are willing to be adaptive to new ideas and strategies, then chances are high that the overall goal of giving a citizen with prior convictions another chance at being a law-abiding citizen will be successful.

It is important to remember that with any complex problem it can be unrealistic to think there is an easy fix to it or a "guaranteed" solution. The only way to start the process of finding a

solution to a complex problem is to approach it from multiple angles. First and foremost, take accountability for a hand in which an individual or agency may have had in prolonging the problem. As long as all involved are continuously being open to learn and be receptive of new ideas, then the problem is bound to be addressed in a positive manner.

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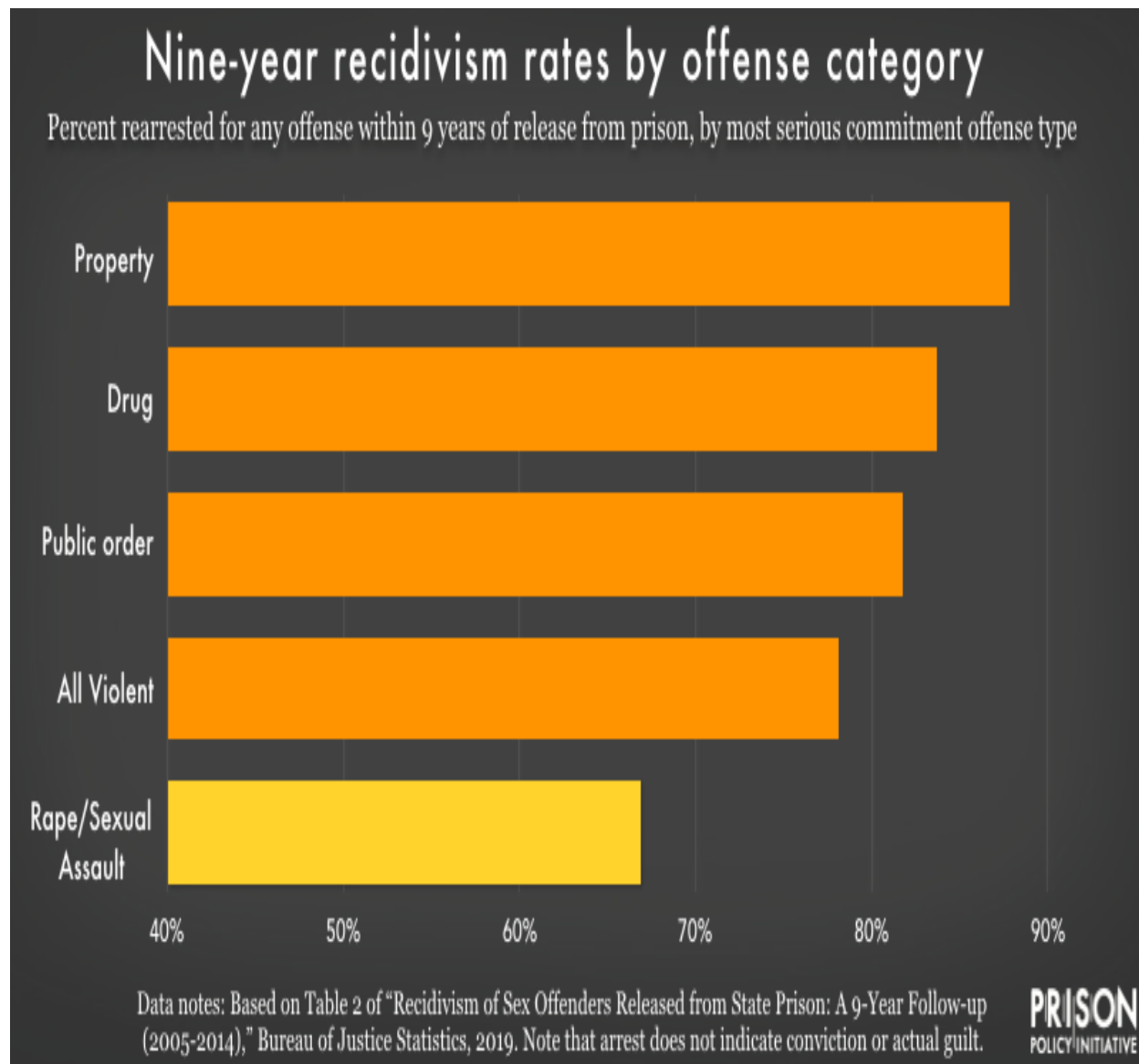
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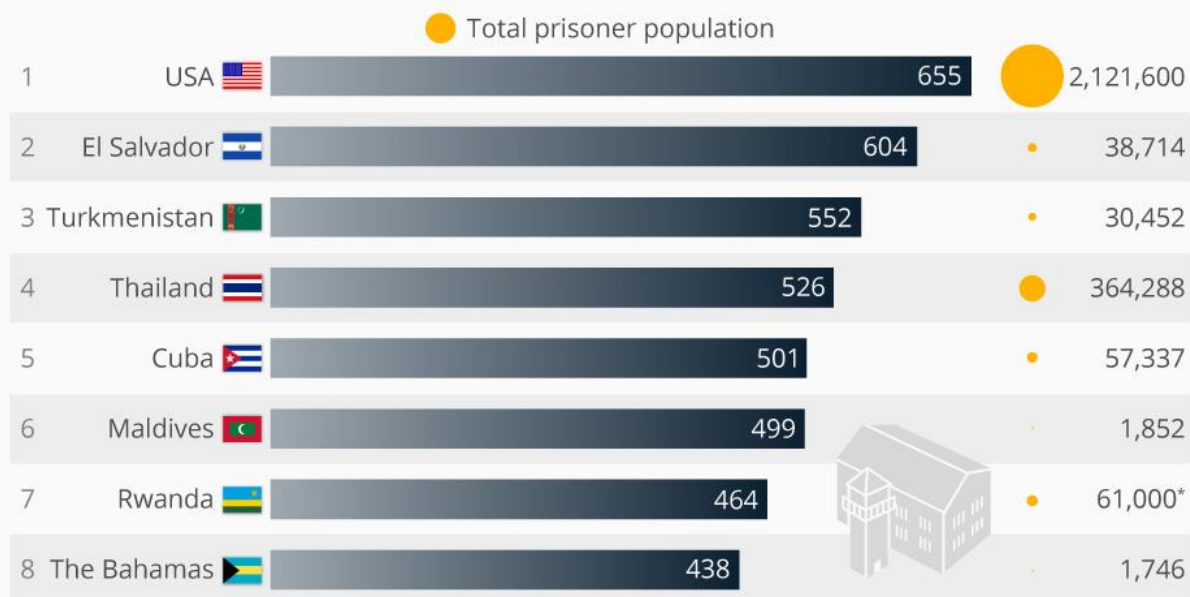
Figures:

Statistics of the rearrests of individuals 9 years after their release from prison/statistics that show the United States in the lead for having the largest population of imprisoned citizens in the world.



The Countries Imprisoning the Most People

Countries with the highest imprisonment rates (prisoners per 100,000 people)



* rounded

Latest figures available as of September 2018,
data from 2017-2018, Cuba: 2012



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Source: Institute for Criminal Policy
Research World Prison Brief

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