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# **Reentry Experiences of Released Juvenile Lifers in Philadelphia**

## REENTRY EXPERIENCES OF RELEASED JUVENILE LIFERS IN PHILADELPHIA

The national movement aimed at reducing incarceration rates through legislation and other policy reforms has focused almost exclusively on non-violent felony offenders. However, individuals serving long-term sentences for violent crimes make up more than half of the state-prison population (Kazemiam & Travis, 2015) and any effort to substantially reduce the costs of incarceration in the United States will have to grapple with this issue (Pfaff, 2017).

Although there does not seem to be much enthusiasm among policymakers—or the public at large—to consider sentencing reform for violent crimes, persons serving very long-sentences for violent offenses tend to be the most well-adjusted segment of the prison population (Kazemiam & Travis, 2015) and have the lowest recidivism rates of any category of previously incarcerated persons (Daftary-Kapur & Zottoli, 2020; Weiberg et al., 2011). At the same time, there remains a paucity of research on the reentry experiences of these individual to guide policymakers who must concern themselves not only with arriving at optimal sentence lengths for persons convicted of violence, but also how to maximize their rehabilitation and successful reintegration to society upon release.

This brief presents findings from a survey of individuals from Philadelphia, Pennsylvania who were sentenced to life without the possibility of parole (LWOP) for crimes committed in their youth (hereafter “juvenile lifers”)<sup>1</sup>, and were subsequently released. In *Miller v. Alabama* (2012), the Supreme Court of the United States (SCOTUS) ruled that mandatory life without parole sentences were unconstitutional for individuals convicted of crimes committed before the age of 18. In *Montgomery v. Louisiana* (2016), the Court held that *Miller* should be applied retroactively, thereby invalidating all juvenile LWOP sentences that had been mandated by statute. At the time *Miller* was decided, there were approximately 2,100 individuals across the United States serving JLWOP sentences; at the start of 2020 this number had gone down to 1,465, a 38% decrease (Sentencing Project, 2021).

This is the first time such a large concentration of individuals sentenced to life for violent offenses (in this case, homicide) have been released, providing us with the unique opportunity to (1) examine whether their reentry experiences are consistent with existing data on prisoner reentry, and (2) update and inform evidence-based policies on how we can best prepare for, and support, returning citizens who have served long sentences.

### FOCUS ON PENNSYLVANIA

Pennsylvania incarcerated the largest percentage of juvenile lifers in the country (521 or 25%) and has been at the forefront of the resentencing and release process. Most juvenile lifers in Pennsylvania hailed from Philadelphia County (325 of the 521). To date, approximately 300 have been resentenced and 224 released; those that remain either have appeals or Post Conviction Relief petitions pending.<sup>2</sup> Daftary-Kapur & Zottoli (2020) found recidivism rates among released Philadelphia juvenile lifers to be negligible—only 2 of the 174 released had been reconvicted (1.14%) and both were for low level offenses. Given that recidivism is only one component of successful reentry, we surveyed Philadelphia juvenile lifers on various aspects of reentry, including reconnecting with family, navigating employment and obtaining housing.

<sup>1</sup> While we typically avoid labels that equate individuals with legal statuses, we use the term juvenile lifers here for two reasons: 1) It is the term that has been adopted for self-reference by the community of individuals released from and still serving JLWOP, and 2) it is the term in common usage among advocacy organizations and attorneys engaged in JLWOP reform.

<sup>2</sup> The Post-Conviction Collateral Relief act (42 Pa.C.S.A. §9541) permits some incarcerated criminal defendants to challenge their convictions after an unsuccessful direct appeal to the Pennsylvania Supreme Court. It is the sole means of obtaining state relief following conviction, sentencing and direct appeal.

### METHOD

112 released juvenile lifers responded to a survey on:

- **Life prior to incarceration** including engagement in delinquency, family functioning, attachment to school, family contact with the justice system, abuse history, and community crime.
- **Life during incarceration** including engagement in rehabilitation programming, visitations, and disciplinary actions.
- **Life after incarceration** including family/friend relationships, housing, employment, health, and other aspects of reentry.

### Demographics

Respondents were between the ages of 38 and 67 at the time of the survey. The majority of respondents were male (94%, n=105), and Black (82%, n=92).

## EARLY LIFE EXPERIENCES

Prior to incarceration, juvenile lifers experienced a number of psychosocial risk factors associated with adolescent antisocial behavior and other adverse outcomes. 90% (n=107) experienced 5 or more risk factors; 40% (n=44) experienced 15 or more risk factors.

### Juvenile lifers faced significant challenges in the home

- 27% (n=30) were physically and/or emotionally abused in the home.
- 46% (n=51) had poor adult supervision as a child.
- 37% (n=44) had experienced neglect as a child.
- 23% (n=26) had a parent who was involved in criminal activity.
- 18% (n=20) had at least one parent who was incarcerated during their childhood.

### Juvenile lifers faced significant educational and peer-related challenges

- 81% (n=95) were suspended at least once.
- 49% (n=60) had been expelled from school.
- 85% (n=95) associated with delinquent peers.
- 43% (n=56) were involved in a gang.

**Respondents with more early risk factors experienced more challenges across all categories of reentry, with the largest associations for securing employment and reconnecting with family**

## Exposure to childhood risk factors

Risk Factor	Percentage reporting
<b>Familial Risk Factors</b>	
Poor relationship with parents	35%
Raised in a single parent household	63%
Experienced physical discipline at home	69%
Had poor adult supervision as a child	46%
Physically abused at home	27%
Emotionally abused at home	30%
Experienced neglect	37%
Parent(s) were engaged in criminal activity	23%
Parent(s) were incarcerated	18%
Violence in the home	38%
Parents struggled with substance use	36%
Parents struggled with mental health	21%
Experienced poverty	63%
<b>Physical/mental health risk factors</b>	
Drug use as a teenager	62%
Difficulty concentrating	38%
Head injury prior to age 18	29%
Developmental diagnosis as a child	17%
Physical health issues	15%
Mental health issues	21%
<b>School related risk factors</b>	
Expelled from school	49%
Suspended at least once	81%
Poor grades in school	64%
<b>Peer related risk factors</b>	
Delinquent peers	85%
Gang involved	43%
<b>Neighborhood risk factors</b>	
Neighborhood crime	92%
Neighborhood drug problem	85%
Neighborhood poverty	86%

## PRIOR JUSTICE SYSTEM CONTACT AND THE CONVICTION OFFENSE

Majority of respondents had prior contact with the juvenile justice system.<sup>3</sup>

- 70% (n=78) individuals had at least one prior juvenile arrest.
- 73% of those ever arrested had two or more priors.
- The average age of their first arrest was 14 years, ranging from 10-17 years.

### Conviction offense

Of those surveyed 51% were convicted of first degree murder and 49% were convicted of second degree murder.<sup>4</sup>

## INCARCERATION EXPERIENCES

Almost all ( n=111) of the juvenile lifers surveyed participated in some form of prison programming.

- 53% (n=60) of respondents reported having been restricted from some programs they wanted to participate in, mostly vocational programs (e.g. barbering).
- Pre-release programming did not play a significant role in reentry success. There was no consistent pattern between pre-release programming and the items assessing perceptions of reentry challenges.

Almost all respondents reported misconducts during their time incarcerated.

- 97% (n=109) reported disciplinary actions against them at some point during their incarceration, including fighting, disobeying orders, possessing contraband, and accessing unauthorized areas.
- On average, respondents were incident-free for at least 9 years prior to release.
- Regarding the last misconduct reported, the most common ones were fighting (12%, n=14), possession of contraband (9%, n=10), disobeying an order (9%, n=10), accessing an unauthorized area (8%, n=9), and not standing for count (7%, n=8).

<sup>3</sup> In 2020, using data from resentencing memos Daftary-Kapur & Zottoli reported that 49% of the juvenile lifers were first time offenders and 48% had one prior adjudication; only 3% of the sample had two or more prior adjudications. They did not report on arrest data.

<sup>4</sup> In the state of Pennsylvania, first degree murder is the intentional killing of another person that is willful, deliberate, and premeditated. In contrast, a defendant can be convicted of 2nd degree murder (sometimes referred to as felony murder) for any level of participation in a felonious crime that results in a death. For example, serving as a getaway driver in a convenience store hold-up—even if one never enters the store—can result in a felony murder charge if someone is killed during the course of the robbery. The top-charged felony for released juvenile lifers convicted of 2nd degree murder in Philadelphia was robbery (78%; Daftary-Kapur & Zottoli, 2020). Seven individuals did not report their conviction offense. This data is not reflective of the overall charge breakdown for the population of released juvenile lifers in Philadelphia. As of December 2019, 62% of those released had been convicted of 1st degree murder and the remaining 38% of 2nd degree murder.



## REENTRY EXPERIENCES

Most individuals (96%, n=108) surveyed are on lifetime parole. Generally, individuals indicated that parole was not very challenging but there were a few aspects which were harder to navigate such as finding employment and travel restrictions.

The charts below show respondent ratings of how challenging they perceived various aspects of their reentry to be and respondent ratings on how helpful various factors were to successful reintegration.

### Age and Reentry

Respondents were incarcerated on average for 33 years (SD=7, n=98), ranging from 21-49 years.

The average age at release was 49 years (SD=7), ranging from 37-67 years.

The average time respondents had been in the community was 30 months (SD=11).

Compared to older and younger persons, participants aged 45-56 generally rated their reentry experiences as less challenging.

## Ratings on how challenging various aspects of reentry were

	Percentage rating above 50 on scale	Percentage ranking aspect of reentry as most challenging*
Housing	41%	24%
Employment	46%	29%
Connecting with family	38%	20%
Accessing healthcare	38%	20%
Obtaining State ID	23%	24%
Accessing educational opportunities	27%	20%

Note. Participants were asked to rate various aspects of reentry on a 0-100 scale, with 0 indicating “not at all challenging” and 100 indicating “very challenging”.

\*Some respondents had ties in their rankings of “most challenging.”

## Ratings on how helpful various factors were to reintegration

	Percentage rating above 50 on scale	Percentage ranking factor as most helpful
Family connectedness	80%	55%
Stable housing	83%	56%
Employment	70%	42%
Reentry services	32%	10%
Lifer support groups	65%	23%
Transportation	68%	34%
Access to healthcare	73%	37%

Note. Participants were asked to rate various aspects of reentry on a 0-100 scale, with 0 indicating “not at all helpful” and 100 indicating “very helpful”

## HOUSING

Although, finding stable housing is a significant challenge for returning citizens, the majority of juvenile lifers surveyed had stable housing situations that met their expectations.

- The majority of respondents were paroled to the home of a relative, friend or spouse (77%; n=86). The remainder were paroled to some form of transitional housing.
- The majority of respondents (91%; n=102) reported low levels of mobility since release; 35% (n=40) had never moved, 37% (n=42) had moved only once, and 18% (n=20) had moved twice.
- 62% (n=70) described their current housing situation as long-term.
- 85% (n=96) described their housing situation as either at or above their expectations.

### Housing situation at the time of survey



**63%**

Family or spouse



**17%**

Own apartment/  
house



**20%**

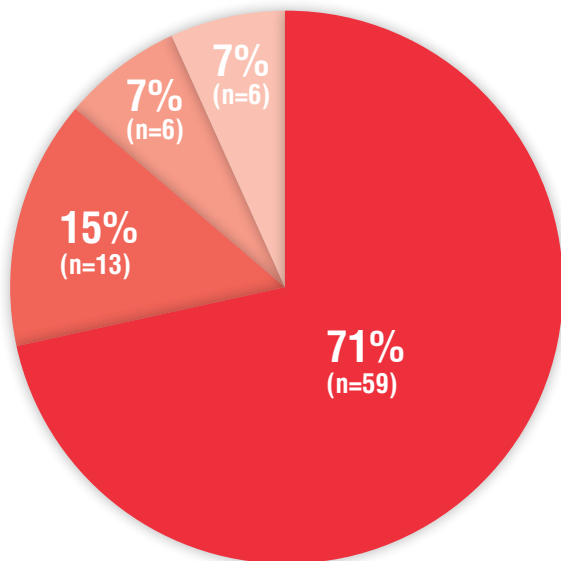
Friends/transitional  
housing



## EMPLOYMENT

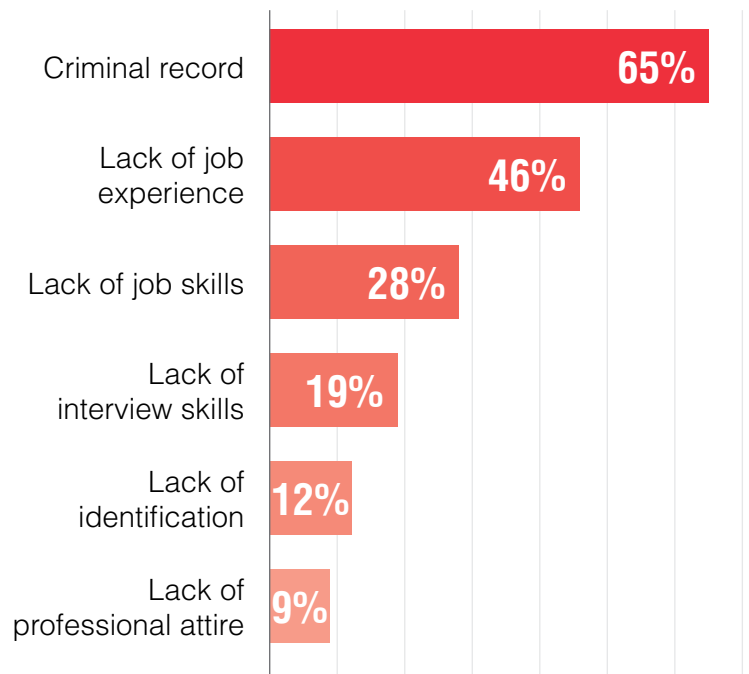
Employment has been identified as one of the most pressing issues facing returning citizens and can be especially challenging for those sentenced to long terms as juveniles. Despite the challenges they faced, the majority of those surveyed are faring well when it comes to employment.

- 33% (n=37) had a job lined up prior to release; of the remaining 74 individuals, 89% started searching for a job immediately upon release.
- At the time of the survey, 75% (n=84) of respondents were employed in either part-time or full-time positions; an additional 10% (n=11) had lost their jobs because of the COVID-19 pandemic.
- Finding gainful work was rated as the most or second most challenging aspect of reentry by 57 respondents (51%), with 33 (29%) rating it as the most challenging.



- Blue collar jobs (construction/maintenance/janitorial services/store workers)
- Advocacy positions/public defender offices/criminal justice non-profits
- Vocational careers
- Administrative positions

## Barriers to employment

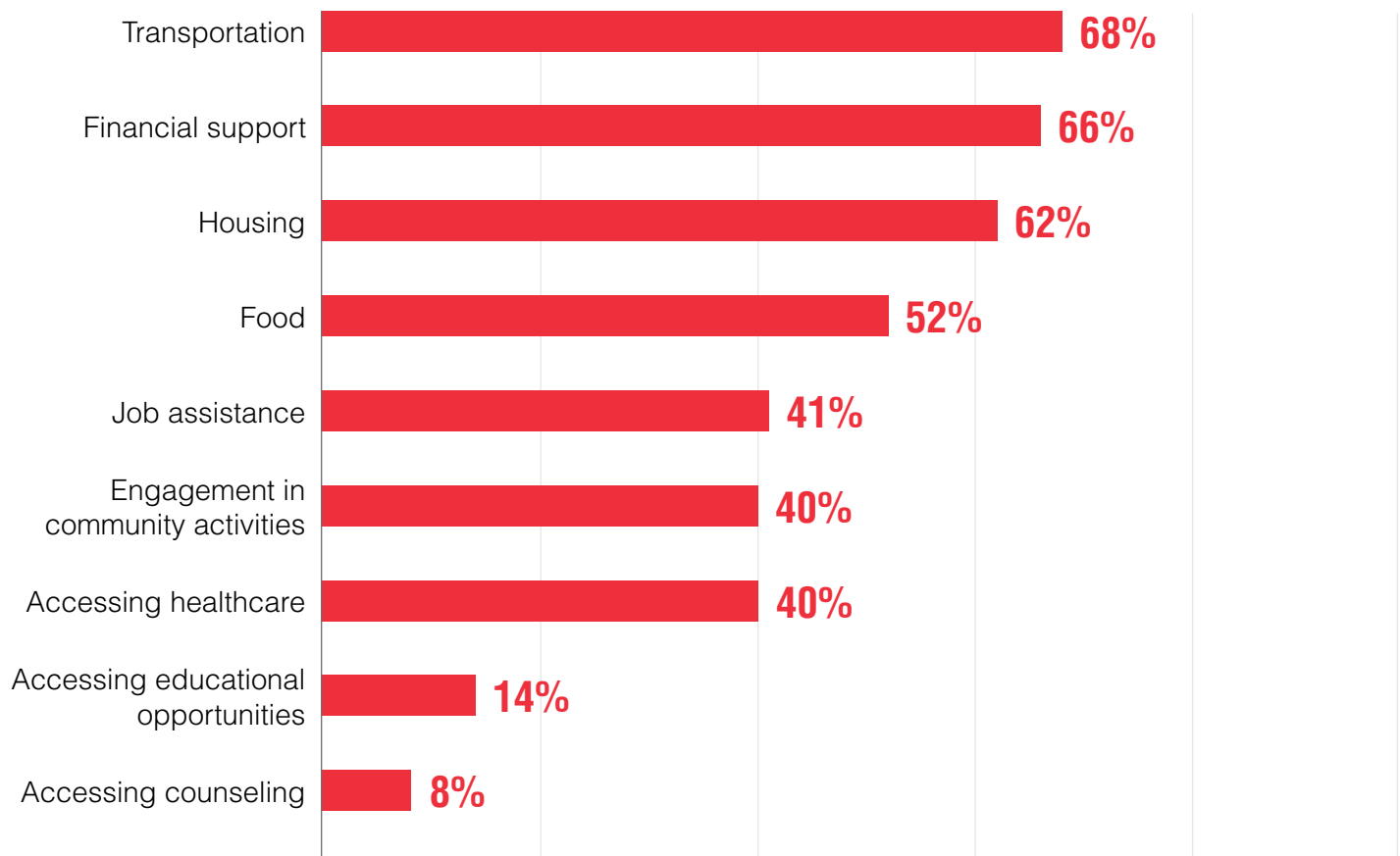


## SOCIAL RELATIONSHIPS

Family members are the most commonly anticipated source of financial resources, housing, and emotional support before individuals are released (La Vigne et al., (2005), and tend to provide the most tangible and emotional support after release (La Vigne, Shollenberger, and Debus 2009). All respondents were closely connected with at least one family member—34% (n=39) were connected with a sibling, 28% (n=31) with a parent, 21% (n=24) with a spouse/intimate partner, 8% (n=9) with an aunt or uncle, and the remaining 9% (n=10) mentioned either a cousin, friend, or child. These connections seemed to have played an important role in the reintegration process for juvenile lifers.

Below we list some of the areas in which family members were of assistance and the percentage of individuals who indicated receiving each type of assistance.

### Type of support received from family members



## SOCIAL RELATIONSHIPS

- Generally, respondents indicated they had good relationships with the family member they were the closest to and were able to rely on this person for emotional support.
- Most individuals had well-calibrated expectations of familial support--that is their expectations for support were congruent with the actual support they received. Additionally, individuals with well-calibrated expectations of housing and job support, reported struggling less to achieve these goals.

### How respondents feel about their family relationships

	Strongly agree	Agree	Somewhat agree	Neither agree nor disagree	Somewhat disagree	Disagree	Strongly Disagree
After release I wanted my family to be involved in my life	75%	14%	6%	3%	2%	0%	0%
Family has been a source of emotional support for me post-release	72%	13%	5%	3%	2%	1%	4%
I am satisfied with communication with my family member	67%	21%	6%	4%	2%	0%	0%
I can calmly discuss problems with my family member	60%	21%	10%	3%	4%	0%	2%
I can express my true feelings to my family member	63%	15%	13%	3%	4%	0%	2%

## HEALTHCARE

Similar to previous findings (e.g. La Vigne and Kachnowski 2005), and consistent with research linking long-term incarceration to poor health outcomes (Visher et al. 2004), our respondents reported a variety of health issues.

- 38% (n=43) of individual surveyed indicated that they had a chronic physical health condition.
- 21% (n=24) indicated that they had been diagnosed with a mental health condition.
- Access to healthcare and insurance did not seem to pose a problem for this group.

### Reentry and mental health

Respondents with mental health issues found reentry to be slightly more difficult on average than those without; the largest gaps were in accessing social services, connecting with family, and finding employment. Those with physical health issues also reported more difficulty connecting with family, finding employment, and accessing social services.

## POLICY RECOMMENDATIONS

Rec.  
1

**Correctional facilities should focus on helping incarcerated persons maintain family ties.** Consistent with other studies (La Vigne, Shollenberger, and Debus 2009; Visher and Courtney 2007), strong family support facilitated reentry for most of our respondents. There are several relatively straightforward recommendations that correctional facilities can follow to help inmates strengthen and maintain family relationships. These include improved visitation policies, options for video visitations, and support programs for families to help them better understand the experiences of their loved ones while incarcerated and obtain practical skills on how best to support returning family members.

Rec.  
2

**Lifers should be provided with educational and vocational training opportunities.** The vast majority of juvenile lifers were restricted from programming geared toward skilled job acquisition and career development. Given the trend toward decarceration, we might expect more and more states abolish sentences of LWOP for juveniles and other populations (e.g., elimination of three-strikes laws) or to reduce the required length of time that must be served before parole eligibility. Indeed, a number of states have enacted or are contemplating “second chance” laws which allow for parole eligibility for juveniles originally sentenced to LWOP or virtual LWOP after serving a set number of years (for example, in Maryland individuals can now apply for parole after 20 years of incarceration). As such, it might be prudent to revise policies that restrict lifers and virtual lifers from educational and vocational programming.

Rec.  
3

**Housing assistance as a key to success.** Our respondents perceived stable housing as crucial to their reentry success, and indeed, stable housing is associated with lower recidivism, substance use, and greater success in obtaining a job (Herbert et al., 2015). While not as easy as providing release provisions or facilitating family visits, there are a number of things that policymakers can consider to increase access to safe and affordable housing for returning citizens; examples include temporary rental assistance programs and housing subsidies as well as tax or other monetary incentives for family members who are willing to provide housing to their released kin.



## CONCLUSION

Understanding the reentry experience of juvenile lifers has broad implications for policymakers, legal actors and advocacy organizations working on issues related to rehabilitation of justice involved youth, sentencing reform and reentry. Despite having been incarcerated for long periods and from such a young age, and despite having been denied crucial reentry programming available to those who were not sentenced to LWOP, on the whole, the juvenile lifers we surveyed have had fairly successful reentry experiences as defined by negligible recidivism, stable housing, adequate employment and connection to family. All reported having at least one close personal relationship, nearly three-quarters of the respondents are employed at least part-time and all are domiciled, with 80% living in permanent housing.

At the same time, more than a quarter of respondents have faced appreciable struggles finding work and 20% are living in temporary housing. Over a third reported having chronic physical health conditions, and one-fifth had been diagnosed with a mental health condition. There was also a great deal of variability across all individuals in terms of what they perceived as barriers to reentry and to what extent these barriers impeded their success. Recognizing these barriers, understanding the factors that lead to, or exacerbate them, and identifying the individuals who will be most likely to face them will become increasingly important to policymakers and practitioners as more and more resentenced juvenile lifers become eligible for release and will also help guide decision making with respect to the potential release of other incarcerated persons serving long sentences.

The full report along with complete statistical analysis can be found here: <https://doi.org/10.1037/law0000344>

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## AUTHOR INFORMATION AND ACKNOWLEDGMENTS

### ABOUT THE AUTHORS

#### **Tarika Daftary-Kapur**

Associate Professor of Justice Studies  
daftarykaput@montclair.edu

#### **Tina M. Zottoli**

Associate Professor of Psychology  
zottolit@montclair.edu

### RESEARCH ASSISTANTS

#### **Tristin Faust**

Doctoral Student, Psychology

#### **Ryan Schneider**

Doctoral Student, Psychology

### ABOUT MONTCLAIR STATE UNIVERSITY

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