REDUCING THE BARRIERS TO THE PROVISION OF EDUCATION IN
COLORADO PRISONS: A GROUNDED THEORY

by

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Dissertation directed by Associate Professor Sylvia Mendez.

ABSTRACT

This study brings forth a theory for reducing Colorado’s prison population utilizing education and early intervention as described through qualitative methods. This paper contributes to the body of literature surrounding the prison reform debate. In order to capture the opinions and beliefs of relevant stakeholders regarding the barriers to implementation of education within prisons in Colorado, a purposeful stratified sample of legislators from the Colorado General Assembly, representatives from victim and inmate advocacy groups, and former employees from the Colorado Department of Corrections were interviewed. Qualitative data were explored and coded for themes using NVivo and following the rigorous analysis of grounded theory research. Data collected from the interviews provided information on how to reduce the barriers to the provision of education in Colorado prisons and was used in the development of a theory for decarceration. The theory works to suppress the obstacles for current prisoners, allowing them greater opportunity upon release and creating a savings in future recidivism rates. The savings could then be reinvested in early intervention and preventative measures to reduce future prison populations and to ensure more crime-free communities. Validation was ensured through member checks; triangulation; rich, thick description; and sustained engagement with data through the constant comparative analysis process. Interpretations are given for the subsequent results, study limitations, and policy implications.
DEDICATION

I dedicate this dissertation to my family, whose unwavering support has allowed me to reach for and achieve anything I set out to do. To my mother and father, who have supported all of my educational endeavors and pushed me to dream big. To my sister, Teresa, who fiercely believed in me when I did not. To my niece, Jolie, and my nephews, Zachary and Grady, who inspire me to make the world a better place. May they know that all things are attainable through dedication and hard work, and their Rah will always be in their corner. And to my Michael, who bore the brunt of it all. Thank you for allowing me countless hours to work, acting as a sounding board, and pushing me forward when I was ready to give up. Only with all of this support was any of this accomplished, and I am forever grateful!
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CHAPTER I
INTRODUCTION

If the moral arguments are never engaged, they can never be won. If they are not won, nothing will change very much. (Tonry, 2011, p. 644)

Currently, the United States incarcerates more of its citizens and claims a higher incarceration rate per capita than any other nation in the world (Brazzel, Crayton, Mukamal, Solomon, & Lindahl, 2009; Gottschalk, 2011). “The American criminal justice system holds more than 2.3 million people in 1,719 state prisons, 102 federal prisons, 901 juvenile correctional facilities, 3,163 local jails, and 76 Indian Country jails as well as in military prisons, immigration detention facilities, civil commitment centers, and prisons in the U.S. territories” (Wagner & Rabuy, 2017, p. 1). Of the 2.3 million currently in prison, one in five are incarcerated for non-violent drug offenses; 7,200 are incarcerated youth who have been imprisoned for technical violations or offenses that are not actual crimes, such as truancy and incorrigibility. An additional 443,000 (70%) of those held in local jails have not been convicted of a crime and are simply awaiting trial. In addition, 41,000 individuals are being detained civilly by Immigration and Customs Enforcement in federal and privately run prisons and in local jails (Wagner & Rabuy, 2017).

Numerous injustices have been identified within the American criminal justice system, none more commonly than those attributed to race. Specifically, while African Americans represent only 13% of the U.S. population, they represent 40% of the incarcerated population. Caucasians account for 64% of the U.S. population and only 39% of those incarcerated (Wagner & Rabuy, 2017). This overrepresentation of African Americans has been attributed to the drug and crime legislation of the 1970s, 1980s, and
1990s (Drakeford, 2002; Wakefield & Wildeman, 2011). While the exaggeration of African American males within the correction systems prevails, the most unifying characteristic among prisoners is their inability to read (Drakeford, 2002).

In 2007, Greenberg, Dunleavy, and Kutner reviewed the results from a 2003 National Assessment of Adult Literacy Prison Survey. Demographics indicated a higher percentage of prison inmates who were male, African American, Hispanic, and learning disabled than those in the household representative sample. They also found 37% of incarcerated individuals had not attained a high school diploma or equivalent compared to only 9% of their non-incarcerated peers. Another striking difference was in literacy levels of the two populations; prison inmates were disproportionally less literate than adults who were not incarcerated.

Sampson (2011) argued “. . . the effects of (mass) imprisonment on societal well-being are corrosive” (p. 819). This societal well-being, described by Gottschalk in his 2011 article as collateral damage of the carceral state, affects a community’s ability to hold free and fair elections and a representative census. It allows society to govern through crime and effectively cleaves off African American males from the population. Ex-inmates returning home struggle to reintegrate into family and society, as well as to find gainful employment. They forfeit their right to vote and serve on a jury; access to pensions, veterans’ and disability benefits; access to food stamps, public housing, and student loans; and the ability to work in certain industries (Gottschalk, 2011). Research has shown the provision of education decreases recidivism and increases outcomes for ex-prisoners returning home in the forms of greater job opportunities (Davis, Tolbert, & Mizel, 2017) and better coping mechanisms (Fabelo, 2002; Gerber & Fritsch, 1993). The
time has come to divert the correctional spending budget toward smarter investments that promote positive outcomes for prisoners and the communities in which they reside.

**Correctional Legislation in Colorado**

Colorado, as the rest of the US, has experienced an explosion of prison population growth since the 1970s and has exceeded the physical capacity of prisons in the state since the 1980s (State of Colorado, 2005). This overcrowding has led to lawsuits within Colorado counties. Immediate responses to the housing shortage relied on the transfer of inmates to county jails, prisons in other states, and to privately run prisons as a means of reducing the population within each facility. More recently, Colorado has looked to educational programming for prisoners as a means of reforming the current system.

In 1990, the Correctional Education Program Act was passed in Colorado, calling for the Colorado Department of Corrections (CDOC) to establish competency-based educational programs for incarcerated persons (CDOC, 2017b). The primary goal of the program was to decrease recidivism rates and improve post-release outcomes through the increase of educational and technical competencies of prisoners. Furthermore, this program addressed the illiteracy of the incarcerated population. Priority for enrollment was given to those offenders within five years of their release date. Any individual posing a security threat to staff was excluded from participation. In 2010, House Bill 10-1112 was enacted into law and states:

The general assembly hereby finds and declares that illiteracy is a problem in today's society and a particular problem among persons in correctional facilities. The general assembly further finds and declares that: Illiteracy and cognitive and vocational deficiencies among persons in custody of the department contribute to their inability to successfully reintegrate into society upon their release from custody and the likelihood of their return to criminal activity; and research demonstrates a clear relationship between employment of such persons and a reduction in their recidivism.
This statute requires CDOC to provide all eligible offenders within five years of their anticipated release date with access to functional literacy and math skills, an opportunity to obtain a high school diploma or equivalent, or marketable reentry skills as determined by the current labor market. Additionally, HB 10-1112 defines correctional education to be comprehensive, competency-based, and to include educational and vocational programs. HB 10-1112 further requires the CDOC to consider the enrollment of inmates in educational programs prior to transferring them to another location. Legislation passed in 2012 by the Colorado House of Representatives goes a step further stating felons who have been rearrested for parole violations and any offender who has successfully completed a milestone or phase of an educational, vocational, therapeutic, or reentry program are eligible for earned time credit. The savings realized by the early release must then be reinvested into educational, vocational, parole, and wrap-around services for parolees (HB 12-1223, 2012).

Despite legislative advances in educational programming and attainment, only 16% of Colorado’s prisoners obtained a certificate of completion in any program in 2017 (CDOC, 2017b). Of the 12,431 enrolled in programs, 23% were still working toward completion at the time of the report, and 42% received incompletes or were transferred within the prison to another setting or released. While programs are offered within Colorado, incentives are provided for completion, and considerations are made before inmates are transferred to another site, only a fraction of the prison population is completing educational programs. The CDOC report highlighted that 43% of parolees are unemployed (33%) or underemployed (10%). It was the first educational report to exclude specific information about the capacity of programs within each facility, which
caused difficulty in discerning the number of available seats for Colorado prisoners. In 2016 when the population of Colorado prisoners totaled 17,454, only 10,498 seats were available (CDOC, 2016a). This is especially disturbing because one of the considerations for parole is whether the prisoner successfully completed or worked toward a high school diploma or equivalent (CO Rev. Stat.§17-22.5-404, 2017).

As access to programs and transfers within the system appear to be some of the reasons inmates do not complete educational programs within Colorado prisons, the use of technology may offer a solution. The state has piloted two programs in the last four years aimed at the inclusion of computer labs in each facility and the addition of Chromebooks in all academic classrooms (CDOC, 2017b). The use of technology improves the ease of accessing online learning opportunities that transfer beyond the CDOC and into other educational systems the prisoner can access from different locations or after release. Technology opens the door to virtual learning opportunities that may support the acquisition of a certificate in technical fields such as welding and mechanics. The potential of these programs has yet to be realized, but the possibility for change is present.

The primary goal of the Correctional Education Program Act of 1990 was to decrease recidivism rates and increase post-release outcomes through educational opportunities. In 2017, 68% of Colorado’s prisoners enrolled in an educational program through CDOC, but only 19% actually completed at least one program or more (CDOC, 2017b). Only 16% of Colorado’s total prison population earned a certificate of completion in an educational program of any kind. While the CDOC has implemented educational opportunities within prisons, many inmates are not accessing the programs,
and an even greater number are not successfully completing them. This lack of success is a potential reason CDOC continues to report a 50% recidivism rate (CDOC, 2016b). More work is needed to understand why these programs have been unsuccessful and what can be done to reduce the prison population through proactive measures.

Most recently, Colorado passed legislation to decrease the prison population through parole measures such as the discharge of prisoners who have satisfied conditions of their parole and are within 90 days of their mandatory release date (HB 18-1410, 2018). In the same month, Senate Bill 18-274 was rejected. This bill proposed diagnostic and reentry programs for prisoners as well as provide mental health treatment services to inmates. The services in this bill attempted to reduce prison populations through proactive indirect measures (SB18-274, 2018). House Bill 18-1425, introduced in May 2018, sought to study prison population issues and would have specifically included persons with expertise in school prison population issues. However, HB 18-1425 was defeated; and a committee to address prison populations, including those related to school, was not formed. In 2016, Senate Bill 16-102 was enacted into law and eliminated mandatory sentences for certain crimes, another indirect attempt at the reduction of prison populations. It is evident in this recent surge of legislation that Colorado lawmakers are drafting bills that seek to reduce prison populations and to provide inmates with support to successfully reenter society.

**Statement of the Problem**

While attempts have occurred to reduce Colorado’s population of prisoners, the numbers are expected to increase by 38.2% before 2024 (Harrison, 2018). National imprisonment rates have begun to stabilize after decades of unencumbered growth
(Wakefield & Wildeman, 2011), but the actual cost of maintenance (Gartner, Doob, & Zimring, 2011) and the social implications are excessive (Wakefield & Wildeman, 2011).

“Mass incarceration . . . yields significant (and often unrecognized) social costs; chief among these costs is the harm for children and the intergenerational transmission of inequality” (Wakefield & Wildeman, 2011, p. 805). The trauma sustained by inflated incarceration rates in these communities creates risk factors in children and predisposes them to a future in the criminal justice system.

In his 2011 article, Burch called for the use of innovation and evidence-based practices for the transformation of the criminal justice system. He advocated for collaboration among fields in the creation of reformed systems that are more cost efficient and rehabilitative. Suggested strategies included increased drug treatment options, diversion, treatment intervention, and skill-building options. The author argued:

We must make improvement of this capacity a top priority to achieve the goals we now embark on, including increased public safety, reduced system costs, and lower rates of incarceration, which have given life to a rare but real bipartisan success story . . . “smart on crime” approaches. (p. 611)

Alternatives are needed that decrease prison populations and reduce recidivism rates while valuing the victims and reinvesting in communities.

Gottschalk (2011) noted the time has come to invest in evidence-based innovation that reduces prison populations, decreases recidivism, and saves money. The big changes call for an adjustment to the policies initially confining prisoners, a reduction of recidivism, and a break in the cycle of parole failure (Gartner et al., 2011). “Intervening in the cycle of violence brings many secondary savings through improving outcomes with this population, which in turn reduces risks and increases opportunities for those in the offender's family and social network” (Burch, 2011, p. 612). Gottschalk further
contended that we must “. . .embrace reductions in the recidivism rate as the central pillar of any prison reduction strategy” (p. 497).

Given the support for the provision of education in secured environments from academics, the strain placed on state and federal budgets by the enormous prison system, the current bi-partisan support for reducing prison populations, and acceptance of justice reinvestment strategies to reduce the prison population, it is time for real changes. In order to move forward, it is necessary to understand the barriers to the provision of education in secured environments to effectively draft legislation that appeals to citizens, lobbyists, and policymakers. The strained budgets can wait no longer to begin the change process. More important, the communities most impacted by incarceration require immediate action. Children within these communities need an opportunity to end the cycle of incarceration and poverty and, ultimately, stop the transmission of intergenerational inequality to which American society has grown accustomed. Research has shown the provision of education to incarcerated individuals decreases recidivism rates, saves taxpayers money, and promotes positive outcomes for those returning home from prison (Davis, Bozick, Steele, Saunders, & Miles, 2013; Duwe & Clark, 2014; Fabelo, 2002; Kim & Clark, 2013). However, education within Colorado prisons is having a less than desired effect, and the state continues to have an undereducated prison population with a 50% recidivism rate.

**Purpose of the Study**

Adopting an advocacy/participatory paradigm, this study brings forth an action agenda for change in the decarceration of Colorado. Using a critical theory perspective, a qualitative research design was employed, as these types of designs lend themselves to
understanding the meaning and context with which the phenomenon is happening in an attempt to generate theories about the interactions (Maxwell, 2013). This study used a grounded theory approach to inquiry, which allowed for the development of a theory through interviews and systematic procedures, coding, and rigor (Creswell, 2013). This methodology is appropriate for the current study because no theories exist to decarcerate Colorado or the US and moving forward is an unknown process. This study was guided by three principal objectives: (1) to understand the barriers to the provision of education in Colorado prisons, (2) to understand the current climate surrounding the mass incarceration debate in Colorado, and (3) to understand what is necessary in moving forward toward the decarceration of Colorado. The study explored the following research questions:

1. What are the barriers to the provision of education in Colorado prisons?
2. What options are available in reducing the barriers to the provision of education in prisons?
3. How do we reform the Colorado prison system utilizing education?

Three groups of participants representing stakeholders in the prison reform debate were interviewed, in order to understand their opinions that provided necessary information to answer the research questions. The three groups included members of the Colorado General Assembly, members of victims’ and inmates’ rights groups, and individuals previously employed by the CDOC. Variables of consideration comprised demographics of each individual, including the political positions of advocates, CDOC administrators, and legislators, as well as their positions concerning the rights of prisoners. Of similar importance was each group’s understanding of mass incarceration
and the research on education as it relates to incarcerated inmates, as this dynamic was
critical in the development of a theory for decarceration that each group could support.
Also considered was the participant’s understanding of the cost versus the savings of
implementing these programs, and the outcomes for released prisoners who have
benefitted from similar reform. Of great importance was the amount of worth assigned
by each participant to the problem of mass incarceration in Colorado and the nation, as
well as their willingness to devote time and resources for change. When attempting to
influence the values and opinions of others, it is necessary to understand how individuals
acquire, process, and retain information in order to provide them with consumable
knowledge. These perspectives were explored through the interview process, and the
knowledge acquired was used in the generation of a theory for moving forward.

**Significance of the Study**

The increasing prison populations and the cost of incarceration is problematic
within the governance and policy of Colorado and the US. Research has shown the
provision of education to incarcerated individuals decreases recidivism rates and saves
taxpayer money (Davis et al., 2013; Duwe & Clark, 2014; Fabelo, 2002; Kim & Clark,
2013). Educational programs within Colorado prisons are having a less than desirable
effect, as is the provision of education as a means to remedy the problem of mass
incarceration. Furthermore, the state continues to have an undereducated prison
population with a 50% recidivism rate (CDOC, 2016b). This study sought to understand
the obstacles to the implementation of educational programs within Colorado prisons,
including community perception, funding, and the institutional barriers unique to the
location of services. This study provides information that may lead to systemic change in
the allocation of educational programs to prisoners, which in turn may provide a
community of ex-inmates who are more prepared to succeed and participate in the
communities into which they are released.

Outcomes garnered from the study may be used in making decisions about the
effectiveness of current policies and as a stimulus for change. The finding from this
study provide legislative officials, CDOC administrators, and advocates a roadmap in
moving toward the provision of education in Colorado prisons that leads to a community
of ex-inmates who are better equipped to function in their communities and, ultimately,
the decarceration of the state. As evidenced by the recent increase in legislation,
lawmakers are seeking to reduce prison populations (HB 18-1410, 2018; HB 18-1425,
2018; SB 16-102, 2016; SB 18-274, 2018). Furthermore, increasing post-release
outcomes for prisoners benefits all stakeholders through the reduction of tax dollars
needed to sustain the current system (Davis et al., 2017; Gartner et al., 2011; Gottschalk,
2011; Hill, 2015; Vacca, 2004); a decrease in criminal behavior in neighborhoods and
increase of social outcomes for prisoners and their families (Burch, 2011; Clear, 2011;
Wakefield & Wildeman, 2011); and an increase in knowledge and skills prisoners
possess as they return home and contribute to their neighborhoods (Davis et al., 2017;
Fabelo, 2002).

Definitions

Decarceration: Purposefully removing individuals from prisons, creating an overall
reduction in the population of prisoners.

Incarceration: “Confinement in a jail or prison: the act of imprisoning someone or the
state of being imprisoned” (Merriam-Webster’s online dictionary, n.d.).
Justice Reinvestment: “Justice reinvestment is an approach that identifies current ineffective expenditures in criminal justice spending, reforms those laws and practices, and reinvests the savings into other public safety strategies” (HB 17-1326, 2017, p. 3).

“This paradigm combines crime prevention, economic development, mental health and trauma recovery treatment, improving academic achievement, strengthening families, and other targeted direct services into our core public safety strategies” (HB 17-1326, 2017, p. 2).

Mass Incarceration: The recent and extreme increase in the U.S. prison population.

Parole: The conditional release of a prisoner prior to the end of their sentence who has met certain criteria including, but not limited to, completion of mandatory time, good behavior, and completion or work toward academic or vocational programs.

Prison Reform: Measures taken to improve prisons, specifically to improve the quality of life of prisoners, to improve the outcomes of prisons and create safer communities, to improve the penal system, and to implement alternatives for incarceration.

Probation: Supervision of citizens by the criminal justice system as a condition of their release from jail or prison, or as part of their sentence. Supervision can include scheduled and random check-ins with a probation officer, routine drug and alcohol monitoring, participation in classes, and fines.

Recidivism: The CDOC defines recidivism as “a return to prison or offender status in Colorado within three years of release for a new criminal activity or a technical violation of parole, probation or non-departmental community placement” (CDOC, 2016b, p. 43).
CHAPTER II

LITERATURE REVIEW

Early History of Education in United States Jails/Prisons

In February 1773, Richard Penn signed legislation enacting the creation of the Walnut Street Jail in Pennsylvania (Skidmore, 1948). The Walnut Street Jail was conceived as a place for criminals to be reformed through isolation, self-reflection, and engagement in productive labor (Esperian, 2010). This shift was in contrast to previous policies, in which prisoners were subjected to corporal punishment, banishment, and execution. Prisons were not places of reform but, rather, of detention and punishment (Esperian, 2010).

The Walnut Street Jail opened in January 1776, and prisoners began working and learning trades almost immediately. A formal school was established in the prison in 1798. Classes focused on reading, writing, and arithmetic and sought to provide inmates with useful skills upon release. Early board meeting notes indicated all prisoners were becoming literate and learning to spell; board members were most satisfied that the educational process was happening while prisoners were serving their sentence and bettering themselves for the future. These notes also indicated that board members believed prisoners’ lack of literacy was “common to men of their situation” (p. 179), alluding to the idea these men possessed similar backgrounds and a lack of privilege (Skidmore, 1948). Subsequently, education in prisons has persisted in one form or another.

During the 1800s, education in prisons focused primarily on religion and the Bible. Teachers were inmates who were assigned to the position or looking to pass the
time. In 1825, Louis Dwight became the first known prison reformer; he sought to transform inmates through his Sabbath schools and the principle of hard work. Theology students volunteered their time teaching inmates with books loaned to them by chaplains. In 1830, the first school for public offenders was established in Maryland. In 1844, the first teacher was hired and a prison library was created. In 1847, a comprehensive prison act was passed in New York requiring a common school teacher to be assigned to each prison relative to its size and number of illiterate inmates (Reagen & Stoughton, 1976).

This trajectory carried through the 19th century and was a time of reform that disavowed corporal punishment and valued education and labor in the transformation process. Early criminologists believed the cause of crime stemmed from ignorance and a lack of education (Reagen & Stoughton, 1976; Roberts, 1971). Beginning in 1870, the American Prison Associates began work to professionalize the penal system. They sought to implement rehabilitation programs, increase humane treatment of prisoners, and reduce crime through principles of the behavioral sciences. “The central aim of the new prison philosophy was not to punish criminals but to reform them and thereby provide for the protection of society from crime” (Reagen & Stoughton, 1976, p. 39).

The start of the 20th century was a continuation of the latter, with no real change occurring until the Great Depression. As with all other industries, resources were scarce and workers were pulled from all fields to support the nation’s most pressing needs. Few inmates had the opportunity to participate in educational programming, despite legislation supporting it. The year 1929 marked a shift in thinking regarding prison education. The shift centered around education as an essential piece of the corrections culture, and the assurance that programs were of high quality utilizing those methods
proven effective with other adult populations (Roberts, 1971). Since that time, prison systems have partnered with school districts and colleges to provide educational opportunities to inmates. Inmates could participate in remedial courses and obtain GEDs, vocational certifications, and higher education degrees. Prison philosophy remained reformatory and enlightened until the late 1960s when the war on crime began.

**Recent Trends in Incarceration**

**Legislation Leading to Mass Incarceration**

With the passage of the Law Enforcement Assistance Act in 1965, the US incarcerated a total of 184,901 individuals. In the following two decades and with the enactment of tough-on-crime drug policies, 251,107 people were placed in jails and prisons (Hinton, 2016). According to Wagner and Rabuy (2017), 2.3 million individuals are incarcerated in the US, an increase of almost 1000% in only 50 years. Currently, the US incarcerates more than any other country (Vacca, 2004), at a rate five to 10 times higher than comparable nations (Hinton, 2016). The US accounts for only 5% of the world’s population but houses 25% of the world’s prisoners (Hinton, 2016).

Crime and public fear led to the harsh tough-on-crime legislation of the 1970s, 1980s, and 1990s (Drakeford, 2002). These policies resulted in an exploding prison population in the US that was far costlier and damaging than previously expected (Wakefield & Wildeman, 2011). The realization of the problems has drawn widespread attention from researchers in criminology, sociology, and education. Most studies have supported the provision of education within prisons and jails as a means of rehabilitating inmates and releasing individuals who will more positively impact their communities (Davis et al., 2013; Duwe & Clark, 2014; Fabelo, 2002; Kim & Clark, 2013).
More recent legislation has supported the ideals of justice reinvestment and education as a means for reducing recidivism. In 2010, the U.S. Senate Judiciary Committee introduced the Criminal Justice Reinvestment Act, which supported states and counties that pursued justice reinvestment through the provision of funding via grants (Criminal Justice Reinvestment Act, 2010). Justice reinvestment is an idea that draws bipartisan support as it appeals to the left through the reduction of prison populations, and to the right in the reduction of public costs associated with imprisonment (Clear, 2011).

In the years since the wars on poverty, crime, and drugs, numerous pieces of legislation have been enacted to maintain a tough-on-crime stance and have led to a booming prison industry. Versions of these laws include the use of mandatory minimums, three-strikes, and Rockefeller Drug Laws, which have helped to place and keep citizens behind bars. The Rockefeller Drug Laws enacted in 1973 were the first to inflict harsh minimums on drug addicts and dealers in New York State. This legislation required that an individual found with one ounce of a Schedule I controlled substance would serve at least 15 years before being eligible for lifetime parole. Other offenders would spend their entire lives in prison without the possibility of parole. The laws specifically targeted small-time drug dealers and overlooked the big-time traffickers bringing the drugs into the country. Opponents argued this type of punishment did not allow for second chances, took discretion out of the hands of judges, and led to housing and budgetary constraints (Kohler-Hausmann, 2010). This legislation led to New York State having the fifth largest prison population in the nation (Westcott, 2015) and set the stage for what would come.
By 1994, the use of mandatory minimum laws in sentencing reached all 50 states. Versions of these laws imposed minimum sentences for certain crimes and took discretion out of the hands of judges executing sentences. The obligatory sentences often were unduly harsh and long, to the extent that other judicial actors such as prosecutors sought similar charges that did not carry the mandatory sentence, which Bjerk (2005) maintained the punishment fit the crime.

Similar to the mandatory minimum laws, three-strikes types of legislation were widespread and enacted by 24 states in the mid 1990s. These policies ensured mandatory 25-year-to-life sentences for individuals at the time of their third offense. The goal was to deter criminals from engaging in future criminal behavior, but in fact it had the opposite effect and violent crimes increased by 30% (Marvell & Moody, 2001). The policies led to more dangerous neighborhoods and further increased the prison population. Peter Enns (2014) argued these policies were championed by the public’s increasing preference for punitiveness between the 1960s and 1990s. Enns concluded public opinion is the primary determinant of mass incarceration within the US.

**Characteristics of the Prison Population**

It is no secret that prisoners targeted through the legislation of the late 20th century share many commonalities, including limited education and literacy levels (Haigler, 1994; Roberts, 1971); lower socioeconomic status (Vacca, 2004); and minority status (Drakeford, 2002). In 2015, Westcott likened the U.S. prison system to a “churning wheel of oppression” (p. 273). Individuals exiting this system faced stigmatization of having a criminal record and being a minority, unemployed, and poor. These marginalizing factors caused trauma in and of itself.
Ignorance and a lack of education have been identified as characteristics of prisoners in the US since the 18th century (Reagen & Stoughton, 1976; Roberts, 1971). In January 1931, The Federal Reformatory for Women at Alderson, West Virginia, documented the education levels of their inmates and found that, of their 447 inmates, only 7% had graduated from high school. As many as 13% had no schooling, and 84% had no more than an eighth-grade education level (Roberts, 1971).

Beginning in the early 1990s, a surge of national assessments sought to identify the literacy levels of adults and prisoners. These studies led to an increase in academic writing surrounding the inadequate literacy attainment of individuals within correctional systems. In 1993, Kirsch examined data from the 1992 National Adult Literacy Survey (NALS) and found adults in prison were performing at the lowest two levels of literacy and reported fewer years of schooling than the representative sample. This sentiment was echoed in 2002 when Drakeford found “youth with disabilities, African American males, and other minorities were overrepresented in corrections. One common characteristic among these individuals is the inability to read well” (p. 143). Drakeford asserted 70% of incarcerated populations were illiterate, 70% did not complete high school, and 40-70% had learning disabilities. He reported the average reading level for incarcerated youth in the ninth-grade was equivalent to only a fourth-grade reading level. He further highlighted that African Americans were overrepresented in prison populations. Similarly, Vacca (2004) noted: “Prison populations include a disproportionate number of adults who are poor or economically disadvantaged” (p. 301).

In 2010, Bhatti conducted a qualitative study examining the perspective of educators working in prisons in the United Kingdom. The educators in the study spoke at
length about the prisoners with learning disabilities, specifically Dyslexia. Multiple
participants identified the injustice these prisoners experienced by both the court system
and the prisons. One educator in particular noting, “Dyslexic students are daunted by the
whole culture and climate of the courts. It is particularly cruel when you think that they
have to sign papers. . . they cannot even read; papers which decide their whole future” (p.
35). In 2000, Pawson indicated that, while there was a growing awareness of learning
disabilities among prisoners, it remained an under researched area with human rights
implications for those incarcerated.

A meta-analysis of roughly 20 studies on the reduction of recidivism rates
through the use of educational and vocational training conducted by Malaysian professors
Mohammed and Mohamed (2015), found “. . . 36% of male police detainees and 53% of
female police detainees reported either being diagnosed with a mental illness or being
treated for mental illness” (p. 275). Results from the 1992 NALS confirmed U.S.
prisoners reported higher incidences of learning, mental, and emotional disabilities and
exhibited higher levels of illiteracy than the representative household sample (Haigler,
1994).

Since 2000, the number of female prisoners worldwide has increased by half, with
the US accounting for one third of the total population of women in prisons (Bartlett &
Hollins, 2018). This population is more vulnerable than their male counterparts and
exhibit higher incidences of mental health disorders, substance abuse, post-traumatic
stress disorder, as well as higher rates of self-harm or suicide (Bartlett & Hollins, 2018).
Evidence appears to support the provision of education and therapy while incarcerated
(Davis et al., 2013; Duwe & Clark, 2014; Fabelo, 2002; Kim & Clark, 2013); however,
Bartlett and Hollins (2018) argued merely attending to the needs of women in response to incarceration is inadequate. They advocated for education to address the root causes of women’s health issues, including subjects such as maternal mental health, parent-infant attachments, and universal relationship trainings.

Addiction, generally characterized as a mental health issue, is one of the most common themes seen in prisoners. Approximately 460,000 individuals (20%) are currently imprisoned for non-violent drug offenses (Wagner & Rabuy, 2017). Addiction is a serious issue requiring ongoing support and treatment to cure or keep at bay. “Drug and alcohol addiction are dominant themes in the lives of many who end up in prison or jail, and few of them can remain substance free without some form of treatment” (Clear, 2011, p. 593). Many of these individuals have inadequate education and job skills, may be homeless and jobless, and struggle to break the cycle of drugs and jail (Clear, 2011).

**Collateral Damage of Incarceration**

Gottschalk (2011) explored the negative implications of mass incarceration, or the collateral damage of incarceration. Gottschalk concluded mass incarceration has led to an inability to hold free and fair elections, conduct a representative census, and has led to the creation of law out of public fear for violent crimes. Additionally, former prisoners experience problems in finding gainful employment and forfeit the right to vote and serve on a jury. Many are denied access to pensions, veterans’ and disability benefits, food stamps, public housing, and student loans. African American males are most affected by the loss of rights encountered when returning home to their communities, as they are overrepresented in the prison population.
One consequence of mass incarceration is the potential to cultivate long-term racial disparities among Blacks and Whites (Wakefield & Wildeman, 2011). The largest avenue for doing so is through children of incarcerated parents. These minors are more likely to exhibit antisocial behaviors connected with criminal behavior that furthers the cycle of incarceration. Using data collected from longitudinal studies in Chicago, it was determined “black children born in 1990 had a 25.1% risk of having their father imprisoned. For those white children, born in the same year, the risk of paternal imprisonment was just 3.6%” (Wakefield & Wildeman, 2011, p. 801). Wakefield and Wildeman (2011) found the effects of having an incarcerated father increases negative outcomes for children, including poor mental health such as anxiety and depression, and increases behavioral problems such as aggression and delinquency. This is further exacerbated by the fact that up to 4% of women are pregnant when they enter prison, and the effects of being born in such an environment are not yet understood. Prison systems face unique challenges in the care and support of these women and children, including access to resources and education on the importance of a healthy diet during prenatal development (Shlafer, Stang, Dellaire, Forestell, & Hellerstedt, 2017).

In 2011, Sampson reported: “Imprisonment had negative effects on employment, especially the marginalization of black men from the labor market, again indirectly leading to future crime through its disruptive effect on black family structure” (p. 825). Mass incarceration is an intergenerational problem with which society does not yet know the far-reaching effects.
Justice Reinvestment

One option for ending the state of mass incarceration with which society currently finds itself, is through justice reinvestment.

As a philosophy, justice reinvestment holds that money spent on incarceration instead could be much better spent on community-based development. As a strategy, justice reinvestment proposes to move those dollars from the corrections budget into productive uses at the community level. . . It promises to reduce the size of the prison population, thereby reducing the costs of incarceration. (Clear, 2011, p. 587)

Other definitions of justice reinvestment are more encompassing, allowing for the reappropriation of funds from one expenditure to another in hopes of reducing the amount of money necessary to sustain a system. An example of this is found in legislation from Colorado which states: “Justice reinvestment is an approach that identifies current ineffective expenditures in criminal justice spending, reforms those laws and practices, and reinvests the savings into other public safety strategies” (HB 17-1326, 2017, p. 3). Additionally: “This paradigm combines crime prevention, economic development, mental health and trauma recovery treatment, improving academic achievement, strengthening families, and other targeted direct services into our core public safety strategies” (HB 17-1326, 2017, p. 2). Tonry (2011) believed justice reinvestment is a sensible and useful tool in the reform of current sentencing and correctional systems. Furthermore, the diversion of individuals away from prison has the potential of saving large amounts of taxpayer money.

The central theme of justice reinvestment is to reappropriate money previously allocated for prisons into strategies that benefit the communities most impacted by mass incarceration. This reinvestment serves to build up these communities to become better places to live and work (Clear, 2011). One such strategy that has gained support in
research is the provision of education in secured environments, which is one of the easiest ways to achieve reinvestment. Once released, former prisoners are better equipped to find employment and obtain housing. Educational gains for prisoners has the potential of breaking the prison cycle through the reduction of recidivism and the increase in positive outcomes for inmates returning home to their communities.

**Effects of Education on Recidivism**

Bhatti (2010) asserted: “The role of education in this world is crucial because it has the power to transform lives” (p. 36). Since the late 1980s and early 1990s, education as it relates to recidivism has been a topic of study in both education and criminology journals. The purpose of education is to develop knowledge and to change the individual, attitudes, social values, and institutions (Reagen & Stoughton, 1976). Literature has shown prisoners who participated in educational programming while incarcerated were less likely to return to prison (Vacca, 2004). Vacca (2004) further ascertained “when inmates do not return to prison, the correctional education programs produce a national savings of hundreds of millions of dollars per year” (p. 299).

Recidivism was defined by Mohammed and Mohamed (2015) as “habitual offending, an act of a person repeating an undesirable behavior after he has either experienced negative consequences of that behavior. It is also used to refer to the percentage of prisoners who are rearrested for a similar offense” (p. 273). Some have taken it a step further to say that recidivism is the act of a prisoner being rearrested for a similar offense within a set number of years, usually up to three and as long as five after the initial arrest or release from custody (Hill, 2015).
In 2015, Hill examined data from the Illinois Department of Corrections and reported that 60% of offenders reoffend within five years, and providing inmates with access to community college classes may reduce the population by half in the years that follow. Hill estimated it would require a $9.8 million-dollar investment into education for prisoners, but the reduction of inmates by half would save the state $97 million annually. Hill further hypothesized the provision of adequate education to juvenile offenders would save the state the need to provide government assistance in the future and would increase an ex-inmate’s ability to find employment after release.

Kim and Clark (2013) sought to quantify the results of other studies that demonstrated a reduction of recidivism rates by as much as half. Selection bias was accounted for through the use of Propensity Score Matching (PSM) and effectively matched participants as closely as possible with their treatment/non-treatment counterpart using socio-demographic factors, mental health and academic ability, criminal history, and current crime/sentence information. This control ensured other variables were not accounting for the statistically significant results. Kim and Clark confirmed the effects of college education programs in prison decreased recidivism rates for the following three years, but not at the inflated rate shown by many other studies. Prior to controlling for selection bias, recidivism rates for prisoners who did not participate in college courses were 39.5%, and only 9.5% for those who earned a degree. After controlling for selection bias through PSM, the rates were 17.1% and 9.4 %, respectively, and statistically significant. “This suggests that prison-based college education significantly reduces recidivism apart from a released prisoner’s inclination to avoid criminal behavior once returned to the community” (Kim & Clark, 2013, p. 202). PSM is one way to
provide causal estimates of the effects of correctional education on post-release outcomes and is being used more frequently in the field.

In 2014, Duwe and Clark used PSM to quantify the experiences of earning a secondary or postsecondary degree on two-year recidivism rates and post-release employment for prisoners in Minnesota. Their results indicated earning a secondary degree significantly increases an individual’s ability to obtain employment post-release and obtaining a postsecondary degree does not produce significant change. The results were opposite for recidivism and showed earning a secondary degree does not significantly decrease recidivism rates, but earning a postsecondary degree decreases two-year recidivism rates by 14% for rearrests, 16% for reconvictions, and 24% for reincarceration following a new offense. Duwe and Clark concluded participation in correctional education produces positive outcomes through the decrease in recidivism and increase in post-release employment.

Similar to the quasi-experimental studies discussed previously, the Rand Corporation sought to quantify the effects of correctional education on recidivism rates. In 2013, Davis et al. conducted a meta-analysis of 58 studies claiming positive results in the reduction of recidivism through educational attainment. Each study was rated using the Maryland Scientific Method Scale (Maryland SMS) and assigned one of five levels. Level 1 represented studies with no comparison groups, Level 2 included quasi-experimental with a comparison group and poorly controlled variables, Level 3 consisted of quasi-experimental with a comparison treatment and reasonable controls in place, Level 4 involved quasi-experimental with a similar control and comparison group, and
Level 5 was comprised of studies with the most rigorous controls and randomized treatments.

Focusing on only Levels 4 and 5 studies, or those considered to provide causal estimates, the authors found participation in correctional education decreased recidivism rates by almost 13% three years later. The treatment was cost effective, in that an investment of $174,400 into correctional education for 100 inmates produced an annual savings of up to $970,000 in the cost that would be required to reincarcerate those individuals should they reoffend. It also showed individuals who participated in correctional education were 13% more likely to obtain employment post release. Davis et al. (2013) concluded participation in correctional education decreases recidivism rates and increases post-release outcomes while being cost-effective for taxpayers.

In 2002, Fabelo summarized a series of longitudinal studies that tracked prisoners’ educational attainment while in prison and their experiences after release, including employment and recidivism. It was shown that, of those inmates released in 1997 and 1998, individuals with the highest academic achievement in prison had greater opportunity once released, including the likelihood of finding employment, earning higher wages, and lower rates of recidivism. Within a two-year period, recidivism rates decreased by 11% for those who attained the highest offered level of education. Fabelo (2002) concluded: “Prison education can help lower some ‘natural’ barriers to positive community reintegration by strengthening the intellectual, cognitive and life skills possessed by inmates. However, there are still many ‘societal’ barriers to reintegration” (p. 106).
Between the years 1975 and 1997, the New Jersey Department of Corrections reported their inmate population increased from 6,000 to 25,000 at a cost of $25,000 annually per person. It was estimated 70% of inmates were reading at the two lowest levels of literacy. An investment in education for those prisoners produced a significant savings through reduced recidivism to offset the cost of education (Vacca, 2004). Clear (2011) affirmed advancing education, procuring employment, and locating a place to live are pathways out of the prison cycle. Inmates who earned a high school diploma while incarcerated decreased their rates of recidivism from 45% to 26%, and participation in just two college courses decreased recidivism by 50% (Duguid, Hawkey, & Pawson, 1996). A study conducted in Ohio in 1997 similarly found participation in college courses decreased recidivism by 22%, but graduating from a college program decreased rates by 72% (Batiuk, 1997). In 1991, Clark more modestly estimated prisoners in New York who participated in college programs decreased rates of recidivism by almost 45%. Lower rates also were found for those who participated in vocational training while incarcerated (Allen, 1988). Upon evaluating educational programs offered in prisons, Gerber and Fritsch (1993) concluded participation in educational programming while incarcerated leads to positive outcomes both in and out of prison, including a reduction in criminal behavior, disciplinary issues, and rates of recidivism.

The recession of 2008 caused correctional education budgets to decline by an average of 6%; this decline was greater for states with larger prison populations. With those restrictions came a reduction in the number of employed teachers, enrolled students, and classes offered across the country. In 2017, The RAND Corporation was hired to determine the data necessary to reinstate funding for correctional education
programs specifically focusing on the return on investment. Davis et al. (2017) concluded participation in correctional education programs led to a 13% decline in recidivism rates three years later, and those who participated in postsecondary education courses were 49% less likely to recidivate than those who did not. These individuals also were 28% more likely to obtain employment post release. In lieu of decreasing recidivism rates and increasing post-release outcomes, the study concluded these programs are cost effective and for every dollar spent on correctional education, four to five dollars is saved by taxpayers in future incarceration costs.

**Goals of Incarceration and for Inmates after Release**

In order to implement educational programs or design policies around how corrections will move forward, it is necessary to understand the goals of prisons and jails and the citizens they release. Starting in 1776 with the Walnut Street Jail, the direction was well defined and clear; the US hoped to reform inmates and release individuals who would not further engage in crime. Kerka (1995) argued the central constrain to the provision of education within corrections is understanding the purpose of imprisonment. Is the purpose to punish, control, rehabilitate, or keep society safe from perpetrators? Mohammed and Mohamed (2015) identified the global goal of prison institutions as follows: “The aim of establishing prison institutions all over the world is to provide a rehabilitation and correctional facility for the convict there by providing an effective environment that reduces the risk of reoffending” (p. 273). While this may be the international goal, the objectives of U.S. institutions are less clear and seem to be less about rehabilitation.
Westcott (2015) argued the U.S. prison system evokes such high levels of trauma that it is difficult to consider them places of rehabilitation. Westcott viewed prisons as the end point in the justice system rather than the connection between justice and reentry. A shift in thinking would allow prisons to become a place of skill development where individuals learn how to successfully participate in society. Public opinion appears to be shifting in the direction of human rights and away from the practices associated with mass incarceration, which are now viewed more as inhumane (Westcott, 2015). These shifts toward rehabilitation would be more in line with the thinking of the creators of the Walnut Street Jail and with current academics.

Within the academic realm, the goals of corrections include positive transitions back into society and lower rates of recidivism; most include educational components within their framework. “Inmates need educational programs that not only teach them how to read effectively but also provide the necessary reinforcement that helps promote a positive transition to society when they are released” (Vacca, 2011, p. 303). Brazzell et al. (2009) concluded:

Education plays a crucial role in rehabilitation and reintegration for people who are or have been incarcerated. Research demonstrates that education can change thinking, encourage pro-social behavior, increase employment, and reduce recidivism. Education’s power to transform lives in both tangible and intangible ways makes it one of the most valuable and effective tools we have for helping people rebuild their lives after incarceration, as well as for combating crime and reducing criminal justice costs. (p. 42)

This sentiment was further articulated by Burch (2011):

If the objective is to maximize the chances for offenders to avoid becoming recidivists and to “graduate” into the role of “good citizens,” they must be provided with proper tools and guidance to reach these goals. In our correctional systems, this means more drug rehabilitation, meaningful education and vocational training capabilities “behind the walls,” and similar services plus the
necessary support and monitoring of post release activities maximize the opportunities for success. (p. 611)

Less clear is the current goal of incarceration in the US and the differences from state to state, federal to state institutions, and among private institutions. The Federal Bureau of Prisons states it is their mission to “protect society by confining offenders in the controlled environments of prisons and community-based facilities that are safe, humane, cost-efficient, and appropriately secure, and that provide work and other self-improvement opportunities to assist offenders in becoming law-abiding citizens” (Federal Bureau of Prisons, 2016). The state of Colorado offers a similar mission statement and serves “to protect the citizens of Colorado by holding offenders accountable and engaging them in opportunities to make positive behavioral changes and become law-abiding, productive citizens” (CDOC, 2011). Variations exist among states, but most hold the same core values of protecting society and creating law-abiding citizens. The most significant differences are between government-funded and private institutions.

Corrections Corporation of America (CCA) is the largest private prison company in the US currently housing 70,000 inmates in 70 facilities. The goals of CCA are less about keeping communities safe and successful reintegration and more about business innovation. The vision is “to be the best full-service adult corrections system,” and their mission is “advancing corrections through innovative results that benefit and protect all we serve” (CCA, 2013). There is little that promotes community safety or successful reintegration into society, a sentiment shared by academics and government-run institutions. What is known is that prison programs are most influenced by the values of those in authority, including governing officials. These individuals subsequently determine whether prisons are perceived as places of punishment or rehabilitation.
(Vacca, 2011). To move forward collectively, governing bodies must share common goals and values.

**Barriers to the Provision of Education**

Research and legislation have supported the provision of education as a means of reducing prison populations and the rehabilitation of criminals, but programs are not mandated or uniformly provided among various institutions (Davis et al., 2013; Duwe & Clark, 2014; Fabelo, 2002; Kim & Clark, 2013). Understanding the barriers that are stifling this movement is necessary in moving forward. Community perceptions (particularly through voting), limited funding, and the institutional barriers unique to the location of services are the most visible obstacles reported in current research.

In his 2004 article, Vacca identified the many difficulties to successful incorporation of educational programming in prisons, including public perceptions and those barriers associated with the daily operations of prisons. “Program success or failure is hampered, however, by the values and attitudes of those in the authority position, overcrowded prison population conditions, and inadequate funding for teaching personnel, supplies and materials” (p. 297). As noted by Brazzell et al. (2009), “Perhaps the biggest challenge is that correctional facilities are, first and foremost, institutions of control and security, not classrooms or schools” (p. 24). In 1993, Shethar noted the institutional barriers in place in prisons and jails make continuity of educational programming impossible. These interruptions include lock-downs, head counts, and attorney meetings that are unique to the location of services.

Advances in technology have changed the landscape of schools and education. Online, distance, and virtual learning opportunities are now available across educational
settings and bring students in contact with prospects never before imagined. Online learning offers promise within the correctional setting, allowing students to interact virtually with material and to witness firsthand the steps required to successfully complete tasks associated with a potential career. Garner (2017) highlighted that technology-based solutions such as pre-recorded educational material and Skyping with tutors reduce some of the restrictions associated with correctional education. Inmates can stream information from their cells and complete work at their convenience. Time is not lost to lock-downs, attorney meetings, or the unavailability of instructors. Garner further acknowledged self-directed online learning opportunities allow inmates to engage in paid work within the prison and provide more choice in courses and programs in which to participate. Advancements in technology may offer support in the reduction of barriers when providing inmates with correctional education.

In 2011, Gartner et al. further identified potential issues in the implementation of change in the DOC to include:

(a) the scale of imprisonment, (b) state finances, (c) state-level power to set prison terms, (d) the visibility of penal policy, (e) the relative influence of state administrators and the public on correctional policy, and (f) beliefs about the efficacy of imprisonment. (p. 313)

Themes of public opinion, funding, and politics overshadowed the barriers identified by Gartner et al. The researchers also stressed the role of lobbyists and special interest groups in swaying the opinions of constituents and legislators. The position of victims’ rights organizations and prison guard unions in the reform debate often argue the release of prisoners will make the community less safe (Gartner et al., 2011). Understanding their perspective and working in conjunction with special interest groups is necessary in moving the reform debate forward and shaping the message of these groups. Burch
(2011) discerned public opinion must change in favor of valuing other options such as community supervision if society is to see any real change in incarceration rates and sentencing policies. Understanding public opinion, motivation, and its influence on prison policy and lawmakers is key in the creation and implementation of educational programming as a means of reducing prison populations, as they were key in the creation of the current carceral state in which the US finds itself (Enns, 2014).

It is obvious the politics surrounding prison reform are challenging given civic interest and the consideration that must be shown to the victims. Justice reinvestment strategies that focus on recidivism are more politically feasible, as they help in reducing barriers associated with reentry while ensuring public safety (Clear, 2011). Once released, the obstacles and stigma surrounding inmates remain. These barriers are intended to preserve public safety and include background checks, limited options for employment, and restrictions on public assistance available (Fabelo, 2002; Gottschalk, 2011). “These barriers are formidable challenges to successful reintegration of inmates” (Fabelo, 2002, p. 109). Restraints that keep inmates in the cycle of imprisonment do not end with sentences and must be addressed for the cycle to cease.

Monumental changes will not occur unless policymakers become convinced current policies and practices are morally unjustifiable.

Liberal reform advocates in the United States have, for three decades, made a major strategic mistake in arguing for change in instrumental terms of cost and effectiveness rather than in normative terms of injustice and human rights, while conceding the normative arguments to conservatives. (Tonry, 2011, p. 647)

Tonry (2011) further argued what is needed “is a widely shared belief that high imprisonment rates are undesirable, unjust, and destructive. That belief cannot come to exist unless people engage in moral discourse about justice and injustice” (p. 647).
CHAPTER III

RESEARCH METHODOLOGY

This chapter presents a description of the methods used in this study, including the research design, interpretive framework, and approach to inquiry that served as the foundation for the study methodology. Also included is the study’s sample, recruitment, and procedures for obtaining consent. The concluding sections address data collection, recording procedures, and the data analysis methods used. The research questions for the study were:

1. What are the barriers to the provision of education in Colorado prisons?
2. What options are available in reducing the barriers to the provision of education in Colorado prisons?
3. How do we reform the Colorado prison system utilizing education?

Research Design

This study employed a qualitative research design, which is necessary when attempting to understand the meaning and context with which the phenomenon is happening in order to generate theories about the interactions (Maxwell, 2013). The present study sought to understand the opinions and beliefs of those involved in the decision-making process that guide policy surrounding the implementation of education in Colorado prisons. Once an understanding was reached on the information that shaped the interpretation of CDOC officials, legislators, and advocates within the context of prison reform, theories were developed that guided the dissemination of necessary information to invoke change.
Creswell (2013) posited qualitative research designs are necessary when an in-depth understanding of the phenomenon is required that cannot be gleaned from the literature alone. Current literature notes access to educational opportunities within prisons can reduce recidivism rates and subsequently the population of prisoners, increase reintegration outcomes for ex-convicts, and save money for taxpayers (Allen, 1988; Batiuk, 1997; Clark, 1991; Clear, 2011; Duguid et al., 1996; Fabelo, 2002; Gerber & Fritsch, 1993; Hill, 2015; Kim & Clark, 2013; Vacca, 2004). While this information is available, educational programs within Colorado prisons are not experiencing the desired effect, and the provision of education is not considered as the means to remedy the problem of mass incarceration. Furthermore, the state continues to have an undereducated prison population with a 50% recidivism rate. Researchers in the field must understand the thought process of various stakeholders who ultimately are responsible for the creation and implementation of laws and policy. Using the tenets of qualitative research provided an understanding of the context in which participants considered the issue of prison reform (Creswell, 2013).

**Interpretive Framework**

Creswell (2013) asserted researchers adopt a set of beliefs and assumptions that guide their work when they subscribe to a particular worldview. The present study was shaped by the advocacy/participatory paradigm and sought to bring forth an action agenda for change in the epidemic of mass incarceration. In using this approach, interviews were conducted with state legislators, former employees from the CDOC, and advocates representing the rights of both victims and prisoners to understand their opinions on how to create real change in this arena. The goal was to use education as a
means for the reduction of recidivism rates and ultimately the population of prisoners in Colorado. The voices of participants shaped the rhetoric needed to create a political discussion that can translate into law and create change in the Colorado prison system.

The interpretive framework that guided this study was critical theory. A critical theory orientation goes beyond studying for the sake of knowledge and seeks to illuminate power, economics, or social inequalities: “Critical research which begins with questions of inequity and disparity holds the most promise for promoting policies and practices that can lead to economic, ecological, and human justice, and a sustainable global future” (Steinberg & Cannella, 2012, p. 3). Researchers hope to shift the balance of power in favor of those with less power, connecting theory and action (Patton, 2015).

The primary assumption made by critical theorists is large democratic societies are both questionably democratic and free (Kincheloe & McLaren, 2002). Prisons are the very definition of not being democratic or free, especially those within the US where under the law prisoners have lost basic civil rights and are viewed as second-class citizens.

Prison reform and mass incarceration are issues of social injustice that plague impoverished, racially diverse, communities. African American youth born into these communities are nine times more likely as White children to have incarcerated parents, and Latinos are three times more likely (Golden, 2013). This is even more concerning when considering that, while African Americans represent only 13% of the U.S. population, they represent 40% of the incarcerated population (Wagner & Rabuy, 2017). The single most unifying characteristic of prisoners is their inability to read well (Drakeford, 2002), which stems from numerous factors such as increased rate of learning disabilities, lower socio economic status, less parental support, and inadequate
educational opportunities, all associated with growing up impoverished in America (Greenberg et al., 2007).

**Approach to Inquiry**

This study used a grounded theory approach to inquiry, which enabled the development of a theory through interviews and systematic procedures. “Grounded theory researchers are interested in patterns of action and interaction between and among various types of social units (i.e., actors)” (Corbin & Strauss, 1994, p. 278). Grounded theory was chosen to study the epidemic of mass incarceration because it is a large problem currently plaguing the US, with no existing theory or plan in place for change. Also, numerous involved stakeholders and points of view must be considered when developing plans and legislation to reduce the incarceration rate of Colorado. Corbin and Strauss (1994) stressed “that multiple perspectives must be systematically sought during the research inquiry” (p. 280) to successfully build an inclusive theory. The grounded theory approach allowed for investigation of a complex problem with multiple actors and the development of a theory and plan of action from the data collected. The central phenomenon investigated in this grounded theory study was to understand the barriers that impede the provision of education in Colorado prisons and, when reduced, may lead to a reduction of prisoners and a decrease in incarceration rates in the state.

Creswell (2013) avowed a grounded theory approach calls for detailed data analysis procedures in three subsequent phases of coding: open, axial, and selective. Each phase served a specific purpose that allowed for the development of categories and subsequent saturation, the identification of a central phenomenon, and the creation of a theoretical model. Once the theoretical model was developed, a conditional matrix was
created that provided a visual representation of conditions and consequences as they related to the central phenomenon.

The application of grounded theory within the scope of education relative to prison reform allowed the data collected to generate the theory for change and the voices of those driving the decisions to be heard. Throughout the study, trust and rapport were built with participants as information was gained to understand the barriers to the provision of education within prisons in Colorado. The subsequent development of a theory and conditional matrix, along with rich, thick descriptions in which it is presented, allows policymakers and advocates to discern whether this theory will generalize beyond the state of Colorado.

Research Site

The research site chosen for the representative sample was the state of Colorado, to include legislators from the Colorado General Assembly, representatives from victim and inmate advocacy groups, and former employees from the CDOC. Colorado was chosen because it is representative of the US in many ways, reporting similar numbers of male and female citizens in the most recent census. The demographics for both Colorado and the nation are presented in Table 1 (CDOC, 2018; Department of Defense Manpower Data Center [DMDC], 2017; U.S. Census Bureau, 2017). Colorado also maintains a similar number of registered voters and constituents affiliated with political parties. The state claims almost 11% more citizens identifying as White and roughly 9% fewer identifying as Black. The percentage of citizens identifying as Hispanic or Latino is 3.5% greater than the national average. Of particular interest to the race/ethnicity column
was that individuals can claim more than one race/ethnicity, which has led to percentages exceeding 100%.

Table 1

*Colorado State Demographics Compared to National Averages*

<table>
<thead>
<tr>
<th></th>
<th>Colorado Numbers</th>
<th>Colorado Percentages</th>
<th>National Numbers</th>
<th>National Percentages</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Population</strong></td>
<td>5,607,154</td>
<td>325,719,178</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Gender</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>• Male</td>
<td>2,820,398</td>
<td>50.3</td>
<td>160,253,836</td>
<td>49.2</td>
</tr>
<tr>
<td>• Female</td>
<td>2,786,756</td>
<td>49.7</td>
<td>165,465,342</td>
<td>50.8</td>
</tr>
<tr>
<td><strong>Race</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>• White</td>
<td>4,906,260</td>
<td>87.5</td>
<td>250,478,048</td>
<td>76.9</td>
</tr>
<tr>
<td>• Black</td>
<td>252,322</td>
<td>4.5</td>
<td>43,320,651</td>
<td>13.3</td>
</tr>
<tr>
<td>• American Indian</td>
<td>89,714</td>
<td>1.6</td>
<td>4,234,349</td>
<td>1.3</td>
</tr>
<tr>
<td>• Asian</td>
<td>185,036</td>
<td>3.3</td>
<td>18,565,993</td>
<td>5.7</td>
</tr>
<tr>
<td>• Hispanic/Latino</td>
<td>1,194,324</td>
<td>21.3</td>
<td>57,978,014</td>
<td>17.8</td>
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<td><strong>Educational Attainment</strong></td>
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<td></td>
<td></td>
</tr>
<tr>
<td>• Graduate Degree</td>
<td>818,644</td>
<td>14.6</td>
<td>38,434,863</td>
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</tr>
<tr>
<td>• Bachelor’s Degree</td>
<td>1,390,574</td>
<td>24.8</td>
<td>62,212,363</td>
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<tr>
<td>• Associate’s degree</td>
<td>471,001</td>
<td>8.4</td>
<td>27,034,692</td>
<td>8.3</td>
</tr>
<tr>
<td>• Diploma/GED</td>
<td>2,433,505</td>
<td>43.4</td>
<td>156,670,925</td>
<td>48.1</td>
</tr>
<tr>
<td>• 9th-12th no Diploma/GED</td>
<td>291,572</td>
<td>5.2</td>
<td>23,451,781</td>
<td>7.2</td>
</tr>
<tr>
<td>• Less than 9th Grade</td>
<td>201,858</td>
<td>3.6</td>
<td>17,588,836</td>
<td>5.4</td>
</tr>
<tr>
<td><strong>Registered Voters</strong></td>
<td>3,802,465</td>
<td>67.8</td>
<td>209,111,712</td>
<td>64.2</td>
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<tr>
<td><strong>Party Affiliation</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>• Democrat</td>
<td>1,159,055</td>
<td>30.4</td>
<td>87,944,178</td>
<td>27.0</td>
</tr>
<tr>
<td>• Republican</td>
<td>1,137,008</td>
<td>29.9</td>
<td>91,201,370</td>
<td>28.0</td>
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<tr>
<td>• Unaffiliated</td>
<td>1,433,854</td>
<td>37.7</td>
<td>136,802,055</td>
<td>42.0</td>
</tr>
<tr>
<td>• Other</td>
<td>72,548</td>
<td>2.0</td>
<td>9,771,575</td>
<td>3.0</td>
</tr>
<tr>
<td><strong>Military</strong></td>
<td>47,636</td>
<td>0.8</td>
<td>1,335,000</td>
<td>0.4</td>
</tr>
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<td><strong>Prisoners</strong></td>
<td>20,041</td>
<td>.35</td>
<td>1,498,308</td>
<td>0.46</td>
</tr>
</tbody>
</table>

Also unique to Colorado is the presence of military personnel and bases throughout the state. While the .8% of total military population does not stand out in the chart above, it is double the national average and substantial. According to the DMDC’s
website, the majority of military personnel is concentrated in one of ten states with 46.4%
of all active duty and reserve members residing in one of them. Colorado is tenth on the
list of states with the most active duty and reserve members of the military with 47,636
current residents.

Colorado claims an imprisonment rate less than that of the national average in its 25 state and privately-run prisons. While it is not one of the states identified as having the largest population of prisoners, it is affected by mass incarceration trends, specifically those attributed to race and education. Black prisoners represent 17% percent of the prison population, compared to only 4.5% of the state’s total population. A similar discrepancy is found among Latino prisoners, representing 32% of prisoners and only 21% of the state’s overall population. The demographic indicators for Colorado prisoners are presented in Table 2 (CDOC, 2016a; CDOC, 2017a; CDOC, 2018).

Themes of overrepresentation also are found in educational attainment or lack thereof.

Upon intake into the CDOC, all prisoners complete a series of standardized assessments designed to measure their academic, medical, and mental health needs (CDOC, 2017b). The Test of Adult Basic Education (TABE) generates a score in reading, writing, and mathematics as a range from Level 1 (associate’s degree or higher) to Level 5 (Illiterate). The majority of prisoners (75%) have completed a high school diploma or GED, placing them in Level 2. Only 200 total prisoners attained a Level 1 education, which equates to an associate’s degree or higher. Prisoners at Levels 1 and 2 are directed toward technical and vocational programs to gain marketable reentry skills (CDOC, 2017b). Those prisoners representing Levels 4 and 5 accounted for 23% of the total prison population (CDOC, 2016a). Offenders falling between Levels 3 through 5 require
academic support and GED programs. The majority of these prisoners were currently functioning between grades 5 and 7 levels (CDOC, 2017b). The general population of Colorado reported only 8.8% of the population having not attained a diploma or GED and 47.8% having completed an associate’s degree or higher. Overall, Colorado’s prison population is undereducated with an overrepresentation of minorities. Individuals residing in the state should have a stake in the prison reform debate.

Colorado annually reports an Overview of Educational and Career Technical Programs as required by HB 10-1112. This report includes information combined from both state and privately-run prisons regarding progress toward educational initiatives within the system. Based on the available reports, charts, and statistics, it was not possible to separate the achievements of state prisons from the privately-run prisons. Subsequently, the information provided in Tables 1 and 2 includes that of the entire population of prisoners, both state and privately run.
Table 2

**Colorado State Prisoner Demographics**

<table>
<thead>
<tr>
<th></th>
<th>Colorado Numbers</th>
<th>Colorado Percentages</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Population</strong></td>
<td>20,041</td>
<td></td>
</tr>
<tr>
<td><strong>Gender</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>• Male</td>
<td>18,028</td>
<td>90</td>
</tr>
<tr>
<td>• Female</td>
<td>2,013</td>
<td>10</td>
</tr>
<tr>
<td><strong>Race</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>• White</td>
<td>9,219</td>
<td>46</td>
</tr>
<tr>
<td>• Black</td>
<td>3,407</td>
<td>17</td>
</tr>
<tr>
<td>• American Indian</td>
<td>60</td>
<td>3</td>
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<tr>
<td>• Asian</td>
<td>20</td>
<td>1</td>
</tr>
<tr>
<td>• Hispanic/Latino</td>
<td>6,413</td>
<td>32</td>
</tr>
<tr>
<td><strong>Age Range</strong></td>
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<td></td>
</tr>
<tr>
<td>• 20-29</td>
<td>4,810</td>
<td>24</td>
</tr>
<tr>
<td>• 30-39</td>
<td>6,814</td>
<td>34</td>
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<td>• 40-49</td>
<td>4,409</td>
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<tr>
<td>• 50-59</td>
<td>2,806</td>
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</tr>
<tr>
<td>• 60+ years old</td>
<td>1,202</td>
<td>6</td>
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<tr>
<td><strong>Educational Attainment</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>• Level 1: Associate Degree or Higher</td>
<td>200</td>
<td>1</td>
</tr>
<tr>
<td>• Level 2: High School Diploma/GED</td>
<td>15,031</td>
<td>75</td>
</tr>
<tr>
<td>• Level 3: Literate – No Diploma/GED</td>
<td>200</td>
<td>1</td>
</tr>
<tr>
<td>• Level 4: Functionally Literate</td>
<td>2,004</td>
<td>10</td>
</tr>
<tr>
<td>• Level 5: Illiterate</td>
<td>2605</td>
<td>13</td>
</tr>
<tr>
<td><strong>Program/Needs Level</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>• Academic</td>
<td>5,211</td>
<td>26</td>
</tr>
<tr>
<td>• Vocational</td>
<td>8,618</td>
<td>43</td>
</tr>
<tr>
<td>• Substance Abuse</td>
<td>14,830</td>
<td>74</td>
</tr>
<tr>
<td>• Sex Offender</td>
<td>5,211</td>
<td>26</td>
</tr>
<tr>
<td>• Medical</td>
<td>6,213</td>
<td>31</td>
</tr>
<tr>
<td>• Mental Health Needs</td>
<td>7,415</td>
<td>37</td>
</tr>
<tr>
<td>• Intellect and Development Needs</td>
<td>802</td>
<td>4</td>
</tr>
<tr>
<td><strong>Location</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>• State Prison</td>
<td>14,239</td>
<td>71</td>
</tr>
<tr>
<td>• Private Prison</td>
<td>3,826</td>
<td>19</td>
</tr>
<tr>
<td>• Other Facilities</td>
<td>1,976</td>
<td>10</td>
</tr>
</tbody>
</table>

*The CDOC reports population trends monthly and prisoner demographics, including educational attainment, annually. The population reported was taken from May 2018, the demographic indicators were collected in December 2017. Information on educational attainment was collected from the 2016 report. Because the totals did not match, race, age range, and educational needs percentages from the December 2017 demographic indicators were multiplied by the population reported in May 2018 to show the numbers for Colorado’s prisoner race, age range, and educational needs. The educational attainment percentages reported in 2016 were multiplied by the May 2018 population to obtain the percentages.

**These numbers were generated from the Test of Adult Basic Education completed by prisoners upon intake. Scoring allows for one person to demonstrate a need in multiple areas. When totaled, these percentages subsequently exceed 100%, and the numbers exceed the total population of prisoners.
Sample

In order to capture the opinions and beliefs of the public regarding barriers to the implementation of education within prisons in Colorado, interviews were conducted with a purposeful stratified sample of legislators from the Colorado General Assembly, representatives from victim and inmate advocacy groups, and former employees from the CDOC. Purposeful stratified sampling provided subgroups of information-rich cases for in-depth study that facilitated comparisons (Creswell, 2013). Purposeful sampling involved the deliberate selection of groups or participants needed to provide information specific to the study and its context (Maxwell, 2013). The initial design of the study included current CDOC administrators. An application to conduct research within the CDOC was submitted to the CDOC’s Research Advisory Panel in September of 2018. The request was denied by the CDOC and subsequent contact with current CDOC employees was not authorized. In order to capture the opinions and insights of individuals familiar with the CDOC, a sample of former CDOC employees was developed.

Snowball or chain sampling was used in the identification of individuals representing the CDOC former employees, as they no longer have department issued email addresses and are not readily identifiable in the community. Creswell (2018) purported snowball sampling is the identification of participants from others familiar with the issue, ensuring information-rich cases are included within the analysis. Once the initial pool of participants was collected, subgroups were identified based on demographic indicators including gender, party affiliation, racial group with which
individuals identify, educational attainment, and others. These subgroups were further examined during the analysis.

A total sample size of 20 was developed comprising four legislators, seven CDOC former employees, and nine representatives from victim and inmate advocacy groups from the state. Creswell (2013) asserted within grounded theory research sample sizes of at least 20 to 30 individuals are necessary to develop well-saturated theories. Saturation was achieved prior to the completion of all interviews.

Upon IRB approval of this research project, all participants were contacted via email. Information provided was a basic summary of the research study and the requirements of participants, including the completion of a demographic questionnaire and taking part in a semi-structured interview. All individuals were made aware that their participation was voluntary and would require up to 90 minutes between a one-hour interview and the time to electronically review interpretations from their interview. Participation occurred within a period of predetermined dates from August 2018 through March 2019. All responses indicating a willingness to participate were added to the sample pool.

Full disclosure of the research agenda and signed consent forms were secured with each individual prior to the interview. The site and method of the interview was determined by the location and preferences of the participant. Nineteen interviews were conducted over the phone and only one in person. The face-to-face interview was completed third in the process and appeared to provide less detailed answers than the others conducted over the phone. This may have been a function of personalities or due to the relaxed atmosphere and anonymity provided by the telephone. All interviews
occurred at the time of the participant’s choosing and were recorded and transcribed. Interpretations of the transcripts were provided to the participants via email, asking them to check for accuracy and to respond with any additional thoughts. All individuals completed the demographic questionnaire prior to the start of the interview; for a complete list of demographic questions see Appendix A. Demographic information for each participant is presented in Table 3. Of the 20 participants, two did not complete all sections of the demographic questionnaire. Participant #10, a former CDOC employee, was uncomfortable sharing their political affiliation and ideology. Consequently, two cells in Table 3 are missing data. Participant #3, a state legislator, was uncomfortable with the sensationalized term of *mass incarceration* and subsequently did not provide a rating on familiarity with mass incarceration, as well as the extent of a problem they perceived mass incarceration to be and whether prison reform was a priority. The missing data for these three questions will be addressed in a subsequent table.
Table 3
Participant Demographic Information

<table>
<thead>
<tr>
<th>Participant</th>
<th>Age</th>
<th>Gender</th>
<th>Race</th>
<th>Educational Attainment</th>
<th>Political Affiliation</th>
<th>Political Ideology</th>
</tr>
</thead>
<tbody>
<tr>
<td>Legislators</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1</td>
<td>37</td>
<td>M</td>
<td>Hispanic</td>
<td>Bachelor’s</td>
<td>Democrat</td>
<td>Moderate</td>
</tr>
<tr>
<td>2</td>
<td>59</td>
<td>M</td>
<td>White</td>
<td>Bachelor’s</td>
<td>Republican</td>
<td>Conservative</td>
</tr>
<tr>
<td>3</td>
<td>71</td>
<td>M</td>
<td>White</td>
<td>Doctorate</td>
<td>Democrat</td>
<td>Liberal</td>
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<tr>
<td>4</td>
<td>73</td>
<td>F</td>
<td>White</td>
<td>Doctorate</td>
<td>Republican</td>
<td>Conservative</td>
</tr>
<tr>
<td>CDOC Former Employees</td>
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<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>5</td>
<td>58</td>
<td>F</td>
<td>White</td>
<td>Doctorate</td>
<td>Republican</td>
<td>Conservative</td>
</tr>
<tr>
<td>6</td>
<td>48</td>
<td>M</td>
<td>White</td>
<td>Diploma</td>
<td>Republican</td>
<td>Moderate</td>
</tr>
<tr>
<td>7</td>
<td>58</td>
<td>F</td>
<td>White</td>
<td>Doctorate</td>
<td>Republican</td>
<td>Moderate</td>
</tr>
<tr>
<td>8</td>
<td>59</td>
<td>M</td>
<td>White</td>
<td>Bachelor’s</td>
<td>Independent</td>
<td>Moderate</td>
</tr>
<tr>
<td>9</td>
<td>45</td>
<td>F</td>
<td>White</td>
<td>Master’s</td>
<td>Independent</td>
<td>Conservative</td>
</tr>
<tr>
<td>10</td>
<td>51</td>
<td>F</td>
<td>White</td>
<td>Master’s</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>11</td>
<td>63</td>
<td>F</td>
<td>White</td>
<td>Bachelor’s</td>
<td>Democrat</td>
<td>Moderate</td>
</tr>
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<td>Advocates</td>
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<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>12</td>
<td>38</td>
<td>F</td>
<td>White</td>
<td>Master’s</td>
<td>Independent</td>
<td>Liberal</td>
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<tr>
<td>13</td>
<td>52</td>
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<td>Hispanic</td>
<td>Master’s</td>
<td>Independent</td>
<td>Moderate</td>
</tr>
<tr>
<td>14</td>
<td>48</td>
<td>M</td>
<td>White</td>
<td>Master’s</td>
<td>Republican</td>
<td>Liberal</td>
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<td>15</td>
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<td>Democrat</td>
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<td>Diploma</td>
<td>Republican</td>
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<tr>
<td>17</td>
<td>74</td>
<td>M</td>
<td>White</td>
<td>Master’s</td>
<td>Democrat</td>
<td>Liberal</td>
</tr>
<tr>
<td>18</td>
<td>38</td>
<td>M</td>
<td>White</td>
<td>Doctorate</td>
<td>Democrat</td>
<td>Progressive</td>
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<tr>
<td>19</td>
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<td>M</td>
<td>White</td>
<td>Master’s</td>
<td>Independent</td>
<td>Progressive</td>
</tr>
<tr>
<td>20</td>
<td>35</td>
<td>F</td>
<td>White</td>
<td>Doctorate</td>
<td>Independent</td>
<td>Liberal</td>
</tr>
</tbody>
</table>

The sample maintained similar demographics to the state of Colorado in the percentage of males and females, as well as in the distribution of ethnicity, with both the state and the sample being primarily White. Colorado is 87.5% White and 21.3% Hispanic, these numbers exceed 100% as individuals are able to claim more than one race on the census. The representative sample was 90% White and 10% Hispanic. Similarly, the sample had a comparable distribution of party affiliates to the state, with the only difference being an elevated number of Republican Party members at 36.8% compared to Colorado’s 29.9%. The sample also boasted a lower level of Independents at 31.6% compared to Colorado’s 37.7%. The largest difference between Colorado and the
representative sample was in educational attainment, with the representative sample holding 45.4% more graduate degrees than the majority of Coloradoans. Only 10% held a high school diploma or equivalent compared to the 43.4% of Coloradoans with the same degree. This difference most likely was attributed to the self-selection bias that led to participation in the study and hopefully provided more informed opinions about the issue.

The demographic questionnaire further solicited information regarding participants familiarity with mass incarceration and their opinions about reform. Individuals were asked whether any member of their family had been incarcerated or victimized. Participants were similarly questioned about mass incarceration and prompted to respond on a scale of one to six, with one being the lowest and six being the highest. Table 4 lists their responses to these questions. There are three cells with missing data in Table 4 given Participant #3’s choice to withhold a rating on their familiarity with mass incarceration, the extent of a problem they perceived mass incarceration to be, and the priority they assign to prison reform.
### Participants’ Familiarity and Opinions of Mass Incarceration

<table>
<thead>
<tr>
<th>Participant</th>
<th>Anyone in Family Been Incarcerated</th>
<th>Anyone in Family Been Victimized</th>
<th>Familiarity with Mass Incarceration</th>
<th>How Big of a Problem is Mass Incarceration?</th>
<th>How Big of a Priority is Prison Reform?</th>
</tr>
</thead>
<tbody>
<tr>
<td>Legislators</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1</td>
<td>Y</td>
<td>Y</td>
<td>4</td>
<td>4</td>
<td>4</td>
</tr>
<tr>
<td>2</td>
<td>Y</td>
<td>Y</td>
<td>6</td>
<td>5</td>
<td>4</td>
</tr>
<tr>
<td>3</td>
<td>N</td>
<td>Y</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>4</td>
<td>N</td>
<td>Y</td>
<td>4</td>
<td>4</td>
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**Legislators**

Recruitment emails were sent to all 100 members of the Colorado General Assembly, inviting 35 state senators and 65 state representatives to be a part of this study.

Participation requirements for legislators included membership in the Colorado General Assembly representing the Democratic, Republican, or Independent Party. Membership
in the Colorado General Assembly implied a person was a U.S. citizen, at least 25 years of age, having lived in the state or represented district for at least 12 months, and having been voted into their position by constituents. A combination of Republicans, Democrats, and Independents was desired, representing the three main political affiliations of the Colorado General Assembly in the final sample. Four state legislators indicated their willingness to participate and took part in the semi-structured interviews.

**Colorado Department of Corrections Former Employees**

Solicitation of individuals from the CDOC began through the use of snowball sampling. After identifying two former CDOC employees through personal knowledge, 10 former employees were contacted. Three did not respond to the emails regarding participation, the remaining seven responded, agreed to participate, and were accepted into the study. Requirements for this group included being a former employee with the CDOC at any position and interest in participating in an interview. All participating individuals left the CDOC of their own accord and seemed genuine in their representations of their time with the CDOC. These individuals were not overly negative or positive in their depictions of the CDOC, or of matters discussed within the interviews.

**Victims’ and Inmates’ Rights Advocates**

Members of Colorado’s victims’ and inmates’ rights groups were emailed, including all of the following organizations: Colorado Organization for Victim Assistance (COVA), Voices of Victims, Alternatives to Violence, Intervention Inc., Victim Outreach, Safehouse Progressive Alliance for Nonviolence, Advocates Building Peaceful Communities, Rocky Mountain Victim Law Center, Integrated Family Community Services, WINGS, River Bridge Registration Center, Colorado CURE,
Advocates for Change, Colorado Criminal Justice Reform Coalition, and the American Civil Liberties Union of Colorado. Requirements for victim and inmate rights advocates included membership in a Colorado-based victim or inmate rights group or researcher working on behalf of victims and offenders within the prison reform debate. Being a member of a Colorado-based advocacy group implied the completion of a membership application and paid annual dues of $25 to $300. The final sample of nine advocates participated in the semi-structured interviews.

Interview Instrument and Protocol

The interview instrument used in the study was developed to explore the perspectives of Colorado state legislators, CDOC former employees, and representatives of victim and inmate advocacy groups regarding the barriers to implementation of education in secured environments. Questions were developed in consideration of the grounded theory approach pioneered by Strauss and Glaser in 1967. The protocol was comprised of questions that sought to generate thought and relate concepts to one another (Corbin & Strauss, 1994). Questions allowed for open-ended responses that were central to the research study, allowing the participant to open up and freely engage in conversation providing depth and detail at a personal level (Patton, 2015). These questions ensured the responses belonged to the participant. Central to the foundation of grounded theory is the idea of theoretical sampling that asks the inquirer to follow the data where they may lead (Corbin & Strauss, 2014). The questions generated for the interview protocol were developed from ideas gleaned from literature and research in the field (Chamberlain-Salaun, Mills, & Usher, 2013; Corbin & Strauss, 1994; Corbin & Strauss, 2014). Staying true to the tenants of grounded theory research and the use of
theoretical sampling, additional questioning began when participants discussed topics that were pertinent to the research questions but not addressed in the protocol (Corbin & Strauss, 1994). Appendix B includes a list of questions included in the interview protocol.

Following IRB approval, data were collected through the use of tape-recorded interviews. Interviews were conducted using the interview protocol and were completed primarily by phone. Each interview was scheduled for one hour, and participants were made aware the additional time commitments consisted of reviewing interpretations from their interview for accuracy. All interviews were transcribed and coded for themes central to the research questions guiding this study and used to investigate the barriers to the implementation of education in Colorado prisons. General themes found in the transcribed interviews were member checked by each participant to verify accuracy of the interpretation and ensured there were no misunderstandings. No corrections were made as a result of the member checking, and the findings were affirmed. This measure was taken, as Corbin and Strauss (1994) stressed interpretations must include the perspectives and opinions of the participants. All data collected in connection with this study were maintained and analyzed solely by the primary researcher. Alternate identification codes were assigned to each participant to protect confidentiality; any information provided that could distinguish a participant was deidentified.

**Data Analysis Strategy**

Central to the grounded theory approach is the closeness with which data collection and analysis are intertwined through the constant comparative method. This idea originally conceived by Strauss and Glaser in 1967 continues to be advocated by
grounded theorists today. Figure 1 consists of a graphic representation of the grounded theory approach to data analysis. Corbin and Strauss (2014) stressed the importance of comparing incidents to search for similarities and differences. During the initial open coding process, the data were examined for salient categories. Using a constant comparative approach, the category was saturated by examining data and interviewing and revisiting data until no additional information was gleaned from the process. Creswell (2013) suggested the initial process of coding serves to reduce the large dataset to a smaller subset of themes and categories that represent the entire scope of the study. Corbin and Strauss (2014) advocated for axial coding, or the process of relating concepts to each other, to occur simultaneously during the open coding process. The congruence of these activities work together to ensure the researcher learns from and listens to the data as it evolves.

Within the process of open and axial coding, a central phenomenon was identified. This category was extensively discussed by participants and was central to the process being studied (Creswell, 2013). The central phenomenon was the main feature of the theory and was used to recode the data and search for categories related to or explaining the phenomenon. Information gleaned was organized into a theoretical model to explain the process under study. Using this theory, the selective coding process and hypotheses were created that interrelated or connected the categories using tenants of the new theory. Finally, a conditional matrix or visual diagram of the theory was developed to understand how various conditions and consequences related to and affected the central phenomenon (Creswell, 2013).
Following the pretenses of grounded theory, all collected data were analyzed and coded for themes during the three phases of open, axial, and selective coding using the NVivo 12 platform. Codes are the tags and labels assigned to concepts found within data (Miles, Huberman, & Saldaña, 2014). The NVivo platform supports qualitative research and allows for advanced data management using query and visualization tools. Each interview was uploaded into the program and coded individually by participant as part of the group of legislators, CDOC former employees, and victim and inmate rights advocates and as part of the collective group of participants.
NVivo provided a method of organization regarding the storage of codes, themes, and attributes assigned to a particular participant and provided visual representations of these themes across cases. After each interview was uploaded and coded, hierarchical visualizations were used to understand the amount of data coded under each top-level node. Summarization and reference tools were used as a means of quantifying the percentage of participants who referenced a topic or theme. These visualizations and quantified values helped to understand the themes that surfaced most frequently and potentially acted as barriers to providing education to Colorado prisoners.

Within the first phase of coding, or open coding, the data were examined for prominent categories identified across cases. Miles et al. (2014) defined this first level of coding as “a device for summarizing segments of data” (p. 69). This initial coding process reduced the large dataset to a smaller subset of themes. Central to the approach of grounded theory is the idea that data collection and analysis are intertwined. While open coding was occurring, patterns of interaction among themes and cases were highlighted in the axial coding process. Axial, or pattern coding, as described by Miles et al., is the grouping of codes into sets or themes. As more questions arose during the phases of coding, they were referred back to the participants to better understand their opinion on the interaction or to gain clarification. The congruence of these activities ensured that I was listening and learning from the evolving data (Corbin & Strauss, 2014). During these stages of coding, a central phenomenon was identified through its extensive presence across cases. This phenomenon became the main feature of the developed theory.
Once a central phenomenon was identified, the data were reanalyzed and coded as they related to or explained the phenomenon using selective coding procedures. Categories were identified that (1) explained the creation the central phenomenon, (2) identified steps that must be taken in response to the central phenomenon, and (3) identified other factors that influence the central phenomenon. All data were then synthesized into a conditional matrix that explained the barriers to the provision of education in Colorado prisons. Using the conditional matrix, hypotheses were developed regarding the relationship of codes or themes found in the data.

**Trustworthiness**

Trustworthiness was established using the criteria posed by Lincoln and Guba (1985). Subsequently, the following four questions were answered: (1) Is it possible to establish confidence in the truth the researcher has provided? (2) Are the findings applicable to other contexts? (3) Could the findings be replicated if the same study was carried out in a similar fashion? (4) Is it possible to establish the findings are those of the subjects and not conditions of the inquiry including the bias, motivation, and interests of the inquirer? Meeting the conditions of these criteria ensured trustworthiness and confirmed the resulting theory was a product of the data and participants studied. Credibility was further established through the triangulation of multiple sources of data, groups of participants and their transcriptions, and member checking of the interpretations from the interviews. Transferability of findings across contexts was made possible through the use of thick descriptions in the final write-up. These methods are further discussed in the following sections.
Central to the grounded theory approach is the idea of constant comparative analysis that requires sustained engagement with data gathering and analysis. The rigor with which the data were collected and analyzed allowed for the generation of a theory from the data alone (Corbin & Strauss, 1994). Validation strategies confirmed findings were explained by the theory postulated and not by alternate explanations or hypotheses (Maxwell, 2013). Interpretations of interviews were sent to each individual after transcription and completion of the initial analysis, and all responding participants indicated agreement with the interpretations provided. One individual, a victims’ rights advocate, clarified: “I support reduction of the prison population only if it is not done on the backs of crime victims and does not compromise public safety.”

Data were collected from multiple sources to promote triangulation (Maxwell, 2013; Patton, 2015). Interpretations from completed interviews were member checked to solicit the participants’ views on the credibility of the findings (Maxwell, 2013). Significant categories and the central phenomenon identified were those that were present across multiple interviews, which reduced the risk for chance associations and systemic bias and assured greater generalization among final explanations (Maxwell, 2013). The final narrative included rich, thick descriptions of the interviews, categories, central phenomenon, and theory that provides readers with sufficient information to discern whether the information is transferable to other settings (Creswell, 2013). The application of these validation methods provided the most authentic representation of the opinions of CDOC administrators, legislators, and victim and inmate rights advocates in the formulation of a theory for change.
Limitations

This research was limited by the exclusion of prisoners and the general voting constituency from the representative sample. While prisoners hold a unique and valued perspective on the issue, they are not in a position to vote. The current study sought to identify and reduce the barriers to the provision of education in Colorado prisons, many of which are removeable only through legislative achievements. The general voting constituency was excluded, as informed opinions were necessary to promote a collaborative theory, which the constituency may not have had. The voices of both prisoners and constituents were represented by inmate rights advocates and state legislators, respectively. This study was further limited through self-selection bias, as all participants were required to express their willingness to be a part of this study. Motivations for participation may have been due to a personal connection with crime, victims, or prisoners that potentially skewed the findings. Willingness to participate also may have involved a desire to study and learn, as 60% held advanced degrees.
CHAPTER IV

FINDINGS

This study was designed to explore opinions about Colorado’s prison system and size while investigating options to reform the system through education. Data were collected through in-depth interviews with stakeholders in the debate. Collected data were transcribed, analyzed, and coded into categories. Interviews evolved as participants provided information and initial theories advanced. Each interview provided data to answer the following research questions:

1. What are the barriers to the provision of education in Colorado prisons?
2. What options are available in reducing the barriers to the provision of education in Colorado prisons?
3. How do we reform the Colorado prison system utilizing education?

This chapter details the coding process and subsequent interpretations garnered from the data. It concludes with the presentation of a theory for decarceration. The facets of the theory and implications for policy are further discussed in Chapter V.

Data Collection and Open Coding

Interviews began in August 2018 and lasted through March 2019 when saturation was achieved. After the first seventeen interviews, no new themes or indicators emerged; statements confirmed what other participants had previously provided. Three additional interviews were pursued to gain insights into three specific phenomena from researchers and advocates in their respective fields. These interviews targeted specific individuals with expertise in one of the three areas of educational opportunities in prisons, social justice concerns, and restorative justice, as these themes had been extensively discussed.
throughout the interview process. Information garnered is included with the rest of the analysis.

**Theoretical Sampling**

Of the first four interviews, three were with state legislators and one with a victims’ rights advocate. Within each, themes of prevention and early intervention emerged as options members of these groups would support. In specifically examining the potential impact of education as a reform model in the current prison system, early intervention was not expected to be a prominent theme in the initial interviews. One possible reason was legislators and victims’ rights advocates do not support putting more money into prisons, as it already is a costly industry within the state. Participant #1, a state legislator, noted:

> Within our society, we need to pay attention to the youth recognizing how important it is to get them educated and going in the right direction in life. It’s easier to put money toward education now than it is to put more money into rehabilitation for those who have made the wrong choice. The expense is higher once they commit the crime. Put more funding into those that have not committed a crime and continue guiding and developing them in the right direction with education, skills, technical trades. Get them involved in our society and allow them to develop their minds. When you have productive minds you’re always growing and developing as a society, and individuals want to better themselves.

Participant #2, a victims’ rights advocate, stated:

> Early intervention and prevention are two huge missing pieces that no one wants to pay for. That is something I would love to see. Restorative Justice going into schools early on, or prevention education from community-based victims services maybe based on background. Start talking about domestic violence, and dating violence, and sexual assault, and stalking. Give people the tools to know what this is and what to do if this is happening to me or one of my friends, and also giving bystanders the tools. Teach kids to be good bystanders and if you see something happening you figure out how to intervene and no one wants to fund that. None of the victim services that we have will do prevention. Teach kids early on that this is the impact, this is what happens when you hurt someone in
your community, and this is what to do if you see someone being hurt. Provide help early on, it is easy to see how things could be different.

The third participant, another legislator, noted:

I would pursue the front end of the equation. I would look at what is the triggering event that either put somebody on the path, or put somebody in incarceration, and if there are means to interact more positively on the front end of that curve to turn somebody’s life around early. That would be the strategic leverage point that I would be looking for. If I were developing prison reform, I would seek solutions that are on the front end of the curve in people’s lives. If you can intervene in a more meaningful way to a positive result early on that would be the sort of reform that I would seek.

Without overtly stating it, participants alluded to funding and political opinion as some of the first barriers to providing prisoners with education; when given the choice, state legislators and advocates would rather spend money preventing individuals from becoming prisoners than on the education of current prisoners. Following the tenants of grounded theory research allowed the use of theoretical sampling and encouraged the pursuit of this line of questioning. From that point forward, the constant comparative process of data collection and coding began, with each subsequent interview seeking to elicit information on how early intervention could and should look within prison reform.

Another theme that emerged early and unexpectedly involved, what participants called, corruption within the CDOC. Following the same line of reasoning, this theme was explored and emerged as a top issue along with CDOC leadership. The point was first raised in the second interview with a victims’ rights advocate. When asked opinions regarding prison institutions and their place in society, this participant noted:

They are punitive. Honestly, you want to talk about what we need to do to get better services or what we can do to prepare people to be better human beings when they get out, then you need to take a look at the leadership at our DOC in Colorado, it is not great. Every year there are bills that claim to have future cost savings for the DOC, but you never get a figure of what money has been saved. You see these things that are supposed to diminish the budget of the DOC,
and yet, last year, they came to the legislature and asked for $11 million to reopen a private facility. There are some very suspect things with how DOC in this state is using their money and the amount never goes down, it’s weird.

Seven others commented on the cost of the prison system and the amount of money available within the industry, and quickly made the connection to how easy it is for greed and corrupt behaviors to start. One participant, another victims’ rights advocate, specifically noted:

I think it is an incredibly profitable industry. It's just kind of heinous how much money is involved in it and how much exploitation happens in terms of the upselling of products like the phone service, the clothes, and all of these different industries that spin off from prisons, and prison labor, and all of the companies that rely on prison labor. It is incredibly profitable, and it creates a breeding ground for corruption.

Continuing on with this questioning, a former CDOC employee was asked whether they had concerns with corruption within the CDOC organization. This participant seemed slightly stunned by the question and eventually responded:

Well I don’t know if I would call it corruption, but I guess that is technically what it is. But definitely the CDOC plays with numbers, and they massage data, if you even want to call it data, to make it look like they are achieving goals they aren't achieving, and I saw that first hand. If you call that corruption, and I guess you’d have to call it corruption, at least corrupt values or morally questionable behavior.

Questioning along the lines of leadership, culture, and corruption were explored in interviews. Themes of each were found in 15 of the 20 interviews, with support from leadership emerging as a necessary component of policy moving forward. This is further discussed later but stated here to highlight the importance of theoretical sampling throughout the process.

**Open Coding**

As each interview was recorded and transcribed, I began searching for indicators and themes. Words, phrases, sentences, and other observations that piqued interest or
were present across multiple cases were highlighted within the transcript and transferred to an electronic list of initial indicators, eventually comprising 106 words, phrases, and sentences. After accounting for repeating or related words and phrases, the list was decreased to 94 words. Table 5 includes a list of the initial indicators, which helped to guide the initial coding process.

Table 5

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<td>Plea bargains</td>
<td>Negative place</td>
<td>Non-transparent</td>
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<td>Rural location</td>
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<td>Mental health prog.</td>
<td>Proper staffing</td>
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This list was categorized into six general categories: (1) issues with leadership/CDOC admin/CDOC staff, (2) barriers within the institution and operation, (3) prisoner barriers, (4) political barriers, (5) larger societal issues, and (6) moving forward. Items coded as moving forward were removed from the initial analysis, as they were more necessary in the development of a theory moving forward, rather than in
understanding the current actors in play as barriers. An exploratory query of the initial indicator list specified that of these five barriers, larger societal issues was the most referenced, with 30% of the initial indicator list falling into this category. These figures were followed by institutional barriers with 23%, prisoner barriers with 19%, political barriers with 17%, and issues with leadership at 11%. Figure 2 is a graphic representation of the percentage of initial indicators referenced in each of the five barriers.

*Figure 2.* Percentage of initial indicators referenced in each of the five barriers.

From this list of initial indicators and identified barriers, initial codes were developed and I began re-reading and re-coding the transcripts with these five barriers
representing top-level nodes, alongside the remaining top-level node of moving forward. Under each top-level node were three to 10 sub-categories. Looking specifically at the top-level nodes identified as barriers, political and societal barriers accounted for the largest number of references within interviews and pointed to issues that need to be accounted for, if not addressed moving forward in policy creation. Figure 3 shows a hierarchical visualization based on the number of references within the five barriers. Issues raised under the political barrier umbrella included matters related to funding, goals of prisons, beneficiaries of prisons, past and present laws that have led to the current prison population, and public opinion among others. Barriers under the larger societal heading accounted for social justice concerns, system concerns, and the collateral damage of being incarcerated, including the predisposition for youth to one day be incarcerated. Participant #19, an inmates’ rights advocate, noted:

You have to address larger social problems! You have to address more funding for public education on the outside, making education stronger, providing more wrap around services for the poor and poverty stricken. Why aren’t we giving them more services to help them out before incarceration? When you have these really large societal problems, you are putting a Band-Aid on an open wound.

Three levels of barriers existed at the prison level that must be addressed including those related to the institution, the prisoner, and the leadership within the CDOC. Institutional barriers encompassed location of the prison; limited space; and operational barriers such as lock-downs, inmate movement, and correctional contracts. Barriers specific to the prisoner included desire on behalf of the prisoner, lagging skills, and poor mental health. The final barrier included the CDOC leadership and corruption within the CDOC.
Political Barriers

Political barriers were those with a specific tie to politics, the political climate, and legislation. They also included themes that relate to public opinion, as these factors influence constituents when they enter the booth to vote on behalf of new laws and for legislators representing them. Multiple participants commented:

Politicians get elected with tough on crime messages. Politicians get a lot of traction and a lot of mileage out of “look how many people we put in jail.” And the average American these days is probably pretty susceptible to “law and order” messaging. If a politician wants to get elected, then one of the things that is helpful is to not have a record supporting prisoners. The opposition runs ads skewing what you support and does not provide enough information to viewers to understand how the money was spent or how it benefited the community. It’s easier to run on tough on crime campaigns.
When a former CDOC employee was specifically asked about the barriers to providing education to Colorado prisoners and given three examples of political, institutional, or public opinion, the participant specifically noted: “I just don’t see public opinion as being that big of a deterrent.” An example of a current television ad running in opposition to Walker Stapleton was provided: “Stapleton believes Colorado spends too much money on schools and should be spending that money on prisons.” The participant responded, “They are really crucifying him on sending money to corrections.” The individual further clarified that “part of the reason legislators want to fund corrections is that we (the CDOC) have scared the legislature into thinking that if they don’t fund it the way we want it funded then something bad is going to happen.” Whether public opinion is the largest barrier to providing prisoners with education, it is clearly an issue to be addressed because it directly translates into who is getting elected and the bills that are passed into legislation.

Other themes included under the umbrella of political barriers were those of funding, beneficiaries of prison, crime and drug laws, goals of prisons, victims’ rights, and other themes that spoke more to public opinion, including prisoners versus K-12 education and whether or not prisoners deserve education. An example of funding provided by a former CDOC employee included the following: “You’ve got the legislature, you’ve got the joint budget committee you have got to convince, and they want outcomes. You’ve got these huge money barriers.” Many participants spoke about the goals of prisons, and one victims’ rights advocate added:

What is the point of a prison anyways? Is it to separate someone from society or is it to punish someone for a wrong against society. And is that wrong great enough to mandate their separation from society? And the thing is, prisons aren’t
about education, they are these really punitive places, they are about warehousing people we have deemed unsafe.

Other participants believed prisons are places of punishment more so than places of rehabilitation. One victims’ rights advocate stated: “In my work in efficacy, rehabilitation is almost a non-existent term when it comes to our prison populations.” Some even remarked: “I think society sees it as you do the crime, you do the time.”

More progressive participants noted that, while individuals may have done something to deserve punishment, “The prisoners behind those walls are still human beings and individuals, and yea, they have done something, we all have pasts, but how do we get them rehabilitated to be better people upon release.” Under the umbrella of political barriers, themes of past and present laws that have led to the current prison population were discussed by participants. While these are important, they are not included in the final development of the theory as they do not directly relate to education. Table 6 shows a complete list of themes under political barriers and the interviewee that referenced these themes.

Table 6

References to Political Barriers within Interviews

<table>
<thead>
<tr>
<th>Top-Level Node</th>
<th>Sub-Categories</th>
<th>Interview Reference</th>
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<td>Prison beneficiaries</td>
<td>2, 4, 5, 6, 7, 8, 11, 12, 13, 14, 15, 16, 19, 20</td>
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<td></td>
<td>Prisons as employers</td>
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<td>Crime and drug laws</td>
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<td>Deserving education</td>
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<td>Children vs. prisoners</td>
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<td>Funding</td>
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<td>Public opinion</td>
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<td>Rehabilitation vs. punishment</td>
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<td></td>
<td>Victims’ rights</td>
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</table>
Societal Barriers

Societal barriers were identified as those that appear to be larger structural issues within society, those that may attribute to the size of the prison system, and those that must be addressed if there is a desire to quell the size of future prison populations. Examples of societal barriers included the humanness of the prison systems, social justice concerns, lack of wrap-around services for at-risk populations, children of prisoners, plea bargains, sentencing laws, and prisoner reentry. Many participants commented on the challenge of providing education to prisoners lying in a prisoner’s ability to access educational programming given the academic inadequacies commonly associated with disadvantaged backgrounds. One victims’ rights advocate specifically stated:

The criminal justice system historically and continues to have an impact on communities of color, more marginalized populations, people with mental illness, people without money, and for those reasons there definitely need to be some reforms and changes made.

Another victims’ rights advocate added:

A lot of things in the prison system are challenging, because you are dealing with a lot of people overwhelmingly, who have not had access to education, opportunities, general health and public health things that might not allow for critical thinking and analysis.

Participants overwhelmingly pointed to themes of circumstance leading to time in prison for many of those currently incarcerated.

For the purposes of this study, the focus was on only those themes that directly tied into the education of prisoners or the disparities that have led them to the criminal justice system. Many other themes were identified under societal issues as they related to criminal justice reform. While they are important and need to be addressed, they were not used to guide the theory development of the present study because they do not
directly relate to education within the system. Examples of these include elimination of the death penalty, sentencing reform, plea bargain reform, community corrections reform, and others. For a complete list of themes identified under the top-level node of societal barriers and the interviewee that referenced them, refer to Table 7.

Table 7

*References to Societal Barriers within Interviews*

<table>
<thead>
<tr>
<th>Top-Level Node</th>
<th>Sub-Categories</th>
<th>Interview Reference</th>
</tr>
</thead>
<tbody>
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<td>Societal Barriers</td>
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<td></td>
<td>Plea bargains</td>
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<td></td>
<td>Return to environment</td>
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<td></td>
<td>Sentencing reform</td>
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<td></td>
<td>Social justice concerns</td>
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<td></td>
<td>System concerns (cost/size)</td>
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<td></td>
<td>Wrap-around services</td>
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</tbody>
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**Institutional Barriers**

Institutional barriers were defined as those unique to the establishment of prisons. These barriers begin with the idea that a prison is a prison, and not a classroom or establishment designed for education. Examples of these barriers include location, lack of space designated for classrooms, limited educational tools, value of programs as assigned by staff, and operational barriers within the institution. Operational barriers were attributed to the daily procedures of prisons and include staffing shortages, prisoner movement, security, lock-downs within the facility, and the requirements imposed by correctional contracts. Participants commented on each. Examples included the following provided by a former CDOC employee:

You have to jump through all of the hoops of security, and not being able to have some of the tools you might have in a regular classroom due to security. What the prison allows is based on security and the level of needs of the prisoners. So, I think there are so many roadblocks to education, but there are so many who need it and you can only have X number of teachers, or space. When prisons are built,
they aren’t thinking about classrooms, they are thinking about how many prisoners can we house here, not how many can we educate here.

Another former CDOC employee spoke directly to the issue of priority attributed to education within prisons and the inability to obtain teachers and space: “I think if you are looking at education it is focusing on those things like getting the teachers in there, getting the priority to education, getting the space to do that.” The idea of priority of education and the ability to recruit and retain teaching staff was a common theme throughout interviews and must be addressed moving forward.

One of the most common themes highlighted across participant categories, and recently addressed in Colorado legislature, was that of prisoner movement and reclassification. This refers specifically to the frequency with which prisoners are moved from facility to facility to address housing limitations or changes to their security classification, i.e., from medium to high security or from general population to administrative segregation/seclusion. One former employee stated the following:

The biggest barrier that I saw, and it was frustrating, was that you get a guy who was finally making some progress and then he would get moved to a different facility. And then he would have to get on the waitlist, and start the whole adjustment process, and then wait, and get in again.

Prisoner movement has become such an issue with program completion that Colorado passed HB 10-1112 in 2010 requiring that prisoners enrolled in academic programs be flagged and held in the same facility until they complete their current program or are placed in the same program after the transfer. However, numerous participants associated with the prisons identified problems with the “hold them here” policy, specifically noting:

Another thing to consider is offenders’ classification. So, say they start in a class and say their classification changes either for the better or the worse,
unfortunately. They get moved to another facility before completing a program, then they go to a new facility and all of a sudden, they are on a waitlist there to get back into the program, or they don’t offer the same program there. So, then they are halfway through a program and they don’t get the benefit of getting certified in it.

I clarified this and specifically asked about the HB 10-1112 policy of flagging inmates in programs and ensuring they had access to the program, to which a participant responded:

It does hold up in certain situations, but there are some situations that you just can’t control. Sometimes there are custody issues, sometimes their classification is changed for the worse, they’re getting into trouble and they have had violations and they can’t be housed at a lower security facility anymore. There is just nothing you can do, it’s not safe for them to be there anymore, and they can’t be there anymore. I do think they try, I have seen it work with “hold them here.” I think the prison system is trying to help with that, with getting people completed in programs, I think it’s just a hard battle.

Regardless of legislative achievements to reduce the number of non-completed programs on the CDOC’s end, prisoner movement continues to be a barrier to the successful completion of an educational program. This line of rationale led one participant, an inmates’ rights advocate, to conclude: “Prisons function well for the purpose they serve. Trying to make a prison something other than a prison, is going to require another level of dynamic and innovative thinking.” This dynamic thinking may include the collaboration of fields to address this complex problem that affects far more than those housed within the walls of prisons.

Another frequently identified barrier was staffing shortages and the effects of a limited staff on programs within prisons. These can include no teachers to teach classes, no mental health providers for therapy sessions, and others that are less expected such as an exhausted staff working multiple overtime shifts to manage the population and not operating from trauma informed pretenses—a current CDOC push. One former
employee stated, “My biggest concern is that prisons are understaffed,” and another former employee echoed this:

There is a staff shortage in corrections, like I have never seen before in my career. And so, what you have right now is people in many states routinely working 16 hour shifts 3, 4, 5, and 6 times per week. So, you see us trying to implement these really good rehabilitative things like trauma informed care is one of the newest ones. So now we are implementing trauma informed care, and you have custody staff that are a key part of that, and now you have custody staff that are so tired that they are in survival mode. They aren’t doing anything extra they certainly aren’t doing motivational interviewing, thinking for a change, or trauma informed care. They are trying to survive to get off of duty to get a few hours of sleep.

One inmates’ rights advocate talked about the large number of individuals on waitlists for therapy due to a lack of mental health providers:

I think resources is an issue, a lack of teachers and therapists. There are currently 1,500 individuals on the waitlist for Sex Offender Management Board (SOMB) treatment which is required before you can participate in programming and go before the parole board.

Multiple former employees providing their perspectives on this phenomenon included the following:

Rather than this current situation where people are working massive amount of overtime, it’s killing them, and even more importantly it is killing any positive change programs that are happening. You know in the federal system, nurses and teachers are being pulled to man custody positions, that is how bad it is. So, teachers are getting pulled out of a GED program to run a cell house because they are that short. Because you have to have a cell house, you don’t have to have a classroom.

The same participant added:

This of course is why you can’t keep medical and mental health professionals because we are constantly pulling them to do other jobs that they don’t see as their job or as their calling, they may even see it as contradiction to what they think they should be doing. Which is a major issue on retention there. Let’s say you have a lot of mental health people, but today, you don’t have enough custody people to bring the inmates to the group, which happens a lot, then they get frustrated, the mental health people never actually get to do what they are paid to do because there is not enough staff to get the inmates to them for one thing. So,
then they get frustrated and they leave so then it is just this constantly revolving door basically.

Another former employee shared a story of what nurses and teachers within the CDOC told them as they were leaving:

This is not nursing, this is not what they went to school for, this is not what they committed their lives to, this is not nursing. And I have had teachers tell me the same thing, this is not education, this isn’t even babysitting, it is something else. It is some kind of bastardization between those two extremes.

Lines of questions on this topic led participants to the conclusion that teaching is more appealing on the outside because one does not have the security threats. A former employee stated:

Getting and keeping good educators inside is always a challenge. And of course, if I can earn the same amount of money teaching at a local middle school, why would I put myself in harm’s way teaching inside of a prison. I can see it from their viewpoint, so maybe there needs to be some incentive money wise, or retirement wise for working at the prisons.

Another former employee believed there is no sense of job security, and fear that their position could be cut at any time leads professionals away from the prison industry:

There is a bit of a drawback to education programs, anytime there is a budget crisis they look at all of the educational programming and see where they can make a cut. And I get it, safety comes first you have got to have your fences, radio wires, and walls. But you need to have your program people and you can’t just cut them every time you turn around. Just thinking about cutting them makes it harder and harder to get and retain good teachers, why would I take the job if I might get cut. No job security.

The effects of staffing shortages are far-reaching. It impedes daily functions within prisons, education of prisoners, the waitlists to be admitted into programs and therapies, a prisoner’s daily interactions with staff, and even the ability to appear before the parole board. Table 8 shows a list of the sub-categories identified under the top-level node of institutional barrier and the interviewee that referenced them.
Table 8

References to Institutional Barriers within Interviews

<table>
<thead>
<tr>
<th>Top-Level Node</th>
<th>Sub-Categories</th>
<th>Interview Reference</th>
</tr>
</thead>
<tbody>
<tr>
<td>Institutional Barriers</td>
<td>Operational barriers</td>
<td>2, 5, 6, 7, 8, 9, 10, 11, 12, 14, 15, 16, 17, 19</td>
</tr>
<tr>
<td></td>
<td>Correctional contracts</td>
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<td></td>
<td>Staffing shortage</td>
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</tbody>
</table>

Prisoner Barriers

Many of the identified barriers were attributed to the prisoners themselves and included aspects such as poor mental health, lagging academic skills, and desire by the individual to participate in and complete academic programs. One interviewee, a former CDOC employee, believed poor mental health is the larger underlying problem that must first be addressed along with some of the larger structural issues such as funding:

It all again starts with mental health. Mental health is the problem, and we can’t keep mental health providers because we don’t pay them enough money, and then we don’t provide offenders with the support they need to get past that hump and focus on their education or focus on whatever they need to focus on to get their mind straight, so they can get out and be productive. If they are still screwed up, they still have abuse problems, or anger issues, or substance abuse problems, or whatever they case may be, if they can’t get past that, their way of thinking, they are not going to focus on their education and job skills, they are just doing time.

This theme was persistent across participants and consistently pointed to an issue that needs to be accounted for prior to providing prisoners with education. One inmates’ rights advocate in particular noted:

We need to treat the cause. We need to look at the behavior at the time of the offense and treat the cause! You must address this first before an inmate is able to participate in any educational or vocational programming. Without treating the cause, you are releasing the same person back out into the world with additional education and work skills, but the same underlying cause that landed them in the system in the first place.

Other themes found in this category spoke to lagging academic skills within the prison population, e.g., “We literally have inmates in there who can’t read or write,”
which was a perspective offered by a former CDOC employee. These lagging skills
make participation in academic programs challenging, as one inmates’ rights advocate
stated:

If you can’t read, or if your IQ and your level of intelligence is such that you have
difficulty following simple directions, because you can’t read instructions, that
makes for a hard life if you can’t read. Do you need to read Shakespeare or
interpret Einstein's theories—no, but you have to get in the door and once you are
there, I would focus on a marketable, tangible skill.

This participant was alluding to the fact that once the basic skills are addressed, a
prisoner can work toward more tangible skills to use upon release; however, in some
cases these lagging skills stand to become a barrier themselves. These deficits cause an
individual to become discouraged with academics and participation in educational
opportunities, as one former employee commented:

Some of them don’t want to. Some of them don’t want to admit they don’t know
how to read or write by that age, then they are embarrassed. A lot of hard work
for an adult to learn something that most of us learned during elementary school.

And another participant, a state legislator, added:

You’ve got someone who has pretty well written him or herself off, they’ve
written society off, and they are pretty much choosing to be disengaged and
unenthusiastic about a better future for themselves, kind of tough. You are kind
of beating your head against a wall trying to change that circumstance. The first
and probably the most critical barrier, is an enthusiastic student. I don’t care if a
student is 6 years old or 26 years old, they have to want it, and the minute they
want it we’ve removed the most powerful and most difficult barrier to overcome.

Accounting for prisoner barriers moving forward is necessary to ensure program
enrollment, completion, and ultimately a rehabilitated individual with options upon
release. Table 9 lists prisoner barrier themes and the interviewee with which they were
referenced.
Table 9

References to Prisoner Barriers within Interviews

<table>
<thead>
<tr>
<th>Top-Level Node</th>
<th>Sub-Categories</th>
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<tr>
<td></td>
<td>Lagging skills</td>
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<tr>
<td></td>
<td>Mental health</td>
<td>19, 20</td>
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Leadership Barriers

The final barrier identified by participants was leadership within the CDOC. This barrier included themes of perceived corruption and the value assigned to academic programs by the CDOC leadership. One participant, a former CDOC warden, spoke to the importance of leadership believing in the programs to ensure they occur.

It is a leadership issue. We have had bouts in my career where education was key, and they were pretty short lived, but it was almost always tied to whoever was in power. So, it is that kind of power to redirect the priorities that is lacking, and when we have it, we don’t have it for very long.

Without leadership placing priority on programs, situations arise as described by a former employee:

I would have custody staff that would tell me, usually after the fact, that they shut down programs because they had to inventory the radios. But you don’t have to do that during the day shift, or in the middle of programs. You can do it during the middle of the night and bring in custody staff to do it... And no one sees education as a priority. I don’t care what the program is, whether it is cognitive, vocational or academic, it doesn’t have the clout to keep going and to be seen as a priority.

Another former CDOC employee remarked:

And it goes back to the fact that education is such a low priority when you are talking about public safety which includes feeding the guys, giving them toilet paper, and running them to rec, and education isn’t on that list of the top four or five things we have to do, so we don’t do it very well.

Without support from leadership, custody staff fail to see the value in programs and experience situations such as the following described by one former employee: “Some of
the line staff were being really resistant to bringing inmates to classrooms, and some of
the inmates were telling me that sergeant so and so wouldn’t open my door so that I could
come.” This participant further indicated this could have been because the staff felt it
was not fair, as evidenced in the following statement:

The inmates were learning good things and were getting the upper hand on some
of these old school staff members and I think some of the staff really weren’t sure
how to deal with that, so they didn’t let them out for class.

Enlightened leadership draws attention to the value of these programs for the success of
prisoners and ultimately the prisons. Leaders who value educational programming as a
means for reform and rehabilitation espouse these values and ensure everyone
understands the vision moving forward.

Another theme under the umbrella of leadership related to the idea of CDOC
perceived corruption, which is closely tied, if not overlapping, the theme of political
barriers. Many participants spoke about the relationships of the CDOC with correctional
industries, the politicians who are funded by these industries, and the entire notion of
private prisons. One former CDOC employee specifically noted:

This whole idea of the private prisons being large donors to politicians, it is
disgusting! That feeds mass incarceration. There is no way that they (politicians)
really want incarceration rates to go down, because they owe these private prisons
right now.

Another inmates’ right advocate commented on the corrupt, symbiotic relationship of the
prison industry with society:

I am sure that if we were to divert incarceration dollars and put it in the hands of
smart, ethical, creative people, not just in the hands of burnt out bureaucrats, you
probably would get better bang for your buck. And that overall you would have a
huge net savings to society and that speaks back to the whole corruption of the
prison system and is it corrupt to push back against those kinds of reforms that
could benefit society, because in reality there would be less prisoners and fewer
jobs. That’s a weird relationship there.
This relationship adds another level to the reform debate, as this billion dollar industry serves society in another manner as a provider of numerous jobs both directly inside prisons and the industries outside the walls they support. One participant, a victims’ rights advocate, stated: “People are angry about the number of prisons we have, and yet in some of our communities, especially our rural communities, they are the only employers.” A former employee who continues to work on behalf of inmates in helping them access higher education opportunities while incarcerated added:

If you have a chance go to the correctional industry conferences, go. It tells you all you need to know about the corrections industry. We were there trying to promote our educational programs for offenders to other DOCs across the nation, and I had this tiny little booth in the back and there were all of these other massive vendors, and people profiting from corrections with huge booths right up front. And my basic takeaway was this is where prison industrial complex comes to play, this is it in front of your face, you see how much money is made, and all of the people benefitting from the current size of prisons.

It is evident here that the CDOC is responsible for the care and welfare of numerous individuals including the inmates they house, employees they hire, and the correctional industries that are dependent upon them. Any reform efforts must consider all angles and strive to benefit all parties moving forward. Table 10 identifies the themes associated with leadership and their referenced interviewee.

Table 10

References to Leadership Barriers within Interviews

<table>
<thead>
<tr>
<th>Top-Level Node</th>
<th>Sub-Categories</th>
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</tr>
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<tbody>
<tr>
<td>Leadership Barriers</td>
<td>CDOC corruption</td>
<td>5, 7, 12, 14, 15,</td>
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<td></td>
<td>CDOC leadership</td>
<td>16, 17, 18, 19</td>
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</table>
Moving Forward

Finally, each participant was questioned about moving forward and what must be done to reduce the prison population through education. Subsequently, each interviewee provided data identifying steps that must be taken. Almost half of the coded data were categorized under the top-level node of moving forward in one of 13 sub-categories ranging from early intervention, arguments for and against prisoner education, areas of need, reentry concerns, and changing opinions. The majority of participants commented on reentry issues and areas for reform. All data collected around reentry reflected the hardships prisoners encounter as they are released. One individual, a former reentry specialist and GED teacher within the CDOC, went so far as to say: “This is a broken piece of our system.” An inmates’ rights advocate shared a story of an inmate with whom he worked:

This guy was released from community corrections and could not find a place to live that would rent to a felon and that he could afford. When he met with his PO, he was re-arrested for violating his parole by not having a permanent address. He served an additional 6 months for “the crime of having no address.” When he was re-released, he managed to find a place to live, but could not find a job paying more than minimum wage. He would show up to therapy, classes, and probation but couldn’t pay for the services or the fees associated with these classes, his parole and his rent. He came to our organization for help and told me “If I go and rob a 7-11, I would have enough money to pay my rent and for everything associated with my parole, and I might not get caught and might not end up back in prison. If I continue to try to work and do things the right way, I will definitely end up back in prison.”

Reentry hardships were discussed extensively, to include numerous examples of being unable to find a job, a place to live, or balancing the requirements of parole with a work schedule. All of these issues prompted a former reentry specialist to say:

At some point as a society we have to say okay, you’ve paid your debt, you did your parole, you’ve got a job, you are raising your family—welcome back. And we don’t do a very good job at that.
Issues of reform were far more diverse and covered topics from sentence reform, better preparation of individuals on the outside/rehabilitation, community corrections/reentry reform, and even the addition of community and family supports to help suppress the issues associated with the collateral damage of incarceration. Most individuals provided information suggesting the prison system is not working, with statements like the following from a victims’ rights advocate: “The incredibly large number of people incarcerated in our country are not benefitting from anything that will help restore them to being contributing members of our society, there is definitely a need for some advancements.” A Republican legislator noted:

The fact that people are being locked up and it may not be beneficial for them or society, is something that resonates with me. Mass incarceration is such a broad phrase, but the idea of finding better methods to manage society and to help people rather than locking them up, I’m 100% sold out on that idea.

Participants across categories agreed prison reform should include elements of rehabilitation that promote positive reentries for prisoners. One way to achieve this is through the provision of programs within the CDOC. Many participants believed program participation should be incentivized for prisoners through earned time.

Multiple participants expressed issue with prisoners receiving earned time for doing nothing more than existing and felt incentives should be tied to the completion of programs rather than the emptying of prisons. In doing so, a tangible incentive is provided to better oneself through education. Evidence of this was seen in the following statement from a victims’ rights advocate:

Right now, if you are convicted of most felonies, I think you serve 33% of your sentence. There is no carrot. That is where that good time earned time comes in. When you get it automatically, there is just no incentive.
Another victims’ rights advocate felt incentives are necessary for offenders to participate in programs, institutions to hire former felons, and the actual prison institutions to make programs worth their time:

We need to provide incentives such as reclassification of prisoners and tax incentives for employers. We need to find a way to financially incentivize the actual institution to make it something worth their time to do. And not just relying on volunteers to do things, which I think is often how things end up being handled.

Providing incentives for program completion in the form of earned time was supported by most participants. This simple change could work to increase the number of inmates enrolled in programs, which ultimately will provide them with increased skills upon release.

The final element of prison reform was emphatically addressed by one inmates’ rights advocate and former employee who believed any reform efforts must first work to remove “the entire profit motive from the prison system, and address sentencing and these other huge social concerns, we have got to target the structural concerns.” Some of the more progressive participants furthered these sentiments and discussed a more holistic approach to prison reform, including the following from a victims’ rights advocate:

There is a challenging and nuanced conversation ensuring that victim safety and victim rights are integrated in criminal justice reform. And watching people grapple with we believe in the stronger social justice element of reform in the criminal justice system but have to do it in a way that also accounts for the voices, experiences, safety needs and the right of victims. Which I think is very hard and it tends to be very polarized, and there is no reason it should be that way. It should be a broader, more nuanced, more intelligent conversation around agreeing that the criminal justice system isn’t working right, but also making sure that when you are reforming it that it includes the victim perspective. I think it is very important that it becomes a collaborative effort including both of the voices rather than everyone working at it from their own direction. It's the only way we will put together something that works.
It was clear from the collected data that a great need exists for wide encompassing criminal justice reform, and such reforms would be supported by all stakeholders as long as it occurs in a manner that values victims and promotes successful reentries for prisoners. The complete list of themes under the top-level node of moving forward is shown in Table 11 and includes the interviewee to which they correspond.

Table 11

References to Moving Forward within Interviews

<table>
<thead>
<tr>
<th>Top-Level Node</th>
<th>Sub-Categories</th>
<th>Interview Reference</th>
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<td>Moving Forward</td>
<td>Prison beneficiaries</td>
<td>2, 4, 5, 6, 7, 8, 11, 12, 13, 14, 15, 16, 19, 20</td>
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<td>Prisons as employers</td>
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<td>Crime and drug laws</td>
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<td>Deserving education</td>
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<td>Children vs. prisoners</td>
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<td>Public opinion</td>
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<td>Rehabilitation vs. punishment</td>
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<td>Victims’ rights</td>
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Axial Coding

The process of axial coding began early on, as each interview was examined for similarities and differences. Furthermore, as data collection and coding continued, patterns of relatedness emerged among themes and top-level nodes. Under each node were three to 13 identified sub-categories, with the most prominent described previously in the open coding section. An example of this was the node of prisoner barriers including the three sub-categories of mental health, lagging skills, and prisoner desire. Each sub-category represented a separate obstacle under the common umbrella of prisoner barriers.
Many of the top-level nodes were found to be interrelated. For example, political barriers directly affected some of the institutional barriers through funding and policy and drastically affected leadership through the direct appointment of the executive director of the CDOC. The most commonly discussed example from interviewees was the interrelatedness of prison beneficiaries, their contributions to politicians, and the individuals dependent upon the prison industry for their livelihood. A victims’ rights advocate specifically noted:

Politicians having their hands in the pockets of those building prisons, and vice versa, is very concerning. From the perspective of rehabilitation and family and having been the family member of someone who was in prison, it just doesn’t feel right.

A former employee who worked in prisoner reentry stated:

I don’t believe in my heart that with this going on, with the money going to current politicians, there is no way that anyone is seriously going to work on doing community corrections or parole type programs, because they need to get people in to prisons.

An additional inmates’ rights advocate commented:

The prison guard lobby which is one of the largest and most powerful lobbies in the United States is a hidden force behind things like not decriminalizing marijuana and three strikes laws, because the fact of the matter is that it keeps people employed.

A final participant, an inmates’ rights advocate, provided specific examples of individuals serving on the board of the Sex Offender Management Board (SOMB) that directly creates policies requiring inmates and parolees to utilize their unique services. Specifically:

The SOMB board is made up of 35 people and stakeholders, but there is no advocate representing offenders on the board. There are three victim advocates, one polygraph examiner, and therapists as well as others. The polygraph examiner and therapist are creating policies and treatment practices that they directly benefit from. This is a blatant conflict of interest.
The connections between the two were related to the extent that one participant, an inmates’ rights advocate, asked, “How do you plan on dealing with the individuals who will certainly lose jobs should the US decrease prison populations to the point that prisons begin to close”? This was the only time this question was specifically posed throughout the interview process, and what followed was a conversation about how these displaced individuals could participate in the reentry supports and early intervention models that should be created to support the formerly incarcerated and the next generation society is trying to keep from being incarcerated. He responded with, “That’s the way I see it happening, too. And something that we will need a plan for as so many are reliant on the income derived from prisons.” The direct relationship between political barriers and CDOC leadership/corruption was identified across all categories except by those representing state legislators.

Societal issues also were found to interrelate with political barriers, those within the institution of prisons, and even with some of the prisoner barriers. These themes were significantly related to prompt one inmates’ rights advocate to state: “If you are trying to impact this and change CDOC policy, you need to look at these other things. Because why do you end up in prison, because you are poor, or you are a person of color.” A perspective not unique to this participant, many others added similar comments, such as that of a victims’ rights advocate:

From a social justice perspective, I think that there is room and necessity to make some reform in the criminal justice system particularly because it has historically had, and continues to have, an impact on communities of color, more marginalized populations, people with mental illness, people without money, and for those reasons there definitely needs to be some reforms and changes made.

An additional comment was provided by another advocate:
The overrepresentation of people of color, poor people, people with mental illness and disabilities I think is a huge tremendous problem across the board on all levels of the criminal justice system right now.

Finally, a former employee added this statement:

A lot of offenders are probably people who are not engaging in the school system and they do not have a family, not all but many. You’re looking at a SES group that struggles on a number of different levels. They have long histories of poverty. They may have parents who also came from similar circumstances, so they may not know what to do. Maybe they were young parents who’s parenting skills were not particularly wonderful. My perception was that they were coming in at a disadvantage.

Issues of social justice concerns were present throughout the study, specifically as they related to the way in which individuals end up in prison. The majority of participants alluded to the social inequalities that lead people to prison and an unjust system that targets people of color and lower socioeconomic statuses, as well as those identified as having a learning or mental health disability. Evidence of each was provided in the previous quotes. Moving forward, it is necessary to address the links between the political and the larger societal issues that cause individuals to end up in prison in the first place. Is it possible that we are legislating individuals into lower circumstances and eventual incarceration, as an inmates’ rights advocate suggested?

Economists talk about the externalities and the cost that is shared by some, and I always think of the human externalities and the system that grinds people up. And then we have to deal with it. The rest of society has to deal with this because there is a structural reason like “let’s keep the poverty rate at like 5 or 6 percent” because you need that surplus labor force. That has a huge consequence on people’s lives as well as not providing the services they need like health care, that again is huge. That hits us a lot harder than most realize, and then we as a society pay for it. So, we have to reduce those things. So, if you put in any quick policy things, it would be like fund education all the way around, on the inside and the outside, and stop putting money toward building more prisons. Start providing people with healthcare, healthcare has a huge impact. The lack of these things impacts incarceration rates.
Regardless of how these came to be related, they are connected. Individuals on all sides of the debate have clearly defined issues with the social inequalities attributed to prisons and those they incarcerate. Steps should be taken to resolve these issues.

The link between societal issues and institutional barriers primarily lies in how individuals became prisoners and what will happen once they are released. Again, these issues are directly tied to policy, political barriers, and the other top-level node and point of this study, which is moving forward. One victims’ rights advocate described this relationship in the following statement:

I don’t think there is any incentive right now for either prisoners or the prison complex industry to actually provide education and provide those opportunities. So, unless there is some kind of incentive financially, or even reclassification, or tax incentives or anything like that. I think that would be a barrier, because I think it does come down to money in that world. I think yea, there is definitely an element of just the public saying why should we be providing better education for prisoners when Colorado is one of the most poorly funded education systems in the country. So, there is also that, maybe we should work on our kids’ education first.

These larger societal issues theme was further related to the top-level node of prisoner barrier, in that the same circumstances that may have led to imprisonment also affect a prisoner’s mental health, lagging academic skills, and desire to continue their education regardless of the environment. One former employee commented on the connection between poor mental health and incarceration:

I think my main opinion about the prison population is lack of mental health on the outside. A lot of the offenders we have incarcerated right now can’t afford or access mental health on the outside and so they end up incarcerated, and that is why we have such a huge prison population. Not only those with severe mental health needs, but also ones with a history of abuse, sexual abuse, or whatever need they have that may have turned them to drugs to compensate for what that they should be getting in mental health needs or support outside of corrections.
Another former employee directly tied lagging academic skills to motivation on the part of the prisoner:

But then you also have a group that there are a lot of remediation issues. Most of those classes, think they tried their best to get these guys motivated and through the program, I think they would be a difficult population to work with, in that trying to motivate somebody who is 18 or 19 who reads at the 3rd grade level, and it’s easier to commit crimes than it is to do the work.

As axial coding continued, it became increasingly evident that all aspects were connected, and a conceptual map was created to demonstrate their interrelatedness. Figure 4 illustrates a conceptual map of the patterns of relatedness among the nodes coded as barriers to education. It also became apparent that all of these barriers were collectively related to the remaining node of moving forward. Figure 5 shows a graphic representation of this relationship.
Figure 4. Conceptual map of interrelatedness among barrier nodes.
Throughout the coding process, the idea of early intervention consistently emerged as an area for moving forward and as a missing piece that may have led to some prisoners’ incarceration. Upon reexamination of the data, themes of early intervention surfaced across each interview, even if it was only subtly mentioned, as with Participant #6, a former CDOC employee: “You understand a lot about how people who grow up, and how people can go to prison right?” More often participants shared this was a large
piece missing from the current system and an area that should be invested in, as was the case with Participant #2, a victims’ rights advocate, who added: “I wish the state would invest in kids early on. That is something I would love to see. Early intervention and prevention are two huge missing pieces that no one wants to pay for.” Another advocate remarked,

When you look at it from the victim’s standpoint and if you want to have a real impact then you need to do prevention of crime, and we do no prevention crime at all. The criminal justice system is a reactive system. We do very little of any kind of prevention.

Along these same lines of early intervention, a former CDOC employee believed: “The kids are probably where you stand to get a greater gain. You can get them when they are young, you can probably address their educational deficiencies and probably get their behavior changed.” Finally, one victims’ rights advocate stated: “I am actually less fond of in-prison programming than I am of effective reentry and reduced incarceration programming.” Across participant groups, individuals supported preventative programming for at-risk populations.

**Selective Coding**

With the emergence of early intervention as the central phenomenon, the data were revisited and coded for connections related to early intervention, a process known as selective coding. Categories were identified that (1) explained the creation the central phenomenon, (2) identified steps that must be taken in response to the central phenomenon, and (3) identified other factors that influence the central phenomenon. This process identified three levels of early intervention advocated for by participants, including the need for properly funded public schools, access to healthcare, and the use of restorative practices and restorative justice. This process further helped to identify
outcomes and long-term goals for early intervention programs. A discussion of each level of early intervention follows and includes examples from participants.

The first theme relating to early intervention and moving forward was the idea that prisoners should not be provided with additional funding for education when public schools are inadequately funded. Examples of this were voiced: “Why should we be providing better education for prisoners when Colorado is one of the most poorly funded education systems in the country. Maybe we should work on our kids’ education first.” This perspective was provided by a victims’ rights advocate. Another advocate stated: “Well we don’t even provide education for our children who are children”; finally, a former employee added: “Why am I going to give a prisoner a college education when my son can’t even get one?” All of these statements highlighted the inadequate funding of public education. A few participants took this one step further, stating the inadequacies of public education are partly responsible for the criminal activity of some, specifically in this statement shared by a former CDOC employee:

And some of that goes back to our education system, and I am not slamming the education system. Some students and some parents don’t take advantage of all of the education that is available to them. And then they get involved in gangs and criminal activity when they are young, and they don’t complete their education.

Another former employee added: “How did they even get to be 16 without knowing how to read or write? And that is a reflection on the education system.” When a former CDOC employee was asked about early intervention and how it may look they stated: “We need to adequately fund all levels of education, and there is probably some level of intervention or prevention that needs to be done with high-risk kids, I am just not sure what that is.” Adequately funding the K-12 education system is a missing piece that
many believed would help to alleviate some of the larger societal concerns that may
attribute to criminal behavior.

Funding public education was only one example of early intervention discussed
by participants. Many added other areas of prevention that must be addressed. One in
particular was that of mental health, a theme found not only under the umbrella of
moving forward, but also under the top-level node of prisoner barriers. A former CDOC
employee stated: “Mental health is the main need, not only in prisons, but in society in
general.” Another victims’ rights advocate commented:

When you have LA county jail being the largest provider of mental health care in
the country, there is really something wrong with that. In fact, it goes against
what a jail and prison is for. So, I think we really need to look at what other areas
are out there first to help those persons who are creating crimes because they have
a mental deficiency of some kind.

As mentioned previously under societal barriers, a former employee believed the biggest
issue with the prison population is the lack of mental health on the outside:

I think my main opinion about the prison population is lack of mental health on
the outside. A lot of the offenders we have incarcerated right now can’t afford or
access mental health on the outside and so they end up incarcerated, and that is
why we have such a huge prison population. Not only those with severe mental
health needs, but also ones with a history of abuse, sexual abuse, or whatever
need that have that may have turned them to drugs to compensate for what that
they should be getting in mental health needs or support outside of corrections.

One final participant, a victims’ rights advocate, shared the belief that treating mental
health issues will result in the reduction of criminal behavior:

So certainly, I think that eliminating educational disparities and address substance
abuse problems and mental health problems through treatment earlier and more
effectively are all going to help eliminate people being sent to prison for criminal
behavior that's actually the result of complex mental health and behavioral health
issues.
Early mental health interventions are a definite need in prison reform, as is their use in programming once an individual is incarcerated.

The final area advocated for as part of early intervention was that of restorative justice, or restorative practices. This initially arose in the second interview when a victims’ rights advocate commented: “I would love to see Restorative Justice going into schools early on.” Restorative justice was another unexpected topic broached by participants. Themes of restorative justice emerged early in the interview process, along with that of early intervention. Theoretical sampling promoted continued questioning of subsequent participants. Feelings about restorative justice were mixed, with some victims’ rights advocates seemingly bemoaning the mention of the topic, changing their voice and saying, “Oh, I know RJ.” Another inmates’ rights advocate asserted:

> It is part of the vision of youth corrections or department of corrections. The client managers and POs receive RJ training, and we are supposed to be operating from an RJ model at least with the clients I work with. This has been talked about for 10-15 years. I see more lip service paid to it than pragmatics. You hear RJ and see it on treatment plans and in philosophy of practices, but I don’t know that the rubber always meets the road.

Many other participants saw value in restorative justice, with one Democratic legislator noting we should “use RJ as prevention, almost as a diversion type program for first time offenders. Get them in there early and show them that their actions have consequences and cause harm to others.” A former employee mentioned recent programs within the CDOC that focus on restorative practices:

> The more classes, education wise or mental health wise, or cognitive thinking wise that they can have is better for them. They have a victim’s impact class. Trying to show them [prisoners] that there is a victim in everything, it is not just about you, look at all of the ways your behaviors or crimes impact others, your family, and the community. Classes like that are awesome.
To delve deeper into restorative justice, I sought the perspectives of a victims’ rights advocate and researcher in the state who focuses on the use of restorative justice in victim offender dialogue within her research. All of the same information was elicited, with targeted questions focusing on the way in which restorative justice is currently used with prison populations, how it could be used preventatively, and how it could be used with reentry. When thinking about the far-reaching possibilities of restorative justice, the individual stated:

Perhaps the unifying theme of restorative justice is that I think there's space for restorative justice to be beneficial at multiple points in time within the system. From being a preventative mechanism, to being an actual justice mechanism, say in a court or correctional process, to being an effective part of the reentry process that helps people to reconnect with their communities.

This participant also shared current successes of juvenile restorative justice diversion programs in Colorado, specifically including the following:

In Colorado in 2015 we created four restorative justice based juvenile diversion pilot programs and second to schools, they are the second most popular way that restorative justice is being used across the United States. In the 2019 report, which has yet to be released, those pilot projects are demonstrating a recidivism rate of only about 8% and showcase a lot of other really positive outcomes, they're measuring participants accountability and how well they understand the impacts of crime.

If the referenced figures in the previous quotation are correct, an over 40% reduction would be realized in recidivism rates, meaning early intervention models using restorative justice hold great promise for the future of the criminal justice system. The participant also stated the importance and popularity of using restorative practices in schools:

The use of restorative practices in schools to teach kids early on how to deal with conflict and to feel a greater sense of connection to communities, and to understand that their actions affect others and how other’s actions affect them and
complex ways, is a preventative mechanism and a perfect use of restorative practices in intervention.

Finally, this participant noted the future of restorative justice may be in its use as a theoretical framework within criminal justice reform that ultimately seeks to repair harm and restore communities.

I'm thinking a lot less about restorative justice as a finite, distinct set of practices like victim offender dialogue and sentencing circles, and more about it as a theoretical framework. Where maybe we don't always need to use the word because the word like restorative justice requires some explanation and it has some baggage with it based on its history. But without even talking about restorative justice by that name we can easily talk about practices and programs that meet the aims of repairing harm and restoring people to their communities.

Restorative justice, whether used as a set of distinct practices, as early intervention to prevent crime, as a mechanism to restore communities, or as a guiding theory, has a place in criminal justice reform.

Last, the process of selective coding identified areas of need that would not be addressed if early intervention was the sole intervention. Specifically, the current population of prisoners would be excluded from reform efforts. With the recognition of this problem, steps were taken to develop a more comprehensive theory to reduce future prison populations through early intervention, as well as to benefit current prison populations with targeted education.

**Theory Development**

In analyzing and coding the data, it became clear this is a complex problem with many levels that must be addressed. First is the removal of profit from the prison system and the appointment of leadership focused on rehabilitation and education. Second, some necessary policy changes can be implemented to support the current population of prisoners in their efforts to not reoffend. Some of these include adequately staffing
Colorado prisons from line staff, to teachers, and even mental health professionals; the reinstatement of Pell Grants for prisoners; and reentry reform. Third an increased focus is needed on options for early intervention and prevention with at-risk populations, to include adequately funding K-12 education and healthcare as well as mental healthcare, the inclusion of restorative practices in the K-12 setting, and the inclusion of a restorative justice diversion program for first-time, non-violent offenders. Figure 6 illustrates a graphic representation of the theory for decarceration through education and early intervention. The facets of this theory, as they relate to each of the stated barriers, and implications for policy are further discussed in Chapter V.
Figure 6. Theory for decarceration through education and early intervention.
CHAPTER V
DISCUSSION

The increasing prison population and cost of incarcerating individuals is significant within the governance and policy of Colorado and the US. Research has shown the provision of education to incarcerated individuals decreases recidivism rates and saves taxpayer money (Davis et al., 2013; Duwe & Clark, 2014; Fabelo, 2002; Kim & Clark, 2013); however, educational programs within Colorado prisons are having a less than desired effect, nor is the provision of education looked to as a means to remedy the problem of mass incarceration. Furthermore, the state continues to have an undereducated prison population with a 50% recidivism rate (CDOC, 2016b). This study sought to understand the obstacles to the implementation of educational programs within Colorado prisons, including community perception, funding, and institutional barriers unique to the location of services. This study was guided by three research questions:

1. What are the barriers to the provision of education in Colorado prisons?
2. What options are available in reducing the barriers to the provision of education in Colorado prisons?
3. How do we reform the Colorado prison system utilizing education?

Data collected during the interview process identified five barriers to the provision of education within Colorado prisons and provided options for reducing them. The data analysis led to the development of a theory for reform through the use of education and early intervention in reducing the current population, as well as future prison populations.
Similar to the work of others, this research emphasizes the social inequalities associated with prison populations. Numerous participants identified concerns with the overrepresentation of certain populations and the need to reduce these inequalities moving forward. Comparable sentiments were found in the research of Haigler (1994) and Roberts (1971) who identified low rates of literacy among prisoners. Vacca (2004) also found prisoners commonly come from a lower socioeconomic status and, as Drakeford (2002) pointed out, often have a minority status. Other researchers found the lack of an education is a unifying theme among prisoners, as noted in the work of Reagan and Stoughton (1976) and Roberts (1971). The present study extends the idea that, while prisoners have experienced unique difficulties that may have led to their incarceration, these challenges become a barrier to the successful involvement and completion of educational programs while in prison. They include poor mental health, substance abuse issues, impoverished backgrounds, and limited educational experience. Components of the theory for decarceration using education and early intervention are explored in the following sections, as well as how they will decrease some of these social inequalities.

The theory for decarceration is a hierarchical model that works to suppress identified barriers that reduce access to education, including those attributed to society, politics, the institution, the prisoner, and leadership. The first step in the theory addresses the barriers attributed to profit and leadership, as removal of the first political barrier eliminates the profit motive. Once it is reduced, efforts must be made to remove the barriers associated with leadership, as it sets the tone for culture and assigns priority to education. The issues of profit and leadership should be addressed almost simultaneously before moving on to the following two prongs of the theory, including the elimination of
the remaining policy barriers that can reduce institutional restrictions for current
prisoners. Reinvesting those savings into education and early intervention may reduce
the population of future prisoners.

Components of the Theory

Step One: Profit and Leadership

Profit component. Perceived corruption and leadership were tied together
throughout participant dialogue. The term corruption was initially introduced and used
by participants throughout the study, but as one former employee pointed out, “corrupt
values or morally questionable behavior,” may be a better classification of what is
happening within the CDOC, as stated below:

Well I don’t know if I would call it corruption, but I guess that is technically what
it is, but definitely the CDOC plays with numbers, and they massage data, if you
even want to call it data, to make it look like they are achieving goals they aren't
achieving and I saw that first hand. And I also saw, not too long after I retired in
about 2013 or so, that the head of the research and planning was fired for being a
whistleblower for telling the legislature that the data they were getting was lies.
She sued, and I don’t know how that ended or whatever, but the bottom line is she
was being forced to develop reports that show things that were happening that
were not actually happening. And she went to the legislature and said this data is
a lie, it is made up to ensure we keep more funding for particular programs.
There is all of this cloak and dagger stuff all of the time. That reads like and
sounds and feels like corruption. If you call that corruption, and I guess you’d
have to call it corruption, at least corrupt values or morally questionable behavior.

While this statement reflects instances of poor judgement, these activities are not illegal
and do not meet the qualification of corruption within the legal system. If nothing else,
these behaviors can be classified as problematic for the CDOC’s image and transparency
as they continue to work with the legislation to ascertain funding. Numerous participants
easily made the connection that the prison industry has become quite profitable, and thus
effortlessly formed a correlation to the star of these questionable behaviors. The notion
that political barriers such as public opinion, funding, and political appointment hinder the ability to provide educational programming is further supported by the research of Burch (2011), Enns (2014), and Gartner et al. (2011). An example of this idea noted in the present study went so far as to say, “There is no way that they (politicians) really want incarceration rates to go down, because they owe these private prisons right now.” Another former employee described the relationship between correctional industries donating to the campaigns of politicians in an effort to ensure the continuation of their agenda. With this occurring behind the scenes, the former employee concluded:

I don’t believe in my heart that with that going on, with the money going into current administration, there is no way that they are seriously going to work on doing community corrections or parole type programs, because they need to get people into those private prisons.

The described situations are further distorted when private prisons are added in to the conversation. One inmates’ rights advocate stated, “The privatization of prisons is evil. The nature of prison especially a privatized prison is not to serve society, it’s to serve itself.” Private prisons need to make money and conserve funds for profit and future endeavors. Any successful business model would exclude education and rehabilitation for prisoners, as this would lead to a future reduction of prisoners, and the and the diminution of profits from this industry. This relationship is an inherent conflict of interest with the needs of private prisons working against any reform efforts. A former CDOC employee said the following regarding privately-run prisons:

The private prisons I have been involved in they were well enough run prisons and staffed ok, but they didn’t offer the kind of programs that the state prisons ran. They were even more limited in what they offered for the inmates than the state prisons were, which makes sense because they are trying to make money and every time they spend a dollar, that is a dollar they don’t earn.
Another participant, an inmates’ rights advocate, drew the conclusion that, regardless of whether it is a state or privately-run facility, prisons are profitable and efforts should be made to control spending that supports prison beneficiaries.

People bemoan, and rightfully so, private prisons, but they also need to talk about public prisons and the amount of money that is being taken out of public coffers to pay for public prisons in that industry too, they are not mutually exclusive. To me it is an absolutely abhorrent, gross system and yet I work in it because I believe there should be change to it.

When pressed further and asked how to reduce these barriers and reform the system, he added: “Take the entire profit motive out of the prison system, and address sentencing and these other huge social concerns. I think most of this is a more individualist approach and we have got to target the structural concerns.” The first area that must be addressed is the removal of profit from private prisons and correctional industries. When people, businesses, and politicians benefit from the incarceration of individuals in the state, reform advancements are vulnerable to failure because many will inevitably work to suppress these efforts. Furthermore, spending within prisons should focus on initiatives proven to reduce recidivism rates and increase post-release outcomes for prisoners, as these methods will directly benefit society through the creation of a safer community and a net savings to taxpayers.

**Leadership component.** Along with, and often intertwined with these questionable activities, issues relative to leadership were discussed across participant categories and consistently highlighted as an area to be considered early in the process. A couple of participants highlighted the importance of leaders espousing beliefs that support education and rehabilitation for prisoners. An example is included in the following statement provided by a former CDOC employee:
If you want to reform the system it’s a big wheel, you can’t just fix the law and expect it to be better. You have to really thoughtfully think about what is it that I want people to do here, what am I getting, and what’s the bang for my buck. And I think that some of it is enlightened leadership.

This participant spoke directly to the idea that reform efforts must be concerted and implemented from the top down. All involved individuals should buy in to the process and believe in the outcomes, which is accomplished only through the appointment of leaders who share these same goals and beliefs, as stated by a former employee: “It is having that kind of power to redirect the priorities that are lacking with our leadership.” This redirection of priority ensures education and rehabilitation are the priority moving forward. A former employee demonstrated this when interpreting the mission statement of the CDOC and the former executive director responsible for its reformation.

It took me a long time to decide whether or not this was a good Mission Statement, but it is, “building a safer Colorado for today and tomorrow.” The way Tom Clemons explained his safer Colorado for today and tomorrow, it still had to do with keeping prisons safe both for the offenders, and the people who worked and visited there. But it is also giving offenders that are going to get out the skills they need to be successful and to not reoffend. These guys are going to be in our communities with our kids and our grandkids and giving them the necessary skills is what will make Colorado safer for tomorrow. I still believe that is the mission of our department and it is a good one.

Previous CDOC administrations valued a rehabilitative approach within corrections and felt it was the only way to ensure a safer future through a reduction in criminal behavior. The current climate within the CDOC does not appear to support these values, as evidenced in participant discourse.

Numerous individuals discussed the current climate within the CDOC, especially as it relates to leadership and the views of education and rehabilitation. A former employee commented: “No one sees education as a priority. I don’t care what the program is, whether it is cognitive, vocational, or academic; it doesn’t have the clout to
keep going and to be seen as a priority.” The same sentiments were echoed in the interview of another former employee:

It goes back to the fact that education is such a low priority when you are talking about public safety which includes feeding the guys, giving them toilet paper, and running them to rec, and education isn’t on that list of the top four or five things we have to do, so we don’t do it very well.

If the CDOC leadership does not view education and rehabilitation as a priority, the rest of the staff will have the same view. Colorado legislators must appoint someone who values education and rehabilitation, as ultimately, they will create a safer state for future generations. Vacca (2004) asserted the values of appointed leadership will be reflected in the priority assigned to educational programs and the overall goals of the prison.

Participants across categories discussed the importance of supportive leadership moving forward, as it sets the precedent for the prison’s operation and ensures released prisoners possess the skills needed to access employment and participate in their communities. The ability to successfully reintegrate is a factor that contributes to decreased recidivism.

**Step Two: Policy Component**

**Reinstatement of Pell Grants.** With the removal of the profit incentive from the prison system and the appointment of leadership that values rehabilitation and education, it is important to address some of the policy barriers that currently prevent education from occurring within prisons. The federal government recently passed bipartisan criminal justice reform legislation in the First Step Act, which places the focus of prisons on rehabilitation and the preparation of individuals to return home to their communities and to succeed. An inmates’ rights advocate commented specifically on the use of research-based methods in creating prison reform and expressed hope that this caveat will make way for the reinstatement of Pell Grants for prisoners.
The bill is set up for research-based approaches to reform, my hope is that through that, they are going to reinstate the Pell Grants. They have had information on the positives of Pell Grants for years. Like does it save the state money—yes, does it reduce crime—yes, does it reduce recidivism rates—yes. Politicians have reams of evidence showing that Pell Grants work. So, they have had this and now hopefully they will act on it.

This participant also discussed the benefits of Pell Grants not only on the outside of prisons, but their impact inside, describing an environment where people are more productively engaged throughout their day with fewer write-ups and less violence.

Up until 1994, Pell Grants were in place in Colorado prisons until they got cut. Almost a quarter of the population was taking college courses and that is huge when you really start to think about it. First of all, if you would have done a quantitative study you would see that write ups were down, violence was down, you know people studied. If a quarter of your population was in college courses, umm that is absolutely huge. It is a much more productive way to spend your day learning critical thinking skills. So, it has benefits inside prison, instead of people at each other throats, and beating each other up, it reduces gang violence and the white nationalist garbage you see in there. It’s never going to be the way it is in college, it’s more there to help people. To give them the opportunity and things that other people were afforded that they weren’t.

Another participant, a former employee, also commented on the removal of Pell Grants for prisoners in Colorado, illuminating that the removal of these grants has led to a decrease in the completion rates of GED programs.

Pell Grants went away for inmates, you can’t get those anymore. That is even less motivation to finish that GED if they couldn’t do anything after that to help themselves, that was a big deal when the programs went away.

Prisoners lost the motivation to continue in these programs, as there was no hope in working toward anything greater. This loss of interest and purpose was highlighted by others as a problem with the offender population. One inmates’ rights advocate stated:

People largely derive their value from having something to do or to be responsible for. Even if the thing I am responsible for is menial, if I have ownership of it, and I am responsible for it, I am a more whole person. I would create programming that tried to give people that sense of ownership and responsibility, give them purpose.
Reinstating Pell Grants for prisoners provides them with a more productive way of spending their day, critical-thinking skills, the motivation to complete their basic education, and hope for a better future in the possibility of a career. The research of Duwe and Clark (2014), Hill (2015), and Kim and Clark (2013) found providing inmates with access to postsecondary education decreases recidivism and ultimately the future population of prisoners. The utilization of Pell Grants is a feasible way to attract colleges and college courses to secured environments, as they ensure profits for universities and hold great promise for this theory.

**Address the staffing shortage.** Reinstating Pell Grants is not sufficient to ensure prisoners can access a college education and rehabilitation courses. One frequently discussed barrier among participants was the idea that Colorado prisons currently are understaffed and able to do only those things they are specifically required to do. Davis et al. (2017) highlighted the effects of the 2008 recession and the associated decrease in correctional budgets, which ultimately led to the present staffing shortage. This theme was extensively discussed by former employees as the first priority moving forward, as decreased staffing does not allow for anything more than the warehousing of prisoners. One participant summarized this concern:

> Every little thing that happens cuts into the time of education and of mental health. When a facility is locked down or understaffed nothing is going on, you are feeding them [inmates] and you’re counting them [inmates]—that is it. And there is nothing else we can do.

This staffing shortage has led to an inability of prisons to function in any capacity other than serving as a place to house inmates. Numerous participants expressed concern over the current staffing shortage, especially in how prisons function, the interactions between
staff and inmates as a result of the shortage, and the waitlist inmates face to get into programs. When asked specifically about concerns with the current system, a former CDOC employee shared:

Obviously, the staffing issue is just a huge one. We have got to get it to where we can get people to come and do this work, who understand what they are doing matters. Because when you talk about the education for inmates, programs for inmates, rehabilitation, or even just safety for inmates, visitors, and the public we have to get back to where Colorado was for a number of years, where this is a job where people seek out and take pride in. Rather than this current situation where people are working massive amount of overtime, even though their paychecks might be large, it’s killing them.

Many others commented that the staffing shortage has led to extensive waitlists to access academic and therapeutic programming, as described in the following statement by an inmates’ rights advocate: “There are currently 1,500 individuals on the waitlist for SOMB treatment which is required before you can participate in programming and go before the parole board.” From a social justice perspective, how is it possible that we can require a person to engage in a certain treatment before being considered for release, and at the same time have insufficient seats to meet the demand? Are we prolonging sentences simply because we do not have the people power to meet the requirement? How much money is this costing taxpayers, and how do we go about rectifying the problem? Discussions on the waitlist were common throughout the interview process as viewed as barriers to participating in educational classes, such as this remark by a former CDOC employee:

And then he would have to get on the waitlist. That was really the biggest barrier I saw. That and I guess maybe resources, you only have so many teachers, and we had a hard time recruiting teachers. We had more offenders wanting to take a class than we had teachers to teach them.
Waitlists were identified as a concern for both academic and mental health classes within prisons. Another former employee echoed these concerns:

So, we have a huge waitlist for offenders to get into MH classes, or mental health one-on-one whatever the case maybe. The therapists are doing the best job that they can to see the offenders they need to see, but there is just not enough of them, and not enough time in the day to do what is needed.

Offenders want and need to participate in programming to better themselves for their futures and to increase their opportunities in front of the parole board.

Mental health and academic deficits have been attributed to the reasons some individuals become incarcerated in the first place. These classes and treatments are necessary to ensure rehabilitation and to provide opportunity moving forward. A former employee noted the reason for the extensive waitlist lies in the institutional barriers associated with work in prisons: “The problem is the waitlist, you only have so many teachers and they fall into the same category, you can make more money on the outside, and not have the hassles of being in prison.” Creating policy that will attract staff to correctional industries is necessary and must include the appointment of enlightened leadership that supports a more positive culture and work environment and other tangible aspects such as competitive compensation, benefits packages, student loan forgiveness, and reimbursement/compensation for higher education completion. These are just a few examples that were highlighted by participants.

Focus on reentry. The final push should focus on programming and policy to promote reentry. Over 85% of participants identify reentry as an area of concern, as does the research of Gottschalk (2002). Interviewees provided data suggesting that, while the CDOC has put a significant amount of money toward teaching prisoners skills for
reentry, the prisoners are unsuccessful due to the limited opportunities when they return home. This situation was specifically described by a former CDOC employee:

There was this huge push in Colorado about 10 years ago to improve reentry programs, and a lot of money was put into reentry in Colorado. And some good things happened, but when you get back to the basic social work concept that when you return people back to that same environment with all of its challenges, it is really difficult to impact long term change, and that is still what is happening. So, you’ve got this whole system set up against anything succeeding, and even though we threw all of this money toward reentry and into all of these classes, and we taught them how to do a resume and balance a checkbook, which nobody does anymore, and how to use a computer. We put them back into the original environment which has not altered.

Along with teaching reentry skills while prisoners are incarcerated, steps are needed to reduce barriers and increase opportunity once individuals are released.

Policy around reentry should focus on limiting restrictions on where ex-inmates can live and work through initiatives such as “ban the box,” an option suggested by participants. The idea of “ban the box” initiatives allows prisoners to bypass the box on job and rental applications that indicates they have been convicted of a felony. While this seems like a logical step in the reduction of obstacles prisoners encounter, current research has suggested that banning the box actually results in unexpected adverse discrimination for young African-American males. When the box is not present on applications, decision makers are assuming young African-American males are former felons and choosing to employ or rent to someone else. While banning the box was an option supported by participants, other options are needed in the removal of barriers to housing and employment for the formerly incarcerated.

When speaking about the stigma surrounding former felons, a former employee commented this: “I think it’s an unfair stigma for the rest of their life.” One victims’ rights advocate provided this example:
There is very strong bias against employing someone who has been convicted of a felony which sometimes is appropriate, but almost never has any relevance to the job people are applying for. I think that is very concerning. I think requiring people to answer that question in ways on a job application that does not allow for providing more information is not fair. Give them a way to provide more information or not answer it if the crime doesn’t relate to the job.

Modifications of “ban the box” were suggested, with some examples of limiting the amount of time since the crime occurred, such as “In the last 10 years have you been convicted of a felony?” It also was suggested the question could be more specific to the type of employment one is seeking, including “Have you been convicted of any financial crimes?” or “Have you been convicted of any crimes involving minors?” These modifications remove one more barrier from the equation.

Another frequently discussed theme under the umbrella of reentry was the idea of being unable to access government funding or housing during a time of increased fees associated with parole, as well as the amount of money required for rental deposits. The most vivid example was provided by an inmates’ rights advocate in which he described the following situation that was previously shared in Chapter IV but perfectly describes the problem:

This guy was released from community corrections and could not find a place to live that would rent to a felon and that he could afford. When he met with his PO, he was re-arrested for violating his parole by not having a permanent address. He served an additional 6 months for “the crime of having no address.” When he was re-released, he managed to find a place to live, but could not find a job paying more than minimum wage. He would show up to therapy, classes, and probation but couldn’t pay for the services or the fees associated with these classes, his parole and his rent. He came to our organization for help and told me “If I go and rob a 7-11, I would have enough money to pay my rent and for everything associated with my parole, and I might not get caught and might not end up back in prison. If I continue to try to work and do things the right way, I will definitely end up back in prison.”
Allowing former prisoners to use government aid for a short duration to supplement limited or no initial income, or reducing the fees associated with parole, is necessary when keeping ex-inmates out of prison for parole violations.

Last, steps should be taken to provide incentives for employers and landlords to work with and rent to former prisoners. Given the “strong bias against employing someone who has been convicted of a felony,” as noted by an inmates’ rights advocate, motivation should be provided to do so. Another victims’ rights advocate added, “Unless there is some kind of incentive financially, some kind of tax incentives or anything like that, then what is the benefit of hiring a felon, why should I do it?” Finally, a state legislator commented: “I think that it is important we give people an opportunity to be restored into society.” Being restored to the community requires acceptance and the provision of opportunity.

Prisoners must be able to find and secure a place to live and work, and the chance to succeed once completing their sentence. Many of the imposed barriers make it difficult to secure these basic needs, and harder still to stay out of the system. As a former employee noted, at some point “we as a society have to say, welcome back.” The achievements made through the removal of profits from prisons, the appointment of new leadership, and policy working to reinstate Pell Grants can increase staffing; continued focus on reentry may decrease the institutional barriers associated with providing education in prisons. Once these barriers are removed, it is important to provide educational programming that focuses on skill acquisition, reentry, and being restored back into the community.
**Education.** Resoundingly, participants believed the focus of education inside prisons should be on tangible skills. One inmates’ rights advocate directly stated, “I would focus on a marketable tangible skill.” These skills ranged from reading and writing, to critical thinking, to vocational. One legislator adding the following:

My inclination is to include practical skills. You know you have got to know how to read and how to write. The next step would be to be able to get your hands on a set of skills that would provide access upon exit to a meaningful employment opportunity that the individual is enthused about.

This sentiment was reiterated by a former employee who worked directly with inmates as a reentry specialist and witnessed firsthand the needs of prisoners:

We literally have inmates in there who can’t read or write, and if you can’t read or write then how in the heck are you going to get a job and keep a job and those kinds of things. But that would be my goal, you come to prison and your first step before you get to do anything else is you complete your basic education, high school or GED. To me it would increase their odds of staying out when they finally get out, tremendously.

A victims’ rights advocate further connected the importance of having the right tools upon release:

There needs to be programming in there we need to give them skills not only educational skills, but probably vocational skills also. Because a lot of these guys have never had a job or anything else, if we don’t give them the tools to help them when they get out, they are just going to go right back.

Releasing prisoners into a community when they have the same lagging abilities and no marketable job skills does not benefit society or the individual; it simply ensures a return to the behaviors that previously led to incarceration.

In order to effect meaningful change, these individuals must be provided with the skills they need to be successful. Previous research has suggested the provision of education for prisoners improves outcomes upon release and results in greater success in obtaining employment post-release (Davis et al., 2017). Participants stressed providing
prisoners with skills to gain employment quickly after release to ensure the potential for advancement or that it is a career that excites them. When an inmates’ rights advocate was asked how education should look inside prisons, he responded by saying:

You have got to offer education to people in prison and pay for it, and not this crap education, but real education—GED, vocational, and college courses. Instead of training someone to be in custodial services for the rest of their life, that sucks! What does that do to human potential. Give them the ability to expand their horizons and their opportunities. To me that is through a good college education.

One legislator alluded to the same point:

They are going to need something where they can get a decent paying job, so that leads me toward career technical education. And that is just the first step, but then my goal is not that you are a welder for the rest of your life, unless you want to be, but let’s get you to the point where you own a company that produces welded products to sell into a marketplace. That is the goal we are trying to get to, but the first step is you’ve got to be a real good welder to start. Give them something that is practical to get a meaningful job, but with the desire, goal, and motivation that they are looking for something better in the long run.

These participants believed prisoners must be given the opportunity to have a meaningful job that inspires purpose and motivates them to make better choices. Ultimately, their careers should offer more than their prior life to help them avoid criminal behaviors. If not, an inmates’ rights advocate described the following scenario:

The oldest problem in the world with drug dealers is being able to make $500 in a couple of hours, or $500 in 10 days working a crap job. It’s easy to say well the moral thing to do, the more noble thing to do is to go to work and flip those burgers and have something to work for. But there comes a point when the money is so easy and the difference between a couple of hours or a number of days. That's a really hard sell to a young male with not yet intact executive functioning capabilities. And someone who more than likely didn't have the best role models and who are doing very similar things like selling drugs. They're probably also doing what they see or doing what they were taught or trying to follow their own path to competence. “I've got street smarts and I understand the hustle and I understand the business model of cocaine distribution and I'm pretty good at it. And that the cost of doing business is that I sometimes have to go sit in jail.”
This individual believes the solution lies in “the creation of programming that tried to give people that sense of ownership and responsibility, give them purpose.”

Preventing people from going to jail requires they have the opportunity to be successful and not return to the criminal behaviors that initially led to incarceration. This message was furthered by a former CDOC employee.

If you are in corrections, your number one goal, your number one priority is public protection. If you really want to protect the public, it doesn’t end when the person goes into prison, it ends when they get out and are successful. If they come back to prison, you have not protected the public. And while we have them in a captive situation, we should take advantage of every opportunity we can to help them succeed when they get out.

Prison success can be calculated only when offenders are released with the skills and tools necessary to participate and succeed in the community in meaningful ways and are no longer involved in criminal behavior. An additional advantage with decreased recidivism includes the savings to taxpayers and is summed up in the following statement from a former employee:

Prisons are expensive, but so is recidivism, every time they come back, we just add to the cost. So, it might be money well spent to provide programs for them while they are incarcerated so that they don’t come back. I always tell people it’s a win win when somebody gets out of prison, because they are no longer a tax spender, they are a taxpayer. And that is good for everybody.

Providing an avenue to decrease recidivism benefits the community in numerous ways by ensuring greater public safety through decreased criminal behavior and savings in the form of costs associated with incarceration. Bhatti (2010) asserted education has the power to transform lives, and Reagen and Stoughton (1976) found education changes the individual, their attitudes, and their social value. Targeted educational programs within prisons is an important component to the theory for decarceration and is necessary to
ensure prisoners possess basic academic abilities and tangible job skills to be successful upon release.

**Reentry.** Along with general education and vocational courses, prisoners need direct instruction on ways to have a successful reentry. This includes helping inmates understand what has changed since the start of their incarceration, where to access community supports such as food and clothing banks, and how to broach the subject of their incarceration with potential landlords and employers. Participants across all categories indicated reentry is challenging for former inmates, and opportunities exist to do more to prepare them for this transition. This finding is supported in the research of Gottschalk (2011).

In discussing the shortcomings of prisoner reentry, the following opinions were shared. A former employee likened the stigma of being a felon to having a contagious disease or being an addict:

I think it is a real stigma, almost as big as a stigma as having HIV or a substance abuse problem. Once people find out that you have been in prison, they tend not to trust you very much. I think that is really difficult for them [former inmates] to gain the trust of people and be able to say, “I’ve turned my life around and won’t go back to the streets.” But most people tend to think if you’ve been in prison, you’ll probably do something again, so why should I trust you.

Another participant, an inmates’ rights advocate, shared the following regarding an inmate’s reentry and the necessity for that individual to have opportunity:

It very difficult for most if not all prisoners who are coming out of population. I think that is a very big concern right up front. Too many people do not realize how difficult it is for people to do that. And I think that you really have to start working toward giving people opportunity. That is to say they have learned a trade, are they being given an opportunity to take advantage of it?

A state legislator stated:
They have a harder time transitioning back into society. It's hard for them to find jobs because of their record and there are a lot of good individuals out there who want to better themselves, but society believes it’s easy for them to go back to that lifestyle and they don’t trust them.

Finally, a former CDOC employee specializing in reentry commented on prisoner reintegration:

Sometimes it’s just basic needs that you and I take for granted. A person getting out of prison that doesn’t have parents or a spouse or anyone to go home to, they need clothing, shelter, and food. Sometimes it’s that simple. And if they don’t have those kinds of things, they will go back to selling drugs because they know they can get clothing, and food, and shelter. So, we need to meet the basic needs. Without these resources there is more of a chance that they are going to fail.

It is clear there is a stigma surrounding ex-prisoners and numerous opportunities for failure.

A couple of participants shared exactly what is necessary for a successful reentry:

“In a utopia, you would have a prisoner who is stepping out of prison and into as stable a situation as possible in terms of having housing, a job, and initial financing, these things would go a long way.” A victims’ rights advocate echoed this sentiment in the following statement: “Studies have shown that people are more likely to be successful if they are able to find housing and are able to get employment. There is research out there to back that up.” If real change is to occur, inmates must be provided with the necessities and skills to obtain a job and communicate about their incarceration when needed.

Participants shared many ways to do this. One former employee designed programming to support reentry and discussed ways to be successful:

I put together a program where the inmates had to write their own resume, and we did mock interviews and we filmed them. We really taught inmates how to find work, but they still had to have a marketable skill. You can just go out and say I want to be an electrician, when you don’t know how to be an electrician.
A victims’ rights advocate expressed the desire to see an expansion of the pre-release courses, to include a gradual discharge of responsibility for the inmate, specifically:

Expand on the pre-release programs. Teach them how to do job applications, how to balance checkbooks, stuff that they are going to need. To me the perfect system would probably be a step-down model starting in prison, on to a halfway house, then an ankle bracelet, and then parole. This is a process where they could come out and be successful.

Another participant, a former employee, believes individuals should be educated on answering the tough questions:

I think you need to train people on how to answer questions, and how to handle those difficult conversations they are going to have. Not everyone is going to love them when they get back outside. I think you need to talk to them and be honest with them and say, “look let me give you some skills, let’s go through some mock interviews, let’s write a resume, and let’s practice approaching your landlord.” You challenge them with thinking. Just helping them understand that they are going to be faced with a lot of discrimination. Let’s help them figure out good solid communication, help them communicate appropriately.

Directly teaching them to handle the obstacles they will certainly encounter can support a successful reentry, as will the daily exchanges shared by staff and prisoners.

A former CDOC employee indicated reentry transformations happen in everyday interactions with the prison staff by inmates, as described in the following statement:

The effort should be made from everybody, even the line staff. The officers on the line are taught to treat inmates a little bit different, to be more communicative, be more encouraging. Not overly friendly, but maybe less harsh in an effort to be a good role model and to get inmates to turn the corner and do something to help themselves while they are incarcerated. When they get out, they will do better. There is also a push from the parole side to make resources more available to releasing inmates, but that is a big deal in corrections.

This participant believes reentry focus begins in the daily connections inmates have with prison staff as they learn appropriate ways of interacting with others. Teaching individuals in context with the daily conversations and interactions they share with staff
inside the prison is an easy and affordable way to begin the transition back into the real world.

Beyond the day-to-day interactions, prisoners must have the opportunity to learn about changes on the outside and work with new technologies. Additionally, prisoners need programming that provides the soft skills of employment and daily interactions, such as communicating effectively about their incarceration and the skills they learned on the inside.

**Restore.** The final policy push should focus on restoring individuals back into society. As a victims’ rights advocate noted regarding the majority of inmates released from prisons: “It is necessary with 97% coming out we have to do something to try and rehabilitate them.” Part of this rehabilitation lies in restoration and welcoming them back into their communities. Another victims’ rights advocate stated: “The incredibly large number of people incarcerated in our country are not benefitting from anything that will help restore them to being contributing members of our society and there is definitely a need for some advancements.” Finally, a state legislator remarked about being deliberate in the creation of pathways back from incarceration:

> We need to be intentional about providing opportunities. I think it is important that we give people an opportunity to be restored into society. We all make mistakes, some people make bigger mistakes than others, but still we all make mistakes. Finding a way home from those mistakes is something we should be intentional about and help create a pathway toward.

As previously noted, a former employee believes the CDOC can boast success only when individuals return home to their communities and participate successfully without returning to prison. A portion of this successful participation in the community requires that former prisoners are accepted back and allowed options for housing and
employment. This finding is supported in the work of Wescott (2015), who identified the stigma associated with having a criminal record and the trauma it creates. Restoring individuals back into the community requires society to possess a welcoming attitude. A victims’ rights advocate believes one path to restoration lies in restorative justice:

Fundamentally, restorative justice seeks to repair the harm that was caused and restore people to a right relationship with their communities. This includes both the person who has been victimized and the person who caused harm. But the aim of the process is to put them back in right relationships with each other and with their community, to whatever extent possible.

This participant offered a specific model for how doing so:

There is a model that you could look at called Communities of Support and Accountability or COSA, it originated in Canada and was popularized there, and it's now used in the US. The Boulder Probation Department uses COSA for their intensive supervision probation role. The COSAs are circles of support and accountability, they include community members who are willing to sit in a circle with the person who is reentering the community at multiple points in time as part of their reintegration process. It helps them [former prisoners] further understand any repairs that they might need to make with the community, but also offers them that bridge or welcome back into the community. COSA members often end up helping them [former prisoners] find jobs or act as formal support in writing letters of recommendation for them and doing those things that they [former prisoners] might not have their own family circle to do for them.

One county in Colorado is already working within the framework of restorative justice to reinstate former prisoners back to the community. The partnership between former prisoners and community members seemingly is strengthened by a shared collaboration in this process. The individual may participate out of necessity but gains opportunity and support from the community. One can only assume this shared experience leads to greater respect for individuals in the community who have united to support a individual’s reentry and to lessen the likelihood of recidivism.
Other models of restoration include working with the prisoners before they are released to help them understand the steps needed to reenter society. As shared by one victims’ rights advocate:

I would like to see more empathy focus, and a focus on the impact to victims, and even the impact that you create in your communities. “When you do this, this is the harm you cause.” Some of the offenders don’t see that “I made this choice, and this is why I am here.” It’s this everything is happening to me mentality, everything is done to me. We need to help people realize that they have choices and their choices have an impact.

These steps can be through victim impact panels and directly teaching offenders how to repair the harm they have caused. Some of these offerings are in the form of cognitive rethinking or 7 Habits classes currently offered within the CDOC. Many participants shared these classes are the most beneficial for prisoner success, as in the following statement from a former employee:

We have gotten into the 7 Habits on the Inside, that is a popular class actually, and I think it gets them thinking, and makes them have to reflect. What choices they made, what they could have done, and what they will do in the future. It is a long class, and it’s a class that you don’t just sit there, you have to participate. You have to reflect on things that you have done. For some it is very emotional and difficult to look back on their life and say, “oh my look what I have done.” I think those type of classes are hugely beneficial.

Restorative justice can be used within the prison complex or during parole to support an individual’s transition to their community. A deliberate attempt is necessary to mend relationships within the community, which can be accomplished using the COSA model previously described, or in the use of skills learned by prisoners while incarcerated. Inmates should be taught the ways in which to openly approach community members and to share the steps they will take to overcome their circumstance. As described by a victims' rights advocate, restorative justice is:
The theoretical aim of saying that justice isn't about retribution. Justice is about restoration and repair of harm. We need to change our prevention processes, our correctional processes, and our reentry processes to be focused on measuring the repair of harm and the restoration of both victims and offenders back into the community, to as much as possible to the state that they were before things went wrong.

In doing so, this will ensure the CDOC is truly successful and releasing individuals who have an opportunity to succeed in their community.

**Benefits of Decreasing Political and Institutional Barriers**

Removing the profit motive from prisons and those barriers attributed to leadership will ensure the goals of everyone within the CDOC are aligned and aimed to rehabilitate prisoners in the promotion of a safer Colorado in the future. Once these barriers are diminished, policy should focus on increasing the staffing within the CDOC to promote the rehabilitation agenda and to decrease the institutional barriers. The research of Brazzell et al. (2009) and Shethar (1993) confirm the finding of the participants in this study, each of whom identified institutional barriers such as lock-downs, head counts, and lack of space that obstruct educational programs in prisons.

With the elimination of these barriers, legislative steps are needed to reinstate Pell Grants for prisoners and to focus efforts on reentry. Each initiative must ensure prisoners leaving the system have increased levels of education, reentry skills, and interpersonal skills that better facilitate acceptance back into the community. These steps will help to reduce recidivism rates and to decrease the size of the prison population, with fewer ex-inmates returning to prison. They also will save taxpayer money (Davis et al., 2013; Duwe & Clark, 2014; Fabelo, 2002; Kim & Clark, 2013). This reduction in incarceration rates will result in a net savings that should be reinvested to fund the early intervention and prevention methods described in Step Three. The reinvestment, as mandated in
recent Colorado legislation HB 12-1223, advocates for the redistribution of funds into educational, vocational, parole, and wrap-around services for parolees. It also promotes prison reform without the need for additional taxpayer funds, an outcome advocated for by all subgroups of participants.

**Step Three: Early Intervention/Prevention Component**

Overwhelmingly, participants support the use of early intervention and prevention as a means for reducing future prison populations. This option has increased appeal when considering that that funding for early intervention programs will be generated through the decreased recidivism rates in Steps One and Two of this theory. Four facets of early intervention were discussed, including funding for each of the following: (1) healthcare and mental healthcare for all, (2) public education, (3) the utilization of restorative practices beginning in elementary schools, and (4) the creation of a restorative justice diversion program for first-time, non-violent offenders. A victims’ rights advocate summed up the problem with the prison population in the following statement:

The prison system is challenging, because you are dealing with a lot of people overwhelmingly, who have not had access to education, opportunities, general health and public health. . . How do you do something like that and not create eternal disparities where just the people who are more educated already have a step ahead, they are more able to benefit from opportunity, versus the ones who continue to be left behind.

Examples of the social inequalities were provided repeatedly as reasons individuals end up in prison, with a former employee stating, “A lot of those individuals really never stood a chance except to end up incarcerated.” An inmates’ rights advocate added: “You need to look at the conditions of our society that create prisons and this kind of underclass that they put in there.” Providing education on the inside is insufficient and will not help to reduce the future population of prisoners; what is needed is
comprehensive reform at the root of social disparities. Adequate funding of healthcare and mental healthcare is needed, as well as all levels of public education. Once these playing fields have been leveled, restorative practices can be introduced in all public schools, and restorative justice diversion programs can be created for first-time, non-violent offenders.

**Fund healthcare and mental healthcare.** The previous research of Bartlett and Hollins (2018), Haigler (1994), Mohammed and Mohamed (2015), as well as the majority of participants, identified mental health concerns or mental illness within the current population of prisoners is an area requiring attention in order to move forward. Many believe more mental health options should be available on the outside, prior to incarceration. One former CDOC employee stated: “I think mental health is the main need, not only in prisons, but in society in general.” Another participant, a victims’ rights advocate, echoed the thought: “I think we really need to look at what other areas are out there first to help those persons who are creating crimes because they have a mental deficiency of some kind.” Mental healthcare falls under the broader authority of healthcare. Accessing these resources requires insurance or money that at-risk populations do not have. Denying these resources leads to a society of individuals with untreated mental health illnesses. A former employee summed up the problem.

A lot of the offenders we have incarcerated right now couldn’t afford or access mental health and they ended up getting incarcerated. Not only those with severe mental health needs, but also ones with a history of abuse, sexual abuse, or whatever need that have that turned them to drugs to compensate for what that they should be getting in mental health needs or support inside of corrections. That’s why we have so many people in prison right now, probably 80% are substance abusers.
The extenuating circumstance of poverty often leads to a lack of healthcare and mental healthcare. If an individual is suffering from a mental health condition and unable to access the care and support needed, their behaviors may turn criminal and lead to incarceration.

One inmates’ rights advocate believes the solution starts with turning drug offenses into issues of mental health, as described in the following statement: “Somehow or another, as a society look at maybe changing the laws or penalties for drug offenses, make them mental health or medical issues, rather than criminal issues.” The research of Clear (2011) and Wagner and Rauby (2017) supports this notion. However, while changing the classifications of drug crimes is an alternative, it will work only to support the current population of prisoners, and specifically one group—drug users. Participants shared overwhelmingly they support preventive measures for the reduction of the prison population, as this option ensures less victims of crime and a safer society, to include recent legislation in Colorado in HB 17-1326. A more encompassing option is to make healthcare available to all. This approach supports a broader range of would-be offenders: those who may have been abused, victimized, or suffering from mental illness. It works to treat the cause leading to criminal behavior, rather than the consequence for engaging in criminal behavior. Universal healthcare would ensure access to mental health support for at-risk populations.

**Fund public education.** A commonly shared belief throughout the study was the idea that poorly-funded public education is a contributing factor to the increase in the prison population. The extent of the relationship ranges from the under-preparation of students graduating from high school, or as one inmates’ advocate pointed out, the
correlation between the rising prison rates and the declining funding allotted for the K-12 education system:

There was a recent study about the correlation between rising prison rates and costs and declining education across each state. It was kind of a fascinating study. Part of it is because of that, we are not funding public education.

Other participants even discussed that lagging academic skills have led to a life with limited opportunity and ultimately criminal behavior, a belief confirmed by the research of Drakeford (2002), Greenberg et al. (2003), Haigler (1994), and Roberts (1971). These sentiments are further echoed in HB 10-1112, which states:

Illiteracy and cognitive and vocational deficiencies among persons in custody of the department contribute to their inability to successfully reintegrate into society upon their release from custody and the likelihood of their return to criminal activity; and research demonstrates a clear relationship between employment of such persons and a reduction in their recidivism.

Examples of these views were noted in the responses shared by the participants, such as the following provided by a victims’ rights advocate: “Within the criminal justice system, you are dealing with people overwhelmingly who have not had access to education.”

Multiple participants echoed this frustration, speaking about the limited ability to read and write within the prison population, as was the case with this former employee: “We literally have inmates in there who can’t read or write, and if you can’t read or write then how in the heck are you going to get a job and keep a job and those kinds of things.”

Another victims’ rights advocate summed up the problem in the following statement:

A lot of people who go in might not have much of an education, which may have led to their criminal activity or criminal deviance and unfortunately unless you are doing something to alleviate that, it is still going to be a burden on society when they get out.
The research of Hill (2015) hypothesized the provision of adequate education to juvenile offenders would lead to a future savings in government assistance and would increase a prisoner’s opportunity to find employment.

Many participants shared that, before funding education for prisoners, adequate funding of public education is needed, as described in the following statements by a victims’ rights advocate and an inmates’ rights advocate, respectively: “We don’t even provide education for our children who are children”; and “Why am I going to give a prisoner a college education when my son can’t even get one?” As was the case with providing mental healthcare, increasing educational programs within prisons does not prevent a new population of prisoners. It may decrease the recidivism rates of current prisoners and increase their post-release outcomes, but it does not prevent the creation of new prisoners. Participants overwhelmingly support the use of preventive measures as a way of reducing the prison population. Adequately funding all public education systems will better prepare children and increase their opportunity and potential.

**Fund restorative practices in schools.** Funding healthcare and public education ensures all Colorado citizens have access to the mental health supports they need, and the academic skills necessary to create opportunity. The use of restorative practices in schools is the first effort at preventing crime through early intervention. Restorative practices teach young Coloradoans they are a part of a community, and their actions directly affect others. These programs also teach children how to repair harm and restore themselves back to the community, or to restore the community.
Numerous participants indicated they support early intervention or prevention of crime moving forward. When asked specifically about their thoughts on using restorative justice in criminal justice reform, a former employee stated:

That is a great idea if you are talking about a 7th grader, someone on probation, or somebody in community corrections... it happens long before they are sitting in county waiting for transfer to the DOC in my opinion.

Another former employee echoed this belief in the following statement: “I think it would work better with the youth offenders, the kids under the ages of 18.” This opinion was further supported by victims’ rights advocates in the following sentiments:

Invest in kids early on, that is something I would love to see. Restorative justice going into schools early on. Teach kids early on, that this is the impact, this is what happens when you hurt someone in your community, and this is what to do if you see someone being hurt.

Finally, another victims’ rights advocate added:

Using restorative practices earlier in schools to teach kids early how to deal with conflict and to feel a greater sense of connection to communities to understand that their actions affect others and how other’s actions affect them in complex ways. I think that's a preventative mechanism, as much as education.

The use of restorative practices in schools is an idea supported by stakeholders familiar with the issue, and an idea that holds traction as a preventive measure for the future. A victims’ rights advocate and restorative justice expert shared this final comment on the comprehensiveness with which restorative justice can be used in criminal justice reform:

Perhaps the unifying theme is that I think there's space for restorative justice to be beneficial at multiple points in time from being a preventative mechanism to being an actual justice mechanism say in a court process or during a correctional process, to being an effective part of the reentry process that helps people to reconnect with their communities.

Clearly, there is a place for restorative practices in schools, teaching children in context as situations arise. Greater familiarity with these practices early on ensures a greater
connection to the community of which an individual is a part and a better understanding of how their actions affect others. One legislator stated, “The implementation of restorative practices in school is highly beneficial.” The utilization of restorative practices is a necessary step in the creation of early intervention prison reform within the theory for decarceration.

**Fund restorative justice diversion programs.** The final facet of early intervention is to target first-time offenders through a restorative justice diversion program. The research of Tonry (2011) supports diversion, as this option has the potential to save large amounts of money. As referenced in Chapter IV, the state of Colorado piloted four juvenile restorative justice diversion programs in 2015. The first report detailing the program’s results is expected in Spring 2019; however, researchers associated with the programs are indicating recidivism rates of only 8% in the upcoming report. Currently, the CDOC reports a 50% recidivism rate; if the 8% figure is accurate, this would equate to a 42% decrease in recidivism rates. This is the largest reduction referenced in any previous research. Colorado must invest in more programming targeted at first-time, non-violent offenders, as this is the greatest chance of catching them early and shifting their thinking. Of interest in the coming report is the amount of money spent in the provision of this program and saved in the reduction of recidivism. A Colorado legislator shared this thought on the creation of the program:

> Use RJ as prevention, almost as a diversion program for first time offenders. Get them in there early and show them that their actions have consequences and cause harm to others. Use some of these cognitive rethinking and 7 Habits courses within the diversion like program. Let’s try to change their path early on. Participants must be appropriate and deemed suitable, they must be willing to accept responsibility and be empathetic. They need to want to change. It must be voluntary, we need to recognize empathy, and the victim’s circumstance when enacting reform.
Restorative justice diversion programs should be made available to first-time, non-violent offenders. These programs would work in conjunction with community corrections and probation to keep these low-level offenders out of jail and prison and on a much more productive path. A concern shared by one Colorado legislator was:

I am concerned that so many people who are perceived to be non-violent offenders who cascade into a system and a process that takes them out of a pathway that would lead to a productive life and into a pathway that leads them to a societal expensive life, a life that will cost society an enormous amount of money and quite frankly, a life that will cost them the potential of their future as well. You know generally I am very concerned that there are aspects and certain populations that end up in prison that had we found better means of interacting with them, possibly such as education would not be in that circumstance.

Restorative justice diversion programs could work to prevent individuals from going to jail or prison by increasing their capacity to understand the consequences of their actions and more adequately function in a group. Staying out of jail and prison increases their chances of success moving forward, as they are not saddled with the stigma of being a convict. These programs can work to reduce criminal behavior and increase safety within communities.

**Benefits of Decreasing the Societal Issues and Student Barriers**

The use of early intervention and preventive measures may work to decrease societal barriers in at-risk populations, which ultimately will lead to a decrease in criminal behavior and future prison populations. Preventive measures also can work to decrease those barriers attributed to students, in this case would-be prisoners, and ensure the public education system produces better prepared individuals with more opportunity, as well as the tools necessary to resolve conflict. This model works to reduce the
population of prisoners through concentrated efforts addressing the source of systemic societal issues.

**Applications to Literature Review**

The present study supports previous research that identify barriers to the provision of education in prisons, including those associated with leadership, the institution, and politics. Vacca (2004) described the values of appointed leadership that reflect in the priority assigned to educational programs and the overall goals of the prison. Participants across categories discussed the importance of supportive leadership, as they set the precedent for the prison’s operation. Davis et al. (2017) highlighted the effects of the 2008 recession and the associated decrease in correctional budgets, which has led to the current staffing shortage. The staffing shortage theme was extensively discussed by former employees as the first issue to be addressed moving forward because decreased staffing does not allow for a prison to do more than warehouse prisoners. Other participants discussed the effects of the staffing shortage specifically within the context of the waitlist required for educational and mental health programs. Participants further noted institutional barriers such as lock-downs, head counts, and lack of space, among others, that continue to obstruct educational programs within prisons. The theme of institutional barriers was seen in the research of Brazzell et al. (2009) and Shethar (1993). Finally, the present study supports the notion that political barriers such as public opinion, funding, and political appointment hinder the ability to provide educational programming to prisoners. This finding supports the research of Burch (2011), Enns (2014), and Gartner et al. (2011).
The theory for decarceration devised from this study builds on the research of others who concluded education reduces recidivism rates and increases post-release outcomes (Allen, 1988; Clear, 2011; Davis et al., 2013; Duguid et al., 1996; Duwe & Clark, 2014; Fabelo, 2002; Gerber & Fritsch, 1993; Vacca, 2004). The theory also satisfies the needs of justice reinvestment through the use of strategies that reduce recidivism rates of current prisoners and lead to a savings that can be reinvested into the community (Clear, 2011; Tonry, 2011). This reinvestment into healthcare and mental healthcare, public education, restorative practices, and restorative justice diversion programs can lead to a future decrease in prison populations and an additional savings that can be further reinvested in areas of need, an aim of current legislation in Colorado as referenced in HB 17-1326.

**Suggestions for Future Research**

This study brings forth a theory for reducing Colorado’s prison population through education and early intervention, as described through qualitative methods. Moving forward, it is important to quantitatively test this model to ascertain the short, medium, and long-term effects of the theory. Does this model actually account for a reduction in crime and the prison population? Of further importance is understanding the effects of restorative practices in schools. Do these practices account for a reduction in office referrals, suspensions, and expulsions? Do they eventually account for a reduction in contact with police officers and criminal behavior? Finally, an investigation into the results of Colorado’s restorative justice diversion pilot programs is needed to understand the impact of these programs over time. Can the three-year results sustain over time as the individual matures and is expected to integrate back into society? If so, how much
money do taxpayers save, and where else can the money be invested to continue to effect positive change in Colorado?

Future research also should investigate options put forth by the participants including the quantitative effects of banning and box and the reinstatement of Pell Grants for prisoners. Current research appears to suggest that banning the box actually results in unexpected adverse discrimination for young African-American males. Oppositional literature reviews and quantitative assessments should continue to investigate this approach to ascertain if this option is viable, or if other options are available in removing barriers to housing and employment for the formerly incarcerated. Furthermore, additional research into the use of Pell Grants for prisoners should be explored. If statements made by Participant #19 are accurate in their indication that Pell Grants increase the number of prisoners involved in college programs and decrease the violence, gang activity, and violations within the prison, Colorado should explore the net benefits of restoring Pell Grants for prisoners. This may work to increase post-release options for prisoners, as well as increase the current safety of prisons for inmates and staff. Cost-effective options that benefit the masses should continue to be explored.

Conclusion

Utilizing qualitative methods and collaboration among stakeholders, this study brings forth an action agenda for change in applying education and early intervention in the reduction of current and future prison populations in Colorado. The size of current prison populations dominates federal and state policy and currently garners bipartisan support. Stakeholders on all sides, including those representing victims, currently are working to increase the humaneness of the criminal justice system and to reduce its
massive population. The theory for decarceration can work to reduce future populations of prisoners through the use of preventive measures proven to decrease the likelihood of being incarcerated. Furthermore, the theory ensures those currently incarcerated will receive interventions that demonstrate a reduction in recidivism and an increase in post-release outcomes.

The theory for decarceration requires the removal of profit motivation within the CDOC and an initial shift in leadership that values pro-education and rehabilitative beliefs. The early funding efforts must support adequate staffing of prisons and attracting candidates to the field, which may be achieved through the provision of incentives, e.g., student loan forgiveness for those working so many years in the field, as well as fair pay. The reinstatement of Pell Grants is an affordable solution for the CDOC and should be considered as soon as possible. Finally, current prisoner education should shift to further focus on reentry success and outcomes. The savings achieved through these initial measures can fund the early intervention and prevention measures further outlined in the theory. The example of justice reinvestment and early intervention is supported by both the literature and the participants in this study as a way to effectively decrease the prison population and increase the outcomes of prisoners returning to their communities.
REFERENCES


Criminal Justice Reinvestment Act, S. 2772 (111; 2010).


APPENDIX A

IRB APPROVAL LETTER

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<th>University of Colorado Colorado Springs</th>
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<td>Institutional Review Board (IRB) for the Protection of Human Subjects</td>
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**Date: 7/23/2018**

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<th>IRB Review</th>
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<td><strong>APPROVED</strong></td>
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**IRB PROTOCOL NO.: 18-181**  
Protocol Title: Reducing the Barriers to the Provision of Education in Colorado Prisons: A Grounded Theory  
Principal Investigator: Sarah Cooksey  
Faculty Advisor if Applicable: Sylvia Mendez  
Application: New Application  
Type of Review: Expedited  
Risk Level: No more than Minimal Risk  
Renewal Review Level (If changed from original approval) if Applicable: N/A No Change  
This Protocol involves a Vulnerable Population: N/A (No Vulnerable Population)  
Expires: 22 July 2019  

*Note, if exempt: If there are no major changes in the research, protocol does not require review on a continuing basis by the IRB. In addition, the protocol may match more than one review category not listed.**

| Externally funded: | ☒ No ☐ Yes |

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Thank you for submitting your Request for IRB Review. The protocol identified above has been reviewed according to the policies of this institution and the provisions of applicable federal regulations. The review category is noted above, along with the expiration date, if applicable.

Once human participant research has been approved, it is the Principal Investigator’s (PI) responsibility to report any changes in research activity related to the project:

- The PI must submit all protocol, recruitment, advertising, and consent form amendments/revisions to the IRB for approval.
  - The IRB must approve these changes prior to implementation.
- If you are a student, please note that it is required to include the IRB approval letter to the library when you submit the dissertation/thesis.
- The PI must promptly inform the IRB of any unanticipated serious adverse (within 24 hours). All unanticipated adverse events must be reported to the IRB within 1 week (see 45CFR46.103b(d)). Failure to comply with these federally mandated responsibilities may result in suspension or termination of the project.
- Renew study with the IRB at least 10 business days prior to expiration.
- Notify the IRB when the study is complete.

If you have any questions, please contact Research Compliance Program Director in the Office of Sponsored Programs and Research Integrity at 719-255-3903 or irb@uccs.edu

Thank you for your concern about human subject protection issues, and good luck with your research.

Sincerely yours,

Zek Valkyrie  
Zek Valkyrie, PhD  
IRB Reviewer
APPENDIX B

IRB REPORT OF CHANGE APPROVAL LETTER

UCCS
University of Colorado
Colorado Springs
Institutional Review Board (IRB) for the Protection of Human Subjects

Date: 3/8/2019

IRB Review APPROVED

IRB PROTOCOL NO.: 18-181
Protocol Title: Reducing the Barriers to the Provision of Education in Colorado Prisons: ARGrounded Theory
Principal Investigator: Sarah Cooksey
Faculty Advisor if Applicable: Sylvia Mendez
Application: Report of Change (1)
Type of Review: Expedited 7
Risk Level: No more than Minimal Risk
Renewal Review Level (If changed from original approval) if Applicable: N/A No Change
This Protocol involves a Vulnerable Population: N/A (No Vulnerable Population)
Expires: 22 July 2019

*Note, if no expiration date is indicated: Changes in the research need to be approved before implementation, and you need to report any adverse events. Requests for status updates may be sent by the IRB. In addition, the protocol may match more than one review category not listed.

Externally funded: ☒ No ☐ Yes
OSP #: Sponsor:

Thank you for submitting your Request for IRB Review to add a participant group (inmates’ rights advocates) to the study. The protocol identified above has been reviewed according to the policies of this institution and the provisions of applicable federal regulations. The review category is noted above, along with the expiration date, if applicable.

Once human participant research has been approved, it is the Principal Investigator’s (PI) responsibility to report any changes in research activity related to the project:

- The PI must submit all protocol, recruitment, advertising, and consent form amendments/revisions to the IRB for approval.
  - The IRB must approve these changes prior to implementation.
- If you are a student, please note that it is required to include the IRB approval letter to the library when you submit the dissertation/thesis.
- The PI must promptly inform the IRB of all unanticipated adverse events (within 24 hours). All unanticipated adverse events must be reported to the IRB within one week (see 45 CFR 46.108(e)(2)(iii)). Failure to comply with these federally mandated responsibilities may result in suspension or termination of the project.
- If required, renew the study with the IRB at least 10 business days prior to expiration.
- Notify the IRB when the study is complete

If you have any questions, please contact Research Compliance Program Director in the Office of Sponsored Programs and Research Integrity at 719-255-3003 or irb@uccs.edu

Thank you for your concern about human subject protection issues, and good luck with your research.

Sincerely yours,

Samantha Christiansen

Samantha Christiansen, PhD
www.uccs.edu/osp
1420 Austin Bluffs Parkway Colorado Springs, CO 80918 719-255-3321 phone 719-255-3708 fax

Version 1.10.2019
APPENDIX C

DEMOGRAPHIC INDICATOR QUESTIONS

Demographic Indicators for Victims’ and Inmates’ Rights Advocates:

1. Age

2. Race/ethnicity

3. Gender

4. Education level

5. Which advocacy group are you a part of? And how long have you been a member?

6. Are you a registered voter?

7. In which city do you live?

8. Political affiliation, if independent please indicate if you typically vote more in line with conservative or liberal points of view

9. Political ideology – conservative or liberal?

10. Is anyone in your family currently incarcerated or have previously been incarcerated?

   a. If yes, for what type of crimes?

11. Has anyone in your family been the victim of crime?

   a. If yes, for what type of crimes?

12. On a scale of 1-6 (1 being the lowest and 6 being the highest)

   a. How big of a problem is the mass incarceration issue to you?

   b. How familiar with mass incarceration are you?
c. Given the broad range of current political issues such as healthcare, immigration, global trade, gun laws, mass incarceration, and others, how big of a priority is prison reform for you?

13. Once the study is completed and published would you like to receive information about how to access the final write up?

**Demographic Indicators for State Legislators:**

1. Age
2. Race/ethnicity
3. Gender
4. Education level
5. Political affiliation, if independent please indicate if you typically vote more in line with conservative or liberal points of view
6. Political ideology – conservative or liberal
7. Current political position and represented district
   a. Length of time in this position
   b. Do you have any plans to leave your position, or are you new to the position?
   c. Committees served on
8. Is anyone in your family currently incarcerated or have previously been incarcerated?
   a. If yes, for what type of crimes?
9. Has anyone in your family been the victim of crime?
   a. If yes, for what type of crimes?
10. On a scale of 1-6 (1 being the lowest and 6 being the highest)
   a. How big of a problem is the mass incarceration epidemic to you?
   b. How familiar with mass incarceration are you?
   c. Given the broad range of current political issues such as healthcare, immigration, global trade, gun laws, mass incarceration, climate change, and others, how big of a priority is prison reform for you?

11. Once the study is completed and published would you like to receive information about how to access the final write up?

Demographic Indicators for CDOC Officials:

1. Age
2. Race/ethnicity
3. Gender
4. Education level
5. What is your current position with the Colorado Department of Corrections?
   a. How long have you been in your position?
6. Are you a registered voter?
7. In which city do you live?
8. Political affiliation, if independent please indicate if you typically vote more in line with conservative or liberal points of view
9. Political ideology – conservative or liberal?
10. Is anyone in your family currently incarcerated or have previously been incarcerated?
    a. If yes, for what type of crimes?
11. Has anyone in your family been the victim of crime?
   a. If yes, for what type of crimes?

12. On a scale of 1-6 (1 being the lowest and 6 being the highest)
   a. How big of a problem is the mass incarceration issue to you?
   b. How familiar with mass incarceration are you?
   c. Given the broad range of current political issues such as healthcare, immigration, global trade, gun laws, mass incarceration, and others, how big of a priority is prison reform for you?

13. Once the study is completed and published would you like to receive information about how to access the final write up?
APPENDIX D

INTERVIEW PROTOCOL

Interview Questions for Legislators, CDOC Officials, and Victims’ and Inmates’ Rights Advocates

Open ended questions for the interview, with probes if needed.

1. What do you know or what are your opinions about mass imprisonment?

2. What are your opinions about prison reform? Is it needed and how should it look?

3. What do you perceive current public opinion to be regarding prison institutions and their place in society?

4. What do you perceive the goals of prisons to be? Possible probes, for example are they places of rehabilitation or punishment. What does this look like?

5. What are your concerns, if any, with the current system? for example:
   a. size
   b. expense
   c. recidivism rates
   d. overrepresentation of certain groups (low-income, people of color, illiterate etc…)

6. What are your thoughts about former prisoners?
   a. How well do you think they integrate back into society?
   b. How does their imprisonment affect others (children, family, community)?
   c. How easy is it for them to find jobs, access support, and government aid?
   d. Do you think any changes need to be made here?
7. Is there anything that can be done, or should be done to help prisoners reintegrate back into society?

8. What do you know about prisoner’s current rights?

9. What are your opinions about the rights of prisoners? Or what should they be?

10. What do you perceive to be the barriers to the provision of education within Colorado prisons? For example, are they:
   a. Political – related to red tape and money needed to run programs
   b. Institutional – related to lack of resources within the prisons, lock downs, facilities etc.
   c. Public Opinion – prisoners are being punished, they do not deserve these things, not knowing the benefits of providing education – both as a means of reducing costs to tax payers and increasing outcomes for ex-prisoners etc.

11. How do we reduce these barriers?

12. What do you think about having educational programs within Colorado prisons? What do these look like?

13. What should the educational programming look like? i.e. geared toward GED attainment, remedial reading or math skills, vocational training, life skills training, college preparation, or college courses?

14. What information do you think is needed to shift thinking in favor of the provision of education in Colorado prisons? And who needs this information? For example:
   a. statistics on recidivism rates
b. reentry success stories  
c. demographics of prisoner’s current education levels  
d. statistics on return on investment of providing education  
e. information on the decrease in tax dollars  
f. examples of other countries models and their rates of success  
g. or nothing – your opinions of prisoners are what they are and will not be changed.

15. What information do you think is needed to shift thinking away from prisons as places of punishment and toward places of rehabilitation? And who needs this information?

   a. statistics on recidivism rates  
   b. reentry success stories  
   c. demographics of prisoner’s current education levels  
   d. statistics on return on investment of providing education  
   e. information on the decrease in tax dollars  
   f. examples of other countries models and their rates of success  
   g. or nothing – your opinions of prisoners are what they are and will not be changed.

16. Who needs this information?

17. What is the best way to share this information with the public?

   a. Newspaper  
   b. Local news program  
   c. Documentary
d. Podcast

e. Commercials

f. Other