Roundtable on the Future of Justice Policy
Examining Criminalization, Punitive Excess and the Courts in the United States:
Implications for Justice Policy and Practice

Co-hosted by Merritt College and the Justice Lab at Columbia University

THE
SQUARE ONE
PROJECT

REIMAGINE JUSTICE

Formerly Incarcerated Women and Identity Change
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There is a growing presence in California of peer groups for formerly incarcerated students such as Project Rebound in the CSU system and Underground Scholars in the UCs. I will look at how these peer groups may aid in cognitive transformation, a term used to refer to the process of redefining a previously held negative or stigmatizing identity, such as a criminal identity (Stone 2016). This developmental process includes identity replacement and the reframing of past criminal behavior (Giordano et al 2002; Stone 2016). Peer support groups for formerly incarcerated students may be especially influential in the process of identity change by offering students the chance to incorporate their previous identities, rather than replacing them outright, reframing them as a part of their repaired identities that inform how they can become successful leaders, mentors, and students both among their peers and in their lives in general (Halkovic and Greene 2015; Halkovic et al 2013; Sturm, Skolnick and Wu 2010).

Identity theory, rooted in symbolic interaction, is a way of understanding the self as a set of multiple identities held by an individual that are created and maintained based upon social interactions (Ascencio and Burke 2011). During incarceration, inmates are indoctrinated with the ideology that they are "criminal" and "bad." These labels become internalized as a criminal identity because there is no ability for the incarcerated person to demonstrate the behavior necessary to disprove the label (Ascencio and Burke 2011). Higher education is one way that formerly incarcerated people are able to disprove a State-imposed criminal identity upon release. Most studies focus specifically on criminal desistance, a process deeply intertwined with cognitive transformation, as a measure of successful reentry, and many note the role of higher education in facilitating this outcome. Recidivism rates are consistently much lower among the previously incarcerated who participate in higher education upon release than those who do not (Halkovic 2014; Halkovic and Greene 2015; Halkovic et al 2013). From the perspective of formerly incarcerated interviewees, identity change and overcoming stigma are identified as key to successful reentry (Arditti and Parkman 2011; Lebel 2007; Paat, et al 2017). This is a somewhat different focus than is prevalent in criminological literature, looking instead at personal healing as a pathway to prosocial behavior as opposed prescriptive pathways to criminal desistance.

Most studies about post-incarceration reentry focus on men, but paths to and from crime are gendered, so this research omits important revelations about women's incarceration and reentry (Sampson and Laub 1993; Brown and Bloom 2017). Since most studies of identity change among the previously and currently incarcerated focus on desistance, and most studies of post-incarceration and reentry focus on men, I will be focusing my research on women's experiences, and how peer support groups for formerly incarcerated students in higher education may assist in repairing their identities. My research question is: *In what ways do peer groups of formerly incarcerated students in higher education impact the experiences and identity of members who are women?*

The Formation of a Criminal Identity

In identity theory, the "reflected appraisal" (someone's perception of how others view them) is compared with the "master identity" (the dominant social identity) in a continual process of identity formation (Alarid and Vega 2010; Asencio and Burke 2011). Identity theory, born out of symbolic interactionism, sheds light on how changes in self-perception, or identity, can occur so swiftly in total institutions like jail or prison where selves are formed and maintained under particularly limited social interaction with authority figures that reinforce the view that inmates are criminal (Alarid and Vega 2010; Asencio and Burke 2011; Goffman 1961). If the "master identity" is not previously criminal, it can quickly change to a criminal identity in jail or prison where labels or reflected appraisals may become internalized because incarcerated people have little ability to demonstrate behavior that would counteract the imposed label of criminal, a necessary process to protect the initial "master identity" (Alarid and Vega 2010; Asencio and Burke 2011). Identity protection and verification through interaction with chosen peers and defense of the "master identity" is impossible in jail or prison, so incarcerated people are more vulnerable to having the criminal label influence their identity (Alarid and Vega 2010; Asencio and Burke 2011).

Time is an important factor in predicting the level at which the criminal identity will be internalized. Women who are incarcerated younger, more often and for longer periods of time are more likely to view themselves as criminal (Alarid and Vega 2010, Arditti and Parkman 2011; Asencio and Burke 2011). The acceptance of reflected appraisals that form a criminal identity during incarceration is not a process that is commonly found in identity formation. Generally, people lower in power may be influenced by reflected appraisals (Asencio and Burke 2011), but the extreme power differential found between the state and the incarcerated may explain how the criminal identity becomes the "master identity" more quickly than usual. Reflected appraisals become internalized as part of the identity only when someone lacks the power to deny them, or the resources to adequately rebut them (Alarid and Vega 2010; Asencio and Burke 2011). This power differential, coupled with the legal criminal identity imposed by the State after release (the criminal background), may help to explain why Emily Asencio and Peter Burke (2011) found that the internalized criminal identity had strong persistence over time.

The State serves as a powerful authority figure whose perception of anyone with a criminal record is permanently defined therein. This textual proxy (the criminal record) has no room for rebuttal and defines people exclusively in terms of their criminal activity. (Arditti and Parkman 2011; Ispa-Landa and Loeffler 2016; Myrnick 2013; Paat, et al 2017). Formerly incarcerated interviewees struggled with the shame of being permanently reduced to their criminal charges (Arditti and Parkman 2011; Paat, et al 2017). This difficulty is magnified by the prevalence of textual errors and discord among varying accounts of their criminal history stored in different state agencies. When attempting to access their records, it is common for people to find multiple versions at different locations within the criminal justice system. Some versions contain blatant errors which subjects have no way to correct (Ispa-Landa and Loeffler, 2016; Myrnick, 2013). Even when the errors have no bearing on loss of rights, people are still upset by the textual misrepresentation of self, the state-imposed criminal identity, which is given legal authority over their own personal account of their history (Myrnick, 2013). Misleading terminology or inaccurate information have no way to be erased (Ispa-Landa and Loeffler, 2016; Myrick, 2013). Even after expungement, the State still identifies people by their criminal history. Any alterations or input is impossible, as even expungement will not seal the record from the state (Ispa-Landa and Loeffler, 2016; Myrick, 2013).

The expansion of criminal background checks has been widely studied in criminology as a collateral consequence of incarceration that makes obtaining employment, public assistance and housing extremely difficult (Arditti and Parkman 2011; Ispa-Landa and Loeffler 2016; Myrnick 2013; Paat, et al 2017). Having a job and a place to live are not only requirements for successful reentry, they are requirements of probation or parole which, if unmet, can send people back to jail or prison (Arditti and Parkman 2011; Ispa-Landa, and Loeffler, 2016,

Myrnick, 2013; Paat, et al 2017). In addition, housing and employment are key to establishing a healthy adult identity and sense of self. The inability to achieve these milestones of adulthood creates a state-imposed adolescence, further stigmatizing formerly incarcerated people and riddling them with self-doubt (Arditti and Parkman 2011; Ford and Schroeder 2011).

Cognitive Transformation, Criminal Desistance, Education and the Focus on Men

Criminal desistance often takes the forefront in measurements of post-incarceration success as a singularly measurable outcome, but it is the result of a developmental process underscored by cognitive transformation (Giordano et al 2002; Stone 2016). This cognitive transformation has four parts: 1. an openness to change, or change in attitude, 2. an exposure to "hooks for change" such as marriage or employment that can "hook" someone onto a different life path, 3. the ability to envision a conventional "replacement self" that can take the place of the criminal identity left behind, and 4. a transformation of the perception of criminal behavior (one that no longer views criminal activity as seductive) (Giordino et al 2002). Some scholars argue that the criminal identity must be replaced because any associated experiences and habits have no value for a pro-social lifestyle (Giordino et al 2002, Opsal 2012). However, new studies that focus on the strengths of formerly incarcerated students in higher education suggest that the formerly incarcerated have valuable lessons to glean from their criminal identities (Halkovic and Greene 2015; Halkovic et al 2013; Sturm, Skolnick and Wu 2010). Formerly incarcerated students may have insight that allows them to challenge existing beliefs, demonstrate compassionate for the stigmatized, and open doors for other formerly incarcerated students who can model their transformative path. These students demonstrate a drive to make up for lost time and succeed against the odds, and valuable lessons from their past identities set them up to be successful leaders, mentors and academics (Halkovic and Greene 2015; Halkovic et al 2013; Sturm, Skolnick and Wu 2010).

There are several ways that formerly incarcerated people try to negotiate the internalization of a state-imposed criminal identity. One is to give back to the community, something many interviewees consider crucial to reclaiming a positive identity (Alarid and Vega 2010; Arditti and Parkman 2011; Paat, et al 2017). Interpersonal relationships also contribute greatly to a positive sense of self, especially among women. Social ties are seen as crucial to identity repair and successful reentry (Alarid and Vega 2010; Copenhaver, et al 2007; Stone 2015). Community, relationships and education all aid in the reframing of personal narratives in a positive way (Alarid and Vega 2010; Lebel 2007; Stone 2015). Education was more strongly correlated than incarceration to constructing a self-concept. Formerly incarcerated people who already had an education were able to overcome the negative feelings that come with a criminal record more easily than those who did not (Alarid and Vega 2010; Lebel 2007).

Formerly incarcerated people engaged in higher education post-release have lower rates of recidivism and more successful community reintegration (Ford and Schroeder 2011; Halkovic 2014; Lebel 2007; Walters 2017). Sampson and Laub (1993) popularized life-course theory and the importance of turning points like marriage and employment in criminal desistance. Further research has been done indicating that higher education can serve as a significant turning point from criminal activity to desistance during adult years (Ford and Schroeder 2011; Walters 2017). Sampson and Laub looked at how marriage and employment create new avenues of social support, supervision, involvement with positive activities, and positive identity formation. New studies demonstrate that higher education can also provide those benefits (Walters 2017). According to Walters, higher education is more significantly associated with criminal desistance than marriage or employment (Walters 2017).

A foundational study on desistance notes that women's experiences of pathways to crime and desistance are gendered (Giordano et al. 2002), which suggests that their process of identity change will likely be gendered as well. One way this is evidenced is by taking a critical look at how marriage and employment, two "turning points" in life course theory used to explain criminal desistance, are different for women. These life events have proven beneficial for men but may be less positive for women because of their greater difficulty finding prosocial relationships and good employment (Bloom and Brown 2017). The prevalence of abuse among formerly incarcerated women is one of the most significant ways in which their pathways to crime differ from men, occurring four times as often for women (Bureau of Justice 1999). Additionally, social roles within the gender hierarchy, often compounded by the intersectional effects of race and ethnicity, contribute to the different ways that women internalize and mediate their experiences (Brown and Bloom 2018; Chesney-Lind and Sheldon 2004).

Expanding on the traditional framing of turning points (marriage and employment) to include experiences like college helps to understand how they can be useful in further studies that include women. Turning points (defined by Ford as a process rather than a distinctive accomplishment) increase cognitive control by forming positive new social bonds and thinking processes and establishing routine activities (Ford and Schroeder 2011; Walters 2017). College as a post-incarceration turning point does all of that and often leads to quality employment as well as the accumulation of social and cultural capital, which better equip students for financial and personal success (Ford and Schroeder 2011). These stabilizing factors contribute to the reduction in recidivism among the formerly incarcerated who obtain higher education either during incarceration or once released (Halkovic 2014). College can provide a "healthy space" for formerly incarcerated students to create new patterns of behavior, ways of thinking, and skill sets that will serve their new lifestyle (Ford and Schroeder 2011; Halkovic 2014; Walters 2017).

The Harms of Concealed Stigma

Stigma is a devalued status (such as "formerly incarcerated") that separates certain people from the mainstream based upon socially determined negative judgements (Alexander and Link 2003; LeBel 2008; Martin and Pescosolido 2015; Olafsdottir et. al. 2008). It often leads to discrimination based upon the negative stereotypes associated with the stigma (Cook et al 2017; Alexander and Link 2003; LeBel 2008; Martin and Pescosolido 2015; Olafsdottir et. al. 2008). In the case of higher education, stigma toward the formerly incarcerated is institutionalized in practices like "checking the box" where prospective students must mark a box indicating whether or not they have a criminal background, a potentially disqualifying factor (Halkovic et al 2013; Halkovic and Greene 2015; Sturm et al 2014). Institutionalizing stigma does nothing to protect students; colleges that restrict admission based upon criminal history do not have crime rates that are any lower than campuses that do not screen (Greene and Halkovic 2015; Halkovic et al 2013; Weissman et al 2010). In truth, the vast majority of crimes on college campuses are committed by students with no documented criminal history (Campbell et al 2013; Greene and Halkovic 2015; Halkovic et al 2013; Weissman et al 2010).

Research has shown that disclosure of concealable stigmas, such as a criminal history, is important for psychological well-being (Cook et al 2017; LeBel 2008; Quinn 2017). Concealment alters the social identity by diminishing self-esteem and placing limits on self-expression for those who hide their stigma (Copenhaver et al 2003; Campbell et al 2013; Greene and Halkovic 2015). This hampers the ability of the formerly incarcerated to benefit authentically from their college experience and stifles their ability to counter stereotypes. The benign behavior of students who do not disclose their previous incarceration is mistakenly attributed to the false perception that they do not have a criminal history (Campbell et al 2013; Copenhaver et al 2003; Halkovic et al 2013; Halkovic and Greene 2015). Formerly incarcerated interviewees have spoken about encountering authority figures (faculty and administrators) who treat them as if they continue to present a risk to the rest of the student

body, telling them their presence would not be allowed in certain gatherings, clubs and activities (Halkovic et al 2013; Sturm et al 2010). Educational environments that welcome formerly incarcerated students by providing clubs and resources for them surely do the work necessary to dismantle unfounded stigma, allowing students to feel more comfortable revealing their status. Research suggests that social advocacy-related activities geared toward reducing public stigma toward the formerly incarcerated may be an effective way for those who experience this stigma to deflect stereotype, denouncing the negative views associated with their social status (LeBel 2008, Pasek et al 2017).

Peer Support, Mentoring, and Wounded Healers

Peers who have endured similar struggles and trauma have unique insights to offer each other, especially those who have successfully navigated obstacles that others will likely face. A "wounded healer" is someone who can share their experience, strength and hope with similarly situated people in a process that uplifts the person being assisted and redeems the individual assisting (Lebel 2007; Lebel, Richie and Maruna 2015). Formerly incarcerated students fit this role well, and benefit from sharing the knowledge and skills gained from self-reflexivity and overcoming obstacles related to their own criminal justice involvement (Halkovic 2014; Halkovic and Greene 2015; Halkovic et al 2013; Lebel 2007; Lebel Richie and Maruna 2015). Using a four-point scale to identify wounded healers (1. use of personal experience, 2. modeling good behavior, 3. acting as a mentor, 4. interest in helping others), Lebel (2007) measured the effectiveness of this role in fostering prosocial attitudes, criminal desistance, and psychological well-being for both the healer and the person they aimed to help. He found that the wounded healer role was positively correlated with all of these outcomes among the formerly incarcerated (Lebel 2007; Lebel, Richie and Maruna 2015).

Wounded healers also serve as role-models, or mentors for those less advanced in the process of reentry or higher education after criminal convictions (Halkovic 2014; Halkovic and Greene 2015; Halkovic et al 2013; Lebel 2007; Lebel Richie and Maruna 2015). Mark Brown and Stuart Ross (2010) look at mentoring the formerly incarcerated at The Women's Mentoring Program, a group where women from "the mainstream community" mentor women being released from prison. They found that formerly incarcerated participants seemed uncomfortable with the power imbalance they felt in relationship with mentors unencumbered by a criminal history. While power imbalances are implicit in mentorship relationships, they create a particularly uncomfortable situation for women recently released from prison, where they were uniquely disempowered (Brown and Ross 2010). The largest benefit to the women in this study was the accrual of social capital in these new relationships. Having a mentor dedicated to their mentee and willing to provide positive social support as well as practical support like character references for court, housing, and employment opportunities was the largest benefit to the mentees (Brown and Ross, 2010). When formerly incarcerated people mentor each other, the benefits are magnified for both parties due to a shared understanding and equality of status (Halkovic 2014; Halkovic and Greene 2015; Halkovic et al 2013; Lebel 2007; Lebel, Richie and Maruna 2015).

One criminological study has looked at the relationship between these peer support groups in higher education and criminal desistance. While Lindsey Runell's (2015) study did not find a strong correlation between these types of peer groups and criminal desistance, she found that this was mainly because criminal desistance had already begun when the students enrolled in college, before they joined these groups. Lindsey Runell's (2015) study about formerly incarcerated college students in a peer support group took a criminological approach looking mostly at how the group contributed to participants' criminal desistance. The change that interviewees reported from participation in the program was more of inspiration, change, and the ability to overcome the stigma they felt from their criminal history than the beginning of a process of criminal desistance (Runnell, 2015). While Runnell

(2015) concluded that these benefits did not contribute to criminal desistance, it is important to note that these shifts in thinking and identity are integral to cognitive transformation (Giordano 2002; Stone 2016). Criminal desistance is increasingly understood to be a developmental process underscored by cognitive transformation rather than a singular outcome (Giordano et al 2002; Stone 2016). My research will take this perspective and focus on the ways in which this cognitive transformation contributes to creating a healthy identity for the formerly incarcerated.

Peer advising and mentoring among stigmatized groups appears to be a success largely because these students/peers are able to understand the hardships they have in common and are committed to helping each other overcome them (Kees, et al, 2017; Lebel 2007). Students in Peer Advisors for Veteran Education (PAVE), a student support group for veterans, share many of the hardships formerly incarcerated students face: identity reformation, stigmatization, economic uncertainty, and post-traumatic stress (Kees, et al, 2017; Runell, 2015). Veteran and formerly incarcerated student peer groups provided participants with acceptance and support as well as access to social and academic networks (Kees, et al, 2017; Runell, 2015). The study about the PAVE program highlights the importance of this support system to protect participants against stressors of college life unique to stigmatized students, and how peer support can create a protective community where students can seek help and gain a sense of belonging to the campus at large. Unlike Runell's study about peer support and criminal desistance, the PAVE report looks at how the benefits of peer support can assist with overall identity change, academic success, and stigma reduction for participants (Kees, et al, 2017; Runell, 2015). Another study recommended that formerly incarcerated people participate in peer support groups to rebuild self-esteem in a safe and supportive environment (Copenhaver, et al 2007).

Methods

My target population is formerly incarcerated women who are members of peer groups in higher education for formerly incarcerated students. To access this population, I have drawn upon my "insider status" as a member of Rising Scholars, a peer group for formerly incarcerated students at California State University, Long Beach (CSULB). As a formerly incarcerated student myself, I have an understanding and empathy for my peers who have been through the criminal justice system that implicitly creates an environment of non-judgement and familiarity during interviews. I conducted in person, semi-structured, in-depth interviews to gather data. Each interview lasted about 1-1.5 hours, maintaining the understanding that they can stop or refuse to answer any question at any time. I will speak to a minimum of 10 subjects. At this point, I have conducted five interviews to obtain preliminary results and intend to complete a minimum of five more before my research is completed this spring.

There are obvious limitations to having a study sample of only 10-15 participants. My results will not be generalizable to the larger study population. Also, my familiarity and insider status with the subject means that there is the possibility of bias in how I ask questions and evaluate data. I have to be sensitive to this fact and be sure not to make any assumptions or overlook any relevant questions that might be necessary for the general public to understand context, terms, and processes familiar to those who have been previously incarcerated. I am asking about sensitive information and must be sure to protect the safety and security of my respondents by ensuring that they are comfortable and not disturbed by what we are discussing. Confidentiality is extremely important for my study, as disclosure of a criminal history has a high possibility of negatively affecting someone's life. In the informed consent form each respondent fills out, I detail how their confidentiality will be maintained. Once I get this form, the respondents are assigned a pseudonym which is how their data is identified. Their personal information is stored in an encrypted file on my computer, which will remain locked with a secure password.

Preliminary Findings

I have completed five interviews, and while I hesitate to draw any conclusions from such limited data, there are certain themes that I have begun to notice at this point in time. There are three preliminary themes that I would like to talk about from the interviews conducted thus far.

The first is the gendered way in which women's pathways to crime differ from men's. While high incidences of trauma are common among both women and men who are incarcerated, the kinds of trauma that the women in my study described were uniquely gendered. Four out of five of the women interviewed had been raped at least once, and several had been molested as children. Two of the women reported witnessing their mothers being beaten up and hospitalized as children, and one of them spoke specifically about the fact that the police would come to the house when that happened and leave, saying there was nothing they could do. While witnessing domestic violence itself is not an experience unique to any gender, the message that young girls learn from these experiences is. They learn that abusing women is acceptable, and this sets them up to be more vulnerable to abusive relationships in their adult life (UNICEF 2006). Each woman I interviewed experienced domestic violence, and many of them cited toxic relationships with men as an introductory pathway into criminal behavior, either through introduction to drug use or other "criminal" activity.

The second theme I have noted so far is twofold. The women discussed having two notable transformational experiences: when they discovered that there were groups on their campuses for formerly incarcerated people, and when they "came out" about their incarceration history to the wider campus with the support of their groups. Each of the women began their educational experiences post-incarceration at junior colleges, and most of them spoke about feeling disconnected from the campus and students there. None of them found groups for formerly incarcerated students on their junior college campuses. It was only after transferring to four-year institutions that they found their respective peer groups for formerly incarcerated students, and each of them spoke to the positive shift that happened when they found (or created, in the case of one of the women) these groups. One interviewee spoke about her group as that final "missing piece" that made her feel like she belonged in higher education. Each woman was encouraged by their group to share their story of incarceration with the larger campus and community with positive results. This was seen as an important part of letting go of their shame about their past and repairing an identity that often felt fragmented because they had previously felt the need to hide that aspect of their selves (their incarceration) at school and in the community.

Said one woman, "I felt pride instead of being ashamed (about my history). I was now proud of what I was able to overcome. It was definitely a shift for me." Said another, "It's really important to be able to talk about your past 'cause you know you're not there anymore. You know you're not going to go back there."

Another important part of membership in their groups was the connection to a community that understood their unique hardships. Participants spoke about finding community not only within their groups on campus, but with the larger network of formerly incarcerated students in higher education that their groups connected them to through participation in conferences, events, and other established networks.

Said one woman, "I think talking with other people who have had similar experiences is like the number one tool in my toolkit."

The third theme I will discuss is the profound way that these women's future plans were shaped by their experiences within their peer groups and in community with other formerly incarcerated people, students and

allies. I was struck by the depth of the impact that participants described when they recalled meeting or just hearing about other people with incarceration histories getting graduate degrees and holding professional positions.

Said one woman, "Oh yeah, he has a felony and a Ph.D.? So that's kind of like all I needed to know it is possible."

Each woman was inspired to pursue her education farther than initially anticipated after these encounters that were largely facilitated by participation in their groups. Each woman was pursuing or planning to pursue a graduate degree. Several also talked about the opportunities for internships, research and community service they obtained via their group memberships and resultant networks. In sharp contrast to her experience at junior college where one counselor had asked her "what's a felony?," one woman spoke about how her group provided the tools necessary to flesh out a competitive graduate school application. "If I didn't have (my group) I would have found one internship and been happy, 'cause it would have been hard enough to get that one. Now I can hardly fit all my experience on my CV."

The one area of contention I have found thus far with the literature is the importance the women place on owning their "criminal" histories, citing "coming out" and speaking about their experiences as a necessary part of shedding the shame and stigma of their past. It appears that this is a crucial part of the cognitive transformation process. The literature cites that identity replacement, where problematic identities like a "criminal" identity and the associated experiences are replaced by new identities, is important for identity change (Giordino et al 2002, Opsal 2012). Considering how transformative and life-affirming the experience of "owning" their criminal histories was for the women I interviewed, I would argue that "identity replacement" is an outdated notion that should probably be eliminated as a part of the cognitive transformation process. The practice of incorporating the criminal identity as an important part of their past that provides information and insight into their selves and the obstacles they have overcome was helpful for the women I interviewed to let go of shame and help others facing similar obstacles. From the interviews I have conducted thus far, it appears that criminal identity incorporation was helpful and life-affirming as participants' progressed in their educational aspirations.

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