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Advancing Social Equity: Examining the Impact of Gender, Place, and Race on Criminal Justice Administration in Alabama

Regina Moorer – Alabama State University

This article explores how the intersections of gender, place, and race impact the socially equitable application of criminal justice administration in Alabama. Specifically, most re-entry programs fail to address the varied and unique post-carceral needs of Black women. As such, this work examines the obstacles and opportunities for non-profit re-entry program administrators who seek to uphold the civil and human rights of Black women and highlights best practices in providing meaningful re-entry and reintegration services to women from historically under-resourced communities. Using social equity's theoretical principles in criminal justice, this article spotlights Alabama's re-entry programs and explores what occurs at the juncture of social equity, community-based criminal justice administration, and recidivism; this article also illustrates the interconnectedness of these three concepts.

Keywords: Criminal Justice, Intersectionality, Recidivism, Re-Entry, Social Equity

> *"But in public administration I insist that we engage with the problem of inequality, that we dirty our hands with inequality, that we be outraged, passionate, and determined. In short, I insist that we actually apply social equity in public administration" (Frederickson, 2010, p. 80).*

When the carceral system releases ex-offenders from prison, they enter an environment that is difficult to navigate and deliberately discourages them from re-entering society as productive members. According to James (2014), within three years of release, 67.8% of ex-offenders recidivate and are rearrested, and within five years, 76.6% have recidivated. With more than 2 million individuals incarcerated in the United States, recidivism not only negatively impacts inmates and their families, but society is also adversely affected as taxpayers continue to fund a broken system that sets ex-offenders up for failure once they are released (Duwe, 2012). The consequential impacts of engagement with the carceral state, though, are disparately felt across society. The intersection of gender, place, and race determines whether an ex-offender will access the resources necessary for successful re-entry upon release. Over the past three decades, the increase in mass incarceration in the United States has disproportionately impacted historically marginalized communities in general but the Black community especially. Beginning with the first contact with law enforcement, to

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adjudication outcomes, to rehabilitation and re-entry, significant racial, gender, and spatial disparities are evident at every level in the criminal justice system (Alexander, 2012; Doerner & Demuth, 2010; Mauer, 2011; Rocque, 2011; Rodriguez, 2010).

There are 1.2 million women under the supervision of the criminal justice system. However, most of the extant literature has mainly focused on the impact of imprisonment on men. Research shows that incarcerated women are like men in terms of race and age, but they are different regarding the offenses for which they are doing time, and they tend to have more medical issues (Maruschak, 2008; Snell, 1994). The participation of women in the criminal justice system has changed dramatically during the last 30 years. This shift is due, in part, to increased law enforcement efforts, stricter drug sentencing legislation, and post-conviction reintegration hurdles that disproportionately impact women (Sentencing Project, 2020). Between 1980 and 2019, the overall number of women in prison grew by more than 700%, from 26,378 in 1980 to 222,455 in 2019 (Sentencing Project, 2020). Roughly 60% of women in state prisons have a child under the age of 18. Approximately 65% of women in state prisons have a minor child, and 64% of them lived with their children at the time of admission (Glaze & Maruschak, 2009). Unlike incarcerated men, most incarcerated women are single mothers who are female-headed householders with young children (Equal Justice Initiative, 2020). Thus, it is essential to analyze the direct impact of re-entry and reintegration on the socioeconomic status of women to the extent that recidivism increases marginalization.

Ex-offender re-entry has received considerable scholarly interest across several disciplines, including political science, criminology, and sociology. This research highlights the difficulties individuals encounter when trying to reintegrate into society. Less attention, though, has been given to the organizational aspects of re-entry. Considering the increasing number of nonprofit community-based re-entry organizations in the United States, more research examining the successes and challenges of ex-offender re-entry initiatives is needed. The purpose of this work is to discuss how nonprofit, community-based re-entry programs impact the employment outcomes, family reunification, and physical and mental health of Black female ex-offenders. This paper aims to highlight best practices in providing meaningful re-entry and reintegration services to women from historically under-resourced communities. The theoretical framework of social equity is used to highlight how community-based nonprofits can improve program delivery models to address the post-carceral needs of Black women adequately. In addition, this paper contributes to further understanding of the benefits of applying social equity tenets to criminal justice administration, particularly by acknowledging and centering the intersectional needs of Black women.

Re-Entry, Reintegration, and Recidivism

More people are leaving jails across the country to return to their families and local communities than at any other point in our history (Bureau of Justice Statistics, 2005). Approximately 93% of prisoners will at some point return to their communities (Bureau of Justice Statistics, 2002). More than 650,000 ex-offenders are released from prison every year (Harrison & Beck, 2005), and statistics show that around two-thirds of them will recidivate and be rearrested within three years (Alper et al., 2018). The high recidivism rate reflects the massive increase in the United States' prison population over the last 30 years. The release of ex-offenders poses a range of issues for the communities to which they return. These communities are frequently marginalized and disenfranchised with limited access to social supports and networks.

Not only are more prisoners returning home than ever before, but they are also returning less prepared for life after incarceration. Many will have difficulty managing the most fundamental ingredients for successful reintegration—reconnecting with jobs, housing, and their families and accessing needed substance abuse and health care treatment. Most will be rearrested

within three years (Alper et al., 2018). One of the most common reasons for recidivism is that ex-offenders have difficulty reintegrating into society because some employers are unwilling to hire former inmates (Holzer et al., 2003). Though there are varied definitions of recidivism, there are three common elements to these definitions: 1) a starting event, such as a release from prison or probation placement; 2) a measure of failure, such as a subsequent arrest or conviction; and 3) a recidivism window that begins with the start date of the starting event (Alper et al., 2018).

When ex-offenders cannot secure stable employment, the other necessities of life like food and housing become challenging to obtain, and the recidivism window opens. Prior research has indicated that when ex-offenders have access to re-entry options, their odds of reoffending are lowered significantly. For example, according to Nally et al. (2014), those who could find work after being released were less likely to recidivate. Research shows that the sooner ex-offenders find jobs, the less likely they are to recidivate. There is a 20% reduction in recidivism among non-violent offenders who can secure employment (Bellotti et al., 2018).

Re-entry is a broad term that refers to the processes involved in preparing a prisoner to exit a carceral facility and reintegrate into society. Re-entry programs can be correctional-based, community-based, or both (Duwe, 2012; Seiter & Kadela, 2003). Re-entry programs should focus on transitioning from prison to the community (Bouffard & Bergeron, 2007). The structure of these programs can vary in terms of complexity. While the programs tend to vary based on location and capacity, most target one of the following priorities: education, employment, family reunification, housing, or substance abuse. Some re-entry programs focus on one of these aspects, while other programs target multiple needs. Re-entry program coordinators design the interventions so that reintegration is a gradual process (Petersilia, 2003). As such, the re-entry process should occur in phases; firstly, within the prison walls, then into the community, and finally, reintegration where independence is encouraged (Day et al., 2011; Taxman et al., 2004). When re-entry programs are successful, the ex-offender and broader society reap the benefits with improved public safety and the long-term reintegration of the ex-offender (Carter et al., 2007). In addition, successful reintegration outcomes include increased participation in societal institutions such as the workforce, families, communities, schools, and religious institutions (Green, 2019).

Re-entry programs' impact on ex-offender reintegration has sparked a growing level of activity among national, state, and local policymakers, researchers, and practitioners. The cycle of incarceration and re-entry into society carries the potential for profound adverse consequences for prisoners, their families, and communities. However, just as the potential costs are significant, so too are the opportunities for interventions that could enhance the communities' public safety, health, and cohesion at the center of this cycle. Therefore, it is essential to understand how Black women readjust to life outside of the prison gates.

Intersectionality

The extant literature suggests that the legal community has overlooked the intersectionality of race and gender, and the criminal justice system literature reflects the same impasse. There is a dearth of literature that centers on Black women. Kimberlé Crenshaw (1989) coined the term intersectionality to describe Black women's exclusion from white feminist discourse and antiracist discourse. Intersectionality is a theoretical framework that contends that various social identifiers intersect to reflect multiple interlocking systems of privilege and oppression (Crenshaw, 1989). An intersectional framework posits that since Black women navigate life within the intersecting hierarchies of race, gender, and class, they possess a unique perspective on the social world (Crenshaw, 1989). Intersectionality is crucial to any social equity work. Public administrators must consider how the differences in experience among people with different overlapping identities impact how they engage with public and social programs. For

criminal justice administration and re-entry program design, social equity involves recognizing that disparities exist within every aspect of the criminal justice system. An intersectional social equity lens acknowledges that program implementation should not recreate the same barriers that placed ex-offenders on the path to incarceration.

Social Equity Theory in Public Administration

According to the National Academy of Public Administration (NAPA), social equity encompasses the "fair, just and equitable management of all institutions serving the public directly or by contract, and the fair and equitable distribution of public services and the implementation of public policy and the commitment to promote fairness, justice, and equity in the formation of public policy" (Johnson & Svara, 2015, p. 16). Social inequities can manifest through multiple intersectional identities, including but not limited to race, gender, class, and sexual orientation (Wooldridge & Gooden, 2009). The application of socially equitable principles to public administration is not a novel approach to service delivery. There is a deep, historical connection between the Minnowbrook meetings and the development of social equity in public administration (Frederickson, 1990; Gooden & Portillo, 2011). In 1968, after the passage of landmark civil rights legislation, namely the Civil Rights Act of 1964 and Voting Rights Act of 1965, a group of public administration scholars in the United States met to reflect on the implications that the social, political, and environmental shifts had on the discipline (Gooden & Portillo, 2011). As these policies were put in place, the question of how best to determine their success became important as both an academic and pragmatic concern. The convening to allay these concerns was the first Minnowbrook Conference. At this meeting, H. George Frederickson (1990) argued for the inclusion of social equity as a third pillar in the discipline of public administration. Frederickson (1990) was the strongest advocate of the need to practice a 'new public administration' and held that it was inadequate to consider the success of public policies without considering the impact they had on those for whom the policy was intended to benefit. Frederickson argued for the inclusion of values in a new public administration practice with social equity as a main component.

Since the more than 50 years since the first Minnowbrook meeting and the call for adding equity principles to the practice of public administration, social equity still struggles to rise to similar prominence as other tenets such as economy, efficiency, and effectiveness. As Wooldridge and Gooden (2009) contend, it is uncommon for public administrators to make social equity the primary goal of public policy and program implementation. Ex-offender re-entry program administration is one area where such an approach to social equity in public administration would be beneficial. The increase in community-based nonprofit re-entry organizations raises new questions about the challenges and successes of prisoner re-entry when program administration intentionally centers social equity as a guiding principle. Social inequity affects Black Americans' cultural, economic, political, cognitive, and organizational experiences. Given the varied nature of reasons for incarceration, addressing social equity in criminal justice can help policymakers and public officials create policy solutions that reverse inequities that disproportionately impact Black women.

Incarceration and Re-entry Trends in Alabama

Alabama has the most overcrowded prisons in the United States (Carson, 2020). Prisons in the state operate at 176% over the lowest potential capacity (Carson, 2020). Between 2017 and 2018, Alabama experienced the highest growth in the prison population of any state, with 1,500 new inmates (Carson, 2020). The rate of incarceration is disproportionate across racial lines. In Alabama, Black people make up 28% of the state's population but account for 43% of those in jail and 54% of the prison population (Vera Institute, 2019). There are also pronounced gender disparities in the rate of incarceration. According to the Vera Institute

(2019), between 1970 and 2015, the number of women jailed in Alabama increased from 138 to 1,799. During this same timeframe, the number of women held in Alabama prisons also increased, rising from 244 to 1,756. These data, though, do not accurately portray the spatial disparities in the state's incarceration rate. Rural counties have the highest incarceration rates, and pretrial detention continues to rise in smaller counties while declining in the larger metropolitan areas (Vera Institute, 2019). It is essential to look at imprisonment patterns across the state because, while the larger counties may have the most individuals in prisons, smaller communities and rural counties have the highest incarceration rates. The incarceration rate disproportionately impacts rural communities, but these communities also struggle to reintegrate their formerly incarcerated residents upon their release. These disparities significantly harm rural communities in the Alabama Black Belt region. The Alabama Black Belt region accounts for the South's lowest rankings on many socioeconomic indicators compared to the rest of the state and country. Seventeen counties—Barbour, Bullock, Butler, Choctaw, Crenshaw, Dallas, Greene, Hale, Lowndes, Macon, Marengo, Montgomery, Perry, Pike, Russell, Sumter, and Wilcox—are included in the Alabama Black Belt region.

Content analysis on the re-entry program landscape in Alabama shows that community-based access to reintegration services is sparse. The Alabama Department of Correction's (ADOC) website provides a link to re-entry resources. In addition, the United Way of Alabama operates a comprehensive service database–211 Connects Alabama–that is designed to facilitate access to public services across the state. This database also provides links to re-entry initiatives in the state. Data from these two agencies provide the content used in this analysis.

While the ADOC website provides links to various state agencies such as the departments of public health and human resources, for the purposes of this paper, only the community-based programs are analyzed. Similarly, the United Way database includes state employment agencies and educational institutions; this analysis only examines community organizations.

Table 1 lists the community agencies providing re-entry services in Alabama. Of the 26 agencies, only six are set up to serve women only. Two of the six agencies are fee-based housing programs.

While Montgomery and Russell counties are part of the traditional definition of the Alabama Black Belt, these counties are geographically located in resource-rich areas. While the programs located in Montgomery include some of the under-resourced Black Belt counties like Lowndes in their service area, there are no re-entry programs for women or men in the high-poverty, predominantly Black counties. The circumstances surrounding the immediate days and weeks after release from prison are critical to the success of an ex-offender's re-entry and reintegration.

After enduring overcrowded and inhumane conditions while incarcerated, ex-offenders in Alabama confront a new set of challenges upon their release. While the mission of Alabama prisons includes the "rehabilitation and successful re-entry of offenders," formerly incarcerated people are rarely prepared to re-enter and reintegrate into society (Alabama Department of Corrections, 2021, para. 1). Ex-offenders are given "gate money" to help with transportation costs, usually about $10 in Alabama (Witherspoon, 2021, para. 4). Research shows that about two-thirds of ex-offenders will recidivate and be arrested again within three years of release (Doleac, 2018). The number is slightly lower in Alabama, but the reasons for recidivism are the same. More than 30% of individuals released from Alabama prisons return within three years due to a lack of transportation, housing, job, and healthy social support networks (Cortes & Rogers, 2010; Holzer et al., 2003; Witherspoon, 2021). The dearth of community-based re-entry and reintegration resources in rural and predominately Black communities likely contributes to the recidivism. The idea of equal access to resources is a cornerstone of social equity. Unfortunately, disparate levels of access have existed for many

Table 1. Overview of Re-Entry Programs in Alabama

Program	County	Gender Served
A Cut Above the Rest Training Facility	Montgomery	Both
A Day of New Beginnings	Etowah	Women
A Hand Up Transitional Housing	Montgomery	Men
Aid to Inmate Mothers	Montgomery	Women
Alabama Justice Ministries Network	Jefferson	Both
Alabama Non-Violent Offenders Organization	Madison	Both
Corrections and Offender Re-entry Program	Calhoun	Both
Corrections Services	Jefferson	Women
First Baptist Church Caring Center	Montgomery	Both
Foundry Ministries	Jefferson	Men
Kidz Table	Morgan	Men
LifeSource, Inc.	Morgan	Both
Pathways to Freedom	Montgomery	Both
Phoenix House	Madison	Both
Renascence Re-Entry Program	Montgomery	Men
Second Chance	Jefferson	Both
Shelter of the Most High	Morgan	Men
Shepard's Fold	Jefferson	Both
Southern Regional Housing Solutions	Montgomery	Both
Starting Point	Autauga	Women
The Ark Homeless Services	Houston	Both
The Esther House	Calhoun	Women
The Fountain House	Montgomery	Women
The Ordinary People Society	Houston	Both
U Can Community Organization	Autauga	Both
Urban League of Greater Columbus	Russell	Both

segments of society due to variables such as socioeconomic position, education, occupation, and the environment. A socially equitable approach to re-entry and reintegration program design and implementation could ameliorate these disparities. As noted by Frederickson, "the most productive governments, the most efficient governments, and the most economizing governments can still be perpetuating poverty, inequality of opportunity and injustice" (2010, p. 48). The lack of spatially accessible re-entry services across the state perpetuates the same conditions that likely led to incarceration.

Best Practices in Community-Based Re-Entry Programming

A part of the challenge with applying the tenets of social equity to public administration, particularly to criminal justice administration, is the normative nature of the term equity. However, research on re-entry suggests that best practices encompass notions of equity even when equity is not explicitly stated as the goal (Lyles-Chockley, 2009). According to existing best practices, re-entry programs that provide therapy should include cognitive-behavioral treatment approaches tailored to their clients' learning characteristics (Allen et al., 2001; Andrews & Bonta, 2010; Cullen & Gendreau, 2000; Gendreau, 1996; Wilson et al., 2005). The

use of risk-of-recidivism and case management techniques to assess which persons would benefit the most from assistance is another vital component of effective re-entry programs (Taxman et al., 2003). Furthermore, research has indicated that allowing clients to participate in developing their service plans enhances their collaboration and chance of successfully completing their case plans (Warwick et al., 2012). According to research, the ideal practice for re-entry programs is to initiate client contact while incarcerated to develop client rapport and provide continuity of care from institutional to community services (Warwick et al., 2012). Successful re-entry programming requires the development and maintenance of strategic relationships. Building relationships within correctional systems, on the other hand, is often difficult for community organizations for a variety of reasons, including a lack of clear communication lines, contradictory duties, difficulties maintaining continuity when staff changes, and administrative burdens placed on civilian access to clients in secure facilities (Sandwick et al., 2013). Successful interaction with correctional officials is more probable if community re-entry program managers can demonstrate the program's ability to deliver evidence-based and developmentally appropriate services to each client group. Future research should investigate how the behaviors and attitudes of program administrators impact ex-offender program completion. Future research should also consider how political culture impacts re-entry programs' creation, funding, and sustainability. The social equity scholarship would benefit from a more nuanced analysis of the decision-making process that influences how public administrators and policymakers define and perceive social equity in criminal justice administration.

Conclusion

Applying the tenets of social equity to re-entry program design and implementation presents unique opportunities for public administrators who want to provide necessary resources to communities most in need. Re-entry programs are intended to assist ex-offenders to effectively 're-enter' society after being incarcerated while also lowering recidivism, increasing public safety, and saving money. Intersectionality as an analytical tool is the ideal complement to social equity as the two theoretical frameworks bring awareness to interlocking social oppressions that impact power dynamics in communities. Systemic oppression based on sexual orientation and sexuality, gender and gender identity, ethnicity, economic status, immigration status, national origin, and ability is among many identity facets (Crenshaw, 1989). A socially equitable and intersectional approach to criminal justice acknowledges that systemic discrimination affects access to opportunity. In Alabama, we see that the lack of investment in community-based re-entry infrastructures in the Black Belt is a public policy decision. In public policy, classic government-centric policymaking models contend that public policy is "whatever governments choose to do or not do" (Dye, 2012, p. 12). Inaction is just as much a policy response as action. Applying the tenets of social equity and intersectionality to re-entry efforts helps eliminate the very societal and systemic barriers associated with the carceral state.

Disclosure Statement

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Author Biography

Regina Moorer is an Assistant Professor of Political Science in the Department of History and Political Science at Alabama State University. In this role, she teaches several political science courses. Her work focuses on race and gender's influence on policy and women of color's political experiences.