

Social Work & Criminal Justice

General Background

Over the last 15-20 years, significant changes in the nation's criminal justice system have resulted in a greatly increased prison population. The initial changes that lead to the surge in incarcerations were prompted by the public reaction to high crime rates (especially violent crime) during the late 1980s and mid-1990s. In response, federal and state legislators introduced and implemented laws such as: mandatory minimum sentences for violent crimes and for drug-related offenses; the imposition of significant disparities in sentencing persons convicted for powder cocaine as opposed to "crack-cocaine; Federally-mandated guidelines that limited the ability of sentencing judges to consider mitigating circumstances before imposing a prison sentence; and so-called "truth in sentencing" policies that made it more difficult for inmates to gain early release for good behavior.

The increase in the prison population as a result of the new laws and policies was further exacerbated by high national rates of re-arrests and subsequent recidivism of offenders within a few years of their release from prison. Each year, nearly 750,000 people are released from U.S. prisons; over seven million are released from jails; and approximately two out of every three people released from prison in the US are re-arrested within three years of their release.¹ In addition, the number of people on probation or parole has skyrocketed to more than five million, up from 1.6 million 25 years ago. In addition, criminal justice supervision rates are drastically elevated for men (1 in 18) and blacks (1 in 11) and are even higher in some high-crime inner-city neighborhoods.² These and other "tough on crime" measures have led to the United States having one the highest rate of incarceration in the world. Currently, there are over 2.3 million men and women in the nation's federal and state prisons and in local jails.

The second change effort in the criminal justice system was in reaction to the unmanageability of prison overcrowding, and the significant inequities in terms of arrests and sentencing, especially when race and/or ethnicity are factors. The most significant response to this problem was the implementation of offender reentry programs. Reentry programs provide a set of core services, often including housing, employment, education and behavioral health care that address the bio-psychosocial problems that contribute to re-arrests and re-incarcerations. Social workers trained in criminal justice are uniquely qualified to provide services that address the challenges many reentrants face.

Recommendations

- Address issues surrounding and leading to disproportionate rates of incarceration for individuals of racial or ethnic minorities, juveniles, women and undocumented individuals.

- Increased participation of professional forensic social workers and other mental health providers to assure culturally competent treatment and intervention for the growing population of incarcerated individuals, including mental health and substance abuse services.
- Assure safe, humane and equitable treatment for all incarcerated individuals.
- Increase access to health care, educational and vocational opportunities to assist incarcerated individuals with transitioning back to their communities.

References

- ¹ Re-Entry Policy Council. (2003). *Report of the re-entry policy council: Charting the safe and successful return of prisoners to the community*. www.reentrypolicy.org/the_problem
- ² Pew Center on the States.(2009). *One in 31: The long reach of American corrections*. Washington, DC: The Pew Charitable Trusts.

Additional Resources

- National Association of Social Workers. (2009). *Capital Punishment and the Death Penalty. Social work speaks: National Association of Social Workers policy statement, 2009-2012* (8th ed., pp. 38-41). Washington, DC: NASW Press.
- National Association of Social Workers. (2009). *Crime Victim Assistance. Social work speaks: National Association of Social Workers policy statement, 2009-2012* (8th ed., pp. 65-69). Washington, DC: NASW Press.
- National Association of Social Workers. (2009). *Juvenile Justice and Delinquency Prevention. Social work speaks: National Association of Social Workers policy statement, 2009-2012* (8th ed., pp. 208-213). Washington, DC: NASW Press.
- National Association of Social Workers. (2009). *Social Work in the Criminal Justice System. Social work speaks: National Association of Social Workers policy statement, 2009-2012* (8th ed., pp. 327-332). Washington, DC: NASW Press.