

# **Using Technology to Reduce Recidivism in American Prisons**

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On my honor as a University Student, I have neither given nor received unauthorized aid on this assignment as defined by the Honor Guidelines for Thesis-Related Assignments

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## **Objective and Approach of Research Work**

A rise in social justice movements such as Black Lives Matter has placed the American criminal justice system under heavy scrutiny in recent years. Many discussions about the American justice system question the effectiveness of its current methods of criminal rehabilitation, citing high recidivism rates and mass incarceration statistics as evidence of a defective prison system. Recidivism rates represent the percentage of offenders who return to prison within two years of their initial release, and they are “a key indicator of a corrections system’s performance” (Subramanian & Shames, 2013, p.3). As the conveniences of technology become more widespread in our society every day, it is imperative to explore how it could potentially be utilized to improve American prisons. This paper will explore the educational and relational benefits of increasing access to technology in American prisons to reduce recidivism rates using the Social Construction of Technology (SCOT) as means to facilitate analysis.

The Social Construction of Technology (SCOT) theorizes that the development of technology relies on social factors. Under SCOT, social factors can include systems such as culture, economics, and governments. Because social factors vary across the world, technology is said to have interpretive flexibility, meaning it will be understood differently by relevant social groups. Those belonging to a relevant social group “share the same set of meanings attached to a specific artifact,” but have “differing abilities to influence the outcome of its development and adoption” (Humphreys, 2013, p. 234). Until all relevant social groups agree about the features and meanings of the artifact, it has not reached closure and instead is said to be in the stabilization process. To facilitate analysis, this paper will examine the interpretive flexibility of technology and what it means to relevant social groups, analyze the amount of influence held by each relevant social group, and study the design flexibility of technology in prison.

For this paper, the relevant social groups to be studied are prison inmates, taxpayers, and the American government. These three social groups have different interpretations of what it would mean to increase access to technology in prisons as a means of reducing recidivism rates. First, this paper will describe what motivates these social groups to prevent re-incarceration into prisons. Next, it will examine the extent to which technology is currently made available to prisoners in the US. Finally, it will demonstrate how increased access to technology in prisons could ultimately lead to lower recidivism rates.

### **Background and Context**

Despite having around 5% of the world's population, the United States accounts for 25% of the world's prison population (Lee, 2015). The United States has the highest incarceration rate in the world (Sawyer & Wagner, 2020). There are currently almost "2.3 million people in 1,833 state prisons, 110 federal prisons, 1,772 juvenile correctional facilities, 3,134 local jails, 218 immigration detention facilities, and 80 Indian Country jails" in America (Sawyer & Wagner, 2020). Incarceration of this magnitude is costly, as the United States spends "\$60 billion annually on state and federal prisons" (Collier, 2014); yet it has shown very few benefits as recidivism rates have not decreased. Comparing global recidivism rates can be challenging, because countries track recidivism differently, "often using different terms (reconviction, re-arrest, relapse, reimprisonment) and varied lengths of time for studies (1 year, 3 years, 10 years)" (Deady, 2014). However, a 2019 study reviewing 2 year recidivism rates found that 60% of federal prisoners in the United States return to custody within 2 years (Yukheneko et.al, 2020). In the same study, Australia, Canada, France, and the Netherlands, reported 2 year recidivism rates of 45%, 35%, 40%, and 46%, respectively (Yukheneko et.al, 2020).

## Key Stakeholders

In the United States, offenders are incarcerated in either a federal or state prison. 122 federal prisons incarcerate individuals who are convicted of violating federal crimes, while individuals who break state laws are incarcerated in one of 1,719 state prisons (“10 Differences”, 2020). The federal prison system is operated by the Bureau of Prisons (BOP) within the United States Department of Justice which is responsible for the custody of over 200,000 federal inmates (Federal Bureau of Prisons). As federal staffing numbers grow concurrently with the number of federal inmates, federal prisons receive funding from the federal government (Federal Bureau of Prisons). There is no federal version of the BOP for state prisons though, and state prison systems are supported only by taxes paid by state residents (“10 Differences”, 2020). This discrepancy in financial resources, in combination with varying stances on the “capital punishment, the percentages of offenders released on probation, and the racial makeup of their prison populations,” leads to vastly different prison experiences by state (Brooks, 2019).

An inmate’s incarceration experience will vary depending on whether they are placed in jail, federal prison, or state prison. A federal prison can be one of five levels of security (Brooks, 2019). Minimum and low security prisons house nonviolent offenders and offer opportunities for rehabilitation such as work programs and classes (Brooks, 2019). Medium and high security prisons can be characterized by close monitoring of inmates, and rigorous treatment programs (Brooks, 2019). Finally, administrative prisons house inmates with unique circumstances, such as “those who are chronically ill, extremely dangerous or a high-escape risk” (Brooks, 2019). Inmates in administrative prisons are under 24 hour supervision and spend most of their time in their cells (Brooks, 2019). Federal prisons prohibit parole, so the amount of time served is “significantly higher than the average time served in a state prison” (“Types of Prisons”, 2017).

State prisons, on the other hand, place inmates in overcrowded facilities that demonstrate “the long-term and wide-spread negative consequences of dramatic underfunding,” with “little to do other than watch television” (Dervan, 2011). Jails are also operated locally, and they are mainly used for the short term detainments of inmates awaiting trial or those who have been sentenced to less than a year (“Types of Prisons”, 2017). Regardless of their living conditions, all prisoners must manage the debilitating mental effects of being incarcerated; namely, being separated from loved ones, coping with the length of their sentences, and the stressors of a prison environment (Gedney, 2019).

American taxpayers are ultimately responsible for the financing of state prisons. Prison expenditures vary by state, and on average the total cost per inmate is \$33,274 per year (Mai & Subramanian, 2017). Roughly 60% of total spending goes to correctional employees, 11% is delegated for healthcare, and the remaining 17% goes to a catchall category including “facility maintenance, programming costs for incarcerated people, debt service, and legal judgements” (May & Subramanian, 2017). Furthermore, an audit of the California Department of Corrections and Rehabilitation (CDCR), the largest state prison system in the US, indicated that between July 2017 and July 2018, 62% of inmates in the system did not have their rehabilitation needs met (Boyd-Barrett, 2019). Rehabilitation programs such as education, counseling, and substance use therapy have proven to be effective in reducing recidivism; yet the current budgeting system only delegates about a third of its funds to said programs (Boyd-Barrett, 2019). This demonstrates a need for the current budget to be shifted to expand access to proper rehabilitation programs. In doing so, less individuals are likely to return to prison, and the 71% of Americans who believe it is important to decrease the prison population are satisfied (American Civil Liberties Union).

The third social group to be considered in this analysis is the government. Criminal Justice in the United States is changing the political landscape. For the last 50 years or so, minority voters have aligned with the Democratic Party (O’Keefe, n.d.). Consequently, when Black Lives Matter grew in prominence in recent years, the Democrats were quick to support policies that align with criminal justice reform (O’Keefe, n.d.). Republicans have a wider range of opinions towards criminal justice reform. Many Republican voters hold the opinion that groups like Black Lives Matter incite violence, property damage, and target police officers (O’Keefe, n.d.). At the same time, reducing expenditures is an inherently conservative value, forcing Republican politicians to balance “the demands of their constituents with the potential positive or negative effects of reforms that reduce the prison population” (O’Keefe, n.d.).

### **Discussion of Technology in Prisons**

Research shows that there are certain factors that can significantly lower an inmate’s chances of returning to prison. The first of these is education. Inmates who participate in correctional education programs have “43 percent lower odds of returning to prison than those who do not,” and it is said that “every dollar spent on prison education saves four to five dollars on the costs of re-incarceration” (“Prison Reform”, 2017). It has also been proven that staying in contact with a support system such as family is linked to a decrease in recidivism (Tyner et al., 2014). These support systems are essential in helping reintegrate prisoners into society after release by “helping to meet basic needs, such as obtaining shelter, and strengthening connections that assist in successfully completing parole” (Tyner et al., 2014). Therefore, to reduce recidivism, it is in the best interest of the relevant social groups to support an inmate’s ability to receive education and contact support systems on the outside.

In the past few decades, technology reinvented approaches to communication, entertainment, and education, making it unprecedentedly convenient. To rehabilitate criminals more successfully, it is imperative that American prisons increase their utilization of technology for purposes of inmate education and communication.

### **Technology to Support Education**

The General Education Development (GED) program is used to educate the 40% of prison inmates who do not have a high school diploma at the start of incarceration (Passarell, 2013). The flexibility and low costs associated with virtual learning has led many learning programs, including the GED, to move to an online format (Hennick, 2019). For those who have been incarcerated for many years, an unfamiliarity with computers can serve as an obstacle in their education.

According to a prison official from Hopkins County, Kentucky, when the GED test became computer-based a few years ago, the prison saw a “dramatic decrease in the number of inmates passing the exam” (Hennick, 2019). The increasing dominance of technology in education can also be observed in the workforce, and “many of the jobs that inmates seek upon their release require at least some degree of familiarity with technology” (Hennick, 2019). Technology can also encourage prisoners to “adhere to their mental health or substance abuse counseling programs,” “earn technical certifications,” and “learn new skills that will help them become better qualified for jobs” (Hennick, 2019). In 2015, a group called Mountain Comprehensive Care Center brought tablets into the same Kentucky prison and found that they supported the substance abuse curriculum by allowing inmates who had trouble reading to use an audio version of the Alcoholics Anonymous manual (Hennick, 2019).

## **Technology to Encourage Communication with Support Systems**

In the United States, prisoners are incarcerated an average of 100 miles away from their family (Tyner et al., 2014). Prison phone calls are a primary way that inmates contact their friends and family. However, due to the high costs of prison phone calls, families must face the “burden of choosing between remaining in contact with their loved ones and meeting their basic budgetary needs” (Tyner et al., 2014). A case study conducted in a Minnesota prison stated that 78% of the inmates said they did not have as much phone contact as they would need to maintain familial relationships (Tyner et al., 2014). This places inmates with financially strained families at a disadvantage, which is detrimental in the sense that remaining in contact with a support system has shown to reduce recidivism (Tyner et al., 2014).

Correctional institutions have been slow to adopt technology for inmate-focused programs due to funding constraints, but it is slowly funneling into prisons. Individuals incarcerated within the BOP have access to the Trust Fund Limited Inmate Computer System (TRULINCS) which, among other functions, “permits inmates to email with authorized members of the community” (“TRULINCS”, 2020). It is heavily monitored and scaled down, but the service “appears to have done wonders when it comes to connectivity and helping prisoners stay in contact with friends, family, and more importantly, their children” (“TRULINCS”, 2020). One caveat to the TRULINCS privilege is that it costs inmates \$0.05 per minute when reading and composing emails (“TRULINCS”, 2020). The costs associated with maintaining contact with the outside adds up quickly considering that inmate wages can be less than 20 cents per hour (Karakh, n.d.). To effectively utilize this technology, expanding technology programs should also include funding to support inmates so they do not need to pay for email programs.

## **Interpretive Flexibility of Technology in Prisons**

Despite their similar goal of reducing recidivism, the three social groups discussed in this paper have entirely different interpretations of the role of technology in prisons. To inmates, technology in prison represents more opportunity to receive an education, receive treatment for substance abuse or mental health issues, and a lifeline to loved ones on the outside. Technology supports inmates during their period of incarceration and increases their likelihood of staying out of prison after their release. At the same time, to some inmates, increased access to technology in prison also means there is a new opportunity to conduct illegal or inappropriate activities (Riley, 2018).

For the 71% of Americans who say they would like to see the prison population decline, technology in prisons might be interpreted as an indicator of progressive change being made in the US political system. There could also be individuals in this group who see technology in prison as a way to decrease the prison population, and eventually cut down the costs associated with mass incarceration. Among the government officials in the United States, technology in prisons could be interpreted to satisfy the aforementioned constituents who support prison reform, and an opportunity to potentially further their political agendas.

## **Discussion of Influence of Relevant Social Groups**

Under the Social Construction of Technology, it is important to consider the level of influence each social group has in determining the adoption of a technology. The federal and state governments in the US are responsible for overseeing their respective prison systems. At the federal level, government officials have the power to influence sentencing laws, budgeting, and other incarceration related policies through the BOP (Federal Bureau of Prisons). State governments fund prisons through taxpayer revenue, which can vary greatly from state to state

(“10 Differences”, 2020). At both levels of government, officials and politicians strive to implement changes to the prison system in a way that satisfies their respective constituents; therefore, the American public should hold the most influence in increasing technology in prisons. However, differences in the extent to which politicians consider the interests of their constituents can lead to the government holding the more influence in some cases.

State by state policy determines whether convicted felons have the right to vote (Potyondy, 2021). Voting policies of the states can be broken down into four main categories. First, in the District of Columbia, Maine, and Vermont, felons have the right to vote, even while incarcerated (Potyondy, 2021). Second, in 19 states felons are unable to vote while incarcerated but receive voting rights upon their release (Potyondy, 2021). Third, there are 18 states that revoke a felon’s voting rights during incarceration and for a certain period after, but after the time period their rights are restored (Potyondy, 2021). Finally, 11 states permanently revoke voting rights for some crimes, or they will “require a governor’s pardon in order for voting rights to be restored” (Potyondy, 2021). In the 48 states where incarcerated individuals are unable to vote, they have very little influence in determining the accessibility of technology in prisons.

### **Design Flexibility of Technology in Prisons**

Design flexibility under SCOT suggests that there can be differences in interpretations of how a technological artifact should be designed. The design of technology in prison can change based on the desires of the social groups in power. This could be evidenced in the case where a family member of an incarcerated person writes to their congressperson requesting that the budget be adjusted to cover the cost of inmate phone calls. A recently elected governor who based their campaign on reducing mass incarceration might raise state income taxes so that prisons can provide a computer lab with vocational software. The design of technology in prison

would ultimately be determined based on the desires of the relevant social groups and is always subject to change depending on how society evolves.

### **Insights**

Despite its potential benefits with education and communication, there is controversy surrounding inmate access to technology and the internet. The smuggling of cell phones into prisons is becoming an increasing problem, potentially enabling inmates to engage in criminal activities even while being incarcerated (Riley, 2018). Furthermore, many argue that receiving the privileges that come with technology might defeat the whole purpose of punishment. In response to these objections, it is important to distinguish the difference between allowing inmates to freely browse the internet and social media sites and providing access to technology as a resource dedicated to improving the prisoner's experience during and after incarceration. Much like with TRULICS, inmate usage of technology should remain under supervision and should mainly be used in the contexts of education and providing support.

### **Conclusion**

High rates of recidivism have implications for various social groups including prison inmates, state and federal governments, and American taxpayers. For example, federal and state governments are held responsible for successfully rehabilitating those who have broken the law, prison inmates must navigate the debilitating physical and mental effects of being incarcerated, and taxpayers are held financially responsible for the maintenance and operation of prisons. Increasing access to technology in prison could reduce recidivism, and research has indicated that "every dollar spent on prison education saves four to five dollars on the costs of re-incarceration" ("Prison Reform", 2017). By further investing in virtual education programs, prisoners can receive the knowledge and skills necessary for obtaining jobs that require

knowledge of technology once released. By expanding programs such as TRULINCS to the state level and covering the costs of prisoners maintaining phone and email contact with friends and family on the outside, inmates can receive the support they need to successfully re-enter society upon release. With that being said, each social group has different amounts of influence in the design of technology in prisons, and until the social groups are in agreement on the meaning of this artifact, it will not be stabilized according to SCOT.

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