



# The implementation of Circles of Support and Accountability in the United States<sup>☆</sup>



Ian A. Elliott <sup>\*</sup>, Gary Zajac

The Pennsylvania State University, State College, PA, USA

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## ABSTRACT

According to estimates from the U.S. National Reentry Resource Center (NRRC), at least 95% of state prisoners are released back to their communities after a period of incarceration. The complex issue of returning individuals convicted of sex offenses to their communities often evokes particular concern for both criminal justice agencies and the general public. Amid increases in the scope and intensity of sex offenders' supervision, there has been a growing interest among academics, criminal justice practitioners, and faith groups in using restorative justice approaches with this population. Circles of Support and Accountability (CoSA) is a restorative justice-based community reentry program for sex offenders deemed to be at the highest risk of reoffending and with little or no pro-social community support. This integrative review synthesizes both the previous literature on the effectiveness of CoSA in reducing reoffending with findings from a recent evaluability assessment of CoSA provision in the US. It describes the various forms of implementation, the methods by which CoSA has and can be evaluated, and the possible obstacles that impede rigorous evaluation. The implications for the future implementation and evaluation of CoSA are discussed along with the implications for reentry policy and practice in general.

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<sup>\*</sup> Corresponding author at: School of Criminology and Justice Studies, University of Massachusetts Lowell, 113 Wilder Street, Suite 400, Lowell, MA 01854, USA. Tel.: +1 978 934 4109. E-mail address: [ian@iaelliott.com](mailto:ian@iaelliott.com) (I.A. Elliott).

## 1. Community reentry

According to estimates from the U.S. National Reentry Resource Center (NRRRC), at least 95% of state prisoners are released back to their communities after a period of incarceration. The latest figures from the Bureau of Justice Statistics (from 2011) show that a total of 688,384 individuals were released from U.S. state and federal prisons back into their respective communities (Carson & Sabol, 2012). Most of these offenders return to concentrated urban areas (Travis, 2005) and many will commit a new felony offense or technical parole violations—often within three years, with a majority returning within the first year of release (Petersilia, 2003). Most are likely to face myriad obstacles in accessing housing, education, employment, and other social services and benefits. For example, a longitudinal analysis by Geller and Curtis (2011) found that the compromised housing circumstances of ex-prisoners is closely tied to the limited employment options available to them, with post-incarceration earnings strongly associated with reduced housing insecurity. Research also shows that those released from incarceration have numerous economic, social, physical, and mental health needs requiring input from a variety of social and/or public agencies (Bond & Gittell, 2010). Successful reentry involves the systematic coordination of criminal justice and social service providers to address offender and community needs and should include planned transitions, offender participation, and positive sympathetic interaction between services and offenders (Bond & Gittell, 2010; Taxman, Young, & Byrne, 2003; Travis, 2005; Lattimore & Visser, 2009).

Specifically, the complex issue of returning individuals convicted of sex offenses to their communities often evokes particular concern for both criminal justice agencies and the general public due to the potentially negative biological and psychological outcomes for victims of sexual violence (e.g., Andersen et al., 2008; Chen, Murad, Paras, Colbenson, Sattler, Goranson, et al., 2010). Specific obstacles observed for registered sex offenders include being subjected to harassment from local neighbors and strangers—including community efforts to actively mobilize against them, problems finding and maintaining employment and/or quality housing, and problems protecting family members from shame and ridicule (Levenson & Cotter, 2005; Tewksbury, 2005; Tewksbury & Lees, 2006; Zevitz & Farkas, 2000). The potential negative outcomes are such that criminal justice responses to sex offender reentry have typically involved tightening supervision for sex offenders and the introduction of specific and stringent registration, notification, and residency restrictions.

Currently, all 50 U.S. states and the District of Columbia have registration and community notification laws for sex offenders residing in the community (Lasher & McGrath, 2012; Zevitz, 2006). Harris and Socia (2014) recently found that using the specific label “sex offender” strengthens public support for restrictive policies, including community disclosure, residency restrictions, and social networking bans. However, it has been suggested that the systems of registration and community notification of a sex offenders' presence have been noted to lead to heightened fear, apprehension, and engagement in protective behaviors for both sex offenders and community members (Beck & Travis, 2004a, 2004b). The consequences of stigma related to being identified as a sex offender include feelings of shame, hopelessness/depression, and fear, as well as feelings of unfairness about the label and resentment towards those who apply the stigma (see Tewksbury, 2012).

Notably, the base rate of recidivism for sex offenders is relatively low. According to the Bureau of Justice Statistics (Langan, Schmitt, & Durose, 2003), of a sample of 9,691 male sex offenders only 5.3% were rearrested for a further sexual crime within 3 years of release. It should, however, be noted that compared to non-sex offenders, sex offenders were four times more likely to be rearrested for a sexual crime. Furthermore, recent meta-analysis data reported an observed overall recidivism rate of 33.2% for any new offense ( $n = 23,343$ ; 65 samples), and a sexual recidivism rate of 11.5% ( $n = 28,757$ ; 100 samples) (Hanson & Morton-Bourgon, 2009). It should be noted, however, that sexual

victimization is consistently found to be one of the most under-reported of all violent crimes by both adults and children (Finkelhor, Hotaling, Lewis, & Smith, 1990; Tjaden & Thoennes, 2000, 2006).

There are concerns that these legislative practices focused on containment and control of sex offenders create further barriers to successful reentry and may even have an adverse impact on sex offender recidivism. In their integrative theory of desistance from sex offending, Göbbels, Willis, and Ward (2014) note that reentry should be considered as a long-term process from the day of release and continuing on long after, and that it should focus on all factors that promote desistance (i.e., that reduce recidivism)—but that a lack of support from criminal justice agencies often make the transition from prison to the community difficult and uncertain. Meloy, Curtis, and Boatright (2013) noted that policymakers often create policy based on a pervasive belief that containment-focused legislation rather than offender therapy is the answer to reducing recidivism. This is to be balanced with the finding that sex offenders often have very limited understandings of the legal restrictions to be placed on them on reentry (Tewksbury & Copes, 2013). Meloy et al. (2013) use the phrase *antitherapeutic jurisprudence* to describe the potential deleterious effects of control-oriented sex offender legislation and the obstacles to offender reentry that can result from narrowly-focused community management approaches.

### 1.1. Restorative justice approaches to reentry

Recent years have seen a growing interest among academics, criminal justice practitioners, and faith groups in using restorative justice approaches with this population. Restorative justice is a philosophy that aims to redirect society's punitive response to crime with the aim of increasing public safety through reconciliatory action between offenders, victims, and the community (Sullivan & Tift, 2005). Bazemore and Maruna (2009) cite the three core principles of restorative justice as (1) the principle of repair—the primary goal of any restorative intervention is to repair the harm caused by crime to the greatest extent possible; (2) the principle of stakeholder involvement—victims, offenders and communities should have the opportunity for active involvement in the justice process as early and as fully as possible; and (3) the principle of transformation in community and government roles—as justice systems have assumed more responsibility for crime and harm, communities and individuals have lost their capacity to respond effectively, and thus the relative roles and responsibilities of government and community need to be re-examined and in some cases reversed. Interventions from outside of the correctional sector may be better positioned to respond to individual characteristics and circumstances when providing offender treatment and management than the correctional system (Wilson & Yates, 2009). Wilson and Yates cite Circles of Support and Accountability as an example of this form of non-correctional restorative program.

The following sections form an integrative review of the Circles of Support and Accountability (CoSA) reentry program that synthesizes a critique of the previous literature on CoSA with findings from an evaluability study of program implementation at five CoSA providers across the United States. It describes the various forms of implementation, the methods by which CoSA has and can be evaluated, and the possible obstacles that impede rigorous evaluation.

## 2. Circles of Support and Accountability

Circles of Support and Accountability (CoSA) is a restorative justice-based community reentry program for sex offenders deemed to be at the highest risk of reoffending and with little or no pro-social community support. According to the Correctional Services of Canada model (Correctional Services Canada (CSC), 2002, 2003), the mission statement of CoSA is to “substantially reduce the risk of future sexual victimization of community members by assisting and supporting released

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