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## OUT-OF-SCHOOL SUSPENSIONS: COUNTER-NARRATIVES FROM THE STUDENT PERSPECTIVE

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### Abstract

Out-of-school suspension (OSS) is a major disciplinary tool that has impacted large numbers of students in the United States. Most research into OSS has drawn exclusively on data collected from school records and other “official” sources, and this body of work has contributed to our understanding of suspension decisions by school officials. Considerably less is known about how students experience out-of-school suspensions. This line of inquiry is important because it captures the student voice and reveals a series of counter-narratives that offer alternative interpretations of students’ behaviors that lead to OSS. The aims of this study were twofold: 1) to explore the backgrounds and contexts of the behaviors for which students were suspended, and 2) to examine the degree to which suspension practices reflected criminal justice processes. Data were collected from semi-structured interviews with 26 students who had experienced at least one OSS during the previous 18 months. Collectively, they had been suspended from 10 different public high schools in one county. The sample was largely African American and male. Respondents provide important contextual details about the events as they describe their role, frustration over subjective infractions, labeling, and concerns about limited due process.

*Keywords:* school suspension, school discipline, zero tolerance

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## INTRODUCTION

In the context of formal social control, the monitoring of “dangerous classes” occurs in a range of settings that include but also extend beyond the criminal justice system (Simon, 2007). For example, the hyper-surveillance of people has expanded or diffused to the domains of child protection (Edwards, 2016; Wrennall, 2010), drug treatment (McElrath, 2018), homeless interventions (Johnsen, Fitzpatrick, & Watts, 2018), and public schools in the US (Wacquant, 2001). Although formal social control mechanisms have long been embedded in public schools, both the nature and range of disciplinary outcomes in schools have become increasingly more stringent over the last several decades (Skiba, Arredondo, & Williams, 2014a). In particular, out-of-school suspension (OSS) has emerged as a major disciplinary tool.

The proportion of students who have experienced out-of-school suspensions in the US is striking. Approximately 2.7 million public school students experienced one or more out-of-school suspensions during the academic year 2015-2016 (Office for Civil Rights, 2018). This figure represents about 5.5% of students who were enrolled in public schools in that year. State-level estimates are also telling. In an extensive longitudinal study, Fabelo and colleagues (2011) examined records of all 7th graders who were enrolled in Texas public schools during a three-year period and followed them for six years. Between the 7th and 12th grades, 31% of students had experienced at least one out-of-school suspension, and over half (54%) had received an in-school suspension. The authors also found that multiple suspensions were common among students who had been suspended ( $\bar{x}$  = 8 suspensions or expulsions over six years).

Youth who are suspended from schools are susceptible to or directly experience a host of consequences, including being held back or required to repeat a grade (Fabelo et al., 2011), loss of instructional time (Losen, Sun, & Keith, 2017), extended disconnectedness with schools (Brown, 2011), lower academic achievement (Morris & Perry, 2016; Noltemeyer, Ward, & McLoughlin, 2015), and higher probability of dropping out of school (Peguero, Bondy, & Shekarkhar, 2016; Noltemeyer, Ward, & McLoughlin, 2015).

## RESEARCH ON RACE-BASED DISPARITIES AND SCHOOL SUSPENSIONS

Evidence of racial disproportionality in school suspensions has existed for more than four decades. To illustrate, suspension data from the 1972-73 school year were submitted by 2,862 school districts to the federal Office of Civil Rights. Analyses of these data by the Children’s Defense Fund (1975) found that suspension rates were twice as high for Black students compared to students in all other racial/ethnic groups. Among students in secondary schools, Blacks were three times more likely than whites to have been suspended from school (12.8%, 4.1%) (Children’s Defense Fund, 1975).

Among students enrolled in grades 6 through 12, national data from 1993 reveal that the suspension rate for African American males (42%) was more than twice the rate for non-Hispanic white males (16%) and approximately double the rate for Hispanic males (22%) (National Center for Education Statistics, 2016). Similar patterns were observed in 2012 when 48% of African American males enrolled in grades 6 through 12 had been suspended, more than double the rate for white non-Hispanic (21%) and Hispanic males (23%) (National Center for Education Statistics, 2016). Race-based disparities have also been reported for female students. Data from 2012 show that 29% of African American females enrolled in grades 6 through 12 had

been suspended, compared to 9% of white non-Hispanic females and 12% of Hispanic females (National Center for Education Statistics, 2016).

Compared to whites, African Americans are significantly more likely to be referred for discipline or discretionary actions (Anyon, Jenson, Altschul, Farrar, McQueen, Greer, Downing, & Simmons, 2014; Fabelo et al., 2011; Gregory & Weinstein, 2008; Rocque, 2010), and suspended or expelled from school (Anyon et al., 2014; Huang & Cornell, 2017) even when controlling for socioeconomic background and other factors (Morris & Perry, 2016).

Race/gender dynamics have revealed mixed results. Although some studies have found that African American males are suspended at higher rates than other race/gender groups (Skiba et al., 2002), race disparities among female students have also been documented (Annamma et al., 2019). For instance, Blake and Butler (2011) found that African American females were twice as likely to be suspended compared to Latina and white non-Latina females and that infraction categories differed across race/ethnic backgrounds. In that study, African American females were often suspended for behaviors that deviated from “traditional standards of femininity” (Blake & Butler, 2011, p. 100).

Rates of *misbehavior* are approximately the same for African American and white students (Huang, 2016; Skiba et al., 2002) and race disparities associated with suspensions are not explained fully by the types of infractions or the reasons for disciplinary action (Anyon et al., 2014; Huang & Cornell, 2017; Nicholson-Crotty, Birchmeier, & Valentine, 2009; Skiba et al., 2002). Although one study found that past problem behavior was linked to suspensions among African Americans in the 8<sup>th</sup> grade (Wright, Morgan, Coyne, Beaver, & Barnes, 2014), that study was limited by its measurement of problem behavior. The measure incorporated teachers’ reports of problem behaviors noted in kindergarten, first, and third grade. Some evidence suggests that African American male children often display gendered behaviors that are culturally valued within their communities but can be interpreted differently by teachers (Wood & Harris, 2016). Conflict can arise between teachers and African American male students when the former misinterpret cultural behaviors as inappropriate. This conflict can reduce the potential for “closeness” between teachers and students, which is deemed to be important for learning (Wood, Essien, & Blevins, 2017). Critical race theorists have challenged majoritarian perspectives and their impact in the classroom:

...as a result of racial incongruence and the over-reliance on dominant discourses regarding black males, teachers regularly perceive their black male students as deviant, and interpret black male behaviors as overly aggressive, disrespectful, defiant, and intimidating, even if the intent of these behaviors is just the opposite (Allen & White-Smith, 2014, p. 448).

Structural factors also have been linked to race-based disparities and school suspensions. For example, some studies have shown that suspension rates are highest in schools with large proportions of African American and/or Latina/o students (Anyon et al., 2014; Welch & Payne, 2012). However, suspension disparities that disadvantage African American students have also been observed in schools with small percentages of African American students (Gregory, Cornell, & Fan, 2011).

## RESEARCH ON SCHOOL DISCIPLINE AND CRIMINAL JUSTICE

The increasing frequency of OSS has occurred alongside the expansion of punitive policies in the criminal justice system, e.g., mandatory minimum sentencing (Schlesinger, 2011; United States Sentencing Commission, 2017), pretrial detention (Cohen, 2013; Wiseman, 2014), excessive bail and fees (Gleicher & DeLong, 2018; Rabuy & Kopf, 2016). Indeed, the parallels between school suspensions and criminal justice policies are noteworthy. Both domains function as tools of exclusion that work to separate individuals from their social worlds and reinforce spoiled identities. Moreover, similar to the disproportionate number of people under criminal justice control who have been convicted of non-violent offenses (Kaeble, 2018), youth tend to be suspended from school for relatively “minor to moderate” acts of deviance (Skiba, Arredondo, & Williams, 2014a, p. 550), during which students are perceived to be disruptive, defiant, or insubordinate (Skiba, Chung, Trachok, Baker, Sheya, & Hughes, 2014b). Scholars have argued that racial disparities in suspension decisions are particularly pronounced for certain types of infractions, namely loosely-defined misconduct (e.g., insubordination, defiance) that is especially prone to misinterpretation by school officials (Irby, 2014; Skiba et al., 2002). These events have been described as “subjective infractions” (Irby, 2014, p. 518) that occur during “interactive day-to-day disruptions” (Skiba et al., 2014b, p. 641). In one of the nation’s largest school districts, fewer than 2% of out-of-school suspensions in one academic year resulted from violations of weapon, drug, or alcohol policies. In contrast, 46% of suspensions were due to insubordination, disruption, noncompliance, or disrespect (Raffaele Mendez & Knoff, 2003). In Colorado, 86% of suspensions resulted from four types of infractions: detrimental behavior, disobedience, defiance, and other (non-criminal) code-of-conduct violations (Pfleger & Wiley, 2012). Much like the double-edged sword of discretion that is available to police officers who can opt to charge individuals *only* with the broad-based offense of “resisting arrest” (Holmes, 2017), insubordination and other disruption-like infractions are most prone to subjective interpretation by school-based rule enforcers (Irby, 2014). Moreover, these infractions disproportionately affect students of color (Huang & Cornell, 2017).

Scholars have highlighted the parallels between contemporary school settings and criminal justice contexts. For instance, schools have implemented types of surveillance that replicate those in criminal justice contexts. School-based surveillance strategies include extensive use of security cameras (Warnick, 2007), metal detectors (Hankin, Hertz, & Simon, 2011) and searches of students or their possessions (Nance, 2013). Moreover, the frequent presence of police and security personnel in US public schools has worked to enhance links between schools and criminal justice. A national study of approximately 1,600 public schools in the US found that 46,290 school resource officers, other police officers, or security personnel worked full-time in 24% of public schools during 2013-2014 (Gray, Lewis, & Ralph, 2015). Another 36,110 police or security personnel worked part-time in 19% of schools. Most of these police or security personnel were based in high schools with large numbers of students and in schools that had lower proportions of white non-Hispanic students (Gray et al., 2015). Schools located in African American “hyperghettos” have been described in terms of their “carceral atmosphere” where “custody and control” have taken precedence over learning (Wacquant, 2001, p. 108).

“Zero tolerance” is another link between the criminal justice system and school discipline. The phrase purportedly emerged from the Reagan Administration during the early era of the War on Drugs (Newburn & Jones, 2007). Beginning in the 1980s, zero tolerance

embraced a host of strategies that targeted individuals who used, dealt, supplied, or trafficked illegal drugs. The concept expanded to include “zero tolerance policing,” a crime control practice that greatly defined law enforcement in New York City beginning in the 1990s (Manning, 2001; Newburn & Jones, 2007). Among other tactics, zero tolerance policing included “crackdowns” on “low-level incivilities” (Newburn & Jones, 2007, p. 226) and other behaviors that were visible to the authoritarian gaze. Following a number of school shootings in the US, zero tolerance policies crept into school environments (Casella, 2006; Raufu, 2017), and over the last several years have been a main driver of increasing suspensions and other forms of school discipline. The ideology behind zero tolerance no doubt diffused from criminal justice to public schools and other domains.

Another link between school suspensions and criminal justice is the school-to-prison pipeline whereby school suspensions and expulsions are believed to be associated with or lead to arrests and prosecutions in the criminal justice system (Skiba et al., 2014a). According to Rocque and Snellings (2018), this body of work has conceptualized the link in different ways. One approach argues that students who are suspended or expelled from schools are more likely to have their cases referred for juvenile or criminal justice processing. Indeed, overlapping sanctions might result from the greater presence of police in public schools who are in a position to facilitate referrals to the juvenile and criminal justice systems. Additionally, students who are suspended out-of-school might experience more freedom to engage in offending or feel disconnected from school and their social worlds within school settings. Research has found that students who are suspended are more likely to come into contact with the juvenile justice system (Fabelo et al., 2011). Moreover, the likelihood of arrest has been found to increase for youth who are suspended relative to those who are not suspended (Mowen & Brent, 2016), and suspensions that occur over multiple years further increase the probability of arrest (Mowen & Brent, 2016). Welch (2018) argues that although risk management has emerged as an important strategy of social control in school settings, it interacts with perceptions of minority threat to produce disparate suspension rates between African American and white students.

Focusing on 53 counties in Missouri over two years, Nicholson-Crotty, Birchmeier, and Valentine (2009) examined the relationship between Black/white disproportion in OSS with Black/white disproportion in referrals to the juvenile justice system. In one stage of their analysis, the authors found that Blacks were more likely than whites to be suspended in 5 of 6 infraction categories (e.g., 95% of Blacks were suspended after being “charged” with weapon infractions, compared to 85% of whites). Additionally, the authors used multivariate analysis and found that the relative rate of Black/white OSS significantly increased the relative rate of referrals for Black youth to juvenile justice, particularly in urban areas. This study documented important aggregate links in disproportionate minority contact across the two institutional contexts, i.e., education and juvenile justice.

## **AIMS OF THE STUDY**

Previous research discussed above has highlighted patterns and trends of school suspensions and suggests an ever-expanding “school discipline net of social control” (Irby, 2014, p. 514). Out-of-school suspensions have increased substantially over the last several years (Skiba et al., 2014a) and have disproportionately resulted from behaviors that are subjectively interpreted as defiance, insubordination, and the like (Irby, 2014; Phleger & Wiley, 2002; Skiba et al., 2014a, 2014b). Previous studies have also contributed to knowledge by exploring

contextual similarities between school discipline and criminal justice, particularly as they relate to systems that reinforce race disparities. Collectively, the previous work has drawn largely on data gleaned from school records or data collected from school officials (e.g., teachers and principals). These data reflect the positions or actions of those in power within the school. Although these studies have increased our understanding of the processes and outcomes of school suspensions, the data on which they are drawn reflect official perceptions of students' behaviors while ignoring the student voice (Huang & Cornell, 2017). Much like "official records" that relate to the criminal justice system (e.g., arrest and conviction data), school records tend to ignore the voice of individuals who are accused of some behavior, processed in a system, and subsequently punished. Instead, school records represent the official version of events that capture decision-making among those in power. The over-reliance on school records, in particular for understanding the processes of school discipline, means that we know significantly less about school suspensions from youth who have experienced them.

In the present study, we focus on the student voice in an attempt to capture students' experiences with out-of-school suspensions. Through semi-structured interviews with marginalized youth who have been suspended from school, we explore their counter-stories (Allen & White-Smith, 2014) that serve to unpack and challenge majoritarian narratives of school discipline. Given the contextual similarities between school discipline and criminal justice that we highlighted in the previous section (see also, Mowen & Brent, 2016; Rocquet & Snellings, 2018), we are also interested in exploring students' counter-stories to compare the mechanisms of social control that might shape and define school discipline as it relates to criminal justice. We address the following research questions from the student perspective: 1) What are the backgrounds and contexts of the behaviors for which students were suspended? 2) To what extent do suspension practices reflect criminal justice processes?

## METHODS

Data collection occurred over 14 months beginning in 2016. Semi-structured interviews were conducted with individuals aged 16-21 who had been suspended out of school at least one time during their high school years (i.e., grades 9-12). The interviews lasted between one and two hours. Twenty-three of the 26 interviews were audio-recorded. Three others were not recorded after these individuals arrived unexpectedly for an interview after hearing about the study from other respondents. The interviewer had no immediate access to audio recording equipment because these three interviews were unplanned. Rather than rescheduling the interviews and risk losing potential study participants, the researcher conducted the three interviews and took detailed notes of interviewees' responses.

Interview topics focused on students' perspectives about the suspension experience(s), the types of punishments imposed, the extent of due process, the impact on academic work, and their relationships with teachers and school resource officers. Respondents were also asked about their plans/goals, whether they had been involved with the juvenile and criminal justice systems, and related issues. Youth who had been suspended more than once were asked to describe the first and most recent suspension and the events that led to the suspensions. Interviews were conducted by the first author (n=20) and by an undergraduate student of Hispanic descent who had recently graduated from college and was trained in interviewing skills and research ethics (n=6). The first author transcribed all interview data.

Interviews were held in places that were convenient to the respondent, a conscious decision on the part of the researchers in an attempt to shift some of the power imbalance to the respondent. These interview settings included private residences, quiet sections of fast-food restaurants, picnic tables in public parks, and a university office. Each participant provided informed consent, and parental consent was also obtained for respondents who were aged 16-17 years old. Personal identifiers were not part of data collection; respondents were promised anonymity and confidentiality. Each respondent was compensated with a \$25 gift card for their time and travel to/from the interview. The university's Institutional Review Board approved the study protocol.

A total of 26 study participants were recruited through various outreach strategies, including word of mouth, fliers placed in settings that were frequented by youth, and social media. Additionally, five of the 26 participants were recruited through chain referrals. Although we attempted to recruit youth from various sociodemographic backgrounds, our final sample consisted mainly of adolescents or young adults who identified solely as African American (22 of 26). Two white non-Hispanic youth participated in the study, and two other respondents self-identified as African American and white non-Hispanic. Our sample was comprised primarily of males (65%; n=17). We focused on youth who had been suspended from public high schools in one county in North Carolina, excluding students who were enrolled in one of ten small private schools with strong religious affiliations (largely Protestant). At the time of the study, 17 public high schools were operating in the county, including two classical high schools, one alternative high school, one health/science specialty high school, and two early college high schools. Collectively, the 26 participants had been suspended from ten public high schools in the county, although the most recent school that they had attended was not necessarily the school where they had experienced suspension. The study was conducted in a metropolitan statistical area with a county population of 327,127 in 2016. At the time of the study, African Americans accounted for 45% of the student population enrolled in public schools in the county (whites=31%).

### **Analytical Strategy**

Our analytical strategy was guided by thematic analysis. We followed the guidelines developed by Braun and Clarke (2006), who outlined six phases of thematic analysis. First, we immersed ourselves in the data by reviewing the transcripts multiple times prior to coding. The first author transcribed all interviews, and the transcription process itself helped to gain a strong familiarity with the data. Second, we developed the initial coding using an inductive approach that was driven by the interview data. Some data extracts were coded into more than one *potential* theme. Other data extracts were coded as possible outliers, whereby events, behaviors, and experiences appeared to depart from dominant patterns. Although one member of the research team led the coding stage, transcribed interviews were distributed to other members of the research team during the data collection stage.

The third phase involved the identification of themes. We placed the coded data extracts under themes and, in some instances, sub-themes, conscious that the importance of our themes should not be determined by the frequency of data extracts that support the themes (Braun & Clarke, 2006). In Phase 4, we reviewed our themes and observed that some of our themes or sub-themes were similar to selected processes and concepts that characterize the criminal justice system and in some instances, criminological frameworks. These observations were no doubt influenced by our disciplinary expertise: all co-authors have doctoral training in the fields of

criminal justice and/or criminology. In the fourth phase, co-authors KM and ZS returned to the original interview data to ascertain whether additional data extracts might fit as part of a pattern or an outlier within these emerging themes or sub-themes. We first reviewed the original data separately. Then we met to discuss the codes and categories of text segments that related to criminal justice processes. These discussions led to important insights about the links between school discipline and criminal justice that might have been overlooked, given the reliance on “coding solo” (Saldaña, 2010). Thus, our coding and thematic analyses commenced with an inductive data-driven method and later incorporated a deductive approach as we returned to the data to check for additional extracts that reflected criminal justice speak. We also refined themes, e.g., combining some themes, discarding other themes that had little data to support the salience of the theme.

In Phase 5, we further refined the themes to “describe the scope and content of each theme in a couple of sentences” (Braun & Clarke, 2006, p. 95). The last phase involved the write-up, which integrated our analytical narratives with the interview data in order to provide a story that reflects meaning and depth.

We sought to validate our interpretation of some interview data. In the early stages of data collection, for example, a respondent described restrictions in due process at the suspension hearing that seemed to be inconsistent with the procedures outlined by the State. The researcher/interviewer then explored this phenomenon in subsequent interviews, yet without mentioning the particular aspect of the hearing process. Instead, subtle probes were used. Other respondents then validated the earlier report. In a second example, a few respondents described a condition at the local alternative school that we initially perceived to be misguided. We explored the report in several other interviews and found a consistent pattern, although one that might be explained as “urban folklore.” In other instances, we asked respondents to clarify experiences about which we were unclear. Finally, we often returned to lines of inquiry as the interview progressed, which helped solidify interpretations of the data.

## FINDINGS

All 26 respondents had experienced out-of-school suspensions within the 18 months preceding the interview. Multiple in- and out-of-school suspensions were the norm; four of the 26 participants had been suspended one time only. Six others had been suspended on seven or more occasions, including two youth who had been suspended 13 times. Most participants recalled the first time that they were suspended. Among this group, 11 had experienced their first suspension while attending middle school (i.e., grades 5-8), and three others recalled having been suspended in elementary school.

We asked respondents to describe their first and their most recent OSS, and in most instances, we asked them to discuss each OSS (names attached to respondents’ quotes are fictitious). We asked students about the reasons for their out-of-school suspensions. A few students had been suspended for fighting or for attempting to break up fights, however, these events were rare among respondents and generally occurred when students were younger, e.g., while attending middle school or in the ninth grade during the first year of transition to high school. Respondents who had been suspended for fighting tended to acknowledge their role in the altercation. The vast majority of suspensions, however, resulted from non-violent behaviors, notably minor acts of deviance that violated school rules. In this section, we discuss the main reasons for which students had received OSS, as described by respondents. OSS largely resulted

from official perceptions of insubordination, leaving school without permission or tardiness, inappropriate clothing, and beliefs by school officials that students had used marijuana before entering the school building.

### Main Reasons for OSS

*Insubordination.* Within the county school district, “insubordination” was broadly defined as the refusal to comply with requests from school personnel. The behavior was designated as a Class I violation – the least serious of all infractions. Consistent with previous studies, the data suggest that “insubordination” encompassed a range of behaviors that often centered on perceptions of disrespect or poor demeanor. Insubordination included talking back to or questioning school officials, sleeping in class, placing one’s head on the desk in a resting position, and other behaviors that were perceived as disrespectful. Much like the sweeping and subjective offense of disorderly conduct that can lead to arrest (Theriot, 2009), “insubordination” in school settings served as a catch-all category for behaviors or attitudes that appeared to challenge the authority of a teacher or other school personnel. Some students were very aware of the over-reach of the infraction for which students could be suspended:

I: So, in 9th grade, you were suspended for...

R: Insubordination.

I: But what does that mean to the school?

R: Could be anything. Could be talking back or you not listening to the way that they want you to do something. Like they have rules that say you can only go to the bathroom so many times...I had a situation where a teacher wouldn’t let me go to the bathroom. My mom always told me, “If you have to go to the bathroom, you get up and walk out the door and go to the bathroom. You don’t do it abruptly, you don’t make a scene, but you go.” I got suspended for that probably two or three times. They wouldn’t let me go to the bathroom. And I wasn’t going to sit there and not go to the bathroom. So insubordination could be this and that. (Adrienne, age 20, suspended on at least 10 occasions)

Similar to criminal justice practices in which one arrest can incorporate multiple charges, suspensions often resulted from several different infractions that emerged from the same event. For example, students who were suspended for insubordination were often cited for the infraction of “disrespect” or “disruption.” Indeed, at times it became difficult for the interviewer to delineate between these categories. Some students voiced their frustration over what they perceived to be a process that lacked transparency:

...and one offense leads to another. Like you could do one thing, and then it gets labeled as three things. Like it could be disrupting class, and then there’s something else and something else. But you never know what the other two was for, you only know about the disrupting class. But on the write up, it says multiple things that you did...And then they get you to write statements and they’ll mix up your statements. Like they don’t read it to the full extent. (Shamar, age 20)

Brandon, a 16-year old African American male suspended one time only, used criminal justice speak (i.e., “charges”) to describe the violations of school code for which he was suspended. He voiced frustration because it was not clear to him why he was “charged” with certain infractions:

Yeah, they charged me with a lot of things. Assault, and I was walking away trying to calm down and my friend was trying to calm me down. And they also charged me with insubordination because I was walking away trying to calm down. So she charged me for assault, insubordination, disruption. I don’t even know where the disruption came from.

In general, students did not deny their behaviors, but often suggested counter explanations for their actions:

Well sometimes they’d [teachers] just catch an attitude. I’d put my head down on a desk. I’d be paying attention to the teacher, I really was paying attention but I didn’t feel good. She got into it with me, started saying to sit up and all that. I just wasn’t well. She sent me to the office and I got OSS for that. (Justin, age 18, suspended 4-5 times in middle school and numerous times in high school)

In one instance, insubordination or disrespect shaped how a student responded to school personnel when learning about the punishment. Donovan, age 17, had been suspended out of school on six different occasions during the year of the interview. He was frustrated because of repeated out-of-school suspensions despite behaviors that he did not view as serious:

R: And every time I’ve got suspended it’s been for little stuff.

I: Give us some examples.

R: Like inappropriate behavior, disruptive behavior. I got it one time for skipping. Truancy. They don’t ever offer me nothing else. And I feel like there’s other kids they offer ISS, but I’ve never got offered ISS. It’s always like “You going home for two days.”

I: Are you dealing with the same personnel, the same authority figure?

R: Every time I’ve got in trouble, I get suspended. I’ve met with each principal – all of them suspend me.

I: What do you think that’s about?

R: I don’t know to be honest. I guess it’s because I come off as like “OK, if you’re going to suspend me, then just suspend me. Get to it.” And I don’t think they like that.

I: They would want you to act like how do you think?

R: You know like [says dramatically], “Oh no, don’t suspend me!” I can’t do that. If you’re going to suspend me, then just do it and I’ll get the days over with.

Some students recalled that the severity of the punishment increased when they further challenged school personnel who they felt misunderstood events:

I was suspended a couple of times, same teacher each time. She was upset with the other students in the group. You see it was spirit week. And the club was optional.

It was supposed to be optional. But the teacher said I was skipping. So I got detention. I asked a lot of questions. I challenged her. Not in a mean way, but I wasn't sure why she was giving me detention. Then she said my attitude was disrespectful and I got two days OSS. (Briana, age 17)

I got suspended last year. The lady felt like I was not respecting her authority. She works for the school. We were in the lunchroom and she was yelling at a student. I mean she was yelling! But she misinterpreted the whole thing, the whole event. I went to tell her about it. I wanted to tell her what had really happened. Later I was told, "Maybe you should have approached her differently." Anyway, she started yelling at me, she got real defensive. And I was only trying to tell her what really happened with this other person. I was not trying to argue with her. She kept yelling down at myself and I'm not sure why I was intimidating her. She made it sound like I was disrespecting her. I got two days OSS. I said please check the camera because I knew they would see that I tried to get super non-violent. I've taken speech and debate and she could tell I was educated. (Jasmine, age 17)

*Unexcused Absences.* A few students reported being suspended for truancy or chronic tardiness. Others had attended school but left briefly without permission. Some of these behaviors were motivated by a desire to buy lunch in nearby fast-food restaurants. Instead of using the cafeteria at lunchtime, a few students reported that they quietly left the school, purchased their lunch off-site, and then attempted to re-enter the school building discreetly. They were aware that having food in a bag with a restaurant logo was grounds for punishment, even when they were not observed leaving or re-entering the school. Tonya, an 18-year-old African American student, had left school and returned with lunch purchased elsewhere. The situation escalated when a teacher confronted the student:

I: So when were you last suspended?

R: Just last Thursday. And I know they are sending me to [alternative school] when I get back.

I: So what happened on Thursday?

R: I went to get me Chinese food. They saw me coming back in, I did come back so it's not like I was skipping. It was lunchtime. And she [teacher] started yelling at me, and I cussed at her. And the assistant principal he started yelling at me too. The two of them, just embarrassing me.

I: Where were you when they were yelling?

R: In the hallway right by the cafeteria. Everyone was there and they just were yelling at me asking me why was I skipping, where I went, that kind of thing. She was embarrassing me in front of people, and that's why I cussed them out. They know me. They know I have anger problems. Why they set me up like that? They knew how I was going to react to all that.

I: So they knew that you had left the building for lunch and knew you came back. What would have been the best way for them to talk to you about leaving the building?

R: Well alright we're not supposed to leave the building. But lots of kids do leave. But like you said, why couldn't they just talk to me? Why they have to yell? They know what I would do with that.

I: So you were suspended – OSS? How many days?

R: Three days, yea. Out of school. But I know they will send me to [alternative school].

Malik, age 18, had also been suspended for leaving and returning to school after he had bought lunch at a local business. He explained that students' decisions to leave school to purchase lunch are sometimes motivated by the poor quality of food or limited access to food in the school cafeteria:

R: Lots of people leave at lunch to get something to eat. And they do come back [to school]. You see the food inside the school? It's terrible food and there's not enough of it. Not enough food for all them and if you're on late lunch there's really not enough. People are not leaving the school at lunch because they want to skip. Look at them. They come back. And they come back with food. That's why I got suspended last year. I went out to get food and they saw me [inside the school] with the food. They saw the bag of it. You know the [fast food restaurant] right by [school name]? You can leave the school, go to [restaurant] and be back at the school in 15 minutes.

I: Would students leave at lunch to go out for a cigarette or something too?

R: Maybe, but it's mostly food. I was suspended for that last year.

I: You got out of school suspension?

R: Three days.

Courtney, 18 years old, had been suspended approximately ten times, although none of the suspensions had occurred while enrolled in her current school. Her experience revealed the discretion that some school officials exercised and also suggested that zero tolerance policies probably varied across schools:

One time I could of got in trouble but didn't. I had fourth lunch the longest [latest] lunch, and I snuck out to get Chinese food. I was coming back and jumping over a fence like and the principal caught me. He said, "Are you that hungry? What's wrong with the cafeteria food?" And he said to not do it again and that the next time he'd give me ISS but he just warned me that time. And another time, there was a big fight in my math class and the principal and two assistant principals came up and talked to all of us about it. They found out the girl hit the other girl first and the girl defending herself, she didn't get suspended. Now if that happened in [previous school], they all would have got suspended. Basically, they [officials in the current school] take more time and find out why you're skipping, why you are getting in trouble, why you don't have a note for the bathroom. Those teachers came in early morning and would stay after school.

*Dress Code Violations.* The school codes prohibited leggings, jeggings, jeans with rips above the knee, sleeveless shirts, and a host of other clothing. Schools often allowed a parent or

other family member to drop off alternative clothing when students violated the dress code. One student reported that a school counselor gave her replacement clothing that had been in the lost and found for over a year. The student had no family support and would have been sent home if the replacement clothing had not been located. Multiple violations of the dress code could result in out-of-school suspension. Indeed, three students in the sample were suspended for wearing clothing that was deemed to be inappropriate. In one instance, a student's impoverished background helped to explain why she wore clothing that violated the school's dress code:

I: And what happened then?

R: Apparently I violated dress code. I wore skinny jeans and they tried to say they were jeggings.

I: So they're strict with the dress code?

R: Yea.

I: So how many days did they give you in ISS?

R: Two.

I: They didn't give you a warning?

R: They gave me a warning before but I didn't have much clothes so.

I: So when you got suspended for the dress code, did they send you home to change or what did they do?

R: They asked me to call my mom, but we didn't have a vehicle then so she couldn't come to the school. (Monica, age 17)

Marc had been suspended approximately nine times, beginning in the sixth grade. He was sent to alternative school when he was 16, about four months before the interview. Similar to a few females in the sample, Marc appeared to push the boundaries of the dress code somewhat although his clothing in question seemed much more subtle than that reported by other students:

I: And when was the last time you were suspended?

R: Last year, just before school got out. And I was in the alternative school and they suspended me because of my socks...At [alternative school] you have to wear all black or white socks. And then one day I wore a pair of colored socks. They weren't too bright but I put these black socks over my socks. My socks were showing through the black part and they suspended me for it.

I: Why don't they like different colors of socks?

R: I don't know.

I: I understand that schools have a dress code. And the other schools [names a few high schools], do they have a dress code about socks or is it just [alternative school]?

R: It's just [alternative school]. And when I was at an alternative school [for middle school], we didn't have a dress code about socks.

I: So did you like these socks and you just wanted to wear them? Did you just get tired of that kind of rule there?

R: Yea. Didn't think they'd suspend me like not even a month before the last day of school. Like suspending me over socks and we had less than a month of school.

I: How long did they suspend you for?

R: Three to five days.

I: OSS?

R: Yea.

*Suspected Use of Marijuana.* None of the respondents had been suspended for possessing or distributing banned substances such as alcohol or marijuana. However, four students in the study had been suspended for suspected marijuana use. The school district allows suspensions when school officials detect odors or observe behaviors that they believe are consistent with recent drug/alcohol use. These infractions are Class III violations and in the same category as kidnappings, assaults on school officials, rapes, bomb threats, and a host of other behaviors. Ty, age 20, was in the final semester of his senior year when he was suspended and sent to alternative school for smelling like marijuana. He and his family had moved to the state in his tenth-grade year, and it was the only suspension that he had experienced since then. He was visibly distraught as he described the incident that had occurred about one year prior to the interview. Although Ty stayed on track and graduated from high school, he believed that the forced transfer to alternative school led to a college withdrawing its scholarship offer:

R: My mom had dropped me off at McDonald's just before school. Wanted something to eat. Went next door and bought a Black. Smoked it or most of it and walked into school.

I: So it was a Black not a blunt?

R: It wasn't a blunt. Definitely a Black, a Black and Mild [thin cigar containing pipe tobacco]. I smoked most of it and put the rest, about this much [shows the interviewer] in my bag. My teacher said I smelled like marijuana. I said I hadn't smoked marijuana but smoked a Black before school. She said, "Then go to the restroom and wash or clean up so you don't smell like it." So I went to the bathroom, washed up good, cleaned up, thought I had redeemed myself with her. Got back to the class and the principal and assistant principal were there in the class. And the resource officer was there too. The AP [assistant principal] searched my bag. They all searched my bag. Had my bag searched three different times. They searched my bag, my pants, my basketball shorts. They found the rest of that Black and I thought that was a good thing so they'd know I'd been smoking a Black and not marijuana. Nope. They said they were suspending me for smelling like weed. Got 10 days.

I: You got 10 days OSS?

R: Yea, and then I went back. Was there for two days and they said nothing, then they told me they were sending me to [alternative school]. Couldn't believe it. And two days later, they tell me. Going to [alternative school] for smelling like weed. My mom was mad. That was like February of my senior year. I hated it. Hated it so bad. [It] was like jail, the metal detectors, got to get searched, no phones. Teachers didn't care there either. I didn't want to go to alternative school. I wasn't a bad kid. I was a good [athlete], broke two records. Had a scholarship offer. Decent grades. Not a bad child at all. They knew that. Found out two months later that [college] wasn't going to offer me the scholarship anymore because I was in alternative school. Schools don't like that you see. I didn't know I wasn't going to get the scholarship in February when I was sent

there. Only found out in April. I was so down. I think if I knew in February, I would have given up then, quit school then. It [scholarship offer] meant so much to me. My mom knew it meant so much to me. Just ruined me.

Shamar, age 20, was enrolled in another local high school and was suspended for three days for smelling like marijuana. However, he was not sent to alternative school. Shamar reported having smoked marijuana with his brother while walking to school that morning:

I: OK, you got suspended once during senior year. What was that for?

R: I got suspended for...actually...drugs.

I: Did you have marijuana in your pocket, or...

R: No, I didn't have anything on me. I had just got to school that morning. I had walked to school and me and my brother, we smoked before we got there. And the scent was on our clothes. I made sure I was covered in cologne first and they told me that me and my brother smelled like um, well they didn't actually get my brother – they got me. I was known about the school – my attitude and I only got in trouble once [before that]. I felt like that was kind of unfair.

Lexi, age 18, had just returned to school after she had completed a suspension period in the week before the interview:

I: Why did they tell you they were suspending you?

R: I looked high.

I: What do you mean?

R: My eyes.

I: Were they red or glazed or something?

Friend: Her eyes go low when she's high.

R: You know like your lids get heavy or something?

I: So did they find the weed?

R: Nope. Searched me everywhere. Even searched my shoes. I didn't have any weed on me.

I: Did they say you smelled like weed?

R: Nope. Said I looked like I was high.

I: Does that happen a lot? Students getting suspended for looking like they're high?

R: Not really. But smelling like weed, I've seen that. People get suspended for that.

### **School Discipline and Criminal Justice**

In this section, we explore two dominant themes that emerged from the data that show how school discipline compares to criminal justice processes. First, we examine how students' past behavior seemed to shape the response of school officials when dealing with subsequent behaviors. We refer to this phenomenon as the *power of the "prior record"* because it is consistent with criminal justice sanctions that are often increased for individuals who have prior convictions (Jordan & Freiburger, 2010; Moore & Padavic, 2010; Rodriguez, 2003). Second, we

delve into students' perspectives of suspension proceedings and evaluate these processes in terms of due process.

*The Power of the "Prior Record."* Several respondents perceived that their previous behaviors – no matter how distant in the past – influenced how school officials reacted to them. These youth found it difficult to shake the label of the "bad kid." Justin, age 18, recalled his early childhood when his mother often left him and his younger sibling alone for several hours in hotel rooms. He was later raised by the grandmother of his half-sibling, and he dipped in and out of minor deviance in the neighborhood. Justin was suspended 4-5 times during middle school, usually for truancy. During the interview, he described how his previous behaviors followed him as he transitioned to high school:

I: OK, so that was in middle school. When you got to high school, did you feel like it was kind of like a clean slate? Like you were starting off new in a place where the teachers didn't know you?

R: It wasn't like [that]. See I went to [name of school] middle school and [same name of school] high school. They knew how I was in middle school. And the cop at the high school used to talk to the teachers in the middle school. Nothing changed when I got to the high school. They thought I was a bad kid. And they thought my [younger] brother was too. I had to help him whenever something went wrong. He's my brother. I was constantly getting suspended in high school. A lot of it was hype. Stuff I had nothing to do with. Or I'd get OSS for tardies. A lot of times I'd get suspended, come back to school and get suspended that same week I got back. Even when I got my work done I'd get suspended for stuff.

Other students also reported difficulties as they attempted to resist negative labeling by people in power. One student voiced his frustration over the negative labeling because he believed that he had changed for the better:

I: Why, were you watched more by principals, teachers? Like what do you mean you kept getting suspended more?

R: It's like staff they started to know my name. And once they know your name, they start to watch more. I don't have trouble with teachers no more. The only trouble I have is with administrators – they know my name. Once they know that they can make a situation out of something and blame you.

I: So some people blame you when something is not your fault?

R: Sometimes. And it's because of the "old me" or how I behaved a long time ago. When you try and separate yourself, like act better, it's kind of hard because when you try to separate yourself from your old self, they always pull you back.

I: Is that frustrating?

R: Yes. (Marc, age 16)

I: And you went to [name of high school] from a local middle school?

R: Yes. They treated us the same way they did at the middle school.

I: Tell me about that.

R: They had similar kinds of people to work at both schools. That was going to be a flag right there. You go from one school to another, the administrators already know you so they think they know your habits. They try and get you out that door. They say they are worried about the suspension rate but they're not. They're worried about the test scores and graduation rate.

I: So the way you improve the graduation rate...

R: Is to kick those [certain kids] out. My class was supposed to be 330 graduating class and we had 270 or something that graduated. And most of them were kicked out or they couldn't graduate because they had too many suspensions. (Adrienne, age 20)

*Due Process.* A main concern of youth who participated in the study was that suspension decisions and processes often lacked due process. Students voiced concerns that school officials were unwilling to listen to students' explanations of events. The power imbalance that characterizes school structure meant that students had little or no voice during suspension proceedings. The process created great frustration among students:

I: So think back about all those suspensions. Did you tell your side of the story?

R: To lots of people, yea. And some people saw my side of the story, in school. But when you're getting suspended you don't tell it. Well, if you tell it, they don't listen, or they argue about it even though they weren't there. They mix it up. It got to the point I said, "Just give me the days." (Justin, age 18)

I: Is there anything you felt you could have done to reduce the suspensions?

R: I guess if I was more cooperative. I mean I stopped answering their questions. It's frustrating, you answering all their questions and you know that you are still going to get suspended. And you've told your side of the story and they're still going to believe what's on that write-up. They just made you answer all these questions for no reason – just so they could hear you talk. (Donovan, age 17)

Students recalled instances whereby other students had witnessed the event that led to their suspension, but that school officials were unwilling to speak to witnesses:

Why didn't they ask the other students? There were witnesses, the whole class, well at least some of them saw it start. It's kind of like the police body cams. No good at all if they don't use it or if it's turned off. (Evan, age 17)

Other respondents noted that cameras were in place in the area where an incident occurred. These students questioned why school officials did not attempt to review video footage or speak to witnesses that might have exonerated them.

I: Were there any witnesses to that last incident – for the last suspension?

R: Yeah there was and I told them I was not singing that loud and they should talk to the others [other students]. I said, "Are you going to talk with the witnesses?" And he said, "No, 'cause we've got what the teacher said." And I was like, "Why are we even having this conversation if you are just going off what the

teacher said?” “You obviously don’t want to hear my part of the story.” I don’t see the point. They always do that. Even if you go in there and you have a witness with you...whatever the teacher says, that’s what goes man. I don’t even fight with them no more.

R: My mom wrote her [the principal] herself. My mom knows I talk things out. She knows I am like that. Not meant to be disrespectful. My mom went to the school. And she said one thing: “Show me the tapes.”

I: What did the principal do?

R: She’ll side with someone with power. It’s just easier for her to side with a teacher. (Jasmine, age 17)

I: Is there anything you would change about the school policy?

R: Yeah. I would change the policy that would give the students the right to tell you something, the right to tell their side of the story. And to look at the cameras. (Brandon, age 16)

Schools in the district are required to hold hearings for students who face OSS unless a student poses an immediate threat to others in the school setting. The extent of due process that is afforded in the hearing depends on the number of days for which a student is suspended. Suspensions of ten days or less are defined as *short-term* under North Carolina state law. An informal hearing with a principal is required, and students are permitted to offer statements that might mitigate their involvement. However, short-term suspensions cannot be appealed. Nor are they subject to judicial review. Long-term suspensions are those that occur for *more than* ten days and involve considerably more protections for the student. For example, students who are suspended long-term have the right to record (audio or video) the hearing, question witnesses, and retain private attorneys. Additionally, parents or guardians can contest long-term suspensions. In the present study, the majority of students experienced short-term suspensions. However, several were suspended the day of the event, required to return to school within a few days, report to the principal’s office upon their return, and then suspended for an additional ten days. Students voiced frustration with this policy; Shawn, 17, stopped attending the hearings entirely:

I: After you’ve been suspended for say two days and you have to go back to the school, do you have to bring your mom with you?

R: Sometimes. Every time actually but we stopped going to the hearings because every time I go to the hearings, they suspend me for more days.

I: So the hearing occurs *after* you’ve been suspended?

R: Yes ma’am.

I: So you go back to the hearing and they can actually suspend you for more days and send you home that day?

R: Yes ma’am.

## DISCUSSION

Previous research has contributed to our understanding of OSS but has relied greatly on data drawn from school records that reflect the decision-making of school officials. We build on

the previous work by shifting the focus to the voice of students who have directly experienced suspensions. We addressed two research questions: 1) What are the backgrounds and contexts of the behaviors for which students were suspended? 2) To what extent do suspension practices reflect criminal justice processes? Based on semi-structured interviews with individuals aged 16-21 who had been suspended out-of-school at least one time during the previous 18 months, students' counter-narratives often provided alternative interpretations of the behaviors that led to their suspension, and also served to challenge the dominant discourse of school officials who controlled the suspension process.

### **Context and Background of Behaviors Targeted for Suspension**

Consistent with findings reported by other scholars (Irby, 2014; Raffaele Mendez & Knoff, 2003; Skiba et al., 2014a; 2014b), most of the suspensions resulted from infractions that did not appear to be serious. Although slightly more than half the students in the study (14/26) were first suspended in elementary or middle school and several had experienced multiple suspensions, none had been suspended for possession of weapons, drugs, or alcohol. Moreover, very few had been suspended for fighting or other forms of violence. Indeed, the primary infraction that resulted in suspension was "insubordination," a broad ill-defined category that encompassed a host of different behaviors. As Adrienne described, insubordination "could be anything" and in the present study reflected a range of behaviors, including visiting the restroom without permission, sleeping in class, resting one's head on a desk, or verbally questioning a teacher's response. Some students voiced frustration over sanctions that they perceived to be overly punitive given the infraction of "insubordination." Other students were frustrated when multiple and overlapping infractions (e.g., disruption and insubordination) were listed as separate infractions on the same disciplinary report. A few reported that the disciplinary jargon was unclear to them or that their statements appeared to be changed or misinterpreted on the disciplinary reports. Collectively, we were left wondering whether suspensions for these infractions led to any meaningful impacts on behavioral change among these students. Instead, "insubordination" and other broad-based categories (e.g., "disruption") serve to widen the net of school discipline, perhaps in an attempt to deter the more serious acts of deviance, despite the rarity of serious acts (Irby, 2014).

In the present study, several students did not deny their actions that led to suspension; rather, they interpreted their actions differently than the dominant narrative that defined the suspension report. For example, Briana explained how she interpreted a school event as optional but was suspended for an unexcused absence after she questioned the teacher's decision. Malik and Tonya admitted leaving the school without permission but asserted that they did so to buy lunch elsewhere and reiterated that they had indeed returned to school by the next period. Monica acknowledged that she violated the dress code, but also quietly suggested that her impoverished background prevented her from buying additional clothes. Additionally, Monica's mother could not bring a change of clothes to the school because her mother did not own a car. In general, students who participated in the present study might have benefitted had they been afforded the opportunity to be heard in a meaningful way.

### **Criminal Justice Processes that are Embedded in School Discipline**

Two themes from the present study contribute to a growing literature that has described links, overlaps, or similarities between school discipline and criminal justice (Mowen & Brent, 2016; Nance, 2013; Skiba, Arredondo, & Williams, 2014a; Warnick, 2007). First, some students described suspension decisions that they felt were influenced by their past behaviors – including behaviors that they exhibited during middle school that became known to school officials after they enrolled in high school. This situation appeared to occur more often among students who attended middle schools that were located on the same campus as their high school. These students perceived that it was difficult to shake off the deviant labels because the labels had emerged as their master status (Becker, 1963; Hughes, 1945). They felt that labeling contributed to punishment even though some of them asserted that they had changed and matured out of deviance. The salience of past behaviors is consistent with the negative impact of prior record among people, including youth, who are processed by the criminal justice system (Jordan & Freiburger, 2010; Moore & Padavic, 2010; Rodriguez, 2003).

Second, students voiced their frustration over suspension proceedings that they felt were characterized by limited due process. In theory, due process is fundamental during criminal justice processing – be it at the arrest, pre-trial, prosecution, or sentencing stage. Students in the present study perceived that the school suspension policies benefitted those in power (school officials) without protecting the rights of the students involved. Students lacked understanding as to why school officials failed to consult witnesses, view video/camera footage, or explore related counter-evidence that might substantiate their innocence. Some described frustration over power imbalances that were tipped in favor of the teacher's interpretation of events. Students sought to challenge majoritarian narratives about their identities but were frustrated because they rarely had the opportunity to do so.

Unbeknown to most of the students, however, is that suspension proceedings must incorporate substantive due process protections only when students are suspended for *more than* ten days per episode, per North Carolina statute § 115C-390. In the current study, most suspensions occurred for ten days or fewer, although some students had experienced dual suspensions that spanned more than ten days when counted collectively in the periods immediately before and just after the hearing. Some students framed the importance of due process by drawing on criminal justice speak; however, the limitations of due process that characterized most suspension processes described in this study were consistent with state regulations. Nevertheless, the students' narratives often reflected bitterness about the process, even when they acknowledged their role in the event. They often returned to school after losing valuable instructional time, aggrieved about the process, and further detached from the school environment.

### **FINAL THOUGHTS AND STUDY LIMITATIONS**

School discipline is important for maintaining order and facilitating learning. The findings from the present study raise concerns in four areas: 1) the use of broad-based, loosely-defined infraction categories that widen the exclusionary net by focusing on minor/moderate deviance, 2) students' behaviors that are at times misinterpreted by school officials, 3) the use of OSS for minor/moderate deviance, and 4) limited due process that is often misunderstood by students. We are encouraged by efforts elsewhere in the US that have introduced changes to

suspension policies, e.g., limiting OSS to serious offenses such as those that threaten school safety (Vaznis, 2018), introducing non-punitive interventions for addressing minor/moderate deviance (Steinberg & Lacoé, 2017).

Our findings undergird the need for disciplinary reform. Restorative justice models have been introduced in some schools as an alternative to OSS. Diffused from the criminal justice system, restorative practices in schools have focused on building relationships and community, acknowledging diverse perspectives, repairing harm, and resolving conflict through mediation (Fronius, Darling-Hammond, Persson, Guckenburger, Hurley, & Petrosino, 2019). Restorative practices appear to contribute to declines in disciplinary referrals and out-of-school suspensions (Anyon et al., 2014), although the degree to which restorative practices can reduce racially-disparate OSS is inconclusive (Augustine, Engberg, Grimm, Lee, Wang, Christianson, & Joseph, 2018; Gregory, Huang, Anyon, Greer, & Downing, 2018). As discussed above, 22 of 26 respondents were African American; thus we were unable to explore Black/white disparities in OSS. Still, discipline teams comprised of various stakeholders (including students) as well as cultural competency training that is meaningful might help to reduce racial disparity in OSS (Fenning & Rose, 2007). Other scholars have noted that it will take time for the evidence to accumulate before we can determine the efficacy of alternatives to OSS and whether the alternatives have been implemented as intended (Gordon, 2018; Steinberg & Lacoé, 2017).

This study is not without limitations. First, race-based suspension disparities in OSS have been highlighted by several scholars (Anyon et al., 2014; Fabelo et al., 2011; Huang & Cornell, 2017; Rocque, 2010), yet we were unable to compare suspension experiences among African American, white non-Hispanic, Hispanic and students from other racial/ethnic backgrounds because 22 of 26 study participants identified as African American. Still, we found it interesting that the majority of students who reached out to participate in the study, identified as African American.

Second, most of the interviews (20 of 26) were conducted by a middle-aged white non-Hispanic woman who was affiliated with a university; six others were conducted by a Hispanic woman in her early 20s who had recently graduated from college. Interviews are nearly always framed by power imbalance that favors the interviewer, and the age and professional affiliation of the first interviewer might have reinforced power imbalance in some interview settings. We attempted to shift the power to respondents, e.g., by encouraging them to choose the interview setting, reimbursing them for their time and travel to/from the interview. However, some responses might have been influenced by the power differentials that were difficult to control.

Third, data collected from non-probability samples are not suitable for generalizing to some wider population, nor is that the intention of qualitative methodologies. The extent to which the suspension experiences of students in this study reflect the experiences of other students in the district cannot be determined.

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# WHAT'S AFTER GOOD?: THE BURDEN OF POST-INCARCERATION LIFE

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## Abstract

In the current era of mass incarceration, an increasing number of people face the challenge of transitioning from prison to society. Researchers of post-incarceration life have produced a detailed account of the collateral consequences of incarceration, noting the numerous barriers people must overcome as they try to return to society. In this paper, we show how stigma continues to be a structuring force in the lives of the formerly incarcerated. We develop the concept of the *burden of post-incarceration life*, meaning the structural constraints formerly incarcerated people face and the constant work they undertake to demonstrate and attempt to receive recognition for their rehabilitation. We argue that this burden is a critical though understudied aspect of life after prison. To develop this argument, we draw upon ethnographic and qualitative interview data from two distinct research projects with formerly incarcerated men and women in Chicago and highlight three interrelated themes that emerged from our data: judgment, exploitation, and competing demands. By centering *burden* in our analysis, we conclude that a focus on overcoming barriers may obfuscate the ongoing challenges formerly incarcerated people face.

*Keywords:* reentry, rehabilitation, stigma, burden

## INTRODUCTION

One consequence of mass incarceration is that an increasing number of people must navigate the reentry process. As Travis (2009) notes, each year more than 700,000 people leave state and federal prisons, and more than nine million individuals leave jails, representing what Petersilia (2003) identifies as “[o]ne of the most profound challenges facing American society”

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(p. 3). Of particular concern to scholars who study post-incarceration experiences is that the majority of people released from prison will be arrested post-release, and many will return to prison (Travis, Solomon, and Waul, 2001). These scholars detail many barriers that limit formerly incarcerated people's ability to establish housing, employment, financial stability, and family relationships and that even contribute to reincarceration (e.g., Alexander, 2010; Geller and Curtis, 2011; Leverentz, 2014; Middlemass, 2017; Pager, 2007; Petersilia, 2003; Richie, 2001; Sered and Norton-Hawk, 2014; Travis, 2009). They also consistently show the positive impact education, employment, and prosocial relationships have in formerly incarcerated people's lives (e.g., Laub and Sampson, 2001).

In addition to post-incarceration barriers, a growing body of qualitative scholarship details the ongoing work formerly incarcerated people engage in to distance their current selves from their past selves. Often employing a symbolic-interaction perspective, this research examines how formerly incarcerated people come to think of themselves as rehabilitated and seek to earn recognition of that rehabilitation (Giordano, Cernkovich, & Rudolph, 2002; Harris 2011; Leverentz 2014; Maruna, 2001; Opsal, 2011; Opsal, 2012). In his influential book *Making Good: How Ex-Convicts Reform and Rebuild Their Lives*, Maruna (2001) identifies a commonality in the narratives "desisting ex-offenders" tell about their lives: "They recast their criminal pasts not as the shameful failings that they are but instead as the necessary prelude to some newfound calling" (p. 9). In other words, they change their thinking not only about their past, but also about their current identities and behavior. Maruna (2001) refers to this "process of willful, cognitive distortion as 'making good'" (p. 9). Internal identity changes are just as important as overcoming external barriers to employment, housing, and other positive social attachments. Furthermore, these internal and external changes are interrelated, as accomplishments such as securing employment can encourage positive shifts in one's conception of self and vice versa (Harris, 2011; Leverentz, 2014; Opsal, 2012).

Together, this scholarship on barriers and identity makes clear that post-incarceration experiences are deeply challenging and even disorienting. Yet, whether intentional or not, this scholarship often implies that once people have overcome reentry barriers and established rehabilitated identities, their lives are indeed changed, and reentry is, in some sense, complete<sup>2</sup>. It remains unclear, though, how formerly incarcerated people's status as "reentering"<sup>3</sup> is altered once they lay hold to social supports. Said another way, what happens to people after they "make good" (Maruna 2001), that is once they have made an obvious investment both materially and internally to becoming something other than the criminal label? Our findings reveal that "making good" (Maruna, 2001) is not the end of the story. Challenges exist long after barriers have been removed and together encapsulate the totality of post-incarceration life.

In this paper, we encourage scholars studying post-incarceration experiences to move beyond a barrier framework and instead prioritize *burden*, which we argue exists even when people with records accomplish all of the typical markers of "successful reentry." Seeking to understand the qualitative, everyday nature of post-incarceration life, we ask how do formerly incarcerated people experience life after prison or jail, what is the daily work people do to

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<sup>2</sup> McCorkel's (2013), Miller's (2016), and Sered and Norton-Hawk's (2014) work are notable exceptions that describe reentry and recovery as lifelong processes.

<sup>3</sup> We view "reentry" and "reintegration" as inaccurate terms since most incarcerated people did not experience social inclusion prior to their criminalization due to intersecting oppressions such as racism, sexism, and poverty (Bumiller, 2013; Wacquant, 2010). We thus use less concise but more accurate terms like post-incarceration experiences throughout the paper. When we use "reentry," we place it in quotes to reference its widespread use within scholarship on post-incarceration life.

manage this new and oftentimes permanent change in social status, and how does this work impact people, particularly when there is no guarantee it will be validated. To answer these questions, we bring together data from two separate qualitative research projects with formerly incarcerated people in Chicago. Our research questions direct our attention to Goffman's (1963) theorizing on stigma and what Welsh and Rajah (2014) have termed the "work of reentry." We examine this work and offer the concept of the *burden of post-incarceration life*, which refers to the constraints formerly incarcerated people face in addition to the constant work they undertake to demonstrate and attempt to receive recognition for their rehabilitation and to combat stigma. By doing so, we highlight the multi-layered impact of post-incarceration life. We center our analysis on three shared, interrelated themes that emerged across our data – judgment, exploitation, and competing demands – and then show how these themes intersect in people's lives to illustrate our concept of burden. We conclude that this burden is a structuring force in formerly incarcerated people's lives that persists despite policy reforms designed to ease the "reentry" process.

### THE FAR-REACHING IMPACT OF INCARCERATION

The research on collateral consequences, meaning the intended and unintended negative sanctions resulting from a criminal conviction, documents the extensive barriers criminalized people face (Mauer and Chesney-Lind, 2002). There are an estimated 48,000 collateral consequences for returning citizens in the United States (NICC, 2018). Mauer and Chesney-Lind (2002) argue that these punishments are hidden or "invisible" because the damage incurred happens well beyond the initial sentence. People with felony convictions may lose a host of social welfare benefits, including food stamps and public housing, and face discrimination in employment and the private housing market (Finzen, 2005). These consequences are embedded in racial inequalities (Alexander, 2010; Middlemass, 2017; Wheelock, 2005). In her examination of employment outcomes of people with felony convictions, Pager (2007) found that Black men without a felony conviction fared no better than white men with a felony conviction, clearly illustrating how the "negative credential" (p. 32) of a felony conviction is preceded by the mark that is race. These two variables compounded make for very unfavorable circumstances for individuals who have both "marks" (Pager, 2007, p. 116). Race and criminal conviction similarly limit women's experiences in the labor market. Gurusami's research (2017) reveals how parole officers pressure formerly incarcerated Black women to secure jobs the state will recognize as legitimate and as signs of moral rehabilitation, thereby pushing women into low-paying, unstable work. The racial and gender inequity of the labor market collide with a criminal record and state surveillance to relegate criminalized Black women to permanent low-income status. Moreover, the marks of race, gender, and criminal conviction ensure harmful employment-related consequences are spatially concentrated, having impacts not only at the individual level but also community-wide (Pattillo, Weiman, and Western, 2004; see also La Vigne et al., 2003; Richie, 2001).

In addition to the impact on economic security and housing, felony convictions in many states lead to the loss of parental rights, the right to vote, and other civic engagement opportunities, such as the right to serve on a jury (Olivares and Burton, 1996). The loss of voting

privileges has impacted important elections (Uggen and Manza, 2002) and raised questions about whether these “neo-civil death” (Smiley, 2014) practices are new forms of Jim Crow era policy (Alexander, 2010). Additional noted collateral consequences include mass incarceration’s generational impact (Western and Pettit, 2010) and parental incarceration’s impact on children and families (Turanovic, Rodriguez, and Pratt, 2012). At the time of their incarceration, women are more likely than men to be parents of minor children and to be the sole caretaker of those children (National Research Council, 2014). This reality introduces an additional set of gendered collateral consequences related to reunification with children and surveillance by Child Protective Services (Leverentz, 2014; Richie, 2001; Sered and Norton-Hawk, 2014; Welsh and Rajah, 2014). Furthermore, formerly incarcerated women face a lack of gender-specific resources, as many “reentry” programs focus on men (Richie, 2001).

The collateral consequences literature elucidates the harsh realities of returning home and highlights the myriad barriers people face long after their sentence ends. However, we know less about what happens once barriers are overcome and people achieve outward markers of success, such as employment and civic engagement. As we demonstrate below, for the participants in our research, the burden remains even after barriers diminish. Collateral consequences are indeed “invisible” (Mauer and Chesney-Lind, 2002), but we suggest a focus on burden reveals yet another layer of invisibility.

### **The Promise and Limits of Social Control**

A major contribution of the collateral consequences literature has been to document the way formerly incarcerated people systematically are denied the very supports that help end involvement with the criminal legal system. Researchers using a social control perspective show that attachments to conventional social institutions, such as marriage and employment, gradually exert a constraining influence on behavior over time and encourage desistance (Giordano et al., 2002; Hirschi 1969; Sampson and Laub, 1992). As individuals plug into traditional mechanisms of normality and feel a part of mainstream culture, they have more to lose and thus refrain from participating in criminalized behaviors. Research on post-incarceration employment affirms the social control perspective, showing that employment provides much more than just an income. It also can provide a sense of purpose and affirmation that an individual is a contributing member of society, as well as guard against becoming discouraged in the desistance process (Leverentz, 2014; Opsal, 2012; Uggen, 1999). An examination by Bahr et al. (2009) of what differentiates so-called successful and unsuccessful parole outcomes provides further support for the social control perspective. They found that people on parole who did not exhibit behaviors associated with participation in crime (e.g., rearrest, substance use) within three years had completed substance abuse programs in prison, worked at least 40 hours per week, and spent time with friends. In sum, positive attachments to institutions and prosocial relationships exert significant influence over post-incarceration life.

When talking about social controls, it is important also to consider the ways inequalities may shape social attachments and how bonds or social controls may be experienced differently for those who are socially positioned differently. Save a few examples (see Apel, 2016; Doherty and Bersani, 2016; Uggen, 1999), there are noteworthy limitations to the social control perspective, however. For one, it does not always pay adequate attention to the ways social inequalities, particularly related to race, class, and gender, limit the positive impact social attachments have. For instance, employment does not guarantee financial security. Lichtenberger

(2006) found that even when formerly incarcerated people obtained employment, it was confined to specific sectors such as manufacturing, construction, and food services. Conversely, people with felony convictions were grossly underrepresented in jobs with higher pay, such as those in the information industry, finance, and scientific and technical services fields. Bumiller (2013) and Purser (2012) show how formerly incarcerated people often are relegated to the most marginal types of employment within the expanded precarious employment sector of the post-industrial U.S. economy. Employers of “bad jobs,” such as day labor agencies, rely on men and women who have felony convictions and thus cannot find employment elsewhere to fulfill contracted employers’ orders for laborers and even forge relationships with reentry service providers to facilitate access to desperate and disenfranchised workers (Bumiller, 2013; Purser, 2012). As such, the institutions that shape post-incarceration life and try to respond to collateral consequences actually can perpetuate and even exacerbate marginalization. Over time, the inability to secure employment and frustration with the poor quality jobs that are available can undermine desistance efforts (Harris, 2011; Leverentz, 2014; Opsal, 2012).

### **Cognitive Transformations, Replacement Selves, and Making Good**

While the social control perspective identifies specific factors that facilitate desistance processes, it does not explain how and in what ways individuals arrive at these social controls or maintain them. Scholarship on identity transformation begins to address this gap. Rooted in the symbolic-interaction tradition, this scholarship focuses more closely on the role of individual agency in the desistance process and examines people’s efforts to distance themselves from their past criminalized identities and establish rehabilitated identities (Adorjan and Chui, 2012; Giordano et al., 2002; Harris, 2011; Leverentz, 2014; Maruna, 2001; Opsal, 2011; Opsal, 2012). Giordano et al. (2002) examine the “‘up front’ work” (p. 992) formerly incarcerated people do to change their lives even before encountering potentially helpful social controls. Their cognitive transformation theory centers the role of people in creatively and selectively appropriating elements in the environment, like prosocial relationships, employment, and services that support desistance (Giordano et al., 2002; see also Haggard et al., 2001; Harris, 2011; Opsal, 2012; Teti et al., 2011). In short, the availability of potentially helpful social controls will have limited impact if people are not ready to change.

Maruna’s (2001) examination of the narratives formerly incarcerated people tell about their lives significantly deepens understandings of how cognitive transformation occurs. Maruna (2001) suggests that desistance happens via a cognitive reframing of past criminal activity and maintenance of a new positive self. These replacement selves begin to influence individuals’ actions and can motivate ongoing change even in the absence of support and resources. Formal reentry programs have taken up this focus on creating new, rehabilitated identities. Miller (2016), for one, conceptualizes reentry as a social institution with “generative capacities” in which “reentry programs facilitate a space for new social forms to emerge, ‘making up’ the ex-offender as particular kind of person” (p. 32). Using ethnographic data from groups he observed at a Chicago reentry home for men, Miller (2016) examines two processes that facilitate personal transformation: “the will to be transformed,” demonstrated by sharing personal failings and being open to others’ feedback and critiques, and “the will to transform,” demonstrated by

mentoring and correcting others who offer excuses for their personal failings, such as pointing to structural inequalities and discrimination (p. 22). The ongoing work of personal reflection and correcting others facilitates a successful performance of rehabilitation (Miller, 2016). Flores and Cossyleon (2017) also note the importance of receiving recognition of one's rehabilitated identity. They conclude one reason participants are interested in faith-based community organizing is because it "afforded them precious space to demonstrate being reformed" (Flores and Cossyleon, 2017, p. 13). These studies show that rehabilitation is an interactive accomplishment that depends on others recognizing a criminalized individual as reformed.

### **Stigma and the Never-ending Work of Reentry**

Recent qualitative scholarship on the mental and emotional labor of post-incarceration life supplements the literature on legal discrimination based on felony convictions and identity transformation, as discussed above (e.g., Leverentz, 2014; Middlemass, 2017; Sered and Norton-Hawk, 2014; Welsh and Rajah, 2014). Welsh and Rajah's (2014) concept of "reentry work" (p. 326) provides a useful unifying framework for these studies. Reentry work includes the daily physical, mental, and emotional work formerly incarcerated people undertake to meet institutional requirements, such as those imposed by parole and public aid, and to take care of themselves, such as securing housing and reestablishing family relationships (Welsh and Rajah, 2014). Importantly, state agents and service providers do not recognize all of these activities as work. A parole officer, for instance, may focus primarily on whether someone has secured paid employment and thereby discount the equally taxing work of looking for housing, coordinating transportation, or piecing together childcare arrangements. Formerly incarcerated people, particularly women, devote much time and energy to work the state does not recognize, which exacerbates the stress of post-incarceration life.

When state agents fail to recognize the multiple types of work formerly incarcerated people do, they subject people to competing institutional demands and impossible decisions, such as whether to meet with one's parole officer or go to a required appointment to maintain welfare eligibility (Welsh and Rajah, 2014, p. 329; see also Richie, 2001). Furthermore, they overlook the daily strain that characterizes formerly incarcerated people's lives. Even when someone has attained housing or employment, the continuous work of reentry and of demonstrating a rehabilitated identity can undercut these outward markers of success.

The literature on stigma offers helpful insights as to why reentry work and identity transformation are such demanding, long-term processes. Goffman (1963) argues that despite a stigmatized individual's efforts to "correct what he sees as the objective basis of his failing...what often results is not the acquisition of fully normal status, but a transformation of self from someone with a particular blemish into someone with a record of having corrected a particular blemish" (p. 9). It follows then that while the salience of the criminal label may wane, the stigma of that label will persist, regardless of the corrective actions formerly incarcerated people take to overcome it. Link and Phelan (2001) explain that stigma emerges "when elements of labeling, stereotyping, separation, status loss, and discrimination co-occur in a power situation that allows the components of stigma to unfold" (p. 367). This attention to power elucidates how stigma is interactional and structural. Focusing on structural discrimination, Link and Phelan (2001) show how stigma impacts all areas of a person's life, even when one cannot point to an explicit, individual act of discrimination. They conclude, "Stigma has affected the structure around the person, leading the person to be exposed to a host of untoward circumstances" (Link

and Phelan, 2001, p. 373). This conceptualization of stigma aptly describes the numerous challenges formerly incarcerated people face. The collateral consequences delineated above follow from the stigma of the criminal label that marks formerly incarcerated people as different, dangerous, and unworthy and thus justifies discrimination (Uggen, Manza, and Behrens, 2004). The criminal legal system administers a process of ongoing stigmatization, what John Braithwaite (1989) terms “disintegrative shaming in which no effort is made to reconcile the offender with the community. The offender is outcast, her deviance is allowed to become a master status, degradation ceremonies are not followed by ceremonies to decertify deviance” (p. 101). Even after completing their sentence, criminalized people are denied “acquisition of the fully normal status” (Goffman, 1963, p. 9).

Goffman’s (1963) and Link and Phelan’s (2001) conceptualization of stigma are instructive for examining stigma’s totalizing impact on formerly incarcerated people’s lives. We seek to understand how the pervasive impact of stigma structures people’s overall lives. In addition to the obvious barriers people encounter based on a criminal conviction, it is important to understand the cumulative impact of these barriers and the intangible ways that labeling and discrimination shape the very nature of formerly incarcerated people’s lives. It also is important to examine how formerly incarcerated people understand these experiences, but “there is a paucity of literature on formerly incarcerated persons’ perceptions of stigma” (LeBel, 2012, p. 90).

### **THE BURDEN OF POST-INCARCERATION LIFE**

For the remainder of this paper, we build upon Goffman’s (1963) theorizing about stigma and Welsh and Rajah’s (2014) concept of “reentry work” to examine what we term the *burden of post-incarceration life*. Like other qualitative researchers, we draw attention to the cumulative burden formerly incarcerated people shoulder as they encounter collateral consequences, navigate competing institutional demands, and perform rehabilitation. We go beyond acknowledgment, though, and argue that this burden is a structuring force in criminalized people’s lives. The burden of post-incarceration life refers to the constant work formerly incarcerated people undertake to demonstrate their rehabilitation, the stress caused by the uncertainty of whether others will recognize their rehabilitation, and the routine demands of meeting material needs and planning for the future. In short, the burden of post-incarceration life encapsulates the stress of structural discrimination and of having to constantly perform redemption. It also indicates the permanent nature of post-incarceration life. Repairing stigma does not mean a “fully normal status” is achieved (Goffman, 1963, p. 9). As such, overcoming barriers does not end the stigma of criminalization; burden persists.

**Table 1. Conceptualizing the Burden of Post-Incarceration Life**

<b>Collateral Consequences</b>	<b>Stigma</b>	<b>Work of Reentry</b>
<ul style="list-style-type: none"> <li>● Housing discrimination</li> <li>● Employment discrimination</li> <li>● Voting rights restrictions</li> <li>● Loss of parental rights</li> <li>● Licensing exclusions</li> </ul>	<ul style="list-style-type: none"> <li>● The “mark” of a criminal record</li> <li>● Discreditable social status</li> <li>● Offense category</li> </ul>	<ul style="list-style-type: none"> <li>● Constant performance of rehabilitated status</li> <li>● Unrecognized work</li> <li>● Navigation of multiple social service entities</li> </ul>

To develop our argument about burden, we draw upon the first author’s ethnographic research with Fighting to Overcome Records and Create Equality (FORCE), a faith-based community-organizing group led by formerly incarcerated people in Chicago, and the second author’s research with formerly incarcerated women in Chicago. Bringing our research together demonstrates the value of shifting from a barrier to a burden framework to investigate the challenges of post-incarceration life.

## **METHODS**

The data for this paper come from two distinct research projects conducted independently by each author. Each project investigated how people manage life after release from prison. Williams investigated this process from the standpoint of formerly incarcerated people who are engaged in organizing and advocacy. This project combined two and a half years of participant observations with 16 semi-structured interviews with FORCE members between January 2013 and June 2015. Each interview lasted between forty-five minutes to an hour. Participants were not compensated for participation in the study. Williams took field notes in meetings and public events, thereby developing a strong rapport with group members. This was in part due to being upfront about his support and position regarding some of the group’s issues. In addition to the role of researcher, Williams spoke at events describing campaigns and helped in training sessions. The level of participation varied depending on the situation. In meetings, Williams answered questions and gave input when asked. Becoming this immersed allowed him to see the process of community organizing in detail, which helped with understanding the overall political/strategic process in which FORCE was involved. His involvement was consistent with the view that carrying out core functions and tasks, “provides special opportunities to get close to, participate in, and experience life in previously unknown settings” (Emerson, Fretz, and Shaw, 1995, p. 4). Most importantly, he was able to develop an understanding of the realities of life after prison as FORCE members fought for rights, as well as the work they did to participate in the fight. Williams transcribed the interviews and field notes. Field notes were typed within 24-48 hours of leaving the field.

Rumpf’s project examined how women understood and responded to their experiences of criminalization, incarceration, and post-incarceration. Rumpf used a combination of in-depth semi-structured qualitative interviews and participant-generated photo-elicitation interviews (PEI). Participant-generated PEI involves providing participants with cameras to take photographs that will help them tell their stories. The photographs become the basis of a subsequent interview, during which the participant selects the photographs she wishes to discuss in the order she wants to discuss them and explains what each image communicates. In addition to producing richer data than can qualitative interviews alone, PEI also helps to disrupt the inherent power differential between researcher and participant (Frohmann, 2005; Rumpf 2017).

Rumpf worked with two recovery homes and one non-residential program to recruit participants. She completed 99 interviews with 36 women between December 2012 and July 2013. Thirty-two participants completed a PEI. Interviews focused broadly on women’s experiences leading to their involvement with the criminal legal system, their incarceration, and their lives since release. During the interviews, Rumpf asked women to reflect on the challenges they faced, as well as sources of support. Each interview typically lasted between an hour and a half and two hours. Participants received a \$20 gift card to the store of their choosing for each interview session and kept the digital cameras they received to complete the PEI. Interviews were audio-recorded and transcribed.

Consistent with the literature on incarceration and post-incarceration, the majority of participants in both studies are people of color who face severe economic constraints. Although half of the participants across both studies had some form of cash income, amounts usually were quite low, totaling less than \$1000 per month. Often, these incomes were not stable, as some participants’ employment was part-time and/or seasonal. More participants in Williams’s study were employed than participants in Rumpf’s study, which likely reflects Williams’s recruitment of participants through FORCE, where many participants were employed. Across both studies, the majority of participants are parents and age 40 or older, with a mean age of 44 and a median age of 44.5.

**Table 2. Participants’ Demographics**

		<b>Author 1</b> (N=16)	<b>Author 2*</b> (N=36)	<b>Total</b> (N=52)
Gender	Men	13	0	13
	Women	3	36	39
Age	Range	22–64	20–63	20–64
	Mean	40.9	45.5	44
	Median	39.5	46.5	44.5
Race	Black/African Am.	10	29	39
	White	3	4	7
	Multi-racial	1	2	3
	Latinx	2	1	3

Employment	Not employed	2	24	26
	Employed	14	12	26
Income	None	2	1	3
	Food stamps only	0	15	15
	Some cash	14	12	26
Parent	Yes	16	31	47
	No	0	5	5

\*For categories that do not total 36, some participants did not provide corresponding information.

We each took a grounded theory approach (Charmaz, 2006) in coding our data for our initial, independent projects. In coding interview transcripts and field notes, Williams did an initial round of open coding in order to reveal patterns and trends and also counters to those trends. He then created several conceptual categories that focused on processes that enabled or constrained participants' community organizing. From these categories, Williams began to construct theoretical memos that lead to the development of the concept *the redemption imperative*. In coding interview transcripts, Rumpf initially paid close attention to discussions about violence, surveillance, denial of assistance, and support. As her coding progressed, recovery from drug use and rehabilitation of one's identity emerged as two primary, interconnected themes. Through memoing, Rumpf clarified the connections between these themes, primarily how drug use was related to the violence women experienced and led to women's incarceration. Recovery from drug use was a centerpiece of women's work not only to end their involvement with the criminal legal system, but also to construct positive self-identities that would demonstrate their overall rehabilitation, facilitate access to resources, and help with re-establishing relationships with family members, particularly their children.

In sharing our findings, we were struck by the strong parallels between the ways participants in each study discussed their post-incarceration experiences.<sup>4</sup> Despite using different recruitment and data collection methods and thus working with two very different populations, the focus on redemption and the at times overwhelming strain of post-incarceration life emerged as a primary finding across our two projects and proved to be complementary in addressing the research questions for this article: how do formerly incarcerated people experience life after prison or jail, what is the daily work people do to manage this new and often permanent change in social status, and how does this work impact people, particularly when there is no guarantee it will be validated? In both settings we examined formerly incarcerated people trying to "make good" (Maruna, 2001) and the ambivalence this process entails. As some research participants had attained traditional markers of successful "reentry," we began to ask, what happens after people "make good" (Maruna, 2001). Employment, housing, educational degrees, and program completion were not the end of the story. We combined individual work with group meetings that facilitated the exchange of interpretations and the construction of the hermeneutic and analytic body of the paper. Through our discussions, we began to think about post-incarceration

<sup>4</sup> There were noteworthy differences, such as a focus on recovery from drug use in the women's interviews and a general lack of attention to this topic among FORCE members. This difference likely resulted from the different missions of our recruitment sites and well-documented differences in gendered pathways to incarceration. A fuller examination of these differences is beyond the scope of this paper, as what is striking are the similarities that emerged.

as an ongoing burden. We each returned to our data and coded interviews and field notes for examples of burden, paying attention to the ways participants spoke about burden and how they defined and made sense of it. From there, we brought together patterns of similarities in meanings across the data to identify shared themes of strain, burden, and work, while also attentive to exceptions to these patterns, or “negative cases” (Glaser and Strauss, 1967). As we began writing analytic memos and descriptions of empirical findings, judgment, exploitation, and competing demands emerged as three of the clearest and most compelling illustrations of burden. By putting our independent projects in conversation with one another, we are uniquely positioned to speak to some unseen consequences of incarceration and begin to paint a picture of how stigma structures post-incarceration life while formerly incarcerated people continuously work to prove their redemption.

## FINDINGS

In this section, we identify and explain three shared themes that emerged from our projects and illustrate the burden of post-incarceration life: judgment, exploitation, and competing demands. These interrelated themes reinforce one another and cumulatively contribute to the overarching burden participants shouldered, even as they achieved outward markers of success, such as securing employment, completing programs, and deepening their involvement with organizing efforts. Additionally, each theme highlights how participants had to engage with the ongoing work of performing redemption. The examples we provide below are representative of themes that emerged across interviews and field encounters with multiple participants. Every interview participant expressed at least one specific experience of judgment, exploitation, or competing demands.

### Judgment

Participants’ experiences of being judged by others because of their criminalization was a common theme that emerged across both studies. Nearly every interview participant (92%) discussed this theme<sup>5</sup>. Judgment spanned institutional and community settings and often surprised participants.

*Judgment from Institutions.* Participants in both studies were denied employment solely due to past criminal convictions. For instance, Angel<sup>6</sup>, a 38-year-old Latino man, recalled a painful experience of being judged by a potential employer. During his undergraduate studies, he had begun working for a department at his university. He explained:

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<sup>5</sup> Where we present percentages related to the prevalence of themes, we calculate these percentages based on 49 interview participants (13 participants in Williams’s study and 36 participants in Rumpf’s study). Three of the 16 interview participants in Williams’s study were allies who were not FORCE members; we therefore based our calculations on 49 rather than 52 interview participants.

<sup>6</sup> Participants’ names are pseudonyms. Participants in Rumpf’s study chose their pseudonym.

I was working for free for three months till one day...my boss calls me, and you could tell that he was disappointed and upset and he says, "Angel, I am sorry I wasn't able to hire you." He apologized a hundred times, and I don't blame him, he is a good person. I blame the policies that were in place...he told me it was my background is what stopped you from getting a job. Part of me, I was like, "I don't give a shit." I got a job anyway, and I learned through that process. I was training, doing research, and being a community liaison, as well, but after I hung up, I cried 'cause at that moment, I told myself, "I am one month away from getting my bachelors of social work, just got accepted to [a graduate program at a prestigious university], I have spoken at the United Nations, and have spoken at every university in Chicago...started all these different programs," but because of my record it stopped me from getting this part-time job...I did feel defeated at that moment.

Angel was surprised and hurt by the rescinded job offer, especially since he felt he already had proved himself to his employer and had overcome the "mark" of the criminal record (Pager, 2007). By the time of this incident, Angel had become a recognized organizer and advocate not only throughout Chicago but even on an international stage. His unexpected dismissal interrupted his current progress and forced him to question the viability of his educational and career goals and whether the identities associated with those goals truly were attainable. The university's decision was a harsh reminder that regardless of how hard he worked or how much he achieved, his status as a rehabilitated person always could be called into question, and others' judgments could undercut his hard work<sup>7</sup>. Consequently, Angel grappled with the realization that even after he earns educational degrees and secures paid employment, he will have to continue the work of performing his rehabilitation indefinitely, with the knowledge that his performed rehabilitation may never be sufficient to achieve stability.

The ongoing threat of judgment also came across in an interview with Olivia, a 49-year-old Afro-American woman<sup>8</sup>. Like Angel, Olivia had been a clear example of a post-incarceration success story. She had been out of prison for about six years, employed full-time at Growing Stronger<sup>9</sup>, a recovery home where she once had been a resident, and earning about \$1400 per month. She had completed her GED and had her own apartment. By most outward measures of success, Olivia was doing quite well. At the time of her final interview with Rumpf, however, she was struggling. She recently had been fired from her job after residents and at least one co-worker reported to Olivia's boss that she had come to work while high. With no job and no income, she quickly was going through her savings. She stressed that her supervisors had no proof she had been high; they had not been at the recovery home that day, nor had they made her take a drug test. Rumpf did not try to ascertain whether Olivia was using drugs again or had shown up to work while under the influence. Rather, what was telling about Olivia's experience was just how fragile her successful rehabilitation, employment, and overall "reentry" had been. Olivia's credibility about her sobriety could be called into question rather easily, regardless of whether she had used drugs, precisely because of her identity as a "recovering addict" and an

<sup>7</sup> In her research with formerly incarcerated women in Chicago, Leverentz (2014) similarly found that "women began to see limitations in the value of education or college degrees, as their criminal records often still trumped these credentials" (p. 154).

<sup>8</sup> Rumpf uses the terms participants provided to identify their own race.

<sup>9</sup> This organization's name is a pseudonym.

“ex-offender.” Despite her accomplishments and status as a role model to the Growing Stronger residents, she remained vulnerable to others’ judgments.

Together, Angel’s and Olivia’s experiences expand our understanding of the precarious employment to which many formerly incarcerated people are relegated. Scholarship on post-incarceration employment focuses on its exploitive nature, highlighting important concerns such as low pay, instability, harmful working conditions, lack of upward mobility, coercion, and increased surveillance (Bumiller, 2013; Gurusami, 2017; Purser, 2012). Angel and Olivia arguably had found jobs situated higher in the labor market hierarchy than the low-wage service work documented in much of the extant literature that should have offered a degree of stability and, beyond a consistent paycheck, a sense of meaning and purpose in their work. For both, however, their felony convictions cemented the tenuous nature of their employment. They remained vulnerable to the seemingly unpredictable “policies that were in place” that at any time could upend the fleeting security they had felt. Moreover, these policies resulted in more than losing or being denied a job, which is what a barrier framework would highlight. Shifting to a burden framework helps us understand how vulnerability regarding employment persists over time and in ways that impact the very sense of self Angel and Olivia constructed through their previous reentry work.

*Judgment from Communities.* Participants in both studies shared experiences of being judged in less likely settings, such as by community and church members. Jose, a 38-year-old Latino man, gave an example of how his community was “quick to pass judgment.” He recalled:

When I was doing a lot of outreach, people would see me...talking to troubled youth and say, “I thought you change your life,” and I would just be like, “I am doing my job,” and they would say, “Oh, they are paying you to be a gang member now.” People used to see me talking to these troubled youths...and they would call me a hypocrite.

Jose was securely employed and trying to better his community by preventing other young men from following the same path to prison he had followed. As Flores and Cossyleon (2014) also found in their research with FORCE members, working to “give back to youth” was a key “element of...redemption scripts” (p. 9). Yet, even when Jose was practicing and modeling redemption, community members suspected he was not truly rehabilitated. As Goffman (1963) theorized, Jose’s corrective actions did not result in the “acquisition of fully normal status” (p. 9). His past identity remains in conflict with whom he is trying to be, as Jose remains marginalized within his community.

The inescapable judgment Jose experienced from community members mirrored the cold reception Chicken Wing, a 55-year-old Black woman, received when trying to find a church to attend regularly. After serving 21 years in prison, Chicken Wing remained under correctional supervision and, as part of her parole conditions, wore an electronic monitor on her ankle at all times. She explained that people looked down on her, even in church: “Even my boyfriend, he do not want me to go to his church and show this [the electronic monitor]. He want me to wear pants. Because people will look at me funny... That’s wrong! That ain’t right... That’s wrong! You don’t judge people.” The electronic monitor publicly marked Chicken Wing as a criminal,

subverting her efforts to communicate her rehabilitation and cementing her stigmatized identity. Even in an environment that ostensibly should have been welcoming and inclusive, Chicken Wing was acutely aware of how others viewed and judged her. The message was clear: she did not belong. The ongoing stigma she faced and the separation it created from community members introduced additional stress into her life (Goffman, 1963; Link and Phelan, 2001). Social control perspectives suggest that a romantic relationship and church involvement would act as stabilizing forces in Chicken Wing's life (Hirschi, 1969; Sampson and Laub, 1992). These social attachments were insufficient, though, to overcome the stigmatized criminal label. The literal mark she had to wear subverted that impact and forced her to engage the additional work of coming to terms with her boyfriend's reaction and finding a more welcoming church.

These examples illustrate the impact of judgment in participants' lives and how it originated from an array of sources. Even when participants were doing rather well navigating the transition from prison to society, the mark of the criminal record and subsequent judgment remained. This judgment emerged unexpectedly at times, even in moments when individuals were demonstrating their rehabilitated identities, thereby contributing to the overarching burden of post-incarceration life. As such, judgment undermined people's engagement with the very social controls that are predictors of "successful reentry" and caused considerable stress as participants attempted to engage these supports. If researchers fail to capture these deeper collateral consequences tied to the intense stigma of the criminal label, we inadvertently will miss this meaningful aspect of the post-incarceration experience. Shifting to a burden framework foregrounds these deep and long-lasting impacts of stigma.

## **Exploitation**

Exploitation was a second shared theme that emerged across our two studies, with at least one-third of participants discussing a specific example. Participants' concerns about exploitation were tied to the underlying threat of being judged. The criminal label exposed people to judgment, which in turn left them open to exploitation. Reggie, a 50-year-old Black man and FORCE member, explained how searching for housing was not only demoralizing but also expensive:

It is already a struggle to find a job, and then you have to struggle to get an apartment... I got tricked outta so much money, security this, fee this, just to be told I couldn't get it because of my background, and that should have been the first thing they told me [before] they took my money.

Reggie pointed to layers of burden, as his felony conviction exposed him to two well-known collateral consequences: legally, employers and housing providers could discriminate against him. Thus, with severely limited funds and a lack of viable housing options, Reggie was desperate for housing. Discrimination and desperation made him an easy target for landlords who gladly would collect an application fee or security deposit from him, only to inform him that he was not eligible to live in their building because of his felony conviction. Not only did Reggie face the stress of finding housing, but he also had to ascertain which landlords he could trust not to exploit him by collecting fees when they had no intention of renting to him. All of this was even though Reggie regularly attended his church, worked multiple jobs, and did community organizing and advocacy work in his limited spare time.

Moon, a 40-year-old African-American woman, similarly reflected on the stress and frustration of gauging which service providers and programs genuinely assist people. She criticized job-readiness programs that do not connect people to actual employment. Plenty of programs provide a certificate of completion, free meals, clothing referrals, and other supports that, in Moon's assessment, do not make a difference. She concluded that the only people who genuinely benefit from these types of programs are the people who run them:

When the class over, they come hand you a certificate that you can't do nothin' with. But *they* still get a paycheck because you was there, you see...I don't want to be a part of that...If I go somewhere, I want a job...What you told me when I came through these doors you was gonna do for me, that's what I want...I don't want you to keep gettin' these grants just because.

Moon continued, explaining how she thought job readiness programs intentionally trick people into signing up with them. According to her, program administrators think:

"We'll get 'em all in here. We'll hire one [former program participant], so they'll know that, yeah, she's seen her in prison, so now she sees her here with this suit on"...We knew her from prison, [so we think], "Oh yeah, we will go there! They'll hire us too." When the thing was over with, they, you didn't have no job, you get this certificate...They send you to this place...get you a really nice outfit, that's your trinkets, like what they tricked the slaves with, that's your trinkets, to make you feel like, "Oh yeah, we really gonna get a job now." Then, when it's over with, nobody get a job...all you got is a piece of paper that don't mean shit to nobody, you know?"

Like Reggie, Moon resented how people who were better off than she was and whose very jobs were to assist her instead viewed her as a source of income and used her, with no concern for her wellbeing. Jerry, a 40-year-old Black man, explained being used in a similar way:

Jerry: One thing I tell people to be careful of, when people see you are a good volunteer they will make empty promises. They say, "I will get you a job," and they would string you along.

QW: Was that your experience?

Jerry: Yeah, I experienced that a few times in a few places. For me they didn't understand it's not about if you get me a job. I am doing this as long as I want to because [I] want to, and you saying you gone get me a job ain't gone keep me no longer than I'ma stay.

Here Jerry describes telling people to be cautious in their volunteerism because of the potential of being taken advantage of. Like Moon, he has learned how nonprofits and other organizations can potentially capitalize on the tenuous employment prospects of people with records. While Jerry perceived this exploitation and resisted, the attempt is telling in that it underscores the

vulnerability that criminalized people face even while working toward positive community service. Furthermore, this finding deepens our understanding of “the synergistic relations among prisons, the reintegration industry, social services, and the labour market” (Bumiller, 2013, p. 74). In addition to day labor agencies recruiting workers from reentry programs and the threat of reincarceration compelling people on parole to accept degrading employment, Jerry and Moon reveal how social service programs benefit from formerly incarcerated people’s relegation to the “precarious proletariat” class (Purser, 2012, p. 13).

These three examples point to the burden of post-incarceration life, which goes beyond collateral consequences and persists even when formerly incarcerated people are working to demonstrate their commitment to becoming full members of society. Similar to the judgments participants faced, their vulnerability to exploitation further relegated them to the margins of society. Even more telling, their connection to helping organizations obscured their marginalization. Reggie, Moon, and Jerry were plugged into support networks, yet behind their outward markers of success lay concerns about and actual experiences of exploitation that limited their progress. This undercurrent of concern maps on to the persistent judgment of stigmatized identities noted above to create a pervasive burden associated with the criminal label that is not reducible to individual barriers.

### **Competing Demands**

One of the strongest shared themes that emerged across our data was the physical, emotional, and mental toll of managing post-incarceration life. Almost every participant alluded to ongoing challenges they encountered and the unfaltering perseverance they must show in the face of these challenges. A subset of participants, nearly one-quarter, recalled specific instances when it was not possible to fulfill various demands on their time and the resulting stress they experienced. As scholars who study women’s post-incarceration experiences have noted, the multitude of institutions to which women are accountable can impose overwhelming demands (e.g., Leverentz, 2014; Richie, 2001; Welsh and Rajah, 2014). Trying to follow the requirements of parole, Child Protective Services, drug treatment programs, and reentry homes can make women feel like they are in an impossible situation and will never be able to please everyone. Ranisha, a 34-year-old Black woman, vividly captured this feeling with a photograph she had taken of herself flipping off the camera. While discussing the image, Ranisha explained what had been going on that day:

Those one of the days I was bein’ bombarded with all the, go here, go there, go, and I had to start makin’ choices of, “Okay I can’t do this ’cause I gotta do this today,” and when I called the DCFS [Department of Children and Family Services] worker to let her know, it was like, “Well, you gotta do time management.” Time management? You know, I have groups here [at the recovery home], I have to go to outside groups, and then, you know, so I had wind up missin’ a few classes... And she [the DCFS caseworker] tried to like chastise me for it, and I was lettin’ her know there ain’t no way in hell you can do that, because if the lady tell me to come to domestic violence at 11 o’clock and I have IOP [intensive outpatient treatment for substance abuse] and don’t get out ’til 12, you know, it don’t do me no good to go to IOP ’cause I’m not gonna get credit.

Similar to Welsh and Rajah's (2014) finding of formerly incarcerated women facing institutional demands that not only are overwhelming but conflict such that women cannot accomplish all of them, Ranisha was exasperated by the DCFS caseworker's suggestion to work on her time management skills. Time management would neither create more hours in the day nor change the conflicting times of mandated classes and groups. Failing to meet these requirements, however, could lead to termination of parental rights, revocation of probation, and being asked to leave the recovery home. Ranisha faced an impossible choice.

A second photograph Ranisha took for her PEI underscored just how overwhelming these competing institutional demands were. The photograph was another one Ranisha had taken of herself, but this one showed her smiling at the camera on what she called a "good day" when she was about to leave the recovery home on a weekend pass to stay with her boyfriend. She reflected:

I be excited to go home, because I get a chance to relax...and it's like no gettin' up at seven in the mornin'...no group...it's just like a day that I can actually just sit back and know that I don't have to get up and do anything. You know, I could lay and think. I could read a book if I want to...I just feel comfortable...lay in the bed with him and just be held, because that's what I think I be missin' sometimes. You know, just wanna be held sometimes...makes me feel good to know that this is what I'm goin' to.

Ranisha recalled a peaceful weekend morning with her boyfriend that starkly contrasted with the rigid schedule she had to follow and the surveillance she experienced during the week. She had been able to feel like a full person, worthy of needs and desires, rather than a case to be managed, and she welcomed the brief respite from the burden of continuously having to prove her rehabilitation.

Ironically, individuals' successes, such as employment, school enrollment, and assuming responsibilities with reentry programs, at times, created more stress as they struggled to manage the competing demands on their time. Williams found that while participants welcomed increased advocacy and organizing opportunities with FORCE, becoming more involved with the organization could conflict with other obligations. Reggie, who was employed painting houses, had to rearrange his work schedule in order to participate in FORCE activities.

Reggie: But sometimes I will work on the weekends and make up the lil' hours, but sometimes the hours can make a difference.

QW: Can you tell me about a time when this happened?

Reggie: Yeah. I went to Springfield [to do advocacy work with FORCE] one time on a Tuesday, and a house was supposed to be painted by Thursday, and I spent all that time on the bus, and I ended up having to work 12 hours when I got back to finish the job.

QW: Is that something that has happened on a regular basis since you have been involved with FORCE?

Reggie: Yeah. It has happened at least two or three times when it conflicted with

my work schedule, sometimes it be too complicated. I will have [a friend] come and give me a hand.

Similarly, Frank, a 40-year-old Black man, reflected on how FORCE activities had conflicted with his schoolwork, prompting him to renegotiate his role with the organization.

Frank: I'm like, "I'm in school right now. I might wanna take a step back and do some conference calls or something like that because my commute is like three hours." I don't drive or anything like that. I just kinda like streamline my stuff the way I need to do to get through...my main goals.

QW: And what are those main goals?

Frank: To graduate with my master's degree, to continue, and they are somewhat intertwined, I wanna do social justice, it's just the time commitment of FORCE is just, but back to my goals, be a father, repair my relationship with my kids, and this is a lot of time-intensive slow work that I am totally willing to do. I am totally capable of doing all of these other commitments. Sometimes I get a little bit overwhelmed.

Like Reggie, Frank showed that while he embraced and enjoyed taking on additional responsibilities and meeting commitments that were important to him, doing so introduced an additional source of stress. Giving back through organizing with FORCE was a priority for both men and part of the redemption imperative (Williams, 2015). It allowed them to demonstrate their rehabilitation and make a positive difference in their communities. Additionally, it added another requirement to a list of already competing demands and the subsequent stress of trying to do it all or deciding which responsibilities to let go. Even when those demands were welcomed opportunities, choosing where to focus one's energy and assessing whether there would be negative consequences of passing on opportunities proved difficult.

### **How Burden Develops**

The burden of post-incarceration life denotes the cumulative experience that encompasses collateral consequences, stigma, and the work of reentry. Scholars often examine these dimensions of post-incarceration experiences as individual barriers to overcome and propose policy recommendations that would lessen the impact of each barrier. However, none of these dimensions alone can explain the totality of the post-incarceration experience. These challenges, in our view, are better explained from a burden perspective rather than a barrier perspective. While we have presented examples above of judgment, exploitation, and competing demands, it is not the number of examples but rather the overall, stifling nature of the post-incarceration experience that emerged as the most compelling finding from our two projects. Examining how the above-noted themes of judgment, exploitation, and competing demands interact demonstrates the value of the burden perspective. For instance, in Ranisha's situation, the stress she felt from trying to manage the competing demands imposed by DCFS, parole, and the recovery home was exacerbated by the judgment she faced from each and the significant power each wielded over her. If she cannot manage the competing demands, her DCFS caseworker may judge her to be an unfit mother and move to terminate her parental rights, or her parole officer may judge her to be not serious about her recovery and move to revoke her parole. A focus on barriers overlooks the

unique threats and stress produced at the intersection of judgment and competing demands.

**Table 3. Impacts of the Burden of Post-Incarceration Life**

Judgment	Exploitation	Competing Demands
<ul style="list-style-type: none"> <li>● Questioned credibility of sobriety</li> <li>● Challenges to reformed status</li> <li>● Denial of employment despite credentials</li> <li>● Stigma within community institutions</li> </ul>	<ul style="list-style-type: none"> <li>● Fees for rental applications taken in bad faith</li> <li>● Free labor</li> <li>● Job readiness programs not helping individuals</li> </ul>	<ul style="list-style-type: none"> <li>● Complex bureaucratic systems that do not talk to each other</li> <li>● Work hours incompatible with performance of rehabilitation</li> <li>● Entangled in multiple legal systems</li> </ul>

Two additional examples illustrate how the above-noted themes interact to produce a post-incarceration burden that can overwhelm participants. Over time, the lack of resources and support, the persistent judgment, and the threat and actual instances of exploitation wore people down. In some cases, participants who initially had been quite optimistic about rebuilding their lives ended up feeling rather pessimistic about the likelihood of attaining their goals. Rumpf noticed a marked change in Moon’s demeanor between their first and third interviews. When she commented on this observation, Moon explained:

The euphoria wears off. See...bein’ in prison is like you...in slavery, a modern day slavery, or you bound. So...in your mind, you be feelin’ like anything better than this place [prison]. Then, when you get to this place [the recovery home], and you been here for a lil’ bit, the euphoria wears off, because, see, in prison you just wanna be free. When you actually get out here to freedom, the euphoria of havin’ a place to be, that wears off, because now you thinkin’ like the next level, how I’m gonna get there, because I’m stagnated, because I don’t have a job, and then...you get to know the people, the mask comes off...then you see where you really at, you don’t wanna be there...a lot of women here, when they first get here, they all happy and stuff like that, but then the real life part kicks in. You see...things for what they really are [as] opposed to how they come off at first, and you just want out, you know? You just, you know, you want better for yourself.

Moon’s description of the initial “euphoria” of being released from prison echoed what Frank described as the “I’m on fire moment.” He elaborated:

When people first come out, there is a special moment in time when people...if they made the decision that they wanna do right and get going, they can really be used. You can work with them and can get a lot out of them, the community, organizations, whoever. We call that the “I’m on fire moment,” and that was my thing.

That moment could be crucial in helping people find the stamina and determination to meet the competing demands of post-incarceration life, withstand others’ judgments of their character and worthiness for services, and continuously demonstrate their rehabilitation. For some, however, the demands became overwhelming; when their efforts did not lead to employment, housing, reunification with children, or the attainment of other important goals, the initial optimism and fire could fade.

These examples illustrate perhaps most clearly our concept of the burden of post-incarceration life and its value over using a barrier perspective. The cumulative impact of struggling daily to meet one’s basic needs and to be recognized as a rehabilitated person capable of contributing to society was a significant part of participants’ post-incarceration experiences that resulted from more than a list of barriers they had to overcome. By highlighting the day-to-day experiences of the formerly incarcerated, we see the path one must take on the road to redemption: a road without an endpoint that is rife with very real but often unseen challenges that only an in-depth examination could reveal.

## DISCUSSION

If we are serious about supporting criminalized people in their efforts to transition back to society, then we must listen to formerly incarcerated people. We must understand what they truly are up against and develop strategies that offer meaningful support. In this paper, we have strived to contribute to the reentry literature by focusing on the qualitative everyday lived experiences of post-incarceration life. Building upon other qualitative investigations that highlight the “work of reentry” (Welsh and Rajah, 2014), we have shown that a focus on barriers not only is incomplete but actually may obfuscate the ongoing challenges formerly incarcerated people face, particularly after they “make good” (Maruna, 2001).

There is a fundamental difference in stating the *barriers* of post-incarceration life versus the *burden* of post-incarceration life, as the two frameworks underscore different issues. To be clear, barriers are part of what creates burden; however, making them analytically distinct is useful in a few ways. One way the burden framework advances our understanding of post-incarceration challenges is that burden does not assume that formerly incarcerated people face minimal or no challenges once barriers (e.g., employment, housing, drug use) are overcome. Second, this framework has policy implications regarding implementation. For instance, if we pass laws that prohibit asking about a criminal record, how might we follow up to ensure that this practice happens and lessens the burden that the barrier may have caused? Reggie and Moon suggest it is not enough to attain employment, as individuals must also show a constant euphoric drive and fire to better themselves. Last, a burden approach forces us to look deeper into the ways we can further humanize this dehumanized population. Focusing on the everyday experiences of burden takes us deeper into the lives of the formerly incarcerated to see how their longings, aspirations, and challenges fundamentally are human and are not merely characterized by (in)ability to engage in positive prosocial activities.

Burden is a structuring force in formerly incarcerated people's lives and therefore must be engaged more fully by scholars. The mark of the criminal record looms large and subjects formerly incarcerated people to judgment and exploitation, which undercut even their most dedicated efforts to navigate post-incarceration life. Despite impressive accomplishments and unwavering determination, participants still had to fight against suspicions that they were not truly reformed. Achievements were, at times, no match for the weight of their past, which was physically and psychologically ever present and often cast a shadow of doubt over any achievements. Indeed, both authors concluded their studies with the sense that the work of "reentry" and redemption never would be complete.

This paper also reveals potential avenues for further research that is outside of the scope of the findings presented here. For instance, it was not readily clear in our data how race, class, and place may mediate the experiences of the post-incarceration burden. We suspect that different class standing and location of residence pre- and post-incarceration may shield some from the impact of a criminal record. Similarly, it is fair to ask if criminalized people who are white experience this burden in the same way as Black and Latinx persons with records do. Also, our data do not clearly show if the type of crime matters in experiencing the post-incarceration burden. Is this burden lessened if a person has a conviction for a white-collar crime versus a street crime? Uncovering differences in burden could add substantial depth to our understanding of post-incarceration experiences. However, before we can learn the differences in burden, we must prioritize burden as a conceptual framework to deepen our understanding of everyday experiences. Lastly, in this paper, we have made clear that reentry is not merely a process, transition, or period of time; rather, the burden of incarceration is a more permanent state. Thus, future research should consider that post-incarceration life is not time-limited and therefore look at the long-term consequences of incarceration, not just the more common year or few years post-release.

## CONCLUSION

The burden of post-incarceration life concept encapsulates the totality of the post-incarceration experience and suggests the limitations of many reform efforts that focus on removing individual barriers. Even if employment is secured, housing is attained, voting rights are restored, and schooling is accessible, burden creates a precarious undercurrent that keeps criminalized people destabilized and vulnerable to actions that will undermine financial and housing security, as well as the carefully crafted sense of a rehabilitated self. As Link and Phelan (2001) argue regarding efforts to decrease stigma, "any approach must be multifaceted and multilevel. It needs to be multifaceted to address the many mechanisms that can lead to disadvantaged outcomes, and it needs to be multilevel to address issues of both individual and structural discrimination. But second, and most important, an approach to change must ultimately address the fundamental cause of stigma" (p. 381). Engaging burden raises questions about how we can create new policies and practices that reclaim the humanity of formerly incarcerated people and facilitate genuine social inclusion (Braithwaite, 1989; Maruna, 2011). In other words, how do we remove the stigma associated with a criminal conviction?

With the imposition of a criminal conviction, our society commits to punishing people

forever. As our research shows, that punishment has a totalizing impact on people's lives, even after completion of the formal sentence and even after people "make good" (Maruna, 2001). Thus, we must develop policies that disrupt this punitive hold and address its totalizing impact. Criminal justice and public policy reforms focused solely on expungement and eliminating collateral consequences do not go far enough. This is not to say such reform efforts should not be pursued. We support advocacy and organizing work that seeks legislative and policy changes to benefit criminalized people, such as efforts to end life without parole and mandatory minimum sentencing and make those decisions retroactive, restore funding for higher education in prison, reinstate parole at the federal level and in all states, ban the box on job and college applications, and prevent housing discrimination based on criminal conviction. Removing the barriers people face following incarceration may indeed lessen the burden they experience. But, as we have documented here, there is something deeper about the criminal label and its associated stigma that sets people with criminal records apart from society. Even with the removal of barriers, the burden of post-incarceration life will remain until our society removes the stigma that permanently shapes formerly incarcerated people's lives.

Foregrounding a burden perspective suggests some immediate practical changes reentry programs could make in their efforts to help formerly incarcerated people. For one, job training and job placement services are insufficient in terms of employment assistance. Reentry organizations could train employers not only to hire people with felony convictions but also to be more inclusive and accommodating. Through public outreach and education efforts, reentry organizations could work to radically transform employers', educators', landlords', and the wider public's view of what a criminal record means. Coupled with widespread efforts to remove reentry barriers, such work could begin to decrease the stigma of the criminal label and the associated burden of post-incarceration life.

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# “EVERYBODY LOSES:” UNDERSTANDING POLICE ROLES AND PERCEPTIONS OF DOMESTIC VIOLENCE CALLS

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## Abstract

To better understand police response to domestic violence, it is useful to consider the perspectives of officers themselves. Through exploratory, in-depth interviews and applying the lens of role theory, this study focuses on police officers’ perceptions of their role in responding to domestic violence, their perceptions of the effectiveness of their response, and challenges they face. Findings suggest that, for these participants, there is an overlap in the different roles they inhabit, as well as limitations and barriers to their response. These limitations and obstacles are a signal that officers may be experiencing role overload, which leads to their frustration and ambivalence toward domestic violence situations. This study has the potential to serve as the groundwork for future research and policy changes aimed at mitigating role overload experienced, particularly in domestic violence calls.

*Keywords:* domestic violence, law enforcement, role overload

## INTRODUCTION

After the 2015 killing of five police officers in Dallas, TX, the then Police Chief David Brown said, “We’re asking cops to do too much in this country. We are. Every societal failure, we put it off on the cops to solve.... That’s too much to ask. Policing was never meant to solve all those problems” (Dennis, Berman, & Izadi, 2016). The demands of the job of police officers are numerous and complex, with domestic violence response among those demands. Domestic violence calls represent a common call for service (Hirschel, Dean, & Lumb, 1994), and can present ambiguous and complex situations that demand officer resolutions. The demands of the role of police go beyond simply enforcing the law, and as Johnson, Sigler, and Crowley (1994) conclude, resolving domestic violence calls requires officers to take on both a social service and crime control roles.

This study aims to explore how police officers view and describe their role in responding to domestic violence. Through exploratory, in-depth interviews, this study focuses on understanding police officer perceptions of their role, their perceptions of the effectiveness of their response options, and challenges they face in responding through the application of role theory. Findings contribute to the limited literature capturing police officer viewpoints about their response to domestic violence calls. In examining their perspectives, we can further

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understand their actions and frustrations which, if addressed, may improve the response to victims and officer satisfaction in their role of responding to domestic violence calls.

## **POLICE RESPONSE TO DOMESTIC VIOLENCE**

As first-responders to domestic violence calls (Corcoran, Stephenson, Perryman, & Allen, 2001; Dolon, Hendricks, & Meagher, 1986), police officers inhabit a unique position to inform our understanding of the challenges and limitations of the current criminal justice response to domestic violence. A substantial amount of research exploring police response to domestic violence focuses on decisions to make an arrest. This literature generally focuses on factors particular to the situation itself, such as the presence of an injury to the victim (Eitle, 2005; Robinson & Chandek, 2000a; Tatum & Pence, 2015) or substance use by the involved parties (Eitle, 2005; Lally & DeMaris, 2012; Robinson & Chandek, 2000a).

In addition to factors pertinent to the case, research has also looked at the demographic and training characteristics of the police officers (Johnson & Dai, 2016; Philips & Sobol, 2010; Sun, 2007). Police officer attitudes about domestic violence (Gover, Paul, & Dodge, 2011; McPhedran, Gover, & Mazerolle, 2017; Stalans & Finn, 1995), officer perceptions about victim demeanor (Robinson & Chandek, 2000a), and perceptions of risk (Fulambarker, 2016; Perez-Trujillo & Ross, 2008) and their influence on arrest decisions have also been studied. While this body of research has provided more insight into the factors that impact decision-making, it does not consider the perceptions of officers about their response to domestic violence.

Sinden and Stephens (1999) interviewed police officers and chiefs about their training and experiences responding to domestic violence calls. The authors conclude that the characteristics of incidents, the law, and the victim and perpetrator impact the officer's certainty of the situation and themselves (Sinden & Stephens, 1999). About half of the officers indicated that they had a desire to both enforce the law and ensure safety, as well as help the victims (Sinden & Stephens, 1999). In another study, officers reported they viewed domestic violence calls as complex and varying as well as expressing frustration with victim non-cooperation with police and the criminal justice system (Horwitz et al., 2011). Johnson (2004) found that officers' frustrations related to responding to domestic violence include: the operations of the court system, their police organization, difficulty in "negotiating legal factors," and the complex nature of situations (pp. 210-213). This limited body of literature directly reflects the voice of police officers and demonstrates common themes related to their response and frustrations. Understanding how police officers conceive of their role in responding to domestic violence calls can provide valuable insight into their experience of performing this role and how it may impact the experience of victims. This research will build on this literature to further document officer perspectives and contribute an analysis of their roles which may affect their decisions. Understanding these experiences has the potential to develop a more nuanced picture of police response and may illuminate ways to improve officer and victim experiences in domestic violence response.

## **ROLE THEORY**

Role theory is a useful lens for considering the shared behaviors and role that police officers fulfill in responding to domestic violence calls. This lens was applied in this study to provide context through which to understand the perceptions of the officers and may be useful

for interpreting officer actions and decisions in these situations. Role theory is “concerned with the study of behaviors that are characteristic of persons within contexts and with various processes that presumably produce, explain, or are affected by those behaviors” (Biddle, 2013, p. 4). In other words, role theory focuses on identifying those common behaviors of specific actors within a particular context. Role theory has been described differently based on varying theoretical perspectives and employed in various research settings (Biddle, 1986), with terms at times used interchangeably or inconsistently (Coverman, 1989). Utilizing the definitions offered by Biddle (2013), role theory is applied here to provide a framework for considering officer explanations of their role in responding to domestic violence. By exploring the multiple facets of their role and the issues that may arise with competing demands, unclear expectations, or overwhelming burden, this framework provides context for understanding police action (behaviors) in domestic violence cases.

Biddle (2013) breaks down the components of the role as including *behavior*, *person*, *context*, and *characteristicness* – that we can define the role as “those behaviors characteristic of one or more persons in a context” (p. 58). *Behavior* includes the actions of individuals, and *person* refers to the set of people to which these behaviors belong (Biddle, 2013). Within this framework, barriers are distinguished from the individual characteristics of a person (sex, race) that might influence these behaviors (Biddle, 2013, p. 58). The role and its related behaviors are, in many cases, confined to a specific *context*. Finally, a role can also be defined based on *characteristicness*, or those shared characteristics and behaviors of a group of people (Biddle, 2013). In the current study, the subject is police officers (*person*) responding to a domestic violence call (*context*).

*Role overload* occurs when roles are too complicated or complex (Biddle, 2013). Much of the research on role overload documents overload concerning multiple roles (work and family roles, for example), rather than on overload that occurs within one role, or “domain specific” role overload (Duxbury, Lyons, & Higgins, 2008, p. 130). Duxbury et al. (2008) note that while less researched, it should be distinguished from “total role” overload that occurs based on the demands of multiple role sets (p. 131). Role overload within one role, such as that of a police officer, can be considered “a type of role conflict that is specifically related to the total time and energy needed to fulfill role demands and may occur even when the role demands are compatible because the individual does not have sufficient time and energy to meet them all” (Duxbury et al., 2008, p. 129). The consequences of role overload were summarized by Duxbury et al. (2008) as including an increase in fatigue, burnout, depression, stress, anxiety, decreased satisfaction with work and with family, as well as emotional stress (p. 135).

## METHODS AND SAMPLE

This study was designed to be descriptive and exploratory, as little research on the subject of police perceptions of their roles in responding to domestic violence has been done previously. In-depth interviews were conducted to allow the perceptions and views of officers to be revealed. Police officers from various departments were recruited through a convenience sample of key informants with whom the author became familiar during related research. Through these initial gatekeepers, snowball sampling was used to identify additional participants until saturation of the information and ideas provided by the officers was reached. The study was approved by the University Institutional Review Board with a waiver of written informed consent, therefore verbal consent was obtained. Interviews were in-person and semi-structured,

and each interview was approximately one hour in length. The main purpose of this study was to describe officer perceptions about their role in responding to domestic violence, their perception of the effectiveness of arrest in domestic violence cases, and the challenges they face with survivors and offenders. Each interview was audio-recorded and transcribed. Coding and thematic development (Padgett, 2008) were used to identify and group common themes using ATLAS.ti (Version 1.5.4, Muhr, 1997). Role theory was applied *a posteriori* to explain further the themes that were identified.

The sample included officers from suburban, metropolitan communities in Illinois. States vary in the statutes that govern domestic violence response. There are requirements necessary for an officer to make an arrest, as well as other recommended responses (Zeoli, Norris, & Brenner, 2011). Illinois does not have a state statute that mandates arrest, but it does suggest that officers take reasonable means to prevent future violence using a range of actions that include arrest, as well as providing victims with referrals and written information, escorting victims to retrieve personal items from the home, and advising medical treatment and transportation (750 ILCS 60/304 Ch. 40, par. 2313). In addition, the statute specifies a range of actions that an officer should take if an arrest is not made, such as filing a report, informing a victim of his/her rights, advising medical treatment, and seizing weapons if appropriate (750 ILCS 60/304 Ch. 40, par. 2313-4, Sec. 304 b1-3). In total, eight participants were recruited and completed interviews. Of the eight participants, six were male, and two were female, and they represented six different police departments. Six officers identified as white; the remaining two officers were Latino and Asian. They had a wide range of experience (3-40 years on the job) and in rank (police officer – police chief).

## FINDINGS & DISCUSSION

One thing was very clear to participants – there is nothing clear about responding to domestic violence calls. Officers discussed two overlapping roles of providing safety and providing resources and, within navigating these roles, officers report several barriers to effective resolution, including situational ambiguity, the officer's skill set, and the limitations of their response. The interview data suggest that these barriers and limitations of their role lead to officer frustration and ambivalence toward domestic violence calls.

### **Officer Roles - “Oh, authority, peacekeeper, the voice of reason.”**

Officers described their role as a dual function they perform when responding to domestic violence calls that is utilized differently depending on the nature of the call. As one participant noted, “If there is injury or any type of criminal, obviously, arresting officer, but the other would be resource and reference” (Participant 4). If the involved parties did not appear to be in a physical altercation, participants made the distinction that these calls were “verbal-onlies” where they see themselves “as just trying to problem-solve, find out what the – what the core issue is at hand, and then trying to give them advice going forward” (Participant 8). Half of the officers perceived their role to include providing resources for victims. One participant described this role as “Oh, authority, peacekeeper, the voice of reason. They call for assistance, and we're there to assist. It's a service call. We provide a service to them, and we try to help 'em out” (Participant 6). The remaining half, when listing what they do during a call, indicated that they would provide resources to people, particularly when there was not an injury involved.

Participants, therefore, echo the notion that police response to domestic violence is both social service and law enforcement related (Johnson et al., 1994). Using the terms defined by Biddle (2013), the role of officers can be described by the *behavior* related to ensuring safety (making an arrest) and providing resources (advice, reference, resources), both of which are utilized in the *context* of the domestic violence call. The dual facets, providing safety and resources, of the role would delineate this role as more *complex* based on the *breadth* of the tasks and actions that are ascribed to the domestic violence responder. The *coherence* of these two aspects – resource and safety provider – is less defined based on officer responses. While some officers perceived these two components of their role as distinct, all officers did mention activities related to both elements of this role. Regardless, officers did experience some barriers and limitations to fulfilling these role demands and achieving effective resolutions.

### **Barriers & Limitations to Effective Resolutions**

One of the objectives of the study was to understand if officers perceived the resolutions they provide to be effective. One theme in the interviews was that officers could not definitively say if the resolutions they provide are effective or not. As one participant noted, “So it’s—is it effective? For some. Is it not effective? For some” (Participant 7). Several circumstances acted as barriers to officers perceiving the resolutions of calls to be effective. Specifically, participants noted that attempts to discern what was happening on the scene made it difficult to respond effectively. Additionally, in cases where their role was not solely focused on providing safety, some officers discussed the limitation of their skill set in helping the involved parties. Lastly, officers stated that the resolutions that they can utilize could be temporary or unsatisfactory. These factors all acted as barriers to officers perceiving their resolutions as effective, which contributes to an overall sense of ambivalence and frustration.

*Situational ambiguity - “The A story, the B story.”* The ambiguity in a situation to which the officers were responding is two-fold. First, while officers made the distinction between verbal and physical altercations, officers reported that it was difficult to discern which type of call it was in the first place. Participants described these as “the gray areas” (Participant 7) that sometimes lie between what officers witness and the conflicting or limited information that the involved parties may provide. One participant shared that “There’s always the A story, the B story and then there’s the C story somewhere in the middle” (Participant 1), while another described: “It’s like an auto accident. There’s the red car story and the white car story, and somewhere in the middle probably lays the truth. We do split up as teams and interview people separately and get back together and figure out what’s happening” (Participant 4). In other words, participants report that there is some difficulty in understanding or interpreting the circumstances. Officers described these situations of having to “sit there and figure things out” as “the rough ones” (Participant 3), which was more often associated with verbal altercations and situations where the primary aggressor was not readily evident. Other authors have also reported officer difficulty in discerning domestic violence situations (Johnson, 2004; DeJong, Burgess-Proctor, & Elis, 2008). In the present study, attempting to establish who was the physical aggressor or what occurred before they arrived is one component of ambiguity that makes the roles of officers more complex and acts as a barrier to providing effective resolutions.

The second aspect of ambiguity occurs in the lack of predictability, specifically in domestic violence calls. Officers commented that while these calls may seem routine, they always need to remain alert, as have police officers in previous research (Sinden & Stephens,

1999). Situations could be volatile upon entry, or events may escalate after they are on the scene and they needed to be prepared for this. As one officer commented, “There's no routine domestic; even if you go to the house 30 times a month, there's always something different about it” (Participant 3). This ambiguity of the situation and the unpredictability of calls appeared to distort the distinction that officers made between the roles of safety and resource officers, as well as being a barrier to effective resolutions. When asking police officers to identify job components that make them “feel overloaded and overwhelmed,” Duxbury, Higgins, and Halinkski (2015, p. 368) found that unclear expectations and unpredictability were among the 15 distinct components that contributed to feelings of being overloaded. Managing the ambiguity of situations led officers to feel ineffective in providing resolutions and overall frustrated. Another barrier they described was the skill set officers have as it related to their safety and resources roles.

*Skill set – “We're not trained counselors.”* All officers described providing resources in response to domestic violence calls, particularly those that were verbal altercations. However, many officers described a limitation in their skills and their ability to provide further assistance. Additionally, officers commented on their lack of skills being inherent to their role as a police officer. While officers appeared more confident in intervening in the case of a physical altercation with a clear aggressor (with an arrest), it seemed they were less confident in their ability to provide an effective solution in verbal altercations. As Participant 7 notes: “Like I've told people, I go, ‘Listen, I understand. However, I am not qualified to give you advice...’... I go, ‘I'm not a doctor, I'm not a psychiatrist, I'm not a therapist. I am not qualified to do that.’” Another participant further elaborated this constraint on their role:

Also the problem is is [sic] we're not trained counselors, and you're going in there, and you're trying to counsel people, to calm them down. We're not provided the training for that, and some people have it, and some people don't, and some people need maybe a little training on how to deal with people. (Participant 2)

While officers are not given the training to have these types of capabilities, some officers noted that this was an intrinsic limitation that is positive. These officers felt that it would be inappropriate to provide this counsel in their role as a police officer. Participant 4 notes, “We're not counselors. I like the set of tools we have – recognizing the limitations of our role. We shouldn't be counselors. That's really beyond our role. I think the tools that we have now are pretty adequate.” Conversely, other officers commented on the inadequacy of their skills, stating that they wanted to do more for survivors and their families. These officers wished that there was more they could do to help survivors and provide better outcomes. As one officer noted:

I wish that we could – I don't know – have somebody where we know that they are gonna follow up. I wish I had more time and resources to do that, where I could say, ‘Okay, let's go to the –’ I mean, it's almost like being a mom or something or like a babysitter, you know? ... But you can't really have somebody do that. If you're talking to an adult, they have to do it. They have to be the adult. I wish you could just give them a little scoot, though, or something in the right direction. (Participant 1)

It is clear that the needs of involved parties, particularly of victims, are more complicated than safety and resources. Previous research (DeJong et al., 2008) found that officers felt that they were ill-equipped or limited in their ability to respond to domestic violence calls. The complexity of the work as a source of feeling overwhelmed was also found by Duxbury et al. (2015) in focus groups with police. The inability of officers to reach a satisfactory or conclusive result then becomes another barrier they face.

*Limited resolutions - "We don't often get the results."* There is a sense among participants that the resolutions they can arrive at are limited themselves. Even in the situations where officers felt their response and resolution was within the bounds of their role as an officer, the results were seen as unsatisfactory or temporary. The reasons for these views seemed to be connected to their limited impact on individual situations and the limits of the criminal justice system. Participant 7 notes, "this is not gonna be fixed over a one-time session," indicating the complexity of the situation and the inconclusiveness of some calls. This inconclusiveness was coupled with the sentiment that victims may not follow through with the resolutions that they do provide. As shared by one officer, "We have the domestic violence forms; we hand them out to them all the time. Whether they read them ..." (Participant 3). In addition to this speculation about the actions or inaction of victims, another officer described the perceived inaction of individuals as repeat calls for service:

There are a lot that are regular callers and we're always going back there, and it's the same old problems with the same old things where it's like, 'You guys have to either get over it and move on or deal with what you're working with and that's it. Quit calling us. It's a waste of your time. It's a waste of our time. Nothing ever gets resolved.' (Participant 5)

This limited ability to impact change is not only confined to the individual calls to which they respond but also connected to their work as part of the larger criminal justice system. One participant summarized their view of other professionals in the criminal justice system:

...The judge will give them supervision, pat them on the hand, tell them to not do it again, and go away...The state's attorneys are more and more worried about their stats and what their conviction rate is and how many 'guilty's' they get as opposed to actually putting on a trial and actually doing stuff. If they can cut a deal to do whatever, they'll cut a deal, give someone supervision, and just get them out of the door so that they look good and that the numbers are good. That's no way to do business. Our business is to lock somebody up. That's as far as we go. We did our job, now you guys have to do your job. (Participant 5)

Sinden and Stephens (1999) and Gover, Paul, and Dodge (2011) also found that officers report frustration around the inaction of victims and systems, such as the courts. Horwitz et al. (2011) found that "Complexity not only applied to factors that prompted the 'revolving door' scenario between the members of the couple but also chronicity within the entire criminal justice and service provider system" (p. 622). The ambiguity of the situation, the constraints of their skillset, and limitations of the resolutions all act as barriers to officers perceiving the multiple roles and available resolutions as effective. The overall emotion that officers express about

domestic violence calls is frustration and ambivalence. Their perceived inability to fulfill the complex behaviors ascribed to their dual role seems to be both overwhelming and defeating.

### **Frustration - “The most frustrating part...”**

The barriers and limitations discussed thus far contribute to officers concluding that their resolutions are often not effective. Similar to Johnson (2004), participants in this study discussed multiple sources of frustration. This frustration was particularly evident when all participants were asked at the conclusion of the interview what, if anything, they found to be the most challenging and most rewarding about addressing domestic violence calls. The following quotes capture their responses:

There's really nothing rewarding because everybody loses in those situations, everybody, everybody. (Participant 2)

I really never found anything to – I just – at least me. I never walked out of the house going, ‘Hey, we did a good job.’ It's – you never get that feeling when you walk out of a domestic thing. ‘Cause there's always going to be something there to bring you back. (Participant 3)

We can't fix something in 5-minutes that took them 10-15-years to go ahead and propagate. You let this go on for so long, and now you're expecting me to go in and in 5-minutes I'm going to fix it ...and it's frustrating, because we don't - we're just a temporary fix, basically. We're there to keep the peace, and we're not a long-term solution, by any means. (Participant 5)

Through their words, and the expressions on some of their faces, it was apparent that they were disheartened by this reality. Some wish they could do more to assist in the long-term resolution of these issues, while others seem resigned to the limitation of their role. All officers wanted positive outcomes for victims; however, they seemed defeated in their ability to achieve these outcomes in such complex situations, even if they appreciate the duality of their role.

This feeling of frustration and ambivalence may be connected to the experience of role overload. As outlined above, findings from Duxbury et al. (2015) about what leads to feelings of being overwhelmed are similar to those described here by officers responding to domestic violence. Additionally, the emotional toll of the job contributes to feeling overloaded (Duxbury et al., 2015), which seemed to be captured in the feelings of frustration experienced by officers. The discussion of role overload will be revisited in the Conclusion section, but first, officers were asked to share ideas they had about what would improve their response to domestic violence, which may provide some insight into how we may alleviate the experience of role overload.

### **Recommendations – “There's not enough resources.”**

Participants were asked what recommendations they had to improve response to domestic violence. Officers shared that more training or knowledge (two participants), a coordinated effort with civilian assistance (four participants), or additional resources for victims and families

(four participants) would improve the overall effectiveness of domestic violence response. Having more access to skilled resources outside of law enforcement and the criminal justice system are options they raised that could reduce role overload. Specifically, one participant shared that “Additional tools? It would be nice to just – I would say it would be nice to have a social worker able to actually be there at that – at that instance” (Participant 8).

Officers also see the limitations of the resources that are currently in place and believe that providing additional services would also lead to improved outcomes:

We don't have enough resources because I know places like, ‘Hey, we'll take in battered women, but they can't have kids.’ ‘We'll take in battered women, but they can only have one kid. And it has to be a girl. It can't be any boys.’ There's not enough resources. No. I absolutely believe that there's not. No, there's not. (Participant 7)

For these officers bolstering the services to meet the limitations of their skillset and inconclusive resolutions would be helpful. Both an increase in relevant services and stronger collaboration with other agencies may assist officers in minimizing the impact of the barrier of inconclusive resolutions and reduce the frustration that results from their experience of role overload. Having the skill set of a trained professional on the scene of domestic violence incidents may allow for officers to feel a decreased burden from the barrier of situational ambiguity and their limited skill set.

## IMPLICATIONS & CONCLUSION

Entrenched in domestic violence response, police officers embody the dual role that they identify here. The complicated nature of their response will likely persist and addressing role overload is critical to improving our response to domestic violence. While the competing demands of the job may seem like everyday stress, role overload has particular consequences. Duxbury et al. (2008) summarize that the research on the effects of role overload demonstrates, in general, an increase in fatigue, burnout, depression, stress, anxiety, decreased satisfaction with work and with family, as well as emotional stress (p. 135). In samples of police, higher levels of work-related stress are predictive of higher rates of anxiety and depression, which are mediated by emotional exhaustion (Santa Maria et al., 2017). Additionally, Kwak, McNeeley, & Kim (2018) found that for officers in South Korea, there is a relationship between officer burnout and the experience of emotional labor, emotional dissonance, and role stress. Officers in this study experienced greater levels of burnout when, among other factors, experience stress in their roles, such as role overload as described above. Findings from Frank, Lambert, & Quershi (2017) confirm that experiencing role conflict, overload, and ambiguity are associated with levels of higher stress for police officers in India. There is a significant impact on the stress experienced by police officers when there is a higher level of strain on their role, making it a critical factor to examine in policing and particularly cases of domestic violence as explored here. Few studies have looked specifically at role identification and role overload, or other forms of load stress, and its impact on domestic violence response. Myhill and Johnson (2016) note that there has not been much recent research on how police construct and understand domestic violence. Their research found that officers use ample discretion in their response to domestic violence and they conclude that it is possible that, with this discretion, there is the opportunity for domestic

violence cases to be minimized. While there is significant research on police response to domestic violence more broadly, there is little focus on the impact that these types of cases, and officers' perceptions of them, may have on the officer themselves and in turn the influence this may have on their response.

While a scale to measure role overload was not given in this study, the similarities in descriptions of police work reported by Duxbury et al. (2015) allows for the application of the model of role overload here. In the development of a scale to measure the antecedents of role overload, they found that "competing demands, the court system, pressures to perform outside one's mandate, understaffing, and nonsupportive organizational culture" were precursors to experiencing role overload (Duxbury et al., 2015, p. 361). While officers in this study did not discuss all of these factors, the narratives of participants demonstrated some markers of role overload, including multiple and sometimes ambiguous demands (competing demands) and work outside of their skillset (performing outside one's mandate).

Recommendations from the officers themselves and what we can learn from prior research demonstrate ways in which we may work to mitigate the role overload experienced by officers responding to domestic violence. Again, participants shared that more training, coordinated response with professionals, and additional resources for victims and families would improve their response. Although not mentioned by participants in this study, training on trauma may help officers to understand how trauma impacts individuals and how they interpret domestic violence situations (Hickle, n.d.; Substance Abuse and Mental Health Services Administration, 2014).

Using this type of approach has the potential to provide positive assistance to officers, specifically in response to domestic and sexual violence. In addition to training on the impact of trauma on victims and families, understanding how trauma may impact them as a police officer and how to enhance their coping skills has also been found to be valuable (Arnetz, Nevedal, Lumley, Backman, & Lublin, 2009). This type of training in methods of resilience, such as mindfulness and meditation, could work to reduce the consequences related to role overload discussed here. Specifically, prior research found significant improvement in self-reported measures of perceived stress, fatigue, anger, sleep disturbance, and burnout, as well as emotional intelligence and emotion regulation (Christopher et al., 2016). This arena shows potential avenues for innovative training efforts that can improve outcomes for both victims and officers themselves.

Improvement of collaboration and coordinated response with other professionals could also bolster outcomes for officers. One potential model for this would be the implementation of a co-responder model for domestic violence response, previously used in both calls for service and investigations and follow-up (Reuland, Morabito, Preston, & Cheney, 2006). Additionally, agency collaboration or coordinated services may minimize the barriers related to officer skill set and limited resolutions, as identified by participants in this study. Partnerships with social workers or mental health professionals on the scene may provide families with needed resources in the immediate situation. The implications for policy and practice also extend outside of the police agency and require that social service agencies, local and state governments support the provision of evidence-based social services. Greater collaboration between professionals within the criminal justice system may address the perceived "revolving door" (Horowitz et al., 2011) and provide greater access to resources for families. Implementing such partnerships and increasing the provision of social services will require resources, such as funding and the personnel to commit to fulfilling these roles. Reuland et al. (2006) found that police sources

discussed the importance of having a genuine partnership with community agencies, which allowed for improved communication and more access to resources for victims. These types of efforts require ongoing evaluation and funding to ensure that they continue to meet the goals and needs of the community. Strong community-based responses that meet the multiple, complex needs of victims and offenders may reduce the burden of role overload for police officers, improving the overall response to domestic violence.

Finally, additional resources for domestic violence survivors are a need from the perspective of officers. Building on this, it is essential to ensure that there are resources for survivors and families outside of the criminal legal system, as the criminal legal response is not desired by all individuals experiencing domestic violence. Ensuring culturally responsive and survivor-centered services are essential and should continue to be a social and funding priority.

As a small, qualitative study, the results are not necessarily generalizable. While the sample size was small, this study was specifically designed to be exploratory as there is little previous work on this subject. As Malterud, Siersma, & Guassora (2016) relay, the purpose within an exploratory analysis “not to cover the whole range of phenomena, but to present selected patterns relevant for the study aim” (p. 1756). For this study, the study aims were small and, therefore, will reach saturation more quickly than a larger study (Fusch & Ness, 2015). Saturation in the themes was found when eight interviews were completed. Past research has found that saturation can occur in the first 12 interviews, with the presence of elements of “metathemes” in as few as six interviews (Guest, Bunce, & Johnson, 2006).

That said, the results only represent the views of the participants, and the findings are further qualified by the setting, as Illinois is not a mandatory arrest state, and officer experiences in other states may vary considerably. Additionally, future research needs to look at how individual characteristics of officers (Biddle, 2013) or individual role identification (Grawitch, Barber, & Kruger, 2010) may influence how officers perceive their role or experience role overload. However, the results do provide an initial understanding and themes for exploration in future research. From this study, it is clear that there is much important work to be done by law enforcement as well as other professionals to more adequately respond to domestic violence. Through additional knowledge, resources, and partnerships for both law enforcement and social workers, we can reduce the experience of role overload in hopes of improving our response to survivors of domestic violence.

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# INCAPACITATED FATHERHOOD: THE IMPACT OF MASS INCARCERATION ON BLACK FATHER IDENTITY

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## Abstract

Despite the growing body of literature detailing the disproportionate social consequences of mass incarceration to black men, many of whom are fathers, insufficient attention has been given to the extent of damage on fatherhood and father identity in particular. This article examines the consequences of mass incarceration on father identity and the performance of fatherhood among a group of black men. Drawing from rich qualitative data, the study uses the lived experiences and perceptions of a group of formerly incarcerated black fathers. This research found that the incarceration experience significantly disrupted the performance of fatherhood among this group of men resulting in acute harm to their identity as fathers during incarceration and ongoing harm after release.

*Keywords:* Incarcerated fathers, fatherhood, Black fathers, African-American fathers, and father identity

## INTRODUCTION

Many black fathers are not absent, uncommitted, or deadbeats as often portrayed by media and literature, but far too many of them, hundreds of thousands, are in fact, “warehoused in prison, locked in cages” (Alexander, 2010, p.175). Black men and their families have been significantly impacted by mass incarceration, characterized by the unprecedented and disproportionate growth of the U.S. prison population, from 190,794 men in 1970 to over 1.5 million men by 2016 (Bureau of Justice Statistics, 1982, 2018) and despite recent decline in the growth rate, the prison population remains well over one million people in a given year.

Federal legislation enacted in the 1970s upon which the “War on Drugs” was built, contributed to the emergence of mass incarceration. Drug War policies introduced punitive criminal sanctions to combat drug use and sale instead of prevention and treatment, which substantially increased drug arrests (Mitchell & Caudy, 2015) as well as state and federal drug law sentencing rates that led to longer prison terms. Through what Alexander (2010) characterizes as “the roundup” to “the lockdown” followed by ongoing punishment administered after release, scholars have identified racial disparities at each step of the criminal justice process (Bobo & Thompson, 2010; Mauer, 2011; Western, 2006; Tonry, 1995). Disparities in law

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enforcement practices, arrests, convictions, and sentencing, as well as probation and parole policies, help maintain the system of mass incarceration. The cumulative effect has been devastating, as the government incarcerates ever greater numbers of black men, for longer periods, including many of them for non-violent drug offenses (Miller, 1996).

While black men make up less than 6% of the U.S. population (U.S. Census Bureau, 2014), they supply nearly 39% of the adult, male prison population, and they are imprisoned at a rate six times higher (Bureau of Justice Statistics, 2013). Also, they are at a 7% higher risk to be incarcerated sometime during their lifetime than their white, non-Hispanic counterparts (Petit & Western, 2004). This is particularly concerning for the 52% of state and 63% of federal inmates who reported being parents with minor children, resulting in approximately 810,000 incarcerated fathers and mothers who are leaving more than 1.7 million children without one or both of their parents each year (Bureau of Justice Statistics, 2010). In 2006, fathers made up 92% of incarcerated parents, a disproportionate number of which were black men (Glaze & Maruschak, 2008).

The removal of fathers disrupts families and weakens social networks within communities. During incarceration, financial and childcare responsibilities that had been previously shared must be shouldered by the other parent or caregiver and place pressure on extended kin and social networks. With more than half of black incarcerated fathers reportedly living with and being the primary financial providers for their children before their incarceration (Glaze & Maruschak, 2008), the loss of income decreases the family's overall income, leaving their children more vulnerable to poverty (Schwartz-Soicher, Geller & Garfinkel, 2011).

Black children are seven and a half times more likely than white children to have a parent in prison (Glaze & Maruschak, 2008) and face a greater risk of homelessness due to paternal incarceration (Wakefield & Wildeman, 2014), making them vulnerable to a host of social and emotional problems (Murray & Farrington, 2008; Western & Wildeman, 2009; Wilbur, Marani, Appugliese, Woods, Cabral & Frank, 2007; Barnhill, 1996; Wolf, 2006). Research also indicates that incarceration weakens the bonds between parents and their children, creating insecure attachment, decreased cognitive abilities, and weak peer relationships (Parke & Clarke-Stewart, 2001).

While the dominant focus of the literature on parental incarceration has been the effects on children and women as primary caregivers, the adverse impact on fathers is lacking in both the literature and in criminal justice policies. Prisons facilitate the "recoding of existence" (Foucault, 1977) and *prisonization* acts as a mechanism of identity deconstruction and reconstruction (Clemmer, 1951). The prison experience subjects fathers to what Crewe (2001) refers to as a "tightness" that, "instead of brutalizing, destroying and denying the self, it grips, harnesses and appropriates it for its own project" (p.524). As Sykes (1958) theorized the "pains of imprisonment"—meaning the psychological pain resulting from the loss of liberty, autonomy, and control over sexuality, alter how men see themselves as men and as fathers. Additionally, spatial and physical contact restrictions imposed by institutions along with financial limitations further impact how fathers engage with their children and see themselves as fathers. .

This research adds to the body of parental incarceration literature by focusing on the impact of incarceration on fathers. We highlight individual and social dynamics impacting fatherhood among incarcerated and formerly incarcerated black men. Black men father under a particularly racialized experience, constrained socioeconomic status, and often, multiple layers of social arrangements (Coles, 2010). Fatherhood is complex, and father absence resulting from incarceration has tremendous personal impact and social implications. Drawing from the lived

experiences and perceptions of formerly incarcerated black men, we examine the impact of incarceration on how they identify as fathers and enact fatherhood.

## LITERATURE

### **The Impact of Incarceration on the Father-Child Relationship**

Factors such as the length and number of prison sentences contribute to the impact of incarceration on the father-child relationship. Drug convictions result, on average, in 12-13 month-long prison sentences (Bureau of Justice Statistics, 2014). The U.S. Department of Justice report (2014) on the recidivism among prisoners released in 30 states in 2005 found that 80.8% of African Americans had returned to prison within five years of their release. Men serving multiple and consecutive stints in prison can end up spending a considerable amount of time away from their children.

Place certainly matters. The physical location of many prisons in rural areas and the tendency to transfer incarcerated men and women to different facilities around the state or country limits the ability of fathers to maintain contact with their children. Sixty-two percent of fathers in state prisons and 84% of those in federal prisons were confined more than 100 miles away from their homes, and 43% of fathers in federal prison were held more than 500 miles away from their homes (Mumola, 2000). Due to the time and distance away from their children, fathers can become disconnected from their roles and responsibilities they previously performed while in prison (Western & Wildeman, 2009).

Dyer (2005) hypothesized that the masculine identity constructed in prison may lead men away from a father identity that supports their children's positive development. In their study of the criminal justice system, race and father engagement, Woldolf & Washington (2008) found a significant negative relationship between incarceration and father engagement. Clayton & Moore's (2003) research provides one explanation for this phenomenon: they argue that prisons erode social skills and prison experiences reinforce the *cool pose*, a coping mechanism characterized by portraying toughness and aloofness that many black men use to manage their presentation of self and establish male identity (Majors & Billson 1992). However, this cool pose inhibits the development of nurturing relationships.

The punishing nature of the prison setting itself presents barriers to the fathers and their children (Dyer, 2005). Hairston's (2001) research found that the rules and regulations required by the prison environment are not conducive to developing or strengthening the behaviors needed for effective parenting. Though federal, state and private prisons can vary by security level, they all place restrictions on physical contact between fathers and their children. Visitation, as with every other aspect of the prison environment, is strictly controlled. Research by Hairston (2001) found that affection, communication, and discipline are inhibited in the prison environment. The policies aimed at maintaining order and control also suppress one hallmark of father-child interaction: rambunctious, stimulating, and emotive play (Lamb, 2004). Other research found that the association between communication and relationship satisfaction has tremendous implications for incarcerated fathers who have limited ability to communicate with their children (Dindia, 1994). According to Braman (2004), incarceration effectively encourages destructive behaviors such as infidelity, distrust, and neglect, which reinforce negative stereotypes that have perpetuated the myth of the missing black father.

In atypical cases such as physical, sexual, and emotional abuse, the incarceration of fathers can contribute to the safety and well-being of their children (Wakefield & Wildeman, 2014). However, as Wakefield & Wildeman contend, “parental incarceration is a meaningful and potentially harmful event in the life course of the most disadvantaged children” (2014, p.70).

### **The Impact of Incarceration on Father Identity**

As buildings, prisons physically confine and control people. As institutions, they completely alter individual and social life. According to Goffman (1961), prisoners are subjected to loss of autonomy and to the *mortification of the self*, whereby individuals are stripped literally and figuratively of the life they previously lived, roles performed, and the symbols assigned to them. This loss of personal identity is countered by the acquisition of a new, inmate (institutional) identity, which facilitates assimilation into the institutional culture. However, Tripp (2009) argues that prisoners do not undergo a direct transformation to the new, inmate identity, but instead they simultaneously manage the acquisition and loss of multiple identities. In prisons, men must act/perform in gendered ways to affirm their status and identity as men through behaviors often thought of as hyper-masculine such as aggression and apathy, which impair their ability to maintain pro-social roles.

By altering who men are and what they are able to do, prisons can and do influence the development of individual and father identity. Research on imprisoned fathers and identity indicates that incarceration interrupts the identity confirmation process of men (Dyer, 2005). The identity confirmation process is driven by identification with a father identity standard whereby men identify with and are affirmed in their role as fathers. The identity confirmation process links identity (who one is) and behavior (what one does). In a feedback loop, men enact behaviors meaningful to their identities as fathers. Appraisal (by others) is given for their actions and is then compared to the identity standard (how one believes they should behave as a father), and any stress resulting from discrepancies between the appraisal and the identity standard drives the modification of subsequent behaviors (Burke, 1991). Performance of the essential components of the father identity confirmation process—enacting meaningful behaviors, receiving an appraisal for behaviors, and modification of behaviors—is at best, challenged during incarceration. Research indicates that incarceration interrupts the identity confirmation process in a way that forces, “a change in the nature of his identity as a father and subsequently a change in his sense of self” (Dyer, 2005, p.207). This suggests that incarceration may have an ongoing, long-term effect on identity as men and as fathers.

Extending West & Zimmerman’s (1987) concept, “Doing Gender,” father identity can be similarly viewed as a social construct. Father identity encompasses not only what a person is but what they do as well. Father identity and correspondingly, fatherhood, is *done* through everyday social interactions. As a social construct, father identity is done, redone, and transformed by ever-changing historical, economic, social, and political forces. We challenge, however, Arditti, Smock, & Parkman’s (2005) characterization of fatherhood lying dormant during incarceration. As research on incarcerated fathers indicates, father identity is neither stable nor fixed (Muth, 2018), and we argue that it is constantly being done, redone and undone. As such, mass incarceration uniquely shapes how black men *do* fatherhood.

## METHODS

Cole and Green (2010) have pointed out that black men are more often recognized as fathering children than being fathers to their children. Qualitative inquiry is particularly well suited to challenge this narrative through the experiences of formerly incarcerated black fathers. This paper is part of a larger study examining the impact of incarceration on how black men *do* fatherhood. Research here focuses on men's identity as fathers during incarceration and after their release from prison. The qualitative study was conducted among formerly incarcerated black men participating in a fatherhood program at a local non-profit organization in a mid-sized Illinois city. In providing a way to explore meaning people assign to larger social problems, the use of qualitative research (Creswell, 2009) is particularly applicable to this study, as we were seeking to explore how incarceration impacts fatherhood and father identity.

### Participants

Participants were recruited from a fatherhood program at a local non-profit organization. They were informed about the study through posters placed in the program office and by program staff. The researchers then attended orientation and group sessions of the non-profit's fatherhood program to provide information about the study again, answer any questions, and recruit participants. Those willing to participate gave consent and permission to be contacted later for individual interviews.

Given the research indicating incarceration negatively harms the children of men convicted of non-violent offenses (Wildeman & Western 2010) in particular, participants for the study were limited to such men. Of the 68 men who identified as formerly incarcerated fathers, 35 had been convicted of non-violent offenses. The sample of formerly incarcerated fathers was further limited to those who reported serving no more than a total of 10 years in prison over their lifetime for non-violent offenses, resulting in 20 participants for this study.

Participants were black men between the ages of 21 and 40, with the mean age of 33-years-old, who identified as having at least one biological child under the age of 18 at the time of their most recent incarceration. On average, participants reported having three biological children (minimum of 1 and a maximum of 6) under the age of 18 with mothers while serving time. The majority of participants were incarcerated for drug-related offenses (N=19), followed by theft (N=1). Length of incarceration ranged from 27 months to 10 years, with the mean of three years and 11 months.

### Data Collection

Semi-structured interviews were used for this study to help us better understand the participants' fathering experiences while in prison after release. Interviews were scheduled and conducted within 7 to 21 days after the participants provided consent to participate in the study. Interview questions asked participants about four areas: (1) fatherhood experiences (becoming a father and their relationship their fathers); (2) the meaning they assign to fatherhood; (3) what a father should be and do; (4) what their experiences of fathering were like while in prison; and (5) what their experiences of fathering were like after release.

Participants were informed about the purpose of the study and provided oral and written consent to be interviewed and recorded before beginning each interview. Interview participants

were also informed about their right to terminate the interview at any time for any reason. Interviews lasted between 30 and 130 minutes. Interviewees received a \$25 Walmart gift card at the end of the interview. After interviews were conducted, they were transcribed and coded. All participants were given pseudonyms to protect their identities.

### **Data Analysis**

A combined, inductive to deductive qualitative content analytical approach was taken to capture the richness of phenomena of interest: a) components of father identity, and b) the father identity confirmation process. The use of inductive content analysis is recommended when research on a phenomenon, such as father identity, is lacking or fragmented from which inductive models can be developed and tested through deductive analysis (Elo & Kyngäs, 2007).

First, the transcripts were carefully reviewed to obtain a general understanding of the text. Next, analytic codes were generated from the open-ended responses to the specific interview question asking what they thought a father should be and do. Responses with the highest frequency were combined and a focused coding scheme was produced to determine the father identity components that were identified by fathers in the study: 1) being there, 2) being an example, and 3) providing. The father identity-focused coding scheme was then used to analyze transcripts. The transcripts were then carefully reviewed and analyzed again using the focused coding scheme that included father identity confirmation process components: a) modifying or b) abandoning father identity.

The inductively generated categories were deductively validated from the interview transcripts. To assure validity and reliability, an intersubjective and consensual understanding of the text by the authors was achieved through careful review and in-depth discussion rather than using quantitative inter-rater coefficients (Drisko & Maschi, 2015). Interviews revealed patterns in the practices that make up how men *do* or enact fatherhood.

## **RESULTS**

The findings are organized into three sections. The first section, titled, *Doing Fatherhood*, presents the conceptualization of father identity identified by participants in this study. The second section, *Doing Fatherhood While Incarcerated*, explores ways in which incarceration presented challenges to the identity confirmation process. The third section, *Incapacitation of Fatherhood*, discusses how men attempted to manage their identity as fathers during and after incarceration.

### **Doing Fatherhood**

The *father identity* concept presented here does not represent, “theoretical musings and created standards for identity that do not match the lived experiences of fathers” (Pasley, Petren & Fish, 2014, p.316), but draw from lived experiences and represent what men in this study thought a father should be and do. Collectively, the father identity components identified in the narrative analysis that we will focus on here—1) being there, 2) being an example, and 3) providing—form the *father identity standard*.

*Being There.* Many fathers spoke of the importance of being physically present in the lives of their children. Physical presence was expressed as being an essential component of

father identity. After serving five years in prison, Adam, a 27-year-old father of three children reflected on the importance of being there for his children:

Just being around. That's the most important part (of fatherhood). People think it's about money, but it's just being around that matters most. Honestly, that's what I think anyway. I think being around is the most important thing.

Half of the men interviewed reported knowing their biological father when they were growing up. However, the majority of the men reported having had a father who was somewhat involved or not involved in their lives at all when they were growing up. Jason, a 30-year-old father, attributed the motivation for being there for his two children to his own experience of growing up without a father in his life.

Well, my dad wasn't in my life. So, I just did everything opposite what happened to me. So, you know, I just wanted to be in their life. Pretty much be there and make sure they have everything that they need.

For some, not living in the home with some or all of their children made being physically present in their lives more challenging. They found participation in rearing activities such as getting the children ready for school in the morning and reading bedtime stories at night to be more difficult to do when not living in the home. For fathers with children by multiple partners, being there physically for all of their children daily was more challenging and, at times, impossible. Anthony, a 37-year-old father, lives with only one of the eight children that he has with five different women. With the other seven children living in different households, he found it difficult to spend as much time with each child as he would like. He explained, "I'm missing out on time each day. I can't be four or five different places at one time... I'm missing out on time with them. Time is very important. [Being there for] School events. [Being there for] Sports events."

The children's mothers can also limit a non-resident father's ability to be there for their children. Maternal gate-keeping, the active process of encouraging or discouraging father involvement, was cited as a source of tense relations and great frustration (Roy & Dyson, 2005). Anthony shared his experience with maternal gate-keeping by one of the five mothers of his children.

With the young lady that has two of mine [children]. I'm very open-minded. I can always adjust my schedule to get my children but if she ain't having a good week or good month. I can't see them...She knows how dear my children are to me, so you would think she would allow me some time. But, the ball is in her court.

Steve, a 28-year-old father of four children, recalled an extended period when, because of a conflict, the mother of two of his children would not allow him to see them said this:

It was like five months when the mother of my two kids, we got into it and she tried to keep them from me. It was depressing cuz', I was with my kids from the beginning. So, it was like, you took my kids away from me. You ripped a whole piece of my heart out.

*Being an Example.* Fathers spoke of finding value in being an example to their children. Being an example was described as characteristic of what a father should be and what a father should do. Wilson, a 35-year-old father of six biological children, explained how being an example to his children meant, “Being a role model. Being a hero. Being a leader.” By his children looking up to him, he said it, “It make me feel like a hero to my children”.

The ability to set a positive example for their children was reported as being important to their children’s character development. Stanley, a 25-year-old father of two children, remarked, “Everything you say and do teaches them.” Thomas, a 40-year old father of one biological daughter and three step-children, expressed a similar sentiment. His philosophy was that while it is important for fathers to correct children when they are wrong, it is even more important for fathers to model positive behaviors for their children. He described being an example as a legacy he would like to leave to his children in the future.

Not just telling them when they’re wrong but setting a good example. You know how some people say, “Do as I say and not as I do?” I can’t tell them not to do this and I turn around and do it. I can’t tell them not to act a certain way and then turn around and do it. And, if I do, I owe them an explanation of why I did it... So, 10 years from now I want them to say, “He taught me that. He was a good example.”

While men expressed a desire to set positive examples for their children, they were also cognizant of how their involvement with the criminal justice system provided negative examples that they did not want their children to follow. Twenty-three-year-old Calvin’s only child, a son, was three months old when he went to prison for selling drugs. He said this about being an example for his son, “I wanna show him this is the way he should live. According to how I’m living [now], this is how he should live. Not going to prison and catching cases [getting arrested] and selling drugs.”

*Providing.* Fathers we interviewed discussed the importance of financially providing for their children. Before going to prison, Philip, a 39-year-old father of five children, shared that his financial resources earned in the drug economy allowed him to “give them [his children] everything they wanted. Making sure that their children had what Philip referred to as “the basics” was expressed as an essential part of being a father. The basics are being provided to, “make sure the baby eats, the baby got clothes to wear, and... the baby has a roof over their heads.”

Despite the talk of providing financially, when asked what they thought was most important for fathers to provide, fathers identified love. The preeminence of providing love to their children may indicate that fathers in this study are redefining the provider role around emotional and social components and involvement consistent with Bryan’s (2013) study of fatherhood among low income-fathers.

### **Doing Fatherhood While Incarcerated**

Fathers in this study described how being incarcerated prohibited them from enacting behaviors that confirm their identity as fathers. While in prison, they were *not* able to be there, *not* able to be the example they wanted to be to their children and *not* able to provide love, basic needs and protection effectively.

*Not Being There.* Fathers expressed negative emotions, including sadness, disappointment, and regret, when they talked about not being physically present in the lives of their children during their incarceration. Fathers with young children particularly noted how their children developed rapidly during that time and that they missed many milestones. Year after year, fathers missed birthdays and holidays with their children. They missed hearing the children's first words and seeing them taking their first steps. Some reported missing their child's birth. Others reported missing the first day of school, parent-teacher conferences, and graduations. Reflecting on how it felt during the five years he was in prison, Jason said:

It was hard because I had to watch them grow up on pictures. I'd see them. They came to visit me, but it wasn't as much as I would like to see them...So, I really only seen them 5 or 6 times and then just pictures and stuff like that and phone calls, but really it isn't the same thing as being there.

Rituals, as Durkheim theorized, are important for publicly cementing bonds between fathers and their children and are also essential tools men use to construct their identity as fathers (Burke 2003). Men who are unable to perform such rituals while in prison experience negative consequences to their identity as fathers. The inability to perform rituals compounded with prolonged physical separation can strain even the strongest relationship, affecting the ability of fathers to bond with their children while in prison. Daniel, a 36-year-old father of four biological children, served a consecutive sentence of 4 years in state prison followed by 6 years in federal prison. His youngest child was three months old, and the oldest was five years old when he went away. He described the separation from his children during the ten years he was incarcerated as "horrible." He said, "For a person who truly loves and cares for his children, it was horrible. It was truly horrible...I wasn't able to see them for chunks and chunks of time."

Jason's son was two years old and his daughter an infant when he began serving a five-year sentence in federal prison for possession of a controlled substance. He shared his experience of bonding with his infant daughter while in prison.

When I went in [to prison] she was seven or eight months [old] so, she didn't know me. It was kinda hard to see when she would come visit. She didn't know me, and I'd been gone so long that she would kinda act funny with me. But now she's all, she's a daddy's girl... but like I say, she didn't really know me so, it was hard for us to bond but she got better.

Some men said they were unable to fulfill what they described as their role and duty as a father during their incarceration, particularly where their sons were concerned. According to participants, their sons were raised by mothers or other female caretakers in their absences, leaving their sons without anyone to help them learn "how to be a man" and "get ready for the world." Many shared the sentiment that "only a man can really teach his son how to truly be a man." For these men, training their sons how to be men included teaching their sons how to use the bathroom, play sports, and interact with women. Many lamented not being there to teach daughters what to look for and avoid in a man.

In addition to not being able to teach life skills, they also reported finding it difficult to instill morals and values in their children from prison. Fathers also reported difficulty seeing themselves as possessing authority in their children's lives and being able to administer

correction for breaking rules, due both to their absences and having their status as lawbreakers. Relationships that were damaged before or during incarceration were not immediately repaired upon release. The time missed was time lost for many. Fathers noted how it took time to adjust and reassume roles previously held, such as being an authority figure or disciplinarian in their children's lives. Larry explained his reservations about assuming a disciplinary role upon release with his son, who was just one and a half years old when he went to prison: "You know that's your kid but you be like, "man, this dude don't even know me." I haven't seen 'em in three and a half years. Who am I to try and tell him to sit down? I had to build that rapport back with him."

*Not Being an Example.* Fathers expressed disappointment, regret, and shame regarding their involvement in illegal activities. Adam reflected on how his past involvement in illegal activities affected his children in a way that he did not desire.

I see that they growin' up and that they act like me. They have certain characteristics of me and makes me...I want them to be better than me...All that gang bangin' and that drug selling ain't getting me nowhere but back in prison.

Barry, a 28-year-old father of four biological children, expressed his desire for his daughter not to get involved with a man who is like he had been in the past.

Well, from me havin' a daughter, I looked at her looking at the man I was and seein' me and all the B.S. [bullshit], and I thought about it. And, like, I don't want her to grow up idolizing me or looking up to me and then want to get with a guy like me...I didn't want her to think it was cool to be with a guy like me and the same with my son. I didn't want him to think it was cool to be rippin' and runnin' the streets.

The reality of de-masculinization and dehumanization behind bars further limits fathers' ability to model positive examples for their children. After the first couple of visits by his children, Wilson told his girlfriend not to bring his children back to visit him in prison.

I told their mother not to bring them anymore. I loved them, but I didn't want them to see me like that. It hurt. I don't know if they understood...I didn't want then to see what we have to go through for visits. I just wanted them to be children. I told my girl she could still come, but not the kids.

Similar to Wilson, others said they did not want their children to see them in a prison jumpsuit or see and know what they as prisoners "go through," such as being strip-searched or being treated in a demeaning way by prison guards.

Often, men framed their past involvement in illegal activities as a "mistake" or as a consequence of falling in with the wrong crowd. Going to prison was not the example that they wanted to set for their children and they expressed a desire to make personal changes to stay out of trouble and be a positive role model.

The stigmatization of being marked as a "criminal" or "felon" weighed heavily on the minds of many fathers and resulted in expressions of shame and embarrassment. Many fathers made comments about hating to have to "check the box" on job applications and feeling as though people held their criminal past against them. Still, many expressed hope in finding employers who might "give them a chance" and allow them to prove themselves.

*Not Providing.* Prior to incarceration, many fathers had been involved in providing for their children's basic needs but were limited in their ability to provide while in prison. A few fathers reported sending money home to their children from funds received while in prison or providing through family members using money that they had stashed away and had not been seized by law enforcement. However, for the majority, not being able to provide for their children's basic needs while they were incarcerated was expressed as a source of stress and frustration. When 28-year-old Shawn went to prison, his three children by three different women were all three years old. He had an additional child with a fourth woman after returning home. He expressed how the pressure to pay child support for two of his four children in addition to financial instability after serving one year and three months in prison, affected his ability to provide for all of the children.

I tried to do everything to keep my financial stability, but it's hard not having a job. I had a job working at Buffalo Wild Wings but I paid child support for two kids...With the job I was working, after they take out child support, it's like I wasn't making no money. You know? I would get put out of where I was living. By me being a dad, it was hurting me...It's just financially. I don't always be able to do what I want for my kids.

For some, the pressure to provide for their children's basic needs could lead them back to criminal activity, such as selling drugs or theft. Shawn divulged that he too risks from time to time in order to provide for his children's needs:

I can't provide for them like I want to but everything they want, I always manage to get it. Not always the right way but I manage to get it. I don't always want to have to take a risk to get stuff for my kids. I should be able to work for it. I try to keep them happy. One day it's gonna catch up...I don't want them hurting for nothing or have to want for nothing, to have to ask for nothing.

### **Incapacitation of Fatherhood**

Interviews revealed ways in which incarceration limits the enactment of fatherhood and disrupts the father identity confirmation process, in effect incapacitating fatherhood. As previously mentioned, prison identity—the masculine identity constructed in prison—may lead men away from a father identity that supports their children's positive development (Dyer, 2005). The assumption of a prison identity harms the maintenance of father identity among incarcerated men. Prison culture, policies, and procedures prohibit men from enacting behaviors that confirm their identity as fathers, which ultimately disrupts the identity confirmation process, producing stress. By *modifying* or *abandoning* the identity standard, fathers seek to ameliorate the resulting stress.

*Modifying the Father Identity Standard.* For some, modification of the father identity standard translated into lowering their expectations and requirements of themselves as fathers while incarcerated. Unable to physically be there for their children, the majority of fathers interviewed attempted to “do what they could” to maintain relationships with their children while incarcerated. Consistent with prison data indicating that the majority of parents in prison maintain contact with their children primarily through letters and phone calls and visits (Glaze &

Maruschak 2008), fathers in this study also described their efforts to make regular phone calls, writing letters to and having visits with their children as a mechanism to enact fatherhood. Several fathers reported maintaining communication with their children despite cutting off physical contact through visitation. Even after Wilson cut off visitation with his children, he continued to, “write them every weekend and send them cards and drawings.” Similarly, Zeke cut off prison visits from his children to avoid experiencing additional stress: “I told them don’t come visit me because it’s painful to see them coming and leavin’ without me, so, I told’em that I don’t do visits. I just handle that for myself but I called home. Got a lot of letters. So, that kept me going.”

In being moved around in the federal prison system, Larry found doing fatherhood by enacting behaviors to confirm his identity as father especially challenging.

I was like all the way across the country. Feds send you anywhere. You might be down south and then out west...So, it’s kinda hard to nail down letters and keep track of your mail and stuff...I ain’t even gonna lie. I felt like wasn’t a dad during that period of my life cuz’ like I said I was constantly being moved around. I didn’t have a set facility... It’s kinda hard tryin’ to be a dad.”

Despite the challenges faced in maintaining contact with his family, Larry reported doing whatever he could do to maintain a relationship with his infant son despite his physical absence. This included attempting to contact his son’s mother whenever he got situated in a new facility and writing letters that initially took up to a year for her to receive.

In scaling back requirements and lowering the expectations they place on themselves for what they should be and do as fathers—i.e., modifying the father identity standard—they were able to confirm their modified identity as fathers and avoid identity stress.

*Abandoning the Father Identity Standard.* Those abandoning the father identity standard were men who disassociated from their identity as fathers and relationships with their children while incarcerated. When asked what it was like being a father from prison, Larry responded, “I wasn’t a dad during that period of my life.” A small group of fathers reported not having any contact with their children. They reported not caring about their relationships with their children and intentionally cutting off contact with them. Adam said, “I wouldn’t allow it [visits]. My son came one time, I told him, don’t ever do that! I wouldn’t allow it. I didn’t write nobody. I was just at the point that I didn’t care none,” and had no additional contact with his son during the five years he spent in prison.

In theory, changes to father identity resulting from incarceration might be reversed when fathers return home and resume the enactment of the behaviors they performed before going to prison. However, incarceration’s reach extends itself into the lives of fathers and their children after release. Probation and parole housing assignments and movement restrictions can continue to limit the father’s ability to be there physically. Calvin had been the custodial parent and caretaker of his infant son before prison. While in prison, he did not have visits with his son and was unable to enact the behaviors meaningful to his identity as a father. Upon release, parole conditions subjected him to electronic monitoring and restricted his movements away from his parole address between 8:00 am and 5:00 pm and limited his travel to 60 miles. These conditions prevented him from being able to visit his son who lived in a town 90 miles away. Unable to see his son, he attempted to abandon his father identity. He went on to share that he primarily used

alcohol, among other things, when trying to “erase” his son. He rationalized this behavior as something he did to cope and relieve the stress of not being able to be a part of his son’s life.

Me being a father, it means so much to me but it’s just so little right now...sometimes, I leave out the house and feel like I’m not even a father at all... I try to erase him for a while, but it don’t work. I don’t think it’s a good thing to try and erase him either but it just be so hard. I be tryin’ to find any method I can to get through it but it just don’t work.

Fathers who modified or abandoned their father identity while incarcerated found it challenging to pick up where they left off with their children when they came home. Many found that not being in their children’s lives during period(s) of incarceration had altered the nature of their relationship. Some fathers noted that not being there to help to raise their children made their children be raised by others and they had learned different and sometimes conflicting value systems. This presented challenges in bonding with children when they returned home. Reflecting on his relationship with his children after being in prison for 10 years, Daniel said:

See, when you’re incarcerated, your children are growing up in a certain culture depending on whatever environment they in. And, I have children by different mothers who are thinking different things. So, when I came home, being that I had did a “360” on myself, it was kind of hard for a couple of my children to adapt to what I was trying to teach them because that was something they wasn’t getting on the environment they grew up in...They had experienced me but they really, really hadn’t experienced me (when he was in prison). A lot of the experiences came from what others around them told them about me...So, when I came home and was giving them something different, it wasn’t received at first. But as time went on and on and on, I was able to catch on. But, I wasn’t able to catch my oldest son.

Even as fathers attempted to make up for the lost time when they returned, many expressed experiencing ongoing emotional distance from their children. Some described it as a continuation of the distance created by their incarceration. Daniel did not think that the bond with his son could be repaired because his son was now “grown” and did not need him any longer. His incarceration changed him and their relationship. For fathers recognizing that their role as fathers was no longer central to their children, they attempted to redefine what it means to be fathers from the periphery of their lives.

## **DISCUSSION**

The criminal justice system impacts relationships between fathers and their children from the point of arrest to sentencing and throughout the prison term and beyond. Even children too young to fully understand what is going on can pick up on the underlying emotions of confusion, anger, and fear and experience loss when their father is removed. While the harm to children should in no way be minimized, adverse impact on fathers should also be recognized. From a two-way street developmental perspective of the parent-child relationship (Erickson, 1963), the pain and trauma resulting from the absence due to incarceration are experienced by children as well as their fathers.

The warehousing of black men in prison has an outsized effect on the relationships between fathers with their children. Physical separation from their children alone increases the likelihood of fathers experiencing depressive symptoms and poorer health outcomes compared to fathers living with their children (Eggebeen & Knoester, 2004). While locked in cages, fathers are certainly limited and, in some cases, prohibited from enacting behaviors needed to confirm their identity as fathers. Despite the limitations and challenges to the father identity confirmation, this study found evidence of active and not dormant fatherhood while in prison. Findings here challenge notions of stable and fixed father identity—being either good or bad; present and active or absent and inactive/dormant. Father identity is neither stable nor fixed, and it is constantly being done and undone behind prison walls.

The *father identity standard* presented here is a conceptualization of what the men in this study thought a father should be and what fathers should do. They viewed: being there, being an example, and providing as essential components of their identity as fathers. While in prison, they were prohibited from enacting these behaviors and confirming their father identity. They were *not* able to be there, *not* able to model behaviors that they wanted their children to follow and *not* able to provide for their children. Unable to meet the father identity standard, some attempted to modify their behaviors by lowering expectations and requirements of themselves as fathers. Others abandoned their father identity, completely disassociating themselves from their identity as fathers and relationships with their children while incarcerated.

Findings here support previous research examining fatherhood and incarceration. Similar to previous studies, fathers in this study described how the prison structure constrains their relationships with their children (Arditti et al., 2005; Tripp, 2009; Kelly-Trombley, Bartels, & Wieling, 2014). Men in this study found it difficult to identify as fathers while in prison (Dyer 2005; Tripp 2009). Findings from this study suggest that father identity confirmation is limited at best during incarceration and faces continued challenges after release. Insecure housing, unstable employment, unreliable transportation, mental illness, substance use disorders, and even lack of access to their children present ongoing barriers that can limit and prevent fathers from enacting behaviors to confirm their identity as fathers.

After release from prison, fathers in this study attempted to reenter their children's lives and were met with challenges in picking up where they had left off and making up for the lost time. The cumulative stress and strain placed on fathers' relationships with their children over the days, months, and years of separation resulted in pervasive and, for some, irreparable damage.

## CONCLUSION AND IMPLICATIONS FOR RESEARCH AND POLICY

The moral justification for prison is founded in a belief that individual lawbreakers should be punished and removed from society. However, as this work attests, the consequences of incarceration extend far beyond prison walls, inflicting harm into the lives of children, families, and communities. Though we are careful not to overgeneralize the findings of this one-site study, this work suggests that incarceration harms father identity among black men. Building on the conceptualization of father identity as defined by the fathers in this study, additional research might examine the role of father identity in supporting a successful reentry process. Future research might also conduct comparative qualitative studies.

Prison doors are often, pushing people in and out of prison and in and out of their children's lives. Far too many fathers between the ages of 20 and 40 do their time, are released,

and then are rearrested and re-incarcerated for parole or probation violations. The current research suggests that the revolving door does not stop until men reach their mid-forties (Freeman, 2003), but the persistent harm to fathers, their children, and communities continues beyond the term of physical confinement, resulting in what are effectively life sentences. This, arguably, constitutes a form of social violence.

Though fighting crime is touted as the supposed basis for incarceration, racial animus contributing to hyper-policing in black communities, disparities throughout the criminal justice, and the socially disabling effect of laws impacting the lives of returning citizens should not be minimized (Middlemass, 2017). As Bulow (2013) contends, the state has a moral obligation to protect its citizens, and not harm them. The collateral damage inflicted on fathers and their children by mass incarceration violates their right not to be harmed. As such, the continued use of incarceration gives rise to residual obligations by the state to those harmed which include making amends, and the obligation to ameliorate the conditions that produced the harm.

Multiple approaches can be taken to address the damage inflicted by mass incarceration on fathers and their children. Given the research indicating that incarceration is particularly harmful to men convicted of non-violent offenses and increases rates of recidivism (Spohn & Holleran, 2002), alternatives to incarceration for this group should be prioritized. A “no-entry” public policy framework should be adopted that treats addiction as a brain disease and provides resources for treatment and application of unbiased drug laws and enforcement (Lurigio & Loose, 2008). Punitive sentencing measures and socially disabling policies (restrictions on housing, education, employment, voting, public assistance, etc.) should be repealed. A complete departure should be made from policies that reduce but do not eliminate sentencing disparities such as the 2010 Fair Sentencing Act, which significantly reduced (from 100:1 to 18:1) but did not eliminate the sentencing disparity between powder and crack cocaine.

At a minimum, a concerted effort should be made to increase contact between fathers and their children while in prison. This could be accomplished through prison facilities being made more father-friendly and more accessible with efforts to place fathers as close to home as possible; removal of barriers to communication such as exorbitant telephone costs; the expansion of the use of e-mail and video visitation to support, but not replace contact visits; additional programming for fathers; financial support to children; programs to work with families to address their needs; and family therapy in reentry programs (Burlow, 2013). This research further supports the theory that reentry efforts and programming need to begin at the point of entry and include education, job, and vocational training, substance abuse treatment, and counseling. According to Travis (2012), prison re-entry programs are a “low-cost way to prevent crimes” (p.10). Travis (2012) also suggests reallocating reentry resources to provide more support during the first six months of release, when the risk of recidivism is highest. A more comprehensive model would also include long-term post-release job training and placement, counseling, housing support, and family case management. If guided by the principles of prevention and diversion, the criminal justice system might be re-orientated to *consider the common good* and ultimately contribute to the maintenance of father identity by supporting healthy relationships between fathers and their children.

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**Book Review:**

**Tasseli McKay, Megan Comfort, Christine Lindquist, & Anupa Bir,  *Holding On: Family and Fatherhood During Incarceration and Reentry***

**University of California Press, 2019; 212 pp.  
ISBN: 978-0520305250**

**Reviewed by:** *Danielle L. Haverkate, Arizona State University, USA.*

The impact of incarceration on families has received increased focus over the past 20 years. The bulk of examinations have narrowed in on the impact of parental incarceration on children (see Wakefield & Wildeman, 2013), the impact of incarceration on parenting (see Hairston, 2002), and the impacts of incarceration on the partners of those incarcerated (see Roy & Dyson, 2005; Turney, 2015). All of this suggests that family functioning is disrupted during periods of incarceration. Despite this, a large proportion of the literature on family relationships during and after prison focuses on incarcerated mothers (see Ferraro & Moe, 2003; Enos, 2001). Given that over 90 percent of people serving time in prison are male (Carson, 2018), the lack of focus on fatherhood means that we know very little about the family experiences of a majority of people involved with the justice system. Further, the identities of prisoners and fathers are often seen as distinct, limiting how we examine and provide services for people in prison and their families. The goal of  *Holding On* is to bridge these gaps in the current literature and provide an in-depth, mixed-methods examination of fatherhood and partnering through incarceration and release.

To accomplish this goal, McKay and colleagues utilize a novel dataset,  *the Multi-site Family Study on Incarceration, Parenting, and Partnering*. Beginning in 2008, this was a ten-year study involving over 1,900 incarcerated men and over 1,400 partners across five states. The study was originally designed to understand the impact of prison programming and services on family functioning, relationships, and release outcomes for couples experiencing incarceration. The sample includes families who were involved in family-strengthening programming and a comparison group of those who were not. Interviews were conducted over 18 months, with a subsample of individuals participating in continued interviews and in-depth qualitative interviews at 34 months. Thus, the quantitative data contain information to make generalizable statements about the families involved, and the qualitative data bring to light the more intimate and complex issues these families face.

The first chapter,  *Returning Incarcerated Fathers to the Family*, makes a case for an extensive examination of fatherhood among those serving time in prison and returning to the community. In the context of families and incarceration, two distinct and separate systems are involved in the lives of families – the criminal justice system, with a focus on the offender, and the welfare and social services system, with a focus on the well-being of families. There is little interaction in practice between the two systems, even though the failure to consider families and people in prison misses critical areas for intervention. These areas for intervention are described in the context of current research, highlighting findings related to contact and programming during and after incarceration aimed at improving families and relationships within them.

Chapter two, “Always Having Hope”: What We (Didn’t) Know about Fatherhood and incarceration, finds that family functioning and support during incarceration are essential for parenting after release. Fathers also reported that parenting after release was important for providing structure and hopes in their lives at a time where other aspects of their lives are tumultuous at best. The chapter concludes with important implications for policy and programming, particularly programming in prison and the community, which take into account risk and protective factors of both the individual and the family.

The following two chapters discuss the realities of partnering for families with a father transitioning to the community. The third chapter, “I do, but I Don’t, Know Where We Are”: Couple Relationships during Incarceration and Reentry, expands upon prior literature by examining how reentry influences relationships and how couples experience this transition. The findings demonstrate that relationships tend to deteriorate during incarceration, and problems during incarceration tend to extend into the reentry period as well. Chapter four, “None of the Above”: Partner Violence and the Limitations of Research, reveals that histories of physical and emotional abuse are common among partners of justice-involved men. Altogether, the findings emphasize a call for increased access to domestic violence services and programming for families and encourage researchers to consider the constraints to disclosing these experiences.

The remainder of the book focuses on outcomes and next steps. The fifth chapter, “Change Ain’t Going to Happen Overnight”: Operationalizing Reentry Success, presents a multidimensional approach to success after release from prison. While men in the sample largely avoided returning to prison, they encountered difficulties in other domains of life, such as employment or positive partnering relationships. Chapter six, “A Breakthrough Type of Thing”: Measuring the Impact of Family Strengthening Program during Incarceration and Reentry, finds that the couples-based strength training program demonstrated positive treatment effects in one of four sites. Despite the lack of widespread positive findings, the examination highlights the need to consider the implementation context of the program when providing services to families within and outside of prison. The book closes with chapter seven, *On the Horizon: The Social Science of Incarceration and Family Life*, which emphasizes the need for expanding supports and improving relationships within families. Further, the chapter highlights the need for novel and holistic data collection techniques to understand the complexities of fatherhood and family life in the face of prison and reentry as best as we can.

*Holding On*  is an important contribution to the literature on the intersection of incarceration and family life. The authors were able to provide a detailed, holistic picture of fatherhood and partnering during incarceration and reentry. Speaking to policy, each chapter of the book contains tangible recommendations for services, interventions, and supports that can improve the lives of justice-involved families. Further, the detailed information about *The Multi-site Family Study on Incarceration, Parenting, and Partnering* provided in the book allows other researchers to replicate or expand upon the findings presented to continue to advance the literature on fatherhood and family life. McKay and colleagues (2019) conclude their book by asking, “[w]hat could we achieve if the resources now devoted to the competing tasks of punishment and protection were focused, instead, on the singular goal of lifting up the most vulnerable among us?” (p.139).

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**Book Review:****Jennifer E. Cobbina, *Hands Up, Don't Shoot*****New York University Press, 2019; 235 pages****ISBN: 9781479874415****Reviewed by: Joshua R. Ruffin, Old Dominion University, USA**

Issues surrounding police use of excessive force continue to be a longstanding debate in the field of Criminal Justice. In the timely boots-on-the-ground work, *Hands Up, Don't Shoot*, Jennifer Cobbina amplifies the voices of Ferguson and Baltimore protestors by conducting in-depth interviews with residents as it relates to their everyday experience with the police. In *Hands Up, Don't Shoot*, Cobbina takes an “and” instead of an “or” approach in understanding the experiences often faced by residents of different intersecting identities in these communities. Further, Cobbina provides readers the opportunity to learn of the racialized experiences of these groups of protestors by including open-ended responses, which gives a detailed view of protest efforts and illustrations that aid the reader in imagining the events that had taken place during protest efforts in Ferguson and Baltimore. In the introduction, Cobbina recaps the events that led to the shooting of eighteen-year-old Michel Brown. Most notably, Cobbina reminds readers that after twelve shots fired, Brown was hit six times, with two shots to the head. This disturbing, but relevant description sets the tone for the remainder of the book as it pertains to the unique experiences often faced at the intersection of race, place, and policing. Throughout the text, Cobbina reminds readers of the racialized history of the United States and critiques how the U.S. has become the “U.S. of Amnesia” in its seeming efforts to undermine the role the racialized police history of the United States plays in current-day policing. The following sections discuss each chapter and show how the historical processes addressed by Cobbina in *Hands Up, Don't Shoot*, are linked to the contemporary race-based police practices, which often result in severe consequences, including legal cynicism and, most importantly, the loss of life.

Chapter one, Race and Policing, focuses closely on the concept of dangerousness and, historically, how the use of race has been instrumental in intensifying the relationship between Blacks and policing, particularly by this notion that Blackness is a link to criminal propensity. The chapter divides into two sections allowing readers to take a step back in time, starting with the 17<sup>th</sup> century, to review the racial legacies in which the police force was formed. The chapter then goes into contemporary, allowing readers to notice how although new forms have emerged, the goal of maintaining the racial status quo by utilizing formal and informal methods of social control remains the same. Later in the chapter, there is a focus on race and place and how this interconnection has been used as an “intensified opportunity” to target members of certain communities’ disproportionality. Referring to neighborhoods most likely to be heavily policed as “economically distressed,” the chapter explains how concentrated disadvantage due to racial isolation often contributes to these injustices. In the examination of social constructs, such as race, gender, and age, this chapter introduces the various ways in which Black male youths are viewed as suspicious. Further, it shows how some things that appear to be a common error by the police force are held most harshly against civilians. Data are presented that show that

disproportionately exists in the number of stops (pretextual and investigatory) and arrest, particularly with Black people, which has remained stagnant over time. Also, the chapter mentions the use of stop-and-frisk as another method to gain social control. Due to the intense surveillance, this has caused many residents of these neighborhoods to foster feelings of distrust and cynicism toward police and criminal justice system.

Chapter two, *Guilty Until Proven Innocent*, takes a look into the everyday life of Black community members and the various ways in which they live their lives under the suspicion of the police. Using data collected from citizens across races from Ferguson and Baltimore, the data reflected that a majority of residents recounted negative interactions with the police, mostly Black residents. The data presented in this chapter debunks the myths that suggest a reason to believe that Officers have a good reason for the disproportionality that exists in traffic stops. Using traffic stop data from Ferguson, it was revealed that Blacks had a greater likelihood of being stopped and arrested. While there is an abundance of criminological research that supports this, the data presented in this chapter also indicated that Whites were more likely to be carriers of contraband. Further, it is revealed that children are not immune to this treatment. In its discussion on the widespread use of stop and frisk, through respondent accounts, we are introduced to police subjectivity in deciding what constitutes reasonable suspicion. This notion of police having supreme authority that is never to be questioned was presented through the several first-hand accounts of residents. This message was echoed by the number of nonindictments that resulted from the killings of African Americans. Being inclusive in her analysis, Cobbina spoke to the invisibility of women cases, as well as the holistic hyper-surveillance of these minoritized communities. Shows how this type of police behavior has become a norm in these communities. So much to the point where positive experiences with recalled with the police were also rooted in discrimination.

Chapter three, *It's a Blue Thing*, shifts attention by focusing on race and Black police officers and the role that race plays in police diversification and in shaping Ferguson and Baltimore residents' perceptions of the police. This chapter dispels the myth that simply adding more Black officers is the solution to arbitrary police behavior towards Black and Brown people. From chapter three, it is suggested that Black officers may be more aggressive than their White counterparts, although the outcomes from interactions may differ. It is at this point in the text, Cobbina introduces the term occupational socialization, as a possible explanation as to why this is the case. In explaining the occupational identity often undertaken by Black officers to elicit respect from colleagues, Cobbina speaks to how Black police officers, like many other minority groups in the workforce, feel the need to prove belonging and loyalty. This sense of belonging, according to the text, may come in the form of Black police officers conforming to the standards set in police culture. When officers fail to conform to this culture, they could likely face negative outcomes, such as the loss of employment and even fatal results.

Chapter four, *We Stand United*, is dedicated to informing readers on the reasons why Ferguson and Baltimore's protestors marched. Mentioning details of two high-profile cases, Michael Brown and Freddie Gray, this chapter provides details on protestor accounts for these events. As well, it gives clarity to the cause of the emergence of social movements and protests,

such as political institutions failing to address the concerns of groups with concerns. In efforts to come together to take collective action, the chapter shares four reasons why individuals come together to protest: victims of injustice, not isolated events, desire to affect change, and moral duty to get involved. Participants feeling like they were victims of injustice is what initiated the need to protest as participants felt that the treatment towards them was unjustified with a perceived lack of remorse and acknowledgment of wrongdoing of police. This chapter brings to the forefront the question, is the police force above the law? The chapter then goes into a discussion regarding grassroots organizing and how the desire to affect change was a central factor in protestors' decision to protest. The chapter makes known that many of these instances do not receive media attention and underestimated data due to police agencies not being required to submit data on police shootings.

In mentioning the increasing use of technology in the U.S. and its importance in mobilization, this chapter illustrates how activism and organizing have taken place through social media platforms in efforts to avoid inaccurate media accounts of events. Cobbina does this by connecting the events that occurred shortly after the police shooting of Michael Browns. In routing her point back to the very title of the book, *Hands Up, Don't Shoot*, Cobbina explains how media played a pivotal role in social movements. Most notably, she mentions how the media was important in starting the movement that resulted from Michael Brown being shot while his hands were up. In looking into the importance of protest movements, Cobbina does, however, address the issues around "Slacktivism" where people protest efforts are exclusive to online involvement with limited boots on the ground. The chapter takes a turn also to show how mainstream media outlets play a role in how protest efforts are perceived mostly by displaying riots and violent acts of protest negating to give media coverage to the peaceful demonstrations, which were more dominant among protesters.

Chapter four, *I Will Be Out Here Every Day Strong*, informs readers of the risks associated with protesting, which include protesters' emotions, motivation, and identity being tested when confronted with repressive police tactics. In mentioning how the police force has become increasingly militarized, this chapter speaks to the disparities that exist among Blacks and Hispanics when compared to Whites. As well, Cobbina introduces three types of protestors—Revolutionary, Intermediate, and Tourist. This adds a unique contribution to the literature by recognizing the heterogeneity in protestors. In addressing repressive tactics used by the police, the author includes examples used to control protesters, such as acts of intimidation through surveillance, perceived hostility, verbal assault, and arrests. Further, violent repressive tactics are implemented thorough tear gas and rubber bullets, gun threats, and the use of physical force. An interesting mention was the difference in responses among protesters where Baltimore protesters had more favorable impressions than Ferguson protesters. Cobbina mentions that the "soft approach taken by the Baltimore Police Department was more favorable to respondents. However, this approach eventually became militarized as it was not designed for mass demonstrations.

In chapter six, *Public Disorder*, Cobbina introduces the Flashpoints Model of Public Disorder created by David Waddington and colleagues as a general framework analysis. Overall,

this chapter offers a new conceptual framework to examine large-scale disorders. Making the primary argument that the situations of unrest that occurred in Baltimore and Ferguson cannot be analyzed through a single-factor lens, Cobbina examines these events from a multivariate framework, which includes structural, political/ideological, cultural, contextual, situational, interactional, and institutional/organizational. This model is then used by the author to analyze the events that had taken n Ferguson and Baltimore, illustrating the flashpoints of each event.

In presenting key arguments critical to understanding the protests that had taken place in Baltimore and Ferguson and why they matter, Cobbina's *Hands Up, Don't Shoot* challenges us to consider the perspectives of protesters and residents most susceptible to police violence. This work also unpacks the resistance strategies used to fight oppression. Overall, it adds a significant contribution to the policing, social movements, and victimization literature. The arguments in this work were grounded in theory. They offered explanations to address the current discourse regarding the Black Lives Matter movement and how the very point of this movement was to show that all lives matter. However, it appeared that some were disproportionately valued. In addition, not only did this work speak to the everyday lived experience of protesters and residents and their perceptions of policing, but attention was given to addressing the later consequences that negatively impact communities who stand situated at the intersection of race, place, and policing.

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