

# Altering the Pipeline to Prison and Pathways to Postsecondary Education

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The United States prides itself on being a world leader in many areas. For instance, the nation is a leader in technology, natural gas production, and wind power. There are many other areas in which the United States is a recognized world leader, including the incarceration of its people. During the last four decades, the United States has experienced a 500% increase in imprisonment (Mauer & King, 2007) and well over two million people are presently incarcerated in jails and prisons around the country (Carson, 2015). When combined with the formerly incarcerated who are under correctional supervision in the form of parole or probation that number increases to 7 million (Rivera, 2015). With 698 people in prison for every 100,000, the United States ranks first in the world, with Rwanda (492 per 100,000) and Russia (446 per 100,000) running a distant second and third in mass incarceration (Walmsley, 2015).

Mass incarceration in this country is costly. One out of every 15 state general fund discretionary dollars is spent on the U.S. criminal justice system with 90% spent on prisons (American Civil Liberties Union, 2016). This is roughly \$80 billion annually spent on jailing 2.4 million people in America (Kearney, Harris, Jácome, & Parker, 2014). While federal prisons from Alcatraz to super-max facilities are more famous in popular culture, the fact is 98% of the nation's incarcerated are housed in state prisons (Spycher et. al, 2012). In 2013, this translated into nearly \$52 billion in state expenditures (National Association of State Budget Officers, 2013). Despite continuing fiscal burdens on states, especially amid the country's recovery from the Great Recession, prison populations continue to increase rapidly. How did this happen?

## The War on Drugs and Mass Incarceration

The "war on drugs" was popularized in 1971 when President Nixon launched a national campaign to combat what he declared to be "public enemy number one." To understand the connection between the war on drugs and mass incarceration, it is helpful to view the former along multiple axes. First, the war was waged by Republican administrations such as Nixon and Regan, and Democratic presidents including Carter and Clinton, and even dating back to the Johnson administration. Thus, the war on drugs spanned decades and was waged by both political parties.

Second, the war entailed two areas of operation and policy fields, foreign and domestic. Foreign policy introduced to Americas to their Latin American neighbors through political, military, and paramilitary interventions in Panama, Nicaragua, and Columbia, among others, which were part of

a complex engagement with drug trafficking and regional realpolitik. On the domestic side, the war enlisted legislation, law enforcement, the courts, and prisons in order to eradicate drug sales and use within the country. Federal legislation entailed an expanded list of Schedule I controlled substances including crack cocaine, which erected the legal framework for law enforcement; and, it entailed minimum mandatory sentences for drug convictions, which structured court proceedings. State politics and policy followed suit, with the most notable war waged in California, which invoked the baseball adage, "Three strikes and you're out." While three-strike laws sprung up in multiple states aimed at violent crime, non-violent convictions — including drug convictions were swept up in the policy (Courtwright, 2014).

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The multiple axes of the war on drugs combined systematically to criminalize, arrest, convict, and incarcerate individuals at a profound rate. Consequently, prison populations swelled. For example, between 1987 and 2006, the U.S. prison population increased threefold from 585,084 to 1,596,127, reaching its present level of over 2 million. In 2010, the U.S. federal government spent over \$15 billion dollars on the War on Drugs accounting for \$500 every second (Miron & Waldo, 2010). The questions with any war of course are who won? In any case, was it worth the price? The first question, concerning drug policy, is beyond the scope of this article. Not surprisingly, the answer is highly contested in the United States and internationally. Perhaps our consideration of the second question regarding the price paid for the war on drugs helps to answer the first question-- namely, who lost?

### Who is Locked Up and Locked Out of Opportunities?

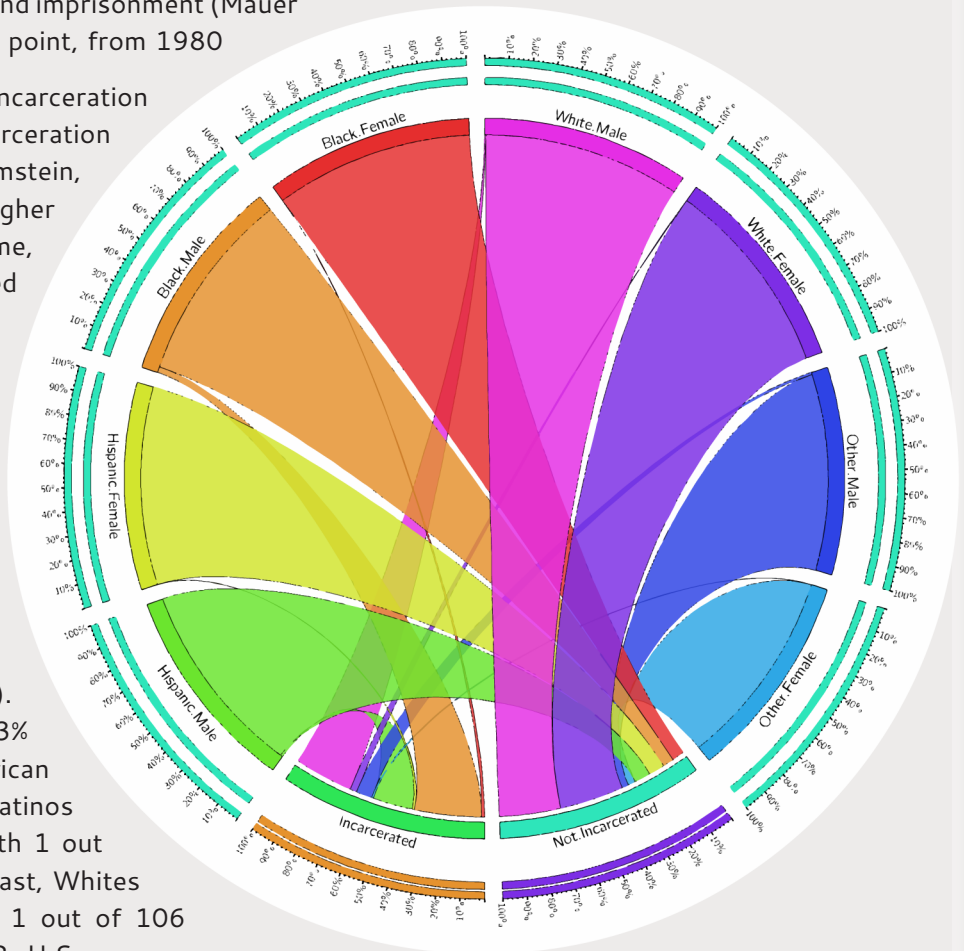
*"In too many places, black boys and black men, and Latino boys and Latino men, experience being treated different under the law."*

President Barack Obama, NAACP Annual Convention, July 14, 2015

During his remarks at the NAACP convention, President Obama discussed the flaws in the U.S. justice system noting that it "remains particularly skewed by race and by wealth" (Liptak, 2015). The President observed that the interplay between arrests, convictions, and time served with race and income is not anecdotal and is not "barber shop talk" but an empirical fact, supported in evidence.

Research has found a statistically significant race effect on sentencing and imprisonment with African Americans receiving the harshest sentences by race and ethnicity, representing approximately half of those in jail (Bobo & Johnson, 2004; Mauer & King, 2007; Mitchell, 2005). There is a racialized criminal profiling of males of color that corresponds with disparate sentencing and imprisonment (Mauer & Huling, 1995; Welch, 2007). Case in point, from 1980

to 2000 the rate of African American incarceration tripled, making the ratio of incarceration between Blacks and Whites 8 to 1 (Blumstein, 2001). There is a disproportionately higher number of individuals from low-income, racially, and/or ethnically underserved backgrounds overrepresented in prisons, many of which have low levels of educational attainment (Coley & Barton, 2006). When considering American incarceration by race/ethnicity and gender, males are incarcerated in larger numbers than females and people of color at higher rates than their white counterparts (Alexander, 2010; Blumstein, 2001; Bureau of Justice Statistics, 2004). While African Americans make up 13% of the U.S. population, 1 out of 6 African American males are incarcerated. Latinos account for 17% of the population, with 1 out of 36 Latino men incarcerated. In contrast, Whites make up 77% of the population, with 1 out of 106 White males incarcerated (Kerby, 2012; U.S. Census Bureau, 2015).



**Percent of Population Who Are Incarcerated and Are Not Incarcerated by Race and Gender.**  
(Data Source: Carson, 2015 & U.S. Census Bureau, 2015)

Not surprisingly, education levels correspond with levels of incarceration. According to Pew Charitable Trusts (2010), when considering incarceration by educational attainment, 1 in 3 black men, 1 in 14 Hispanic men, and 1 in 8 White men between the ages of 20 and 34 who are without a high school diploma or GED are incarcerated. In all, 40% of state and federal inmates do not hold a high school diploma or GED -- double the national rate (Tolbert, 2012). Moreover, less than 25% have some form of postsecondary education (Contardo & Tolbert 2008).

The price of mass incarceration vis-à-vis the war on drugs, gangs, poverty, and racial profiling, among other factors, is paid disproportionately by generations of males of color. If the solution to war on drugs was mass incarceration, the latter begets its own set of problems that rise to the level of public enemies. For example, 95% of all inmates who entered prisons will be released at some point (Bureau of Justice Statistics, 2004). The outcomes are predictable and interconnected -- on the one hand, few educational or employment opportunities and recidivism on the other. A Pew Center study found that 4 in 10 prisoners committed new crimes or violated the terms of their release, and were incarcerated again (The Pew Center on the States, 2011). There is less spent on education than incarceration (American Civil Liberties Union, 2016; Kearney, Harris, Jácome, & Parker, 2014). Mass incarceration is a phenomenon that once created, expands and regenerates itself. What is to be done?

## Building a New Pipeline: Prison to School to Society

*"He who opens a school door, closes a prison." -Victor Hugo*

The history of American prison education, is a study in the central tension between punishment and rehabilitation. The Penitentiary Act of 1799, for example, combined solitary confinement with labor and religious instruction. In the early 1800s (alongside capital punishment), the Quakers advocated for the humane treatment and the moral uplifting of prisoners. Later in the 19th and early 20th centuries, model prisons in New York, Pennsylvania, and elsewhere instituted systems of education as well as democratic participation for inmates. For example, Zebulon Brockway instituted a system of academic and vocational education, sports, and military discipline at Elmira Reformatory in New York State. The 1950s saw a return to reform in which even the term "prison" was replaced by "correctional institution," and education mapped coincide with growing emphasis on behaviorism and psychoanalytic therapy. Present-day prison education can trace its origins to the 1970s, in the same period interestingly, as the commencement of the war on drugs.

The Pell Grant Program, enacted in 1972 as the Basic Educational Opportunity Grants, sought to offer students with financial need grants that would provide modest college aid. Among those eligible for Pell grants were incarcerated individuals. Inmate participation was a small component of the total Pell grants awarded. In fact, less than 1% of Pell recipients were inmates and did not adversely affect Pell grants available for other students demonstrating financial need (U.S. GAO, 1994). However, inmate eligibility was no mere afterthought. Senator Claiborne Pell of Rhode Island, sponsor of the program, felt strongly that postsecondary opportunities should be extended to inmates. He declared, "As I have often said, education is our primary hope for rehabilitating prisoners. Without education, I am afraid most inmates leave prison only to return to a life of crime" (Congressional Record, 1994). The numbers bear this out. Pell grants for prisoners are critically important given the correlation between educational attainment and



Photo: Flickr/vickens\_dan

lower recidivism rates (Duwe & Clark, 2014; Harer, 1995). Another study found that the recidivism rate within three years of release was 43% less for those who participated in a prison education programs (Davis, Bozick, Steele, Saunders, & Miles, 2013). In addition, nearly 600 crimes are prevented for every \$1 million invested on correctional education in contrast to 350 crimes prevented applying the same amount on incarceration only (Bazos & Hausman, 2004). In all, postsecondary education behind bars is arguably both a public and private good as an individual's risk of recidivating is lower, odds of gaining employment following release increase, and state costs of incarceration over time decrease (Davis, et al., 2013, 2014).

In 1994, however, Pell grants for inmates became a casualty of the war on drugs. That year, the Violent Crime Control and Law Enforcement Act, written in part by then-Senator Joe Biden, and signed into law by President Clinton, eliminated inmate eligibility for Pell grants. Because most inmates who work earn pennies on the dollar – pointing to its own set of moral and economic problems – they simply cannot pay for their education. Consequently, the effect of eliminating Pell eligibility was profound. Prior to 1994, college programs were offered to inmates in 39 of the 50 states (Lillis, 1994; Messemer, 2003). In addition, Tewksbury, Erickson and Taylor (2000) report that “92% of correctional systems offered some form of post-secondary educational programming in 772 prisons, enrolling more than 38,000 inmate students” before 1994. Two years later, 63% of correctional systems offered educational programming, with a 44% decrease in enrollment. As part of the decline of

prison education, important dimensions, such as course diversity and credential stepping stones, from certificate and associate's degree to bachelors' and even graduate degrees, suffered. By 2005, only 32% of all state prisons offered postsecondary education, with only 10% of inmates enrolled in courses. On the federal side, 98% of federal prisons offered education programs, though only 13% of inmates were enrolled (Spycher, Shkodriani & Lee, 2012).

Much of the education of inmates beyond the high school diploma or General Equivalency Diploma (GED) level is geared to provide skills that can serve as a foundation to reintegrate individuals, post-incarceration, and to help them acquire the requisite skills – life, academic, and vocational – necessary for a successful transition from prison.

Community colleges are an attractive option for postsecondary prison education because of their affordability, open door policies, and locale.

On the federal level, the Department of Education's Office of Career, Technical, and Adult Education (OCTAE) houses the government's education efforts in juvenile justice confinement facilities, as well as many detention centers, jails and prisons, with the aim of rehabilitating correctional populations. In addition, the Second Chance Act (2013) established the program titled “Promoting Reentry Success through Continuity of Educational Opportunities” (PRSCOE), administered by the Bureau of Justice Assistance, which included a one-time discretionary grant opportunity totaling \$924,036. Through the program, adult education providers in Kansas, Pennsylvania, and Wisconsin were awarded grants to develop correctional education and workforce training programming geared to ease inmate transition post-incarceration utilizing the U.S. Department of Education's Reentry Education Model for the betterment of low-skill individuals in corrections (Tolbert, 2012).

Various local and state prisons have provided education programs through other avenues of federal support. For example, the Office of Correctional Education (OCE) was created in 1991 by the Carl D. Perkins Vocational and Applied Technology Education Act to improve coordination and support for correctional education. The Office of Career, Technical and Adult Education (OCTAE) Division of Adult Education and Literacy (DAEL) houses the OCE (U.S. Department of Education 2015). Much of the education of inmates beyond the high school diploma or General Equivalency Diploma (GED) level is geared to provide skills that can serve as a foundation to reintegrate individuals, post-incarceration, and to help them acquire the requisite skills – life, academic, and vocational – necessary for a successful transition from prison.



## The Vital Role of Community Colleges

Many of the postsecondary prison programs are delivered by community colleges (Mercer, 2009). Community colleges are an attractive option for postsecondary prison education because of their affordability. By comparison, in the broader educational landscape, in 2015 the average tuition and fees for public in-district community colleges was \$3,347 compared to \$9,139 at public four-year counterparts (American Association of Community Colleges, 2015). Community colleges are also a viable option for educational prison programming due to their open door policies and locale. Community colleges are often located in rural areas where prisons are also built. The close proximity between state and federal prisons and community colleges translates into ease of access for the educators delivering instruction.

### POSTSECONDARY PRISON EDUCATION IN PRACTICE

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#### RCC Correctional Education Programs

Richland Community College (RCC) contracts with the Illinois Department of Corrections to provide postsecondary correctional education. RCC postsecondary education programs are housed across several correctional facilities and involve full- and part-time college faculty and staff. General studies courses are offered as well as occupational, career development, in addition to college-level coursework for inmates.

#### California Community Colleges

Four prisons in California have partnered with community college programs to begin offering courses (i.e., 2-3) beginning fall 2015 that will provide an opportunity for students to receive an associate's degree in Liberal Arts (Rivera, 2015). In California alone, there are over 6,000 incarcerated students enrolled in distance learning courses. The partnering between California prisons and community colleges, in Illinois and California among other states, appears to be a promising and effective relationship that could be successfully replicated across the county.

#### Education Justice Project (EJP)

One example of the next educational stepping stone is the [Education Justice Project \(EJP\)](#) at the University of Illinois at Urbana-Champaign, which was established in 2006. While community colleges provide prison correctional education program for the adult basic education, GED, occupational and general education courses, UIUC provides upper-level college courses and educational workshops for inmates at Danville Correctional Center, a medium-security state prison, 30 miles east of the university campus. Students of EJP typically enter by way of Danville Community College, which also offers onsite courses and degree attainment. Their credits are articulated so that students who have a minimum of 60 hours of college credit are eligible to enroll in EJP courses. On the financial side, EJP is funded through grants, donations, as well as university support and delivers programming at Danville with UIUC volunteer professors, graduate students, and members of the community. Similarly, groups such as the [VERA Institute of Justice](#) and the [Bard Prison Initiative](#) endeavor to promote prison programming that curbs recidivism and contributes to the development of inmates to successfully transition after release.

## Where Things Stand Now

Returning to the basic tension between punishment and rehabilitation, the pendulum seems to be swinging in the latter direction. There has been a surge of interest in recent years about how to equip our nation's incarcerated with the skills and tools needed to return to society and to help them prepare to earn a livable wage and lead a crime-free life. On July 16, 2015, President Obama became the first sitting U.S. President to visit a federal prison, El Reno in Oklahoma, (Kaplan, 2015). He has openly contended that the American prison system is overcrowded, costly to federal and state governments and that reform is critical. President Obama stated that "everyone willing to work for it deserves a second chance." Importantly, one-step in his reform efforts is to bolster postsecondary correctional education programs. There also appears to be interest convergence in the President's new prison reform efforts with his postsecondary education initiatives and college completion agenda (e.g., the American Graduation Initiative (AGI), and America's College Promise, whose centerpiece is free community college education). Then, on July 30, 2015, Education Secretary Arne Duncan and Attorney General Loretta Lynch announced the Obama administration's new Second Chance Pell Pilot Program while visiting a Maryland correctional facility. While the administration's pilot initiative will not lift the ban on Pell grants for prisoners absent congressional approval, the Department of Education does have the authority to reinstall access to federal Pell grants for inmates temporarily (Collins, 2015). The aim of this initiative is to provide Pell grant funding to incarcerated individuals that are qualified students eligible for release from prison within five years of program enrollment. The administration feels that if students are provided with high-quality educational opportunities and given skills necessary to succeed in society, the future life trajectories of former inmates will improve and recidivism will be prevented.

The Obama Administration's announcement that Pell grants are returning to incarcerated students for a pilot program shows a return to recognizing correctional education as a public good and an important part of individual rehabilitation. Over the past decade, the number of course offerings delivered by community colleges or technical schools in academic and vocational/career technical education programs have been reduced or elimination across 20 states (Davis et al., 2014). The State of Illinois is one of the states where there has been erosion in academic and vocational prison programs (Erickson, 2011). At the same time that postsecondary correctional education programs are declining the Illinois prison population has grown; community colleges are poised to aid prison systems on a much larger scale, increasing the enrollment of postsecondary incarcerated students and subsequently contributing to the overall college completion agenda (The John Howard Association of Illinois, n.d.).

## Concluding Thoughts

In the era of mass incarceration, the question of prison education as a public and private good is a timely one. From our standpoint, community colleges are positioned to play a vital role in fashioning pathways to postsecondary education and a promising future. In closing, we hope this essay serves to provoke thought on the complex landscape of incarceration and the potential of community college research and practice to advance educational policy and social justice for a discounted population of learners.

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