POST-DETENTION SOCIO-PROFESSIONAL REINTEGRATION OF THE DETAINEE BETWEEN THE THEORY AND REALITY OF THE XXI CENTURY

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Abstract

In a constantly changing society, it is mandatory for state institutions and society to be actively involved in the (re) integration of persons released from prison. The non-adaptation of policies and programs for the integration of these people with the real needs they had coming out of the prison gate and also in the first month of freedom, can determine them to relapse and implicitly to increase the crime rate at the societal level. It is necessary that the programs are inspired by institutions and specialists from other states, such as those of the American, Spanish, German state, etc. to be adapted to the real needs of the liberated people, to the culture and values of the Romanian people. Each person is unique, that's why the person released from prison has certain needs to integrate into society again, and these needs are different from one person to another, depending on gender, religion, education, life experience, marital status, age, moral support provided by the family, support given by society the time they leave the penitentiary after serving the sentence, etc.

Keywords: community, marginalization, reintegration.

Résumé

Dans une société en changement continu, il est obligatoire que les institutions de l′état et la societé s′impliquent activement dans la réintégration des personnes libereés du pénitencier. L′inadaptation des politiques et des programmes destinés à l′intégration de ces personnes ayant des lesoins réels en quittant la prison et dans le premier mois de liberté peut les entraîner à récidiver et implicitement le taux de criminalité peut augmenter au niveau de la société. Il faut que les programmes d′autres états, tels l′état américain, espagnol, allemand etc. dont les institutions et les spécialistes s′inspirent soient adaptés aux lesoins réels des personnes libérées, à la culture et aux valeurs du peuple. Chaque personne est unique et automatiquement la personne libérée du pénitencier aussi a des lesoins de se réintégrer dans la société et ces lesoins sont diffèrènt d′une personne à l′autre en fonction du sexe, religion, èducation, expérience de vie, état civile, âge, soutien

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moral de la part de la famille, l'aide donne par la société au départ de la prison après l'exécution de la condamnation.

Mots-clés: communauté, marginalisation, réintégration.

Rezumat

Într-o societate în continuă schimbare este obligatoriu ca instituțiile statului și societatea să se implice activ în (re)integrarea persoanelor liberate din penitenciar. Neadaptarea politicilor și a programelor destinate integrării acestor persoane cu nevoile reale avute la ieșirea de pe poarta penitenciarului și în prima lună de libertate îi pot detemina să recidiveze și implicit să crească rata criminalității la nivel de societate. Este nevoie ca programele din care se inspiră instituțiile și specialiștii de la alte state, cum ar fi cele ale statului american, spaniol, german etc. să fie adaptate la adevăratele nevoi ale persoanelor liberate, la cultura și la valorile poporului. Fiecare persoană este unică și în mod automat și persoana liberată din penitenciar are anumite nevoi de a se integra iarăși în sociatate, iar aceste nevoi sunt diferite de la o persoană la alta, în funcție de gen, religie, educație, experiență de viață, stare civilă, vârstă, suportul moral oferit de familie, sprijinul dat de societate la părăsirea penitenciarului după executarea pedepsei etc.

Cuvinte cheie: comunitate, marginalizare, reintegrare.

1. Justification for choosing the research topic

In justifying the importance of this topic, I started from the definition of several concepts, such as persons deprived of liberty, social reintegration, social marginalization, educational program, psychological assistance, social assistance, in order to clarify the boundaries within which the study will be conducted.

The first concept is that of a person deprived of liberty, a concept that has received special attention from specialists which means "the person sanctioned with the educational measure of admission to an educational center or a detention center, people sentenced to imprisonment or life imprisonment, persons remanded in custody" (national strategy).

The second concept used in the study was the process of social reintegration which is given by "a succession of educational approaches, psychological assistance and social assistance, which aim at the social reintegration of persons deprived of liberty and which is carried out in two stages: the enforcement phase which starts at incarceration and takes place during the execution of the pre-trial measure/educational measure/custodial sentence and the post-enforcement stage starting from the date of parole or term release, and the beneficiaries are the persons released, identified with post-detention assistance needs and those who access the corresponding services at the community level" and whose success plays a rather important role in community life.

Social marginalization was the third concept that was approached in the study and what is the situation that a person experiences when he is not considered part of the community and, as defined by the National Strategy for the reintegration of people deprived of liberty is "the peripheral social position,

isolation of individuals or groups, with limited access to economic, political, educational and communication resources of the community (manifested by the absence of a minimum necessary living conditions, from the perspective of social needs)". At the community level, the processes of social marginalization are expressed in terms of rejection and consist in the lack of opportunities, as well as in inaccessibility to the goods and services existing in society.

Last but not least, an educational program, psychological assistance, social assistance is that „structured approach, consisting of all activities that use methods and techniques specific to each area of intervention, aimed at compensating for identified needs or risks, in the context of facilitating social reintegration of persons deprived of their liberty" (national strategy).

Between March 1-31, 2021, a number of 913 persons[1] were released from the penitentiary units subordinated to the National Administration of Penitentiaries. The released persons, involuntarily of their own free will, are in fact members of a vulnerable, marginalized group, since leaving the penitentiary. Returning to the free, real world, after a greater or lesser absence, they often feel like strangers. Reintegration should, through specific policies, help the person to avoid recidivism, have a properly paid job and be supported in order to reintegrate socio-professionally.

In order to understand a person who has just been released from prison, we will have to consider both the pyramid of needs (Maslow's pyramid) and the pyramid of desires (Szapiro's pyramid). The pyramid of needs (Maslow's pyramid) includes the fundamental needs of people (fig. 1) which consist in the psychological needs of security, belonging, esteem and self-fulfillment and valorization, and the liberated person has an acute need to be treated as a normal person. A need is a dissatisfaction, a lack of an essential need to live. Dissatisfaction or lack is expressed through sensations: hunger expresses the need to eat, fear expresses the need for security, etc., and if these needs are not met, they can block a person's life or development.
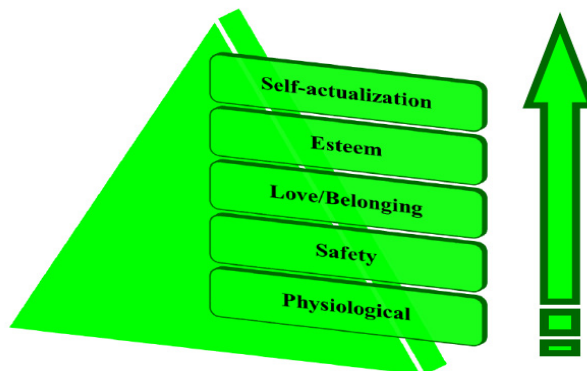
Maslow's Hierarchy of Needs

Fig. 1. Pyramid of Needs (Maslow's Pyramid)

Desire has its origin in the subconscious, and in the plane of the conscious it takes the form of an emotion regarding a non-vital necessity, something that can be very strong, but not essential for life. Housing, food etc. there are necessities, and going out to a restaurant, clothes, holidays, etc. there are desires. Gabriel Szapiro, marketing specialist, designed taking into account the profile of contemporary man, the pyramid of desires (fig.2).
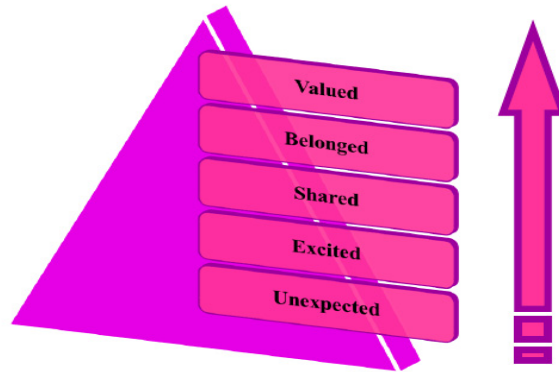

Fig. 2. The Pyramid of Wishes (Szapiro's Pyramid)

He started from the premise that the world has changed fundamentally in the modern age, that in the economic and social paradigm, consumption occupies a central place, experiences have diversified, the desire to "have" has grown exponentially, man has become "a consumer". The five levels of the pyramid of desires, in Gabriel Szapiro's vision are: „unexpected" desires, emotional desires, sharing desires, belonging desires and self-worth desires (Truphème, 2016).

The knowledge of the specificity of the social problems in a certain community and implicitly an assessment of the social needs at local level allows a clearer identification of the necessary social services, being favored also the more adequate use of the existing resources or their more efficient distribution. The need to identify and assess local social issues is also mentioned in the Draft of the Government Decision for the approval of the National Strategy on Social Inclusion and Poverty Reduction for the period 2021-2027 of the Action Plan for 2021-2027 being considered an issue that entails a poor monitoring and adequacy of social services to the needs of the community.

The lack of data on local social problems, the needs of certain vulnerable groups and the availability of services are arguments meant to support our scientific approach through which we will map the social problems.

We want that the model of integration to be able to identify the real needs of people released from prisons.

2. Objectives of the study

2.1. General objective

Development of a theoretical model for understanding the socio-professional integration of persons released from prison.

2.2. Secondary objectives

1) Identifying the individual perceptions of the persons released from the penitentiary about the socio-professional integration.
2) Identifying the services offered for socio-professional integration.
3) Identifying the factors involved in the integration of persons released from prison.
4) Identifying of the determining factors in the integration or, as the case may be, non-integration of the persons released from the penitentiary.

2.3. Research questions

1) What is the perception of people released from prison about post-detention integration?
2) Do the services received at the end of the execution of the sentence facilitate the integration?
3) Who is involved in the integration of people released from prison?
4) What motivates the people released from the penitentiary to integrate?

3. Methodology (work plan, methods, investigative tools, etc.)

The study is descriptive and exploratory. Qualitative research based on Grounded Theory was used to achieve the proposed objectives. To carry out the study, two stages were used that involved two research tools. In the first stage, a semi-structured interview was applied to the persons released from the penitentiary. The interview method was used, given that by using Grounded Theory a small number of participants will be chosen as a theoretical sample, will be innervated and then the findings will be analyzed. In the second phase, the analysis of the results took place.

Based on the two tools, the semi-structured interview and the analysis of the results, the general process of analysis of the results, of the findings was grounded, the discussions were written and the conclusions were stated.

The limitations of the study were first of all the fact that the persons released from the penitentiary do not want, in their vast majority, to discuss the period they spent in detention, motivating that certain aspects could be interpreted inconsistent with reality and could have repercussions in their everyday lives, and whatever happened there, happened and must be forgotten.

The novelty of the study was the use of triangulation, defined as the combination of two or more data sources in the same study. Triangulation allows the validation of data obtained involved the verification and control of data obtained from different sources, with different methods. The investigator's

triangulation involved the use of several interviewers or data in the study. Qualitative data were collected and subsequently analyzed and interpreted.

In the following lines, each of the data collection methods with specifications related to their application will be presented.

For this stage, the use of the semi-structured in-depth interview was chosen. The use of the personal interview was chosen, through the participation of the researcher and the interviewee, an interview that was conducted face to face, and as a result of the establishment in certain stages of the state of emergency alert due to the SARS-CoV-2 pandemic the interview was also conducted through the social networks as Facebook, the Whatsapp application as well as the Zoom application. All this being used depending on the availability and familiarity of the interviewees with them. Semi-structured interviews "are often preoccupied with exploring the respondent's subjective world" (Wengraf, 2001), but this does not mean that what they say is uncritically treated. The purpose of the interviewer is to transform „the relationship with the participant, from a relationship of you and me, into a relationship of us type" (Seidman, 2006), because if the interviewer does not want a complete relationship of the us type, the interviewee becomes an equal participant and there is a risk that the resulting speech will be a discussion and not an interview. Thinking about how we deliver information is critical, and for a successful interview, it is necessary to "understand how the map of an interview is constructed... can make our job easier, more accurate" (McPhee & Terry, 2007) and by therefore, we are able to find out what people really believe. When studying a particular context, the qualitative researcher will have to "examine the actions of people and the structures that encourage them" (Tracy, 2013).

Based on Grounded Theory, the data were analyzed once they were collected according to the research steps. Qualitative research was used to identify the characteristics, thoughts and emotions of people released from prison, to know them, but also to understand the integration process, as seen by them and, last but not least, to empathize with these.

What is important in qualitative research is that the researcher "empathizes and identifies with the people he is studying in order to understand how they see things" (Taylor et al., 2016). Most often qualitative researchers conduct the study because there are no theories, or if they are, they fail to adequately explain a phenomenon, and what is important for qualitative research is that "the process is inductive" (Merriam, 2009), which gathers the data needed to build concepts, hypotheses or theories. The data were recorded using the tape recorder, and data analysis was done using encoding techniques like the NVivo software.

A number of 7 people released from the penitentiary (5 men and 2 women) were selected for the research. The sampling used is theoretical, by the snowball method, because many of the released people refuse to talk about their past. It was considered that once the person is identified, who will agree to give the interview, he/she will recommend other participants through his/her social networks who meet the eligibility criteria and who could contribute to our study.

The snowball method allowed the selection of a sample of all persons released from the penitentiary, which was used to determine the truth about their integration. At the same time, it allows us to generalize the discoveries made on a larger scale.

During this period, when the SARS-CoV-2 pandemic restricted freedom of movement and meetings, it was considered that in addition to personal health and safety, the use of the snowball method will help reducing research costs, saves time for data collection, provides accurate results that can be calculated mathematically. An advantage of this method is that a hard-to-reach group can be investigated. And last but not least, this method can investigate a group of very well-informed people, specialists in the approached field.

Subjects were selected according to the research methodology: theoretically, by collecting evidence to establish the concepts needed to develop the theory, according to Grounded Theory.

The sampling was a theoretical one, consisting in repeating the collection of information, by including new participants in the research until the saturation of the theoretical model is obtained. The first two interviewees were selected without specific guidelines, other than the basic criteria for the target population. After analyzing the content of the first two interviews and the initial identification, the definition of the following categories appeared: person released from prison, integration and stigma. Subsequently, the other interviewees were additionally selected. After transcribing the interviews, additional topics and categories were identified, such as the factors involved in reintegration, the services provided for integration.

Regarding the researcher's ethics in this study, it presupposed the respect of the dignity and free will of those involved in research. The study was conducted in compliance with what is allowed and what is prohibited during the research. The present study included certain fears, desires, but also various mistrusts or conflicts of ideas, preconceived about the phenomenon. The purpose of this research, from an ethical point of view, was to find a common line, something that would bring together knowledge, respect for human rights but also the development of science by understanding the phenomenon proposed for research. In conclusion, taking into account the trust placed in the interviewees, by providing the interviews, the information presented must be kept strictly without prejudice in any way to the privacy of the interviewees through their deliberate or culpable disclosure.

4. Research results

4.1. The main problems identified

Taking these into account we can analyze the success and failure of the reintegration of persons released from the penitentiary (fig.3) we will have to appeal simultaneously to the community, family and job. It is known that in our country under the National Administration of Penitentiaries, according to the

official website, there are detention centers (4), penitentiaries (33), penitentiaries-hospital (6) and women's penitentiary (1), but what the most important is the fact that when released from detention the needs of these people differ from one person to another depending on age, gender, education, marital status, their life experience, support provided by family, society, etc.
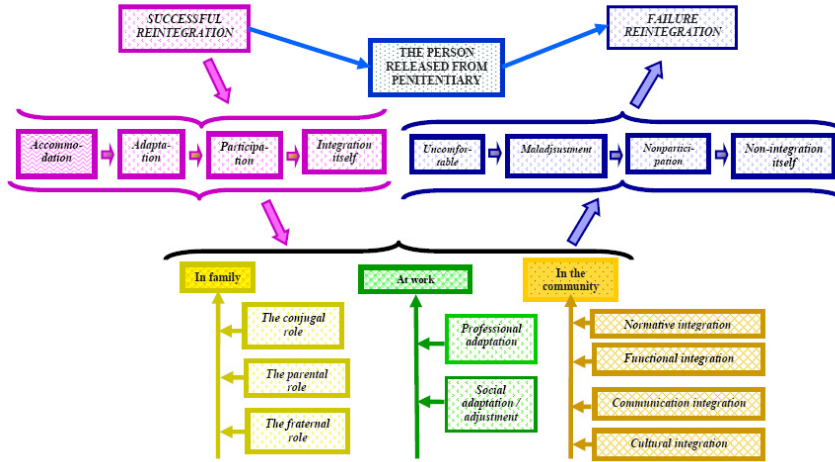

Fig. 3. The theoretical model of success versus failure to reintegrate persons released from prison

Social reintegration services provided to released persons consist of assistance and counseling services for those whose punishment has been totally or partially pardoned.

On 31.03.2021 in the units subordinated to the National Administration of Penitentiaries there were 22,233 people (21,192 men and 1,041 women), of which a number of 8,430 (37.92%) are repeat offenders, which raises questions regarding programs and activities of various specialists involved in the reintegration of released persons.

In order to prevent the risk of recurrence we will have to consider reducing social insecurity and lack of perspective and in particular reducing or diminishing violent subcultures that would ultimately lead to increased aggressive behavior and inevitably lead to increased crime.

Stigmatizing the convict on leaving prison is in fact the heaviest burden for him because he is thus labeled and automatically marginalized. The reaction of rejection of the society will automatically determine a counteraction from the person released from the penitentiary manifested especially by opposition to the legal norms.

The needs that facilitate social reintegration must be analyzed both at the level of the individual and the community and especially at the level of the institutions involved in the reintegration process.

At the personal level, the person must be informed about public or private service providers that are at the community level, as well as the conditions for accessing these services.

At the community level, there is a need to build viable networks that can help people immediately after release to support them in order to reintegrate.

At the institutional level, it is imperative to create functional databases that make real-time updates on employers, especially those willing to hire people who have served custodial or non-custodial measures. An analysis of vacancies offered by the Bacău County Agency for Employment included a number of 22 offers and 54 positions, of which I would mention warehouse manager, truck/ heavy truck driver, electronics technician, merchant, salesman and so on. The released person due to his abilities may not be on this list, may not be included in these offers or may not be adapted to their requirements and conditions.

At the legislative level, there is a need to amend the legislation and adapt it to the real needs of released persons, as well as to provide certain tax facilities to employers who provide employment to those released in relation to their skills and preparation.

4.2. The main causes of social problems

The lack of a system of education and training in prisons, the non-adaptation of socio-educational programs to the current socio-economic context, but especially the lack of monitoring the lives of detainees after their release from prison have led to increased recidivism. At the same time, it was found that former detainees face a high risk of exclusion from the labor market, as a result of discrimination and stigmatization by employers and society. Most detainees have a low level of schooling and vocational training, implicitly almost zero chances of being integrated into the labor market. At the same time, the criminal record affects the credibility of former detainees in front of employers, who are excluded from the job market.

What the community must be concerned with is improving the image of former detainees in the perception of society and removing social perceptions and prejudices towards this vulnerable group, which blocks their reintegration into society. Without the real involvement of society, the place from which prisoners come and inevitably return, reintegration efforts remain fruitless. Organizing as many campaigns as possible to eliminate the discriminatory mentalities that hinder the social inclusion of this vulnerable group is mandatory.

4.3. The main consequences of social problems

The phenomenon of recidivism of persons released from prison is due to various factors, of which we recall only a few:
  a) the period of detention was too mild, gentle and the person adapted to the status of detainee, to the conditions of execution of the custodial sentence in the penitentiary, and such persons end up to be no longer

afraid of the penitentiary, so they return to a system where they have adapted as normal, theirs.

b) lack of resources or support during the critical period, immediately in the first weeks after release, when if he finds a job, he will be paid after a month, during which time it depends on other resources, if they exist, and when they do not exist, it can resort to immediate, easy, known solution, respectively to theft, robbery, fraud, etc.;

c) maladaptive reactions immediately after release are among the most diverse. For example, the shock of release, especially in the case of those who served heavy sentences and who did not have or lost, at some point, the support of loved ones. There may be problems adapting to new social realities, unseen until then except in terms of the media, such as the cost of living, mentalities, etc.. When there is some support from the family, difficulties may arise in managing various contacts, in rebuilding normal functional social relations, etc.

d) the lack of positive role models (in the family, in the circle of friends) can create various erroneous role models in real life, an aspect that influences personal choices and increases the risks of adopting criminal behaviors.

e) the vicious circle of lack of positive educational experiences that include the family, school, community, such that parents were not educated, do not value and support education, transmit pseudo-values in the early ears of their life, the school abandons / discourages efforts to keep the individual in the educational system (due to the presence of prejudices, stereotypes), and the community seems to promote models of people who did not have or had reduced contacts with learning and in this context, appears, most often , the prospect of repeated crimes, an option influenced by the system of values adopted and manifested.

f) the existence of mental health problems are determined by those special situations of detainees who had discernment in committing the act, but during the execution of the sentence, their mental situation deteriorates severely and these detainees are a risk to those around them and to themselves, both during and after the execution of the sentence, by committing crimes, some with extremely serious consequences but the capacity of the medical and social services is extremely limited in handling such cases after release.

4.4. Recommendation

The reintegration of detainees requires the combined effort of the whole community to be adapted to its real needs.

At the same time, the identification of all actors at the level of the local community that can provide services adapted to the real needs of the persons released from the penitentiary plays an important role in the integration of the released persons.

In order to prevent the recidivism of the released persons, the state is obliged to be responsible by allocating financial resources, leading at community level of the services with the role of supporting the social reintegration of the released persons.

Of course, in a world in constant change, finding a job with the support of the local community and advising employers to limit or eliminate the criminal record of hiring a person can help released people in their efforts to return to work after they were released.

A decisive role in the integration of released persons can be played by penitentiary units which, together with other social actors at the community level, must become an active part of the process of social reintegration of released persons from prison but not after release, to not consider that their responsibility is only inside the penitentiary.

Attention must always be paid to the standardization of social reintegration programs offered by penitentiaries and probation services, as well as by direct monitoring of cases and not by delegating responsibility to other actors such as those at commune level where the resources are limited.

Now more than ever, there is a need for active and effective involvement of penitentiaries at the community level for people who have been detained in that penitentiary unit in order to achieve a successful reintegration.

Awareness at community level that marginalization and exclusion are not real solutions and especially that social inclusion will lead to a more efficient management of community resources is strictly important.

What must to keep in mind is that they can pose serious threats to the failure of various integration programs in the context in which the minimum gross salary is 2,300 lei per month. The minimum monthly consumption basket for a family of two employees adults (35- 45 years old) with two dependent children (12-14 years old and 8-10 years old) respectively, the average monthly expenses per person were 2,099 lei per person at the level of the fourth quarter of 2020, according to the National Institute of Statistics. The natural question arises in this context whether the released person is really helped to reintegrate into society after serving his sentence.

5. Conclusions

As a result of the objectives of the study and the answers identified to the research questions, the information obtained was quite simple and clear. Post-reintegration has been, is and will have to be a joint action of all actors in society. Even if the research will identify various theoretical models to facilitate the understanding of the integration of these people, it is mandatory for society to find the most optimal solutions and implement it "from the bottom up", because the people who actually work with them know their real needs. There is a need for society to focus more on practice and not just on theory, to effectively put into practice the lessons identified and learned now, now and not those from the past, which are often not adapted to needs.

In the case of most people released from prison, post-detention reintegration is a difficult objective, because they at the level of society are often perceived as people to avoid and infrequent, and who will never bring advantages. When we refer to the services received that facilitate integration, it appears that they are not in line with the needs of the freed persons, and the official data on the state of recidivism come to our support and show us that it is 37,92%[2]. The lack of a job is perhaps the biggest challenge for a significant part of them- and the lack of involvement of all actors in society often brings failure for them.

About the involvement in the integration of released persons from prison, better said about who is involved in it, although the actors are known at the theoretical level and here only the public and local authorities, representatives of the National Administration of Penitentiaries, national and multinational companies, representatives of the government, civil society, representatives of the community and the media, unfortunately, often, these do not find the common way to support the released persons of the penitentiary in reintegration.

Persons released from prison are motivated to integrate into society, mainly out of the desire to be another person and to be a free man, master of his life and last but not least to show the family, the priests and the community, that this event in their life, detention, was an accident.

Concluding we can say that the integration of persons and freedom from prison requires the joint effort of the state institutions, its family, the social environment and, of course, perhaps most importantly, interinstitutional collaboration, finding optimal solutions and avoiding the delegation from one institution to another of the task of integrating the person released from the penitentiary.

References

Comisia Europeană. (2021). *Planul de acțiune privind integrarea și incluziunea pentru perioada 2021-2027.*

McPhee, N. & Terry, R. (2007). *The hidden art of interviewing people. How to get them to tell you the truth.* John Wiley & Sons Ltd.

Merriam, B. S. (2009). *Qualitative research. A guide to design and implementation.* Jossey-Bass.

Notă privind situația pe luna decembrie 2020 a dinamicii și structurii efectivelor de persoane private de libertate. Available at: http://anp.gov.ro/wp-content/uploads/2021/02/SITUA%C5%A2IA-LUNAR%C4%82-decembrie-2020-site.pdf (24.04.2021, 10:06.)

Proiectul de Hotărâre a Guvernului pentru aprobarea Strategiei naționale privind incluziunea socială și reducerea sărăciei pentru perioada 2021-2027.

Seidman, I. (2006). *Interviewing as Qualitative Research. A Guide for Researchers in Education and the Social Sciences* (Third Editions). Teachers College Press.

Strategia națională de reintegrare socială a persoanelor private de libertate 2020 – 2024.

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[2]   http://anp.gov.ro/wp-content/uploads/2021/04/SITUA%C5%A2IA-LUNAR%C4%82-martie-2021-site.pdf

Taylor, S. J., Bogdan, R., DeVault, M. (2016). *Introduction to Qualitative Research Methods: A Guidebook and Resource*. John Wiley & Sons.

Tracy, J. S. (2013). *Qualitative research methods. Collecting evidence, crafting analysis, communicating impact*. Wiley-Blackwell.

Truphème, S. (2016). *L'Inbound Marketing - Attirer, conquérir et enchanter le client à l'ère du digital*: (Marketing/Communication) (French Edition). DUNOD.

Wengraf, T. (2001). *Qualitative Research. Interviewing. Biographic Narrative and Semi-Structured Methods*. SAGE Publications Ltd.