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Recidivism in the State of California

California State University, Monterey Bay

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SBS 402

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Senior Capstone

Introduction

The field of law enforcement has always captivated me and is an area where I would eventually like to pursue a career in. Hence understanding certain aspects of how the judicial system works are of importance to me. Year after year, countless individuals commit minor crimes such as misdemeanors. The fact that these crimes are being done is not what I find mind-boggling. What I find to be a bit confusing is that, for the most part, people who have previously committed misdemeanors and petty crimes are the same ones who commit the same crimes time and time again. I want to understand better why these offenders repeat the same crimes and hopefully come up with better solutions that the judicial system can be improved.

I have used scholarly articles for my academic research. As I stated above, my career goal is within the law enforcement field hence this is a subject of interest. Having a better understanding of this issue will also be beneficiary because I will have a better perception of how the mind of criminal works and what their motives are. No one has the same upbringing- a circumstance that can affect one's decisions. I want to know what are some of the key factors that influence or trigger people to make certain decisions which lead them into prison. How they deal with and react to consequences is another aspect I'm interested in covering within this paper.

Literature Review

Dugan, L., LaFree, G., & Piquero, A. (2005). Testing a rational choice model of airline hijackings. *Criminology*, 43(4), 1031-1065.

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Using data that combines information from the Federal Aviation Administration, the RAND Corporation and a newly developed database of global terrorist activity, we can examine trends in 1,101 attempted aerial hijackings that occurred around the world from 1931 to 2003. With this information, they have especially completed information for 828 hijackings that took place before 1986. Using a rational choice theoretical framework, and the use of continuous-time survival analysis to estimate the impact of several significant counter hijacking interventions on the hazard of differently motivated hijacking attempts and logistic regression analysis to model the predictors of successful hijackings. Some of these interventions use certainty-based strategies of target hardening to reduce the perceived likelihood of success. Others focus on raising the perceived costs of hijacking by increasing the severity of punishment. I have also assessed in which strategies were most effective in deterring hijackers whose major purpose was related to terrorism. We found support for the conclusion that new hijacking attempts were less likely to be undertaken when the certainty of apprehension was increased through metal detectors and law enforcement at passenger checkpoints. We also found that fewer hijackers attempted to divert airliners to Cuba once that country made it a crime to hijack flights. The results support the contagion view that hijacking rates significantly increase after a series of hijackings closely clustered in time but only when these attempts were successful. Finally, what was found was that the policy interventions examined here significantly decreased the likelihood of non-terrorist but not that of terrorist hijackings.

Hakim, S., & Shachmurove, Y. (1996). Spatial and temporal patterns of commercial burglaries: The evidence examined. *American Journal of Economics and Sociology*, 55(4), 443-456.

The factors that are crucial in predicting burglary of commercial establishments are evaluated. Burglars are rational in their choice of target, in that they consider both the revenue

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generated by the robbery and the chances of being apprehended. Location of the target plays a significant role; establishments located within three blocks of heavily traveled thoroughfares are less vulnerable to burglary than those located further away. The wealthier the community, the higher the probability of burglary of its commercial establishments. Retail establishments and businesses which are located in office parks are most vulnerable to theft. Establishments which have been in business less than one year are more likely to be burgled; the longer a store is in business, the less likely it is to become a victim of burglary. Burglar alarms are the most effective deterrent available to commercial establishments, followed by the installation of exterior and interior lights. In general, the probability of burglary of non-alarmed properties is 4.57 times higher than of similarly alarmed property. The study is based on a detailed survey of commercial establishments in three suburban communities of Philadelphia. These communities vary in their locational, physical and socio-economic characteristics and represent many rural localities throughout the United States.

Hayward, K. (2007). Situational crime prevention and its discontents: Rational choice theory versus the 'culture of now.' *Social Policy & Administration*, 41(3), 232-250.

The rational choice theory of crime and its related field of study, situational crime prevention, have exerted a considerable influence on criminal justice policy and criminology. This article argues that, while undeniably useful as a means of reducing property or acquisitive crime, rational choice-inspired situational crime prevention initiatives are limited when it comes to offering protection against a growing number of so-called 'expressive crimes.' Developing this critique, the article will criticize the sociologically hollow narrative associated with rational choice theories of crime by drawing on recent research in social theory and consumer studies. It argues that the growing tendency among many young individuals to engage in certain forms of

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criminal decision-making 'strategies' may simply be the by-product of a series of subjectivities and emotions that reflect the material values and cultural logic associated with late modern consumerism.

Matsueda, R., Kreager, D., & Huizinga, D. (2006). Deterring delinquents: A rational choice model of theft and violence. *American Sociological Review*, 71(1), 95-122.

This article examines criminal behavior from a rational choice perspective, the set of behavioral principles underlying our legal institution. The authors use a personal utility approach and specify experiential learning models of the formation of risk perceptions and rational choice models of theft and violence. They estimate the models using panel data on high-risk youth from the Denver Youth Survey. Using random effects Tobit models of perceived risk and negative binomial models of counts of criminal acts, the authors find support for a rational choice model. Perceived risk follows a Bayesian updating model in which current risk perceptions are a function of prior risk perceptions plus new information based on experience with crime and arrest and observations of peers. Theft and violence are a function of the perceived risk of detention, subjective psychic rewards (including excitement and social status), and perceived opportunities.

Pedneault, A., Beauregard, E., Harris, D., & Knight, R. (2015). Rationally Irrational: The case of sexual burglary. *Sexual Abuse: A Journal of Research and Treatment*, 27(4), 376.

The present study investigated rationality in sexually motivated burglaries. Specifically, we analyzed the situational cues identified by sexual burglars in their target selection. The research project investigated 224 individual incidents of residential burglary with apparent sexual motivations. Situational characteristics of the events were recorded and analyzed using

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forward sequential regressions. Results indicated that most sexually motivated burglaries occurred in occupied residences with deficient physical guardianship when the victim was alone. Violence, theft, penetration, and fetishism were found to be committed in circumstances that increased the benefits and lowered the risks. Results showed that sexual burglary is rational in nature-sexual burglars chose residences that were easy to Many decisions within the criminal justice system are. We found little support for the premise that such opportunities arose while carrying out regular burglaries. Instead, the data indicated that sexual burglars acted opportunistically on situational cues that are markedly dissimilar to those of regular thieves.

Seipel, C., & Eifler, S. (2010). Opportunities, rational choice, and self-control: On the interaction of person and situation in a general theory of crime. *Crime & Delinquency*, 56(2), 167-197.

In this article, the deviant action is analyzed by ideas derived from Gottfredson and Hirschi's self-control theory. Presumably, self-control in interaction with opportunities can explain the deviant action. This assumption is elaborated using the concept of high- and low-cost situations from rational choice theory. From this point of view, the hypotheses are that self-control predicts deviant action in inexpensive cases, whereas utility predicts deviant action in high-cost situations. Two test strategies are employed in an empirical examination of these hypotheses. A standardized questionnaire was presented to a sample of 494 German adults aged 18 to 80. The results of both test strategies show that the assumptions of an interaction effect between self-control and opportunities are fundamentally supported. There are many ways one can control themselves. Sometimes it is one's upbringing or a traumatic even that happened, that can effect a decision in which one makes that leads them to a criminal record. It only takes one bad experience for one to make a bad choice, wherein they land incarcerated.

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Themes

One of the topics that I have selected is the characteristics of inmates. I chose this one because I think there should be facts on prisoners and traits that coincide with other inmates.

Approximately 40% of released prisoners do not have a high school diploma or GED. 56% grew up in a single-parent household. Children of a detainee are 5x more likely to experience incarceration. 1-9 had lived in a foster home before the age of 18. Other coincidences that inmates share among each other is the respect they gain while incarcerated is not matched in the outside world. Other factors that contributed to one's criminal record is their upbringing. A high number of inmates were fatherless growing up or had a father in prison during their childhood.

The second theme I will mention are the services for released inmates. Either that or the types of parole there is. I am pretty sure I will go with either or but lastly I will choose actions of released inmates for my last theme. Sometimes it is not always the prisoner, but the people that they surround themselves with that ends up for them turning into a bad situation. Christian groups and fellowships provide hope and shelter for released inmates. Other ways or provided shelter are half-way houses and or group homes. Services for inmates starts or can start for an inmate during their time incarcerated. This means that they can achieve that while doing time. There is a 17% of prisoners with an 8th-grade education or less. Released inmates become homeless and or cannot get stable employment. Vocational rehabilitation is another program that inmates can take part in. In California, there is a vocational welding program. Education is another way of rehab for inmates. The Female Offender Programs and Services, provide a safe and secure housing for female offenders. Some of the opportunities provided include, vocational, academic programs, substance abuse treatment, self-help programs, pre-release guidance and Career Technical Education. The Custody to Community Transitional Reentry Program provides

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a range of services that can help with alcohol and drug recovery. The CCTRP can also assist with employment, education, housing, family reunification and social support. The more education and vocational training can have; they are less likely for them to come back to prison.

There are plenty of obstacles that a former prisoner encounters when looking for work. A 2002 Urban Institute study found that employers were less willing to hire former felons than they were any other disadvantaged group (Thompson). Being on welfare does not always suffice when trying to keep or obtain steady work. One thing that employers cannot do is discriminate against anyone looking for a job. The law does provide some protection but then again formerly incarcerated will have an impact once and if one does conduct a background check on a future employee. For most released inmates, the feeling of hopelessness, despair, and isolation from mainstream society. Other factors that lead to not qualify for a job is the lack of skills, and not having transportation. An array of licensing barriers includes; parolees not being able to work in real estate, nursing and or physical therapy. All of those are involved in this state of California. Last but not least the lack of jobs for potential employees with limited skills and the failure of prisons to prepare inmates for jobs continue to be relocated to countries with a cheaper pool of labor than the United States.

Tewksbury, Richard A., and Dean A. Dabney. *Prisons and Jails: A Reader*. New York, NY: McGraw-Hill, 2009. Print. Pages 1-565. 565 pages.

This book is very informational. It has readings, interviews, and essays about jails and prisons. The job description of correctional officers and wardens. It also discusses legal issues in corrections, the moral understanding of corrections and the philosophical opinions. Various perspectives of goals for the warden and the actions and strategies of correctional officers. This

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book talks about the mentally ill, and all sorts of inmates: the first-timers, short-term and long-term prisoners. There is a chapter on inmate misconduct and another on correctional staff. A short reading on professors was teaching in prison. Health care issues are mentioned in the book, and those are in readings. Death row is part of the book and so is corrections in the community; mean programs and such. What I enjoyed reading was chapter 26 on Juveniles. Juveniles in adult prisons their problems and prospects. Many juveniles in adult settings hinder but can also mature their way of thinking quite quickly. The opposite for older prisoners in the following chapter talks about challenges for them. Reading 27 mentions America's aging prison population and what we know about that so far. Last but not least the final chapter is on the future directions in corrections. More material that was in this book was humanizing death row inmates. The death row community and how death row inmates are different from other inmates. One way the prison system does humanize death row inmates is by satisfying their last meal needs. What I mean is if they are going to be executed they get to choose a final meal of their choice before they die. For my capstone I will be mainly talking about is recidivism. Prisons and Jails has a chapter on a woman and another reading of a study of a lady who is pregnant and incarcerated. This section is vital to my capstone. The chapter is problems faced with pregnant inmates in state prisons and talks about how they get treated. Many other factors this book mentions like managing and responding to misconduct and prison crime. Correctional officers and the use of physical coercion as a device of prisoner control and of course correctional staff.

This book is another excellent glimpse for someone who wants a better description about prisons and jails. Sentencing in the 21st century is something I forgot to mention. Challenges are always going to be a part of while in jail or prison. The stress of officers and workers inside as well. Inmates that retaliate is something that I would always be on guard off. This book was an

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excellent read and will defiantly try to read it again sometime. I think taking a tour of a prison would have a better understanding of what it is like in a state or federal prison. I can see the good in being a correctional officer. There is an importance of rehabilitating inmates and putting them back in society.

Herivel, Tara, and Paul Wright. *Prison Nation: The Warehousing of America's Poor*. New York: Routledge, 2003. Print. 1-332 pages. Pages 332 pages.

This book is all about prisons. One entire chapter was on the private prison industry. It mentioned the juvenile system and how it has bailed out private jails. The book talks about rape, racism, and repression. One of my favorite parts of the book is "Make it hard for them," pages 269-271. It was a hunger strike by the Immigration and Naturalization Service. A man named Nabil Soliman did a hunger strike. He said it wasn't right to force feed anyone in which jail officials were doing. This hunger strike was against the INS. More about the book is that it talks about suicide. Woman prisoners are also in the book and how health issues have gotten dismissed. At the Washington Corrections Center for Women's, the health care system went from shameful to adequate (page 174). Lastly, I want to mention is that were only eight mental health care professionals that served a population of 730 women. There was an investigation for a lacking of health and staff officials. There were long lines outdoors for prisoners waiting for their medication. The author Paul Wright has been reporting on incarcerated criminal outcasts (the majority of whom are mentally ill) for over twenty years. What this book also talks about is the cost of corporate crime and how that connects to street crime. The book is divided into seven sections which cover several essential points. One section talks about the connection between prisons and the new racism. The second essay argues that housing juvenile offenders create money for corrections. This is old news but at least there is an entire section explaining it in more

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detail. The fifth essay shows how drug policies are used as a means of social control. Another article talks about victim rights. One part of the articles talks about the mentally ill and how inmates are being killed by the restraint chair. This book mentions human rights and how America should be ashamed of how many people we have incarcerated. There are 2.3 million people on any given day that are imprisoned in the United States. That is the highest incarceration rate in the world (Wagner).

I think once someone is in prison they should get health care but for a certain amount of years. It is unfair for someone who works and puts back into society to not have any health care and in contrary, someone who commits murder does. Not an entire sentence of course and certainly nothing that cost over 100,000 dollars. That is our tax payer's money. What I liked about the book was that it mentioned costs and it had plenty of numbers. It indicates that long-term prisoners are sent far from home because it is cheaper. That makes sense they should be far from population anyway. The book also has plenty of essays and other readings. I think I can find some useful statistics for my capstone with this book.

Feldmann, Taylor. Factors to Juvenile Recidivism in a Predominately Hispanic Population: A Dissertation Pages 1-106.

This dissertation is a little over 100 pages and was very insightful. In this, I read about juveniles that were mostly Hispanic. This thesis identified adolescents that showed or indicated high risk and were re-offenders. Many teenagers have contributing factors to why they do the things they do. Throughout the dissertation, it talks about juvenile delinquency, the prevalence of psychiatric illness in juveniles and the juvenile justice system process. As said before many factors that lead for a teenager to commit a crime is because of something that has or had happen to them. Some characteristics include alcohol and drug use, being angry and irritable.

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Depression, anxiety, suicidal ideation and traumatic experiences also contribute to adolescent predicting acts of recidivism. Youths that scored high on the alcohol/drug use were consistently correlated with high recidivism rates (page 61).

This dissertation will be helpful in the long run for me. I really like the statistics that it had. It had percentages, charts, and other demographics. I like how this also talks about the predictions of adolescents just by knowing a little about their personal history and other contributing factors. This helps understand more about youth and characteristics about them. On page 59 there is a table that shows the Logistic Regression Analysis of Re-offense as a function of MAYSI-2 Subscale Scores. Some of the variables include offense information and intervals for the ratios. Some of the variables include female, alternative school, Hispanic and juvenile age.

Theory

The theory I chose is rational choice theory. Rational choice theory, also known as choice theory or rational action theory, is a framework for understanding and often formally social modeling and economic behavior. The theorist that I used is Pierre Bourdieu. There are many decisions within the criminal justice system that are based in which the likelihood of an offender will return to crime. It all depends on one's characteristics such as prior criminal history, job status and even frequently moving residences plays a factor. This theory is individuals who make choices under the influences of their preferences. People will do will base their behavior on rational calculations and act rationality when they are making a choice. In instances, they make a decision that is optimizing their pleasure or profit. Some offenders are violent, and some are. Other offenders suffer from a disorder whether it can be may be drug related, alcohol or even a mental disorder.

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There is a model that I found which is called A Rational Choice Model of Theft and Violence. This theory can be assumed by the type of neighborhood one is living in. There is a model that shows that if a crime rate and mobility are high, they so will the perceived risk of arrest for violence and theft. An individual's age, sex, race, family structure, impulsivity all play a role in the same learning model. The last part of the model is peers that are most likely delinquent, other offenses, and experienced certainty. All these are prone to see if an individual is at perceived risk or baseline risk.

Methodology

There were a couple of steps in which I found my findings. The first was to set up an appointment with a librarian. I also did a JSTOR research and found about 400 or so articles. I used words like, recidivism, California, incarceration and words alike. I kept the search within the last twenty years. I made sure they were scholarly articles as well too. After that I kept about 200 of them and then split them in half. I skimmed through them and then only kept about the top 40 that I thought were useful.

I am showing the critical analysis and evaluation of repeating individuals who repeat recidivism. The upbringing of individuals definitely plays a role in which a released inmate continues to return to prison.

Conclusion:

I suppose the aspects that I looked for, were that recidivism will continue. I concluded that released inmates have a lack of support from family members which I found out to be true.

The particular types of crimes that I looked for were mainly petty crimes and misdemeanors. Minor crimes like, theft, robbery and assaults. I found that minorities and young

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woman that were mostly incarcerated were from 15-25 years old. Other results I can include are people who only had one parent or an abusive parent, have a high recidivism effect also. People can violate their parole and get sent back to jail so I would like to know all of those things. I also found that woman with no place to live either or are homeless and or live in shelters. Every year 636,000 people walk of prison gate, but people go to jail over 11 million times a year. 1 in 5 incarcerated people is locked up for a drug offense.

I did not intend on using any specialized software; I just want to write an extended literature review in which I have done.

Most single mothers or fatherless inmates are what led them to choose bad decisions. I found that mental illness can also be a factor of recidivism. Recidivism is something that is probably going to continue to happen in the next several years. Prisoners with children have a fragile relationship. The risk of recidivism for an ex-inmate is related to his or her ability to maintain healthy relationships. These relationships include with his or her spouse, children, parents all while being incarcerated.

Other findings that I found out where the lack of support inmates get from the outside walls of a prison. This is to include the ex-inmate themselves not trusting others and or not finding the right support system. Recidivism can be reduced but not everyone is lucky to be rehabilitated in time.

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