

**BARRIERS TO RECOVERY: A QUALITATIVE QUERY INTO
THE PUNITIVE APPROACH TO SUBSTANCE USE**

by

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fulfillment of the requirements for the degree of Master of Arts in Criminology

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TABLE OF CONTENTS

ABSTRACT.....	vi
Chapter	
1 BARRIERS TO RECOVERY: A QUALITATIVE QUERY INTO THE PUNITIVE APPROACH TO SUBSTANCE USE	1
Introduction.....	1
Literature Review.....	2
The Drug-Crime Relationship and Criminalizing Addiction.....	2
Sanctioning: Punishment versus Treatment.....	4
The Impact of Incarceration Post-Release	7
Navigating Reentry	7
Collateral Consequences and Addiction	9
Methods.....	11
Analytic Strategy	13
Results.....	15
Relevance of the crime-drug relationship: Before/Between Incarcerations.....	16
Incarceration: Different for Those Ready for Recovery	19
Impacts of Incarceration On Addiction Post-Release.....	23
Barriers regarding Employment.....	24
Barriers regarding Stable Housing.....	26
Barriers Created by Community Supervision.....	28
Discussion.....	31
Conclusion	36
REFERENCES	37

ABSTRACT

With the War on Drugs came a punitive approach to drug use and the criminalization of addiction. The purpose of this paper is to analyze how this approach impacts those with addictions who are also criminally involved. Barriers related to obtaining a criminal record and stigmatization due to incarceration may have nuanced effects on desistance from crime and drug use for those whom are simultaneously attempting to gain sobriety. This paper analyzes 32 semi-structured life-event narratives of individuals with substance abuse histories originally released from prison in the early 1990s and re-interviewed in 2009. The sample of participants includes individuals who self-reported desistance from both drugs and crime and those who were still engaged in these activities. Through these narratives, we see how the punitive approach to drug use and related crime interacts with the complexities of addiction. The results show that nuanced collateral consequences arise for individuals who are both criminally involved and suffer with addictions and that these consequences, in turn, not only affected desistance from crime, but also recovery potential. The implications of this analysis include alternatives to incarceration and expanding treatment and diversion options to not only low-level drug offenders, but to offenders who portray chronic addiction.

Chapter 1

BARRIERS TO RECOVERY: A QUALITATIVE QUERY INTO THE PUNITIVE APPROACH TO SUBSTANCE USE

Introduction

The history of U.S. drug policy has ebbed and flowed, swinging the metaphorical pendulum from rehabilitation to retribution. This punitive approach to drug use has led to an increase of incarcerated populations, especially of those who regularly use drugs (Kim & Puisis, 2017). In recent years, the nation was beginning to pull back from the harsh War on Drugs policies that were declared in the 1980's (Brownstein, 2016). In large part, this was due to the high price of mass incarceration and the lack of desired results—a “drug-free America” (Deitch, Koutsenok, & Ruiz, 2000; Welsh & Rajah, 2014). However, with the new Trump administration comes a new agenda, and the “tough on crime” rhetoric is again resurfacing (Pyke, 2017; Sessions, 2017) along with the punitive approach to substance abuse.

The purpose of this paper is to analyze the drug-crime relationship from an inductive, qualitative perspective to see how the punitive approach to addiction (e.g. criminal justice system) affects offenders who have a substance use dependence. More specifically, by analyzing interview narratives from a sample of 32 former inmates nearly 20 years after their original incarcerations, the long-term collateral consequences of criminal justice system involvement are examined. Qualitative research in the area of substance use and addiction is important to highlight the structural forces surrounding and impacting addiction (Rhodes, Stimson, Moore, &

Bourgois, 2010). The literature surrounding the drug-crime relationship calls for innovative research that looks further than the intent of drug policy and sentencing, but also on the consequences of such approaches (Brownstein, 2016). This paper aims to advance this literature by examining the long-term experiences of drug-involved offenders originally incarcerated during the height of the War on Drugs and re-interviewed nearly 20 years later. Through their lived experiences, we will see how addiction can result in nuanced consequences for both criminal offending and substance abuse from interacting with the criminal justice system.

This thesis utilizes an “issue-focused analysis” (Weiss, 1995), which is aimed at providing a chronological overview of the impact of incarceration on those with addictions, ranging from the time leading up to incarceration to post-release. By focusing on each stage of the penal approach to crime and addiction (e.g. before, during, and after incarceration), the intention of this paper is to provide insight into long-term complications that arise while highlighting the end result of nuanced collateral consequences that materialize post-release for those who have criminal records and an addiction.

Literature Review

The Drug-Crime Relationship and Criminalizing Addiction

Although there is a proliferation of research that examines the intersection of drugs¹ and crime, much of this research has been aimed at finding the causal

¹ This article uses the term “drug” with the assumption that alcohol is included, as well.

mechanisms that link these two undesirable behaviors. Three main theoretical models have been identified: drug use causes crime, crime causes drug use, and the same factors cause both crime and drug use (Deitch et al., 2000). Most studies explore these relationships from a quantitative approach, but a number of qualitative studies have explored these linkages as well (Bennett & Holloway, 2009). Although much of this research has been aimed at finding the link between drug use and crime, the results have consistently been equivocal (Deitch et al., 2000).

The only consistent finding is that substance use is correlated with crime and this has resulted in increased drug enforcement. What we do not know is how this drug enforcement has impacted those who use drugs and commit crime, specifically those with addictions (Daniels & Hart, 2003). Further, the gap between drug dependence research and the research into the various services that work with individuals with drug dependence, such as the criminal justice system is wide (Hser, Longshore, & Anglin, 2007). According to Hser et al. (2007), addressing the addiction as well as the reason for the contact with a particular service system (e.g. criminal justice) is essential. Does our approach to the drug-crime relationship accomplish this? In particular, are there structural mechanisms that complicate the seemingly straightforward response to deter and incapacitate those with addictions?

Much of the focus on drug use by those involved with crime is attributed to a criminal lifestyle—emphasizing subcultural characteristics that disregard consequences and emphasize hedonism and poor financial skills (Bennett & Holloway, 2009). The discussion regarding criminal activity and substance use rarely focuses on the role of addiction. When substance use is linked to crime, it is often a side note—another aspect of “street life” and part of a certain “lifestyle.” Drug use is

categorized as an unaffordable, self-indulgent luxury (Jacobs & Wright, 1999). In certain accounts that acknowledge addiction, it is again overshadowed by the idea of “partying” (Wright, Brookman, & Bennett, 2006). These descriptions point to criminal subcultural explanations, rather than to the role of addiction as a chronic disorder. This correlation between crime and indulgent substance use further legitimizes the penal response to crime and addiction in the US. Unfortunately, with this penal response comes a tough on crime rhetoric that also encapsulates drug use—creating stigma and potential barriers to recovery. The current literature is in agreement about one thing: the drug-crime relationship cannot be reduced to a single pathway, model, or theory. Rather, it is a complex, interacting and reciprocal relationship (White & Gorman, 2000). As such, it is important to examine at the individual level how someone with an addiction navigates the primary mechanism our society has used to deal with both crime and addiction: the criminal justice system. Propagated from the correlation between drugs and crime, punitive measures have been utilized to control both criminal offending and substance use. How does this approach to drug use by those who are criminally involved affect their future offending and drug use trajectories? This paper examines the long-term repercussions of the “tough on crime” approach on addiction and how these interact for those involved in the criminal justice system.

Sanctioning: Punishment versus Treatment

Drug use in the United States has been criminalized for over a century. With the introduction of the Harrison Act of 1914 the use of drug policy to control the minority labor force took hold (Kerrison, 2014). This has continued to the present day and is most noticeable surrounding the get-tough policies of the War on Drugs and the

current era of mass incarceration. Mass incarceration disproportionately affects low-income and impoverished people of color and has effectively disenfranchised already marginal populations (Alexander, 2012). The United States currently has half of the incarcerated population worldwide incapacitated in its prison system (Mowen & Visher, 2015). However, this punitive, deterrent approach has not been proven effective (Holleran, 2002; Paternoster, 1987; Rowan, 2016). In fact, recidivism rates are higher for those placed in prison than those who are placed on probation or who have had their prison sentence suspended (Cid, 2009; Holleran, 2002). The lack of empirical evidence supporting the effectiveness of our War on Drugs has done little to put an end to the damaging outcomes it has resulted in. Additionally, the cost of mass incarceration is enormous. On average the cost of mass incarceration is about 182 billion dollars per year (Wagner & Rabuy, 2017). These expenses accrue from not only correctional institutions, but also legal and judicial costs, policing, payment to public employees, costs to families, and basic necessities such as food and utilities for those incarcerated.

Despite this immense cost of mass incarceration, we still do not see the funding being used to address behavior and “correct” and “rehabilitate” those who are in need. Research shows that at least half of all incarcerated persons have used substances in the month prior to their offense and about 83% of those individuals that would benefit from substance use treatment will not be able to receive it (Chandler, Fletcher, & Volkow, 2009). This staggering disconnect of need and treatment stems from the inability of the criminal justice system to treat addiction. By not properly addressing the treatment needs of those with addictions, the criminal justice system is bypassing an opportunity to not only help a person who is struggling with addiction to

begin recovery, but also to decrease reoffending to benefit public safety (Chandler et al., 2009; Mcvay, Schiraldi, & Ziedenberg, 2004). While the criminal justice system offers a unique opportunity to be in contact with individuals who use substances and commit offenses, diverting these individuals to an outpatient treatment is more effective than sending them to in-prison treatment (Chandler et al., 2009). Although in-prison treatment is more effective at reducing recidivism and substance use than prison alone, this is most effective when paired with community-based treatment after incarceration (Chandler et al., 2009). Furthermore, community-based treatment sees the most successful outcomes. For example, those receiving in-prison treatment are about 1.45 times less likely to recidivate while those who receive in-prison treatment paired with post-incarceration community-based continuing care are 7 times less likely to use drugs and 3 times less likely to recidivate (Chandler et al., 2009). This two-pronged approach has superior success outcomes in both decreased substance use and lower recidivism rates. Additionally, the cost effectiveness of treatment over incarceration is quite significant. In-prison treatment yields \$1.91 on every dollar spent compared to prison alone while therapeutic treatment outside of prison yields \$8.87 per one dollar spent (Mcvay et al., 2004). This dollar value represents not only money saved from housing someone in prison, but also a reduction in social costs due to crime. Unfortunately, the majority of offenders who need substance use treatment will not receive it and the revolving door to prison continues to cycle.

The Impact of Incarceration Post-Release

Navigating Reentry

With the high rate of imprisonment in the United States comes a high rate of reintegration and reentry. The rate of individuals released from prison each year has increased 500% in the last four decades (The Sentencing Project, 2017). However, many of these individuals will not be successfully reintegrated into mainstream society. In fact, about 77% of those who are released from prison will be rearrested—with majority of rearrests occurring in the first year (Durose, Snyder, & Cooper, 2015). Research has highlighted many factors that create barriers that contribute to the high failure rate of reintegration of those previously incarcerated.

One of the main barriers to successful reentry is lack of legitimate employment. Individuals who are able to gain lawful employment after imprisonment are less likely to recidivate and more likely to engage in prosocial roles (Laub & Sampson, 2003; Pager, Western, & Sugie, 2009). However, a criminal record decreases the likelihood of obtaining gainful employment. This is especially true for African American males, who are also overrepresented within the criminal justice system (Pager et al., 2009). Moreover, not only is legitimate employment important, but also quality employment. Many of those who are released from prison have below the national average education and employment skills and experience that prevent them from securing a decent waged job (Visser, Debus-Sherrill, & Yahner, 2011; Visser, Debus, & Yahner, 2008). This often leads to the need to supplement legitimate income with illegal sources of income (Visser et al., 2011).

Along with barriers to employment, those who are released from prison may be at a familial disadvantage. Family support is seen as an important factor in the reentry

process but ironically, these relationships are frequently damaged and/or strained by incarceration (Clear, Rose, & Ryder, 2001; Naser & Vigne, 2006; Travis, McBride, & Solomon, 2006). When an individual is incarcerated, it creates an enormous strain on the family that is left behind, often altering many aspects of that family—and not uncommonly, ending these relationships (Clear et al., 2001; Travis et al., 2006). This is significant because studies have shown that those released from prison rely heavily on their families to navigate almost all aspects of reentry—from logistical planning to emotional support (Naser & Vigne, 2006). Living arrangements are one of the most immediate needs when released from prison (Visser et al., 2008), which is often provided by family members. When familial relationships are damaged, basic necessities, such as stable housing, can become more difficult to attain creating a more challenging reentry period.

While there are many barriers to successful reentry, there may be added challenges for those with addictions. The literature that discuss addictions and reentry often focus on substance abuse treatment programming and how addiction affects other aspects of reentry, such as employment or housing. Intuitively, addiction creates a complicated reentry path. It is largely included in quantitative models as a well-known risk factor for recidivism, however, little research has examined the mechanisms of these risks nor how these factors interact with addiction to complicate the reentry experience.

A few studies have highlighted how addiction complicates various aspects of successful reentry. As noted earlier, those with addictions who are released from prison rely on their family for support as they navigate recovery and desistance. However, when family conflict arises, this has been shown to contribute to relapse and

subsequent recidivism (Mowen & Visser, 2015), furthering the challenges related to reentry. While this affects those trying to reintegrate without addictions, the challenge for those with an addiction are exacerbated. Those who have substance addictions also have a more difficult time holding and maintaining legitimate employment (Visser et al., 2011). The impact of having a criminal record and the time spent incarcerated may affect the protective factor of employment in a way that creates not only barriers to reintegration, but also to recovery.

Collateral Consequences and Addiction

To reiterate, the War on Drugs has placed the criminal justice system on the front lines of addressing substance abuse in the U.S. This has created a surge in the number of individuals incarcerated with drug offenses and other offenses related to drug use (Kim & Puhis, 2017). A majority of these offenders will be released back to society, but many will not be able to reintegrate successfully due to underlying issues, including substance abuse (Bachman, Kerrison, O'Connell, & Paternoster, 2013; Mcvay et al., 2004). Thereafter, those who have been marginalized because of their addiction, especially those with few economic resources, now have a dual label as criminals, and face further stigmatization and marginalization. This is, in part, due to the long lasting effects of incarceration and contact with the criminal justice system that goes far beyond the end of a formal sentence (Chen, 2017). This includes both formal and informal collateral consequences, or invisible punishments (Travis, 2002). These punishments are a result of having rights and privileges diminished because of a criminal conviction and are an indirect result of sentencing. Because of their indirect nature, they have not been considered a part of the process of sentencing and are frequently left out of the debate surrounding sentencing policies (Travis, 2002).

However, these collateral consequences have huge impacts on individuals who are sentenced in the criminal justice system (Kerrison, 2014) and should be considered when discussing appropriate sentencing. One of the primary purposes of this paper is to illuminate these collateral consequences for offenders with addictions.

The consideration of collateral consequences on offenders is crucial to understanding not only the cycle of crime, but the interplay between crime, drug use, and desistance from both. Collateral consequences affect those with a criminal record by interfering with their ability to vote, gain employment, access to public housing, welfare benefits, and obtain a driver's license. Importantly, these hindrances further impede the ability to do a vast number of things, such as work, visit children, make probation appointments, etc. (Chin, 2017; Demleitner, 1999; Kerrison, 2014; Travis, 2002). Certain jobs are also off limits to those with criminal histories (Travis et al., 2006), including jobs in airport security², health care fields, nursing homes, public schools, transportation services, and child care (Kerrison, 2014). This creates barriers to successful reintegration for those with criminal histories, with or without addictions.

These barriers are a form of double jeopardy for individuals re-entering society with addictions as they decrease the likelihood of desisting from both crime and substance abuse. For example, collateral consequences may diminish or strain recovery capital-- the amount and density of internal or external resources needed to initiate and maintain recovery from drugs and alcohol (Best & Laudet, 2010). These resources do not necessarily need to be professionally driven, but they are important for being able to maintain sobriety. Having a criminal record can impede such

² 49 U.S.C. §§ 44935(e)(2)(B) and 44936

resources. When individuals who suffer with addiction are processed through the criminal justice system, they are faced with additional barriers relating to that addiction. These challenges manifest themselves in various ways, one of which is nuanced collateral consequences that not only affect reoffending, but also relapse, which in turn, may lead to reoffending.

The goal of this paper is to explore how addiction complicates the mechanisms related to desistance from both drug use and criminal activity for a sample of drug involved offenders originally released from prison in the early 1990s and re-interviewed in 2009. Unlike the quantitative studies that have examined the effects of substance abuse on recidivism, this qualitative approach will illuminate how addiction interacts with both personal and structural factors to complicate the desistance process.

Methods

This study is based on a secondary qualitative data analysis from a mixed-methods research project entitled *ROADS Diverge*. This dataset included two distinct phases of data collection, with the first phase being quantitative and the second being qualitative (Bachman et al., 2013). The sample for the ROADS project was based on a previous sample of drug involved offenders used to evaluate the effectiveness of Therapeutic Communities in reducing recidivism in 1989 (Inciardi, Martin, & Butzin, 2004). About half of the recipients in the original sample received some type of drug treatment (either a prison-based therapeutic community followed by work release or an intensive outpatient treatment), while the other half was used as a comparison group. The first phase of the ROADS study predicted trajectory models for the original 1989 sample using official arrest and incarceration data through 2009. From the 5 different trajectory models that emerged, a random sample of 300 individuals

were selected to be intensively interviewed about their experiences since their baseline prison release in the early 1990s.

These interviews were semi-structured and in the form of a life-events calendar. Participants were asked questions to recreate the events and emotions surrounding relapses and offending, as well as their thought processes when desisting from either drug use, crime, or both (Bachman et al., 2013). Through these questions, much insight was available into the experiences each individual had with the criminal justice system, their time incarcerated, and the impacts these interactions had on their substance use and offending. This data set is appropriate for this research as it not only investigated the mechanisms involved in persisting and desisting in crime, but also how participants navigated their substance use addiction throughout the processes of using, relapsing, and entering and maintaining recovery. Further, it offered a much-needed long-term perspective on the re-entry experience compared to other studies that have relied on much shorter follow-up periods. In fact, many scholars have noted the limitations of research using short time frames, including those that follow individuals less than one year post release (Bart, 2012; Bauer, Hyland, Li, Steger, & Cummings, 2005).

The sample of 34 individual interviews used for the present study were selected using a multi-stage process from the original sample of 300. To ensure that there was enough information about the effect of incarceration on recidivism from both crime and substance abuse, the original NVivo coding file from the ROADS project was examined for related themes (called tree nodes in NVivo). First, a subsample of interviews that had been coded under the tree node “Prison’s Impact on Substance Use” node was selected. Within this node there were over 70 interviews.

The interviews that were most saturated within this category were chosen by using those that had 10% or more of coded material within this node, which resulted in 19 interviews. These 19 interviews were entirely recoded in NVivo. Similarly, interviews that were under the node “Parole and Probation” within the “Reentry” tree node of interviews were subsampled using a similar process. This portion of interviews was selected in order to supplement the preliminary findings from the first set of interviews. From the data-led themes that had emerged it became clear that reentry and parole and probation were significant events for these participants. Further, it followed the chronological nature of the issue-focused analysis by following up on the experience while incarcerated to the experience after release. The interviews in this node that had over 25% of coded material were selected. This process resulted in an additional 15 interviews with one of the interviews overlapping both categories and one interview being unusable due to an incomplete transcript. This resulted in a final sample of 32 interviews for this analysis.

Because of the exploratory nature of this study, both white and African American males and females were included. In this sample of 32 interviews, the majority of participants were Black/African American (68.7%) and male (62.5%). The measurements of race and gender of the participants were both dichotomous—Black/African American or White/Anglo and male or female. The average age of participants at the time of the interview was 44.9 with a range from 30 to 65.

Analytic Strategy

The analytic strategy employed here used an inductive inquiry into how incarceration affected desistance and recovery outcomes for offenders who had addictions. An initial reading of the interview transcripts was done to become

familiar with the data and the stories being told. Following the initial readings, *in-vivo* coding began that utilized the participant's own words to create codes, which allowed for the meaning making to be guided by the participant themselves (Charmaz, 2008), followed by open coding. During the initial coding phase, a number of themes emerged. Examples of these themes included recovery as a process, experiences in prison before and after a decision was made to become sober, the desire for a prosocial life despite numerous interactions with the criminal justice system, and how incarceration created barriers to a desired prosocial life. Within these parent nodes were child nodes, tracking the details of more nuanced aspects of each theme. For example, under "Process of Recovery" were child nodes of criminal justice system as an intervention, early needs, maintenance, and relapse. Frequently, there were also sub-categorical codes within many of these child nodes.

Through this initial coding, an interesting theme emerged that forms the basis of this thesis. While coding for "Record as barrier for prosocial life," it became evident that those who suffer with addictions experience nuanced collateral consequences in addition to the general well-known collateral consequences that are more familiar to criminological studies. This data-led theme refined the original research question to allow for a more narrowly focused analysis. The analysis then evolved to focused coding, using the inductive theme of nuanced collateral consequences to code more clearly and efficiently in order to further the analytic ability of this project (Charmaz, 2008).

While the basis of this paper aims to contribute to the literature surrounding collateral consequences and barriers to reentry, it follows the ideology of "issue-focused analysis." This type of analysis discusses issues within different phases or

contexts of a phenomenon that are logically related (Weiss, 1995). For example, while the crux of this thesis is the nuanced collateral consequences that create additional challenges for offenders with addictions, it was also important to examine how addictions influenced criminal involvement before and between incarcerations, as well as how addictions influenced time spent while incarcerated. This acts as a chronological story leading to the end result, which allows for insight into how the results can be utilized to create effective solutions at more than one stage. This analytic strategy provided a deeper understanding of the effects of the penal approach to crime and addiction and the effect of this approach on both recovery and addiction.

Results

The results of this study revealed the implications of the punitive approach to the drug-crime relationship by considering the complexity of addiction. Most of the 32 individuals in this sample were incarcerated for crimes they committed that were related to their drug use. They were then sanctioned through the criminal justice system, all having been incarcerated at least once, and most often numerous times. During their sentences, some became sober while others remained active in substance use and crime. Following their incarceration, some individuals remained sober but many relapsed—continuing the cycle of crime and drug use. For many of those who did remain sober, it was short-lived and eventually there was a return to substance use. In the following analysis, the repercussions of this penal approach are emphasized through the idea of “nuanced collateral consequences” and the effect that these consequences had on those trying to overcome not only criminal offending, but on reaching and maintaining recovery.

First, the significance of how addiction has been criminalized through the sanctioning of drug related crime will be discussed. Following that, the prison experience for those who were ready for recovery versus those who were not is analyzed. The final stage of this chronological account highlights the barriers that a criminal record created for those attempting to reintegrate into society and navigate addiction simultaneously. This theme of “nuanced collateral consequences” is discussed in regards to three of the most prominent examples within the node. These examples include barriers to employment, stable housing, and the added complications that come with community supervision for those with addictions.

Relevance of the crime-drug relationship: Before/Between Incarcerations

In this sample, the majority of participants had already been struggling with an addiction before being sentenced to prison. While this analysis did not systematically code for Goldstein’s tripartite model (Goldstein, 1985), the narratives do coincide with the ideal types and demonstrate that various crimes were influenced by drug use and addiction—not just drug offenses. The narratives show how the interaction between addiction and crime involvement affected the nature of offenses committed. Charges that individuals received were not just related to selling and using, but also included property and violent crime. However, these property and violent crimes were often related to drug use directly—most often from the effects of intoxication or the need for money. Jimmy³ describes how his alcohol abuse related to his numerous assault charges:

³ All names have been changed to pseudonyms to protect confidentiality

“Well I was drunk, I’m running through the parking lot of the mall, I trip over a shopping cart that’s laying on its side. The guard of the mall standing there rather than coming to my aid to see if I’m okay, he’s laughing at me. So I pick up the shopping cart, run at him and throw the shopping cart at him. You know, a drunk act. I’m not trying to kill nobody, I’m not trying to assault nobody. I’m intoxicated and I’m doing something real stupid. And I got numerous, I got a telephone book of making an ass out of myself. But when a judge looks at that, you are a bad one.”

The commitment of property offenses often stemmed from a need for cash that ranged from requiring money to buy drugs to requiring items for their families because they were unable to hold a job due to their active substance use. For example, Henry bluntly stated that he burglarized homes for money to support his drug habit:

Interviewer: “Was that a crime [burglary] you were committing on a regular basis?”

Participant: “No”

I: “So what happened with that?”

P: “It was drug related”

I: “Just needed money?”

P: “Yep”

Dawn describes how her addiction resulted in being fired from a job, which soon led to shoplifting for survival:

“I ended up losing my job because I wouldn’t show up because I’d be sick [withdrawing from substance] at times, so I wouldn’t show up and um, I started shop lifting.”

These narratives reveal the temporal order between drug use and criminal offending; almost 90% of individuals in this sample made it clear that they violated criminal law because of their underlying issues with substance use addictions.

While their crimes were related to their substance abuse, incarceration usually did not provide the opportunity for successful recovery. This is important to illustrate because not only would low-level drug offenders potentially benefit from treatment and alternatives to incarceration, but so would many other types of offenders who have addictions. Most incarceration alternatives and lenient sentencing policies cater to low-level drug offenders and nonviolent offenders. This may be excluding others who could benefit from such services. An example of how violent offenders, who are addicted to substances, become involved with crime due to their drug dependence is that of Terrence. Terrence had a record of committing armed robberies. In his own words, you will see how these violent crimes stemmed from a place of addiction:

“Exactly, I was doing \$150 a day and I was working and spending my whole pay check on the heroin and one night we were sitting there and didn’t have any dope or money and I said I’ll be right back and I went out and robbed a gas station and then I did a bunch of them.”

It is important to note that many participants referenced the criminal justice system as an intervening factor—often discussed in both negative and positive ways. Being incarcerated or under supervision stopped some from using, at least during incarceration, by being removed from their enabling or triggering environment. However, the repercussions of having a criminal record post-release limited this intervention. Further, once they were released from criminal justice supervision, they lacked the resources to maintain the clean time they had gained.

The following sections explore the penal response to the crime-drug relationship and how this punitive approach is often ineffective and counterproductive for those with addictions. It takes an in-depth look at the mechanisms that made this punitive approach more complicated due to the additional challenges that accompanied addiction.

Incarceration: Different for Those Ready for Recovery

This theme became clear from many interviews that discussed the participants' perception of incarceration. These narratives clearly illuminated the different perceptions between those who were ready and able to enter recovery and those who were not. The participants who were ready to begin recovery in prison all engaged in similar strategies to do so. They all talked about making new friends who were like-minded, immersing themselves into programming, relying on spirituality for support, staying busy to avoid idleness, and all around "doing things different." Notably, many of these strategies coincide with drug treatment objectives. However, not all participants felt the same motivation or ability to begin their recovery on the inside, either attitudinally or behaviorally. For virtually all participants, sustained recovery did not happen after one incarceration. The majority in this sample had long histories of being locked up for offenses related to their addiction. In some instances, incarceration was actually counterproductive, causing more harm than good. For those who were not ready to change, prison created an environment that allowed participants to spiral further into their addiction and the circumstances that enabled their use. For example, Curtis discussed how he was able to create more crime connections while he served his prison sentence⁴:

"No the very first [*prison sentence*], I'll be honest with ya, I was making connections, good connections. Looking for the bigger man that had the gooder stuff, the cheaper stuff."

⁴ An important consideration is the age distribution of crime. In criminological research, age is a well-known, if not the most well-known, correlate of crime. The peak of criminal behavior is during late adolescence and early adulthood. Please see *Age and the Explanation of Crime* for further discussion of this topic (Hirschi & Gottfredson, 1983).

For others who were not ready or unable to begin recovery, prison was just another opportunity to continue drug using and dealing⁵. Rodney explained how he was able to keep selling drugs on the inside: “When I first went into the joint the first 4 or 5 years, I was dealing marijuana, bringing it in, paying ‘em.” As for those who still used, Wanda showed how drugs are available within prison, whether or not an individual had a personal connection to the outside: “As a matter of fact, I did get high in jail, caused a big upset, [*the judge*], I had got sentenced to 12 days in the hole because this girl got somebody to bring some dope in and I did it.” Likewise, Terri continued to use in prison. In her account of her experience, it showed how using in prison not only affected incarceration, but also release. Terri had used in prison, and instead of the judge finding an alternative sanction that could have provided treatment or counseling, she was sent back to prison to carry out the same counterproductive sentence without addressing her underlying addiction:

“I just started, you know what, it starts in jail, you break it out somebody in jail got the little thing and then you on probation you can’t say oh I was in jail getting high, you couldn’t explain that, so I finally told them the truth, they sent me back again going with this program again.”

Furthermore, not only was prison a place that increased crime connections, allowed drug use and selling, but it also created an environment conducive to violence

⁵ The prevalence of drug use while incarcerated may be a product of the time period in which this data was collected. Many of the participants were recalling periods that could have gone back multiple decades since the late 1990’s. There have been concerted efforts to reduce drug use inside prison and jail. However, publications show that drug use is still occurring while incarcerated. Please see “Drugs inside prison walls” (The Washington Times, 2010) and “Drugs in prisons: Exploring use, control, treatment and policy” (Kolind & Duke, 2016) for an overview of this issue.

and anger (often related to being locked up in the first place). Jay exemplifies this with his experience of being repeatedly cycled in and out of the prison system due to his drug dependence and related crimes and how this affected him and his family:

“I think I was more angry than anything else, that I, that I got myself back in that position again, of using and doing crime and then I think after the anger set in then I was more hurt than anything. Just dealing with the family and all that, my kids, my wife, so um, I started acted out a lil bit when I first got out of that bit, I mean I was acting out a lil bit and getting in trouble. Yanno the whole, the normal thing, fighting, lockdown, back and forth that kinda thing.”

While some people were able to begin taking steps to recovery, the commonalities in their steps (e.g. like-minded friendships, spirituality, programming) could have been provided without the addition of a criminal record. This is important to note since all of these participants had been defaulted to the criminal justice system, rather than a health services system. The criminal justice system at best provides an intervention to remove a person from an enabling environment, and at worst has a criminogenic effect. This leaves many worse off than they had been before their incarceration.

An illuminating example of the ineffectiveness of incarceration was the story of Veronica. She had been locked up for 2 or 3 weeks every 3-4 months for the last few years due to unpaid child support even though her children were grown. Veronica had committed no crimes during this period, but had a criminal record from the past that continued to haunt her years later. She was unable to pay her child support because she couldn't hold a job due to her active substance use and recent open heart surgery. She was very depressed and believed there was “no hope” for recovery—she predicted that she would be “in the ground” shortly. Veronica wished for “some kind of medication” that could help her “stop doing drugs period” and believed that this

was the only way to save herself. It was clear that incarceration at this point was not serving any purpose but disrupting her life and offering no alternative to her addiction.

For others, a number of negative experiences arose while incarcerated. These negative, and sometimes traumatic, events created emotional turmoil and diminished well-being. Terri told her interviewer how being incarcerated was a psychologically challenging experience and created a type of isolation that outside people would not understand: “You get locked up you not just locked up, they try and lock up your mind, everything, [...], and the things that go on behind those walls you just don’t know what goes on behind those walls unless you been back there.” Kimberly shared how the treatment she received in prison was too harsh and still impacted her life negatively: “They traumatized me and I’m still not over it. So to me in that way, they did more harm than good.” For those with addictions, these stressful events can trigger use and self-medication within prison and once released. Unfortunately, traumatic events were not scarce or the exception in the interview narratives. The majority of the sample had been victim to or witnessed traumatic events—most often relating to abusive experiences. Many recalled abusive and emotionally charged memories as triggers for using drugs—often to forget. For these individuals with physical, emotional, or sexual abuse histories, incarceration only serves to exacerbate their trauma and may serve to increase their need to “forget” and self-medicate through problematic drug use.

As already mentioned, some were able to become sober and enter a state of mind to continue sobriety after release. But the majority of these individuals relapsed at least once—as is part of the process of recovery. Further, prison created an environment that could be criminogenic—shaping a person to be more likely to

continue the behavior they are being punished for (Pritikin, 2008). The additional barriers to desistance that many faced post-release because they now had a criminal record are depicted next.

Impacts of Incarceration On Addiction Post-Release

Collateral consequences are not unique to those with addictions, but they do pose nuanced challenges for those who have addictions as well as criminal records. Not only are these individuals trying to create a crime free life, but they are also trying to create a substance free life. For those with addictions, this is not as simple as “just saying no.” Addiction is a complex and chronic disorder that is influenced by various environmental factors along with a genetic predisposition (Agrawal & Lynskey, 2008). When individuals are incarcerated instead of sent to treatment, a number of additional barriers are created that make entering recovery and maintaining sobriety less likely and more difficult, which in turn, leads to more crime fueled by the addiction.

Collateral consequences, on a larger scale, contribute not only to the cycle of crime but also relapse. The narratives from many of the individuals in this sample revealed challenges that not only created barriers to desistance from crime, but also decreased the probability that those with addictions trying to maintain recovery would be able to do so. Therefore, collateral consequences may not only create barriers for prosocial lives, but may have more severe outcomes for those with substance use addictions.

For those who were able to become clean in prison, their recovery was often overshadowed by the additional barriers created by a criminal record and a lack of resources to overcome them. This section focuses on three types of complications that

arise during post-release for those with addictions that emerged under the main theme of “nuanced collateral consequences.” While the literature has discussed these consequences for those with criminal records generally, the analyses below highlights how these barriers manifest when an addiction is added to the desistance process.

Barriers regarding Employment

Those who relapsed after release from prison spoke about struggles that were caused by their incarceration—such as not being able to get a job due to their record. For example, Derek had been dealing with both the collateral consequences of incarceration, as well as dealing with a heroin addiction. Although he had worked to enter recovery and maintain his sobriety, he admitted at the time of the interview that recently he had been using “every once in a blue moon” due to the stress of not being able to find employment. He also confided that he believed his “record stopped me from getting a couple of jobs; Because of my felony.” The stress this barrier created led him to use again periodically, putting his recovery at risk. Derek goes into more detail about his experience trying to maintain sobriety while dealing with the additional stress of finding employment with a record:

“...I had a job interview, I went for the job interview, I went for the urine test; clean urines, and they had me fill the paper out! They came back and said yo you got a felony, for 5 years. And I told her, I said lady do you know how hard it took for me to keep a clean urine? Do you how hard it is for me to do what I’m doing to come up here for this interview? I’m doing positive things and y’all telling me yo, the lady said she won’t give me the job! She wanted to she said, but the policy says you know you a felon.”

Along with risking sobriety due to the additional stress of gaining employment with a criminal record, there is another salient dynamic to collateral consequences for those working on fostering successful recovery. For a large number of participants,

staying sober required “staying busy” and many spoke about this in relation to gainful employment. For example, Darryl felt he had fully used up all of the available opportunities in his job, which left him idle. This idleness was detrimental to his clean time. Here, he talked about how that affected him:

“What I can do, to get me a better job, to get, I need a better job. I need to like, find something, who can I go to that’s going to help me get farther.” ... “When I bought my car, and that was, I was trying to accomplish stuff. Once I accomplish everything, I didn’t have nowhere else to go, you know. It was like I reached my peak. I’m like wow, you know, I did everything that I always wanted to do. And then after that, I started getting high.”

This pattern of needing to work in order to maintain sobriety is exemplified in the words of Dawn: “What I’m doing this is what I need to keep doing [*being clean*], and I definitely know I need to go back to work, because boredom is a big thing for me. I know that I have to go back to work.” However, work was not always an easily accessible resource to assist in recovery because of history of incarceration. For example, Rodney received a dishonorable discharge from the military because he had an accident while under the influence, which led to jail time. This, on top of his new criminal record, made it even more difficult to find employment. He explains:

“I didn’t want to be on heroin and once again I’m still in the period of I can’t get no work because everywhere I go to work they want that discharge paper and I ain’t got none, the guys was trying to hook me up with one when I left but they didn’t even...I got to quit this job [because of no paperwork], you know what I mean.”

Rodney had gone through a number of jobs, worked two weeks at a time at various places of employment, before they would make him leave after obtaining the dishonorable discharge paperwork. As he mentioned above, without the structure of a job, he relapsed. This is not a unique outcome. Many participants discuss their similar need to stay busy and have structure to avoid relapse. For example, Terri

believes in “looking for a job because you can’t go through life, you have to do something, back then we wasn’t doing nothing, looking for a place steal something, the drugs are killing you.” Even for those who were able to gain employment, stigmatization due to a criminal history often disrupted their work environment. For example, Darryl, who at one point attributed his sobriety to having a job, was forced to leave his last place of employment when his coworkers began assuming he was at fault for another employee’s wrongdoings due to the stigma surrounding his criminal history.

In sum, the narratives clearly illuminate that the collateral consequence of a criminal record making it difficult for those with addictions and incarceration histories to find employment, but this not only increased the likelihood of reoffending, but also to a higher chance of using and relapse.

Barriers regarding Stable Housing

Difficulty with employment was not the only example of collateral consequences that could take a toll on those suffering with addictions, risking sobriety. When participants were unable to acquire living arrangements that were conducive to recovery due to criminal histories, it created additional challenges to remaining substance free. An example of this nuanced collateral consequence is from Jimmy. He had a long criminal history directly related to his substance addiction, including drug and violent offenses. Even though he was sober and his wife wanted him to come home, he was unable to. His daughter had entered a rebellious phase and she called the police on him in the past when he limited her social life. Although this incident did not lead to another conviction, it did require another court appearance. The consequences of another call to the police from his daughter in the future could be

more severe; he feared it may end in another conviction because of his record, which would then result in losing his job. Because he could not afford an apartment of his own, he perceived his only option was to return to his abusive family of origin, who mistreated him through childhood. It did not take long for this abusive context to trigger his need for drugs. He explained:

“But financially I’m having to stay in their basement right now. And it affects me, it affects me being around them because of the way they treat me. It makes me think back to when I was drinking or when I was drugging and sometimes thinking maybe I was better off.”

Others recalled needing to live with friends to afford housing. Unfortunately, in some situations, these friends were not supportive of staying clean. For example, because Wanda did not want to move back in with her overly controlling mother, she rented a house with 4 other women. Living in this group environment with 4 women who were not all committed to a substance free life produced a great deal of stress and created triggers to use and engage in the party scene once again. Wanda highlighted the importance of having the option to move back in with her mother in the face of a triggering situation, which likely aided the protection of her sobriety:

“But, we all got together, all of us knew each other from jail and from the streets and in jail. So, 5 of us moved into a house, 3 of them shared a room because it was so big and then me and another girl had a room. They made me the president of the house, collecting everybody’s rent money, food money, everything. We fixed the house up with different stuff, all of that. Time went on and they all started up, different stuff was happening. They was calling me up “I ain’t got my money for this and that” it was getting on my nerves and I was like “Shit, I’m going back home with my Mom.”

When looking at the living arrangements of those with addictions and criminal histories, it is important to realize that a stable and substance free environment plays an important role in achieving and maintaining recovery. Research shows that

environmental factors, stressful life events, and interpersonal conflicts create a higher likelihood of relapse than experiencing cravings for substances. Individuals even report that cravings alone are not a trigger for relapse (Yang, Mamy, Gao, & Xiao, 2015). Having a stable and conducive home is a basic necessity for anyone, especially those who are in the early stages of sobriety—a stage that a number of individuals are in when first released from prison. Rodney talks about how not being able to find a home due to his criminal record, which was related to his addiction, has tormented him for years—creating additional emotional stress which could undermine his sobriety:

“It's shit that really fucks me up is that trying to get a job, trying to get somewhere to live, they don't want to rent me a house cause I'm still on parole. They tell me it's cause I'm a felon, well that shit happened in 1972, this is 2010. And they want to apply some bullshit to me, I cry, that damn near happened 40 years ago. It's that kind of shit that fucks me up, I can understand a whole lot of shit, don't mean I'm in agreement with it but that kind of shit that they do to me is stupid.”

Barriers Created by Community Supervision

A final theme on the complications that arise following incarceration that affect people with addictions is the issue of violations of probation/parole (VOPs). When those with addictions are released on parole or sentenced to probation, a dirty urine is a violation of this sentence and can send even those who have stable employment and housing back to prison. Technical violations of parole have contributed substantially to the rise in incarceration rates. Researchers found that imprisonment is likely to lead to future imprisonment and that this is more so a result of parole revocation than new felonious crimes (Harding, Morenoff, Nguyen, & Bushway, 2017). Several individuals in this sample reported the deleterious

consequences that a VOP had on their attempts to gain solid ground. Shawn highlighted how being on probation actually hindered his ability to get clean, due to the unreasonable amount of supervision conditions. He felt he was unable to start a new way of life that would be conducive to ending his crime and drug use cycle because he did not have the time or freedom to nurture early sobriety. During his interview, he discussed how he had been on probation for years and he finally told the judge “that this is just not helping me.” He had even begun purposefully violating hoping that he could finish his time inside prison in order to get off probation. Shawn did not *want* to go to prison, but he desperately wanted to be off probation so he could begin sculpting a life where he would have a job and the freedom he needed to nurse his early sobriety. Here Shawn explains his reasoning:

“I’m gonna be honest with you, if I knew what I knew now, I would’ve tell ‘em, listen, just give me the year. If I had known that I was going to do this much time in and out of jail then I’d have said look just give me two years, let me get it done and over with and then I’d have come home with nothing and I could have just lived my life cause I started to get to the point okay well look, maybe some of the drugs was not, maybe I did need to get a job, settle down, fall back and do what I had to do but I couldn’t cause he had me on so much stuff [conditions of probation].”

The frustrations that Shawn felt were echoed by Maria. She too felt that violating purposefully would be better for her than continuing on her work release sentence. For her, the reasoning was different—she was frustrated with how unreasonable her counselor was with tracking her time. She depicts how this can create barriers for those trying to participate in recovery-based programming. Maria describes how she loved NA meetings but is no longer able to attend, “I’ve done a million NA meetings, I love it. But they won’t let me go from here, they can’t account for your time. God forbid I should go to a meeting.” Clearly, being denied access to a

resource that could aid in obtaining and maintaining sobriety does not increase the likelihood of doing so.

Conditions for supervision within the community are typically invoked with standard, punitive, and/or treatment conditions. The conditions of parole and probation are meant to offer structure and assistance for reentry (Cole, Smith, & DeJong, 2017). However, when conditions are set that do not take into consideration an addiction and related personal triggers, then conditions that are meant to assist in reentry may become counterproductive. For example, Nick was released to parole and one of his conditions for parole was to keep a job. While he searched for a new job, he had to return to his past job as a barber, where he used to sell drugs along with cutting hair. He now was being placed in this same environment with the same connections to his substance abuse that once had triggered him to use. During his interview he expressed concern over the fact that he was needing to work there while he searched for a new job. Being there sparked memories of his past and fears of falling into old habits of using the product he used to sell. However, due to the mandated condition that he remain employed, he felt he had no choice but to remain in this risky environment.

Tony felt the complications of being on community supervision in a different way. He was using medication assisted-treatment (MAT) in order to take control over his addiction, but being on parole complicated his maintenance routine. MAT is held as the standard of care for treating opioid addiction (Albizu-García, Caraballo, Caraballo-Correa, Hernández-Viver, & Román-Badenas, 2012). However, the criminal justice system has been slow to adopt and accept this approach (Clark, Hendricks, Lane, Trent, & Cropsey, 2014; Friedmann et al., 2012; Mitchell et al.,

2016). This harm reduction strategy is the only effective way to cease illicit drug use for some. It allows those taking it to lead a prosocial life, the type of life society expects. For example, Tony emphasized how well MAT worked for his drug dependence, crediting his success to methadone: “When I was on the [methadone] clinic I wasn’t doing nothing but just methadone for about a good 9 months, good 9 months. I had a car, job, bank account, apartment, I was really doing good.” Despite the effectiveness of MAT, being on parole or probation due to punitive approaches to addiction can disrupt this harm reduction tactic when VOPs arise and puts individuals at risk for relapse and withdrawal sickness. Tony went on to talk about how being sent back to prison for not completing his 30 hours of combined work and community service per week disrupted his MAT, which had helped him create a positive lifestyle: “Well that was a rough one there, I was on methadone at the time and I went straight to jail. I made bail and went to the methadone clinic so the first 30 days killed me withdrawing from methadone. I was really screwed up that bit right there, I didn’t know what to do.”

In sum, the results presented illuminate how a criminal record creates numerous additional challenges for those re-entering society from prison who have an addiction. These obstacles not only make it difficult to desist from criminal activity, but create barriers to achieving and maintaining sobriety, which may, in turn, increase the likelihood of additional criminal offending.

Discussion

The results of this research drew attention to the impact of increased drug enforcement, due to the correlation between drug use and crime, on those with addictions. It indicates that the barriers created by the punitive approach to substance

use are not conducive to overcoming addiction and can limit recovery potential. The impact of this response to drugs and crime is not only important in addressing addiction, but also in addressing recidivism. These results show that by society prioritizing the response to criminal behavior over addressing addiction, individuals may be worse off due to the double stigma of “addict” and “criminal” within society pushing them further into crime. This project supports the belief that addressing addiction, not just criminal behavior is essential (Hser et al., 2007). This is especially important because the majority of crimes that individuals in this sample were being charged for were directly related to addictive drug use. In order to desist from crime, the first step should be to address addiction and the underlying causes of relapse. Further, drug use went beyond an attribute of a criminal lifestyle, an indulgent luxury, or “partying” (Bennett & Holloway, 2009; Jacobs & Wright, 1999; Wright et al., 2006). The majority of the 32 participants were chronically addicted to these substances which had affected their involvement in the criminal justice system at each stage of sanctioning.

Only a handful of the full sample were able to desist from drug use and crime after one incarceration. This is not surprising as addiction and the recovery process are characterized by relapse (Hser et al., 2007). However, by putting someone in a criminogenic environment with minimal tools and resources, and then tacking on the collateral consequences and stigma involved with incarceration, the chance of change becomes logically less likely. From previous literature, we can see that mass incarceration costs taxpayers, government, and families of incarcerated loved ones about 182 billion dollars annually. Despite this large investment, the War on Drugs has failed and drug use has not been addressed successfully (Maté, 2010). Proper

treatment is unavailable to the majority of those incarcerated despite the evidence that therapeutic treatment is more effective in reducing substance use and crime than prison (Chandler et al., 2009; Mcvay et al., 2004). So, along with the evidence showing that therapeutic interventions are more effective in reducing both economic and social costs (Mcvay et al., 2004), this study emphasizes the counter-productivity of punitive approaches for those with chronic addiction involved in crime.

In order to lower recidivism, policy makers should revisit sentencing of offenders who are addicted to substances to encourage treatment over incarceration. When criminal justice sanctions are utilized, “reintegrative shaming” should be a high priority. This approach holds the person accountable for wrongdoing, but once the sentence is over, they are embraced back into society without judgment or stigma—or continual consequences (Braithewaite, 1989). These interviews showed that desistance from criminal behavior quite often came after a person reached sustained recovery. This is significant when considering the population of criminal offenders who also have substance addictions. These narratives revealed that substance abuse was often the primary reason for contact with the criminal justice system, yet this contact only served to exacerbate attempts at recovery, further embedding individuals within the criminal justice system. Policies that placed treatment at the forefront without the stigma of a criminal record upon re-entry would avoid this stigma and the other collateral consequences that follow. These collateral consequences are known to create challenges for reentry (Chin, 2017; Kerrison, 2014; Travis, 2002); and the results of this study show the multiplied affects they have on those with addictions. By utilizing alternatives to incarceration and true diversion programs, those with

addictions could also avoid the negative experiences that those in the sample experienced while incarcerated.

Many of the participants in this study spoke about underlying trauma that they either experienced or witnessed. This trauma is often a trigger for use as a way to self-medicate depression and other mental health problems. In order to assist those who are addicted and committing crimes to end this cycle, they should be offered counseling beyond drug treatment. While a few people are able to adapt and become sober while incarcerated, and maintain that sobriety on the outside, this is not true for the majority. Many are faced with relapse and addictive use that stems from unaddressed internal issues and structural barriers resulting from being incarcerated and obtaining a criminal record.

While this study was able to look at the structural barriers as intended, limitations still exist. The most obvious limitation is that the sample was obtained from previous data wherein half of the participants received drug treatment while in prison. This makes the results of the analysis unique since most of those incarcerated did not receive treatment. The findings here may reflect some aspects of having received treatment—such as having certain tools to aid in recovery that many formerly incarcerated persons may not have. Despite this, the narratives examined here clearly illuminate how incarceration and its collateral consequences affect those with addictions. It also shows that while treatment tools can be utilized for those who are ready to get clean, when the barriers of a criminal record exist, this sobriety is very difficult to maintain. The method used for obtaining a subsample for this paper may also affect the results. However, it was important to sample this way in order to analyze the current research objective, since the original research objective was

investigating different topics. Another consideration is how age has impacted the relationship between criminal activity and drug use. Age is argued to be the most well-known correlate of crime (Hirschi & Gottfredson, 1983). Due to the longitudinal nature of this analysis, the mean age of this sample was relatively old compared to research using younger cohorts. Relatedly, the historical context of the interviews is salient. Conditions within prisons and related services may be different than what is being recalled from decades ago by the participants. It is important to remember that all narratives are based within a specific context of that time. Finally, it is important to note that while this study followed individuals involved with crime and substance use for a relatively long period, it was unable to include those from the original sample who had already died or were unable to be located. Those who have lost their struggle with addiction clearly faced even more pronounced barriers than those in this sample.

Future research should examine more carefully the effects collateral consequences have for specific subgroups of the population (e.g. white versus African American women). Because the goal of the original *ROADS* project was not to examine collateral consequences specifically, research is also needed that focuses more precisely on how these consequences are different for those with addictions. Additionally, future research should examine more homogenous samples in order to allow for better generalizability. For example, focusing more specifically on subgroups of the population (e.g. race/ethnicity and gender specific samples) would illuminate how collateral consequences may differentially affect certain segments of the population. An intersectionality focus would also contribute greatly to this topic, as we know marginal populations are disproportionately affected by mass incarceration (Alexander, 2012) and collateral consequences (Kerrison, 2014).

Lastly, an interesting topic that could be even more relevant now than it was in 2009 (when these interviews were completed) is how incarceration and community supervision affect the use of MAT for participants who utilize this harm reduction strategy for maintained recovery. This could be a timely contribution as opioid abuse has gained national attention and MAT is used as the standard of care.

Conclusion

For those with addictions, not only do biological factors play a role, but so do environmental and behavioral factors. The punitive response to substance use can create further barriers for those with addictions trying to maintain recovery and lead a much desired prosocial life. Addiction is not a silo; it is a behavior still deeply stigmatized by society, which affects how individuals are treated, condemned, and/or ignored. In this sample, crime involvement is not just an action that happens. Drug use and crime is a cyclical process related to underlying triggers that lead to addictive substance use, which can further perpetuate the crime cycle. In order to cease criminal activity, the cycle needs to be addressed at the first stage. By conflating drug use and crime involvement as one process that can be treated in the same way, it denies the complications that arise for individuals with an addiction. The punitive response to drug use needs to be reevaluated to treat the underlying causes related to crime involvement and minimize additional obstacles to recovery. This research, along with research on the ineffectiveness of prison as a deterrent suggest that it may be a pertinent time to swing the pendulum back from retribution to rehabilitation.

REFERENCES

- Agrawal, A., & Lynskey, M. T. (2008). Are there genetic influences on addiction: Evidence from family, adoption and twin studies, 1069–1081.
<https://doi.org/10.1111/j.1360-0443.2008.02213.x>
- Albizu-García, C. E., Caraballo, J. N., Caraballo-Correa, G., Hernández-Viver, A., & Román-Badenas, L. (2012). Assessing Need for Medication-Assisted Treatment for Opiate-Dependent Prison Inmates. *Substance Abuse*, 33(1), 60–69. <https://doi.org/10.1080/08897077.2011.620462>
- Alexander, M. (2012). *The New Jim Crow: Mass Incarceration in the Age of Colorblindness*. New York, NY: The New Press.
- Bachman, R., Kerrison, E., O’Connell, D., & Paternoster, R. (2013). *Roads diverge: Long-term patterns of relapse, recidivism, and desistance for a cohort of drug involved offenders*.
- Bart, G. (2012). Maintenance medication for opiate addiction: the foundation of recovery. *Journal of Addictive Diseases*, 31(3), 207–225.
<https://doi.org/10.1080/10550887.2012.694598>
- Bauer, J. E., Hyland, A., Li, Q., Steger, C., & Cummings, K. M. (2005). A longitudinal assessment of the impact of smoke-free worksite policies on tobacco use. *American Journal of Public Health*, 95(6), 1024–9.
<https://doi.org/10.2105/AJPH.2004.048678>
- Bennett, T., & Holloway, K. (2009). The Causal Connection Between Drug Use and Crime. *British Journal of Criminology*, 49, 513–531.
<https://doi.org/10.1093/bjc/azp014>
- Best, D., & Laudet, A. B. (2010). The Potential of Recovery Capital. *RSA Projects*.
- Braithewaite, J. (1989). *Crime, Shame, and Reintegration*. Cambridge University Press.
- Brownstein, H. H. (2016). The Shifting Landscape of Drug Policy, 15(3), 837–841.
<https://doi.org/10.1111/1745-9133.12225>

- Chandler, R. K., Fletcher, B. W., & Volkow, N. D. (2009). Treating Drug Abuse and Addiction in the Criminal Justice System Improving Public Health and Safety. *Journal of the American Medical Association*, 301(2), 183–190.
- Charmaz, K. (2008). *Grounded Theory as an Emergent Method*. (S. N. Hesse-Biber & P. Leavy, Eds.). New York: Guilford Press.
- Chin, G. J. (2017). Collateral Consequences. In E. Luna (Ed.), *Academy for Justice, A Report on Scholarship and Criminal Justice Reform*.
- Cid, J. (2009). Is Imprisonment Criminogenic? A Comparative Study of Recidivism Rates between Prison and Suspended Prison Sentences. *European Journal of Criminology*, 6(6), 459–480. <https://doi.org/10.1177/1477370809341128>
- Clark, C. B., Hendricks, P. S., Lane, P. S., Trent, L., & Cropsey, K. L. (2014). Methadone maintenance treatment may improve completion rates and delay opioid relapse for opioid dependent individuals under community corrections supervision. *Addictive Behaviors*, 39(12), 1736–1740. <https://doi.org/10.1016/j.addbeh.2014.07.011>
- Clear, T. R., Rose, D. R., & Ryder, J. A. (2001). Incarceration and the community: The problem of removing and returning offenders. *Crime and Delinquency*, 47(3), 335–351. <https://doi.org/10.1177/0011128701047003003>
- Cole, G. F., Smith, C. E., & DeJong, C. (2017). Probation and Intermediate Sanctions. In *Criminal Justice in America*. Cengage Learning.
- Daniels, D. J., & Hart, S. V. (2003). *Toward a Drugs and Crime Research Agenda for the 21st Century*.
- Deitch, D., Koutsenok, I., & Ruiz, A. (2000). The Relationship between Crime and Drugs: What we have learned in recent decades. *Journal of Psychoactive Drugs*, 32(4), 391–397.
- Demleitner, N. V. (1999). Preventing internal exile: the need for restrictions on collateral sentencing consequences. *Stanford Law & Policy Review*, 11, 153–171.
- Durose, M. R., Snyder, H. N., & Cooper, A. D. (2015). *Multistate Criminal History Patterns of Prisoners Released in 30 States*.

- Friedmann, P. D., Hoskinson, R., Gordon, M., Schwartz, R., Kinlock, T., Knight, K., ... Frisman, L. K. (2012). Medication-assisted treatment in criminal justice agencies affiliated with the criminal justice-drug abuse treatment studies (CJ-DATS): availability, barriers, and intentions. *Substance Abuse*, 33(1), 9–18. <https://doi.org/10.1080/08897077.2011.611460>
- Goldstein, P. (1985). The drugs/violence nexus: A tripartite conceptual framework. *Journal Of Drug Issues*, 15(4), 493–506.
- Harding, D. J., Morenoff, J. D., Nguyen, A. P., & Bushway, S. D. (2017). Short- and long-term effects of imprisonment on future felony convictions and prison admissions. *Proceedings of the National Academy of Sciences*, 114(42), 201701544. <https://doi.org/10.1073/pnas.1701544114>
- Hirschi, T., & Gottfredson, M. (1983). Age and the explanation of crime. *The American Journal of Sociology*, 89(3), 552–584.
- Holleran, D. (2002). The effect of imprisonment on recidivism rates of felony offenders: A focus on drug offenders. *Criminology*, 40(2).
- Hser, Y., Longshore, D., & Anglin, M. D. (2007). The Life Course Perspective on Drug Use: A Conceptual Framework for Understanding Drug Use Trajectories. *Evaluation Review*, 31(6), 515–547.
- Inciardi, J. A., Martin, S. S., & Butzin, C. A. (2004). Five-year outcomes of therapeutic community treatment of drug-involved offenders after release from prison. *Crime and Delinquency*, 50(1), 88–107.
- Jacobs, B., & Wright, R. (1999). Stick-Up, Street Culture, and Offender Motivation. *Criminology*, 37(1), 149–174. <https://doi.org/10.1111/j.1745-9125.1999.tb00482.x>
- Kerrison, E. M. (2014). *The Crux of Context: An Examination of How Collateral Consequences Legislation Impacts the Desistance Process*. University of Delaware.
- Kim, S., & Puisis, M. (2017). Conducting Research in Substance Abuse: Incarcerated Populations. In *Research Methods in the Study of Substance Abuse* (pp. 357–376). Springer International Publishing.
- Kolind, T., & Duke, K. (2016). Drugs in prisons: Exploring use, control, treatment and policy. *Drugs: Education, Prevention, and Policy*, 23(2). <https://doi.org/10.3109/09687637.2016.1153604>

- Laub, J. H., & Sampson, R. J. (2003). *Shared Beginnings, Divergent Lives: Delinquent Boys to Age 70*. Cambridge, MA: Harvard University Press.
- Maté, G. (2010). *In the Realm of Hungry Ghosts: Close Encounters with Addiction*. North Atlantic Books.
- Mcvay, D., Schiraldi, V., & Ziedenberg, J. (2004). *National and State Findings on the Efficacy and Cost Savings of Drug Treatment Versus Imprisonment*. Washington, DC.
- Mitchell, S. G., Willet, J., Monico, L. B., James, A., Rudes, D. S., Viglioni, J., ... Friedmann, P. D. (2016). Community correctional agents' views of medication-assisted treatment: Examining their influence on treatment referrals and community supervision practices. *Substance Abuse*, 37(1), 127–133. <https://doi.org/10.1080/08897077.2015.1129389>
- Mowen, T. J., & Visser, C. A. (2015). Drug Use and Crime after Incarceration: The Role of Family Support and Family Conflict. *Justice Quarterly*, 32(2), 337–359. <https://doi.org/10.1080/07418825.2013.771207>
- Naser, R. L., & Vigne, N. G. La. (2006). Family Support in the Prisoner Reentry Process: Expectations and Realities. *Journal of Offender Rehabilitation*, 43(1), 93–106. https://doi.org/10.1300/J076v43n01_05
- Pager, D., Western, B., & Sugie, N. (2009). Sequencing Disadvantage: Barriers to employment facing young black and white men with criminal records. *The Annals of the American Academy of Political and Social Science*, 623(1), 195–213. <https://doi.org/10.1177/0002716208330793>
- Paternoster, R. (1987). The Deterrent Effect of the Perceived Certainty and Severity of Punishment: A Review of the Evidence and Issues. *Justice Quarterly*, 4(2), 173–218.
- Pritikin, M. H. (2008). Is Prison Increasing Crime. *Wisconsin Law Review*, 2008, 1049–1108. <https://doi.org/10.3366/ajicl.2011.0005>
- Pyke, A. (2017). Sessions demands harshest possible drug sentences, ending Obama-era flexibility.
- Rhodes, T., Stimson, G., Moore, D., & Bourgois, P. (2010). Qualitative Social Research in Addictions Publishing: Creating an enabling journal environment. *International Journal of Drug Policy*, 21(6), 441–444. <https://doi.org/10.1016/j.drugpo.2010.10.002> Qualitative

- Rowan, M. (2016). Thank God for (others') unanswered prayers: The failure of the drug war...cheap drugs...lower rates of serious crime...the logic adds up, but what next? *Dialectical Anthropology*, 40(4), 377–384.
<https://doi.org/10.1007/s10624-016-9425-6>
- Sessions, J. (2017, June 16). Jeff Sessions: Being soft on sentencing means more violent crime. It's time to get tough again. *The Washington Post*.
- The Sentencing Project. (2017). *Fact Sheet: Trends in U.S. Corrections*. Washington, D.C.
- The Washington Times. (2010). Drugs Inside Prison Walls. *The Washington Times*.
- Travis, J. (2002). Invisible Punishment: An Instrument of Social Exclusion. In M. Maurer & M. Chesney-Lind (Eds.), *Invisible Punishment: The Collateral Consequences of Mass Imprisonment*. New York: The New Press.
- Travis, J., McBride, E. C., & Solomon, A. L. (2006). *Families left behind: The hidden costs of incarceration and reentry*. Washington, D.C.
- Visher, C. A., Debus-Sherrill, S. A., & Yahner, J. (2011). Employment After Prison: A Longitudinal Study of Former Prisoners. *Justice Quarterly*, 28(5), 698–718.
<https://doi.org/10.1080/07418825.2010.535553>
- Visher, C. A., Debus, S., & Yahner, J. (2008). *Employment after Prison: A Longitudinal Study of Releasees in Three States*. Washington, D.C.
- Wagner, P., & Rabuy, B. (2017). *Following the Money of Mass Incarceration*. Western Massachusetts.
- Weiss, R. S. (1995). *Learning from Strangers: The Art and Method of Qualitative Interview Studies*. *Contemporary Sociology*. <https://doi.org/10.2307/2076552>
- Welsh, M., & Rajah, V. (2014). Rendering invisible punishment visible: Using institutional ethnography in feminist criminology. *Feminist Criminology*, 9(4), 323–343.
- White, R., & Gorman, D. M. (2000). Dynamics of the Drug-Crime Relationship. In *The Nature of Crime: Continuity and Change* (pp. 151–218).
- Wright, R., Brookman, F., & Bennett, T. (2006). The Foreground Dynamics of Street Robbery in Britain. *Britain Journal of Criminology*, 46, 1–15.
<https://doi.org/10.1093/bjc/azi055>

Yang, M., Mamy, J., Gao, P., & Xiao, S. (2015). From Abstinence to Relapse : A Preliminary Qualitative Study of Drug Users in a Compulsory Drug Rehabilitation Center in. *PLOS One*, *10*(6), 1–17.
<https://doi.org/10.1371/journal.pone.0130711>