



Getty / Maskot

# RELOCATING REENTRY: DIVESTING FROM COMMUNITY SUPERVISION, INVESTING IN “COMMUNITY REPAIR”

**CLASP**  
The Center for Law and Social Policy

**Clarence Okoh & Isabel Coronado**  
September 2022

## EXECUTIVE SUMMARY

Community supervision, or community corrections, refers to a court-ordered period of correctional supervision served outside of a correctional facility. The two most common forms of community supervision are probation and parole. Nationwide an estimated 5.5 million people are subject to correctional control, with nearly 3.9 million subject to probation and parole.<sup>1</sup> The scale of correctional supervision in the United States is without comparison in the industrialized world—echoing the nation’s legacy of human bondage.<sup>2</sup> Mass supervision is the latest iteration of a long history of racialized “punitive excess” in the United States.<sup>3</sup> People subject to community supervision face a maze of supervision terms and conditions that function as “tripwires,” which often lead to technical violations and ultimately revocation—a formal termination of community supervision that results in correctional confinement.<sup>4</sup> Collectively, these tripwires constitute a system of correctional punishment that imposes a vast array of economic, legal, and social barriers for systems-impacted individuals and their families. *(Note: throughout this executive summary and report “systems-impacted” refers to people who are “legally, economically, or familially affected in a negative way [by contact with the criminal legal system]. System-impacted also includes people who have been arrested and/or convicted without incarceration.”)*<sup>5</sup>

**3.9 MILLION**

people are  
subject to  
probation and  
parole.

Despite these challenges, some policymakers insist that “community supervision” is a viable path to combat mass incarceration. However, mounting evidence makes clear that “mass supervision” is not a solution; instead, it is a leading driver of mass criminalization, especially in Black communities and other communities of color. Mass supervision’s broad range of economic, legal, and social disadvantages trap millions of individuals in cycles of carceral predation and second-class citizenship.<sup>6</sup> To address this crisis, policymakers must envision an entirely new paradigm to support the needs of individuals returning home from correctional facilities. This paradigm must break cycles of correctional punishment while insisting on systemic redress and repair for communities that have carried the heaviest burdens of mass criminalization.

This report offers insights to help policymakers create that new paradigm. For this report, we interviewed over two dozen community advocates, practitioners, and systems-impacted individuals concentrated in three states—Arizona, Oklahoma, and Wisconsin—to understand better how state community supervision systems impede or support economic opportunity, with a particular focus on parole supervision.

What emerged from those conversations was a consensus about the need for a new legal and policy paradigm that we term “community repair.” Community repair offers an entirely different relationship between the state and systems-impacted individuals. **Community repair is an anti-carceral policy approach that advocates for removing corrections and law enforcement from the reentry process altogether—recognizing that public investments in meeting basic needs such as employment, housing, and health care hold the most significant promise in disrupting mass supervision and incarceration.** This framework goes further by insisting that the state must address

present harms and redress the multigenerational harms of mass supervision on families and communities impacted by the criminal legal system.

Based on our conversations with stakeholders and an extensive scan of policy developments at the state and national levels, we offer the following recommendations for harm reduction and systems transformation of community supervision:

### ***Recommendations for Harm Reduction in Community Supervision***

- *Expand Earned Credit Discharge Programs.*
- *Eliminate Crimeless Revocations.*
- *End Electronic Shackling.*
- *Protect Labor Rights & Expand Job Quality Protections for Systems-Impacted Workers.*
- *Improve State Data Collection Practices for Systems-Impacted Individuals and Their Families.*

### ***Recommendations for Systems Transformation through Community Repair***

- *Relocate Reentry Services to Community-Based Organizations & Non-Punitive Social Services.*
- *Enact Subsidized Employment Programs for Systems-Impacted Individuals.*
- *Pilot Direct Cash Benefit Programs to Systems-Impacted Families.*
- *Provide Protected Class Status to People with Criminal Records.*



## I. A HISTORICAL OVERVIEW OF COMMUNITY SUPERVISION & SOCIAL INEQUALITY

Between 1980 and 2007, the population of supervised individuals grew from 1.3 million to 5.1 million people.<sup>7</sup> Today, an estimated 3.9 million people—approximately 1 in 66 adults—are in community supervision in the United States, which includes about 860,000 people on parole.<sup>8</sup> Mass supervision engineers social inequality through its disparate impact on communities that have been historically marginalized.<sup>9</sup> Black and brown communities, low-income communities, and individuals with disabilities are each overrepresented in community supervision systems nationwide.<sup>10</sup>

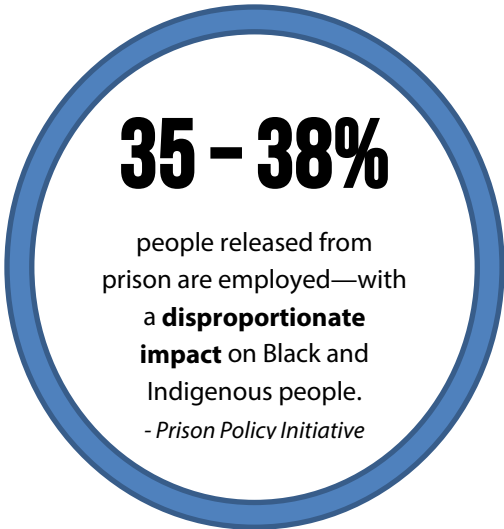
**BLACK AND BROWN COMMUNITIES, LOW-INCOME COMMUNITIES, AND INDIVIDUALS WITH DISABILITIES ARE EACH OVERREPRESENTED IN COMMUNITY SUPERVISION SYSTEMS NATIONWIDE.**

The relationship between mass supervision and social inequality is not a coincidence. The historical development of mass incarceration and, by extension, mass supervision was prompted by the political backlash to racial integration and other legal victories gained through the Black freedom struggles of the 1950s and 60s.<sup>11</sup> “Tough on crime” political rhetoric from leading national figures throughout the 1970s, ‘80s, and ‘90s led to an array of legislative developments that enabled the swift expansion of the number of people in prisons and jails as well as those who were subject to probation and parole.<sup>12</sup> During this period, policymakers placed a draconian set of policy constraints on systems-impacted individuals. Federal and state legislators enacted a range of laws that denied systems-impacted people access to public benefits, professional licensing, and postsecondary financial aid.<sup>13</sup>

The post-civil rights era also gave way to a period of what some scholars refer to as “organized abandonment,” which is a process where government divests from public goods and services while expanding investments in systems of punishment and criminalization which include prisons, jails, police, and community supervision.<sup>14</sup> Organized abandonment can be understood as the social force that drives the cyclical relationship between place, poverty, precarity, and punishment.<sup>15</sup>

## II. CRITIQUES OF COMMUNITY SUPERVISION

An extensive body of research and advocacy underscores the harms associated with community supervision. Rampant discrimination and sustained harm against individuals who are system impacted, including those who are under supervision, is evidenced by the 44,000 collateral consequences and legal sanctions against systems-impacted people that prevent them from obtaining professional licenses, accessing credit, securing housing, and working in certain professions.<sup>16</sup> Approximately 90 percent of employers, 80 percent of landlords, and 60 percent of colleges and universities screen for histories of contact with the criminal legal system.<sup>17</sup> The impact of community supervision on employment is particularly concerning. A 2022 Prison Policy Initiative report indicates that only 35 to 38 percent of people released from prison are employed—with a disproportionate impact on Black and Indigenous people.<sup>18</sup> In many instances, these hardships can be directly connected to the onerous design of supervision terms and conditions. A 2011 National



**35 – 38%**

people released from prison are employed—with a **disproportionate impact** on Black and Indigenous people.

– *Prison Policy Initiative*

Institute of Justice survey of 5,000 people subject to electronic monitoring—a surveillance technology that is often used in community corrections to track a person’s movements—found that 22 percent of individuals self-reported losing their jobs due to their devices.<sup>19</sup> For supervised individuals who are able to access employment, wages are often low, and labor protections are inadequate. The Brennan Center for Justice reports that people who have spent time in prison see, on average, a 52 percent reduction in their income.<sup>20</sup> People under community supervision, likewise, see a 22 percent decrease in average annual earnings.<sup>21</sup> Systems-impacted Black people experience an average lifetime earnings loss of \$358,000,

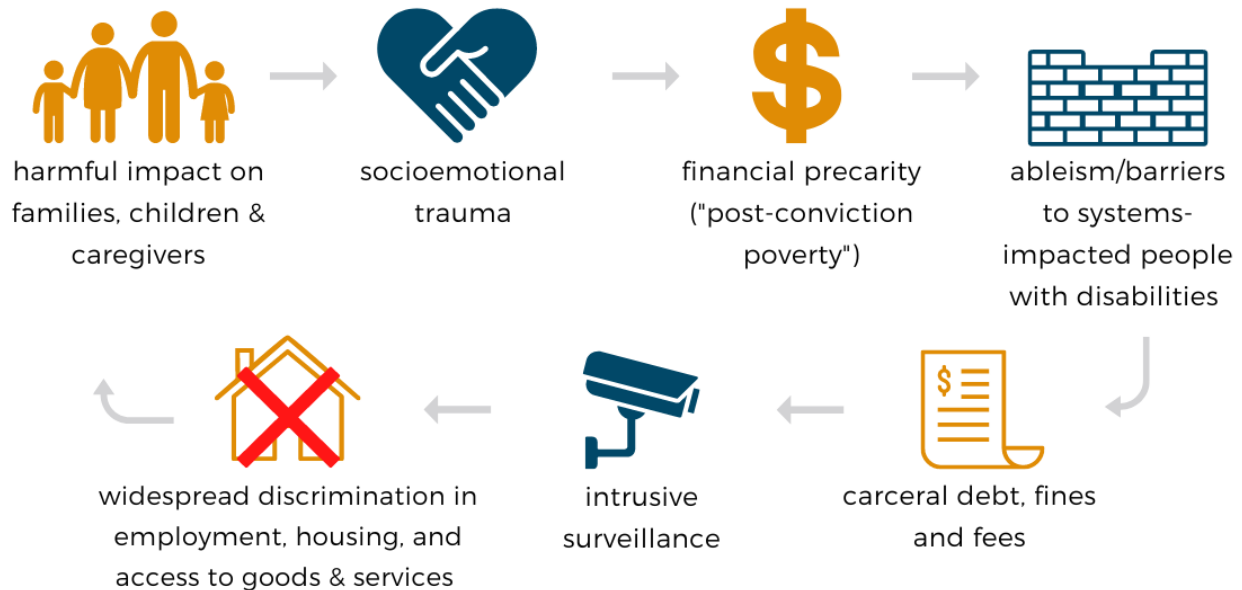
and systems-impacted Hispanic people experience a \$511,500 average lifetime earning loss. In the aggregate, systems-impacted people experience a \$372.3 billion earnings loss over their lifetimes.

Researchers have also observed that the economic consequences of incarceration and community supervision are not limited to individuals. Carceral systems impose economic disadvantage on families and entire communities at scale. For example, one survey found that 65 percent of systems-impacted families could not afford basic needs, including housing and food—with women taking on most of the financial burden.<sup>22</sup> The same survey found that 48 percent of families could not afford the costs associated with a conviction, which averaged \$13,607 per family. In addition to the economic impact of carceral systems on families, a growing body of research indicates that these systems drive poverty at the community level. A 2021 study details the economic consequences of “debtors blocks” — geographic areas that carry a high concentration of legal financial obligations (LFOs) per capita.<sup>23</sup> The researchers found “a longitudinal association between a neighborhood’s increase in poverty and the number of financial penalties to which the residents had been sentenced.” As a result, it appears that there is a direct link between the concentration of LFOs in a community and subsequent increases in neighborhood poverty. The study found that these effects were most present in Black and brown communities—tracking along geographies and histories of residential segregation and spatial isolation. The researchers also found that these effects translate across urban and rural contexts and that Indigenous communities were especially susceptible to this harm.<sup>24</sup> The researchers indicated that debtors’ blocks shape economic outcomes and impact community members’ psychological and physical wellness leading to chronic anxiety, stress, and depression.

In addition to the individual, familial, and community-level consequences of mass supervision, researchers and advocates have been critical of the punitive design of community supervision. Research indicates that community supervision is a crucial driver of mass incarceration in the United States.<sup>25</sup> Revocation of probation and parole accounts for an estimated 45 percent of state prison admissions.<sup>26</sup> In 13 states, more than one-third of people in prison on any given day are there for a supervision violation.<sup>27</sup> Relatedly, more than half of prison admissions in 20 states are due to supervision violations. For example, in Wisconsin—one of the three states we examined—approximately 70 percent of new admissions are due to supervision violations, and over 50 percent of people in state prisons are there due to a technical violation.<sup>28</sup>

Many of the challenges with community supervision at the national level also play out at the state level. For example, a 2019 study reveals that Wisconsin ranks first among its regional peers in the per capita rate of people under parole supervision, with approximately 450 under parole supervision per 100,000 adults.<sup>29</sup> Data from the same year indicate that Wisconsin’s parole supervision population was the seventh largest among all states.<sup>30</sup> The state’s supervision system has pronounced racial disparities that burden Black and Indigenous Wisconsin residents. Researchers estimate that one in eight Black men between 18 and 64 in Wisconsin were under community corrections supervision, which is five times the rate of white men.<sup>31</sup> Similarly, estimates suggest that 1 in 11 Indigenous men were under community supervision, 4 times the rate of white men. Indigenous women are supervised at six times the rate of white women. Altogether Black people comprise 42 percent of all people incarcerated for revocations, despite representing 25 percent of people supervised by the state corrections department.<sup>32</sup> Revocation rates were over two times greater for Black people than their white counterparts, with a similar disparity between white people and Indigenous communities.<sup>33</sup>

## THE HARMS OF COMMUNITY SUPERVISION



### III. INSIGHTS FROM THE FIELD

We held a series of conversations with over two dozen stakeholders who represent a range of professional and lived experiences and who were primarily affiliated with three states - Arizona, Oklahoma, and Wisconsin. These stakeholders included systems-impacted individuals, policymakers, researchers, practitioners, and advocates. Our goal was to better understand the economic barriers imposed by community corrections while identifying innovative approaches to address these challenges in states and localities.

Two consistent themes emerged from our conversations. First, stakeholders observed that existing community supervision systems embrace a carceral approach that systematically fails to meet the basic needs of systems-impacted individuals, their families, and their communities. Second, while modest reforms have reduced some economic hardships, stakeholders suggested that nothing short of full-scale systems transformation can fully address the needs of systems-impacted individuals and repair the historical wounds that carceral systems, including community supervision, have inflicted and deepened in racially and economically marginalized communities. Below, we discuss both themes in more detail, identifying the failures of community supervision systems within these states and outlining a new, anti-carceral model for reentry that we term “community repair.”

#### A FAILED MODEL IN NEED OF TRANSFORMATION

##### **1. Community Supervision Creates Multigenerational Harms Through a Focus on Punishment Rather Than Care**

One of the most urgent concerns identified by stakeholders was the impact of community supervision on families and children of individuals subject to community supervision. Three distinct themes emerged on this topic. First, community supervision directly harms systems-impacted families, especially children, youth, and young adults. Research demonstrates that incarceration *and* community supervision shape health, financial, and behavioral outcomes for the family members of systems-impacted individuals—especially among children and young adults.<sup>34</sup>

Second, several stakeholders described how the punitive design of community supervision systems undermines the role of systems-impacted individuals as caregivers. Direct barriers to caregiving included: parental rights termination, child support repayment obligations, and access to affordable child care. These barriers and their impacts on systems-impacted people have been extensively discussed in the literature on community supervision.<sup>35</sup> For example, the Marshall Project estimates that between 2006 and 2016, at least 32,000 systems-impacted parents permanently lost their parental rights without evidence of abuse.<sup>36</sup>

Finally, stakeholders described the psychological and emotional complexities of engaging with family during the reentry process. Some cautioned that family environments might not be safe and present the risk of re-traumatization and related harms. They noted that home environments might be potential sites of interpersonal conflict, physical and emotional abuse, and other forms of harm. Others described how family reunification might complicate access to housing security for families due to exclusionary and discriminatory leasing practices. Directly impacted stakeholders shared their

concerns on how the stigma of systems involvement may affect their children and other family members. Given the barriers and complexities of family reunification, stakeholders recommended investments in community-based, direct service providers—entirely detached from corrections and law enforcement—that can support individuals and families as they navigate the reentry process together.

## **2. Community Supervision Destabilizes Economic Security and Undermines Upward Mobility**

Existing policy frameworks for community supervision manufacture economic precarity for systems-impacted individuals. For example, one directly impacted stakeholder described how the combination of surprise, on-site visits from their parole officer at the workplace and onerous check-in requirements presented obstacles to job security. Another directly impacted individual discussed how burdensome nightly curfews could limit employment opportunities. A different impacted stakeholder described how people subject to community supervision are also punished for unemployment through parole terms that condition basic needs—including the ability to drive a car or leave home—on a person’s employment status. These issues are further compounded by widespread discrimination from private employers against individuals with criminal records. While state lawmakers in Arizona, Oklahoma, and Wisconsin have passed limited anti-discrimination protections for public sector employment opportunities for individuals with criminal records, these protections do not extend to private employers.<sup>37</sup>

Beyond employment challenges, stakeholders described the difficulties community supervision raises for individuals with disabilities. Several stakeholders identified undiagnosed and untreated disabilities as a significant concern—especially disabilities related to mental health and wellness. One advocate noted that a disability may pre-date interactions with the criminal legal system and may emerge as a consequence of conditions of confinement or related harms. Studies indicate that approximately 38 percent of incarcerated individuals have at least one disability.<sup>38</sup> Similarly, studies show that many incarcerated people have undiagnosed disabilities before their involvement with the criminal legal system. Others may develop disabilities during incarceration.<sup>39</sup> Despite these challenges, none of the three states we examined offer universal screenings to diagnose disabilities or to assist individuals in accessing disability benefits or services. This speaks to a related challenge raised by stakeholders—a lack of health care resources tailored to the needs of systems-impacted people, especially mental and behavioral health care supports detached from law enforcement and corrections. Access to disability benefits and services is integral to economic security by ensuring individuals have the accommodations and financial resources necessary to pursue economic opportunities such as career and postsecondary pathways.

Further, stakeholders described how few resources are available to assist in obtaining public benefits and income supports, including the Supplemental Nutrition Assistance Program (SNAP), Temporary Assistance for Needy Families (TANF), Medicaid, housing vouchers, and related federal and state programs. A near-universal sentiment among directly impacted stakeholders and advocates was that these barriers are a direct consequence of the institutional design of community supervision as an extension of corrections and law enforcement. A shared concern across all stakeholder groups was that parole staff and administrators lack the expertise or professional competencies to offer navigation and coaching services. Stakeholders identified that parole officers hold conflicting roles—at once a



debt collector, law enforcement officer, and social service provider. For many stakeholders, these tensions can only be adequately resolved by fundamentally redesigning community supervision altogether to remove the roles of law enforcement and corrections departments.

## THE COSTS OF COMMUNITY SUPERVISION

On average, an individual subject to community supervision must meet

**10 - 20 CONDITIONS**

including fines, fees, restitution, curfews, sobriety requirements, limitations on movement, and prohibitions on associating with others.

An estimated



of prison admissions result from **supervision violations**.



people subject to electronic monitoring,



self-reported losing their jobs due to their devices.

The expenses of electronic monitoring can cost systems-impacted individuals anywhere from

 **\$3 - \$35 / DAY**

alongside initial set-up charges of **\$100 - \$200**

One study estimates the total value of **outstanding court debt** in the United States is at least

 **\$27.6 BILLION**

### 3. Community Supervision Perpetuates Cycles of Correctional Punishment through Technical Violations, Revocations & Persistent Surveillance

Finally, stakeholders discussed how existing community supervision practices couple intense state surveillance with byzantine supervision conditions that result in perpetual punishment and unending cycles of criminalization. Researchers have elaborated on this phenomenon, describing the array of community supervision practices that essentially function as “tripwires” for parole and probation violations, often leading to various sanctions, including revocation and incarceration.<sup>40</sup> On average, an individual subject to community supervision must meet 10–20 conditions, including fines, fees, restitution, curfews, sobriety requirements, limitations on movement, and prohibitions on associating with others.<sup>41</sup> These tripwires are reflected across all three states that we observed. For example, Arizona’s Standard Conditions of Supervision and Release require that an individual “pay fees, fines and/or restitution” and “not knowingly associate with any person [under] the jurisdiction of the Department of Corrections or Probation.”<sup>42</sup> Similarly, Wisconsin’s Standard Rules of Community Supervision require that an individual obtain permission from an agent “prior to the purchase, trade, sale or operation of a motor vehicle” and “prior to borrowing money or purchasing credit.”<sup>43</sup> The maze

of draconian supervision conditions and the omnipresent fear of technical violations creates what one stakeholder described as a “constant state of living in fear.” These fears are justified given the extent to which technical violations lead to revocations and recidivism. In fact, an estimated 45 percent of prison admissions result from supervision violations.<sup>44</sup>

Exacerbating these conditions is a vast surveillance infrastructure that enables persistent monitoring and tracking of individuals subject to community supervision. During our conversations, multiple stakeholders described the psychological and economic impacts of GPS monitoring, ankle monitoring, and related electronic monitoring technologies embraced by parole and probation officers. These stakeholders emphasized the stigmatic harms that arise from electronic monitoring—describing feelings of shame from wearing a technological “ball and chain” in ways that echo the legacies of chattel slavery in the United States. These stakeholders expressed how those stigmatic harms affect relationships, economic opportunities, and feelings of self-worth. Another stakeholder succinctly framed it as “still being locked up even outside of prison.” Beyond the stigmatic injuries, some outlined the financial burdens and economic consequences of electronic monitoring—insights reflected in the research literature. For example, a 2011 National Institute of Justice survey of 5,000 people subject to electronic monitoring found that 22 percent self-reported losing their jobs due to their devices.<sup>45</sup>

In addition to the employment consequences, the costs of electronic technologies are often off-loaded onto individuals under supervision. In many states, including Arizona, Oklahoma, and Wisconsin, individuals under supervision are financially responsible for paying fees associated with the costs of electronic monitoring technologies.<sup>46</sup> The expenses of electronic monitoring can cost systems-impacted individuals anywhere from \$3 to \$35 per day alongside initial set-up charges of \$100–\$200.<sup>47</sup> One stakeholder noted that the cost of ankle monitoring in Oklahoma could amount to \$165 per month. These costs are layered on other fines, fees, restitution, and related financial obligations that exact a significant financial toll on systems-impacted individuals. A stakeholder described how parole boards impose various conditions, including drug testing, therapy, and breathalyzers, which become the financial responsibility of systems-impacted individuals and their families. In fact, one study estimates the total value of outstanding court debt in the United States is at least \$27.6 billion.<sup>48</sup> While state-level data are unavailable in Arizona and Wisconsin, the same Fines & Fees Justice Center study estimates that the level of outstanding court debt in Oklahoma sits at \$693.5 million.<sup>49</sup> Stakeholders further described how court debts, in conjunction with other legal and financial obligations, can derail access to employment opportunities, public benefits, and voter restoration efforts. This prevents access to state licenses, which consequently impairs housing, transportation, and other critical services. Community supervision imposes various financial and surveillance burdens that build significant barriers to economic security, upward mobility, and human dignity for systems-impacted individuals.

## IV. PROMISING APPROACHES TO HARM REDUCTION & SYSTEMS REFORM

Beyond these challenges, stakeholders provided insights on recent policy reform efforts in our three focus states—Arizona, Oklahoma, and Wisconsin. Nearly every recent reform takes an incremental approach to addressing the economic and social harms of community supervision on systems-impacted communities. These reforms largely keep community supervision systems intact and under the control of correctional officers and law enforcement agencies. Similarly, most of these reforms fail to expand public investments into social services that address the needs of systems-impacted individuals and their families. As such, these efforts fall short of the transformative ideas that stakeholders indicated are necessary to achieve economic security and upward mobility for systems-impacted communities. Nonetheless, recent state legislative developments offer insights on the shortcomings of existing reform efforts, in addition to a point of departure envisioning new policy paradigms.

Below, we highlight recent legislative activity related to community supervision in Arizona, Oklahoma, and Wisconsin.

### ARIZONA

Arizona has a checkered record on legal and policy reforms in its criminal legal system. Advocates continue to challenge the horrific conditions of confinement in Arizona prisons, culminating in a federal consent decree and subsequent litigation.<sup>50</sup> Similarly, Arizona is one of a handful of states that failed to announce any measures to reduce jail and prison populations in light of the COVID-19 pandemic.<sup>51</sup> In 2021, an Arizona House of Representatives bill that creates independent oversight of Arizona’s Department of Corrections, HB 2167, died in the committee.<sup>52</sup> Advocates have encountered similar legislative setbacks for related efforts to pass elder and medical parole reform.<sup>53</sup>

However, Arizona’s earned credit release reforms are a more promising policy development. “Earned credit release” in the community supervision context refers to policies that reduce the length of a term of supervision based on an individual achieving key reentry milestones – especially related to avoiding technical violations or re-arrest. In 2008, Arizona passed the Safe Communities Act, which offered funding incentives for counties that could successfully reduce revocations while avoiding an increase in new felony convictions.<sup>54</sup> The 2008 law helped reduce annual statewide revocations from 7,500 in 2008 to under 5,000 by 2011.<sup>55</sup> In 2019, the Arizona State Legislature enacted Senate Bill 1310, which expanded the number of credits an incarcerated person can earn.<sup>56</sup> SB 1310 includes language that permits corrections officers to coordinate with local health departments to reinstate health benefits for individuals sentenced to less than a year of incarceration.<sup>57</sup> The law also includes language that allows “[coordination] with community-based organizations or the department of economic security to assist prisoners in applying for enrollment in the Arizona health care [system].”<sup>58</sup> The law calls for similar coordination with behavioral health services, counseling, case management, substance abuse treatment, family reunification services, and housing and employment supports. The law encourages the development of “care teams” to be led by local behavioral health systems with representatives from nonprofit organizations that specialize in assisting systems-impacted individuals transition back

into the community.<sup>59</sup> Unfortunately, the law does not require implementation of these provisions, nor does it offer funding to support these practices.

Beyond legislative developments, stakeholders identified the state’s creation of Reentry Centers in Maricopa and Pima counties.<sup>60</sup> These centers are operated by the Arizona Department of Corrections Rehabilitation and Reentry and were established to support individuals subject to community supervision by providing a range of programs and services, including substance abuse treatment, mental wellness courses, workforce services, and housing assistance. The centers partner with state and community-based organizations to offer on-site programming, including employment searches. The centers were intended to provide resources to individuals with technical violations needing more significant assistance. While these programs offer an alternative to revocations, it is critical to note that these centers are co-located with correctional agencies and are under the control of the Department of Corrections. Correctional control of reentry services was a significant concern for many of our stakeholders, given the range of challenges we previously outlined in this report.

## OKLAHOMA

In 2020 Oklahoma had the second highest rate of people on parole in the United States.<sup>61</sup> In response to these growing numbers, the Oklahoma legislature enacted HB 4369, a law establishing earned discharge credits for community supervision compliance. Like earned release credits, earned discharge allows individuals to end their period of supervision early, contingent on certain conditions. The law offers 30 credits for every 30 calendar days of compliance with the terms and conditions of parole supervision.<sup>62</sup> Other states, including Alaska, Arkansas, Delaware, and Missouri, have embraced similar “30 for 30” reforms and have experienced significant declines in the population of people subject to supervision. Missouri saw an 18 percent reduction in the three years after its enactment.

In 2022, Oklahoma also enacted its “Clean Slate” legislation, which allows for the automatic sealing of criminal cases for eligible persons.<sup>63</sup> Eligibility covers a range of impacted persons, including individuals with dismissed charges, misdemeanors, or nonviolent felony offenses subject to certain conditions.<sup>64</sup> Automating the criminal records sealing process can improve access to employment, housing, and essential services and goods.<sup>65</sup>

In addition to these changes, Oklahoma enacted occupational license reforms and removed certain legal financial obligations, including a reduction in supervision, attorney, and court fees for youth and young adults accused of crimes.<sup>66</sup> In previous years, policymakers enacted reforms that provided limited elder parole and removed some financial barriers for systems-impacted people.<sup>67</sup>

 **WISCONSIN**

A 2019 report from the Council of State Governments Justice Center found that more than half the people in Wisconsin’s prisons on any given day were there for a violation of supervision terms and conditions.<sup>68</sup> Despite the alarming role of community supervision in driving the state’s incarceration crisis, Wisconsin lawmakers have not been as successful as their counterparts in Arizona and Oklahoma in spearheading new legislative approaches to reduce the state’s population of individuals subject to community supervision. Legislative efforts to enact modest expungement reforms and limit revocations due to technical violations have failed in recent years.<sup>69</sup> However, Wisconsin does stand out for the role of agency administrators in developing programmatic reforms similar to what other states have accomplished through legislation. The Wisconsin Department of Corrections has expanded opportunities for treatment and early release while implementing its own earned release programs at select parole offices.<sup>70</sup> Additionally, Governor Evers has set the record for the most pardons of any Wisconsin governor within their first three years in office. As of June 2022, the governor had issued 554 pardons.<sup>71</sup>



## RECOMMENDATIONS FOR HARM REDUCTION IN COMMUNITY SUPERVISION

Below, we outline policy recommendations informed by our stakeholder conversations and policy landscape analysis. This first set of recommendations identifies incremental reforms that reduce the harms of existing community supervision practices:



**Expand Earned Credit Discharge Programs.** Arizona, Oklahoma, and Wisconsin have each pursued earned credit discharge models to reduce the number of individuals subject to community supervision. Arizona and Oklahoma developed their programs through legislation, while Wisconsin followed an agency-driven model. Evidence suggests that these programs can lead to significant declines in the population of people under community supervision.<sup>72</sup> Arizona has a compelling story given the over 30 percent decrease in its population of people on probation and parole after enacting the 2008 Safe Communities Act.<sup>73</sup> States can build upon these models by identifying strategies to integrate social and economic supports, including job training, housing, child care, and benefits access. These supports should be integrated across the reentry process.



**Eliminate Crimeless Revocations.** Crimeless revocation refers to individuals being sent back to prison based exclusively on a technical violation of a parole condition, as opposed to committing a new crime.<sup>74</sup> Crimeless revocations play an integral role in sustaining mass incarceration and its disparate impact on Black communities and other communities of color. For example, crimeless revocations accounted for 37 percent of all admissions to Wisconsin prisons in 2017—primarily driven by the disparate impact on Black people subject to supervision.<sup>75</sup> One stakeholder described how crimeless revocations are often caused by parole conditions premised on a misguided understanding of addiction, substance use, and other behavioral and mental health challenges. Too often, abstinence-exclusive strategies for substance use are baked into parole conditions. However, according to several stakeholders that we interviewed, those strategies run counter to many effective approaches to recovery. Further, those approaches undermine the agency of systems-impacted people to define their relationship to substance use on their terms. Given these considerations, state lawmakers should enact reforms prohibiting technical violations from serving as the sole basis for revocation. Such reforms would be integral to significantly reducing the population of people in prison and moving toward community repair.



**End Electronic Shackling.** We repeatedly heard stakeholders describe the harms to dignity and financial burdens of electronic monitoring. Evidence suggests that these technologies expand the footprint of law enforcement within communities of color and burden relationships among families, peers, and other affirming social relationships.<sup>76</sup> And by offloading the financial burden of monitoring onto systems-impacted individuals, electronic monitoring contributes to “post-conviction poverty” and related patterns of economic insecurity for systems-impacted individuals and their families. States should suspend the use of these technologies altogether.



### **Protect Labor Rights & Expand Job Quality Protections for Formerly Incarcerated**

**Workers.** Individuals under community supervision are highly vulnerable to labor exploitation. Failure to maintain employment in many states can expose someone to various technical violations because having a job is often incorporated as a supervision condition. Predatory employers recognize that precarious arrangement, which creates the potential for these individuals to serve as a cheap source of labor that can be abused, manipulated, and exploited. Policymakers must ensure that employment strategies attached to community supervision include adequate job quality and worker protections, including a living wage.



**Improve Data Collection.** Each state we observed failed to collect data on the economic outcomes of individuals subject to community supervision. Critical data gaps exist concerning employment, housing, health, and other vital indicators of opportunity and wellness. The absence of these data impairs policymakers and advocates from a rigorous assessment of existing community supervision. Policymakers should collect and publicize de-identified data on a consistent basis that is disaggregated by key demographic characteristics, including race, ethnicity, gender, age, national origin, and disability status.

## **A NEW POLICY PARADIGM: “COMMUNITY REPAIR”**

We began each stakeholder conversation with the same question: “what is the function of community supervision?” The near-universal response was some version of “punishment, racism, and wealth extraction.” These conversations surfaced an alarming yet commonplace insight that carceral models of community supervision inflict structural violence on systems-impacted communities through the deprivation of critical social supports and by pushing individuals into unending cycles of criminalization. Several stakeholders suggested that this structural violence is not a design failure but the desired outcome, as evidenced by a longstanding history of intentional political choices.<sup>77</sup>

Given this reality, many stakeholders argued that an entirely new paradigm is required. Throughout our conversations, we heard suggestions for the wholesale abolition of existing legal frameworks for community supervision systems. Below are some of the key themes that emerged from these ideas:

### **1. Anti-Carceral by Design**

Multiple stakeholders argued that community supervision should be entirely disconnected from corrections and law enforcement. They believe that the punitive nature of existing community supervision systems pulls public investments away from systems that are far better equipped to meet their immediate needs—including employment, housing, child care, mental health care, disability benefits, and other income and work supports. Instead of a punitive framework, stakeholders began to describe an anti-carceral approach to reentry that centers on the needs of systems-impacted individuals and their communities. In nearly every conversation, stakeholders described how states do not allocate sufficient resources to community-based organizations and non-carceral public resources that serve this population. They explained that systemic divestment from non-carceral, evidence-informed resources and services is the most significant barrier to successful reentry outcomes. These stakeholders called for developing anti-carceral approaches that coordinate access to essential goods

and services supporting the holistic needs of systems-impacted individuals and their families. These systems should be divorced from policing, punishment, or state coercion systems. Stakeholders also advocated for culturally competent, trauma-informed approaches that center the leadership of systems-impacted individuals.

## **2. Realizing Reparative Justice**

Stakeholders repeatedly noted that the lack of community investments plays an integral role in driving cycles of revocations and incarceration. They suggested that there is a misalignment between public investments and the geography of where systems-impacted communities live. Stakeholders described how Black and brown communities, subject to decades of intentional public divestment, are expected to meet the needs of systems-impacted individuals while lacking the resources of their economically advantaged counterparts. Research suggests a strong nexus between neighborhood, employment, and recidivism.<sup>78</sup> Our stakeholders suggested that reimagining community supervision requires state actors to repair the community-level harms of intentional, racialized, systemic divestment from Black and brown communities. They see this as a necessary step to equip communities with the resources needed to support systems-impacted families and recover from decades of “organized abandonment.”<sup>79</sup> Stakeholders described a range of policy prescriptions that fit within a reparative justice framework but were particularly interested in reallocating existing community supervision funding to unrestricted grants that support community-led organizations. Their ideas reflect broader developments in the field where social movements demand reparations for individuals and communities impacted by mass incarceration and systemic divestment. These ideas include proposals for direct cash transfers to systems-impacted families and for cancellations of carceral debt—sometimes called debt jubilees.<sup>80</sup> While critics may suggest these ideas are untethered from political realities, nascent efforts are emerging across the country to accomplish this vision. For example, the Center for Employment Opportunities developed and piloted the Returning Citizens Stimulus, which invested over \$24 million in direct cash transfers over 3 months to support approximately 10,500 formerly incarcerated individuals in 28 cities across 6 states, including California, Colorado, Louisiana, Michigan, New York, and Oklahoma.<sup>81</sup> Another example is a large-scale carceral debt forgiveness campaign organized by the Rolling Jubilee Fund that resulted in court debt cancellation for over 20,000 people across Florida and Mississippi.<sup>82</sup>

## **3. Centering Human Rights in Essential Goods & Services**

Stakeholders also advocated for a rights-based approach to organizing social services for systems-impacted individuals. Several stakeholders described explicit and implicit discrimination as a critical barrier to employment, housing, parental rights, and electoral participation. They applauded efforts in jurisdictions to pass “ban the box” legislation to address discrimination in second-chance hiring.<sup>83</sup> “Ban the box” is a movement to create policies that generally prevent employers from considering a person’s criminal record in employment decisions.<sup>84</sup> However, stakeholders recognized various discriminatory barriers beyond employment that deny access to essential goods, services, and rights. Their insights reflect longstanding efforts by legal advocates and community organizers to create a protected class status for formerly incarcerated persons.<sup>85</sup> A “protected class” refers to a legal designation that protects certain historically marginalized groups from discrimination by public and private entities. In recent years, states and localities have expanded protected class status in other



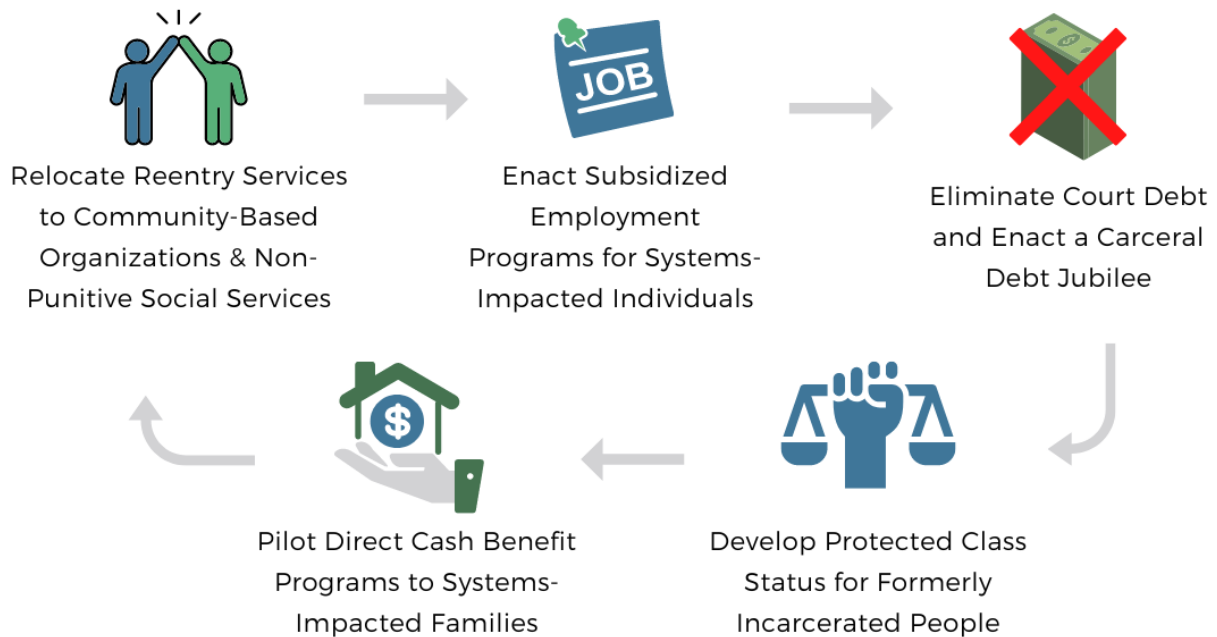
contexts, including sexual orientation, parental status, and source of income.<sup>86</sup> Policymakers can build upon these and other successful efforts such as “ban the box” to fully protect formerly incarcerated individuals from discrimination. However, our stakeholders went beyond describing the need for additional legal protections; they also identified the need for access to legal counsel to vindicate these rights and advance the interests of systems-impacted people during the reentry process. These ideas touch upon a history of advocacy for a “civil *Gideon*,” which—like the landmark *Gideon v. Wainwright* decision guaranteeing legal representation for people accused of a criminal act—would ensure individuals with low income the right to representation in legal matters implicating access to essential goods and services.<sup>87</sup> Our stakeholders suggested that the need for legal counsel coupled with navigator services to access public benefits and social services could be a promising model for a policy paradigm to replace the flawed community supervision approach.

## WHAT IS “COMMUNITY REPAIR”?

**These visionary ideas collectively converge on a framework that we term “community repair.”** Community repair is an anti-carceral policy framework informed by insights from the Black freedom struggle, transitional justice, and human rights principles.<sup>88</sup> Community repair calls for the use of publicly funded, community-led services to meet the economic, wellness, and social needs of systems-impacted families and their communities at-scale. This framework requires policymakers to entirely relocate the oversight and management of reentry systems from correctional agencies to anti-carceral, care-based support systems that do not have the power to arrest, surveil, or incarcerate. Community repair is a policy framework that not only seeks to meet the basic needs of systems-impacted families but is also a framework that calls for large-scale public investments to repair histories of systemic divestment and mass criminalization at the community level as well. This framework acknowledges that mass incarceration is a human rights crisis driven by intentional, racist, political choices over decades. Accordingly, communities harmed by structural violence are owed structural redress. Community repair encompasses multiple modes of redress, including carceral debt jubilees and direct cash transfers to individuals and families impacted by incarceration and supervision.

Community repair offers a more promising, sustainable, and effective approach to public safety. It also recognizes our collective obligation to seek atonement and reconciliation with those whose lives have been devastated by state-sanctioned, racialized, carceral punishment. Critically, this framework builds upon longstanding advocacy, organizing, research, and academic literature that explores themes of reparative justice in the context of contemporary racial injustices. At its core, community repair rests upon the idea that the most effective approach to building durable public safety is through correcting histories of racial injustice and equipping communities with the resources to care for one another.<sup>89</sup>

## RECOMMENDATIONS FOR SYSTEMS TRANSFORMATION THROUGH COMMUNITY REPAIR



This second set of recommendations stems from our conversations with stakeholders and offers a more transformative approach aligned with the aspirations of community repair.

- Relocate Reentry Services to Community-Based Organizations & Non-Punitive Social Services.** Community supervision is a crucial driver of mass incarceration - an outcome intrinsically connected to the role of corrections agencies as law enforcement entities that surveil, punish, and incarcerate.<sup>90</sup> Relocating reentry services to community-based organizations and non-punitive social services recognizes that the most effective interventions to reduce recidivism and build durable public safety require meeting the basic needs of systems-impacted individuals and their families.<sup>91</sup> In most jurisdictions, this strategy will require legislative reform and significant expansion of public investments into local organizations and services. And this relocation of services builds on growing support from researchers, activists, advocates, and policymakers that the carceral reentry model needs to be revisited and ended.<sup>92</sup> Despite the political headwinds such ideas may encounter at the state level, relocating reentry is a necessary step in affirming the human dignity of systems-impacted families, ending mass supervision, and repairing the structural harms these systems have imposed on Black and brown communities.

“RELOCATING REENTRY SERVICES TO COMMUNITY-BASED ORGANIZATIONS AND NON-PUNITIVE SOCIAL SERVICES RECOGNIZES THAT THE MOST EFFECTIVE INTERVENTIONS TO REDUCE RECIDIVISM AND BUILD DURABLE PUBLIC SAFETY REQUIRE MEETING THE BASIC NEEDS OF SYSTEMS-IMPACTED INDIVIDUALS AND THEIR FAMILIES.”

- **Enact Subsidized Employment Programs for Systems-Impacted Individuals.** Subsidized employment programs offer paid opportunities for job seekers with criminal records to earn credentials and transition to full-time employment opportunities.<sup>93</sup> These programs use public funding to connect individuals who are unemployed to public sector job opportunities or offer wage subsidies to private employers. Subsidized employment strategies can be embedded into career pathway programs, including pre-apprenticeships, apprenticeships, transitional jobs, and other integrated education and training models.<sup>94</sup> Given the barriers that systems-impacted individuals encounter in the labor market, subsidized employment strategies offer a promising approach to connect individuals to critical financial supports while enabling them to obtain credentials that support long-term economic security. Many locally driven subsidized employment programs demonstrate the potential of subsidized employment to support successful reentry and economic outcomes for systems-impacted individuals.<sup>95</sup> State lawmakers should leverage public investments to build subsidized employment programs to match the scale of need within their states.
- **Eliminate Court Debt and Enact a Carceral Debt Jubilee.** More broadly, court-imposed legal financial obligations (LFOs) drive economic insecurity for systems-impacted communities.<sup>96</sup> Outstanding court debt is a barrier to obtaining state identification (i.e., driver’s licenses and ID cards) and a prerequisite for various employment and housing opportunities.<sup>97</sup> Outstanding LFOs also complicate voting rights restoration in many states, including Arizona, Oklahoma, and Wisconsin - a practice that leaves nearly 1 in 16 Black voters disenfranchised nationwide.<sup>98</sup> Further, paying off court debt in some states is a condition of parole. As a result, the inability to pay LFOs may be treated as a technical violation leading to cycles of wealth-based incarceration.<sup>99</sup> State and local court debt collection schemes have come under legal scrutiny across the country and in states like Oklahoma.<sup>100</sup> Legal advocates have argued that many of these systems are in tension with constitutional due process principles articulated in cases such as *Bearden v. Georgia*.<sup>101</sup> Historically, reforms to these practices have focused on improving fairness in debt collection practices by implementing more robust procedural safeguards, offering income-driven repayment plans, and promoting community service alternatives, among other approaches.<sup>102</sup> However, our stakeholder conversations clarified that these efforts do not reach far enough. As opposed to improving predatory collection schemes, the lodestar for systems transformation should be the elimination of legal financial obligations altogether. LFOs do not support successful reentry outcomes, nor do they improve public safety or expand public investments into systems-impacted communities. Instead, LFOs extract wealth from systems-impacted communities to fund the criminal legal system.<sup>103</sup> Given

these considerations, lawmakers should pursue legislative reforms that end the imposition of LFOs as conditions of community supervision.

Further, policymakers should pursue universal carceral debt relief programs for individuals under community supervision. As previously mentioned, movement groups representing people living in poverty have organized carceral debt jubilees—the periodic, unconditional forgiveness of outstanding LFOs for systems-impacted individuals.<sup>104</sup> Lawmakers and policymakers can turn to those civil society-led efforts to model effective policy reforms at scale.

- **Pilot Direct Cash Benefit Programs to Systems-Impacted Families.** States should expand upon models like the Center for Employment Opportunities’ Returning Citizen Stimulus, which offered an average of \$2,750 of direct cash transfers to over 10,000 individuals returning from prison during the COVID-19 pandemic for a period of up to 3 months.<sup>105</sup> Funding was conditioned upon participation in employment-related activities such as resume writing. An evaluation of the program found that most participants described using their funding to access transportation, housing, food, clothing, medical care, and other basic needs for themselves and their families. The evaluation also revealed that nearly two-thirds of participants achieved employment-related milestones. State policymakers should consider developing publicly financed models that build upon the Returning Citizens Stimulus, addressing the needs of both systems-impacted individuals and their families. These efforts should also explore policy opportunities to address the multigenerational consequences of community supervision, especially for children with systems-impacted caregivers.
- **Develop Protected Class Status for Formerly Incarcerated People.** In recent years, there have been increases in the number of antidiscrimination legal protections for individuals with criminal records. At least 37 states and over 150 cities have adopted “ban the box” protections.<sup>106</sup> Similarly, at least seven states have passed “Clean Slate” laws that automatically expunge criminal records data. This initiative facilitates access to housing, employment, and professional licensing, among other basic needs, by removing data that could otherwise be evaluated in various screening processes.<sup>107</sup> These promising initiatives have led to critical victories for systems-impacted families. However, the need to think more expansively about creating comprehensive antidiscrimination legal protections for systems-impacted people and others with criminal records emerged from our stakeholder conversations. To that end, state and local lawmakers should pass legislation conferring general protected class status for formerly incarcerated people and individuals with criminal records.

A longstanding body of research informs this recommendation.<sup>108</sup> Existing antidiscrimination law includes many protected characteristics, including race, ethnicity, gender, and disability status. Many state and local jurisdictions have expanded upon these traditional categories to form new classes, including sexual orientation, source of income, and family status. Our nation is rife with deeply entrenched patterns of discrimination against systems-impacted individuals across contexts such as housing, voting, employment, public benefits, public accommodations, etc.<sup>109</sup> As such, enacting policies creating general protected class status better positions systems-impacted individuals to confront the range of discriminatory barriers

that either intentionally discriminate against them or otherwise result in disparate impact. Critically, the development of protected class status should be coupled with civil legal representation under a *Gideon*-like program for people under supervision. A particularly innovative idea that emerged from our stakeholder conversation was to create services that pair civil legal attorneys within reentry care teams to help individuals navigate the reentry process and ensure they can access every social service and benefit they are legally entitled to without the fear of discrimination.

## CONCLUSION

The United States needs a new paradigm to repair the harms of mass supervision. For decades, a political addiction to punishment has spawned a system of community supervision that sustains itself by criminalizing the poverty and vulnerability it helps create. But a different future is possible. Our stakeholders invited us to imagine a healing-centered paradigm for reentry that recognizes the need for the state to repair the deep wounds it has inflicted on its people for over half of a century. Promising ideas for transforming community supervision systems are beginning to sprout across the country—ideas that would have been summarily dismissed decades ago. And as we have seen with the COVID-19 pandemic, circumstances beyond our control can necessitate previously unthinkable changes. Today, mass supervision remains an urgent political challenge threatening to entrench America’s current system of racialized human bondage. However, just as we acknowledge the radical possibilities of second chances when offered to individuals, the same must remain true for our public institutions.

## ACKNOWLEDGMENTS

This work was made possible by the generous support of Arnold Ventures. The authors would like to thank the following CLASP staff: Deanie Anyangwe, policy analyst; J. Geiman, policy analyst; Nia West-Bey, youth team director; Melissa Young, consultant, and Tom Salyers, communications director, for their editorial review. Special thanks to Sivan Sherriffe, communications associate, for the report design. Most importantly, the authors would like to thank our partners in Arizona, Wisconsin, Oklahoma, and around the country for their expertise and insights that shaped this report.

## ENDNOTES

<sup>1</sup> Richard Kluckow and Zhen Zheng, “Correctional Populations in the United States, 2020—Statistical Tables, Bureau of Justice Statistics,” 2022, <https://bjs.ojp.gov/library/publications/correctional-populations-united-states-2020-statistical-tables>; Danielle Kaeble, “Probation and Parole in the United States, 2020,” Bureau of Justice Statistics, 2021, <https://bjs.ojp.gov/library/publications/probation-and-parole-united-states-2020>.

<sup>2</sup> Michelle Alexander, *The New Jim Crow*, 2010; Whitney Bens, “American Slavery Revisited,” *The Atlantic*, 2015, <https://www.theatlantic.com/business/archive/2015/09/prison-labor-in-america/406177/>.

<sup>3</sup> Khalil Gibran Muhammad, “The Foundational Lawlessness of the Law Itself: Racial Criminalization & the Punitive Roots of Punishment in America,” *Daedalus*, 2022, <https://www.amacad.org/publication/foundational-lawlessness-racial-criminalization-punitive-roots-punishment>; Bruce Western, Sukyi McMahon, “Violence, Criminalization & Punitive Excess,” *Daedalus*, 2022,

<https://direct.mit.edu/daed/article/151/1/6/108858/Violence-Criminalization-amp-Punitive-Excess>.

<sup>4</sup> Bridget O’Brian, “Justice Lab’s Vincent Schiraldi Proposes Reforms to Probation, Parole,” *Columbia News*, 2018, <https://news.columbia.edu/news/justice-labs-vincent-schiraldi-proposes-reforms-probation-parole>.

<sup>5</sup> Throughout this report we principally use the term “systems-impacted people” in reference to individuals subject to community supervision. Recognizing that many people under community supervision - especially people on probation - may have never been incarcerated. See e.g., “Underground Scholars Language Guide,” Berkeley Underground Scholars, 2022, <https://undergroundscholars.berkeley.edu/blog/2019/3/6/language-guide-for-communicating-about-those-involved-in-the-carceral-system>; Briana Hammons, “Tip of the Iceberg: How Much Criminal Justice Debt Does the U.S. Really Have?,” *Fines and Fees Justice Center*, 2021, [https://finesandfeesjusticecenter.org/content/uploads/2021/04/Tip-of-the-Iceberg\\_Criminal\\_Justice\\_Debt\\_BH1.pdf](https://finesandfeesjusticecenter.org/content/uploads/2021/04/Tip-of-the-Iceberg_Criminal_Justice_Debt_BH1.pdf).

<sup>6</sup> Daniel Nichanian, “Criminal Justice Reform in the States: Spotlight on Legislatures, The Appeal, June 2021, <https://theappeal.org/political-report/legislative-round-up/>; Reuben Jonathan Miller and Forrest Stuart, “Carceral Citizenship: Race, Rights and Responsibility in the Age of Mass Supervision,” *Theoretical Criminology*, 2017, <https://journals.sagepub.com/doi/abs/10.1177/1362480617731203>.

<sup>7</sup> Sandra Susan Smith, Elena Sokoloski, and Isabella Jorgensen, “Racial Disparities in Community Supervision and Reentry: The Massachusetts Case,” *Malcom Wiener Center for Social Policy*, 2022, <https://www.hks.harvard.edu/sites/default/files/centers/wiener/programs/pcj/files/Racial-Disparities-in-Community-Supervision-and-Reentry.pdf>.

<sup>8</sup> Danielle Kaeble, “Probation and Parole in the United States, 2020,” Bureau of Justice Statistics, 2021, <https://bjs.ojp.gov/library/publications/probation-and-parole-united-states-2020>.

<sup>9</sup> *Id.*; Mental Health: Policies and Practices Surrounding Mental Health, Prison Policy Initiative, [https://www.prisonpolicy.org/research/mental\\_health/](https://www.prisonpolicy.org/research/mental_health/); Rebecca Vallas, “Disabled Behind Bars: The Mass Incarceration of People With Disabilities in America’s Jails and Prisons,” *Center for American Progress*, 2016, <https://www.americanprogress.org/article/disabled-behind-bars/>; Roxanne Daniel, “Since you asked: What data exists about Native American people in the criminal justice system?” *Prison Policy Initiative*, 2020, <https://www.prisonpolicy.org/blog/2020/04/22/native/>.

<sup>10</sup> *Id.*

<sup>11</sup> Elizabeth Hinton, *America on Fire*, 2021; Michelle Alexander, *The New Jim Crow*, 2010.

<sup>12</sup> *Id.*

<sup>13</sup> Peggy McGarry, “Probation and Parole as Punishment,” *Brennan Center*, 2021, <https://www.brennancenter.org/our-work/analysis-opinion/probation-and-parole-punishment>.

<sup>14</sup> Ruth Wilson Gilmore, “Organized Abandonment and Organized Violence: Devolution and the Police,” *The Humanities Institute*, 2015, <https://thi.ucsc.edu/event/ruth-wilson-gilmore-2/>; Ruth Wilson Gilmore, *Golden Gulag Prisons, Surplus, Crisis, and Opposition in Globalizing California*, 2007.

<sup>15</sup> *Id.*

<sup>16</sup> “Collateral Consequences: The Crossroads of Punishment, Redemption, and the Effects on Communities,” U.S. Commission on Civil Rights, 2019, <https://www.usccr.gov/files/pubs/2019/06-13-Collateral->

**Consequences.pdf.**

<sup>17</sup> Rebecca Vallas, Sharon Dietrich, and Beth Avery, “A Criminal Record Shouldn’t Be a Life Sentence to Poverty,” Center for American Progress, 2021, <https://www.americanprogress.org/article/criminal-record-shouldnt-life-sentence-poverty-2/>.

<sup>18</sup> Leah Wang and Wanda Bertram, “New data on formerly incarcerated people’s employment reveal labor market injustices,” Prison Policy Initiative, 2022, <https://www.prisonpolicy.org/blog/2022/02/08/employment/>.

<sup>19</sup> “Defendants Driven into Debt by Fees for Ankle Monitors from Private Companies,” Equal Justice Initiative, 2019, <https://eji.org/news/defendants-driven-into-debt-by-fees-for-ankle-monitors/>.

<sup>20</sup> Terry-Ann Craigie, Ames Grawert, and Cameron Kimble, “Conviction, Imprisonment, and Lost Earnings: How Involvement with the Criminal Justice System Deepens Inequality,” Brennan Center for Justice, 2020, [https://www.brennancenter.org/sites/default/files/2020-09/EconomicImpactReport\\_pdf.pdf](https://www.brennancenter.org/sites/default/files/2020-09/EconomicImpactReport_pdf.pdf).

<sup>21</sup> *Id.*

<sup>22</sup> Who Pays?: The True Cost of Incarceration on Families, Ella Baker Center for Human Rights, 2015, <http://whopaysreport.org/key-findings/>.

<sup>23</sup> Kim Eckart, “Multi-state study of monetary sanctions finds widespread inequities, far-reaching consequences,” UW News, 2022, <https://www.washington.edu/news/2022/03/02/multi-state-study-of-monetary-sanctions-finds-widespread-inequities-far-reaching-consequences/>; Kate K. O’Neil, Ian Kennedy, and Alexes Harris, “Debtors’ Blocks: How Monetary Sanctions Make Between-neighborhood Racial and Economic Inequalities Worse,” *Sociology of Race and Ethnicity*, 2021, <https://journals.sagepub.com/doi/10.1177/23326492211057817>.

<sup>24</sup> *Id.*, Robert Stewart et. al., “Native Americans and Monetary Sanctions,” *The Russell Sage Foundation Journal of the Social Science*, 2022, <https://www.rsjournal.org/content/8/2/137>.

<sup>25</sup> Allison Frankel et.al., “Revoked: How Probation and Parole Feed Mass Incarceration in the United States,” Human Rights Watch, 2020, <https://www.hrw.org/report/2020/07/31/revoked/how-probation-and-parole-feed-mass-incarceration-united-states>.

<sup>26</sup> “Confined and Costly: How Supervision Violations Are Filling Prisons and Burdening Budgets,” The Council of State Government Justice Center, 2019, <https://csgjusticecenter.org/wp-content/uploads/2020/01/confined-and-costly.pdf>.

<sup>27</sup> *Id.*

<sup>28</sup> *Id.*

<sup>29</sup> Jarred Williams, Vincent Schiraldi, and Kendra Bradner, “The Wisconsin Community Corrections Story,” Columbia University Justice Lab, 2019, <https://justicelab.columbia.edu/sites/default/files/content/Wisconsin%20Community%20Corrections%20Story%20final%20online%20copy.pdf>.

<sup>30</sup> *Id.*

<sup>31</sup> *Id.*

<sup>32</sup> *Id.*

<sup>33</sup> *Id.*

<sup>34</sup> Who Pays?: The True Cost of Incarceration on Families, Ella Baker Center for Human Rights, 2015, <http://whopaysreport.org/key-findings/>.

<sup>35</sup> “Children of Incarcerated Parents,” Youth.Gov, 2022, <https://youth.gov/youth-topics/children-of-incarcerated-parents>; Eli Hager, “For Men in Prison, Child Support Becomes a Crushing Debt,” The Marshall Project, 2015, <https://www.themarshallproject.org/2015/10/18/for-men-in-prison-child-support-becomes-a-crushing-debt>.

<sup>36</sup> Lynne Haney, “Incarcerated Fatherhood: The Entanglements of Child Support Debt and Mass Imprisonment,” *American Journal of Sociology*, 2018, <https://www.journals.uchicago.edu/doi/full/10.1086/697580>; Eli Hager & Anna Flagg, “How Incarcerated Parents Are Losing Their Children Forever,” The Marshall Project, 2018, <https://www.themarshallproject.org/2018/12/03/how-incarcerated-parents-are-losing-their-children-forever>.

<sup>37</sup> Beth Avery and Han Lu, “Ban the Box: U.S. Cities, Counties, and States Adopt Fair Housing Policies,” National Employment Law Center, 2022, <https://www.nelp.org/publication/ban-the-box-fair-chance-hiring-state->

**and-local-guide/.**

<sup>38</sup> Laura M. Maruscha, Jennifer Bronson, and Mariel Alper, “Disabilities Reported by Prisoners: Survey of Prison Inmates, 2016,” Bureau of Justice Statistics, 2021, <https://bjs.ojp.gov/library/publications/disabilities-reported-prisoners-survey-prison-inmates-2016>.

<sup>39</sup> Liat Ben-Moshe, *Decarcerating Disability*, 2020, [https://www.upress.umn.edu/book-division/images/other-images/9781452963495\\_intro.pdf](https://www.upress.umn.edu/book-division/images/other-images/9781452963495_intro.pdf); “Access to Justice: A Cross-Disability Perspective on Reducing Jail Incarceration,” Access Living, 2019, <https://www.accessliving.org/access-to-justice-a-cross-disability-perspective-on-reducing-jail-incarceration/background-access-to-justice/>.

<sup>40</sup> Bridget O’Brian, “Justice Lab’s Vincent Schiraldi Proposes Reforms to Probation, Parole,” Columbia News, 2018, <https://news.columbia.edu/news/justice-labs-vincent-schiraldi-proposes-reforms-probation-parole>.

<sup>41</sup> “Too big to succeed: The impact of growth of community corrections and what should be done about it,” Columbia University Justice Lab, 2018, <https://justicelab.columbia.edu/too-big-to-succeed>.

<sup>42</sup> “Conditions of Supervision and Release,” Arizona Department of Corrections, 2022, [https://corrections.az.gov/sites/default/files/1002-3\\_2.pdf](https://corrections.az.gov/sites/default/files/1002-3_2.pdf).

<sup>43</sup> Wis. Admin. Code § DOC 328.04 (3).

<sup>44</sup> “Confined and Costly: How Supervision Violations Are Filling Prisons and Burdening Budgets,” The Council of State Government Justice Center, 2019, <https://csgjusticecenter.org/wp-content/uploads/2020/01/confined-and-costly.pdf>.

<sup>45</sup> “Defendants Driven into Debt by Fees for Ankle Monitors from Private Companies,” Equal Justice Initiative, 2019, <https://eji.org/news/defendants-driven-into-debt-by-fees-for-ankle-monitors/>.

<sup>46</sup> State-by-State Court Fees, NPR, 2014, <https://www.npr.org/2014/05/19/312455680/state-by-state-court-fees>.

<sup>47</sup> Street-level Surveillance, EFF, 2022, <https://www.eff.org/pages/electronic-monitoring>.

<sup>48</sup> Briana Hammons, “Tip of the Iceberg: How Much Criminal Justice Debt Does the U.S. Really Have?,” Fines and Fees Justice Center, 2021, [https://finesandfeesjusticecenter.org/content/uploads/2021/04/Tip-of-the-Iceberg\\_Criminal\\_Justice\\_Debt\\_BH1.pdf](https://finesandfeesjusticecenter.org/content/uploads/2021/04/Tip-of-the-Iceberg_Criminal_Justice_Debt_BH1.pdf).

<sup>49</sup> *Id.*

<sup>50</sup> Beth Schwartzapfel, Arizona Privatized Prison Health Care to Save Money. But at What Cost?, The Marshall Project, 2021, <https://www.themarshallproject.org/2021/10/31/arizona-privatized-prison-health-care-to-save-money-but-at-what-cost>.

<sup>51</sup> The most significant criminal justice policy changes from the COVID-19 pandemic, Prison Policy Initiative, 2022, <https://www.prisonpolicy.org/virus/virusresponse.html>.

<sup>52</sup> Arizona, FAMM, 2022, <https://famm.org/our-work/states-where-we-are-working/arizona/#:~:text=Earned%20release%20credit%20reform%3A,was%20passed%20and%20became%20law>.

<sup>53</sup> *Id.*

<sup>54</sup> Jeremy Duda, “House again passes sentencing reform bill, which faces unknown fate in Senate” AZ Mirror, 2021, <https://www.azmirror.com/2021/06/28/house-again-passes-sentencing-reform-bill-which-faces-unknown-fate-in-senate/>; Truth In Sentencing, Arizona State Senate, 2018, <https://www.azleg.gov/Briefs/Senate/TRUTH%20IN%20SENTENCING%202018.pdf>.

<sup>55</sup> Kelley Roberts Freeman et. al., “Reducing Probation Revocations in Pima County, Arizona,” Urban Institute, 2021, <https://www.urban.org/sites/default/files/publication/104593/reducing-probation-revocations-in-pima-county-arizona.pdf>.

<sup>56</sup> S. 1310, 45<sup>th</sup> Leg. Sess., Reg. Sess. (Az. 2019).

<sup>57</sup> *Id.*

<sup>58</sup> *Id.*

<sup>59</sup> *Id.*

<sup>60</sup> Frequently Asked Questions about Maricopa Reentry Center, Arizona Department of Corrections, Rehabilitation & Reentry, 2022, <https://corrections.az.gov/about/directors-office/media-relations/frequently-asked-questions-about-maricopa-reentry-center>.

<sup>61</sup> Oklahoma Legislative Successes, Oklahomans for Criminal Justice Reform, 2022,



<https://okjusticereform.org/2022/06/2022-legislative-successes/>.

<sup>62</sup> *Id.*

<sup>63</sup> 22 OK Stat. § 22-18 (2021).

<sup>64</sup> *Id.*

<sup>65</sup> Clean Slate, Center for American Progress, 2022, <https://www.americanprogress.org/topic/clean-slate/>.

<sup>66</sup> David Gateley, “The legislature made important steps forward on criminal justice this session. More remains to be done,” OKPolicy.org, 2022, <https://okpolicy.org/the-legislature-made-important-steps-forward-on-criminal-justice-this-session-more-remains-to-be-done/>.

<sup>67</sup> 57 OK Stat § 57-332.7 (2016).

<sup>68</sup> Confined and Costly: How Supervision Violations Are Filling Prisons and Burdening Budgets,” The Council of State Government Justice Center, 2019, <https://csgjusticecenter.org/wp-content/uploads/2020/01/confined-and-costly.pdf>.

<sup>69</sup> S.B. 78, 2021-22 Leg. Session, (Wi. 2021).

<sup>70</sup> Corrections Reform, Wisconsin Department of Corrections, 2022,

<https://doc.wi.gov/Pages/AboutDOC/StrategicPriorities/CorrectionsReform.aspx>.

<sup>71</sup> *Id.*

<sup>72</sup> Kelley Roberts Freeman et. al., “Reducing Probation Revocations in Pima County, Arizona,” Urban Institute, 2021, <https://www.urban.org/sites/default/files/publication/104593/reducing-probation-revocations-in-pima-county-arizona.pdf>.

<sup>73</sup> *Id.*

<sup>74</sup> “Crimeless Revocations in Wisconsin,” ACLU Wisconsin, 2019, [https://www.aclu-wi.org/sites/default/files/field\\_documents/crimeless\\_revocation\\_in\\_wisconsin.pdf](https://www.aclu-wi.org/sites/default/files/field_documents/crimeless_revocation_in_wisconsin.pdf).

<sup>75</sup> *Id.*, “The Abuse of Revocation in Wisconsin,” Restore Our Communities, 2015,

<http://www.rocwisconsin.org/wp-content/uploads/2015/10/The-Abuse-of-Revocation-In-Wisconsin.pdf>.

<sup>76</sup> Street-level Surveillance, EFF, 2022 <https://www.eff.org/pages/electronic-monitoring>; Olivia Solon, “Digital shackles: the unexpected cruelty of ankle monitors,” The Guardian, 2018,

<https://www.theguardian.com/technology/2018/aug/28/digital-shackles-the-unexpected-cruelty-of-ankle-monitors>;

No More Ankle Monitors: Why We Must End the Use of Electronic Monitors for People on

Parole, Media Justice, 2018, <https://mediajustice.org/resource/no-more-shackles-report/>;

Policy Reforms that Can Strengthen Community Supervision, Pew, 2020, <https://www.pewtrusts.org/en/research-and-analysis/reports/2020/04/policy-reforms-can-strengthen-community-supervision>.

<sup>77</sup> Elizabeth Hinton, *America On Fire*, 2021; Michelle Alexander, *The New Jim Crow*, 2010.

<sup>78</sup> Jeffrey D. Morenoff and David J. Harding, “Final Technical Report: Neighborhoods, Recidivism, and

Employment Among Returning Prisoners,” U.S. Department of Justice, 2011,

<https://www.ojp.gov/pdffiles1/nij/grants/236436.pdf>.

<sup>79</sup> Ruth Wilson Gilmore and Azzurra Crispino, “The Case for Prison Abolition: Ruth Wilson Gilmore on COVID-19, Racial Capitalism & Decarceration,” Democracy Now, 2020,

[https://www.democracynow.org/2020/5/5/ruth\\_wilson\\_gilmore\\_abolition\\_coronavirus](https://www.democracynow.org/2020/5/5/ruth_wilson_gilmore_abolition_coronavirus).

<sup>80</sup> Debt Abolition, Debt Collective, 2022, <https://debtcollective.org/what-we-do/debt-abolition/>.

<sup>81</sup> Returning Citizens Stimulus, Center for Employment Opportunities, 2022, <https://ceoworks.org/rcs>.

<sup>82</sup> Lee Sanderlin, “‘Being poor is not a crime’: Mississippi residents among 20,000 to get probation debt erased,” Clarion Ledger, 2021, <https://www.clarionledger.com/story/news/politics/2021/10/29/rolling-jubilee-fund-debt-collective-pay-off-private-probation-debt-mississippi-florida/6180764001/>.

<sup>83</sup> Beth Avery and Han Lu, “Ban the Box: U.S. Cities, Counties, and States Adopt Fair Housing Policies,” National Employment Law Center, 2022, <https://www.nelp.org/publication/ban-the-box-fair-chance-hiring-state-and-local-guide/>.

<sup>84</sup> *Id.*

<sup>85</sup> A Vision for Black Lives: Policy Demands for Black Power, Freedom, & Justice, Movement 4 Black Lives, 2020, <https://m4bl.org/wp-content/uploads/2020/05/Jobs-Program-Policy-Brief.pdf>.

<sup>86</sup> Kimberly White et. al., “Ending Legal Bias Against Formerly Incarcerated People,” haas institute, 2019,

[https://escholarship.org/content/qt5r22z75t/qt5r22z75t\\_noSplash\\_85baf0dd0835cad764b414906737ca](https://escholarship.org/content/qt5r22z75t/qt5r22z75t_noSplash_85baf0dd0835cad764b414906737ca)

[0a.pdf?t=qc3180](#).

<sup>87</sup> Right to Counsel, New York City Mayor’s Public Engagement Office, 2022,

<https://www1.nyc.gov/site/mayorspeu/resources/right-to-counsel.page>.

<sup>88</sup> International Center for Transitional Justice, 2022, <https://www.ictj.org/>; National African-American Reparations Commission, 2022, <https://reparationscomm.org/>; Reparations Now Toolkit, Movement 4 Black Lives, 2021, <https://m4bl.org/wp-content/uploads/2021/06/Reparations-Now-Toolkit-FINAL.pdf>; Reparation, racial justice and equality: Report, United Nations Human Rights Office of the High Commissioner, 2019, <https://www.ohchr.org/en/special-procedures/sr-racism/reparation-racial-justice-and-equality-report>;

UN experts urge US to address legacies of the past, police impunity and ‘crisis of racial injustice’, United Nations, 2016, <https://news.un.org/en/story/2016/01/521182-un-experts-urge-us-address-legacies-past-police-impunity-and-crisis-racial>; We Charge Genocide, <http://wechargegenocide.org/>.

<sup>89</sup> Kisha Bird et. al., “Realizing Youth Justice: Advancing Education and Employment,” Center for Law and Social Policy, 2016, <https://www.clasp.org/wp-content/uploads/2022/01/CLASP-Realizing-Youth-Justice-Final-June-20-2016.pdf>; Duy Pham, Kayla Tawa, and Kisha Bird, “Divest from Policing and Mass Incarceration and Invest in Communities,” Center For Law and Social Policy, 2020,

<https://www.clasp.org/publications/report/brief/divest-policing-and-mass-incarceration-invest-communities-and-families/>; Jennifer Doleac and Anne Harvey, “Stemming Violence by Investing in Civic Goods,” Vital City, 2022, <https://www.vitalcitynyc.org/articles/stemming-violence-investing-in-civic-goods>; Darmon Petrich et. al., “Custodial Sanctions and Reoffending: A Meta-Analytic Review,” Crime & Justice: A Review of Research, 2021, <https://www.journals.uchicago.edu/doi/abs/10.1086/715100?journalCode=cj>; Charles E. Loeffler and Daniel S. Nagin, “The Impact of Incarceration on Recidivism,” Annual Review of Criminology, 2022, <https://www.annualreviews.org/doi/abs/10.1146/annurev-criminol-030920-112506>; Marc Mauer and Nazgol Ghandnoosh, “Fewer Prisoners, Less Crime: A Tale of Three States,” Sentencing Project, 2014,

<https://www.sentencingproject.org/publications/fewer-prisoners-less-crime-a-tale-of-three-states/>; David Harding et. al., “Short- and long-term effects of imprisonment on future felony convictions and prison admissions,” 2017, <https://pubmed.ncbi.nlm.nih.gov/28973924/>; Eric Reinhart, “How Mass Incarceration Makes Us All Sick,” Health Affairs, 2021, <https://www.healthaffairs.org/doi/10.1377/forefront.20210526.678786/full/>; Eerkmen Aslin et. al., “The Effect of Public Health Insurance on Criminal Recidivism,” Journal of Policy Analysis and Management, 2021, <https://onlinelibrary.wiley.com/doi/epdf/10.1002/pam.22345>; Elisa Jácom, “Mental Health and Criminal Involvement: Evidence from Losing Medicaid Eligibility,” Stanford Institute for Economic Policy Research, 2022, [https://elisajacome.github.io/Jacome/Jacome\\_JMP.pdf](https://elisajacome.github.io/Jacome/Jacome_JMP.pdf); Sarah Heller, “Summer jobs reduce violence among disadvantaged youth,” Science, 2014, <https://www.science.org/doi/10.1126/science.1257809>.

<sup>90</sup> Probation and Parole are Driving Mass Incarceration, Equal Justice Initiative, 2020,

<https://eji.org/news/probation-and-parole-driving-mass-incarceration/>.

<sup>91</sup> What Works in Reentry Clearinghouse, Urban Institute, 2022, <https://www.urban.org/policy-centers/justice-policy-center/projects/what-works-reentry-clearinghouse-0>; Evidence-Based Practices, National Institute of Corrections, 2022, <https://nicic.gov/projects/evidence-based-practices-ebp>; Grant Duwe & Makada Henry-Nickie, “A better path forward for criminal justice: Training and employment for correctional populations,” Brookings Institute, 2021, <https://www.brookings.edu/research/a-better-path-forward-for-criminal-justice-training-and-employment-for-correctional-populations/#:~:text=Employment%20Programming&text=as%20work%20release,-Having%20a%20job%20however%20has%20been%20shown%20to%20reduce%20recidivism,is%20at%20best%20minimal>;

Stephen Tripodi, Johnny Kim, and Kimberly Bender, “Is Employment Associated With Reduced Recidivism?,” International Journal of Offender Therapy and Comparative Criminology, 2009, [https://www.researchgate.net/publication/26701424\\_Is\\_Employment\\_Associated\\_With\\_Reduced\\_Recidivism](https://www.researchgate.net/publication/26701424_Is_Employment_Associated_With_Reduced_Recidivism); Anke Ramakers, “Not Just Any Job Will Do: A Study on Employment Characteristics and Recidivism Risks After Release,” International Journal of Offender Therapy and Comparative Criminology, 2016, <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC5669259/>.

<sup>92</sup> Jeremy Travis and Bruce Western, “Beyond the Era of Punitive Excess,” Brennan Center for Justice, 2022,

<https://www.brennancenter.org/our-work/analysis-opinion/beyond-era-punitive-excess>; Renée Brown,

“Punishment’s Twin’: Theorizing Prisoner Reentry as a Form of Abolition,” *Social Justice*, 2016, [https://www.jstor.org/stable/pdf/24871298.pdf?refreqid=excelsior%3Af2044bc7dcd5f1223bb59eb1d0574e70&ab\\_segments=&origin=&acceptTC=1](https://www.jstor.org/stable/pdf/24871298.pdf?refreqid=excelsior%3Af2044bc7dcd5f1223bb59eb1d0574e70&ab_segments=&origin=&acceptTC=1).

<sup>93</sup> Duy Pham and Melissa Young, “Subsidized Jobs: Youth and young adults impacted by the criminal legal system,” Center for Law and Social Policy, 2021,

<https://www.clasp.org/publications/report/brief/subsidized-jobs-youth-and-adults-impacted-criminal-legal-system/>.

<sup>94</sup> *Id.*

<sup>95</sup> *Id.*

<sup>96</sup> Alexes Harris, Mary Patillo, and Bryan Sykes, “Studying the System of Monetary Sanctions,” *The Russell Sage Foundation Journal of the Social Sciences*, 2022, <https://www.rsjournal.org/content/8/2/1>; Kate K. O’Neill, Alexes Harris, and Ian Kennedy, “Lift the burden of legal fines and fees,” *Seattle Times*, 2022,

<https://www.seattletimes.com/opinion/lift-the-burden-of-legal-fines-and-fees/>; Devah Pager et. al., “Criminalizing Poverty: The Consequences of Court Fees in a Randomized Experiment,” *American Sociological Association*, 2022,

<https://justicelab.columbia.edu/sites/default/files/content/Criminalizing%20Poverty.pdf>.

<sup>97</sup> Joni Hirsch and Priya Sarathy Jones, “Driver’s License Suspension for Unpaid Fines and Fees: The Movement for Reform,” *University of Michigan Journal of Law Reform*, 2021,

<https://finesandfeesjusticecenter.org/articles/drivers-license-suspension-for-unpaid-fines-and-fees-the-movement-for-reform/>.

<sup>98</sup> Felony Disenfranchisement Laws (Map), ACLU, 2022, <https://www.aclu.org/issues/voting-rights/voter-restoration/felony-disenfranchisement-laws-map>; Chris Uggen et. al., “Locked Out 2020: Estimates of People Denied Voting Rights Due to a Felony Conviction,” *Sentencing Project*, 2020,

<https://www.sentencingproject.org/publications/locked-out-2020-estimates-of-people-denied-voting-rights-due-to-a-felony-conviction/>; Amy Ciardiello, “Prohibiting the Punishment of Prohibiting the Punishment of Poverty: The Abolition of Wealth-Based Criminal Disenfranchisement,” *University of Michigan Journal of Law Reform*, 2021,

<https://repository.law.umich.edu/cgi/viewcontent.cgi?article=2537&context=mjlr>.

<sup>99</sup> Ebony Ruhland, “The Impact of Fees and Fines for Individuals on Probation and Parole,” *Robina Institute*, 2016, <https://robinainstitute.umn.edu/articles/impact-fees-and-fines-individuals-probation-and-parole>.

<sup>100</sup> *Graff v. Aberdeen Enterprises II*, No. 4:17-CV-606-CVE-JFJ, (D. N. Okla. 2018).

<sup>101</sup> Dear Colleague Letter, U.S. Department of Justice, 2016,

<https://www.courts.wa.gov/subsite/mjc/docs/DOJDearColleague.pdf>.

<sup>102</sup> Alicia Bannon, Mitali Nagrecha, Rebekah Diller, “Criminal Justice Debt: A Barrier to Reentry,” *Brennan Center for Justice*, 2010, <https://www.brennancenter.org/sites/default/files/legacy/Fees%20and%20Fines%20FINAL.pdf>.

<sup>103</sup> Alexes Harris, Mary Patillo, and Bryan Sykes, “Studying the System of Monetary Sanctions,” *The Russell Sage Foundation Journal of the Social Sciences*, 2022, <https://www.rsjournal.org/content/8/2/1>; Kate K. O’Neill, Alexes Harris, and Ian Kennedy, “Lift the burden of legal fines and fees,” *Seattle Times*, 2022,

<https://www.seattletimes.com/opinion/lift-the-burden-of-legal-fines-and-fees/>; “In for a Penny: The Rise of America’s New Debtors’ Prisons,” *ACLU*, 2010, [https://www.aclu.org/files/assets/InForAPenny\\_web.pdf](https://www.aclu.org/files/assets/InForAPenny_web.pdf);

Devah Pager et. al., “Criminalizing Poverty: The Consequences of Court Fees in a Randomized Experiment,” *American Sociological Association*, 2022,

<https://justicelab.columbia.edu/sites/default/files/content/Criminalizing%20Poverty.pdf>.

<sup>104</sup> Lee Sanderlin, “‘Being poor is not a crime’: Mississippi residents among 20,000 to get probation debt erased,” *Clarion Ledger*, 2021, <https://www.clarionledger.com/story/news/politics/2021/10/29/rolling-jubilee-fund-debt-collective-pay-off-private-probation-debt-mississippi-florida/6180764001/>.

<sup>105</sup> *Returning Citizens Stimulus*, Center for Employment Opportunities, 2022, <https://ceoworks.org/rcs>.

<sup>106</sup> Beth Avery and Han Lu, “Ban the Box: U.S. Cities, Counties, and States Adopt Fair Housing Policies,” *National Employment Law Center*, 2022, <https://www.nelp.org/publication/ban-the-box-fair-chance-hiring-state-and-local-guide/>.

<sup>107</sup> *Clean Slate Initiative*, 2022, <https://www.cleanslateinitiative.org/>.

<sup>108</sup> Kimberly White et. al., “Ending Legal Bias Against Formerly Incarcerated People,” Haas Institute, 2019, [https://escholarship.org/content/qt5r22z75t/qt5r22z75t\\_noSplash\\_85baf0dd0835cad764b414906737ca0a.pdf?t=qc3180](https://escholarship.org/content/qt5r22z75t/qt5r22z75t_noSplash_85baf0dd0835cad764b414906737ca0a.pdf?t=qc3180); White et. al., “Ending Legal Bias Against Formerly Incarcerated People,” Othering and Belonging Institute, 2019, <https://belonging.berkeley.edu/ending-legal-bias-against-formerly-incarcerated-people>.

<sup>109</sup> Angela Onwuachi-Willig and Ifeoma Ajunwa, “Combating Discrimination Against the Formerly Incarcerated in the Labor Market,” Boston University School of Law, 2018, [https://scholarship.law.bu.edu/cgi/viewcontent.cgi?article=1291&context=faculty\\_scholarship](https://scholarship.law.bu.edu/cgi/viewcontent.cgi?article=1291&context=faculty_scholarship).