Detainees' Employment - Between a Business Opportunity and the Social Benefit of Reducing Recidivism

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Abstract: The paper addresses one of the causes of criminality in Romania: poverty as result of the lack of qualification and formal jobs, particularly in the case of those committing crimes against property.

Although there are policies aimed to reduce the causes that generate crime and recidivism, their effectiveness has not been evaluated so far, the only indicator being the statistical one. Contrary to expectations, statistically, the recidivism rate in Romania is increasing.

In this context, there is the opportunity to initiate partnerships between the business environment and the penitentiary system to increasing turnover. In addition, it can also address social issues such as qualification of detainees during detention, reducing anger and aggression by engaging in productive and structured activities, increasing the post-release chances of employment, education through and for work, increasing one's own income for prisons and reducing the risk of recidivism after release.

The article presents the multidimensional opportunities of a public-private partnership, with an accent on the economic and social impact for the entrepreneur - penitentiary (as a state institution) - detainee - society.

Keywords: *entrepreneurship, employment of detainees, recidivism.*

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1. Introduction

In accordance with UE2020, involvement in working activities is considered to be “probably the best protection against poverty and social exclusion”. In this context, Stefan cel Mare University from Suceava, Suceava Territorial Agency for work placement and The Romanian Academy – the National Institute for Economy initiated a specific research within the Project co-funded from Human capital Operational Program 2014-2020, POCU/380/6/13 - *“Support for doctoral candidates and post-doctoral researchers: DECIDE - Development through entrepreneurial education and innovative doctoral and post-doctoral research”*.

The main aim of the research is to assess the difficulties inmates and former prisoners encounter when searching for employment, in order to identify solutions for their post-release work placement.

2. Problem Statement

Crime and delinquency have raised the interest of the scientific community for a long time, in a constant search for identifying causes and efficient prevention and intervention strategies. The scientific literature abounds with research focused on the etiology of crime [5], on dimensions associated with recidivism and the economic and social impact of criminality [4], all pointing towards a common core, characterized mainly by low socio-economic status, lack of education and unemployment.

Most of the existing scientific research focused on developing reentry programs in the prison setting and post-release employment policies.

The current study brings a new approach, by analyzing the social benefits of involving inmates in working activities in prison as well as underlining the economic potential for entrepreneurs of a private – public partnership with the prison system.

Participants were inmates incarcerated in the Romanian prison system. We chose to study this subject because the Romanian prison system has in custody 21.000 inmates, in 44 detaining facilities, with 24.3% of them having a criminal record and 43% having already executed a prison sentence. Although most inmates are adults and have the capacity to work, they report significant difficulties in the post-release social reinsertion process, especially in finding employment.

Despite the existing statistics, there is to date no study conducted in the Romanian prison population aimed at identifying the specific problems inmates have when searching for employment or which are the particularities of this group.

In a constant changing social and economic context, time spent in custody contributes to the above-mentioned problem, because their knowledge and skills are inadequate for the realities of today's society [2]. When we add their low educational level, societal prejudice and discrimination, as well as certain individual difficulties, it is easy to understand why inmates represent a group with significant employment and reinsertion problems. Lack of employment causes a low financial status and contributes to emigration, engagement in work activities outside the legal framework and an increase in recidivism rates. This aspect is reflected in the recidivism rate for Romania, which is around 67.3%.

3. Aims of the research and Research Methods

The study proposes an assessment of the special employment needs of inmates, in order to identify specific entrepreneurial solutions, relevant for an efficient post-release labour market reinsertion [3].

The research methodology consisted in an analysis of the National Administration of Penitentiaries database and of the Romanian General Police Inspectorate database and included the following variables:

- Residence area
- Marital status
- Age
- Ethnicity
- Educational level
- Pre-conviction employment status.

The present paper wishes to present a different perspective on social and economic opportunities employers have when hiring inmates.

The main objectives of the study are:

1. identifying adequate solutions for the development of proper work education during imprisonment
2. presenting the social and economic benefits of a private – public partnership

5. Findings

Statistics show that there are 20.897 detainees incarcerated in Romania [1]. Among them 35% came from a rural residence area, 96% of them are adults with an age range of 21 to 60 year. Regarding their marital status, 37% of inmates were single or involved in a common-law partnership (34%) prior to incarceration. 65% of inmates from the general prison

population are of Romanian nationality and 21% declare themselves as roma population.

An analysis of the educational level of inmates revealed serious problems:

- 6.85% are illiterate
- 38.75% have only gymnasium education
- 18.46% have attended high-school (9-12 school years)
- 3.38% have completed higher education studies
- 62.66% of them did not have a job upon arrest, while only 22% were involved in different domains of activity.

The correlation of statistic data shows that more than 70% of detainees are convicted for crimes against property, have not completed their studies [5], are unqualified and did not have any jobs prior to incarceration, but they benefited from social services.

According to the type of offences, approximatively 1.030 detainees have committed crimes against persons (murder, robbery – 4.5%) and about 4.728 detainees have committed crimes against property (theft, tax evasion, fraud) – 22.62%.

In addition, 43% of inmates are recidivists and have a history of prison sentences and 24.3% of inmates had a criminal record, but have not executed previously a prison sentence. The total recidivism rate rises to 67.3%.

The correlation of statistic data shows that 80% of the detainees who had not completed their studies had no qualification and never had a job, but they benefited from social services, thus committing crimes against property.

Research shows that there is a high correlation between lack of qualifications, unemployment and criminality. Specialized literature presents them as the main causes of criminality.

In accordance with national and international legislation, the purpose of prison is protecting society against crime and rehabilitation for the prevention of new crimes, through formal education, training programs, educational and psychosocial programs and work activities.

In prison settings, involving inmates in work activities has significant benefits:

- Development of discipline, accountability and increase of employment rate in long-term structured activities;
- Constructive use of detention years – creating a meaning and sense of usefulness;

- Workplace training and equivalence of detention work time as seniority.

In conclusion, we can state that lack of working skills and employment opportunities contributes to increase criminality, with a general negative impact on society. At the same time, prisons can use training programs and work activities to facilitate the development of necessary training skills of inmates, with a beneficial impact on post-release social and employment reinsertion.

In this context, taking into considerations the EU recommendations regarding the necessity for work inclusion of vulnerable categories, the current study proposes:

- A presentation of business and profit ideas for contractors by establishing partnerships between the private environment and the public system – penitentiary;
- Contribution to creating new jobs, increasing the employment rate and reducing recidivism, an aspect which might reflect in the reduction of state budget expenses (reduction of long-term maintenance expenses in detention, reduction of the number of welfare recipients and beneficiaries of certain social services etc.)

Conclusions

Business opportunities

Conclusion of partnerships between the business environment (contractors) and the penitentiary system:

Given that the penitentiaries operate as micro-communities isolated from the community, regardless of the environment where they are located (rural/urban), **clusters** of creative companies may be set in each unit as well as local production centers referred to as “one village-one product”: a synonym for “one penitentiary-one product”.

Example: From this perspective, if Mărgineni Penitentiary was known for the production of solid wood furniture (the well-known Caragiale furniture), the other penitentiaries may operate in the field of textiles, mosaic and stained glass art, region-specific industrial products such as naval equipment for the penitentiaries located along the Danube etc.

Benefits for contractors:

- Constant existence of human resources for the contract term;
- Available spaces where the production activity can be performed, in some cases the production workshops being already equipped;
- Existence of pre-orders (pre-contracts) for production activities;

- Accessing European funds required for the development of profitable and sustainable business;
- Payment of a guaranteed minimum wage, without any possibility of renegotiation, because the contract is signed between the penitentiary and the contractor, not directly with the detainee;
- The penitentiary ensures security, food and medical care and work time records (actual check-in of worked time);
- Payment allocated for the completed quota.

Benefits for the penitentiary

- Increasing the revenue of the state budget by transforming the penitentiaries from consumers into sources of revenue (according to law, 60% of the revenue obtained from the work performed by detainees is allocated to the penitentiary and 40% to the detainee);
- The money obtained from the work performed by detainees (rental of space included) is considered own income and is used for investments and various purchases, thus contributing to the improvement of detention conditions;
- Daily participation of selected detainees in gainful activities decreases the negative impact of cell overcrowding, decreases aggressiveness and offers the possibility of using detention time in a constructive manner.

Benefits for detainees

- Exploitation of the detention time in a constructive and creative manner;
- Increasing the opportunities to find a job after release or to set up a business (entrepreneurship), thus increasing the prerequisites to ensure an income and to reduce the risk of recidivism;
- Decreasing the sentence length, directly proportional to the worked time and the early release;
- Increasing the quality of life in detention: with the money earned, detainees may purchase various consumption goods and 10% of the money goes to the “release fund”, which will be returned to them upon release;
- The possibility to obtain a qualification at the workplace, training and discipline for a work schedule, satisfaction of financial independence and decrease of pressure on the family budget who will no longer have to send them money for certain goods (e.g. cigarettes, coffee) and even the satisfaction of some of them that they can use the money to send it home in order to help their children or to pay part of the legal expenses ordered by court;

- For this type of activity, the work time in the penitentiary is considered as “seniority”.

Benefits for society

- The development of new opportunities of partnerships between the public and private sectors as well as the approach of activities which can be carried out in the penitentiary system in terms of economic effectiveness;
- Qualification of detainees at the workplace and job creation;
- Harmonization of public policies for poverty reduction, social reintegration of detainees, SNC and SNCDI occupation, so that the increase in detainees’ schooling and qualification level generates not only the decrease of criminality, but poverty reduction and social inclusion as well;
- Organization of marketing activities particularly in order to foster a new type of human capital and to internationalize the products created by them;
- Capitalization of the social economy potential.

Weaknesses:

- The period of about one month necessary for developing the dexterity and skills for the fine execution of works, requiring qualification at the workplace;
- The relatively long time needed for market entry and business recognition.

Risks:

- Loss of raw materials during the period of detainee training/qualification;
- Delay in order delivery as a result of the risk of extension of detainee training period;
- Ununprofessional marketing strategy;
- Society’s bias against this category of workforce.

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