

Release of Prisoners and Rehabilitation Programs for Integration Into Society

Petronela Diana Ferariu

*“Alexandru Ioan Cuza” University of Iași, Faculty of Law, Romania, dianaferrariu@gmail.com
Legal Adviser, Company EuroAsia of Iași, Romania*

ABSTRACT: Resocialization is a educational, reeducative and a treatment process for to convicted persons, through which it is aimed their readaptation to the system of norms and values accepted by societies, for the purpose of social reintegration and the prevention of recidivism. The social reintegration of former detainees is part of the punishment and requires increased attention. For this process to be successful, it is necessary to develop some standards, and then, in order to ensure a lifestyle that assures the respect of these normative, there must be a social environment open in this sense. In a changing economic and social environment, the isolation of people in detention makes their professional and social skills to be inadequate at the time of release of them from the penitentiary. An important role in the chances of the sentenced to resocialization is the right of the detainee to keep in touch with the progress of the society outside the prison.

KEYWORDS: recidivism, rehabilitation program, release from the penitentiary, prison environment, social reintegration

Introduction

Social reintegration involves “restructuring the character of the offender so that he can work in society without committing crimes in the future”. In this process must get involved all social factors, and reintegration will be effective if it is done in different directions. Enforcement of the sentence does not lead only to the change of the social status of the condemned person, but also to the loss of many social roles and connections, which he had before committing the offense (Banciu and Rădulescu 2002, 144). That is why one of the main purposes of the penitentiaries is to prepare the convict, who is serving the custodial sentence, for the freedom out of jail. After the release, each person who has been condemned will have to solve his own problems, restoring the stereotype of the conduct before conviction. With the execution of punishment and release from the detention area, referring to a lengthy detention, the former detainee is placed in the front of a rather difficult situation, justified by the difference in the conditions of life known by him until the moment of condemnation, the current conditions of life and those in the penitentiary, with which he interacted during the period of enforcement of the sentence. The unfavorable consequences of detention over a long period of time, become evident especially after the execution of the conviction (Abraham 2001, 233).

They have remarkable influences on the re-socialization of the released person ones and the possibility of their rapid and full framing in a normal life after liberation. Social adaptation is judged to be a success in the situation when all the social relations of the convict have been restored and it does not present deviations of behavior. The felon adapts normally if he breaks every intercourse with the criminal world. Since the person can accommodate in a positive and negative environment, I mention that in this situation it is a social adaptation of the released person, which consists in a socially acceptable way of life and right from the point of view legal. In this circumstance, the detainee released from prison must be prepared to make a determined effort in order to solve the problems with which he is going to face. He must to rectify his system of values, be ready to rebuild his family, relations with relatives and other social relations, to set his own direction in the ways of solving conflict situations in his own entourage and at work, to know to address the judiciary in case of a conflict situation, to know their rights, obligations, and to respect them. The resocialization of convicted persons should, from my point of view, include basic issues, namely, their removal from the negative habits of the penitentiary and the acquisition of social skills, social adaptation or adaptation to the new context of life and social rehabilitation, or otherwise said, regaining the social status lost with the conviction received.

Recidivism, the failure of the prisoner reintegration into society

A study conducted at the level of the National Penitentiary Administration, which was tracking at the evolution of the main indicators of the Romanian penitentiary system comparing with the ones in the European countries, reveals that although Romania has a severe sanctioning system, it is the country with the highest number of detainees. The significant problem is over-agglomeration, because it negatively influences all the activities conducted in the penitentiary. At Jilava Penitentiary, according to the statistical data, there is an agglomeration of 195%, each detainee having a space of 2-square-feet. With all these, many inmates are committing new infractions for returning to detention area, arguing that they can not integrate because no one is hiring them and they are rejected by society. The last data taken from the report of the National Administration of Penitentiaries in Romania indicates that the date of December 31, 2017, the total number of the people in the detention area was 23.450.

Starting with the law which came into effect on October, 19, 2017, No. 169, and which produced effects by establishing a compensatory benefit mechanism, meaning 6 days considered to have been executed for a number of 30 days of custody in inadequate imprisonment, in which case, between October 19 and December 12, 2017, a number of 3.630 detainees, were released from which 912 detainees were released on time and 2.718 detainees were released conditionally. The poor results of specialists on identifying the profile of the person which repeat crimes and the factors that cause them to deviate repeatedly from the law is reflected in the recidivism. Because of these research gaps, the preventive measures of the phenomenon did not have the expected effectiveness, so the share of recidivists in the total population incarcerated in Romania on 31 December 2017 was 38.37%. The fact that a high percentage of prisoners is formed of those who have passed through the experience of the criminal justice system demonstrates its shortcomings. It has to be seen how the effectiveness of the penitentiary institution can be increased, so that the periods spent by those condemned in detention are useful and do not represent simple intervals of pause in their criminal activity. As a special form of the phenomenon of infra-rationalism, recidivism is one of the most serious social problems faced by contemporary societies (Buş 2005, 115).

For the representatives of the institutions involved in the act of justice, but also for the public opinion, the relapse generates many concerns because of the high costs it causes. Alongside the huge expenditures implied at the level of the penal justice system, the recidivism brings with it many non-quantifiable costs. These are perceived in the long run by the victims, by their families, by the community, and refers to the suffering of those affected directly by the criminal offense, as well as to the feelings of fear and insecurity experienced by residents of high-risk areas of relapse. The practitioners and researchers are trying to identify the most viable measures through which the state can interfere in order to control the individuals who are threatening repeatedly the safety of the community they belong to. Certain experts and practitioners highlight the failure of rehabilitation measures for "career criminals", arguing instead for the need to institutionalize them in the long run. On the other hand, there are specialists that support the limited capability of a custodial sentence to influence, in a positive way, the behavior of chronic offenders, arguing either that prisons are veritable "schools of crime", or that detention regimes are harmful, degrading and destroy the character of the person, preventing his subsequent adaptation to society.

The general idea is that imprisonment only separates the wicked from the good ones, realizing, through negative discrimination, the relative protection of the community. The recidivists are often the subject of negative stereotypes, being considered, during and after the punishment, to be dangerous, regardless of their behavior after the atonement of the sanction. We can consider this attitude as a "defense reflex" more or less justifiable, which organizes the individual or collective reactions to rejection, avoidance, and marginalization, or exclusion from the others. However, it has been argued that stereotypes serve most of the time to justify aggressive attitudes, contributing to strengthening cohesion within a collectivity, and generating states of adversity between "us" and "them".

It is important to understand that the reactions of avoidance, rejection, marginalization or exclusion by persons who consider themselves threatened, as well as institutionalized supervision measures by specialized social control courts, restrict the ways of individual assertion (Chipăilă 2008,

97). Under the conditions of these types of pressures, an objective diminution of the social integration chances is produced.

Preparing prisoners for release and rehabilitation programs for integration into society

The Penitentiary, in the first phase, requires adaptation and integration to a particular pattern of life, driven by entirely different laws. The establishment of inter-human relationships is made after other considerations and under other conditions, the hierarchy of values acquires another priority, passing through successive deformations to the normal social axiological model, unanimously accepted. There are accumulated inherent adaptive tensions, and many times the inmate does not know the knowledge of the culpability of the offence made, in the existential sense. The dissimulated culpability is the central axis of the characteristic changes that occur during detention. The notion of liberty is emptied of content, disappearing all the sense of belonging to the social, of the desire for active integration.

The preparation for release begins on the first day of execution of punishment and is part of the rehabilitation process of detainees, which has as a goal supporting them in order to achieve the best possible social reintegration. During the preparation for release it is indefinite, the process having a clear beginning, respectively, the moment of condemnation. The central idea of preparing for release is that detention is only one stage in the lives of detainees, and this should be used as efficiently as possible for the purpose of social recovery. Social integration should be related to the specificity of the crime and to each person. The varieties of infractions imply a diversity of forms of reintegration. The legislation qualifies the infraction, specialists in education and psycho-social assistance evaluates the causes that generate dysfunctionalities for each person. More than the intervention of the state institutions (e.g. reintegration programs deployed during the execution of the punishment, and the main resources that are allocated to this program), it is very important the support of the family and the social environment. Social reintegration also means to be taken back by the family and depends on the availability of the family to financially and morally support the condemned person. Maintaining the relations with the family, and where is the case, improving the relations with the family is a priority objective for the social reintegration of the person deprived of liberty (Cioclei 2008, 174). In the community, the assisting of the released person should be accomplished with the help of the family, and the close ones, and be the main objective of the assistance should represent the reintegration into the society, but with all of these, for a successful accomplishment of this objective, it is also necessary the motivation for the involvement and the former detainee's contribution in the planning and the development of the following activities (Balica 2008, 82).

Studying the essence and content of the process of social adaptation of the person released from detention, as well as the analysis of his social-psychological laws, demonstrates that this process is accompanied by multiple problems. The former inmate is forced to stand up some internally, subjectively and externally obstacles, that are not depending on him. These can be divided into two categories: the first category includes problems related to the solution of the basic necessities of clothing, meals, place of residence and work, respectively the establishment of external life conditions of the condemned. In this category, usually, the circumstances are prevailed, determined by objective circumstances that do not depend on the released person's will (homelessness, hiring problems, health problems). The second category depends on the enrollment of the person released in the new environment (the family, the work collective, the appropriate entourage, etc.) and the determined role is the personal perception of the former detainee and his conduct, respectively the subjective factions. All these problems are solved by the different convicts differently, based on the existing conditions and personal possibilities, and they depend on age, gender, studies, profession and other social-demographic parameters of personality (Banciu, Rădulescu and Teodorescu 2002, 106).

In terms of work, in order for it to be effective in the social reintegration of convicted persons, this must be interested in working for the benefit of the community and not in the idea of obtaining a reduction of the prison sentence. Employers demand seriousness from the employee, and often persons who have executed custodial sentences are not motivated to work. In many cases, prisoners prefer to work on the black labor market and be beneficiaries of the minimum guaranteed income that also provides them with access to other social security rights (social aid). In Romania, territorial

agencies offer jobs to convicted persons, but in most cases the proposed jobs are not accepted. For the most part, economic agents, although proposing a series of jobs for people who have served a custodial sentence, do not want to hire people who have been in a detention environment. A study conducted at the level of the country shows that 35% of the economic agents would agree to hire the detainees released from the penitentiary, while 65% do not want to engage people from this category. The same study highlights the fact that 52% of the economic agents, would accept people who have been detained under the condition that the Romanian state would require them this matter, while the 48% will categorically refuse. The practice demonstrates that the former prisoners often violate the work discipline, have a lower qualification, that they have a low ability to learn new things, and that there are frequently causes unpleasant situation at work. This is why, I believe that it is essential to create a different mechanism from that of hiring in the field of work, and of persons released from the detention environment, which will stimulate economically speaking the enterprises in order to employ them.

I believe that the assistance to convicts person the right moment, through specific programs designed and individualized so as to allow them to pass through from to prison life, to life within the community, in which to comply with national law, the rate of social reintegration would increase and as a consequence, the rate of recidivism would decrease. This method would imply, in the case of detainees with long-term condemnation punishments, a gradual turnaround in life, in the collective environment, supporting convicts, to find a job, according to their qualifications/education/level of education. The re-education activity carried out with the deprived of liberty must continue after their release from the penitentiary, by preventing the social marginalization of the former inmate (Bogdan 2012, 201). Starting from these alarm signals, in order to support the reintegration into society and the labor market of former detainees, in order to combat and prevent criminality, various programs have been implemented for the training of detainees in penitentiaries, with a view to reintegration into the labor market when issuing from the penitentiary. The question is if such programs are well thought and realized for the benefit of the detainees.

In the interviews conducted with the recidivists who were executing a privative of liberation punishment in the penitentiaries of Giurgiu, Jilava, Rahova and Târgșor, the necessity of rethinking the aspects related to the socio-educational programs conducted during the period of detention was emphasized. The prisoners argue that the penitentiary environment does not give them the chance to rehabilitate. Those with a low level of education were of the opinion that the programs organized are not effective, since they are intended for those with an intermediate level of instruction, and most of them do not understand what is being communicated to them. Instead, those with a higher school grade appreciated the fact that they don't have anything to learn from these activities, that the offer is not interesting and attractive enough, that the penitentiary did not create all the opportunities to like the work they do. The prisoners do not perceive the effectiveness of long-term programs, considering that their usefulness is strictly limited to the period of detention. Thereby, the main reason they say that they have signed up for various socio-educational activities carried out in penitentiary is to revoke some disciplinary measures or to ensure that their conditional release will not be postponed.

Another benefit, felt by those from the closed regime, is to get out of the cell. Few consider that they learn or learn practical skills. The condemned sustained that the programs that are organized in the penitentiary can't be effective, as long as they take place one hour a week, the rest of the time being spent in the cell with the other detainees. In addition, in the days that the activities are overlapping, they are obliged to opt for only one of them, being unable to participate to all of them. Following a socio-educational program conducted during the period of detention may not be beneficial in the circumstances in which there is no differentiation of the detainees who attend to these programs (Florian 2002, 139). Once this problem of differentiating the detainees according to the level of knowledge, studies, education, age, sex, crimes committed, the family environment, etc. is solved, I am of the opinion that an analysis of the trend in recent years in terms of labor market demand, could offer a perspective of what is needed in the field of qualification.

Although the legislation provides and the competencies of central and local public institutions in the process of social rehabilitation of detainees are listed, I note that the system established through

law of social reintegration of the released persons from places of detention creates many signs of question as long as they do not yield and most detainees re-offend. The probability that the person from the detention area to commit a new infraction will usually materialize in the first three years of release, and many of the incidents of infractions committed are in the first year from release, constitutes 52.4% of the situations. Practically, half of the released inmates, repeat the offense and return to prison in the first year from release. I am of the opinion that this is a period in which it is necessary to have an intense activity, a sense of responsibility, in view of the supervision of the process of social accommodation of the released people, of their usual behaviour, and of their social places. The monitoring of the former detainee, which indicates the fact that he is not applying for a job or give up on the chosen job, the fact that he doesn't have a stable place to live or that the former inmate violates the public order are strong signals to the fact that the process of adaptation is unsatisfactory and there are good reasons for recidive (Tănăsescu 2013, 74). It is also necessary for the society as a whole to promote a tolerance attitude regarding the former detainee, therefore considering it to be a person whose problems can be solved, not by isolation from the community but by inclusion in it. In reality, however, this does not happen, as they carry the burden of jail for the rest of their lives, most of the time. Perhaps the approaches here should be changed, that is, to promote tolerance and acceptance towards condemned persons and not only. We can say that the convicted person suffers a double punishment, the legislative and the labels worn in society.

Conclusions

Imprisonment and society are two different worlds in almost all aspects, and is not realistic to think that an individual formed in the environment of detention can easily survive without difficulty outside the penitentiary. Any criminal conviction remains the more or less visible shadow of the former detainee, in spite of its subsequent rehabilitation, and the background of survival in the penitentiary system may appear as a recidivism and criminal career, and this environment has a strong influence on crime. In order to reduce the frequency with which the recidivists commit criminal acts, it is necessary to improve the institutional and legislative framework in the field. Thus, at present, the former prisoners return to the community without reference to some social services and without a well-established intervention plan. Let alone, it is unlikely that they will have the ability to avoid situations and contexts that determined their incarceration. Also, it is important that support programs for release to be designed in a way that will prepare detainees for the moment they will return to the community. This is why, it would be helpful to include, among other things, the extension of the privileges associated with the visits of the family, the permissions, the familial and the occupational counseling programs. Beneficial will be the involvement of detainees' families in these programs. Persons with infractional conduct must be offered the opportunity to correct their behavior and to be able to reintegrate successfully into the community after being released from the penitentiary. However, although the social reinsertion of this category of population has become one of the priority objectives of governmental activity, in Romania the interest in this aspect is almost inexistent.

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