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The Stain of a Criminal Label: Post-Release Stigmatization and its Effects on Reintegration and Recidivism Among Ex-Offenders

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Introduction

A primary goal of the Criminal Justice System is to protect the community from high-risk offenders (Freiburger and Iannacchione 2011). One method of achieving such protection is the incapacitation of offenders through incarceration. However, research has shown that removing offenders from the community can have negative consequences when reintegration is later attempted (Abrah 2018; Agboola 2017; Moore, Stuewig, and Tangney 2016; Moore, Stuewig, and Tangney 2013; Moran 2012; Mingus and Burchfield 2012; Chiricos, Barrick, and Bales 2007). As a result, concern for public safety has led to an increased focus on the reintegration of ex-offenders back into the community, as well as an emphasis on preventative strategies to reduce rates of recidivism (Griffiths, Dandurand, and Murdoch 2007). Prior research examining reintegration and recidivism indicates that negative labelling and stigmatization play a prominent role in offender recidivism (Grunwald 2010; Kubrin and Stewart 2006). Specifically, previous studies have shown that the stigmatic labelling of ex-offenders interferes with their successful reintegration back into the community following release (Moore et al. 2016; Moore et al. 2013; Moran 2012; Harding 2003; Tittle, Bratton, and Gertz 2003).

The purpose of the present study is to examine the ways in which public stigmatization affects recidivism rates among ex-offenders. In addition, the effects of gender, age, race/ethnicity, and class will be analyzed in relation to public stigmatization and recidivism rates. This paper will argue that feelings of stigmatization post release lead to an increase in deviant behaviours and increase the likelihood of recidivism among ex-offenders.

Literature Review

Reintegration

Reintegration is typically defined as the assistance and support that offenders receive during their re-entry into the community (Griffiths et al. 2007). Successful reintegration helps ex-offenders develop a commitment to society (Tittle et al. 2003), find suitable housing, employment and/or educational opportunities, access social and health services (John Howard Society of Ontario 2016), and become law abiding citizens (Griffiths et al. 2007). The successful reintegration of ex-offenders is one of the central factors involved in reducing recidivism, and thus enhancing community safety (John Howard Society of Ontario 2016).

Moran (2012) suggests that reintegration is that which allows former prisoners to function as upstanding members of the community rather than re-offending and returning to prison. Reintegration, therefore, is seen as a long-term goal of the Criminal Justice System. However, research shows that successful reintegration is often difficult to achieve due to the stigma that ex-offenders face when they are released back into the community (Abrah 2018; Agboola 2017; Moore, Stuewig, and Tangney 2016; Moore, Stuewig, and Tangney 2013; Moran 2012; Mingus and Burchfield 2012; Chiricos, Barrick, and Bales 2007).

Recidivism

Recidivism is defined as the return of an offender to correctional supervision on a new conviction within two years of completing probation, parole, a conditional sentence, or a jail sentence (Ministry of the Solicitor General 2019). Knowledge of recidivism rates of ex-offenders is important because it can be used as an indicator of the ability of the Criminal Justice System to reintegrate offenders successfully into the community (Bonta, Rugge, and Dauvergne 2003).

Several studies have examined the effects of environmental and social factors on recidivism. Specifically, it has been found that individuals who return to disadvantaged neighbourhoods lacking adequate resources tend to exhibit higher rates of recidivism (Grunwald 2010; Kubrin and Stewart 2006). In contrast, ex-offenders who maintain positive social relationships tend to avoid stigma and are thus less likely to recidivate (Berg and Huebner 2011). Overall, researchers examining recidivism among ex-offenders have argued that positive social relationships are a source of social control that connect offenders to society and therefore decrease desires to recidivate (Berg and Heubner 2011), where as negative social relationships characterized by shame and stigma tend to increase the likelihood of recidivism among ex-offenders (Grunwald 2010; Kubrin and Stewart 2006).

Stigma

Prior research has focused on the ways in which offenders are negatively impacted by stigmatization when they are reintroduced into the community (Moore and Tangney 2017; Moran 2012; Moore et al. 2016; Mingus and Burchfield 2012). Additionally, some studies have examined the ways in which stigmatization increases deviant behaviour in ex-offenders (Abrah 2018; Mingus and Burchfield 2012; Moore, Stuewig, and Tangney 2012; Bernburg, Krohn, and Rivera 2006). Researchers have applied these findings to predict higher rates of recidivism in ex-offenders who experience stigmatization (Agboola 2017; Moore et al. 2016; Murphy and Harris 2007). Several studies have illustrated that the stigmatization of ex-offenders negatively impacts their successful reintegration back into the community (Moore et al. 2016; Moore et al. 2013; Moran 2012; Harding 2003; Tittle et al. 2003). These studies have shown that stigmatic labelling and shaming cause social withdrawal and exclusion which in turn, increases the likelihood of involvement in deviant peer groups (Moore et al. 2016; Harding 2003). These deviant peer

groups encourage criminal behaviour which leads to higher rates of recidivism (Moore et al. 2016; Moore et al. 2013; Moran 2012; Murphy and Harris 2007; Harding 2003; Tittle et al. 2003).

Bernburg et al. (2006) examined the effects of stigmatic labelling on recidivism. The researchers argued that the stigma of a criminal label increases the likelihood that an individual will become involved with deviant peer groups (Bernbrug et al. 2006). Such groups represent a source of social support in which criminal behaviour is accepted and encouraged (Bernbrug et al. 2006; Tittle et al. 2003). Moreover, these deviant groups provide social shelter from those who stigmatize the criminal label (Bernburg et al. 2006). As a result, stigmatized individuals are likely to seek membership in deviant groups as a source of social acceptance (Bernburg et al. 2006). Bernburg et al. (2006) concluded that the stigmatic labels that ex-offenders are exposed to after release lead to increased participation in deviant groups, mainly through exclusion from prosocial groups. They suggest that involvement in these deviant peer groups encourage deviant behaviour and increase the likelihood of recidivism among ex-offenders (Bernburg et al. 2006).

Labelling Theory

Labelling Theory posits that the labelling of ex-offenders by the community tends to perpetuate criminal behaviour (Becker 1963). It was suggested by Becker (1963) that the labelling process may increase deviant behaviour in labelled individuals by reducing access to prosocial groups and activities. Once a person is labelled as deviant by the community, opportunities for conforming behaviours tend to decrease and only opportunities for deviant activities remain (Becker 1963). For example, the labelled individual, excluded from conventional social groups, is increasingly likely to seek membership in deviant groups (Bernburg et al. 2006). These unconventional groups provide social support and encourage

deviant behaviour such as drug use, property offenses, and robbery (Bernburg et al. 2006). In summary, labelling theory suggests that society's negative response to ex-offenders contributes to an increased rate of re-offending by reducing prosocial resources available to labelled offenders.

Labelling theory provides a strong basis for explaining the effects of stigmatization on recidivism. There is a body of evidence that uses labelling theory to explain the ways in which the stigmatization of ex-offenders contributes to high recidivism rates. Bernburg et al. (2006) found that having a criminal label increased the probability that individuals would become involved in deviant social groups. They concluded that deviant groups often provided shelter from the negative reactions of others that classified the individuals as deviant (Bernburg et al. 2006). Similarly, Mingus and Burchfield (2012) used labelling theory to explain why ex-offenders struggle with reintegration. As labelling theory suggests, those with a stigmatizing label often find it easier to adhere to that label rather than try to overcome it (Mingus and Burchfield 2012). As a result, individuals are more likely to engage in criminal behaviour and re-offend. Additionally, Abrah (2018) found that labelling by friends, families, and neighbours increased the likelihood that ex-offenders would recidivate. As the bond between the labelled individual and society deteriorates, it becomes increasingly more likely that the individual will become involved in deviant activities and with deviant peers (Abrah 2018). As a result, reoffending becomes more appealing.

Discussion: The Effects of Gender, Age, Race/Ethnicity, and Class

The effects of stigmatization on recidivism varies according to a number of social factors including gender, age, race/ethnicity, and class. In general, it has been found that offenders experience stigmatization when they return to the community (Moore and Tangney 2017; Moran

2012; Moore et al. 2016; Mingus and Burchfield 2012). However, the extent of stigmatization

that offenders experience may vary depending on gender, age, race/ethnicity, and class. The

ways in which ex-offenders respond to the stigmatization they experience may also be affected

by these social factors.

Gender

Several studies have examined the gendered experiences of ex-offenders after release.

Agboola (2017) found that women face greater challenges after release including greater rates of

unemployment and higher rates of family instability. Agboola (2017) suggests that the inequality

that already exists between men and women in both the workforce and the family, is exacerbated

by the label of "offender", which creates a pathway into recidivism. Similarly, Estrada and

Nilsson (2012) concluded that female offenders are more stigmatized than men because they

break both the law, as well as the social norms associated with their role as women. Further,

Brown (2006) specifies that the patriarchal oppression that women face contributes to their

stigmatization and allocation into deviant social groups. As a result, Brown (2006) suggests that

women face greater challenges than men when released back into the community.

Richie (2001) argues that women face unique challenges upon re-entry into the

community. Specifically, women face a number of gender specific factors (e.g., child care,

intimate partner violence, and sexual harassment) that interfere with successful reintegration

(Richie 2001). Attention to these gender specific factors, Richie (2001) argues, is key to helping

women offenders complete treatment and reintegrate successfully. For example, many female

offenders struggle to rebuild and maintain relationships with their children after they are released

from prison (Richie 2001). These women face both emotional distress and stigmatization as a

result of their inability to succeed in their role as a mother, which can manifest as repeat criminal behaviour and a return to correctional supervision (Richie 2001).

Age

There is limited research that has examined the relationship between stigmatization and recidivism with respect to age. However, the literature that does exist seems to converge around the idea that the earlier Criminal Justice contact occurs in the life course, the more damaging it tends to be to the individual (Emmert 2019; Abrah 2018; Kroska, Lee, and Carr 2017; Melkman et al. 2015; Kerley and Copes 2004). Emmert (2019) examined the relationship between age of incarceration and employment outcomes after release. It was determined that incarceration at a younger age leads to cumulative disadvantage due to the interruption of key life transitions (Emmert 2019). Additionally, ex-offenders with earlier experiences of incarceration displayed longer periods of unemployment (Emmert 2019). As a result, ex-offenders who were younger at the time of their first offence tended to be at a higher risk for recidivism due to financial instability and disadvantage (Emmert 2019).

Similarly, Bernburg et al. (2006) found that there is a crucial period in early and middle adolescence in which stigmatization and labelling are most important in the continuation of criminal behaviour. This finding was supported by Abrah (2018) and Kroska et al. (2017) who concluded that a criminal label has the greatest impact on those transitioning into adulthood. Delinquent labels change youths' opportunities which limits the typical paths to success in adulthood (Kroska et al. 2017). As a result, youth who are released from prison and are assigned a deviant label tend to experience more disadvantage and, in turn, display a higher risk of recidivism (Abrah 2018; Kroska et al. 2017).

Race/Ethnicity

Research examining the relationship between race, stigmatization, and recidivism has focused largely on the outcomes for Black and White individuals. Moore et al. (2013) found that Whites and other majority groups are generally more negatively impacted by stigma than minority groups. They suggest that being labelled an offender is redundant for Blacks because they already manage racial stigma and expect to experience stigmatization as a result of their label as a criminal as well as their label as a minority (Moore et al. 2013). The researchers suggest that this leads Blacks to be less impacted by stigmatization than Whites. Chiricos et al. (2007) corroborate these findings by concluding that Whites are more effected by stigmatization and criminal labelling than are Blacks.

Pager (2003) conducted a study that investigated the consequences of incarceration on employment opportunities for both Black and White offenders. The study found that not only did a criminal record reduce the likelihood of a callback, but that this effect was larger for Blacks than for Whites (Pager 2003). Specifically, Whites with a criminal record received more favourable treatment than Blacks without a criminal record (Pager 2003). Overall, the study concluded that ex-offenders are only one-third to half as likely as non-offenders to be considered by employers (Pager 2003). In contrast to Moore et al. (2013) and Chiricos et al. (2007), this study argues that Black ex-offenders face more stigmatization when released back into the community than Whites. However, both Black and White ex-offenders face barriers to employment that interfere with their successful reintegration back into the community.

Class

There has been little attention directed toward how the effects of labelling and stigmatization on recidivism differ with respect to social class. Kubrin and Stewart (2006) investigated the effects of neighbourhood socioeconomic status on recidivism. They found that former offenders who return to less affluent neighbourhoods tend to exhibit higher rates of recidivism than those who return to wealthy neighbourhoods (Kubrin and Stewart 2006). In a similar study, Grunwald et al. (2010) found that juvenile drug offenders were more likely to re-offend if they were returning to less affluent neighbourhoods. The main explanation for these findings was that less affluent neighbourhoods are generally characterized by poverty, deviant peers, and greater opportunity for crime, all providing increased opportunity for re-offending (Grunwald et al. 2010; Kubrin and Stewart 2006).

Conclusion and Recommendations

The goal of the present study was to examine the effects of public stigmatization on recidivism rates among ex-offenders. The research conducted lends support to the notion that the stigmatization of ex-offenders negatively impacts their successful reintegration back into the community following release (Moore and Tangney 2017; Moran 2012; Moore et al. 2016; Mingus and Burchfield 2012). In line with the existing literature, this paper suggests that offenders who are stigmatized in the community following release engage in more deviant behaviours and higher rates of recidivism.

This article demonstrates how labelling theory can explain recidivism and the consequences of public stigmatization following release. Specifically, labelling theory suggests that the negative responses of the community toward ex-offenders contributes to increased

recidivism by reducing social support, resources, and opportunities available to ex-offenders (Bernburg et al. 2006; Becker 1963).

Furthermore, the relationship between stigmatization and recidivism is impacted by a number of factors including gender, age, race/ethnicity, and class. Some groups, such as women, minority groups, young offenders, and those from working class backgrounds tend to be more negatively affected by stigmatization. The present study demonstrates that women and Black offenders experience greater levels of stigmatization due to the double discrimination they face as being stigmatized for their criminal label as well as their label of woman (Agboola 2017; Nilsson 2012; Brown 2006; Richie 2001) or minority (Moore et al. 2013; Chiricos 2007; Pager 2003). The present study also revealed that young offenders are more greatly impacted by stigmatic labels because of the disruption it causes in the transition into adulthood (Emmert 2019; Abrah 2018; Kroska, Lee, and Carr 2017; Melkman et al. 2015; Bernburg et al. 2006; Kerley and Copes 2004). Finally, it was shown that individuals returning to less affluent neighbourhoods experience greater opportunities for recidivism and, as a result, are more likely to recidivate in response to stigmatization (Grunwald et al. 2010; Kubrin and Stewart 2006).

To combat such outcomes, social programs should be prioritized to help offenders cope with the stigmatization they face in the community. For instance, the promotion of social integration programs, community integration programs, parenting skills programs, and others can help ex-offenders build self-esteem, positive habits, and community ties that can help them to establish themselves as functioning members of society. Moreover, peer support groups, residential resources, and recreational opportunities should be a part of the reintegration plan to help ex-offenders adjust to community living, build healthy social relationships, and combat some of the negative aspects of post-release stigmatization.

Furthermore, public education programs should be offered to members of the public to ensure offenders are being successfully welcomed back into the community. For instance, information sessions and classes focusing on the importance of reintegration and the effects of stigmatization can help the public form more realistic and positive opinions about the reintegration process. Unique programs dedicated towards specific groups in society (i.e., women, Blacks, young offenders, and those from working class backgrounds) should also be made available to help inform the public about the unique struggles these populations experience. Finally, community-based sanctions (e.g., community-based corrections, community service, probation, etc.) should be used whenever appropriate to avoid the stigmatization of offenders that is associated with incarceration.

Future Directions

Future research should consider examining other factors that may be related to stigmatization and recidivism. For example, future studies could analyze the role of the family in offender reintegration. Specifically, how does the relationship between offender and family contribute to or combat the effects of stigmatization? Do positive family ties reduce the likelihood of recidivism? Future studies may also examine how the length of incarceration and the nature of offence may impact the extent of stigmatization experienced. Do individuals who have been incarcerated for longer periods experience greater amounts of stigmatic labelling? Lastly, future research may investigate whether the same effects of stigmatization are experienced by individuals who serve community-based sanctions as opposed to incarceration. Do these individuals face less stigmatization? Are those who serve community-based sanctions more or less likely to recidivate? These suggestions for future research may assist in further program development aimed at the successful reintegration of ex-offenders.

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