Negative: Re-Entry / Community & Law Enforcement Resources Together (ComAlert)

By “Coach Vance” Trefethen

***Resolved: The United States Federal Government should significantly reform its policies regarding convicted prisoners under federal jurisdiction***

Case Summary: The AFF plan does at the federal level a pilot program that was tried in Brooklyn, New York called Community And Law Enforcement Resources Together (ComALERT). It’s a “re-entry” program; that is, it is designed to aid prisoners who are transitioning out towards the end of their sentence to make sure they successfully re-enter society. ComALERT had about 1 study that said it might work but needs more study, so solvency is doubtful. You can’t prove anything from a single study because there are a lot of confounding factors (see Solvency #6), including selection bias, which is a specific problem with ComALERT. Worse, ComALERT is for those released from prison, so it’s untopical.

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Negative: Re-Entry / ComAlert

DEFINITION

AFF Plan is based on ComALERT, a pilot program in NY: Substance abuse treatment, employment and housing services

National Institute of Justice 2011. (part of the US Dept of Justice) 10 June 2011 “Program Profile: Community and Law Enforcement Resources Together (ComALERT)” <https://crimesolutions.ojp.gov/ratedprograms/114#pd> (accessed 26 Sept 2021)

Community and Law Enforcement Resources Together (ComALERT) is a reentry program in Brooklyn, N.Y., that provides substance abuse treatment, employment, and housing services for parolees transitioning from prison back into the community. The goal of the program is to reduce recidivism of parolees by providing them with the tools and support they need to remain drug-free, crime-free, and employed.

More details on what ComALERT does

National Institute of Justice 2011. (part of the US Dept of Justice) 10 June 2011 “Program Profile: Community and Law Enforcement Resources Together (ComALERT)” <https://crimesolutions.ojp.gov/ratedprograms/114#pd> (accessed 26 Sept 2021)

At the center, a ComALERT–certified alcohol and substance abuse counselor (CASAC) works on site to streamline the referral process. The CASAC administers a psychological assessment that asks about parolees’ past activities and future goals. After the assessment, parolees are directed to the ComALERT Reentry Center in downtown Brooklyn, where they go through program orientation and are assigned to a social worker. Social workers are primarily responsible for helping participants to comply with conditional release requirements, which include substance abuse treatment and employment. All ComALERT participants receive nonintensive, outpatient substance abuse treatment. Program participants are required to attend individual therapy sessions with their primary counselor once per week, as well as weekly group treatment sessions. For most participants, the program last between 3 and 6 months. In addition to receiving substance abuse treatment, ComALERT participants are also referred to the “Ready, Willing, & Able” (RWA) program, which provides transitional employment opportunities, transitional housing, vocational training, and 12-step meetings, as well as courses on financial management and other life skills over a 9-month period. The program offers full-time manual labor work through the Community Improvement Project, a jobs program run by the RWA. RWA participants begin to immediately receive a weekly stipend for their work, while a portion of the money they earn is put into a mandatory savings account.

TOPICALITY

1. Not prisoners

Link: AFF Plan is using the ComALERT model

It’s what they said in their 1AC. They have to do exactly what ComALERT did or else their solvency evidence doesn’t apply

Link: ComALERT program applies after release from prison

Erin Jacobs and Bruce Western 2007 (Jacobs – ComALERT, Office of the Kings County District Attorney. Western – Dept of Sociology, Harvard Univ.) Oct 2007 REPORT ON THE EVALUATION OF THE COMALERT PRISONER REENTRY PROGRAM <https://scholar.harvard.edu/files/brucewestern/files/report_1009071.pdf> (accessed 26 Sept 2021)

Among a new generation of prisoner re-entry programs around the country, ComALERT is unusual in providing a comprehensive array of services to its clients shortly after release from prison. In addition to substance abuse counseling, ComALERT offers transitional housing and employment for up to a year as well as job referral services in an effort to integrate parolees into mainstream social roles.

Violation: Resolution only applies to prisoners

After release, they’re no longer prisoners under federal jurisdiction. Anything that happens to people after release is untopical.

Impact: Impossible to cast an Affirmative ballot

It’s impossible to cast an Affirmative ballot because the resolution doesn’t allow them to run this plan. No matter how good a plan you may think it is, it doesn’t uphold the resolution and we can’t debate it. The only option is a Negative ballot.

INHERENCY

1. Status Quo programs are more successful than ComALERT

Status Quo: 34% of federal inmates are re-arrested within 3 years after release

Mark S. Inch 2017 (Director, Federal Bureau of Prisons) statement before the U.S. Department of Justice Committee on Oversight and Government Reform, U.S. House of Representatives, December 13,2017https://www.govinfo.gov/content/pkg/CHRG-115hhrg31401/pdf/CHRG-115hhrg31401.pdf (accessed 27 Sept 2021)

ln 2016, the U.S. Sentencing Commission found that only 34% of the inmates released from the Bureau of Prisons in 2005 were re-arrested or had their supervision revoked over a three-year period.

ComALERT: 39% of attendees are arrested within 2 years of release

Erin Jacobs and Bruce Western 2007 (Jacobs – ComALERT, Office of the Kings County District Attorney. Western – Dept of Sociology, Harvard Univ.) Oct 2007 REPORT ON THE EVALUATION OF THE COMALERT PRISONER REENTRY PROGRAM <https://scholar.harvard.edu/files/brucewestern/files/report_1009071.pdf> (accessed 26 Sept 2021)

Within 6 months of release, 11.5 percent of ComALERT attendees were re-arrested for any level charge. By the end of the first year, 20.6 percent had been re-arrested, and within two years of release, the cumulative percentage re-arrested was 39.2.

2. Current BOP programs are working

Federal recidivism rate for released prisoners is only half the rate of State prisons

Mark S. Inch 2017 (Director, Federal Bureau of Prisons) statement before the U.S. Department of Justice Committee on Oversight and Government Reform, U.S. House of Representatives, December 13,2017 https://www.govinfo.gov/content/pkg/CHRG-115hhrg31401/pdf/CHRG-115hhrg31401.pdf (accessed 27 Sept 2021)

As the committee recognizes, it is imperative that we effectively reintegrate individuals back into the community following release from prison to reduce the likelihood of future criminal behavior and associated victimization. To that end, the mission of the Bureau, which dates back to 1930, is to confine offenders in prisons and community-based facilities that are safe, humane, cost-efficient, and secure, and to assist inmates in becoming law abiding citizens when they return to our communities. The Bureau has had great success with respect to both parts of our mission: we have low rates of assaults, disturbances, and escapes, and our recidivism rate is half the states' average. These results are a testament to the hard work of our dedicated professional staff who support public safety and promote reentry.

Turn: Instead of taking state programs as a model for the federal prisons, maybe the States doing ComALERT should abandon it and use the federal programs as their model

3. Same programs already being done before release

ComALERT programs for released prisoners are already being done for existing federal prisoners before release

Mark S. Inch 2017 (Director, Federal Bureau of Prisons) statement before the U.S. Department of Justice Committee on Oversight and Government Reform, U.S. House of Representatives, December 13,2017 https://www.govinfo.gov/content/pkg/CHRG-115hhrg31401/pdf/CHRG-115hhrg31401.pdf (accessed 27 Sept 2021)

Another BOP reentry program involves the placement of inmates in residential reentry centers, RRCs, also known as halfway houses, and in home confinement while serving the remainder of their sentence. Pursuant to the Second Chance Act, all Federal inmates are eligible for RRC and home confinement placement. RRCs provide a supervised environment that supports inmates in finding employment and housing; completing necessary programming, such as drug abuse treatment; participating in counseling; and strengthening ties to family, friends, and community

SOLVENCY

1. High drop out rate

Only 54% of ComAlert clients actually graduate from the program. Almost half drop out or are kicked out

Erin Jacobs and Bruce Western 2007 (Jacobs – ComALERT, Office of the Kings County District Attorney. Western – Dept of Sociology, Harvard Univ.) Oct 2007 REPORT ON THE EVALUATION OF THE COMALERT PRISONER REENTRY PROGRAM <https://scholar.harvard.edu/files/brucewestern/files/report_1009071.pdf> (accessed 26 Sept 2021)

Just over half (54.4%) of ComALERT clients graduated from the program. Discharges— or clients who did not complete—made up 45.6 percent of clients. Table 3 separates out the reasons for discharge from the program and gives the percent of the total number of clients who were discharged for each reason. The most common reason for discharge is lost contact with the client, which occurs when the client has not come to treatment sessions for 30 days and the counselor is unable to reach the client by phone or postal mail. 15.5 percent of all clients are discharged for this reason. The second most common reason for discharge is the clients’ noncompliance with program rules. This may occur for various reasons. For example, the client may have sporadic attendance or refuse to be drug tested.

You have to measure “attendees” not just “graduates” because of selection bias

**Analysis: It’s called the self-selection bias problem. If half the people don’t graduate, then the “success” is cherry picked from the self-selected motivated ones who chose to complete the program. ANY program would “succeed” if you let them count only the best highly motivated individuals and use their numbers for success.**

Erin Jacobs and Bruce Western 2007 (Jacobs – ComALERT, Office of the Kings County District Attorney. Western – Dept of Sociology, Harvard Univ.) Oct 2007 REPORT ON THE EVALUATION OF THE COMALERT PRISONER REENTRY PROGRAM <https://scholar.harvard.edu/files/brucewestern/files/report_1009071.pdf> (accessed 26 Sept 2021)

However, it is also important to measure a ComALERT attendee treatment effect because the difference in outcomes between graduates and comparison parolees may not be due entirely to the influence of ComALERT, but rather may result, in whole or in part, from selection bias. This selection bias has two possible sources. First, there may be unmeasured characteristics of graduates that exist irrespective of ComALERT treatment, such as motivation levels or familial support, that influence both their likelihood of graduation and their likelihood of success in the outcomes of interest. If so, the difference between ComALERT graduates and comparison parolees may reflect the influence of these characteristics on both ComALERT graduation and the other outcomes, rather than the influence of ComALERT on the other outcomes. Second, selection bias may result from graduation criteria. Clients who graduate from ComALERT are, by definition, relatively successful, because they must demonstrate positive outcomes in order to be considered for graduation. Regardless of whether these parolees had positive outcomes because of the influence of treatment or would have had positive outcomes regardless of treatment, graduates will be, by definition, a relatively successful group.

2. ComALERT doesn’t reduce arrests much

[same as Inherency #1 card] Re-arrest rate of ComALERT attendees was 39% within 2 years of release

Erin Jacobs and Bruce Western 2007 (Jacobs – ComALERT, Office of the Kings County District Attorney. Western – Dept of Sociology, Harvard Univ.) Oct 2007 REPORT ON THE EVALUATION OF THE COMALERT PRISONER REENTRY PROGRAM <https://scholar.harvard.edu/files/brucewestern/files/report_1009071.pdf> (accessed 26 Sept 2021)

Within 6 months of release, 11.5 percent of ComALERT attendees were re-arrested for any level charge. By the end of the first year, 20.6 percent had been re-arrested, and within two years of release, the cumulative percentage re-arrested was 39.2.

Overall rate in NY City [where ComALERT was studied] is 45% re-arrested in 2 years

Bryn Herrschaft and Zachary Hamilton 2011 (with Center for Court Innovation, a project of the Fund for the City of New York) Nov 2011 “Recidivism Among Parolees in New York City, 2001-2008” <https://www.courtinnovation.org/sites/default/files/documents/Recidivism_Parolees_NYC.pdf> (accessed 26 Sept 2021)

As expected, recidivism rates over two-year and three-year tracking periods following release were higher. Forty-five percent of all parolees in New York City experience a re-arrest within two years. Re-arrest rates were slightly higher in the Bronx, Brooklyn, and Staten Island than in Manhattan and Queens.

3. Age of participants skews the ComALERT results

ComALERT graduates were older, on average. Most 18-25 year olds didn’t complete the program

Erin Jacobs and Bruce Western 2007 (Jacobs – ComALERT, Office of the Kings County District Attorney. Western – Dept of Sociology, Harvard Univ.) Oct 2007 REPORT ON THE EVALUATION OF THE COMALERT PRISONER REENTRY PROGRAM <https://scholar.harvard.edu/files/brucewestern/files/report_1009071.pdf> (accessed 26 Sept 2021)

Age is an important factor in predicting clients’ success in the program. Clients in the youngest age group, ages 18 to 25, are substantially less likely to graduate than all other clients. Only 38.7 percent of clients in this age group complete the program. Graduation rates for all other age groups are above 50 percent, and in general, graduation rates increase as age increases. Clients who are 46 to 50 years old have a graduation rate of 75 percent and for those over 50 years old, the graduation rate increases to 86 percent.

Older guys don’t commit much crime anyway. Lawbreaking drops off after age 25

Dana Goldstein 2015. (journalist) 20 Mar 2015 “Too Old to Commit Crime?” <https://www.themarshallproject.org/2015/03/20/too-old-to-commit-crime> (accessed 26 Sept 2021)

Research by American social scientists shows that all but the most exceptional criminals, even violent ones, mature out of lawbreaking before middle age, meaning that long sentences do little to prevent crime.

Homicide and drug-arrest rates peak at age 19, according to the Bureau of Justice Statistics, while arrest rates for forcible rape peak at 18. Some crimes, such as vandalism, crest even earlier, at age 16, while arrest rates for forgery, fraud and embezzlement peak in the early 20s.

**[END QUOTE. GOLDSTEIN GOES ON LATER IN THE SAME ARTICLE TO WRITE QUOTE:]**

Criminal careers are short for a number of reasons. Neuroscience suggests that the parts of the brain that govern risk and reward are not fully developed until age 25, after which lawbreaking drops off. Young people are more likely to be poor than older people, and poorer people are more likely to commit crimes.

Conclusion: A program where young guys drop out and old guys finish finds that its graduates commit less crime. Wow!

No surprise there. The people who graduate from ComALERT are the older ones who weren’t going to commit crimes anyway.

4. Affirmative’s definition of “success” includes a lot of failure

“Reducing recidivism” is a poor indicator of success. Lots of failure will still be counted as success

Prof. Marina Bell 2020 (Assistant Professor of Criminology at Dominican University of California ) Abolition: A New Paradigm for Reform 26 Nov 2020 <https://www.cambridge.org/core/journals/law-and-social-inquiry/article/abolition-a-new-paradigm-for-reform/10C8B14BA4F2952AAEE4C3F771517372> (brackets in original) (accessed 26 Sept 2021)

By virtue of what has become common practice—employing recidivism reduction as the standard for program success—a program’s ability to reduce recidivism has come to be equated, in operational terms, with its ability to rehabilitate (Cullen and Gendreau [2000](https://www.cambridge.org/core/journals/law-and-social-inquiry/article/abolition-a-new-paradigm-for-reform/10C8B14BA4F2952AAEE4C3F771517372#r26); Cullen [2012](https://www.cambridge.org/core/journals/law-and-social-inquiry/article/abolition-a-new-paradigm-for-reform/10C8B14BA4F2952AAEE4C3F771517372#r25)). The fundamental problem with recidivism reduction as the one and only metric of program success has to do with the absence of any standards for a person’s quality of life following release. As Vivian Nixon and colleagues ([2008](https://www.cambridge.org/core/journals/law-and-social-inquiry/article/abolition-a-new-paradigm-for-reform/10C8B14BA4F2952AAEE4C3F771517372#r96), 28; emphasis in original) note, traditional reentry “[assigns] limited life-capacity to the population of prisoners-in-reentry,” creating markedly low expectations for what a successful, fulfilling life is supposed to be for populations who are put through reentry programs. A hypothetical example can serve to illustrate this: a formerly incarcerated person living under a bridge, suffering from alcoholism and chronic illness, with no recourse to medical or substance abuse treatment, qualifies as rehabilitated, according to the current standard, as long as they have not been rearrested. A program whose graduates all found themselves in this position would be considered a successful program and would receive credit for its rehabilitative powers.

Tolerating oppressive social conditions is considered “success”

Prof. Marina Bell 2020 (Assistant Professor of Criminology at Dominican University of California ) Abolition: A New Paradigm for Reform 26 Nov 2020 <https://www.cambridge.org/core/journals/law-and-social-inquiry/article/abolition-a-new-paradigm-for-reform/10C8B14BA4F2952AAEE4C3F771517372> (brackets in original) (accessed 26 Sept 2021)

Even where qualitative standards exist, the goal is not for program participants to flourish. When these individuals manage to struggle by at minimum baseline standards under oppressive social conditions that led many to crime in the first place, the intervention is considered a success as long as they are tolerating those conditions without acting out in a “criminal” manner (Currie [2013](https://www.cambridge.org/core/journals/law-and-social-inquiry/article/abolition-a-new-paradigm-for-reform/10C8B14BA4F2952AAEE4C3F771517372#r30); Goshe [2015](https://www.cambridge.org/core/journals/law-and-social-inquiry/article/abolition-a-new-paradigm-for-reform/10C8B14BA4F2952AAEE4C3F771517372#r56); Goddard and Myers [2017](https://www.cambridge.org/core/journals/law-and-social-inquiry/article/abolition-a-new-paradigm-for-reform/10C8B14BA4F2952AAEE4C3F771517372#r52)). With that evidence-based stamp, such a program will usually enjoy continued funding and perhaps even be used as a model to be replicated in other institutions and other areas.

5. Not addressing root causes

Reforms that don’t restructure power, control and resources of the justice system will never solve because that’s where the root causes are

Prof. Marina Bell 2020 (Assistant Professor of Criminology at Dominican University of California ) Abolition: A New Paradigm for Reform 26 Nov 2020 <https://www.cambridge.org/core/journals/law-and-social-inquiry/article/abolition-a-new-paradigm-for-reform/10C8B14BA4F2952AAEE4C3F771517372> (accessed 26 Sept 2021) (note on author’s intent: Bell is referencing views of Karakatsanis, and Bell agrees with these views)

Alec Karakatsanis ([2019](https://www.cambridge.org/core/journals/law-and-social-inquiry/article/abolition-a-new-paradigm-for-reform/10C8B14BA4F2952AAEE4C3F771517372#r71)) identifies a number of common characteristics that these kinds of hollow reforms share. He argues that they operate from the assumption that individual problems in the punishment system such as recidivism or police bias are fixable with policies that only address those particular issues, without confronting deeper systemic ones such as white supremacy, economic deprivation, or lack of access to health care. They are based on the mythology that the system is fundamentally right and good and capable of achieving justice and that it is just that it has gone wrong in some areas. They do not shift power, control, and resources out of the punishment system; they keep power and control within the same institutions and actors that create and sustain the carceral state. In some cases, the proposals actually involve giving them greater power, such as reform projects that propose to “improve” mental health conditions in jails by constructing specialized carceral facilities to house mentally ill people or additional budget allocation to police departments for body cameras and implicit bias trainings. Their goal is to expand the punishment bureaucracy, not to shrink it, and certainly not to transfer power and resources to communities. And, finally, because these kinds of reforms maintain or augment power within the system, they make no attempt to build up institutions or sustainable infrastructure to dismantle the punishment system, such as community-based wellness.

Re-entry programs just deal with symptoms, not root causes

Prof. Marina Bell 2020 (Assistant Professor of Criminology at Dominican University of California ) Abolition: A New Paradigm for Reform 26 Nov 2020 <https://www.cambridge.org/core/journals/law-and-social-inquiry/article/abolition-a-new-paradigm-for-reform/10C8B14BA4F2952AAEE4C3F771517372> (accessed 26 Sept 2021)(brackets in original)

First, these programs attempt to address problems such as substance abuse, lack of education, and difficulty with employment following release without questioning how these problems developed in the first place and without situating the issues in the larger social context from which they emerge, which need to be dealt with if any attempted solution is going to be lasting and effective. As Byrd ([2016](https://www.cambridge.org/core/journals/law-and-social-inquiry/article/abolition-a-new-paradigm-for-reform/10C8B14BA4F2952AAEE4C3F771517372#r19), 14) puts it, “[m]ainstream criminologists highlight the legal and de facto sanctions and barriers that result from a felony record, from education and employment to housing and health care. However, these barriers are rarely analyzed as a function of broader systems of inequality.”

ComALERT and similar programs will never solve because they don’t deal with the root causes of criminality

Prof. Marina Bell 2020 (Assistant Professor of Criminology at Dominican University of California ) Abolition: A New Paradigm for Reform 26 Nov 2020 <https://www.cambridge.org/core/journals/law-and-social-inquiry/article/abolition-a-new-paradigm-for-reform/10C8B14BA4F2952AAEE4C3F771517372> (accessed 26 Sept 2021)

Structural inequalities such as lack of education, lack of job skills, substance abuse problems—issues that these programs purport to address—are cast here as individual deficiencies, as if “offender idleness” and “costly disruptive behavior” were actually the source of the problem. Even the medical language of interventions like ComALERT, and the “treatment” they provide, gives the impression that the individual is the appropriate target for intervention (Byrd [2016](https://www.cambridge.org/core/journals/law-and-social-inquiry/article/abolition-a-new-paradigm-for-reform/10C8B14BA4F2952AAEE4C3F771517372#r19)), “situating pathology and accountability entirely within the individual ‘offender’” (Burch [2017](https://www.cambridge.org/core/journals/law-and-social-inquiry/article/abolition-a-new-paradigm-for-reform/10C8B14BA4F2952AAEE4C3F771517372#r16), 358).

ComALERT perpetuates the broken system because it’s financially linked to it

Prof. Marina Bell 2020 (Assistant Professor of Criminology at Dominican University of California ) Abolition: A New Paradigm for Reform 26 Nov 2020 <https://www.cambridge.org/core/journals/law-and-social-inquiry/article/abolition-a-new-paradigm-for-reform/10C8B14BA4F2952AAEE4C3F771517372> (brackets in original) (accessed 26 Sept 2021)

Sixth, another distinguishing feature of reformist reform efforts is that their funding source is, or is in some way linked to, the punishment system. Despite its collaboration with the Doe Fund and its RWA program—which does appear to honor person-first language as well as employ some of its graduates—ComALERT works with the Division of Parole and is directly run by the local district attorney’s office (Doe Fund [2020](https://www.cambridge.org/core/journals/law-and-social-inquiry/article/abolition-a-new-paradigm-for-reform/10C8B14BA4F2952AAEE4C3F771517372#r41)). Therefore, not only is it financially linked to the punishment system, but it is also situated in it.

6. More study needed

As of 2020, we still don’t have enough studies to know what really works to reduce recidivism among released prisoners

Prof. Nora V. Demleitner 2020 (Professor of Law, Washington & Lee University) The U.S. Sentencing Commission’s Recidivism Studies: Myopic, Misleading, and Doubling Down on Imprisonment, Dec 2020 <https://poseidon01.ssrn.com/delivery.php?ID=941086029119014010120091104004100030040035068060068038011067124081005080098007005121027055021115000042004088073117081014113113062049001061039125082115096002117067121021022063071003122105003089104115064120002028082103100095117087113011005096066079013117&EXT=pdf&INDEX=TRUE> (accessed 27 Sept 2021)

Investment in programming indicates that we have left behind the “Nothing Works era,” though we are still in the process of determining “what works.” Despite or perhaps because of the proliferation of in-prison programs in BOP facilities, there is little knowledge as to what types of programming work most effectively, on their own or in combination with others. Many current BOP programs are neither evidence-based nor validated. Yet meta-studies and assessments of specific small-scale programs indicate the effectiveness of programming, at least in reducing recidivism. Large prison-based residential drug and alcohol treatment programs have undergone robust assessment. Their evaluations indicate that individuals who have gone through them adjust better upon prison release, which includes preventing relapse and arrest. However, selection bias in admissions may overestimate the impact of these programs. Since other factors, such as a strong social network, also play an important role in post-release success, the precise role of any program is difficult to ascertain.

DISADVANTAGES

1. Masking root causes of crime

Link: ComALERT “success” comes from teaching people to accept root causes of crime instead of addressing it

Prof. Marina Bell 2020 (Assistant Professor of Criminology at Dominican University of California ) Abolition: A New Paradigm for Reform 26 Nov 2020 <https://www.cambridge.org/core/journals/law-and-social-inquiry/article/abolition-a-new-paradigm-for-reform/10C8B14BA4F2952AAEE4C3F771517372> (“critique often made of such programs” is consistent with author’s intent; she agrees with this criticism) (accessed 26 Sept 2021)

Third, another related issue with these programs is that their evaluations and their corresponding outcome measures of “success” provide little in the way of quality of life standards for their participants. The ComALERT program’s standards of success are decreased recidivism, rearrest, and reconviction. MINNCOR’s standards are detailed more precisely in the Minnesota Department of Corrections’s ([2018](https://www.cambridge.org/core/journals/law-and-social-inquiry/article/abolition-a-new-paradigm-for-reform/10C8B14BA4F2952AAEE4C3F771517372#r89), 6) official Strategic Plan 2018 report: in addition to recidivism reduction, they include such standards as “offenders work or are involved in programming” “offender compliance” with things like child support orders and restitution payments, “offenders complete chemical dependency programming,” and other forms of treatment. The PSE evaluation is the only one that includes any discussion of outcomes relating to quality of life. The authors describe some of the effects of PSE programming as increased self-esteem and pride in their education accomplishments. However, among these, they describe another positive outcome that is particularly problematic: a new, positive attitude toward their incarceration. This invokes a larger critique often made of such programs—namely, that many reformist reform approaches merely help people to “better endure unjust social conditions” as opposed to actually addressing these conditions (Goddard and Myers [2017](https://www.cambridge.org/core/journals/law-and-social-inquiry/article/abolition-a-new-paradigm-for-reform/10C8B14BA4F2952AAEE4C3F771517372#r52), 130).

[Commenting on ComALERT and other similar programs in context] Fails to address larger social problems and just reinforces the current system

Prof. Marina Bell 2020 (Assistant Professor of Criminology at Dominican University of California ) Abolition: A New Paradigm for Reform 26 Nov 2020 <https://www.cambridge.org/core/journals/law-and-social-inquiry/article/abolition-a-new-paradigm-for-reform/10C8B14BA4F2952AAEE4C3F771517372> (accessed 26 Sept 2021)

The examples I have been discussing are reforms that are situated within the framework and logic of the current system and serve to reproduce and reinforce that system (Ben-Moshe [2013](https://www.cambridge.org/core/journals/law-and-social-inquiry/article/abolition-a-new-paradigm-for-reform/10C8B14BA4F2952AAEE4C3F771517372#r9)). This is evidenced by the fact that these approaches treat crime and violence as problems that can be solved by “correcting” people convicted of crimes without also looking to larger social problems.

Impact: Injustice and crime get worse. Superficial “reforms” reinforce a completely bad system and block real changes that would be more likely to solve

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A growing number of scholars and activists advance this argument that reform is not sufficient, that it is “superficial and deceptive” (Karakatsanis [2019](https://www.cambridge.org/core/journals/law-and-social-inquiry/article/abolition-a-new-paradigm-for-reform/10C8B14BA4F2952AAEE4C3F771517372#r71), 851). This perspective is based on increasing evidence that much of what reformists claim is wrong with the criminal punishment system—such as high rates of recidivism, severe racial disparities, and extreme obstacles to reintegration—is in fact intrinsic to the logic of how it is intended to work and that it is inherently and purposively stacked against the interests of the poor, minorities, and marginalized groups (Davis [2003](https://www.cambridge.org/core/journals/law-and-social-inquiry/article/abolition-a-new-paradigm-for-reform/10C8B14BA4F2952AAEE4C3F771517372#r31); Alexander [2010](https://www.cambridge.org/core/journals/law-and-social-inquiry/article/abolition-a-new-paradigm-for-reform/10C8B14BA4F2952AAEE4C3F771517372#r3); Berger [2014](https://www.cambridge.org/core/journals/law-and-social-inquiry/article/abolition-a-new-paradigm-for-reform/10C8B14BA4F2952AAEE4C3F771517372#r10); Butler [2015](https://www.cambridge.org/core/journals/law-and-social-inquiry/article/abolition-a-new-paradigm-for-reform/10C8B14BA4F2952AAEE4C3F771517372#r17), [2017](https://www.cambridge.org/core/journals/law-and-social-inquiry/article/abolition-a-new-paradigm-for-reform/10C8B14BA4F2952AAEE4C3F771517372#r18); Karakatsanis [2019](https://www.cambridge.org/core/journals/law-and-social-inquiry/article/abolition-a-new-paradigm-for-reform/10C8B14BA4F2952AAEE4C3F771517372#r71)). Even under ideal circumstances, these scholars argue, our current systems cannot be just, fair, or humane (Karakatsanis [2019](https://www.cambridge.org/core/journals/law-and-social-inquiry/article/abolition-a-new-paradigm-for-reform/10C8B14BA4F2952AAEE4C3F771517372#r71)). Therefore, attempts to address the current problems, which assume the systems in place for handling crime and dispensing “justice” are appropriate starting points that need only be improved, will not suffice. This is because the surface-level reforms that dominate mainstream conversations about the criminal punishment system “are co-opting a movement toward profound change by convincing the public that the ‘law enforcement’ system as we know it can operate in an objective, effective, and fair way based on ‘the rule of law’” (851–52). Scholars have provided different arguments for why reforms do greater harm than good: “Reform has a pacification effect. It calms the natives even when they should not be calm. ‘False consciousness’ is the term some theorists have used to describe the tendency of liberal reforms to ‘dupe those at the bottom of the social and economic hierarchy’ with promises of ‘equality, fairness, and neutrality’” (Butler [2017](https://www.cambridge.org/core/journals/law-and-social-inquiry/article/abolition-a-new-paradigm-for-reform/10C8B14BA4F2952AAEE4C3F771517372#r18), 197). Not only are reforms ineffective, so the argument goes, they are harmful and insidious in that they create the illusion of addressing criminal punishment system problems when in fact they reproduce the systems of inequality, racism, oppression, and injustice that they purport to address (Spade [2012](https://www.cambridge.org/core/journals/law-and-social-inquiry/article/abolition-a-new-paradigm-for-reform/10C8B14BA4F2952AAEE4C3F771517372#r106); Rodriguez [2018](https://www.cambridge.org/core/journals/law-and-social-inquiry/article/abolition-a-new-paradigm-for-reform/10C8B14BA4F2952AAEE4C3F771517372#r99); Karakatsanis [2019](https://www.cambridge.org/core/journals/law-and-social-inquiry/article/abolition-a-new-paradigm-for-reform/10C8B14BA4F2952AAEE4C3F771517372#r71)). Programs, and reform efforts in general, tend to divorce crime problems from their structural roots. They are dedicated to working within the current structure, therefore reifying it, and distracting from the notion that the structure itself is inherently sick, violent, and destructive.

Impact: Reinforcing the current system is bad because it increases violence and oppression

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Regardless of what the criminal punishment system in the United States purports to do, or try to do, there is tremendous evidence that it operates as an apparatus for controlling and managing marginalized social groups. Put another way, prisons are functionally oppressive, racist institutions that systematically do violence to specific segments of the population (Wacquant [2001](https://www.cambridge.org/core/journals/law-and-social-inquiry/article/abolition-a-new-paradigm-for-reform/10C8B14BA4F2952AAEE4C3F771517372#r117); Davis [2003](https://www.cambridge.org/core/journals/law-and-social-inquiry/article/abolition-a-new-paradigm-for-reform/10C8B14BA4F2952AAEE4C3F771517372#r31); Alexander [2010](https://www.cambridge.org/core/journals/law-and-social-inquiry/article/abolition-a-new-paradigm-for-reform/10C8B14BA4F2952AAEE4C3F771517372#r3)). This violence goes well beyond incarcerated individuals, extending to families and communities, traversing generations, and impacting society as a whole (Ward [2012](https://www.cambridge.org/core/journals/law-and-social-inquiry/article/abolition-a-new-paradigm-for-reform/10C8B14BA4F2952AAEE4C3F771517372#r119), [2015](https://www.cambridge.org/core/journals/law-and-social-inquiry/article/abolition-a-new-paradigm-for-reform/10C8B14BA4F2952AAEE4C3F771517372#r120)). In this sense, we can evaluate the criminal punishment system as a powerful and effective machine for upholding and reproducing certain social and political power arrangements and oppressive, unjust, and inhumane social conditions for those groups under its control.