STRAIGHT LIVES: Criminal Desistance and the Relationship Between Individual Behavior and Public Safety

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Introduction

Desistance from crime is defined as a process involving a series of cognitive, social, and behavioral changes leading up to the cessation of criminal behavior. The value and importance of studying desistance, particularly for intervention efforts after the onset of offending, have been stressed abundantly in the literature (Kazemian 2007; Laub and Sampson 2001). Predictors of desistance highlighted in the literature include the strength and quality of bonds to sources of informal social control (Bersani Laub and Nieuwbeerta 2009; Farrington and West 1995; Laub and Sampson 2003), human agency and the development of a prosocial identity (Maruna 2001), expressing hope for the future (Burnett and Maruna 2004), reduced associations with friends who engage in offending (Warr 1998), increased interactions with prosocial coworkers (Wright and Cullen 2004), and reduced substance use (Giordano et al. 2002; Maruna 2001).*

The obstacles faced by formerly incarcerated individuals are similar to the impediments identified in the research literature on desistance from crime, namely strains on family relationships, physical and mental health issues, substance abuse, difficulties in securing housing, lack of marketable skills, restrictive laws and policies, and unemployment (Burnett 2004; Laub and Sampson 2001; Maruna 2001; Petersilia 2009; Travis 2005). However, with the exception of some noteworthy initiatives in the UK, there has generally been limited integration of the knowledge

* For an extensive review of the desistance literature, see Laub and Sampson (2001). For a more recent review, see Kazemian (2015).
base in the areas of desistance and prisoner reentry (Kazemian 2012). McNeill (2006, pp. 45-46) highlighted that “the muted impact that desistance research has had on policy and practice hitherto is both surprising and problematic because knowledge about processes of desistance is clearly critical to our understandings of how and why ex-offenders come to change their behaviours”.

While desistance research has primarily emphasized theoretical advancements, research on offender reintegration has focused on the practical implications of desistance among formerly incarcerated individuals. Findings drawn from desistance research have obvious implications for reentry practices, but these two areas of study often appear to be disjointed. In more recent years, some U.S-based researchers have successfully bridged this gap by examining the predictive value of criminal history records on redemption and desistance (e.g., Blumstein and Nakamura 2009; Bushway, Nieuwbeerta and Blokland 2011), but discussions of the relevance of desistance research for criminal justice policy and practice have generally been more prevalent among European scholars.

More than the Absence of Recidivism

Research on desistance from crime entails a number of methodological concerns, which have been highlighted at length in other publications (Kazemian 2007; Laub and Sampson 2001). The operationalization of desistance is a particularly crucial issue in desistance research. It also involves important implications for the assessment of programming outcomes.

Policy makers and researchers alike favor a result-oriented approach and fixate on recidivism as an indicator of success and failure. A recidivism-focused approach disregards changes and progress exhibited in other behavioral, cognitive and social outcomes. Kazemian (2012) has suggested that the assessment of desistance should extend beyond offending outcomes, and include variables such as improvements in mental health and thinking styles, social bonds and integration, and other behaviors (e.g., substance use and routine activities).

* From “Discovering Desistance,” an interview by S. Shannon and S. Lageson on The Society Pages (http://thesocietypages.org/specials/discovering-desistance/).
Some interventions may not exert an immediate impact on desistance efforts, but may address issues that are known to promote desistance. For instance, arts projects have been found to help prisoners “begin to think differently about themselves, their families, their relationships with their peers, and their relationships to the prison regime and the opportunities if offers”, as well as assist them in developing different identities and perceptions of the future (McNeill et al. 2011, pp. 9-10). These interventions provide “an opportunity to engage with [one’s] own humanity and with [one’s] potential for growth and development” (p. 10). These elements are crucial to the desistance process. An exclusive focus on recidivism may give the impression that programs that do not exert immediate effects on offending behavior are ineffective, but they may exert an effect on factors that are associated with long-term change.

Maruna and Farrall (2004) made the distinction between primary desistance (the initial decision to abandon criminal behavior) and secondary desistance (a shift in self-identity and maintenance of desistance efforts), which underlines the reality that the initial decision to cease offending is often only the first step in the desistance process. Reviews of the literature have suggested that when prospective longitudinal data are not available, observation periods are short, and dichotomous measures of desistance are employed, desistance is likely to indicate a temporary lull in offending as opposed to the permanent cessation of crime (see Kazemian 2007).

Over 25 years ago, Le Blanc and Fréchette (1989, followed by Loeber and Le Blanc 1990 and Le Blanc and Loeber 1998) developed a definition of desistance that extended beyond the dichotomous measure. This definition integrated four dimensions. The authors argued that before criminal activity ceases completely, the frequency of offending declines (deceleration), offenders engage in less diverse offense types (specialization), transition to committing less serious offenses (de-escalation), and a culmination point is reached. This definition is consistent with the operationalization of desistance as a process, but it remains underutilized in desistance research. Most (quantitative) desistance research continues to adopt a dichotomous definition of desistance, most likely due to the convenience and availability of recidivism data as opposed to data on other criminal career parameters.
Studies have found that criminal careers are characterized by a great deal of intermittency, and several researchers have acknowledged the relevance of perceiving desistance as a process (Bottoms et al. 2004; Bushway et al. 2001; Loeber and Le Blanc 1990; McNeill et al. 2005). As a result, the complete abandonment of offending activities is unlikely to occur suddenly, especially among individuals who have been highly active in offending from a young age. Criminal career researchers have consistently established the strong link between early onset and persistent offending (see review of the
criminal career literature in Piquero, Farrington, and Blumstein 2003). Therefore, focusing solely on the final state of termination provides limited guidance for intervention initiatives and neglects to offer support and reinforcement during periods when they are most needed (i.e. periods of reassessment and ambivalence toward desistance or persistence; see Burnett 2004).

Can Knowledge of Desistance Inform Policy and Practice?

Some observations emerging from the body of research on desistance have important ramifications for criminal justice interventions. This section highlights some of these issues.

*Intervention Approaches: Desistance-based vs. what-works*

Much of the discussions on the link between the desistance knowledge base and criminal justice interventions have been initiated by researchers in the UK. Some of these important works have specifically focused on the potentially crucial role of probation in promoting the desistance process (McNeill 2006). Over 30 years ago, Bottoms and McWilliams (1979) highlighted the theoretical limitations of the treatment model, laying out the inconsistencies between medical treatment and probation interventions. First, most crime is voluntary, and disease is said to be involuntary. Second, the medical model assumes that crime is pathological, and there is limited evidence to support this claim. Third, individual treatment paradigms overlook the social causes of crime. In addition, Bottoms and McWilliams (1979) argued that participation in programs is often coercive and passive, and that the service provider is often regarded as the ‘expert’ who knows best. As a result, the offenders’ viewpoints and perspectives are systematically overlooked because they are not deemed to offer useful insight:

> For if a probation officer ineluctably believes in his powers of treatment, and in his right to force others to submit to them, then eventually he will almost certainly reach two conclusions. First, he will decide that he has a right to take compulsory power over people’s lives additional to that which is justified by the offence, in order to make the treatment ‘work’. Second, he will tend to ignore the so-called ‘client’s’ view of the situation, and to define the situation entirely in his (the treater’s) terms. It is the results of these pieces of implicit arrogance (which, to set the record straight, the authors have themselves subscribed to in the past as practising probation officers) that may be criticized as unjust (Bottoms and McWilliams 1979: 162).
Consequently, Bottoms and McWilliams (1979: 173) suggested a non-treatment paradigm that involves greater client involvement in the process of change. This paradigm was later revised by Raynor and Vanstone (1994: 398), who suggested a redefinition of the concept of help which would integrate not only the concepts of collaboration and client needs, but also “informed practice focused on influencing and helping individuals to stop offending”. In essence, this reformulation integrated the principles relevant to harm reduction and the process of change, revealing the particular relevance to desistance research.

The contrast between “what works” and the desistance paradigms is highly relevant to criminal justice interventions. While the “what works” models emphasizes reductions in reoffending, public safety, the use of risk assessment instruments, and mandatory program participation, the desistance paradigm promotes harm reduction, “making good,” dialogue and open communication between the service provider and client, and an intervention plan determined by both parties to address needs and obstacles to desistance efforts that may arise.*

One of the most popular paradigms to emerge in the offender rehabilitation literature in recent decades is the Risk-Need-Responsivity (RNR) model. This paradigm stresses three key principles that are said to be required for effective offender rehabilitation programs (Andrews, Bonta and Hoge 1990). These principles stipulate that program intensity needs to be matched to the level of risk posed by the individual; that interventions need to target criminogenic needs, which are associated with criminal behavior; and that the delivery method of the intervention needs to be adapted to the individual’s learning capabilities. Despite some evidence that the RNR model is effective in reducing offending behavior (Andrews and Bonta 2014), this paradigm has raised some criticism. Ward and Brown (2004) argued that the RNR model neglects the issue of offender motivation and focuses too much on negative, rather than positive, outcomes. It ignores the social causes of crime (McNeill 2009).

In a similar vein, McNeill et al. (2011) highlighted some of the limitations of ‘what works’ initiatives (i.e. evidence-based interventions; see also Ward and Maruna 2007). McNeill et al.

* For a summary of the key elements of the non-treatment paradigm, Raynor and Vanstone’s (1994) revised paradigm, the ‘what works’ paradigm, and the desistance paradigm, see McNeill (2006: 56).

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**Principles for Supporting Desistance in Criminal Justice**

1. Be realistic
2. Favor informal approaches
3. Use prisons sparingly
4. Build positive relationships
5. Respect individuality
6. Recognize the significance of social contexts
7. Mind our language
8. Promote redemption

(2011) noted: “Crucially, ‘what works?’ puts the intervention itself at the heart of the process of change. By way of contrast, desistance-based perspectives stress that the process of change exists before and beyond the intervention...”. In short, the desistance paradigm grants a central role to the offender in the process of change.

Ward and Brown (2004) argue for a shift away from deficit-based interventions (emphasizing risk and criminogenic needs as determined by experts and service providers), to a strength-based approach to offender rehabilitation. McNeill et al. (2013) also underlined the importance of developing interventions that focus less on risk and more on past and future achievements, and that acknowledge and reward success.

An alternative paradigm to the RNR model was developed: the Good Lives Model (GLM, see Ward and Brown 2004; Ward and Marshall 2004). This model rests on the assumption that individuals seek to secure certain “primary goods” (such as friendships, loving relationships, and positive self-image), and that offending may either be a means or a consequence of an attempt to secure these goods. The GLM seeks to identify obstacles to living a fulfilling life, and to develop skills to tackle these obstacles when they present themselves. GLM-based interventions encourage the development of strategies that enable the individual to secure primary goods without causing harm to others. Human agency and the development of a reformed identity are central to the GLM (Ward and Brown 2004).

Individuals who demonstrate motivation to change and optimism about the future have been found to be less likely to reoffend. Hope for the future appears to be an important feature of desistance-promoting interventions (Burnett and Maruna 2004; Caverley and Farrall 2011). GLM interventions strike a balance between the well-being of offenders and the reduction of future risks of offending, with a strong focus on human agency, thus granting an important role to the ‘client’ in the planning and implementation of the program (see also McNeill and Weaver 2010). *

* Andrews, Bonta and Wormith (2011: 750) argued that the GLM does not offer any substantial insight that is not already included in the RNR model, that the latter model does not suggest to overlook human suffering, and that “GLM-based interventions may not be that different from soundly implemented RNR interventions, as long as the former actually address the offender’s dynamic risk factors in powerful ways.”
In short, the engagement and input of participants is crucial to program effectiveness. McNeill (2006: 46) summarized the major paradigmatic shift that is required to develop interventions that are more conducive to desistance, stating that “offender management services need to think of themselves less as providers of correctional treatment (that belongs to the expert) and more as supporters of desistance processes (that belong to the desister)”. The tendency to underplay the important role of concerned actors in the desistance process is also observed in research. Studies on subjective dimensions of desistance (such as emotions, motivations, and self-enforced goals) are relatively scarce in quantitative research, possibly because there is a tendency to regard subjective dimensions of human experiences as “unscientific” (Maruna 2001: 8).

Despite the important work carried out by qualitative researchers, the input of desisting offenders is seldom documented in quantitative research. When investigating why offenders desist from crime, quantitative researchers tend to overlook the viewpoints of the concerned actors. Researchers generally document several social and psychological indicators and conduct statistical analyses to identify factors that significantly predict desistance. While this approach has generated a wealth of knowledge on desistance, self-assessments of conditions needed to desist and reintegrate into the community are also important in the explanation of desistance. These dimensions are generally overlooked in appraisals carried out by external observers (e.g., researchers, criminal justice professionals, etc.).

**Desistance in prisons**

Time in prison is assessed through two main indicators of success or failure: behaviors in prison (correctional risk) and postrelease outcomes (community risk). The concept of desistance cuts across these two dimensions. Yet, the desistance literature has largely ignored changes that occur during periods of incarceration. The concept of desistance remains largely absent from intervention programs developed in prisons, and research in this area is limited based on the premise that criminal careers are halted during periods of incarceration and that individuals are inactive in offending while incarcerated (Kazemian and Travis 2015). As a result of these assumptions, life-course and criminal career research has failed to examine and document changes that occur during periods of incarceration. Few studies have documented the progression (or disintegration) of criminal careers, of the desistance process, and of other social and cognitive changes that occur during periods of incarceration. This research is particularly scarce with samples of long termers or lifers (Kazemian and Travis 2015).
Researcher/practitioner partnerships

The importance of establishing an open dialogue between academic scholars, practitioners, and policymakers is an ongoing discussion in all academic fields. In desistance research, UK-based researchers offer a prime example of this type of initiative. In 2011, a group of prominent scholars in desistance research (including Fergus McNeill, University of Glasgow; Shadd Maruna, then at Queen’s University Belfast; Stephen Farrall, University of Sheffield) led an initiative funded by the Economic and Social Research Council, titled Desistance Knowledge Exchange Project (DesKE). The project provided a forum for knowledge exchange between academics, policy makers, and ex-offenders, as well as service providers and recipients, to assess the various supervision and reintegration strategies that can best promote the desistance process. The DesKE researchers developed a blog that gained rapid popularity among desistance scholars and produced a documentary titled The Road from Crime.

In 2012, the researchers organized a series of workshops with individuals with criminal convictions, probationers, practitioners, and policymakers. These meetings were held in various cities, including Belfast, Glasgow, London and Sheffield. As a result of initiatives such as DesKE and increased communication between researchers and policymakers, The National Offender Management Service (NOMS) and Probation Trusts in England and Wales have increasingly integrated in their practices knowledge generated in desistance research.

Innovative and laudable initiatives of this nature are not yet widespread in other countries, and there is a great deal of variability within Europe with regards to the integration of the desistance knowledge base in criminal justice interventions. For instance, in a small-scale study conducted in France, Herzog-Evans (2011) found a high degree of disjunction between the practitioner and academic worlds. None of the correctional practitioners interviewed in her study were familiar with the concept of desistance, nor did they have access to published research on the topic. One psychiatrist in her study asked, “Really, there are people studying these things?” (p. 32). In North America, research centers strategically positioned within academic institutions play a key role in bridging the gap between the academic and policy knowledge base.
Conclusion

Several themes emerge from research advocating the need to make correctional interventions more “desistance-focused” (McNeill et al. 2011).

1. Because desistance is an individualized process, interventions should ideally be tailored to the circumstances of the individual and take into account the subjective dimension of identity. Despite some points of contention between the RNR and GLM paradigms, proponents of both paradigms seem to agree on the importance of individualized assessments and interventions rather than standardized programming (McNeill 2009).

2. Service providers need to promote the development and maintenance of motivation and hope in order to maximize the likelihood of successful desistance.

3. Interventions need to focus not only on the relationships between clients and service providers, but also on relationships with those individuals who are important to the offenders.

4. Interventions need to shift away from an almost exclusive emphasis on risk and criminogenic needs to “strengths and resources” that help individuals to overcome obstacles to desistance.

5. Interventions should stimulate the development of human agency (i.e. the ability to make choices and to exert control over one’s own life) and self-determination; in other words, “working with offenders and not on them” (McNeill et al. 2011: 7).

6. Interventions need to focus simultaneously on human capital (i.e. developing individual skill sets) and social capital (i.e. involving families and communities).

A thorough reading of the research and practice literatures about desistance makes one issue clear: the academic and practitioner worlds must collaborate to develop an effective, desistance-promoting approach to criminal justice.
References


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